

TERMINATION NO. 7
BY Mrs

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

STATE OF OHIO, ex rel.
BETTY D. MONTGOMERY,
ATTORNEY GENERAL OF OHIO
30 East Broad Street
Columbus, Ohio 43215-3428

Plaintiff,

v.

AKRON CHRISTIAN SCHOOLS, INC.
508 Newton Street
Tallmadge, Ohio 44278

Defendant.

CASE NO. 96CUH09.6941

JUDGE Bessey

CONSENT ORDER

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
96 SEP 13 PM 3:04
JESSE P. ODDI
CLERK OF COURTS

The Complaint in the above-captioned matter having been filed herein, and the Plaintiff State of Ohio by its Attorney General Betty D. Montgomery (hereinafter "Plaintiff") and Defendant Akron Christian Schools, Inc. (hereinafter "Akron Christian Schools") having consented to the entry of this Order,

NOW THEREFORE, without trial of any issue of fact or law, and upon consent of the parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

I. JURISDICTION AND VENUE

1. The Court has jurisdiction over the parties and the subject matter of this case. The Complaint states a claim upon which relief can be granted against Defendant under Chapter 6109 of the Ohio Revised Code, and venue has been waived by Defendant.

II. PARTIES

2. The provisions of this Consent Order shall apply to and be binding upon the parties to this action, their agents, officers, employees, assigns, successors in interest and any person acting in concert or privity with any of them.

III. SATISFACTION OF LAWSUIT

3. Plaintiff alleges in its Complaint, *inter alia*, that Defendant Akron Christian Schools has operated a "public water system", as defined by Ohio Rev. Code §6109.01(A) and Ohio Administrative Code ("O.A.C.") Rule 3745-81-01(PP), at 508 Newton Street, Tallmadge, Summit County, Ohio, in such a manner as to result in violations of the safe drinking water laws and regulations of the State of Ohio. Compliance with the terms of this Consent Order shall constitute full satisfaction of any civil liability by Defendant for all claims under such laws alleged in the Complaint. Nothing in this Order shall be construed to limit the authority of the State of Ohio to seek relief from any person for violations not alleged in the Complaint, including any violations which occur after the filing of the Complaint.

IV. PERMANENT INJUNCTION

4. Defendant Akron Christian Schools agrees and is hereby enjoined and ordered to immediately, upon entry of this Order, comply with the requirements of Ohio Rev. Code Chapter 6109 and O.A.C. Chapter 3745-81 *et seq.*.

V. CIVIL PENALTY

5. Defendant Akron Christian Schools shall pay to the State of Ohio a civil penalty of Two Thousand, Five Hundred Dollars (\$2,500.00). The penalty shall be paid by delivering to Matt Sanders, Administrative Assistant (or his successor), Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 432215-3428, certified checks, payable to the order of "Treasurer, State of Ohio", according to the following payment schedule:

- | | |
|--|----------|
| - Within thirty (30) days of the entry of this Order | \$625.00 |
| - Within six (6) months of the entry of this Order | \$625.00 |
| - Within twelve (12) months of the entry of this Order | \$625.00 |
| - Within eighteen (18) months of the entry of this Order | \$625.00 |

VI. RETENTION OF JURISDICTION

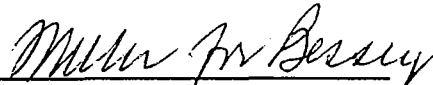
6. The court will retain jurisdiction of this action for the purpose of enforcing Defendant's compliance with this Consent Order.

VII. COSTS

7. Defendant Akron Christian Schools is hereby ordered to pay the costs of this action.

IT IS SO ORDERED.

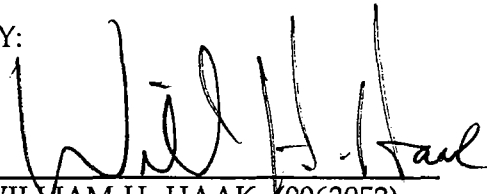
ENTERED THIS 18th DAY OF Sept, 1996.



JUDGE, FRANKLIN COUNTY
COURT OF COMMON PLEAS

APPROVED:

STATE OF OHIO,
ex rel. BETTY D. MONTGOMERY
ATTORNEY GENERAL OF OHIO

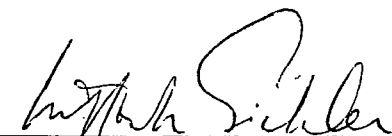
BY:


WILLIAM H. HAAK (0063952)
Assistant Attorney General
Environmental Enforcement Section
30 East Broad Street, 25th Floor
Columbus, Ohio 43215-3428
(614) 466-2766


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Akron, Ohio 44308
(330) 253-2227

Counsel for Defendant

BY:


(Authorized Representative of Defendant, Akron Christian Schools, Inc.)
Clifford N. Sickler

TITLE:

Chairman Bd. of Trustees