

TO: CITY OF NAPOLEON DATE 8/13 2014
 RE: 813 N. PERRY ST.
(KOESTER CORP)
 ATTN: CHAAD OUR JOB NO: _____

GENTLEMEN:

- WE ARE ENCLOSING HEREWITH
 - WE ARE SENDING UNDER SEPARATE COVER
 - WE ACKNOWLEDGE RECEIPT OF
 - WE SUBMITTED TO YOUR OFFICE ON _____
- THE FOLLOWING:
- DRAWINGS
 - SPECIFICATIONS
 - BULLETINS
 - SHOP DRAWINGS
 - SAMPLES
 - CATALOGS

| NO. OF COPIES | DRAWING NUMBER | DRAWN BY | DESCRIPTION |
|---------------|-------------------------------------|----------|-------------|
| 1 | APP. FOR ZONING | | |
| | APP. FOR ENCUMBRANCE (RIGHT OF WAY) | | |
| | APP FOR CONSTRUCTION | " " | " " |

- FOR:
- APPROVAL
 - CORRECTION
 - REVIEW AND COMMENT
 - INFORMATION AND USE
 - FILE
- REMARKS: _____
- MARKED:
- APPROVED
 - APPROVED AS NOTED
 - NOT APPROVED-RESUBMIT
 - RESUBMIT _____ CORRECTED COPIES
 - SUBMIT _____ ADDITIONAL COPIES

DISTRIBUTION:

SCANNED

10-9-14
KH

RUPP/ROSEBROCK, INC.

BY JARU

**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)

813 N. PERRY ST.
(Address requesting encumbrance)

KOESTER CORP. 813 N. PERRY
(Owner Name) (Owner Address)

NAPOLEON OHIO 43545 419-438-9674
(City) (State, Zip) (Phone Number)

Reason for encumbrance: ELIMINATE WEEDS ON NORTH
SIDE OF BLDG. INSTALL LANDSCAPE CURB
AND PLANTING AREA. ALSO INSTALL
NEW CONCRETE PAVEMENT.

[Signature]
[Applicant's Signature]

8/11/14
[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:

If no, reason: _____
Y N

[Signature] 08.13.14
CITY ENGINEER DATE

APPLICATION FOR CONSTRUCTION IN RIGHT-OF-WAY (City Code Chapter 919)

Definition: Public right-of-way means the surface and space above and below any real property in 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 are defined herein, sidewalks, tree, lawns and other property, but not only to the extent of the City's right, title interest or authority to grant a Construction Permit (§919.01).

PUPP / ROSE BROCK INC 7-464 Co. Rd 424
[Applicant Name] [Street Address]

LIBERTY CENTER OH 43532
City State Zip Code

- Corporation Not for Profit Organization Partnership
 LLC Sole Proprietor Other _____

34-1606644 741832 _____
[Federal Tax ID No.] [Charter No. if Corp.] [Statutory Agent if Corp.]

- Licensed as an Ohio Corporation Licensed in Ohio as a Foreign Corporation
Y N Y N

[List Any Affiliates to Company]

List the name, address and telephone number of the local officer, agent or employee responsible for the accuracy of the information provided and a number at which the City can contact the applicant at any time in case of emergency.

JOHN ROSEBROCK 7-464 Co. Rd 424 LIBERTY CENTER
[Name] [Street] [City]

OHIO 43532 419-579-0000
[State] [Zip Code] [Emergency Telephone No.]

INSTALL CURB AND CONCRETE PARKING LOT

JOB SHOULD TAKE 1-1 1/2 WKS

(The location, the kind, extent and schedule of the proposed work to be performed)

Relocation and Removal Facilities. Within thirty (30) days following written notice from the City, the permit holder shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any of its facilities in the public right-of-ways whenever the City shall have determined that such removal, relocation, change or alteration is reasonably necessary for: (a) The Construction, reconstruction, repair, maintenance or installation of any City or other public improvement in or upon the public right-of-ways. (b) The operations of the City or other governmental entity in or upon the public right-of-way. (c) Whenever any existing electric utilities, cable facilities, telecommunications facilities or other similar facilities are located or relocated underground in the public right-of-ways of the City, the permit holder shall relocate its facilities underground within a reasonable period of time as determined by the City. Absent extraordinary circumstances or undue hardship, as determined by the City, such relocation shall be made concurrently to minimize the disruption of the public right-of-ways.

