

BOARD OF TOWNSHIP TRUSTEES  
ANDERSON TOWNSHIP  
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 3:00 p.m. this 6th day of January, 2022, with the following members present:

Joshua S. Gerth  
Robin D. Stone  
Lexi Lausten

Mrs. Lausten introduced the following resolution and moved its passage:

**RESOLUTION NO. 22 – 0106 - 05**

**RESOLUTION AND ORDER WITH RESPECT TO THE REMOVAL OF STRUCTURES DECLARED TO BE IN A CONDITION DANGEROUS TO LIFE OR HEALTH AND UNFIT FOR HUMAN HABITATION ON LAND OWNED BY CLAIR MURPHY, THE ESTATE OF CLAIR MURPHY, THE HEIRS OF CLAIR MURPHY, AND/OR ANITA MURPHY, AND LOCATED AT 7833 YMCA ROAD, ANDERSON TOWNSHIP, OHIO, PURSUANT TO SECTION 505.86 OF THE OHIO REVISED CODE.**

WHEREAS, Section 505.86 of the Ohio Revised Code (the “Statute”) provides that a board of township trustees may provide for the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the real property located at 7833 YMCA Road, Anderson Township, Ohio 45244 and further identified as Auditor’s Tax ID Parcel No. 500-0171-0027-00 (the “Property”), is owned of record by Clair Murphy, married (collectively with the Estate of Clair Murphy, the heirs of Clair Murphy, and/or Anita Murphy, the “Owner”); and

WHEREAS, Clair Murphy is believed to be deceased; and

WHEREAS, this Board passed Resolution No. 21-1105-04 with respect to the Property and the removal of the Gazebo, Garage and Mobile Home located on the Property (the “Structures”) and provided notice dated November 9, 2021 as prescribed by the Statute to each party in interest, and published notice dated November 16, 2021 as prescribed by the Statute to inform those parties in interest whose addresses were unknown, of the Board’s intention with respect to the removal of Structures on the Property giving said parties in interest at least 30 days’ notice of such removal of Structures and informing the parties in interest that each such party is entitled to a hearing if the party in interest requests a hearing in writing, addressed to the Fiscal Officer, within twenty days after the notice was mailed; and

WHEREAS, the notice to Anita Murphy was delivered November 12, 2021; and

WHEREAS, Anita Murphy by letter addressed to the Fiscal Officer dated November 26, 2021 and received by the Fiscal Officer on December 3, 2021 (a copy of which is attached hereto as Exhibit A), requested "an appeal of more time in order to complete these things" and stating that the "water has now been fixed"; and

WHEREAS, this Board set a hearing in the matter of Anita Murphy's "appeal" for January 6, 2022 at 3:00 PM at Anderson Center, Board Meeting Room, 7850 Five Mile Road, Anderson Township, OH 45230; and

WHEREAS, on December 18, 2021, a fire occurred at the Property and the Anderson Township Fire and Rescue Department ("FRD") responded; and

WHEREAS, a report was issued by FRD indicating that the fire began in the Garage structure on the Property and spread to the Mobile Home on the Property; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township"), as follows:

SECTION 1. A hearing in the matter of removal of the Structures on the Property described in Resolution No. 21-1105-04 and the notice related thereto transmitted to all parties in interest (copies of each of which are attached hereto as Exhibit B), and in Resolution 21-1216-06 and the notice related thereto delivered to the party in interest seeking an appeal of more time with respect thereto (copies of each of which are attached hereto as Exhibit C) and transmitted to all parties in interest was held this date as duly noticed, which hearing has been recorded by stenographic or electronic means.

SECTION 2. The Statute requires that this Board shall make an order deciding the matter not later than thirty (30) days after the hearing. At any time a party in interest may consent to an order. This Board hereby makes the following Order with respect to the removal of Structures:

1. The Structures located on the Property constitute a nuisance under the Statute and as described in Resolution No. 21-1105-04 and at this date, none of the parties in interest, including the Owner and Anita Murphy, has removed the Structures.
2. That two of the Structures have been further damaged by the fire at the Property on December 18, 2021.
3. This Board extends to Anita Murphy a period from this date and ending on January 28, 2022 at 4:00 P.M. to completely remove the Structures and debris from such removal from the Property, on the condition that she enters into an agreement with this Board in the form attached hereto as Exhibit D to be dated January 7, 2022 (the "Agreement").
4. If Anita Murphy does not execute the Agreement and deliver it to the Township Administrator at 7850 Five Mile Road, Anderson Township, OH 45230 no later than 4:00 P.M. on January 7, 2022, then the extension period set forth in paragraph 3, above, shall be rescinded automatically and the Township Administrator shall proceed to provide for the removal of the Structures and the "total cost" of such removal, as defined in Section

505.86(A) of the Ohio Revised Code, shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Ohio Revised Code.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

Mrs. Stone seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Gerth yes Ms. Stone yes Mrs. Lausten yes

CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township (County of Hamilton), Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 6th day of January, 2022, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

Further, it is hereby certified that the moneys required to meet the obligations of Anderson Township (County of Hamilton), Ohio, under the foregoing Resolution and Order during the year 2022 have been lawfully appropriated by the Board of Township Trustees of Anderson Township for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44 of the Revised Code.

