

AGREEMENT

135 E. Maumee St

FRED R. CREAGER & SONS, INC., acting as an independent Contractor, does herein guarantee that the work to be done within the right-of-way limits of E. MAUMEE AVE for the construction of SUN DISCOUNT DRUG SANITARY SEWER

shall be completed in accordance with the specifications as issued by the City of Napoleon Engineering Department. It is further agreed that FRED R. CREAGER & SONS, INC. shall save harmless the City of Napoleon from any liability due to damage of utilities, personal property loss, personal injury, non-payment of suppliers or any possible litigation arising from the construction as stated above.

The City of Napoleon will allow said Contractor to temporarily block off all but local traffic on N/A from N/A to N/A for a period not exceeding hours. (The City of Napoleon shall receive 48-hour notice prior to construction.)

As an insurance that the above mentioned work is done according to the Engineer's specifications, a certified check for the amount of \$ 300.00 (made payable to the City of Napoleon) shall be deposited with the Engineering Department and held as surety. If it is the opinion of the Napoleon Engineering Department that the work does not meet specifications, appropriate deductions from the deposit will be made to compensate the City for any corrections necessary. Any portion of the deposit not used by the City of Napoleon for construction corrections will be returned to the contractor 30 days after completion of the work as authorized.

If for any reason the work is not accomplished in the given time, a penalty charge of \$25 for any portion of a day in excess of the allotted time. This penalty charge will be deducted from the monies placed for deposit.

NO WORK WILL BEGIN PRIOR TO OBTAINING THE PROPER TAPPING PERMITS.

The foregoing statement was agreed to on this 15th day of September, 1988.

FRED R. CREAGER & SONS, INC. Mark E. Shank
CONTRACTOR

Terry Quinn
CITY MANAGER
CITY OF NAPOLEON

On Sept 15, 1988, the above parties appeared before me and indicated their agreement with the contents of this document by their signatures.

Seal:

Ted P. [Signature]
Notary Public for the State of Ohio.
My commission expires 10-29-91