

THE CITY OF NAPOLEON

BUILDING & ZONING DEPARTMENT

255 W. RIVERVIEW

(419)592-4010

Demolition Permit

Permit Number: DM2006-5

Page 1 of 1

Printed: 6/7/2006

Property Address: 124 Washington St. W.

Applicant

Address: LJ Irving & Sons
13899 -R Rt 6
Napoleon, OH 43545

Approval Date: 6/6/2006

Phone: 419-592-8456

Owners

Name: Tin Lizzy's
124 W. Washington St
Napoleon, OH 43545

Contractors

Address: LJ Irving & Sons
13899 -R Rt 6
Napoleon, OH 43545

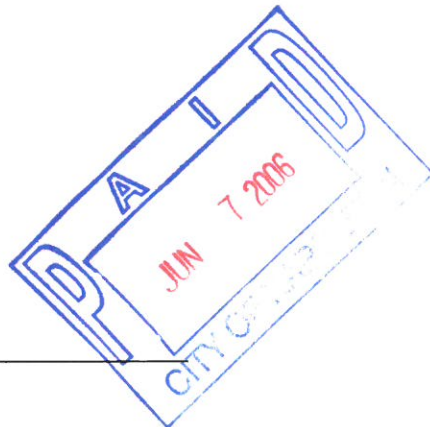
Phone 419-592-8456

Fees and Receipts:

Number	Description	Amount
FEE2006-409	Demo up to 120000 cu ft.	\$160.80
Total Fees:		\$160.80
RCPT2006-235		\$160.80

Description of work to be done:

Total demo of building



Applicant signature: _____ Date: _____

THE CITY OF NAPOLEON
BUILDING & ZONING DEPARTMENT
255 W. RIVERVIEW
(419)592-4010

F

Inspection Record

Inspection #: INSP2006-89

Page: 1

Printed: 8/2/2006

Address: 124 Washinton St. w
Napoleon, OH 43545

Reference #: DM2006-5

Applicant: Tin Lizzy's

Directions To Parcel:

Inspection Type: Building Final

Date: 8/2/2006

Inspector: Tom

Status: Complete

Passed? ☒

Required Steps:

Comments: finaied building demo and tin cap on sides of existing neighboring buildings

Inspection Checklist:

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Corrections:

Correction Code:

Date:

Correction Description:

Status:

Correction Made Date:

Conditions:

Condition Code:

Description:

Date:

Department:

Status:

Other Fields:

Dm 06-5 416080

126?

CITY OF NAPOLEON GENERAL PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTAL CONSTRUCTION INCLUDING BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, DEMOLITIONS, REMODELING.

DATE: 6/6/06 JOB LOCATION: 124 W. Washington

OWNER: BEN REESE JBR+GMK PHONE: _____

OWNER ADDRESS: W Washington CITY: Nap ZIP: 43545

CONTRACTOR: L.J. IRVING JR SON'S INC

PHONE #: 419-592-8456 CELL PHONE# 419 467-6816

CONTRACTOR LICENSED WITH THE CITY OF NAPOLEON?: YES ☒ NO: ☐

Is any of the above job going to be subcontracted out? Yes ☐ No: ☒

If yes to whom: _____

DESCRIPTION OF WORK TO BE

PERFORMED: DEMO All of Building At 124. W Wash.

ESTIMATED COMPLETION DATE: 6-21-06

PLEASE MARK THE TYPE OF WORK YOU WILL BE PERFORMING

- | | |
|---|--|
| <input type="checkbox"/> A/C ADD ON | <input type="checkbox"/> REMODELING |
| <input type="checkbox"/> BOILER REPLACEMENT | <input type="checkbox"/> ROOFING |
| <input type="checkbox"/> CURBING | <input type="checkbox"/> SEWER REPAIRS** |
| <input type="checkbox"/> DECKS * | <input type="checkbox"/> SIDEWALK* |
| <input type="checkbox"/> DRIVEWAY* | <input type="checkbox"/> SIDING |
| <input type="checkbox"/> ELECTRICAL SERVICE UPGRADE | <input type="checkbox"/> STORAGE SHED* |
| <input type="checkbox"/> ELECTRICAL SERVICE NEW | <input type="checkbox"/> SWIMMING POOL* |
| <input type="checkbox"/> FENCE* | <input type="checkbox"/> FURNACE REPLACEMENT |
| <input type="checkbox"/> ADDITIONS* | <input type="checkbox"/> TEMP ELECTRIC |
| <input type="checkbox"/> FURNACE NEW | <input type="checkbox"/> WATER TAP (size _____") |
| <input type="checkbox"/> LAWN METER | <input type="checkbox"/> WINDOWS |
| <input type="checkbox"/> PLUMBING | <input type="checkbox"/> ZONING |

Demo of X
Tin 1224-124 W Washington

*PLEASE INCLUDE A PICTURE SHOWING MEASUREMENTS FROM EXISTING STRUCTURES AND PROPERTY LINES. INDICATING THE TYPE OF WORK YOU WISH TO PERFORM.

** IF WORK REQUIRES GOING INTO THE STREET A STREET BOND IS REQUIRED!

FOR PERMIT COSTS PLEASE FILL OUT REVERSE SIDE.

NO Fee

APPLICATION FOR STREET CLOSURE FOR CONSTRUCTION ACTIVITY (City Code Chapter 909)*

*This permit shall be completed in conjunction with the "Application for Construction in Right-Of-Way (City Code Chapter 919)" Permit.

JUNE 20, WEST Washington Between 5:00 AM & 6:00 PM
(Street to be closed)

JUNE 20, 06 5:00 AM .M. Until 6:00 PM .M.
(Date) (Time)

467-6817-467-6816
(Name & Phone number of on-site personnel)

Reason for closure: DEMO of TIN

L.J. IRVING JR SONS INC 124 W Washington
[Applicant's Name] [Street Address]

NAP OH 43545
City State Zip Code

☒ Corporation ☐ Not for Profit Organization ☐ Partnership
☐ LLC ☐ Sole Proprietor ☐ Other

31-1423631
[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
☒ ☐ Licensed in The City of Napoleon
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.

L.J. IRVING JR SONS INC NAP
[Name] [Street] [City]
OH 43545 419 467-6816
[State] [Zip Code] [Emergency Telephone No.]

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 only to the extent of the City's right, title, interest or authority to grant a Construction Permit (§919.01).

BEN REESE 124- WASHINGTON
[Applicant's Name] [Street Address]

Nap. OH. 43545
City State Zip Code

☐ Corporation ☐ Not for Profit Organization ☒ Partnership
☐ LLC ☐ Sole Proprietor ☐ Other _____

[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.

