

**APPLICATION FOR ENCUMBRANCE OF CITY RIGHT-OF-WAY
(City Code Chapter 901.03)***

DEFINITION: Public right-of-way means the surface and space above and below any real property which the City has an interest in law or in equity, whether held in fee, or other estate or interest, or as trustee for the public, including but not limited to all public streets and public easements, as those terms as defined herein, sidewalks, tree lawns and other property, but only to the extent of the City's right, title, interest or authority to grant as Encumberment Permit. (§901.03)

489 E Maumee Ave.
(Address requesting encumbrance)

Ronald A & Billie Griesinger 489 E Maumee Ave.
(Owner Name) (Owner Address)

Napoleon, OH 43545 419-591-6860
(City) (State, Zip) (Phone Number)

SCANNED

Reason for encumbrment:

Existing stairs to the river, located between State Route 110 and the Maumee River, will be removed by ODOT project. A portion of the stairway, approximately 10 feet are an encroachment into the proposed right of way and into the existing right of way. The property owner would like to re-build the stairs after the highway project to retain access over his property to the river.

Ronald Griesinger
[Applicant's Signature]

11/20/14
[Date]

CAUTION:

By signing this application, you are agreeing on behalf of the person and/or entity you are representing to all the terms, conditions, rules and regulations as required by Chapter 901 of the Codified Ordinances of the City of Napoleon, Ohio as now in effect or as may be later amended. Applicant warrants that he/she has the authority to make such application to the City of Napoleon, Ohio. Applicant hereby expressly undertakes to defend, indemnify and hold the City and its elected and appointed officers, officials, employees, volunteers, agents, representatives and subcontractors harmless from and against any and all damages, losses and expenses, including reasonable attorneys fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the applicant or its affiliates, officers, employees, agents, contractors or subcontractors in proposed closure of City street for construction activity, whether such acts or omissions are authorized, allowed or prohibited by Chapter 901 of the Codified Ordinances of the City of Napoleon, Ohio. Finally, applicant fully understands the City of Napoleon is not responsible for replacing, reimbursement or maintenance of any objects that may be damaged or disposed of due to construction or replacement of any City owned streets, utilities, sidewalks or any other that may apply.

OFFICE USE ONLY

APPROVED:

Y N If no, reason: _____
[Signature] _____
CITY ENGINEER 11.20.14
DATE

Schell, Maricia

From: Chad Lulfs <clulfs@napoleonohio.com>
Sent: Friday, November 07, 2014 10:42 AM
To: Schell, Maricia; Rogers, Doug; Seasily, David
Cc: Noirot, Jaclyn
Subject: Re[2]: HEN 110, PID 92833, Parcel 014
Attachments: APPLICATION FOR ENCUMBRANCE.doc

Please see attached permit.

Chad

SCANNED

Chad E. Lulfs, P.E., P.S.
Director of Public Works

City of Napoleon

255 W. Riverview Avenue
P.O. Box 151
Napoleon, OH 43545
Phone: 419-592-4010
Fax: 419-599-8393

-----Original Message-----

From: "Seasily, David" <David.Seasily@dot.state.oh.us>
To: "Rogers, Doug" <Doug.Rogers@dot.state.oh.us>, "Schell, Maricia" <Maricia.Schell@dot.state.oh.us>
Cc: "Noirot, Jaclyn" <Jaclyn.Noirotdot.state.oh.us>, "Chad Lulfs" <clulfs@napoleonohio.com>
Date: 11/07/14 10:25
Subject: RE: HEN 110, PID 92833, Parcel 014

Maricia,

In my previous conversation with you today I advised to work with the owner of parcel series 14 (Griesinger) to have a permit issued by ODOT for the wooden steps to the river. Doug's email below reminded me that this area is within the City, therefore the City would have to issue a permit. I called and spoke to Chad Lulfs the city engineer and he will be having the city permit application emailed to us. The owner will need to complete the form requesting the permit and send it to Chad.

Thanks

David E. Seasily, P.S.

RW, Survey & Utilities
Ohio Department of Transportation, District 2
317 E. Poe Road, Bowling Green, Ohio 43402
419-373-7174 david.seasily@dot.state.oh.us