

**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 Encumbrance Permit. (§901.03)

615, 617, 619 N. PERRY ST
(Address requesting encumbrance)

Doug Herman 109 BROWNELL
(Owner Name) (Owner Address)

NAPOLEON OH 43545 (419) 592-7425
(City) (State, Zip) (Phone Number)

Reason for encumbrance: FENCED IN PATIO

Douglas J Herman
[Applicant's Signature]

3-5-18
[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:

If no, reason: _____
Y N

[Signature]
CITY ENGINEER

2018-03-14
DATE

COST SHARING AGREEMENT

**City of Napoleon, Ohio
and
Doug Herman, owner of property
located at 619 N. Perry Street, Napoleon, Ohio**

December
October 12, 2017

The City of Napoleon, Ohio and the above-listed property owner (collectively "the parties") desire to partner and share costs for certain aspects of the ongoing downtown improvement project. The parties agree to the following cost sharing agreement for the purpose of constructing fencing along the sidewalks.

1. Mr. Doug Herman will pay half of the cost of purchase and installation of the sidewalk fence at his property located at 619 N. Perry St., Napoleon, Ohio. The total amount of said purchase and installation that shall be paid by Mr. Doug Herman will be \$4,085.00.
2. The City of Napoleon will pay the other half of the cost of purchase and installation of the sidewalk fence. The total amount of said purchase and installation that shall be paid by the City will be \$4,085.00.
3. Property owner will pay the above-listed amount to the City of Napoleon on or before January 15, 2018.

FOR THE CITY OF NAPOLEON:

FOR PROPERTY OWNER:



Joel Mazur
City Manager

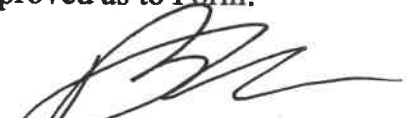


Doug Herman

Date: 12/12/17

Date: 12.12.17

Approved as to Form:



Billy Harmon
Law Director

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[Signature] 2018-03-14
CITY ENGINEER DATE