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05/15/2023 01:46:38 PM

Fee: \$92.00

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTEES:

Kevin Leon Kemp and Molly Suzanne Gonzales Kemp
1717 Tiffany 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 Kevin Leon Kemp and Molly Suzanne Gonzales Kemp (Grantees) for and in consideration of the covenants and conditions hereinafter set forth, agree as follows:

City hereby gives and grants to Grantees, its successors and assigns, upon the terms and subject to the conditions hereinafter set forth, revocable, non-exclusive permission to encroach upon the right of way off Tiffany Street and Van Ness Street, in the City of Klamath Falls located near the property commonly known as 1717 Tiffany Street, legally described as lots 13, 14 and 15 in Block 37 of Mountain View Addition (R-3809-020DD-02800-000) (as shown on the attached map Exhibit "A," and referred to herein as the "Area"). This license/permit is granted for the limited purpose of increased visibility and landscaping. This license/permit 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 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.

Grantees agree to pay to the City, as compensation for the privileges herein granted, the sum of (\$92.00) for cost of recording/permit fee, 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 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. Grantees agree 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 hereto have caused this Agreement to be executed this 15th of May, 2023.

CITY OF KLAMATH FALLS

GRANTEES:

By: Sarah Teichert
City Manager

By: Kevin Leon Kemp

Attest: Nickole Barrington
City Recorder

By: Molly Suzanne Gonzales Kemp
Molly Suzanne Gonzales Kemp

STATE OF OREGON)
) ss.
County of Klamath)

On the 15th day of May, 2023, personally appeared Jonathan Teichert 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:

Kristina Rose Mainwaring
Notary Public for Oregon
My Commission Expires: 02/25/2025

STATE OF OREGON)
) ss.
County of Klamath)



On the 15th day of May, 2023, personally appeared Kevin Leon Kemp and Molly Suzanne Gonzales Kemp, who, being first duly sworn, did acknowledge that they are authorized to execute this instrument and that this instrument is their voluntary act and deed.

BEFORE ME:

Kristina Rose Mainwaring
Notary Public for Oregon
My Commission Expires: 02/25/2025

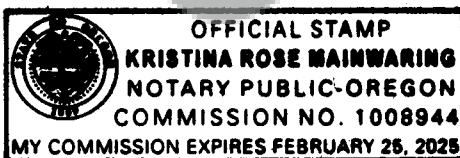


Exhibit "A"

KEVIN KEMP