Assignments and Transfers of Permit. Ownership or working or ultimate control of this Permit may not be, directly or indirectly, transferred, assigned or disposed of by sale, lease, merger, consolidation or other act of the permit holder, by operation of law or otherwise, without consent of the City. Consent of the City shall not be required if ownership or control of the permit is transferred to any entity controlling, controlled by or under common control with the permit holder; provided that: (a) The City is notified of the proposed transfer on or before the date of transfer; and, (b) At the time of such notification, the permit holder and the transferee shall certify to the City that the transferee; (1) is licensed to do business in Ohio; and, (2) Shall comply with the conditions of the permit including the insurance and construction and performance bond requirements.

Curb Cutting, Inspection Fees. No person shall cut any curb on any of the streets or highways within the City without first having secured a permit to do so. The permit will be issued by the City Engineering Department upon the condition that permit holder cut or reinstall said curb at permit holder's expense, whichever is applicable as determined by the City Engineer, to City specifications. In addition to any other fees, an inspection of one dollar (\$1.00) per lineal foot shall be charged for the cutting of any curbs.

Appeals. (a) Any permit holder or applicant for a permit under this chapter has thirty (30) days of receipt of any decision rendered by the City Engineer or Inspector with respect to this chapter to appeal such decision. Such appeal shall be timely filed with the City Manager for review and final determination. The City Manager shall review the appeal and shall issue its determination no later than ten (10) days after receipt of the appeal. Such appeal shall be limited in scope as to whether or not the City Engineer or Inspector abused his or her discretion or was arbitrary or capricious in his or her decision. Such hearing shall be recorded with sworn testimony. (b) The decision of the City Engineer or Inspector shall stand pending the decision of the City Manager; further, the appeal process does not bar the City Engineer or Inspector to cause to be removed any obstruction from the right-of-way pending the decision of the City Manager when such action is deemed immediately necessary by such City Engineer or Inspector to preserve the health, safety or welfare of the public. (c) The appeal process as provided for in this chapter does not bar the filing of criminal charges under this chapter, nor is it applicable thereto.

Penalty. A violation of any of the provisions of Chapter 919 of the Codified Code of Napoleon, Ohio shall constitute a misdemeanor of the minor degree. Each day a violation continues shall be considered a separate offense.

Duration: This permit expires when the reason for the issuance of the permit is satisfied; or, on the date of DECEMBER 31 2014; or, when otherwise revoked by the City

REVOCABLE RIGHT-OF-WAY PERMIT

City Code Chapter 919

Permit No. P-14-0295

Definition. Public right-of-way means the surface and space above and below any real property in 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 are defined herein, sidewalks, trees, lawns and other property, but only to the extent of the City's right, title, interest or authority to grant a construction permit. (§919.01)

Indemnification. Permit holder 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 attorney's 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 construction in the public right-of-way, whether such acts or omissions are authorized, allowed or prohibited by Chapter 919 of the Codified Ordinances of the City of Napoleon, Ohio. This provision survives termination of the permit.

Construction Schedule and OUPS. The permit holder shall submit a written construction schedule to the City ten (10) working days before commencing any construction work in or about the public right-of-ways. The permit holder shall further notify the City and the Ohio Utility Protection Service (OUPS) not less than forty-eight (48) hours in advance of any excavation in the public right-of-ways. The permit holder shall promptly complete all construction activities so as to minimize disruption of the public right-of-ways and other public or private property.

Duty to Install in Compliance. The permit holder shall construct, install, repair, operate and maintain its facilities in the public right-of-ways in accordance with all applicable federal, state and local codes, rules and regulations.