This 6<sup>th</sup> day of January, 2022.


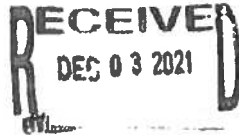
  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

EXHIBIT A

Letter from Anita Murphy dated November 26, 2021



11/26/2021  
Anita Murphy  
7833 YMCA Rd,  
Cincinnati, OH 45244

Anderson Township's Fiscal Officer  
7850 Five Mile Road, Anderson Township, OH 45230

To Whom it May Concern;

My name is Anita Murphy and I reside at 7833 YMCA Rd, Cincinnati, OH 45244. I have been trying to fix my place and clean up the yard for some time now. Your office previously requested that certain things be completed in a timely manner.

I am asking for an appeal of more time in order to complete these things. The water has now been fixed. In tearing down the gazebo, I did not realize we would need a machine to complete this.

Please grant my appeal request for more time. Thanks so much in advance.

Sincerely,

Anita Murphy

A handwritten signature in cursive script that reads "Anita Murphy". The signature is written in dark ink and is positioned above a horizontal line that extends to the right.

EXHIBIT B

Resolution No. 21-1105-04 and the notice related thereto

BOARD OF TOWNSHIP TRUSTEES  
ANDERSON TOWNSHIP  
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 9:30 a.m. this 5<sup>th</sup> day of November, 2021, with the following members present:

Joshua S. Gerth  
Robin D. Stone  
Andrew Pappas

Mr. Pappas introduced the following resolution and moved its passage:

**RESOLUTION NO. 21 – 1105 - 04**

**RESOLUTION PROVIDING FOR THE REMOVAL OF STRUCTURES DECLARED TO BE IN A CONDITION DANGEROUS TO LIFE OR HEALTH AND UNFIT FOR HUMAN HABITATION ON LAND OWNED BY CLAIR MURPHY, THE ESTATE OF CLAIR MURPHY, THE HEIRS OF CLAIR MURPHY, AND/OR ANITA MURPHY, AND LOCATED AT 7833 YMCA ROAD, ANDERSON TOWNSHIP, OHIO, PURSUANT TO SECTION 505.86 OF THE OHIO REVISED CODE.**

WHEREAS, Section 505.86 of the Ohio Revised Code (the "Statute") provides that a board of township trustees may provide for the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the real property located at 7833 YMCA Road, Anderson Township, Ohio 45244 and further identified as Auditor's Tax ID Parcel No. 500-0171-0027-00 (the "Property"), is owned of record by Clair Murphy, married (collectively with the Estate of Clair Murphy, the heirs of Clair Murphy, and/or Anita Murphy, the "Owner"); and

WHEREAS, Clair Murphy is believed to be deceased; and

WHEREAS, the Anderson Township Fire and Rescue Department (the "Fire Department") conducted a Life Safety Division Inspection of the Property on June 11, 2021 and rendered an Inspection Report that detailed numerous unsafe conditions existing on the Property, including without limitation, electrical hazards, storage of combustible materials, overloaded circuits, no functional toilet, unstable flooring, water damage, lack of water service to the premises; and

WHEREAS, the Fire Department is responsible fire and rescue operations in Anderson Township, including the performance of inspections and enforcement of fire and safety regulations in Anderson Township; and

WHEREAS, the Hamilton County Planning + Development Department ("HCPDD") provided an adjudication letter relating to the Property to Clair Murphy's wife concluding, after an inspection of the Property on June 11, 2021, that the buildings comprised of a trailer, garage and gazebo located on the Property (the "Structures"), "are unsafe, dangerous and is [sic] deemed a serious hazard and public nuisance, and \*\*\* shall either be repaired or raised" and Anita Murphy was advised that she had a right of appeal that would expire on July 15, 2021; and

WHEREAS, Hamilton County Public Health District ("HCPH") rendered a Nuisance Letter dated September 27, 2021 to Clair Murphy, c/o Anita Murphy, concluding that the Structures, for the reasons stated therein, "are condemned and considered unfit for human habitation" and indicating that certain Required Corrective Action (as detailed therein) be taken by the owner with respect to the Property and completed by October 27, 2021; and

WHEREAS, HCPH re-inspected the Property on November 3, 2021, and has issued its Nuisance Letter dated November 4, 2021, addressed to Clair Murphy, c/o Anita Murphy, concluding that the aforesaid Corrective Actions had not been completed and that the Property continues to be in a condition dangerous to life or health, and unfit for human habitation; and

WHEREAS, the last known mailing address of the Clair Murphy and Anita Murphy is the aforesaid address of the Property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township"), as follows:

SECTION 1. The Fiscal Officer, on behalf of this Board, shall give notice by certified mail, return receipt requested, to the holders of legal or equitable liens of record upon the Property and to the Owner (each, a "Party" and collectively, the "Parties"), of the Board's intention to provide for removal of the Structures on the Property, which have been condemned by HCPH and deemed to be in a condition dangerous to life or health and unfit for human habitation, through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator. The notice shall include notice to the Parties that each Party in interest is entitled to a hearing on the matter of removal of the Structures if such Party shall request a hearing with the Board. Any such request for a hearing must be made in writing to the Fiscal Officer of the Township within twenty (20) days of the date of the mailing of the aforesaid notice. If the address of the Owner is unknown and cannot reasonably be obtained, the Fiscal Officer shall publish the aforesaid notice as provided in Section 505.86(B) of the Ohio Revised Code. If a Party in interest timely requests a hearing, the Board shall set the date, time and place for the hearing and notify the requesting Party by certified mail, return receipt requested; and the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the Party in interest has requested a hearing, unless otherwise agreed to by the Board and said Party in interest. The hearing shall be recorded by stenographic or electronic means.

SECTION 2. The Board shall make an order deciding the matter not later than thirty (30) days after the hearing, if a hearing is requested in writing and in a timely manner as aforesaid, or not later than

thirty (30) days after mailing notice to the parties in interest if no party in interest requested a hearing. At any time a Party in interest may consent to an order. If the Board issues an order directing the removal of the Structure which is not further appealed as provided in the Statute, then unless the Structures have been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform the removal of the Structures, the Township Administrator shall proceed to provide for the removal of the Structure in accordance with SECTION 1 hereof, and the "total cost" of such removal, as defined in Section 505.86(A) of the Ohio Revised Code, shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Ohio Revised Code.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

Mrs. Stone seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Gerth       yes       Ms. Stone       yes       Mr. Pappas       yes      

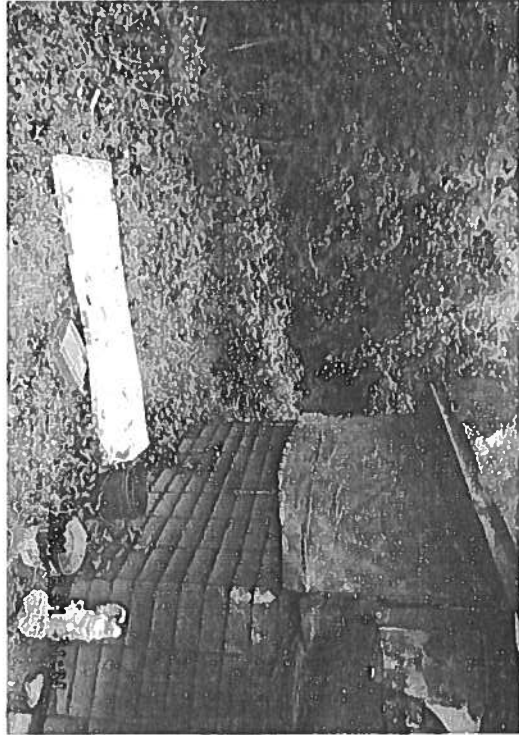
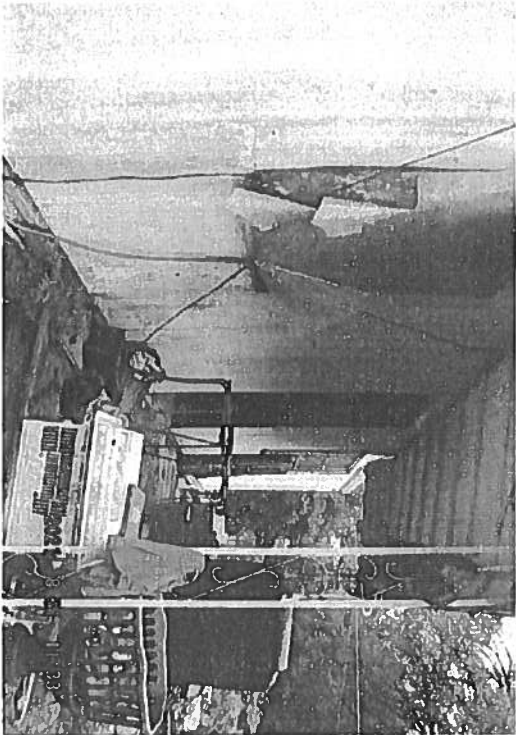
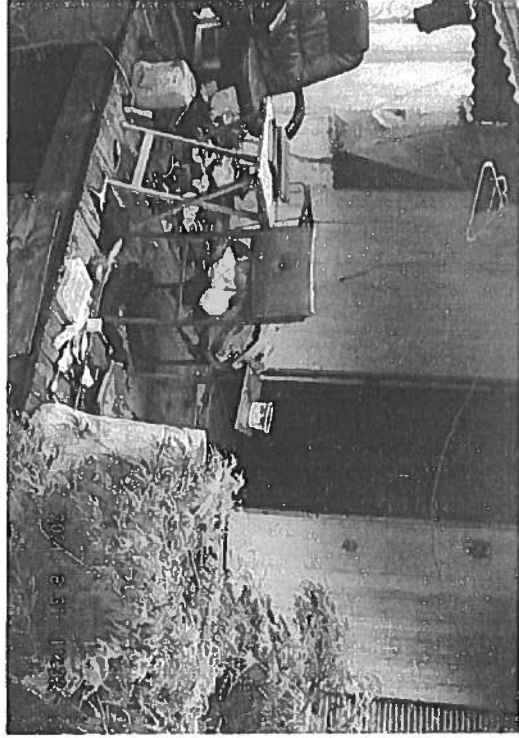
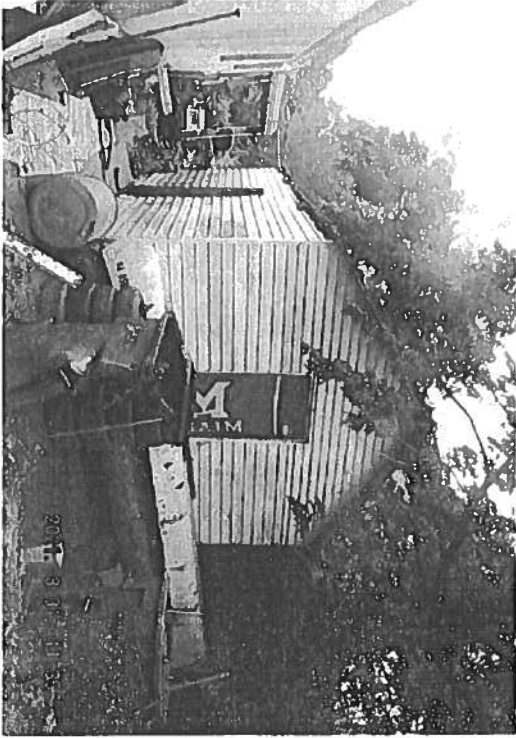
#### CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township (County of Hamilton), Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 5<sup>th</sup> day of November, 2021, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