L.J. IRVING JR SONS INC N41.
[Name] [Street] [City]
OH 43545 419-592-8456
[State] [Zip Code] [Emergency Telephone No.]

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

☐ Attached ☐ Not Attached: The location of all known overhead and underground public utility, utility, telecommunications, cable, water, sanitary sewer, storm water drainage and other existing facilities in the public right-of-way along the route of the applicants proposed construction, sufficient to show any impact of the applicant's facilities on other existing facilities.

☐ Attached ☒ Not Attached: If the applicant is proposing to construct or locate facilities above ground: (a) Evidence that surplus space is available for locating its facilities on existing utility poles along the proposed route; and, (b) The location and route of all facilities to be located or installed on existing utility poles.

☐ Attached ☐ Not Attached: If the applicant is proposing an underground installation of new facilities in existing ducts, pipes or conduits in the public rights-of-way, information in sufficient detail to identify: (a) The excess capacity currently available in such ducts or conduits before the installation of the applicants facilities; and, (b) The excess capacity, if any, that will exist in such ducts or conduits after installation of the applicants facilities.

☐ Attached ☐ Not Attached: If the applicant is proposing an underground installation of new facilities in new ducts or conduits to be constructed in the public right-of-way: (a) The location and depth proposed for the new ducts or conduits; and, (b) The excess capacity that will exist in such ducts or conduits after installation of the applicants facilities.

☐ Attached ☐ Not Attached: The construction methods to be employed for protection of existing structures, fixtures and facilities in or adjacent to the public right-of-ways.

☐ Attached ☐ Not Attached: The structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate.

☐ Attached ☐ Not Attached: The impact of construction on trees in or adjacent to the public right-of-ways along the route proposed by the applicant, together with a landscape plan for protecting, trimming, removing, replacing and restoring any trees or areas disturbed during construction.

☐ Attached ☐ Not Attached: Certificate of Insurance demonstrating compliance with the insurance provisions. Applicant shall maintain and file with the City a certificate evidencing a commercial, general and liability insurance policy, issued by a company authorized to write insurance in the State and designating the City as an additional insured, in the following amounts (or such other amounts determined to be adequate by the City Engineer):

- (1) One million dollars (\$1,000,000.00) for any and all claims for bodily injury or death for each person;
- (2) Three million dollars (\$3,000,000.00) for any and all claims for bodily injury or death for each accident;
- (3) Five hundred thousand dollars (\$500,000.00) for all other types of liability; and,
- (4) Ten million dollars (\$10,000,000.00) excess liability or umbrella coverage for each accident arising out of the work to be performed pursuant to the construction permit or the prosecution of the work for which the construction permit is obtained or in any manner arising or growing out of the work necessary or incident to the issuance of the construction permit or that may be occasioned by reason of any work or anything else done pursuant to the construction permit. The insurance coverage shall be on an occurrence coverage basis so that the insurance required by this section shall provide coverage through the end of the period established by the applicable statute of limitations for all items insured. Such insurance policy shall require written notification to the City thirty (30) days prior to any expiration or cancellation.

The Applicant shall show to the reasonable satisfaction of the City that the applicant has workers compensation insurance in effect at all times covering its obligations under the workers compensation statute.

No waiver of insurance shall be granted by the City Engineer unless, the nature of the construction work poses little or no risk to the public, as determined in writing by the City Engineer. ☐ Waived ☐ Not Waived

\$_____ Fee: ☐ Paid ☐ Waived: Fee shall be waived by the City Engineer when the item being placed into or near the right-of-way is a mailbox or other permissible material that will require no inspection, as determined by the City Engineer.

☐ Performance Bond Approved

☐ Performance Bond Waived

[This blacked portion to be completed by authorized City official ONLY]

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 919 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. Finally, 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 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.

[Date]

[Signature of Applicant]

[Title]

MEMORANDUM

To: Greg Heath
From: Tom Zimmerman
Date: 08-02-06
Subject: Escrow money for John Reece's fire damaged building.

All the money that is held in escrow for 124 W. Washington (Tin Lizzy's) can be released, the building has been removed and the demolition permit finalized.



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE • P.O. BOX 151

NAPOLEON, OHIO 43545-0151

PHONE (419) 592-4010 • FAX (419) 599-8393

WEB PAGE: www.napoleonohio.com

June 2, 2006

Mr. Jim Williams
Nationwide Insurance
P.O. Box 1549
Melville, New York 11747-1549
Ph. 631-547-5690
Cell 516-967-3464
Fax 866-321-0091
NATIONWIDE
CLAIM # 91-34PR848542

Mr. Mark D. Noe
Motorist Insurance
P.O. Box 182476
Columbus, Ohio 43218-2476
Ph. 800-876-8766 Ext.21158
Ph2. 440-414-1158
Fax 866-790-6431
MOTORIST
CLAIM # 5058537

Re: Fire on 04/03/2006 at 124 West Washington St., Napoleon, Ohio, dba- Tin Lizzy's
Follow-up on Notification Request dated April 10, 2006, from David M. Grahm

To All Interested Parties:

Attached hereto, is **Invoice No. AD004273** (*See Attached Invoice*) in the amount of **\$40,000.00** to cover the estimated demolition of the remaining structure, that was damaged by fire on April 3, 2006, located at 124 West Washington Street, Napoleon, Ohio, dba – Tin Lizzy's. This is a formal follow-up to the request made in writing to all interested parties on April 10, 2006, from Mr. David M. Grahm, City Law Director (*See Copy of Attached Letter*).

Pursuant to City Codified Ordinance No. 137.11 (Fire Loss Claims and Insurance Proceeds), that follows the provisions of Sections 715.26 (F) and 3929.86 of the Ohio Revised Code (*See Attached Copy of Section 3929.86*), the insurance company(s) shall make payment of policy proceeds to cover the estimated cost of repairing, securing and/or removing the buildings or structures. Once the repairs, securing and/or removal of the buildings are completed, then the funds can be released to the named insured or insureds. The purpose of this law is to guarantee timely and complete repairing, securing and/or removing of the damaged building or structures for the health and welfare of the Political Subdivision's Citizens; without costs to its Taxpayers.

As of the date of this letter No Funds have been paid to the City of Napoleon, Ohio, (City) as required by the above listed statutes. It is my understanding cost estimates have been received for \$40,000.00 to demolish and/or remove the remaining structure. The invoice amount represents the \$40,000.00 as allowed pursuant to ORC 3929.86 (C).

