



RESOLUTION 2018-06

TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO A RESOLUTION REGARDING PENDING LITIGATION, AND TO ACCEPT THE TRANSFER OF REAL ESTATE TO THE VILLAGE OF JOHNSTOWN, OHIO.

WHEREAS, the Village of Johnstown, Ohio (the “Village”) filed a nuisance abatement action against the Johnstown Development Co. and other defendants (the “Lawsuit”) regarding the parcel identified as Reserve “B” (the “Property”) on the Concord Crossing West plat (the “Plat”), which was recorded with the Licking County recorder’s office on or about March 1, 2005 by the Johnstown Development Company (the “Property Owner”); and

WHEREAS, the Property Owner answered the Lawsuit and filed a counterclaim against the Village alleging that the Village was responsible for the maintenance and repair of the Property; and

WHEREAS, the Parties elected to engage in an amicable mediation process to resolve their disagreement over the Property; and

WHEREAS, after engaging in amicable discussions and mediation, the Parties have come to an agreement to resolve the lawsuit; and

WHEREAS, in addition to resolving the Lawsuit, the Parties have agreed that the Property Owner will convey the Property to the Village via a general warranty deed; and

WHEREAS, the Village desires to execute the necessary settlement agreement and accept conveyance of the Property to resolve the Lawsuit and complete the transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, OHIO:

Section 1. That the Village Manager is hereby authorized to execute a settlement agreement to fully and completely resolve the Lawsuit.

Section 2. That the Village Manager is hereby authorized to accept the general warranty deed conveyance of the Property in the name of the Village.

Section 3. Council further authorizes and directs the Village Manager, Law Director, Finance Director, Clerk of Council, or other appropriate officers of the Village to take any other action as may be appropriate to resolve this matter.