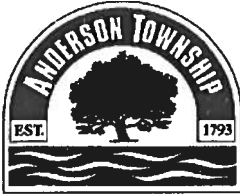
Further, it is hereby certified that the moneys required to meet the obligations of Anderson Township (County of Hamilton), Ohio, under the foregoing Resolution during the remainder of the year 2021 have been lawfully appropriated by the Anderson Township Board of Township Trustees for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44 of the Revised Code.

This 5th day of November, 2021.

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer







## Anderson Township

7850 Five Mile Road  
Anderson Township, Ohio 45230-2356

513.688.8400  
AndersonTownshipOH.gov  
AndersonCenterEvents.org

### Township Trustees

Joshua S. Gerth  
Andrew S. Pappas  
R. Dee Stone

### Fiscal Officer

Kenneth G. Dietz

### Township Administrator

Vicky L. Earhart

### Assistant Township Administrator for Operations

Steve E. Sievers, AICP

### Assistant Township Administrator for Human Resources

Suzanne M. Parker

### Fire Chief

C. Richard Martin, II

### Public Works Director

Eric J. Luginbuhl

### Planning & Zoning Director

Paul J. Drury, Jr., AICP

### Sheriff's District 5

Lt. Dan McElroy  
District Commander  
513.474.5770

### Law Director

Margaret W. Comey  
513.688.8433

### TO: Owner:

Clair Murphy (aka Clair A. Murphy)  
7833 YMCA Road  
Anderson Township, OH 45244

The Estate of Clair A. Murphy and  
All Other Heirs of Clair A. Murphy  
7833 YMCA Road  
Anderson Township, OH 45244

Anita Murphy  
7833 YMCA Road  
Anderson Township, OH 45244

### Lienholders of Record:

Len Haussler (mortgagee)  
429 Lafayette Avenue  
Cincinnati, OH 45220

Len Haussler (mortgagee)  
2308 Bay Drive  
Pompano Beach, FL 33062

Hamilton County Clerk of Courts  
138 East Court Street  
Cincinnati, OH 45202

Hamilton County Recorder  
1000 Main Street  
Cincinnati, OH 45202  
Medicaid Estate Recovery Claim #16861396

Greg A. Goldblatt, Esq.  
Special Counsel to the Attorney General of Ohio  
Attorney for Ohio Department of Medicaid  
2368 Victory Parkway, Ste 420  
Cincinnati, OH 45206



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7850 Five Mile Road  
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513.688.8400  
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District Commander  
513.474.5770

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Margaret W. Comey  
513.688.8433

### And also to:

Hon. Dusty Rhodes, Hamilton County Auditor  
County Administration Bldg.  
138 E. Court Street, Room 504  
Cincinnati, OH 45202

Hon. Robert A. Goering, Hamilton County Treasurer  
County Administration Bldg.  
138 E. Court Street, Room 402  
Cincinnati, OH 45202



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513.474.5770

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Margaret W. Comey  
513.688.8433

## LEGAL NOTICE


The Board of Township Trustees of Anderson Township passed Resolution No. 21-1105-04 ("Resolution") on November 5, 2021 (a copy is attached hereto), declaring its intention to remove the trailer, garage and gazebo ("Structures") from land owned of record by Clair Murphy, married (collectively with the Estate of Clair A. Murphy, the other heirs of Clair A. Murphy, and Anita Murphy, the "Owner"), located at 7833 YMCA Road, Anderson Township, Ohio 45244 (Hamilton County Auditor's Tax Parcel ID No. 500-0171-0027-00) ("Property") pursuant to Ohio Revised Code Section 505.86 ("Statute"). This legal notice constitutes notice of the Board's intention to provide for removal of the Structures on the Property, which have been condemned by Hamilton County Public Health ("HCPH") and deemed by HCPH to be in a condition dangerous to life or health and unfit for human habitation, through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator.