(Tin Lizzy's Fire Policy Proceeds – Continued Next Page)

(Tin Lizzy's Fire Policy Proceeds – Continued)

I formally request the immediate payment of the \$40,000.00 to the City as required. Payment should be made no later than Monday, June 19, 2006.

Issues such as *pro rata share* between Insurance Companies, and/or named insured or insureds; or issues relating to keeping or demolishing the structure, is not the responsibility of the City. In the end the \$40,000.00 needs paid over to City as soon as possible.

Questions regarding this billing can be addressed to me at (419) 599-1235; questions regarding the legal interpretation of the statutes can be addressed to the City Law Director at (419) 592-4010.

Thank you for your assistance in this matter.

Sincerely,



Gregory J. Heath
Finance Director/Clerk

Attachments

Cc: John Reese, 15554 Co. Rd. M1, Napoleon, Ohio
D.R. Bryan Co., (Dawn Burkholder), PO Box 647, Napoleon, Ohio
David M. Grahm, City Law Director
Dr. Jon A. Bisher, City Manager
J. Andrew Small, Mayor
Members of City Council
~~Tom~~ Zimmerman, Zoning Administrator
Mike Billmair, Wood County Building Dept.

CITY OF NAPOLEON
255 W RIVERVIEW P.O. BOX 151
NAPOLEON, OH 43545-0151
PHONE (419) 599-1235

I N V O I C E

Mr Jim Williams
Nationwide Insurance
P O Box 1549
Melville, NY 11747-1549

Date :06-02-2006
Customer# :88*01756*1
Invoice# :AD004273
Due Date : 06-19-2006

=====
-Svc- --- Description --Qty-- -Units- --Amount-- --Date--
=====

Mr Mark D Noe					
Mortorist Insurance					
P O Box 182476					
Columbus, Ohio 43218					
FMISC FIRE MISC				40,000.00	06-02-2006
Estimated demolition of the					
remaining structure that was					
damaged by fire on 4/3/2006.					
Located at 124 W Washington					
Napoleon, Ohio					
dba Tin Lizzy's pursuant of					
Ohio Revised Code					
Section 3929.86					

TOTAL 40,000.00

PLEASE REFERENCE CUSTOMER NO. ON CHECK



City of Napoleon – Law Department

255 W. Riverview Avenue, PO Box 151, Napoleon, OH 43545

Phone: 419-592-3503 - Fax: 419-592-4723

City Law Director
David M. Grahm
dgrahn@napoleonohio.com

Administrative Assistant
Sheryl K. Rathge
srathge@napoleonohio.com

Monday, April 10, 2006

Mr. Jack Collins
Nationwide Insurance
712 N. Perry Street
Napoleon, Ohio 43545

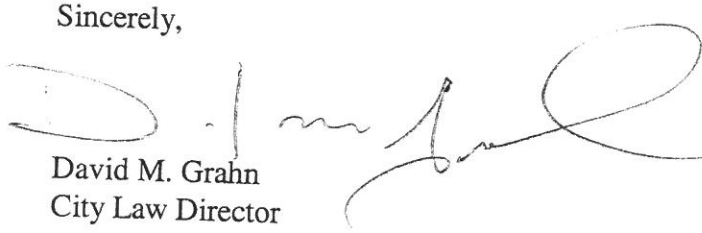
Re: Tin Lizzy's Fire - Date of Fire: 4/3/2006
124 W. Washington Street, Napoleon, Ohio, 43545
Claim No. 91-34PR848542

Dear Mr. Collins:

Pursuant to our telephone conversation on Friday, April 7, 2006, I write to inform you that the City of Napoleon, Ohio has in place Codified Ordinance No. 137.11 (Fire Loss Claims and Insurance Proceeds) that follows the provisions of Sections 715.26 (F) and 3929.86 of the Ohio Revised Code. Please contact Gregory J. Heath, Finance Director of the City, in order that proceeds may be transferred.

Should you have any questions or comments, please do not hesitate to contact my office.

Sincerely,


David M. Grahm
City Law Director

dmg/skr

cc: Mark Noe, Motorists Insurance
Dr. Jon A. Bisher, City Manager
Gregory J. Heath, Finance Director
Tom Zimmerman, Zoning Administrator
Mike Billmair, Wood County Building Dept.

§ 3929.86. Certain fire loss claims not to be paid without certificate from county treasurer and compliance with municipal requirements.

(A) No insurance company doing business in this state shall pay a claim of a named insured for fire damage to a structure located within a municipal corporation or township in this state where the amount recoverable for the fire loss to the structure under all policies exceeds five thousand dollars, unless the company is furnished with a certificate pursuant to division (B) of this section, and unless there is compliance with the procedures set forth in divisions (C) and (D) of this section.

(B) (1) The county treasurer, upon the written request of the named insured specifying the tax description of the property and the date agreed upon by the insurance company and the named insured as the date of the receipt of a proof of loss of the claim, shall furnish the named insured, to be supplied by the named insured to the company, either:

(a) A certificate to the effect that, as of the date specified in the request, there are no delinquent taxes, assessments, penalties, or charges against the property and that, as of the date of the treasurer's certificate, no municipal corporation or township has certified to the auditor any amount as total costs incurred by the municipal corporation or township for removal, repair, or securing of buildings or structures on the property pursuant to section 715.261 [715.26.1] or 505.86 of the Revised Code;

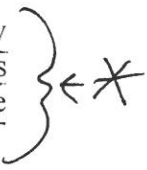
(b) A certificate and bill showing the amount of delinquent taxes, assessments, penalties, and charges against the property as of the date specified in the request that have not been paid as of the date of the certificate and also showing, as of the date of the treasurer's certificate, the amount of the total costs, if any, incurred by a municipal corporation or township for removal, repair, or securing of buildings or structures on the property that have been certified to the county auditor under section 715.261 [715.26.1] or 505.86 of the Revised Code. The county auditor shall, for the purposes of division (B) of this section, certify to the treasurer the total amount, if any, of such costs certified to the auditor by the municipal corporation or township.

(2) (a) Upon the receipt of a certificate pursuant to division (B)(1)(a) of this section, the insurance company shall pay the claim of the named insured in accordance with the policy terms, unless the loss agreed to between the named insured or insureds and the company or companies equals or exceeds sixty per cent of the aggregate limits of liability on all fire policies covering the building or structure. In the case of such a loss, the insurance company, the insured property owner, and the municipal corporation or township shall follow the procedures set forth in divisions (C) and (D) of this section.

