

ORDINANCE NO. 2003-44

ORDINANCE AUTHORIZING SETTLEMENT OF CASE NO. CA2002-04-039 (DEERFIELD TOWNSHIP VS. CITY OF MASON, Et Al.) REGARDING ATTORNEYS' FEES

WHEREAS, agreement has been reached to settle outstanding issues between Deerfield Township and the City of Mason regarding Deerfield Township's obligation to pay attorneys' fees in Case No. CA2002-04-039; and

WHEREAS, it is in the best interest of both communities to resolve this issue in an amicable manner.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, six members elected thereto concurring:

Section 1. That the City Council hereby authorizes the settlement of Case No. CA2002-04-039 involving Deerfield Township vs. City of Mason, et al., by the payment of \$66,889.41 to the City of Mason without any addition for the payment of interest.


Section 2. That said \$66,889.41 is to be used as a contribution to the City of Mason to construct a bike path for the benefit of all citizens in the area, free and open to the public. If the City receives OKI funding for the Kings Island area to connect bike/pedestrian traffic from Western Row Road to Kings Island, the funds will be used for that purpose.

Section 3. An Agreed Entry of Settlement shall be filed in this matter terminating all matters contained therein and any and all claims arising out of Case No. 99CV56729 in the case of Common Pleas, and Case No. CA2002-04-039 arising before the 12th District Court of Appeals.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 14th day of April, 2003.

Attest:


Clerk of Council


Mayor