Inspection. All work performed in the public right-of-way during construction shall be subject to the inspection by the Inspector. If so ordered by the Inspector, all work that does not comply with the permit, the approved plans and specifications for the work, or the requirements of this chapter, shall immediately cease and shall be immediately corrected and/or removed by the permit holder.

Protection of Site. At all times during construction, the permit holder or other person acting on its behalf shall use suitable barricades, flags, flagmen, lights, flares and other measures as necessary and in accordance with applicable state and local requirements, including the Ohio Department of Transportations Uniform Manual of Traffic Control Devices, for the safety of all members of the general public and to prevent injury or damage to any person, vehicle or property by reason of such work in or affecting such public right-of-way or property. The Inspector may issue any additional orders he or she deems appropriate pursuant to this section, and the permit holder shall promptly comply with all such orders. At all times the work shall be done so as to cause the least inconvenience to property owners and the general public.


in writing, whichever comes first.

(Application dated AUGUST 13, 2014 incorporated into this permit by reference thereto).

Accept Terms and Conditions:

By:

By: City Engineer



08.14.14

Permit Acceptance

Permit Issued To: RUPP/ROSEBROCK, INC.

On this 14 day of AUGUST, 20 14.

CITY OF NAPOLEON RESIDENTIAL ZONING PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTIAL DEMOLITIONS, FENCES, POOLS, SHEDS,
DRIVEWAYS, SIDEWALKS & SEWERS

P-14-0295

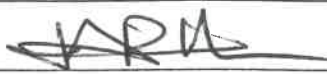
DATE 8/11/14 JOB LOCATION 813 N. PERRY ST.
 OWNER KOESTER CORP. TELEPHONE # 419-438-9674
 OWNER ADDRESS 813 N. PERRY ST.
 CONTRACTOR Rupp / ROSEBROCK INC CELL PHONE # 419-579-0000
 DESCRIPTION OF WORK TO BE PERFORMED NEW CURB AND PARKING
 ESTIMATED COMPLETION DATE SEPT 15 2014 ESTIMATED COST 30,000

| DESCRIPTION | FEE | TOTAL COST |
|-----------------------------------------|---------------------------|------------|
| Demo Permit | (100.3100.46690) \$100.00 | \$ |
| Fence | (100.3100.46690) \$25.00 | \$ |
| Pool | (100.3100.46690) \$25.00 | \$ |
| Garage and Shed Under 200 SF (Detached) | (100.3100.46690) \$25.00 | \$ |
| Driveway | 0 | \$ |
| Sidewalk/Curbing | 0 | \$ 0 |
| Sewer Outside | 0 | \$ |
| Subtotal: | | \$ 0 |
| | | \$ |
| | TOTAL FEE: | \$ 0 |

I FULLY UNDERSTAND THAT NO EXCAVATION, CONSTRUCTION OR STRUCTURAL ALTERATION, ELECTRICAL OR MECHANICAL INSTALLATION OR ALTERATION OF ANY BUILDING STRUCTURE, SIGN, OR PART THEREOF AND NO USE OF THE ABOVE SHALL BE UNDERTAKEN OR PERFORMED UNTIL THE PERMIT APPLIED FOR HEREIN HAS BEEN APPROVED AND ISSUED BY THE CITY OF NAPOLEON BUILDING/ZONING DEPARTMENT.

I hereby certify that I am the Owner of the named property, or that the proposed work is authorized by the Owner of record and that I have been authorized by the Owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of the jurisdiction. In addition, if a permit for Work described in this application is issued, I certify that the code official or the code official's authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ AND FULLY UNDERSTAND THE ABOVE LISTED INSTRUCTIONS.

| | |
|-------------------------------------------------------------------------------------------------------------|----------------------|
| SIGNATURE OF APPLICANT:  | DATE: <u>8/11/14</u> |
| PRINT NAME: <u>John A. Rosebrock Rupp / ROSEBROCK INC.</u> | |

| | | | |
|----------|---------|---------|------|
| PERMIT # | BATCH # | CHECK # | DATE |
|----------|---------|---------|------|

SCANNED

10-9-14 KH