(b) Upon the receipt of a certificate and bill pursuant to division (B)(1)(b) of this section, the insurance company shall return the bill to the treasurer and transfer to the county treasurer an amount from the insurance proceeds necessary to pay such taxes, assessments, penalties, charges, and costs as shown on the bill. Notwithstanding section 323.15 of the Revised Code, the treasurer shall receive such amount and apply or credit it to payment of the items shown in the bill.

(C) When the loss agreed to between the named insured or insureds and the company or companies equals or exceeds sixty percent of the aggregate limits of liability on all fire policies covering the building or structure, the insurance company or companies, in accordance with division (F) of section 715.26 or division (D) of section 505.86 of the Revised Code, shall transfer from the insurance proceeds to the designated officer of the municipal corporation or township in the aggregate two thousand dollars for each fifteen thousand dollars, and each fraction of that amount, of a claim, or, if, at

the time of a proof of loss agreed to between the named insured or insureds and the insurance company or companies, the named insured or insureds have submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, shall transfer from the insurance proceeds the amount specified in the estimate.



The transfer of proceeds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the municipal corporation or township shall be disbursed in accordance with the policy terms.

The named insured or insureds may submit a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure after the transfer, and the designated officer shall return the amount of the fund in excess of the estimate to the named insured or insureds, provided that the municipal corporation or township has not commenced to remove, repair, or secure the building or other structure.

This division only applies to municipal corporations or townships that have adopted a resolution, ordinance, or regulation authorizing the procedure described in divisions (C) and (D) of this section and have filed a certified copy of the resolution, ordinance, or regulation for public record with the superintendent of insurance, and applies only to fire losses that occur after the filing of the certified copy. The resolution, ordinance, or regulation shall designate the officer authorized to carry out the duties of this section.

(D) Upon receipt of proceeds by the municipal corporation or township as authorized by this section the designated officer shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing, or securing incurred by the municipal corporation or township pursuant to section 715.261 [715.26.1] or 505.86 of the Revised Code.

When transferring the funds as required in division (C) of this section, an insurance company shall provide the municipal corporation or township with the name and address of the named insured or insureds, whereupon the municipal corporation or township shall contact the named insured or insureds, certify that the proceeds have been received by the municipal corporation or township, and notify them that the following procedures will be followed:

The fund shall be returned to the named insured or insureds when repairs, removal, or securing of the building or other structure have been completed and the required proof has been received by the designated officer, if the municipal corporation or township has not incurred any costs for the repairs, removal, or securing. However, the fund shall be returned to the named insured or insureds no later than sixty days after the designated officer receives the required proof. If the municipal corporation or township has incurred any costs for repairs, removal, or securing of the building or other structure, the costs shall be paid from the fund, and if excess funds remain, the municipal corporation or township shall transfer, no later than sixty days after all such costs have been paid, the remaining funds to the named insured or insureds. Nothing in this section shall be construed to limit the ability of a municipal corporation or township to recover any deficiency under section 715.261 [715.26.1] or 505.86 of the Revised Code.

Nothing in this division shall be construed to prohibit the municipal corporation or township and the

named insured or insureds from entering into an agreement that permits the transfer of funds to the named insured or insureds if some other reasonable disposition of the damaged property has been negotiated.

(E) Proof of payment by the company or companies of proceeds under a policy in accordance with division (C) of this section is conclusive evidence of the discharge of its obligation to the insured under the policy to the extent of the payment and of compliance by the company or companies with division (C) of this section.

(F) Nothing in this section shall be construed to make an insurance company liable for any amount in excess of proceeds payable under its insurance policy or for any other act performed pursuant to this section, or to make a municipal corporation, township, or public official an insured under a policy of insurance, or to create an obligation to pay delinquent property taxes or unpaid removal liens or expenses other than as provided in this section.

(G) An insurance company making payment of policy proceeds under this section for delinquent taxes or structure removal liens or removal expenses incurred by a municipal corporation or township shall have the full benefit of such payment including all rights of subrogation and of assignment.

(H) As used in this section and section 3929.87 of the Revised Code, "insurance company" or "insurer" includes the Ohio fair plan underwriting association as established in section 3929.43 of the Revised Code.

(I) This section shall be liberally construed to accomplish its purpose to deter the commission of arson and related crimes, to discourage the abandonment of property, and to prevent urban blight and deterioration.

HISTORY: 138 v S 198 (Eff 7-31-80); 141 v H 370 (Eff 3-17-87); 144 v S 221. Eff 6-18-92.



City of Napoleon – Law Department

255 W. Riverview Avenue, PO Box 151, Napoleon, OH 43545

Phone: 419-592-3503 - Fax: 419-592-4723

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dgrahn@napoleonohio.com

Administrative Assistant
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Monday, April 10, 2006

Mr. Jack Collins
Nationwide Insurance
712 N. Perry Street
Napoleon, Ohio 43545

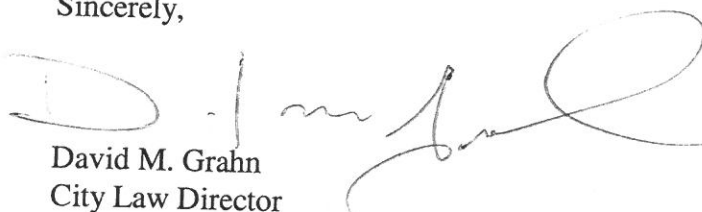
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124 W. Washington Street, Napoleon, Ohio, 43545
Claim No. 91-34PR848542

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Should you have any questions or comments, please do not hesitate to contact my office.

Sincerely,


David M. Grahn
City Law Director

dmg/skr

cc: Mark Noe, Motorists Insurance
Dr. Jon A. Bisher, City Manager
Gregory J. Heath, Finance Director
✓Tom Zimmerman, Zoning Administrator
Mike Billmair, Wood County Building Dept.



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Monday, April 10, 2006

Mr. Mark D. Noe
Motorists Insurance
P.O. Box 182476
Columbus, Ohio 43218-2476

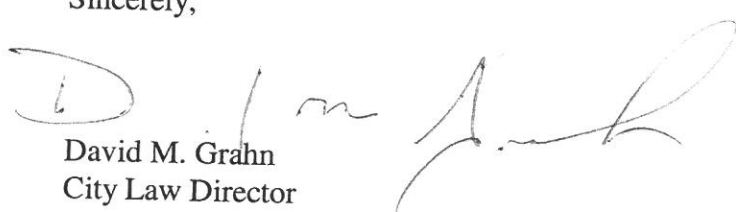
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Dear Mr. Noe:

Pursuant to our telephone conversation on Friday, April 7, 2006, I confirm in writing that the City of Napoleon, Ohio has in place Codified Ordinance No. 137.11 (Fire Loss Claims and Insurance Proceeds) that follows the provisions of Sections 715.26 (F) and 3929.86 of the Ohio Revised Code. Please contact Gregory J. Heath, Finance Director of the City, in order that proceeds may be transferred.

