

RESOLUTION NO. 63-2022

Introduced by Mark Claus

A RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL LEGAL FEES TO SEELEY, SAVIDGE, EBERT & GOURASH, CO., LPA RELATING TO LEGAL ACTION TO QUIET TITLE ON ERIE COUNTY PERMANENT PARCEL NO. 42-01077.000 (COMMONLY KNOWN AS THE "SHOWBOAT" LANDS) IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00)

WHEREAS, the law firm of Seeley, Savidge, Ebert & Gourash, Co., LPA, (hereafter known as SSE&G) has entered into an agreement with the City of Huron to represent the City as authorized by City of Huron Resolution 2020-41 (such representation and obligations are set out in the Contract attached as Exhibit "A" to said Resolution); and,

WHEREAS, Section Three of the Contract requires SSE&G to seek and obtain the approval of the City of Huron prior to undertaking special legal services (e.g. litigation) that are beyond the basic general services elicited in the Contract; and

WHEREAS, SSE&G recommended and proposed that an action to quiet title (and ancillary and related claims as may be necessary) be initiated for and on behalf of the City of Huron relating to the Showboat lands, the legal fees for which were initially estimated to be in the range of \$7,500.00 to \$10,000.00, which payment was authorized by Resolution No. 2020-43 adopted on June 23, 2020; and

WHEREAS, Council authorized payment of an additional \$10,000.00 in legal fees to SSE&G in Resolution 2020-66 adopted on October 13, 2020; and

WHEREAS, SSE&G has incurred additional legal fees relating to the quiet title action in excess of the \$20,000.00, in part due to counterclaims filed by defendant and voluminous discovery requests;

WHEREAS, the Court has ruled in favor of the City's Motion for Summary Judgment to Quit Title, and has either denied defendant's claims or defendant has dismissed its remaining claims.

WHEREAS, the City Council for the City of Huron finds that the legal services provided by SSE&G were reasonable and necessary and in the best interest of the City and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: The Huron City Council authorizes the City Manager to pay additional legal fees to SSE&G relating to the Showboat lands quiet title action in an amount not to exceed Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all

deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST: *Jeri Welken*
Clerk of Council

Monty Tapp
Monty Tapp, Mayor

ADOPTED: 28 JUN 2022