The Owner and lienholders of record may request a hearing with respect to this matter by submitting a written request for a hearing to Anderson Township's Fiscal Officer at 7850 Five Mile Road, Anderson Township, OH 45230 within 20 days of the date of the mailing of this Legal Notice and otherwise in accordance with the Statute. The hearing date shall be within 15 days, but not earlier than 7 days, after the party in interest has requested a hearing, unless otherwise agreed to by the Board and said party in interest.



The Board shall make an order deciding the matter not later than 30 days after the hearing, if a hearing is requested in writing in a timely manner, or not later than 30 days after mailing notice to the parties in interest if no party in interest requested a hearing. At any time a party in interest may consent to an order. If the Board issues an order directing the removal of the Structures which is not further appealed as provided in the Statute, then unless the Structures have been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform removal of the Structures, the Township Administrator shall proceed to provide for the removal of the Structures and the "total cost" of such removal shall be collected by the Fiscal Officer in accordance with the Statute and paragraph (F)(1) thereof.

Kenneth G. Dietz  
Fiscal Officer  
Anderson Township, OH

November 9, 2021

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <b>X</b></p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Len Haussler 429 Lafayette Avenue Cincinnati, OH 45220</p>  <p style="text-align: center;">9590 9402 4141 8092 6521 47</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7018 0680 0000 5303 4890</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 <span style="float: right;">Domestic Return Receipt</span></p>	

**RECEIVED**  
NOV 17 2021

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <b>X</b> </p> <p>B. Received by (Printed Name) <i>at</i></p> <p>C. Date of Delivery <i>11-12</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Anna Murphy 7833 YMCA Road Anderson Township, Ohio 45244</p>  <p style="text-align: center;">9590 9402 4141 8092 6516 69</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7011 2970 0000 7103 0684</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 <span style="float: right;">Domestic Return Receipt</span></p>	

**RECEIVED**  
NOV 15 2021

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 1.96	<p style="font-size: 2em; font-weight: bold;">119</p> <p>POSTAGE PICKUP AT TWP</p>
Certified Fee	3.75	
Return Receipt Fee (Endorsement Required)	3.05	
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$ 8.76</b>	

Sent to: **ANNA MURPHY**  
Street, Apt. No., or PO Box No.: **7833 YMCA Rd**  
City, State, ZIP+4: **Anderson Township OH 45244**

PS Form 3800 August 2006 See Reverse for Instructions

7011 2970 0000 7103 0684

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hamilton County Clerk of Courts  
138 East Court Street  
Cincinnati, OH 45202



9590 9402 4141 8092 6521 23

2. Article Number (Transfer from service label)  
7018 0680 0000 5303 4913

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Cobid*  Agent  Address

B. Received by (Printed Name) *Alley* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

**RECEIVED**  
NOV 17 2021

3. Service Type  **RV**  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  Signature Confirmation Restricted Delivery  
 Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Greg A. Goldblatt, Esq.  
Special Counsel to the Attorney General of Ohio  
Attorney for Ohio Department of Medicaid  
2368 Victory Parkway, Ste 420  
Cincinnati, OH 45206



9590 9402 4141 8092 6521 08

2. Article Number (Transfer from service label)  
7011 2970 0000 7103 0653

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Covid 19*  Agent  Address

B. Received by (Printed Name) C. Date of Delivery  
*11/16/21*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  Signature Confirmation Restricted Delivery  
 Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hon. Dusty Rhodes, Hamilton County Auditor  
County Administration Bldg.  
138 E. Court Street, Room 504  
Cincinnati, OH 45202



9590 9402 4141 8092 6520 93

2. Article Number (Transfer from service label)  
7011 2970 0000 7103 0660

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Dusty Rhodes*  Agent  Address

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

**RECEIVED**  
NOV 17 2021

3. Service Type  Priority Mail Express®  
 Adult Signature  Registered Mail™  
 Adult Signature Restricted Delivery  Registered Mail Restricted Delivery  
 Certified Mail®  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Insured Mail  Signature Confirmation Restricted Delivery  
 Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name)            C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Len Haussler            2308 Bay Drive            Pompano Beach, FL 33062</p> <p style="text-align: center;">9590 9402 4141 8092 6521 30</p> <p style="text-align: center;">7018 0680 0000 5303 4906</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation®  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name)            C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Hon. Robert A. Goering,            Hamilton County Treasurer            County Administration Bldg.            138 E. Court Street, Room 402            Cincinnati, OH 45202</p> <p style="text-align: center;">9590 9402 4141 8092 6520 86</p> <p style="text-align: center;">7011 2970 0000 7103 0677</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation®  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name)            C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Hamilton County Recorder            1000 Main Street            Cincinnati, OH 45202</p> <p style="text-align: center;">9590 9402 4141 8092 6521 16</p> <p style="text-align: center;">7018 0680 0000 5303 4920</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation®  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery (over \$500)  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

