

RESOLUTION NO. 30-2024

**Resolution Authorizing the Acceptance of the Proposed Agreed Entry Resolving the Matter
Board of Trustees of West Chester Township, Butler County, Ohio V. Carl Bevins, et al.,
Butler County Court of Common Pleas Case No. CV 2024 02 0341**

WHEREAS, the Township has dealt with repeated violations of its Zoning Resolution and Property Maintenance Code at the single-family home located at 10066 Columbus-Cincinnati Road, West Chester Township, Ohio 45241 (the "Property").

WHEREAS, the Township has received multiple complaints from residents regarding these violations at the Property;

WHEREAS, the Township filed a complaint against Carl Bevins, Karen Bevins, and William Bevins on February 16, 2024, under Butler County Court of Common Pleas Case No. CV 2024 02 0341 (the "Litigation") to address these violations;

WHEREAS, the Township's primary goal in the Litigation is to ensure that the Property is brought into compliance with the Zoning Resolution and Property Maintenance Code;

WHEREAS, to avoid the risk and expense of trial, the Board of Trustees has determined that it is in the best interests of the public health, safety, and welfare to enter into the Agreed Entry, attached as Exhibit A, to resolve the Litigation in its entirety;

NOW THEREFORE, BE IT RESOLVED that on the basis of the above actions and findings, the West Chester Township Board of Trustees:

SECTION 1. That the Board of Trustees does hereby authorize the Township Law Director, or his designee, to sign the Agreed Entry in substantially similar form as the attached Exhibit A, on behalf of the Township, and to sign any other documents necessary to effectuate or enforce the Agreed Entry.

Adopted this 23 day of July, 2024.

Lee Wong
Lee Wong, Chair Yes
Yes/No

Absent
Mark Welch, Vice Chair Yes/No

Ann Becker
Ann Becker, Trustee ye
Yes/No

ATTEST:
Bruce Jones
Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Scott D. Phillips, Law Director

Exhibit A

FILED
MARY L. SWAIN
BUTLER COUNTY
CLERK OF COURTS
08/13/2024 04:23 PM
CV 2024 02 0341

IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO

| | | |
|--------------------------------|---|----------------------------------|
| BOARD OF TRUSTEES, WEST | : | Case No. CV 2024 02 0341 |
| CHESTER TOWNSHIP, OHIO, | : | |
| | : | Judge: Keith M. Spaeth |
| Plaintiff, | : | |
| | : | <u>AGREED FINAL ENTRY</u> |
| -vs- | : | (Final Appealable Order) |
| | : | |
| CARL BEVINS, et al. | : | |
| | : | |
| Defendants. | : | |
| | : | |

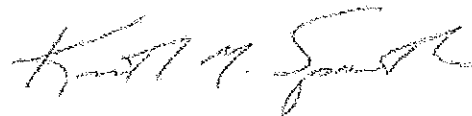
Now comes Plaintiff Board of Trustees of West Chester Township (hereinafter the “Township”), Defendants Carl Bevins, Karen Bevins, and William Bevins (“Defendants”) and agree to the following relief as a complete and final resolution of the Township’s Complaint against Defendants.

1. The Township and Defendants, having had the opportunity to consult with legal counsel, knowingly and voluntarily agree to the following as his, her, or its free act.
2. Defendants Carl Bevins and William Bevins own the real property and single-family home located at 10066 Columbus-Cincinnati Road, West Chester, Ohio 45241, Butler County Auditor’s Parcel No. M5620-080-000-005 (the “Property”).
3. Defendants Carl Bevins and Karen Bevins exert control of the Property and reside at the Property.
4. The Property is zoned R-1A under the Township’s Zoning Resolution.
5. The Township has received multiple complaints from residents regarding violations of its Zoning Resolution and Property Maintenance Code at the Property.
6. The Defendants violated Articles 10.18, 11.07, and 11.041 of the Township’s Zoning Resolution by storing miscellaneous junk materials, inoperable or unlicensed vehicles, and

unlicensed trailers outside at the Property for more than ten days and for parking vehicles in areas not designated for parking for more than twenty-four hours in any seven-day period.

7. The Defendants violated Sections 302.1, 302.8, and 305.1 of the Township's Property Maintenance Code by failing to maintain the exterior of the Property in a clean, safe, and sanitary condition and by storing inoperable vehicles and rubbish on the property.
8. Since the filing of the Complaint in this case, Defendants have cleaned up the exterior of the Property and have addressed many of the violations thereon.
9. Defendants are permanently enjoined from storing miscellaneous junk materials, inoperable or unlicensed vehicles, and unlicensed trailers on the exterior of the Property.
10. Defendants are permanently enjoined from parking vehicles in the grass at the Property.
11. Pursuant to R.C. 519.99 and Section 5.08 of the Township's Zoning Resolution, Defendants shall immediately pay a \$500.00 fine to the Township.
12. The Court retains jurisdiction to enforce the terms of this Agreed Final Entry.

IT IS SO ORDERED.



Judge Keith M. Spaeth

Agreed:

/s/ Jonathan E. Roach
Jonathan E. Roach (0092498)
Counsel for West Chester Township

Carl Bevins
Defendant Carl Bevins

Karen Bevins
Defendant Karen Bevins

William Bevins
Defendant William Bevins

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