

**VILLAGE OF CHAUNCEY  
STATE OF OHIO  
ORDINANCE NO. 2025-5**

**AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A  
MEMORANDUM OF AGREEMENT RESOLVING CERTAIN  
LITIGATION SURROUNDING 47 MAIN STREET AND  
APPROPRIATING FUNDS TO TEAR DOWN THE BUILDING  
AND PURCHASE THE PROPERTY AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, there is certain ongoing litigation between the Athens County Land Reutilization Corporation (“Land Bank”) and Athens Preservation, Ltd. regarding certain real property located within the Village, to wit, 47 Main Street; and,

**WHEREAS**, the building currently located at 47 Main Street has been condemned by the Village because it is in an uninhabitable and dangerous condition, and an Affidavit of Condemnation has been made of record, having been recorded at Book 607, Page 1499, Athens County Official Records; and,

**WHEREAS**, the Land Bank and Athens Preservation have entered into a Memorandum of Agreement to settle the litigation involving 47 Main Street involving tearing down the building and transferring the building to the Village; and

**WHEREAS**, the cost of tear down is approximately \$10,000 and the Auditor’s valuation of the property is approximately \$6,000; and

**WHEREAS**, Council finds it is in the public interest to expend funds of up to \$16,000 to pay for the tear down of the condemned building and to purchase the vacant lot of land once tear down has been completed,

**NOW THEREFORE, IT IS ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAUNCEY AS FOLLOWS:**

**Section 1.** Council hereby authorizes the Mayor to sign a Memorandum of Agreement settling the litigation between the Land Bank and Athens Preservation involving 47 Main Street. A copy of the Memorandum of Agreement is attached hereto and incorporated by reference herein as **Exhibit A**.

**Section 2.** Council hereby appropriates a sum not to exceed \$16,000.00 to facilitate the settlement. Such sum shall be broken down as follows: 1) a \$10,000.00 payment to the Land Bank to cover tear down costs of the building located at 47 Main Street, which amount may be paid immediately; and 2) a payment of \$6,000.00 to Athens Preservation, Ltd., which amount shall be paid only upon receipt of a deed of sufficient warranty to convey title to the Village free and clear.

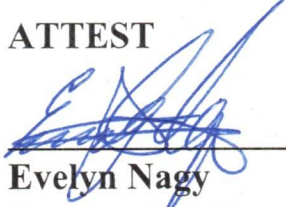
**Section 3.** The Village Administrator is hereby directed to make provision for fill to fill in the land at 47 Main Street once the building is torn down. Such fill shall be done in conformity with FEMA regulations for fill in a floodway. Fill shall be taken, as practicable, from fill generated by the ongoing sewer project.

**Section 4.** This Ordinance is declared to be an emergency measure because settles litigation involving 47 Main Street in a way in which the Village may obtain full title to the property following tear down of a dangerous structure and it is necessary to health, safety, and welfare of the Village that Council conduct its meetings and business in an orderly and lawful manner.

This Resolution is passed on suspension of the three readings requirement set forth in ORC 731.17 by vote of three-fourths of Council members, and shall take effect immediately upon passage.

**ORDAINED THIS 13th of March, 2025**

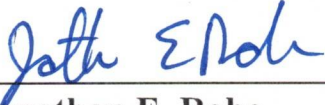
**ATTEST**

  
\_\_\_\_\_  
**Evelyn Nagy**  
**President of Council**

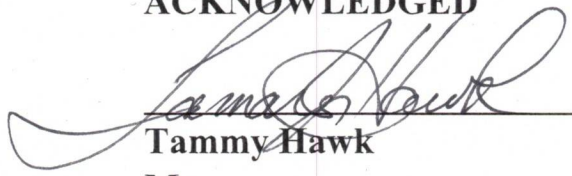
**ATTEST**

  
\_\_\_\_\_  
**Kevin Simons**  
**Village Fiscal Officer**

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
**Jonathan E. Robe**  
**Solicitor**

**ACKNOWLEDGED**

  
\_\_\_\_\_  
**Tammy Hawk**  
**Mayor**

## CERTIFICATION OF POSTING/PUBLICATION

The foregoing is a true copy of ORDINANCE 2025-5.

Publication of this ORDINANCE was made by posting a copy on the Village's website at <https://villageofchauncey.com/> and the Village's social media page at <https://www.facebook.com/VillageofChauncey> on April 4.

Publication of this ORDINANCE was also made by posting this copy at five public locations within the Village as follows:

Village Hall Date 4-4-25


Chauncey Marathon Date 4-4-25

CeeDee Carryout Date 4-4-25

Post Office Date 4-4-25

Library Date 4-4-25

Other Date \_\_\_\_\_

Attest:   
Kevin Simons  
Fiscal Officer

Date 3/27/25