**AFFIDAVIT IN PROOF OF PUBLICATION**

**ANDERSON TOWNSHIP RESOLUTION 21-1105-04 REMOVE  
STRUCTURES FROM 7833 YMCA RD.**

State of Ohio, Hamilton County, ss:

Personally appeared before me, a Notary Public, in and for said state, MIKE WHALEN for the publisher of

The Cincinnati Court Index, who, being duly sworn, says that the annexed advertisement was published in the

CINCINNATI COURT INDEX  
a newspaper printed and of general circulation in said county, once a week for 1 consecutive weeks, commencing on November 16, 2021.

Mike Whalen

Charges:

Advertising .....	\$84.00
Affidavit .....	\$1.50
Total .....	<u>\$85.50</u>

Sworn to before me and signed in my presence.

NOV 16 2021

Date

Mark H. Beatty

Notary Public, State of Ohio



MARK H. BEATTY  
Notary Public, State of Ohio  
My Commission Expires 02-23-2024

# EXHIBIT A

## LEGAL NOTICE

The Board of Township Trustees of Anderson Township passed Resolution No. 21-1105-04 ("Resolution") on November 5, 2021 (a copy is available at [andersontownship.org](http://andersontownship.org) or by contacting the Township Administrator at 513-688-8400), declaring its intention to remove the trailer, garage and gazebo ("Structures") from land owned of record by Clair Murphy, married (collectively with the Estate of Clair A. Murphy, the other heirs of Clair A. Murphy, and Anita Murphy, the "Owner"), located at 7833 YMCA Road, Anderson Township, Ohio 45244 (Hamilton County Auditor's Tax Parcel ID No. 500-0171-0027-00) ("Property") pursuant to Ohio Revised Code Section 505.86 ("Statute"). This legal notice constitutes notice of the Board's intention to provide for removal of the Structures on the Property, which have been condemned by Hamilton County Public Health ("HCPH") and deemed by HCPH to be in a condition dangerous to life or health and unfit for human habitation, through use of Township employees, materials or equipment, or by a contract or contracts for labor, materials, or equipment, as shall be determined by the Township Administrator.

The Owner and lienholders of record may request a hearing with respect to this matter by submitting a written request for a hearing to Anderson Township's Fiscal Officer at 7830 Five Mile Road, Anderson Township, OH 45230 within 20 days of the date of the mailing of this Legal Notice and otherwise in accordance with the Statute. The hearing date shall be within 15 days, but not earlier than 7 days, after the party in interest has requested a hearing, unless otherwise agreed to by the Board and said party in interest.

The Board shall make an order deciding the matter not later than 30 days after the hearing, if a hearing is requested in writing in a timely manner, or not later than 30 days after mailing notice to the parties in interest if no party in interest requested a hearing. At any time a party in interest may consent to an order. If the Board issues an order directing the removal of the Structures which is not further appealed as provided in the Statute, then unless the Structures have been completely removed, or unless the Owner or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform removal of the Structures, the Township Administrator shall proceed to provide for the removal of the Structures and the "total cost" of such removal shall be collected by the Fiscal Officer in accordance with the Statute and paragraph (F)(1) thereof.

Kenneth G. Dietz  
Fiscal Officer  
Anderson Township, OH  
Cincinnati, Ohio, November 16, 2021.



**CINCINNATI COURT INDEX PRESS, INC.**  
 Printers — Publishers  
 119 W. Central Parkway - Suite #200  
 Cincinnati, OH 45202-1075  
 (513) 241-1450 Fax (513) 684-7821  
 www.courtindex.com

*same Bill  
 PO 28211*

**DATE**            **INVOICE #**  
 11/16/2021        B120058

**BILL TO:**

**SHIP TO:**

ANDERSON TOWNSHIP  
 7850 FIVE MILE RD.  
 CINTI., OH 45230

SARAH DONOVAN

Please return top portion of bill with payment.  
 Case No.

Column Inches	DESCRIPTION	21-1105-04	Due upon recpt	PRICE EACH	AMOUNT
8.4	LEGAL NOTICE			10.00	84.00
	AFFIDAVIT			1.50	1.50
	PUBLISHED IN THE COURT INDEX				0.00
	START: 11/16/21 END: 11/16/21				
	RESOLUTION 21-1105-04 REMOVE STRUCTURES FROM 7833 YMCA RD.				

