

7-2023

PASSED 2-16-2023

## VILLAGE OF RUSHVILLE

**AN ORDINANCE AUTHORIZING PAYING SOLICITOR JON M. BROWNING TO INVESTIGATE, NEGOTIATE A SETTLEMENT, AND/OR LITIGATE WITH ALL RELATED PARTIES WHO OWNS THE BUILDING NOW BEING USED BY BOTH THE VILLAGE OF RUSHVILLE AND MASON'S LODGE 211 and DECLARING AN EMERGENCY.**

WHEREAS, both the Village of Rushville, Fairfield County, and Mason's Lodge 211 occupy and use the two-story school building on Lot 5 within the Village of Frankfort, Ross County, Ohio; and

WHEREAS, following a title search for the past 100 years, no title of ownership can be located within the Fairfield County records, thereby leaving ownership ambiguous; and

WHEREAS, both the Village and the Masons agree that the building is in need of renovations and repairs; and

WHEREAS, title to, and ownership of the building must be resolved before moving ahead with renovations and repairs.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSHVILLE, FAIRFIELD COUNTY, OHIO

SECTION 1. With approval by Council, Jon M. Browning shall provide extraordinary legal services that may be required, including litigation before all courts or judicial or quasi-judicial forums or other legal matters beyond the scope of ordinary legal matter, to wit, resolving ownership of the school building referenced above. When performing these duties, the Village shall pay him as a contractual employee at a base rate of \$150 per hour for a minimum of .25 hours per consultation.

SECTION 2. Jon M. Browning shall keep records of the times spent on this matter, including descriptions of the services rendered, and shall provide monthly bills to the village.


SECTION 3. The Village reserves the right to terminate this contract for services on the school building matter at any time, subject to approval, if required by any court of competent jurisdiction.

This matter is declared to be an emergency necessary for the health, safety, and wellbeing of the Village, in that Village Council requires suitable space to conduct village business, and that space cannot be updated until title and ownership of the building is resolved. This Ordinance shall go into immediate effect upon signing by the mayor.

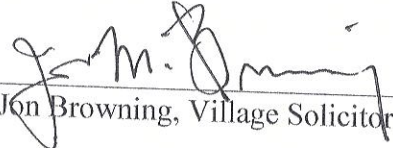
READING I:

READING II:

READING III:

Signed   
Mayor

Lindy Lewis  
Clerk

Approved as to form   
Jon Browning, Village Solicitor

DATE PASSED: 2.16.23