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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Prepared by & return to: Steven E. Carr, PO Box 333, Manchester, Iowa 52057 (563) 927-4164
Grantor: City of Earlville Grantees: Charles Bruce Houlton and Janet Houlton

# AGREEMENT

Charles Bruce Houlton and Janet Houlton, husband and wife (hereinafter "Houlton") are owners of the following described real estate:

Lots 3 and 4, Block 10, Nottingham, now Earlville, Iowa, according to plat recorded thereof.

The City of Earlville, Iowa (hereinafter "City") is owner of the following described real estate:

The West half of the alley abutting Lots 3 and 4, Block 10, Nottingham, now Earlville, Iowa, according to plat recorded thereof.

The above owners agree as follows:

1. City grants Houlton permission to construct a hard surfaced area that will encroach approximately six feet onto the alley for a distance of approximately fifteen feet.

2. Houlton is responsible for any required upkeep on the area.

3. Houlton holds City harmless and will indemnify City for any losses relating to the referenced encroachment.

4. Houlton grants City a right of entry onto the encroachment.

5. Houlton will name City as additional insured and furnish proof of certificate of insurance to the City annually.

6. City can terminate this agreement at any time by giving written notice to Houlton.

7. Houlton will bear all costs of removal of the encroachment if required by the City.

8. Houlton is responsible for all costs associated with this agreement including recording of same.

Dan Wheeler, Mayor of Earlville

Charles Bruce Houlton

Janet Houlton

STATE OF IOWA )
DELAWARE COUNTY )

This instrument was acknowledged before me on this 24rd day of May, 2007 by Dan Wheeler as Mayor of Earlville.

JANEL M. RIES
Commission Number 739680
My Commission Expires
3-14-09

Notary Public in and for the State of Iowa

STATE OF IOWA )
DELAWARE COUNTY )

This instrument was acknowledged before me on this 22nd day of May, 2007 by Charles Bruce Houlton and Janet Houlton.

JANEL M. RIES
Commission 739680
My Comm. Expires
3-14-09

Notary Public in and for the State of Iowa