



00150573201400028660030030

04/03/2014 09:52:24 AM

Fee: \$52.00

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTEES:

Ventura & Vanessa Cobian Serrato
1042 E. Main Street
Klamath Falls OR 97601

GRANTOR:

City of Klamath Falls
500 Klamath Avenue
Klamath Falls, OR 97601

REVOCABLE LICENSE & ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Ventura & Vanessa Cobian Serrato (Grantees) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantees, their successors and assigns, upon the terms and subject to the conditions hereinafter set forth, non-exclusive permission to encroach upon a portion of the East Main Street right-of-way in the City of Klamath Falls at 1038-1042 East Main Street (as shown on the attached map Exhibit "A"). This license/permit is granted for the limited purpose of allowing metal roof structure support posts on the sidewalk ("a commercial overhang") and is subject to the following conditions:

- 1) Grantees shall comply with all relevant local, state and federal regulations pertaining to Grantees' use of the area, including but not limited to, City Planning and building regulations;
- 2) Grantees shall submit the as-built construction plans to the City's Public Works Department and shall conform to any modifications or restrictions imposed by the Department; and
- 3) Grantees shall be responsible for the maintenance of the metal roof structure support posts for all expenses for removal of the metal roof structure support posts, if required under this license/permit, and for restoration of the right-of-way damaged by maintenance or removal.

Grantees agree to pay to the City, as compensation for the privileges herein granted, the sum of One Hundred Two and 00/100 Dollars (\$102.00), receipt of which is hereby acknowledged by City.

Grantees shall save and hold harmless the City from, and indemnify the City against, any and all liability for or on account of any death or injury to persons, or damage to property incurred in any manner whatsoever growing out of Grantees' use or the public's loss of the privileges herein granted.

This Agreement shall run from year to year unless terminated. It may be terminated upon sixty (60) days written notice by either party. Upon termination, Grantees shall remove all structures herein authorized and restore the public right-of-way in accordance with the directions of the City's Director of Public Works within sixty (60) days. Grantees agree that City shall not be responsible for damage to any structures within the right-of-way caused by or related to City's legitimate use of the right-of-way.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this 12th day of March, 2014.

CITY OF KLAMATH FALLS

By: [Signature]
City Manager

Attest: [Signature]
City Recorder

GRANTEES

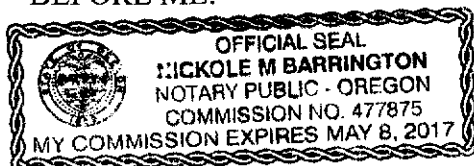
By: [Signature]
Ventura Cobian Serrato

By: [Signature]
Vanessa Cobian Serrato

STATE OF OREGON)
) ss.
County of Klamath)

On the 12th day of March, 2014, personally appeared Nathan Cherpeski and Elisa D. Olson, who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

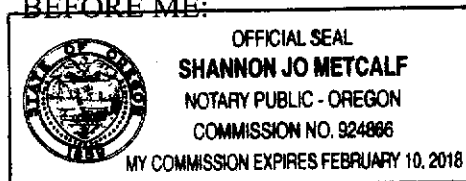


[Signature]
Notary Public for Oregon
My Commission Expires: 5-8-2017

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on the 5 day of March, 2014 by Ventura and Vanessa Cobian Serrato.

BEFORE ME:



[Signature]
Notary Public for State of Oregon
My Commission Expires: Feb 10, 2018

COMMERCIAL OVERHANG ENCROACHMENT - EAST MAIN ST. **LOT 788 BLOCK 105 MILLS ADDITION TO THE CITY OF KLAMATH FALLS**

1' = 20'
 EXHIBIT MAP "A"