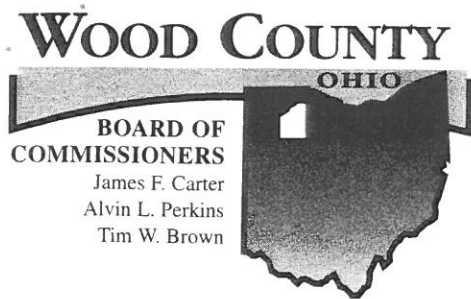
Should you have any questions or comments, please do not hesitate to contact my office.

Sincerely,


David M. Grahn
City Law Director

dmg/skr

cc: Jack Collins, Nationwide Insurance
Dr. Jon A. Bisher, City Manager
Gregory J. Heath, Finance Director
Tom Zimmerman, Zoning Administrator
Mike Billmair, Wood County Building Dept.



Building Inspection

Michael J. Billmaier
Chief Building Inspector

April 26, 2006

To The Owners Of: 124 W. Washington Street
Napoleon, Ohio

Your building is deemed to be a serious hazard and unsafe. The building shall be made safe or be razed, Section 115.1 of the Ohio Building Code.

Sincerely,

A handwritten signature in cursive script, reading "Michael J. Billmaier".

Michael J. Billmaier
Chief Building Official

From: astraight

To: tzimmerman

Urgent

Date/Time: 4/7/2006 9:16:28 AM

Pink Notes Plus™

Subject: _____

Name: _____

Company: _____

Account #: _____

Cell #: _____

Phone #: _____

Ext.: _____

Fax #: _____



Telephoned

Came to see you

Returned your call

Please Call

Will call again

Wants to see you

124 W WASHINGTON

OWNER: D.R. BRYAN COMPANY
PO BOX 647
NAPOLEON, OH

(Printed by: tzimmerman) Pink Notes Plus™ Copyright© 1999-2006 Alpha Media Inc.

John Reese

Joyce Farringer - Sec.

419-599-2065 (wk)

419-599-3827 (HM)

M The Motorists Insurance
Group, You know us.

Claim # 5058537

Mark D. Noe 216-409-2927

Property Technical Specialist

PO Box 182476, Columbus OH 43218-2476

440-414-1158 800-876-8766 Ext: 21158

FAX: 866-790-6431

E-mail: mark.noe@motoristsgroup.com

Demo

Don Williams

572-1334

cell 446 8281

Cell 419-466-1375
J & R

Michael J. Bostdorff

CONTRACTING

Ohio Office: (419) 887-8541

Michigan Office: (734) 854-8540

Toll Free: (800) 764-8541

Fax: (419) 897-5944

mike@jandrcontracting.com

Fire & Water Damage Reconstruction Specialists

Jack Collins
Nation wide

419-599-4700

467-6816
L J IRVING

THE CITY OF NAPOLEON

BUILDING & ZONING DEPARTMENT

255 W. RIVERVIEW

(419)592-4010

Demolition Permit

Permit Number: DM2006-3

Page 1 of 1

Printed: 4/27/2006

Property Address: 126 Washington St. W.

Applicant

Address: D & R Demolition
21186 CR D
Archbold, OH 43502

Approval Date: 4/27/2006

Phone: 419-446-8281

Owners

Name: Tin Lizzy's
126 W. Washington St
Napoleon, OH 43545

Contractors D & R Demolition

Address: 21186 CR D
Archbold, OH 43502

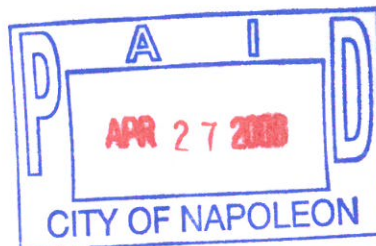
Phone 419-446-8281

Fees and Receipts:

Number	Description	Amount
FEE2006-315	Demo up to 120000 cu ft.	\$30.00
Total Fees:		\$30.00
RCPT2006-151		\$30.00

Description of work to be done:

Demo of third floor



Applicant signature: _____ **Date:** _____

CITY OF NAPOLEON GENERAL PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTIAL CONSTRUCTION INCLUDING BUILDING, ELECTRICAL, PLUMBING
MECHANICAL, DEMOLITIONS, REMODELING.

DATE: 4-28-06 JOB LOCATION: 126 Washington ST

OWNER: John Rice PHONE: _____

OWNER ADDRESS: _____ CITY: _____ ZIP: _____

CONTRACTOR: _____

PHONE #: _____ CELL PHONE#: _____

CONTRACTOR LICENSED WITH THE CITY OF NAPOLEON?: YES ☐ NO: ☐

Is any of the above job going to be subcontracted out? Yes ☐ No: ☒

If yes to whom: _____

DESCRIPTION OF WORK TO BE

PERFORMED: Removal of Third floor

ESTIMATED COMPLETION DATE: 2 wks

PLEASE MARK THE TYPE OF WORK YOU WILL BE PERFORMING

☐ A/C ADD ON

☐ BOILER REPLACEMENT

☐ CURBING

☐ DECKS *

☐ DRIVEWAY*

☐ ELECTRICAL SERVICE UPGRADE

☐ ELECTRICAL SERVICE NEW

☐ FENCE*

☐ ADDITIONS*

☐ FURNACE NEW

☐ LAWN METER

☐ PLUMBING

☐ REMODELING

☐ ROOFING

☐ SEWER REPAIRS**

☐ SIDEWALK*

☐ SIDING

☐ STORAGE SHED*

☐ SWIMMING POOL*

☐ FURNACE REPLACEMENT

☐ TEMP ELECTRIC

☐ WATER TAP (size _____")

☐ WINDOWS

☐ ZONING

Demo.

*PLEASE INCLUDE A PICTURE SHOWING MEASUREMENTS FROM EXISTING STRUCTURES AND
PROPERTY LINES. INDICATING THE TYPE OF WORK YOU WISH TO PERFORM.

