

RESOLUTION 2011 - 45

A RESOLUTION AUTHORIZING THE MAYOR
OF THE CITY OF WAPAKONETA TO EXECUTE
AN AGREEMENT CONCERNING AN
ENCROACHMENT UPON A PUBLIC RIGHT OF
WAY AND DECLARING AN EMERGENCY

FIRST READ	SECOND READ	THIRD READ	SUSPEND				AD OP	
			YES	NO	YES	NO	YES	NO
8-1-2011								
			J NEUMEIER					
			D LEE					
			B WURST					
			D GRAF					
			W WELLS					
			S WALTER					
			T FINKELMEIER					
			TOTAL					
			6 0 6 0					

WHEREAS, G. A. Wintzer & Son Company, an Ohio Corporation (hereinafter referred to as "Wintzer") owns Real Estate commonly known as the "Wigwam" located at 8 N Blackhoof Street, Wapakoneta, Ohio 45895; and

WHEREAS, a portion of the building encroaches upon portions of the right-of-way of Heritage Drive, with said area of encroachment being more particularly described in Section One of this Resolution; and

WHEREAS, Wintzer has requested the City's consent for the construction of an additional barrier wall encroachment, with said encroachment to not impede the public's use of the improved portions of Heritage Drive and to not impede pedestrian use of adjoining public right-of-way; and

WHEREAS, the City of Wapakoneta will not object to the existence of the encroachment upon appropriate terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Wapakoneta, County of Auglaize, State of Ohio, to-wit:

SECTION ONE

THAT the Mayor of the City of Wapakoneta, Ohio be, and hereby is, authorized to execute an agreement on behalf of the City of Wapakoneta, Ohio with G. A. Wintzer & Son Company, an Ohio Corporation in accordance with the preamble of this Resolution as and for the area of the encroachment and for the construction of an additional barrier wall encroachment, the area of encroachment being denoted on the site plan of James Kent, P.S. 6792, a copy of which is attached hereto and marked as Exhibit "A".

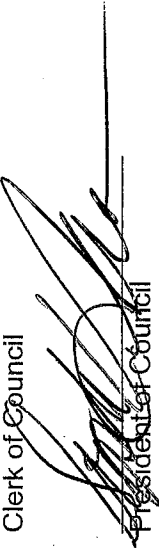
SECTION TWO

THAT this Resolution is hereby declared to be an emergency measure, it being for the protection, safety and welfare of the citizens of Wapakoneta, Ohio, and for the further reason to allow for the timely improvements on the property to be commenced and completed as weather and contracts permit.

Attest:

Carlene S Koch

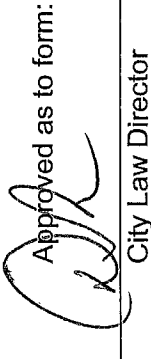
Clerk of Council


President of Council

Passed this 1st day of August, 2011

Approved:

Rodney Mueh
Mayor


Approved as to form:
City Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO AND APPEARED IN ITS ISSUES OF 8-4-2011 AND 8-11-2011

Carlene S Koch
CLERK OF COUNCIL

Prepared for

G. A. Wintzer & Son Company
and Peterson Construction Co.

July 25, 2011

AUGLAIZE RIVER

BLACKHOOF STREET (66' R/W)

City of Wapakoneta

proposed 15" concrete barrier wall

0.15' clearance

0.94' encroachment

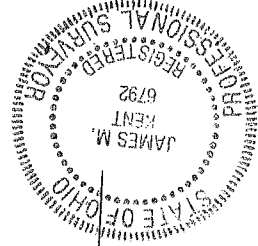
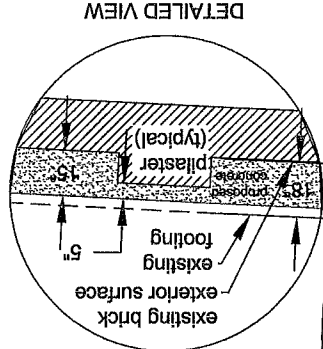
G. A. Wintzer & Son Company

fr. 20

fr. 21

fr. 22

fr. 23



James M. Kent, PS 6792

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

