2020-008950 Klamath County, Oregon



07/22/2020 09:28:04 AM

Fee: \$92.00

## AFTER RECORDING RETURN TO:

City Recorder 500 Klamath Avenue Klamath Falls, OR 97601

## **GRANTEE:**

Derrick DeGroot 1680 Ridgecrest Drive 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 Derrick DeGroot (Grantee) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantee, its successors and assigns, upon the terms and subject to the conditions hereinafter set forth, revocable, non-exclusive permission to encroach upon Ridgecrest Drive, in the City of Klamath Falls located at 1680 Ridgecrest Drive (as shown on attached map Exhibit "A," and referred to herein as the "Area"). This license/permit is granted for the limited purpose of a retaining wall constructed over the property line onto property owned by the City of Klamath Falls. This license/permit is subject to the following conditions:

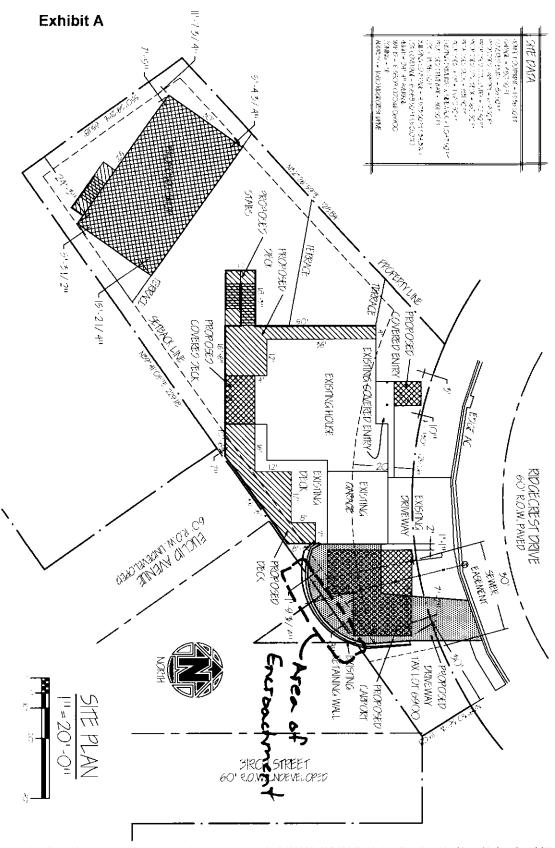
- 1) Grantee shall comply with all relevant local, state and federal regulations pertaining to Grantee's use of the Area, including but not limited to, City Planning and building regulations;
- 2) Grantee shall submit the as-built construction plans to the City's Public Works Department and shall conform to any modifications or restrictions imposed by the Department. City agrees to place street barricades at the westerly and easterly boundaries of the Area at City's expense; and
- 3) Grantee shall be responsible for the maintenance and upkeep of the Area, for all expenses for removal of the Area improvements if required under this license/permit, and for restoration of the right-of-way damaged by maintenance, upkeep or removal.

Grantee agrees to pay to the City, as compensation for the privileges herein granted, the sum of \$92 for cost of recording/permit fee, receipt of which is hereby acknowledged by City.

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.

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, Grantee shall remove all structures and improvements herein authorized and restore the unimproved public right-of-way in accordance with the directions of the City's Director of Public Works within sixty (60) days. Grantee agrees that City shall not be responsible for damage to any structures or improvements within the right-of-way caused by or related to City's legitimate use of the right-of-way.

IN WITNESS WHEREOF, the parties here , 2020.	eto have caused this Agreement to be executed this 16th of
CITY OF KLAMATH FALLS	GRANTEE
By: City Manager	By: Derrick DeGroot
Attest: Little Bankington City Recorder	J.
STATE OF OREGON ) ) ss.	
County of Klamath )	
each being first duly sworn, did say that the former is	ally appeared Nathan Cherpeski and Nickole Barrington, who, the City Manager and the latter is the City Recorder of the City and that the instrument was signed on behalf of said municipal trument to be its voluntary act and deed.
BEFORE ME:	Angula Hark Notary Public for Oregon
OFFICIAL STAMP ANGELA HARTZ NOTARY PUBLIC-OREGON COMMISSION NO. 991467 MY COMMISSION EXPIRES SEPTEMBER 09, 2023 STATE OF OREGON )	My Commission Expires: 9-9-23
County of Klamath ) ss.	
On the <u>/u</u> day of <u></u> , 2020, personally acknowledge that he/she is authorized to execute the deed.	y appeared Derrick DeGroot, who, being first duly sworn, did is instrument and that this instrument is their voluntary act and
BEFORE ME:	Notary Public for Oregon My Commission Expires: 9-9-23
OFFICIAL STAMP ANGELA HARTZ NOTARY PUBLIC-OREGON COMMISSION NO. 991467 MY COMMISSION EXPIRES SEPTEMBER 09, 2023	wy Commission Expires



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1680 RDGECÆST DRIVE   KLAMATHEALLS, CAMASH COUNTY OR	

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