** IF WORK REQUIRES GOING INTO THE STREET A STREET BOND IS REQUIRED!

FOR PERMIT COSTS PLEASE FILL OUT REVERSE SIDE

D & R
Demolition & Removal
21186 Co. Rd. D
Archbold, OH 43502
ph #(419) 446-8281
fax #(419) 446-2236

FACSIMILE TRANSMISSION COVER SHEET

DATE: 4/24/06

TO: ATTENTION: Jim Williams? or Jack Collins?
COMPANY: _____
FAX: 866-421-0091
PHONE: _____

FROM: NAME: Rache

TOTAL NUMBER OF PAGES INCLUDING COVER
SHEET: 2

SUBJECT/MESSAGE:

Quote for Napoleon building

_____.

DATE: 4/24/06
TIME FAXED: 5:33 pm

D & R Demolition

21186 Co. Rd. D

Archbold, OH 43502

Estimate

Date	Estimate #
4/24/2006	12

Name / Address
Jim Williams Washington St. Napoleon, Ohio 43545 Henry

			Project
Description	Qty	Rate	Total
Entire building teardown with backfill=\$60000.00		0.00	
3rd floor removed and the stabilization of the 2nd floor and walls=\$42000.00		0.00	
*note- stabilization will involve cutting off any dangerous/hazardous areas.		0.00	
No asbestos issues included.		0.00	
Thank you for considering D& R. May God bless.			
Total			\$0.00



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE • P.O. BOX 151

NAPOLEON, OHIO 43545-0151

PHONE (419) 592-4010 • FAX (419) 599-8393

WEB PAGE: www.napoleonohio.com

August 8, 2006

Mr. John B. Reese
Graben, L.L.C.
P.O Box 349
Napoleon, Ohio 43545-0349

Ms. Dawn Burkholder
D B Bryan Companies, Inc.
791 Fairway Lane
Wauseon, Ohio 43567

Re: Return of Insurance Escrow Funds to Named Insured due to Fire on 04/03/2006 at
124 West Washington St., Napoleon, Ohio, dba- Tin Lizzy's

To Mr. John B. Reese and Ms. Dawn Burkholder:

At the direction of the City's Building Inspector, Mr. Tom Zimmerman, I am returning the monies held in escrow to the Named Insured due to Fire on 04/03/2006 at 124 West Washington St., Napoleon, Ohio, dba- Tin Lizzy's. (See Copy of Memorandum Attached) This is pursuant to City Codified Ordinance No. 137.11 (Fire Loss Claims and Insurance Proceeds), that follows the provisions of Sections 715.26 (F) and 3929.86 of the Ohio Revised Code.

Check Number 46415, for \$20,000.00, is made out to D B Bryan Companies, Inc.; associated with payment made by Motorist Mutual Insurance Company, Claim # 5058537. (See Check Copy Attached)

Check Number 46452, for \$20,000.00, is made out to Graben, L.L.C.; associated with payment made by Nationwide Insurance, Claim # 91-34PR848542. (See Check Copy Attached)

Payments to the Contractor(s) performing the demolition, cleanup and reconstruction are the responsibility of the Named Insured and NOT the City of Napoleon, Ohio.

Questions regarding the return of funds can be addressed to me at (419) 599-1235.

Thank you.

Sincerely,

Gregory J. Heath
Finance Director/Clerk

MEMORANDUM

To: Greg Heath
 From: Tom Zimmerman
 Date: 08-02-06
 Subject: Escrow money for John Reece's fire damaged building.

All the money that is held in escrow for 124 W. Washington (Tin Lizzy's) can be released, the building has been removed and the demolition permit finalized.

TOTAL REFUNDED - \$40,000⁰⁰

Graben, LLC
 Attn: Mr. John B. Reese

DB Bryan Co. Inc
 Attn: Ms. Dawn Bunkholder

*** INVOICE APPROVAL ***	
PO #	BLANKET PO Y- <input type="checkbox"/> N- <input checked="" type="checkbox"/>
VND Graben, LLC	
ACCOUNT	AMOUNT
243-1900-59030	20,000 ⁰⁰
TOTAL >>> 20,000 ⁰⁰	
PO ADJUST: Y- <input type="checkbox"/>	CLOSE PO Y- <input checked="" type="checkbox"/> N- <input type="checkbox"/>
APPROVAL FOR PAYMENT: <i>Gregory Heath</i> 8/2/2006 DATE	
RETURN (APPROVED) INVOICE AND SIGNED YELLOW PO TO ARRANGE TO PROCESS FOR PAYMENT	

*** INVOICE APPROVAL ***	
PO #	BLANKET PO Y- <input type="checkbox"/> N- <input checked="" type="checkbox"/>
VND DB Bryan Co. Inc	
ACCOUNT	AMOUNT
243-1900-59030	20,000 ⁰⁰
TOTAL >>> 20,000 ⁰⁰	
PO ADJUST: Y- <input type="checkbox"/>	CLOSE PO Y- <input checked="" type="checkbox"/> N- <input type="checkbox"/>
APPROVAL FOR PAYMENT: <i>Gregory Heath</i> 8/2/2006 DATE	
RETURN (APPROVED) INVOICE AND SIGNED YELLOW PO TO ARRANGE TO PROCESS FOR PAYMENT	



CITY OF NAPOLEON, OHIO
255 W. RIVERVIEW AVENUE • P.O. BOX 151 • NAPOLEON, OHIO 43545
PHONE (419) 599-1235 FAX (419) 599-8393
MAIL INVOICES TO ABOVE ADDRESS

PURCHASE ORDER NUMBER
**MUST APPEAR
ON YOUR INVOICE**

RG060977

PURCHASE ORDER AND CERTIFICATE

DEPT. REQ. NO. :

DELIVER TO:

190
GENERAL GOVERNMENT
CITY OF NAPOLEON, OHIO
255 WEST RIVERVIEW, PO BOX 151
NAPOLEON OH 43545

P.O. DATE : 08/07/06

SHIP TERMS : NET 0 DAYS

VENDOR TO:

05539
GRABEN, L.L.C.
ATTN: MR. JOHN B. REESE
15238 CO. RD. M1 PO BOX 349
NAPOLEON, OH 43545

ACCOUNT NUMBER	AMOUNT
243.1900.59030	\$20,000.00
TOTAL:	\$20,000.00

NOTE: MUNICIPALITY EXEMPT FROM FEDERAL EXCISE AND STATE SALES TAX
POLITICAL SUB-DIVISION OF STATE OF OHIO
FEDERAL EXEMPTION REGISTRY NUMBER — 34-6400941

QUANTITY	UNIT	ITEM DESCRIPTION	PRICE / UNIT	AMOUNT
1		RETURN OF FIRE CLAIMS INS. FOR STRUCTURE AT 124 W. WASHINGTON ST PURSUANT TO ORC 3929-86 TOTAL INSURANCE PAID \$40000.00 REFUNDED GRABEN LLC \$20,000.00 REFUNDED DB BRYAN LLC \$20000.00		\$20,000.00
TOTAL:				\$20,000.00

FINANCE DIRECTOR'S CERTIFICATE

It is hereby certified that the amount \$ 20000.00 required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of fund(s) as listed above and free from any obligation, certification, or previous encumbrances. (ORC 5705.41 D)

Dated: 08-07-06

THIS PURCHASE ORDER NOT VALID UNLESS FINANCE DIRECTOR'S CERTIFICATE IS SIGNED.

