



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151
NAPOLEON, OHIO 43545-0151
(419) 592-4010
FAX (419) 599-8393

January 24, 1997

Mayor
Donald M. Stange

Members of Council
Michael J. DeWit, President
Dennis Filgor
James Hershberger
Sarah J. Peper
Travis B. Sheaffer
Char Weber
Terri A. Williams

City Manager
Marc S. Gerken, P.E.

Finance Director
Gregory J. Heath

Law Director
David M. Grahm

City Engineer
Adam C. Hoff, P.E.

Mr. Douglas Klang
Regional Manager
Family Video Movie Club, Inc.
40417 Firesteel Drive
Sterling Heights, Michigan 48313

Re: City of Napoleon
Lease Agreement

Dear Mr. Klang:

In response to our prior conversations and as a follow-up to my correspondence of November 6, 1996 regarding the referenced lease agreement, the City regrets to inform you that we are no longer willing to contribute funds toward the storm sewer in exchange for the use of parking spaces at your facility. We appreciate the development you have created and wish you continued success.

If you have any questions, please feel free to call me.

Yours truly,

Adam C. Hoff, P.E.
City Engineer

ACH:rd

cc: Mr. Marc S. Gerken, P.E.; City Manager
Mr. David Grahm, City Law Director

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February 21, 1996

Mr. Doug Klang, Regional Manager
Family Video
40417 Firesteel Drive
Sterling Heights, Michigan 48313

Re: Family Video Store
125 West Clinton Street
Napoleon, Ohio 43545

Dear Mr. Klang:

Pursuant to your request, the City of Napoleon has agreed to contribute monies not to exceed the amount of \$8,800.00 toward the development of the proposed site in exchange for the use of a minimum of eleven (11) parking spaces. These spaces will be appropriately signed to limit parking to ninety (90) minutes. The dollar amount was determined from the estimated construction cost to remove the catch basin on the Tonjes property from the combined sewer system and run the storm outlet for your site across Scott Street. A copy of our sketch and estimated quantities are enclosed.

We request that these improvements be completed by your Contractor. The City will then reimburse you once final quantities have been developed.

If you have any questions, please call me.

Yours truly,



Adam C. Hoff, P.E.
City Engineer

ACH:rd
Enclosure
cc:Mr. Marc S. Gerken, P.E.; City Manager
C:\AMIPRO\CITYENGR\LETTERS\KLANG.SAM February 21, 1996 11:18 AM



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Family Video
Storm Sewer Outlet

Item No.	Description	Estimated Quantity	Unit Cost	Total
1	Pavement Removal	33 s.y.		
2	8" Concrete Base	33 s.y.		
3	1-1/2" Asphalt Concrete (402)	1.40 c.y.		
4	1-1/2" Modified Asphalt Concrete (404)	1.40 c.y.		
5	2x2 Catch Basin	1 ea.		
6	Abandon Existing Catch Basin	1 ea.		
7	12" Storm Sewer	130 l.f.		
8	Granular Backfill	42 c.y.		
TOTAL: \$				

Family Video
Storm Outlet

Item	Quantity	Rate	Total
<i>Without Tonjes Connection</i>			
Pavement Removal	33 s.y.	\$5.00	\$165.00
8" Concrete Base	33 s.y.	\$40.00	\$1,320.00
1-1/2" Asphalt Concrete (402)	1.40 c.y.	\$300.00	\$420.00
1-1/2" Modified Asphalt Concrete (404)	1.40 c.y.	\$300.00	\$420.00
2x2 Catch Basin	1 ea.	\$700.00	\$700.00
Abandon Existing Catch Basin	1 ea.	\$200.00	\$200.00
12" Storm Sewer (across Scott Street)	60 l.f.	\$30.00	\$1,800.00
Granular Backfill (across Scott Street)	20 c.y.	\$22.00	\$440.00
		Subtotal:	\$5,465.00
		Contingencies (10%):	\$546.50
		TOTAL:	\$6,011.50

