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**PERMISSION TO REMOVE HAZARDOUS TREES FROM THE CITY
RIGHT-OF-WAY AND HOLD HARMLESS AGREEMENT**

_____ (hereinafter called “APPLICANT”) declares that they seek permission to remove hazardous trees in the City of Ilwaco (hereinafter called “CITY”) right-of-way adjacent to the property located at _____, Ilwaco WA 98624. A hazardous tree is defined as a tree which by reason of disease, infestation, age or other conditions presents a known or immediate hazard to persons or to public or private property.

Accordingly, APPLICANT is granted permission to remove hazardous trees from the CITY right-of-way adjacent to the property listed above, under the following conditions:

1. APPLICANT and the City of Ilwaco Public Works Supervisor will jointly agree on which trees constitute a hazard, and mark said trees with paint or ribbon for removal.
2. APPLICANT agrees to be financially responsible for removal of the trees identified as hazardous, and understands the CITY is not responsible for removing any debris resulting from the tree removal; and
3. APPLICANT agrees to save and hold harmless the CITY, its officers, employees and agents from all claims, loss or liability arising out of or connected with the following:
 - a. Injury to persons or damage to property caused by the removal of the hazardous trees; and
 - b. Any and all claims for loss arising out of or connected in any way with any of the matters described in this document.
4. APPLICANT agrees to pay CITY all costs and reasonable attorney’s fees fixed by court or arbitration that arise out of a violation by APPLICANT of any of the terms of this document; and

IN WITNESS WHEREOF, this agreement is executed at Ilwaco, Washington, on _____.

Applicant

Mike Cassinelli, Mayor

Print Name

ATTEST: PJ Kezele, Deputy City Clerk