

RECORD OF RESOLUTIONS

CONTRACT WITH PERRYSBURG INVESTORS, LLC, AN OHIO LIMITED LIABILITY CO.

Dayton Legal Blank Co., Form No. 30045

Resolution No. 2002-12

Passed JULY 15, 2002 YEAR

PERRYSBURG TOWNSHIP, WOOD COUNTY, OHIO
RESOLUTION 2002-12

RESOLUTION TO APPROVE ENTERING INTO A CONTRACT
WITH PERRYSBURG INVESTORS, LLC, AN OHIO LIMITED LIABILITY COMPANY

WHEREAS, Perrysburg Investors, LLC, an Ohio limited liability company of 1750 Indian Wood Circle, Suite 100, Maumee, Ohio 43537, has threatened to bring litigation against Perrysburg Township concerning the validity of special assessments for sanitary sewer number 7100; and

WHEREAS, The Township is desirous of compromising this potential litigation without admitting any wrongdoing;

NOW THEREFORE BE IT RESOLVED BY THE PERRYSBURG TOWNSHIP BOARD OF PERRYSBURG TOWNSHIP TRUSTEES, WOOD COUNTY, OHIO; THAT:

- 1) The Township enter into a Contribution and Release Agreement between Perrysburg Investors, LLC and Perrysburg Township;
2) Perrysburg Township shall pay an \$82,000 contribution to Perrysburg Investors, LLC on or before July 31, 2002 in order to resolve claims related to assessments for sanitary sewers located on U.S. Route 20 in Perrysburg Township, arguably installed in front of and being assessed against Wood County Permanent Parcel Numbers P60-400-0261-05-001.000, P57-400-0261-04-001.502, and P57-400-0261-04-001.503 (collectively known as the "Property") as the intergovernmental contracts with the City of Perrysburg and the Northwest Regional Water & Sewer District has prevented the Property from ever accessing or using the sewer subject to special assessments for sanitary sewer number 7100 through the tax duplicate year 2018;
3) This contribution is found to be in the best interests of the health, welfare, and safety of the Township's residents in that Perrysburg Investors, LLC is going to use the money for the installation and construction of road improvements which will improve the safety of the motoring public in Perrysburg Township;
4) The above action is found to be necessary for the immediate preservation of the health, safety and welfare of the residents of the Township, and the Clerk has certified the availability of the funds to make contribution and secure the release terminating the potential litigation;
5) It is hereby found and determined that all formal actions of Perrysburg Township Board of Township Trustees concerning and relating to the passage of this Resolution were adopted in an open meeting of this Perrysburg Township Board of Township Trustees and that all deliberations of this Perrysburg Township Board of Township Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Revised Code of Ohio.
6) It is hereby found and determined that this action is an emergency measure as the assessments must be paid off by August 1, 2002 to avoid litigation, and it shall take effect at the earliest date allowed by law.

The Resolution moved by Trustee ROBERT MACK and seconded by Trustee BARBARA GUNN

On Roll call the following vote was cast:

Nathan Hagemeister YES
Barb Gunn YES
Bob Mack YES

Motion carried. \* \* \* \* \*

I, the undersigned, Clerk of Perrysburg Township, Wood County, Ohio, hereby certify that the above is a true and accurate copy of a Resolution adopted by the Board of Township Trustees of Perrysburg Township, Wood County, Ohio on the 15th day of July, 2002.

John Hrosko, Clerk
Perrysburg Township, Wood County, Ohio