

SCANNED

Memorandum

To: David M. Grahn - City Law Director
From: Adam C. Hoff, P.E. - City Engineer *ACH*
cc: Jon Bisher, Brent Damman, Rex Moll
Date: February 25, 2000
Subject: Donovan Letter - 184 East Maumee Avenue

Attached is copy of a letter I received from John Donovan regarding a property at 184 East Maumee Avenue. Last week, Ron Foor, the current occupant of 184 East Maumee Avenue, stopped in to ask some questions in regards to what improvements could be done to this property. He also asked about the sanitary sewer that runs across the property from Appian Avenue to the South Side Interceptor Sewer. At that time I explained to Ron that the sanitary sewer had been in place for many years and, although we are not aware of any recorded easements, an easement by prescription surely exists. I also explained the City's plans to eventually reroute the sewer from beneath the property. However, the timing on such a project has yet to be defined.

I did call and speak with John Donovan to try and clarify my previous statements. I reiterated to John that the sewer has been in place for well over twenty-one (21) years and that, in my opinion, the City would have an easement by prescription. I also explained that, should the sewer fail in the immediate future, the City would have to react and that we would try to fix the problem without permanently damaging the property.

If you have any questions or require additional information, please see me.
Thank you.

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February 24, 2000

Mr. Adam Hoff
City of Napoleon Engineer
255 West Riverview Avenue
Napoleon, OH 43545

Dear Adam:

Ron Foor contacted me concerning property located at 184 East Maumee Street, Napoleon, Ohio. He told me that you and he discussed a sewer pipe underneath the property which Ron claims you said was "beyond the Statute of Limitations" for the City doing anything about it.

I wasn't quite sure what Ron meant, so I am writing this letter to you to ask you if you could explain the circumstances surrounding the sewer pipe and its effect on any property owner of the property.

I look forward to hearing from you soon.

Very respectfully,

DONOVAN LAW OFFICE



John Donovan

JD/sc

cc Ron Foor

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FEB 25 2000
CITY OF NAPOLEON