CITY USE ONLY

Authorizing signature on final goods and/or services received:

DEPARTMENT / DIVISION HEAD

DATE



CITY OF NAPOLEON, OHIO
255 W. RIVERVIEW AVENUE • P.O. BOX 151 • NAPOLEON, OHIO 43545
PHONE (419) 599-1235 FAX (419) 599-8393
MAIL INVOICES TO ABOVE ADDRESS

PURCHASE ORDER NUMBER

**MUST APPEAR
ON YOUR INVOICE**

RG060976

PURCHASE ORDER AND CERTIFICATE

DEPT. REQ. NO. :

P.O. DATE : 08/07/06

SHIP TERMS : NET 0 DAYS

ACCOUNT NUMBER	AMOUNT
243.1900.59030	\$20,000.00
TOTAL:	\$20,000.00

DELIVER TO:

190
GENERAL GOVERNMENT
CITY OF NAPOLEON, OHIO
255 WEST RIVERVIEW, PO BOX 151
NAPOLEON OH 43545

VENDOR TO:

05538
D B BRYAN COMPANIES INC.
ATN: MS. DAWN BURKHOLDER
791 FAIRWAY LANE
WAUSEON, OH 43567

NOTE: MUNICIPALITY EXEMPT FROM FEDERAL EXCISE AND STATE SALES TAX
POLITICAL SUB-DIVISION OF STATE OF OHIO
FEDERAL EXEMPTION REGISTRY NUMBER — 34-6400941

QUANTITY	UNIT	ITEM DESCRIPTION	PRICE / UNIT	AMOUNT
1		RETURN OF FIRE CLAIMS INS. FOR STRUCTURE OF 124 W. WASHINGTON ST. PURSUANT TO ORC 3929.86 TOTAL INSURANCE PAID \$40,000.00 REFUNDED GRABEN LLC - \$20,000.00 REFUNDED DB BRYAN CO INC, \$20,000.00		\$20,000.00
TOTAL:				\$20,000.00

FINANCE DIRECTOR'S CERTIFICATE

It is hereby certified that the amount \$ 20000.00 required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of fund(s) as listed above and free from any obligation, certification, or previous encumbrances. (ORC 5705.41 D)

Dated: 08-07-06

THIS PURCHASE ORDER NOT VALID UNLESS FINANCE DIRECTOR'S CERTIFICATE IS SIGNED.

CITY USE ONLY

Authorizing signature on final goods and/or services received:

[Signature]
DEPARTMENT / DIVISION HEAD

DATE



Memorandum

To: Gregory J. Heath, City Finance Director
From: Chad E. Lulfs, P.E., P.S.; City Engineer
cc: Jon A. Bisher
Date: April 11, 2006
Subject: Tin Lizzy Property Billable Hours

The Engineering Department has accrued the following number of billable hours on the situation at the Tin Lizzy property:

City Engineer	6.0 hours
Building & Zoning Inspector:	4.0 hours

All included time was spent in meetings, site visits, and phone/e-mail conversations.

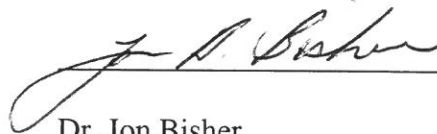
CEL

**ANNOUNCEMENT OF ESTABLISHMENT OR MAINTENANCE OF TRAFFIC CONTROL
(CITY CODE 305.01)**

Now comes, the City Manager in and for the City of Napoleon, Ohio and formally announces his intention to act pursuant to and under the authority granted by Chapter 305 of the Codified Ordinances of the City of Napoleon, Ohio, in the establishment or maintenance of traffic control as follows:

1. Establishment or Maintenance of traffic control device, to wit: Closing of W. Washington St west bound lane, for an indefinite period, from Scott St. to Perry St. Pedestrian traffic on the north side of Washington St. will be closed at the fire scene. This action is being taken for emergency public safety related to clean up due to a structural fire on W. Washington.
2. Previous order issued April 5, 2006, is hereby rescinded.

Notice hereby filed with the City Finance Director this __7th__ day of __April__ to be journalized in accordance with Chapter 305 of the Codified Ordinances of the City of Napoleon, Ohio.



Dr. Jon Bisher
City Manager



City of NAPOLEON

ENGINEERING DEPARTMENT

255 W. Riverview Avenue, PO Box 151, Napoleon, OH 43545

Phone: 419-592-4010 - Fax: 419-599-8393

Mayor

J. Andrew Small

Members of Council

Glenn A. Miller
President

Terri A. Williams
Ronald Behm
Travis B. Sheaffer
John A. Helberg
Steven C. Small
Michael J. DeWit

City Manager

Dr. Jon A. Bisher

Finance Director

Gregory J. Heath

Law Director

David M. Grahn

City Engineer

Chad E. Lulfs, P.E., P.S.

Press Release

ROAD CLOSURE

Closing of W. Washington St west bound lane, for an indefinite time. Pedestrian traffic will be closed at the fire scene. For emergency public safety related to clean up due to a fire on W. Washington. The section to be closed is from Scott St. to Perry St.

Previous order issued April 5, 2006, is hereby rescinded.

Residents are advised to take alternative routes during this closure period.

The Engineer Department apologizes for any inconveniences this may cause. Questions regarding this matter should be directed to Chad E. Lulfs, City Engineer at 592-4010.



City of NAPOLEON

ENGINEERING DEPARTMENT

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

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City Manager

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Finance Director

Gregory J. Heath

Law Director

David M. Grahm

City Engineer

Chad E. Lulfs, P.E., P.S.

Press Release

ROAD CLOSURE

Temporary closing of W. Washington St, April 5, 2006 until approximately April 15, 2006. For emergency public safety related to clean up due to a fire on W. Washington. The section to be closed is from Scott St. to Perry St.

Residents are advised to take alternative routes during this closure period.

The Engineer Department apologizes for any inconveniences this may cause. Questions regarding this matter should be directed to Chad E. Lulfs, City Engineer at 592-4010.

West Bond lane
closed to ped traffic fire scene
indefinite time period.