\$85.50

EXHIBIT C

Resolution 21-1216-06 and the notice related thereto

BOARD OF TOWNSHIP TRUSTEES  
ANDERSON TOWNSHIP  
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 5:00 p.m. this 16th day of December 2021, with the following members present:

Joshua S. Gerth  
Robin D. Stone  
Andrew Pappas

Mrs. Stone introduced the following resolution and moved its passage:

**RESOLUTION NO. 21-1216-06**

**RESOLUTION SETTING HEARING WITH RESPECT TO THE REMOVAL OF STRUCTURES DECLARED TO BE IN A CONDITION DANGEROUS TO LIFE OR HEALTH AND UNFIT FOR HUMAN HABITATION ON LAND OWNED BY CLAIR MURPHY, THE ESTATE OF CLAIR MURPHY, THE HEIRS OF CLAIR MURPHY, AND/OR ANITA MURPHY, AND LOCATED AT 7833 YMCA ROAD, ANDERSON TOWNSHIP, OHIO, PURSUANT TO SECTION 505.86 OF THE OHIO REVISED CODE.**

WHEREAS, Section 505.86 of the Ohio Revised Code (the "Statute") provides that a board of township trustees may provide for the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or of buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the real property located at 7833 YMCA Road, Anderson Township, Ohio 45244 and further identified as Auditor's Tax ID Parcel No. 500-0171-0027-00 (the "Property"), is owned of record by Clair Murphy, married (collectively with the Estate of Clair Murphy, the heirs of Clair Murphy, and/or Anita Murphy, the "Owner"); and

WHEREAS, Clair Murphy is believed to be deceased; and

WHEREAS, this Board passed Resolution No. 21-1105-04 with respect to the Property and provided notice dated November 9, 2021 as prescribed by the Statute to each party in interest, and published notice dated November 16, 2021 as prescribed by the Statute to inform those parties in interest whose addresses were unknown, of the Board's intention with respect to the removal of structures on the property giving said parties in interest at least 30 days' notice of such removal of structures and informing the parties in interest that each such party is entitled to a hearing if the party in interest requests a hearing in writing, addressed to the Fiscal Officer, within twenty days after the notice was mailed; and

WHEREAS, the notice to Anita Murphy was delivered November 12, 2021; and

WHEREAS, Anita Murphy by letter addressed to the Fiscal Officer dated November 26, 2021 and received by the Fiscal Officer on December 3, 2021, requested "an appeal of more time in order to complete these things" and stating that the "water has now been fixed"; and

WHEREAS, this Board desires to set the date, time and place for a hearing on the matter of Anita Murphy's "appeal";

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township"), as follows:

SECTION 1. A hearing in the matter described in Resolution No. 21-1105-04 and the notice related thereto transmitted to all parties in interest, is hereby set for

Date: January 6, 2022  
Time: 3:00 PM  
Location: Anderson Center, Board Meeting Room  
7850 Five Mile Road  
Anderson Township, OH 45230

The Fiscal Officer, on behalf of this Board, shall give notice by hand delivery and by certified mail, return receipt requested, to Anita Murphy of the hearing to be held as set forth above. The hearing shall be recorded by stenographic or electronic means.

SECTION 2. The Board shall make an order deciding the matter not later than thirty (30) days after the hearing. At any time a party in interest may consent to an order. If the Board issues an order directing the removal of the Structure which is not further appealed as provided in the Statute, then unless the Structures have been completely removed, or unless the Owner (as defined in Resolution 21-110504) or a holder of a legal or equitable lien of record upon the Property shall have entered into an agreement with the Board to perform the removal of the Structures, the Township Administrator shall proceed to provide for the removal of the Structure and the "total cost" of such removal, as defined in Section 505.86(A) of the Ohio Revised Code, shall be collected by the Fiscal Officer in accordance with Section 505.86(F)(1) of the Ohio Revised Code.

SECTION 3. The preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 4. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Revised Code, except as otherwise permitted thereby.

Mr. Gerth seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Gerth yes      Mrs. Stone yes      Mr. Pappas absent

CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township (County of Hamilton), Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 16th day of December, 2021, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

Further, it is hereby certified that the moneys required to meet the obligations of Anderson Township (County of Hamilton), Ohio, under the foregoing Resolution during the remainder of the year 2021 have been lawfully appropriated by the Board of Township Trustees of Anderson Township for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44 of the Revised Code.

This 16<sup>th</sup> day of December, 2021.

  
\_\_\_\_\_  
Kenneth G. Dietz  
Fiscal Officer

**EXHIBIT D**

**Nuisance Abatement Agreement  
(Removal of Structures Located at 7833 YMCA Road, Anderson Township, OH)**

**NUISANCE ABATEMENT AGREEMENT  
RELATING TO 7833 YMCA ROAD**

This NUISANCE ABATEMENT AGREEMENT RELATING TO 7833 YMCA ROAD (the “Agreement”) relates to the removal of the gazebo, garage and mobile home (collectively, the “Structures”) located at 7833 YMCA Road, Anderson Township, Ohio 45244 and further identified as Hamilton County Auditor’s Tax ID Parcel No. 500-0171-0027-00 (the “Property”), owned of record by Clair Murphy, married (collectively with the Estate of Clair Murphy, the heirs of Clair Murphy, and/or Anita Murphy, the “Owner”); and is entered into as of January 7, 2022 (the “Effective Date”), by and between the Board of Township Trustees of Anderson Township (County of Hamilton), Ohio (the “Board”), and Anita Murphy, spouse of Clair Murphy (deceased) and the only party in interest who has responded to proceedings previously taken by the Board with respect to the Property and the removal of the Structures under Section 505.86 of the Ohio Revised Code (the “Statute”); provided, this Agreement shall be void if the Agreement has not been executed by Anita Murphy and delivered to the Anderson Township Administrator at 7850 Five Mile Road, Anderson Township, OH 45230, by 4:00 P.M. on January 7, 2022;

