
DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER
Prepared by: Renee Hall, City Clerk's Office, 515 Clark, Ames, IA 50010 Phone: 515/239-5105
Return to City Clerk, P. O. Box 811, Ames, IA 50010

RE: _____
ENCROACHMENT PERMIT AGREEMENT

IT IS AGREED between the undersigned and the City of Ames, Iowa, that:

1. With respect to the _____ more fully detailed on the attached drawing, which by this reference is made a part hereof, for which an Encroachment Permit under Section 22.3 of the *Municipal Code* of Ames may be issued, the Owners do hereby covenant and agree to indemnify and hold harmless the City of Ames, its officers and employees, against any loss or liability whatsoever, including attorney's fees, pertaining to any and all claims whatsoever made by any and all persons whomsoever, resulting from or arising out of the location and maintenance of said encroachment.
2. There shall be maintained in effect by the Owners, for the period of the encroachment, comprehensive general liability insurance coverage in an amount of not less than \$500,000 combined single limit. Said certificate must be accompanied with a copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy. The certificate must be on file in the Office of the City Clerk, City of Ames, before a permit shall be issued.
3. It is expressly understood and agreed that nothing herein contained shall be deemed a waiver or exemption from any ordinances or amendments thereto enacted by the City of Ames; and, that the City may require the Owners, after notice and an opportunity for hearing, to remove said encroachment for any legitimate reason.
4. This Covenant and Agreement shall run with the land and be binding upon the successors and assignees of the parties hereto. The Owners shall notify the City Clerk at the time that the encroachments cease to exist.

Dated this _____ day of _____, ____.

**CITY OF AMES, IOWA
515 CLARK AVENUE**

**By: _____
John A. Haila, Mayor**

**By: _____
Applicant (tenant)**

**By: _____
Landlord/Property Owner**

**State of Iowa
County of Story**

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for Story County, State of Iowa, personally appeared _____ and _____, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my notarial seal the day and year last above written.

Notary Public in and for the State of Iowa

State of Iowa
County of Story

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for Story County, State of Iowa, personally appeared _____ and _____, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my notarial seal the day and year last above written.

Notary Public in and for the State of Iowa