<i>With Tonjes Connection</i>			
Pavement Removal	33 s.y.	\$5.00	\$165.00
8" Concrete Base	33 s.y.	\$40.00	\$1,320.00
1-1/2" Asphalt Concrete (402)	1.40 c.y.	\$300.00	\$420.00
1-1/2" Modified Asphalt Concrete (404)	1.40 c.y.	\$300.00	\$420.00
2x2 Catch Basin	1 ea.	\$700.00	\$700.00
Abandon Existing Catch Basin	1 ea.	\$200.00	\$200.00
12" Storm Sewer (across Scott Street)	60 l.f.	\$30.00	\$1,800.00
12" Storm Sewer (from Tonjes property)	70 l.f.	\$30.00	\$2,100.00
Granular Backfill (across Scott Street)	20 c.y.	\$22.00	\$440.00
Granular Backfill (from Tonjes property)	22 c.y.	\$22.00	\$484.00
		Subtotal:	\$8,049.00
		Contingencies (10%):	\$804.90
		TOTAL:	\$8,853.90

DRAFT

MEMORANDUM OF LEASE

The Family Video Movie Club, Inc., an Illinois Corporation, the lessor, whose address is 1022 East Adams, Springfield, Illinois, 62703, of land in Henry County, Ohio described as follows:

Situated in the City of Napoleon, County of Henry, and State of Ohio and known as: being a part of Lots numbers three (3), four (4), and five (5) in Block Number One in the City of Napoleon, Henry County, Ohio and more specifically described as: only the area commencing at an iron pin being the northeast corner of Lot No. 3, Block No. 1, Phillip's Addition, thence South 62°47'10" West along a line being the southerly right-of-way line of West Clinton Street a distance of 76.17 feet to the point of beginning; Thence South 27°12'50" East a distance of 25.00 feet to a point; Thence South 62°47'10" West parallel to said right-of-way line a distance of 100.00 feet to a point; Thence North 27°12'50" West a distance of 25.00 feet to a point on said right-of-way line; Thence North 62°47'10" East along said right-of-way line a distance of 100.00 feet to the point of beginning. Said described parcel containing 0.06 acres of land, more or less.

To be used for the purposes and upon the rentals and other terms, covenants and conditions as more particularly set forth in an unrecorded leased entered into on the ___ day of _____ 1996 between Lessor and Lessee for a term of _____ years to commence on _____ with renewal options of one year each.

Lessor and Lessee have signed this memorandum this ___ day of _____, 1996.

Signed and acknowledged:

By _____
Doug Klang, Lessor
Regional Manager
Family Video Movie Club, Inc.,
an Illinois Corporation

Witnesses:

By _____
Marc S. Gerken, Lessee
City Manager
City of Napoleon

Witnesses:

State of _____) SS:
County of _____)

Before me, a notary public in and for said county and state, personally appeared the Family Video Movie Club, Inc., an Illinois Corporation, by Doug Klang, who acknowledged that the signing of this Lease (Memorandum) is the voluntary act and deed of Family Video Club, Inc., an Illinois Corporation and his voluntary act and deed as its Regional Manager and that the same is duly authorized.

In Witness Whereof, I hereunto affix my hand and official seal at _____, _____, this ___ day of _____, 1996.

Notary Public
Commission Expires:

Before me, a notary public in and for said county and state, personally appeared the City of Napoleon, by Marc S. Gerken who acknowledged that the signing of this Lease (Memorandum) is the voluntary act and deed of the City of Napoleon and his voluntary act and deed as its City Manager and that the same is duly authorized.

In Witness Whereof, I hereunto affix my hand and official seal at Napoleon, Ohio, this ___ day of _____, 1996.

Notary Public
Commission Expires:

Instrument Prepared by:
David M. Grahn
City Law Director
255 W. Riverview
Napoleon, Ohio 43545