**ANNOUNCEMENT OF ESTABLISHMENT OR MAINTENANCE OF TRAFFIC CONTROL
(CITY CODE 305.01)**

Now comes, the City Manager in and for the City of Napoleon, Ohio and formally announces his intention to act pursuant to and under the authority granted by Chapter 305 of the Codified Ordinances of the City of Napoleon, Ohio, in the establishment or maintenance of traffic control as follows:

1. Establishment or Maintenance of traffic control device, to wit: Temporary closing of W. Washington St, April 5, 2006 until approximately April 15, 2006. For emergency public safety related to clean up due to a fire on W. Washington. The section to be closed is from Scott St. to Perry St.

Notice hereby filed with the City Finance Director this 5th day of April, 2006 to be journalized in accordance with Chapter 305 of the Codified Ordinances of the City of Napoleon, Ohio.



Mr. Roger Noblit
Acting City Manager

4/12/2006

NAPOLEON POLICE DEPT
2006

Call for Service Record 0600299314:30 12 APR

Telephone		Date of call	04-12-2006
Common name	TIN LIZZY'S	Day of week	WEDNESDAY
Location	124 WASHINGTON ST W	Dispatcher	13TW
District	Z1C	Time of call	13:40:00
Description	MISC/INFO	Time of disp	13:40:00
		Time enroute	13:40:00
		On scene	13:40:00
		To hosp/sta	
		At hosp/sta	
		In service	
		In quarters	
		Time clear	13:40:00
Name		Incident#	06002993
Address		Run#	
City,St Zip		Accident#	
Telephone		Signal code	129 99
Units		Fire code	
Officers 07CM		Mode rec'd	P
Fire equip		Status	CLOSED
Comment			

~~HAD~~ TIN LIZZY
FILE

D/I-06002993
MISC/INFO
TIN LIZZY'S

APRIL 12, 2006

On this date Officer Zumfelde was on foot patrol on the 100 block of West Washington Street. While he was setting up barricades that had blown over, an employee of Beneficial told him that she had observed bricks and pieces of sheet metal being blown off of the Tin Lizzy's building.

I went to Beneficial and spoke to Hope Dockery. She said that bricks have been falling from the building into the containment area set up on the North side of the 100 block of West Washington Street for several days. Hope added that today pieces of sheet metal have been blowing off of the building. I noted that the winds were from the North-Northwest. I also observed several large pieces of sheet metal blowing on the top portion of the building.

LT. MOLL U7

\$25⁰⁰

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 only to the extent of the City's right, title, interest or authority to grant a Construction Permit (§919.01).

D.R. Demolition
[Applicant's Name]

21186 E. Rd D
[Street Address]

Archbold OH 43502
City State Zip Code

☐ Corporation ☐ Not for Profit Organization ☐ Partnership
☒ LLC ☐ Sole Proprietor ☐ Other

34-1896851 _____
[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.

Don Williams 21186 E. Rd. D Archbold OH
[Name] [Street] [City]

OHIO 43502 419 572-1334
[State] [Zip Code] [Emergency Telephone No.]

Removal of 3rd floor of 124 Washington St

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

☐ Attached ☒ Not Attached: The location of all known overhead and underground public utility, utility, telecommunications, cable, water, sanitary sewer, storm water drainage and other existing facilities in the public right-of-way along the route of the applicants proposed construction, sufficient to show any impact of the applicant's facilities on other existing facilities.

NA
☐ Attached ☐ Not Attached: If the applicant is proposing to construct or locate facilities above ground: (a) Evidence that surplus space is available for locating its facilities on existing utility poles along the proposed route; and, (b) The location and route of all facilities to be located or installed on existing utility poles.

NA
☐ Attached ☐ Not Attached: If the applicant is proposing an underground installation of new facilities in existing ducts, pipes or conduits in the public rights-of-way, information in sufficient detail to identify: (a) The excess capacity currently available in such ducts or conduits before the installation of the applicants facilities; and, (b) The excess capacity, if any, that will exist in such ducts or conduits after installation of the applicants facilities.

NA
☐ Attached ☐ Not Attached: If the applicant is proposing an underground installation of new facilities in new ducts or conduits to be constructed in the public right-of-way: (a) The location and depth proposed for the new ducts or conduits; and, (b) The excess capacity that will exist in such ducts or conduits after installation of the applicants facilities.

☐ Attached ☒ Not Attached: The construction methods to be employed for protection of existing structures, fixtures and facilities in or adjacent to the public right-of-ways.

NA
☐ Attached ☐ Not Attached: The structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate.

NA
☐ Attached ☐ Not Attached: The impact of construction on trees in or adjacent to the public right-of-ways along the route proposed by the applicant, together with a landscape plan for protecting, trimming, removing, replacing and restoring any trees or areas disturbed during construction.

Will Be Faxed
☒ Attached ☐ Not Attached: Certificate of Insurance demonstrating compliance with the insurance provisions. Applicant shall maintain and file with the City a certificate evidencing a commercial, general and liability insurance policy, issued by a company authorized to write insurance in the State and designating the City as an additional insured, in the following amounts (or such other amounts determined to be adequate by the City Engineer):

- (1) One million dollars (\$1,000,000.00) for any and all claims for bodily injury or death for each person;
- (2) Three million dollars (\$3,000,000.00) for any and all claims for bodily injury or death for each accident;
- (3) Five hundred thousand dollars (\$500,000.00) for all other types of liability; and,
- (4) Ten million dollars (\$10,000,000.00) excess liability or umbrella coverage for each accident arising out of the work to be performed pursuant to the construction permit or the prosecution of the work for which the construction permit is obtained or in any manner arising or growing out of the work necessary or incident to the issuance of the construction permit or that may be occasioned by reason of any work or anything else done pursuant to the construction permit. The insurance coverage shall be on an occurrence coverage basis so that the insurance required by this section shall provide coverage through the end of the period established by the applicable statute of limitations for all items insured. Such insurance policy shall require written notification to the City thirty (30) days prior to any expiration or cancellation.

The Applicant shall show to the reasonable satisfaction of the City that the applicant has workers compensation insurance in effect at all times covering its obligations under the workers compensation statute.

No waiver of insurance shall be granted by the City Engineer unless, the nature of the construction work poses little or no risk to the public, as determined in writing by the City Engineer. ☐ Waived ☒ Not Waived

\$ 25⁰⁰ Fee: ☐ Paid ☐ Waived: Fee shall be waived by the City Engineer when the item being placed into or near the right-of-way is a mailbox or other permissible material that will require no inspection, as determined by the City Engineer.

☐ Performance Bond Approved

☐ Performance Bond Waived

[This blacked portion to be completed by authorized City official ONLY]

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 919 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. Finally, 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 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.

[Date]

[Signature of Applicant]

[Title]