

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTEES:

Klamath Falls City School District
1336 Avalon Street
Klamath Falls, OR 97601

GRANTOR:

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

2019-013800

Klamath County, Oregon



00250784201900138000030034

11/26/2019 09:14:56 AM

Fee: \$92.00

REVOCABLE LICENSE & ENCROACHMENT PERMIT

The City of Klamath Falls, Oregon, a municipal corporation (City) and Klamath Falls City School District(Grantee) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, 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 right of way which is located on the north side of Eberlein Avenue and crossing roughly perpendicular near the intersection with Avalon Street, as shown on the attached Exhibit A, which is incorporated by reference herein. This license/permit is granted for the limited purpose of installing a new irrigation line which will replace an existing line subject to the following conditions:

- 1) Grantee shall comply with all relevant local, state and federal regulations pertaining to Grantee's use of the area, including but not limited to, City Planning and building regulations;
- 2) Grantee shall coordinate and seek prior approval for the project from the City Development Services, and shall submit as-built construction plans;
- 3) Grantee shall be responsible for whatever costs they incur to replace and maintain the existing irrigation line, and for the restoration of the right-of-way damaged by maintenance or operation; and
- 4) Grantee shall not erect any structures, permanent or temporary, of any type upon the right-of-way.

Grantee agrees to allow public access to the area, as compensation for the privileges herein granted.

Grantee 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 Grantee's use or the public's loss of the

privileges herein granted.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this 21st day of November, 2019.

CITY OF KLAMATH FALLS

By: [Signature]
City Manager

GRANTEE

By: [Signature]
Maintenance Supervisor

Attest: [Signature]
City Recorder

STATE OF OREGON)
) ss.
County of Klamath)

On the 21 day of November, 2019, personally appeared Nathan Cherpeski and Nickole Barrington, 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: 9-9-23

STATE OF OREGON)
) ss.
County of Klamath)

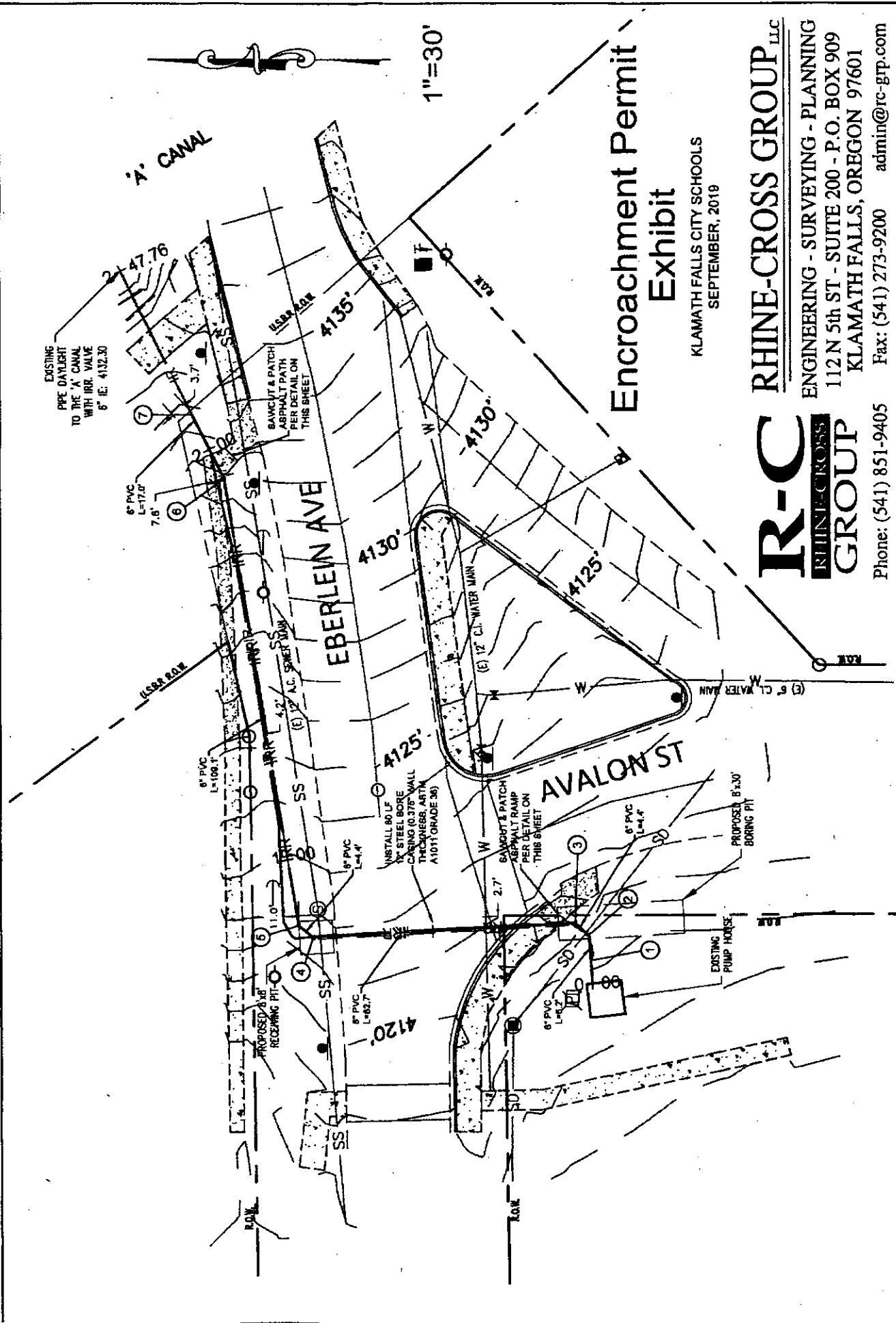


This instrument was acknowledged before me on the 21 day of November, 2019 by Wayne Huggins, Maintenance Supervisor for the Klamath Falls City School District.

BEFORE ME:

[Signature]
Notary Public for Oregon
My Commission Expires: 9-9-23





Encroachment Permit Exhibit

KLAMATH FALLS CITY SCHOOLS
SEPTEMBER, 2019

R-C
RHINE-CROSS
GROUP
ENGINEERING - SURVEYING - PLANNING
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