**RECITALS**

WHEREAS, the Structures have been the subject of removal proceedings pursuant to Section 505.86 of the Ohio Revised Code as described in Resolution No. 21-1105-04, duly passed by the Board on November 5, 2021, Resolution No. 21-1216-06, duly passed by the Board on December 16, 2021, and Resolution No. 22-0106-05, duly passed by the Board on January 6, 2022 (collectively, the “Removal Proceedings”); and

WHEREAS, Ms. Murphy requested additional time to comply with Resolution No. 21-1105-04, which additional time period will expire at 4:00 P.M., January 28, 2022; provided that Ms. Murphy has signed and delivered this Agreement to the Anderson Township Administrator, at 7850 Five Mile Road, Anderson Township, OH 45230 no later than 4:00 P.M., January 7, 2022; and

WHEREAS, attached hereto as Exhibit A are photographs of the Structures which constitute a true, fair and accurate representation of the condition of the Structures as of November 5, 2021, the date Resolution No. 19-0815-05 was passed by the Board, and each of the parties hereto agrees that those photographs constitute a true, fair and accurate representation of the condition of the Structures as of that date; and

WHEREAS, attached hereto as Exhibit B are photographs of the Property taken after the fire that occurred at the Property on December 18, 2021, and each of the parties hereto agrees that those photographs constitute a true, fair and accurate representation of the condition of the Structures as of January 6, 2022; and

WHEREAS, Anita Murphy represents that she was lawfully married to Clair Murphy and that Clair Murphy is deceased; that she did receive a Notice of Condemnation and Notice of Noncompliance from the Hamilton County Health Department (the “County Order”) concluding that the Structures are unfit for human habitation; that she agrees with the County Order and has not appealed the same; that she received copies of the Removal Proceedings; that she was afforded a hearing pursuant to the Statute with respect to the removal of the Structures by the Board on

January 6, 2022; that she received a copy of the Resolution and Order of the Board passed January 6, 2022 (the "Resolution and Order") and that she enters into this Agreement with the Board acknowledging that she agrees (i) to remove the Structures and the debris from such removal from the Property no later than January 28, 2022 at 4:00 P.M., and (ii) that if she fails to so remove the Structures and the debris from such removal as aforesaid, that the Board may proceed to remove the Structures from the Property pursuant to the Removal Proceedings with no further notice, hearing or legislation to be undertaken by the Board; and

WHEREAS, all parties agree to be bound by the terms of this Agreement;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the Board and Anita Murphy hereby agree as follows:

SECTION 1. This Agreement constitutes an agreement by and between the Board and Anita Murphy to accomplish the removal of the Structures from the Property under the Statute in a timely manner. Instead of proceeding to remove the Structures and debris from such removal from the Property, the Board hereby agrees that:

(a) If Ms. Murphy removes the Structures and the debris from such removal from the Property no later than 4:00 P.M., January 28, 2022, then the Board shall not proceed to remove the Structures and the debris from such removal from the Property pursuant to the Removal Proceedings; and

(b) Ms. Murphy hereby agrees that if she does not perform the removal as described in subparagraph (a), above, by 4:00 P.M. on January 28, 2022, then the Board may proceed immediately to remove the Structures and the debris from such removal from the Property pursuant to the Removal Proceedings with no further notice, hearing or legislation required to be undertaken by the Board; and

(c) Ms. Murphy hereby waives any right to challenge such removal of the Structures and debris from such removal by the Board.

SECTION 2. The Board and Ms. Murphy agree that time is of the essence and that this Agreement shall be governed by the laws of the State of Ohio.

SECTION 3. The recitals hereto set forth above are and shall be integral parts of this Agreement.

SECTION 4. This Agreement and the covenants and agreements of the parties shall be binding upon and inure to the benefit of the Board and Anita Murphy and their respective successors and heirs. This Agreement is not assignable.

SECTION 5 In the event any clause, term, or condition of this Agreement shall be deemed to be illegal or unenforceable under any applicable law, order, rule, or regulation, this Agreement shall remain in full force and effect as to all other terms, conditions, and provisions.

SECTION 6. This Agreement constitutes the entire agreement of the parties and may be amended or modified only in writing signed by both parties and all prior agreements or understandings between the parties, either oral or written, are superseded by this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the Effective Date.

BOARD OF TOWNSHIP TRUSTEES OF ANDERSON TOWNSHIP  
(COUNTY OF HAMILTON), OHIO

By: \_\_\_\_\_

Vicky L. Earhart  
Township Administrator

ANITA MURPHY

\_\_\_\_\_