

ORDINANCE NO. 2006- 192

**AUTHORIZING THE LAW DIRECTOR TO EXECUTE AN AGREED ENTRY REGARDING THE USE OF PROPERTY ADJACENT TO CITY-OWNED PROPERTY IN DEERFIELD TOWNSHIP AND DECLARING AN EMERGENCY**

WHEREAS, the City of Mason owns a five acre parcel in what was known as the Lark farm Tract; and

WHEREAS, a Petition for Declaratory Judgment has been filed in Warren County Court of Common Pleas by an adjacent property owner; and

WHEREAS, the adjacent property is seeking a declaratory judgment entitling him to use his property in accordance with the current zoning regulations; and

WHEREAS, by executing an agreed entry, the City of Mason will terminate its involvement in the lawsuit with no prejudice to the City.

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

Section 1. That the Law Director is authorized to execute an agreed entry substantially in the form of that attached hereto as Exhibit "A" and incorporated herein by reference..

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to end the City's involvement in the lawsuit as soon as possible.

Passed this 11<sup>th</sup> day of December, 2006

  
Mayor

Attest:

  
Clerk of Council