

**IN THE FRANKLIN COUNTY MUNICIPAL COURT
ENVIRONMENTAL DIVISION
FRANKLIN COUNTY, OHIO**

**STATE EX. REL
COLUMBUS CITY ATTORNEY
ZACH KLEIN**

Relator-Plaintiff,

v.

SPOTLIGHT II, ET AL.

Respondents-Defendants

FILED
Franklin County Municipal Court

JUN 22 2023

LORI M. TACK, CLERK
By
Deputy Clerk

Case No. 2022 EVH 60546

Judge Stephanie Mingo

Parcel No. 010-069302
010-069303
010-069304

STIPULATIONS AND AGREED ORDER

THIS CAUSE initially came before the Court on August 18, 2022 upon the Complaint of Relator-Plaintiff seeking Preliminary and Permanent Injunctive Relief. The following parties appeared before the court: Zach Gwin—Attorney for the Relator-Plaintiff and James Andrioff—Attorney for Respondents-Defendants Spotlight II, Shirley King, Shianne, LLC, and the Real Property located at 1662 West Mound Street (“The Premises”). The Court finds that all necessary parties to this agreement have been properly served according to law and are properly before the Court.

On June 20, 2023, Relator-Plaintiff and Respondents-Defendants reached a stipulated resolution of this case to their mutual satisfaction. It is the intent of the parties that this Agreed Court Order and Judgment Entry document their respective stipulations and agreements.

STIPULATIONS AND AGREEMENTS BETWEEN RELATOR-PLAINTIFF AND RESPONDENTS-DEFENDANTS.

- 1) Respondents-Defendants Shirley King and Shianne, LLC stipulate to the facts as alleged in the Relator-Plaintiff's Verified Complaint for Injunctive Relief filed on August 4, 2022.
- 2) Respondent-Defendants, Shirley King and Shianne, LLC, are permanently and perpetually enjoined from maintaining a public nuisance at the Premises located at 1662 West Mound Street, Columbus, Ohio 43223 and at any other location in Franklin County, Ohio. This permanent injunction shall run with the land and will be binding upon the real estate itself, as well as the Respondents and any heirs, successors and assigns in interest.
- 3) Respondent-Defendant Shirley King, shall be taxed \$300.00 pursuant to R.C. 3767.08. The nuisance tax shall be paid by April 28, 2021.
- 4) Respondent-Defendant Shirley King, shall pay \$265.00 representing the court costs in this matter.
- 5) This stipulation and Agreed Order and Permanent Injunction shall constitute a full and complete settlement between Defendants-Respondents Shirley King and Shianne, LLC, and Plaintiff City of Columbus.

THEREFORE BE IT ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

- 6) All provisions of the preceding paragraphs are incorporated as though fully repeated and rewritten herein.
- 7) Respondents-Defendants shall not permit the Premises to be used in violation of R.C. 3767 or any local or state liquor laws.

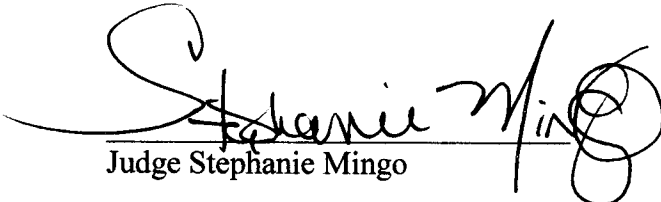
- 8) Respondents-Defendants, Shirley King and Shianne, LLC, are permanently and perpetually enjoined from maintaining a public nuisance at the subject property or at any property within the territorial limits of Franklin County, Ohio.
- 9) Respondents-Defendants, Shirley King and Shianne, LLC and any other persons are permanently and perpetually enjoined from maintaining a public nuisance at the property located at 1662 West Mound Street. This permanent injunction shall run with the land and will be binding upon the real estate itself, as well as the Respondents and any heirs, successors and assigns in interest.
- 10) No alcohol shall be sold or consumed on the Premises after 1:30AM.
- 11) Respondents-Defendants shall not permit any person to operate any business for any purpose at 1662 West Mound Street, Columbus, OH after 2:00AM.
- 12) Columbus Division of Police shall be authorized to trespass and remove any individual found on the Premises after 2:30AM.
- 13) Respondents-Defendants shall maintain licensed and uniformed security on the Premises at all hours of operation and until all patrons have left the Premises.
- 14) At all times at the Premises, Respondents-Defendants, and any other person operating at the Premises, shall ensure that the following rules, policies, and conditions be implemented and maintained:
 - a. no violations of liquor law, pursuant to the Ohio Revised Code, the Columbus City Code, or the Ohio Administrative Code, shall occur at the Premises;
 - b. no sale or possession of alcohol to (i) individuals under the age of 21 years, (ii) intoxicated individuals, (iii) vagrants, loiterers, or homeless individuals, shall occur at the Premises;

- c. there shall be no consumption of alcohol outside the business at the Premises whatsoever;
 - d. there shall be no sale, use, or possession of drug paraphernalia at the Premises;
 - e. there shall be no lewdness or prostitution at the Premises;
 - f. there shall be no loitering whatsoever permitted upon the interior or exterior of the Premises; management shall remove any person found to be loitering;
 - g. the Premises shall be kept in compliance with Columbus City Code as it pertains to Code Enforcement, Building Code, and Health Code;
 - h. all coolers, ice chests, counters, floors, food storage areas, etc., shall be properly cleaned and sanitized on a regularly scheduled basis;
- 15) Respondents-Defendants shall cooperate with Columbus Division of Police or any other state or local law enforcement agency.
- 16) In the event that Defendants receive credible evidence of criminal activity committed by a tenant or other occupant of the Premises, Defendants shall immediately initiate an eviction or lawfully remove the individual or entity associated with said nuisance activity.
- 17) Respondent-Defendant shall maintain the exterior of the property in compliance with all Columbus City Zoning, Building, and Housing codes.
- 18) Respondent-Defendant Shirley King, shall pay the \$300.00 statutory tax as well as court costs in this matter.
- 19) Noncompliance with any paragraph of this Order and Entry shall be a violation of this Order and may result in a finding of civil Contempt of Court, punishable as a misdemeanor of the first degree.

- 20) This Order and Entry shall not be construed to limit or affect in any way a future contempt finding associated with any future nuisance abatement action filed against the tenants, owner(s), or real property located at 1662 West Mound Street.
- 21) Any party, or their successors and assigns in interest, may move the Court for modification of this Agreed Order.
- 22) Each Party and signatory counsel warrants and represents that the person signing this Agreed Judgment Entry has the authority to do on behalf of their respective client(s).
- 23) This Court shall retain jurisdiction over this action for the purpose of enforcing or modifying this Order. Additionally, in order to monitor compliance with this Order, the Court's Environmental Specialist is authorized to make inspections, assessments, or inquiries as deemed appropriate by the Court.
- 24) The Clerk of Courts is hereby ordered to vacate all previously scheduled dates and close the case.

This is a final appealable order. Pursuant to Ohio Civil Rule 58, the Clerk is directed to notify the parties as they appear below.

SO ORDERED.



Judge Stephanie Mingo

JUN 22 2023

Date

APPROVED BY AND COPIES TO:



Zach Gwin

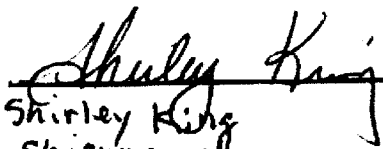
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Shirley King, Shianne, LLC, and the Real
Property at 1662 West Mound Street*



Shirley King
Shianne LLC