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**OBERLIN CITY
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR
(CITY COUNCIL)**

Revised Code, Secs. 5705.34, 5705.35

Resolution No. RC6-16 CMS

The Council of the City of OBERLIN Lorain
County, Ohio, met in regular session on the 16th day of October,
2006, at the office of the Oberlin City Council

with the following members present:

Daniel Gardner, President

Ronnie Rumbert, V-President

Anthony Mealy

Eve Sandberg

Charles Peterson

David Ashenhurst

Everett Tyree

Peterson moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2007; and

WHEREAS, The Budget Commission of Lorain County, Ohio, has certified its action
thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary
to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax
limitation; therefore, be it

RESOLVED, By the Council of the City of Oberlin
Lorain County, Ohio, that the amounts and rates, as determined by the Budget
Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation as
follows:

OBERLIN CITY

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
	Column II	Column IV	V	VI
General Fund	133,244	336,443	3.03	1.20
Replacement levy passed 05/02/06-1.20 mills				
Garbage Fund	333,112			3.00
Replacement levy passed 05/02/06				
Police	177,659			1.60
Replacement levy passed 05/02/06				
Fire	66,555			0.60
Library Bond (\$1,500,000)	153,233			1.38
Oberlin Public Library	570,755			3.25
Replacement w/increase levy passed 11/08/05				
TOTAL	1,434,558	336,443	3.03	11.03
SCHEDULE B				
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES				
FUND	Maximum Rate Authorized to Be Levied			
General Fund:				
Current Expense Levy authorized by voters on 05/02/06 for not to exceed 5 years. Beginning 2006 Duplicate Expiring Last Collection 2011	1.20			
Replacement levy passed 05/02/06				
Special Levy Funds:				
Fire Levy authorized by voters on 5/3/2005 for not to exceed 5 years. Beginning 2005 Duplicate Expiring Last Collection 2010	0.60			
Garbage Levy authorized by voters on 05/02/06 for not to exceed 5 years. Beginning 2006 Duplicate Expiring Last Collection 2011	3.00			
Replacement levy passed 05/02/06				
Police Levy authorized by voters on 05/02/06 for not to exceed 5 years. Beginning 2006 Duplicate Expiring Last Collection 2011	1.60			
Replacement levy passed 05/02/06				
Oberlin Library Levy authorized by voters on 11/08/05 for not to exceed 5 years. Beginning 2006 Duplicate Expiring Last Collection 2011	3.25			
Replacement w/increase levy passed 11/08/05				
	9.65			

OBERLIN CITY

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Ashenhurst seconded the Resolution and the roll being called upon

its adoption the vote resulted as follows:

<u>Ronnie Rimbent</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>Anthony Mealy</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>Eve Sandberg</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>Charles Peterson</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>David Ashenhurst</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>Everett Tyree</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
<u>Daniel Gardner</u>	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

Adopted the 16th day of October, 2006

[Signature]
President of Council, Daniel Gardner

Attest:

[Signature]
Eugene F. Simon, Clerk of Council

OBERLIN CITY

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, LORAIN County, ss.

I, Eugene F. Simon, Clerk of the Council of the City of
OBERLIN, within and for said County, and in whose

custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original

Resolution No. R06-16 CMS

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 17th day of October, 2006

Eugene F. Simon, CMC
Clerk of Council
Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R.C., or at such later date as may be approved by the Board of Tax Appeals.

No. _____

COUNCIL OF THE CITY OF

OBERLIN

LORAIN County, Ohio

RESOLUTION R06-16 CMS

ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.

(City Council)

Adopted October 16 2006

Eugene F. Simon, CMC
Eugene F. Simon Clerk of Council

Filed _____ 2006

County Auditor

By _____ Deputy

102306

Telephone
440-774-8519

Facsimile
440-776-2210

City of
Oberlin

Office of the Law Director
85 South Main Street Oberlin, Ohio 44074


10-25-06P12:07 PAID

Eric R. Severs
Law Director

James Leo Walsh
Asst. Law Director & Prosecutor

MEMO

TO: Members of City Council

FROM: Eric R. Severs, Law Director 

DATE: October 23, 2006

RE: Deutsche Bank National Company, et. al., vs. Tina Storrow, et. al.; Lorain County
Common Pleas Court Case No. 06CV147829

The City has been served with a Summons and Complaint concerning the above matter. The Complaint is a mortgage foreclosure against property located on Willowbrook Drive in Oberlin that, apparently, received a Community Housing Improvement Program loan. The Resolution before Council authorizes the Law Director to enter an appearance and protect the City's interest concerning that foreclosure, such to be charged, as is customary, as extraordinary fees. My participation in the lawsuit will be minimal, amounting to the filing of an Answer on behalf of the City which pleads the City's note and mortgage, and thereafter monitoring the file to ensure that the City receives any surplus sale proceeds when the property is sold and the first mortgage is paid.

COURT OF COMMON PLEAS

LORAIN COUNTY, OHIO

COURTHOUSE, P.O BOX 749

ELYRIA, OHIO 44036

DEUTSCHE BANK NATIONAL COMPANY
C/O COUNTRYWIDE HOME LOAN SERV
DALLAS, TX 75526

CASE NO. 06CV147829

VS

TO: OBERLIN, OHIO
SERVE HIGHEST OFFICER FOUND
85 SOUTH MAIN ST
OBERLIN, OH 44074

* * * S U M M O N S O N C O M P L A I N T * * *

You have been named defendant in a complaint filed in Lorain County Court of Common Pleas by plaintiff(s):

DEUTSCHE BANK NATIONAL COMPANY
C/O COUNTRYWIDE HOME LOAN SERV
PO BOX 660694
DALLAS, TX 75526

A copy of the complaint is attached hereto. The name and address of the plaintiff's attorney is :

DANIEL A COX REISENFELD & ASSOCIATES
2035 READING ROAD CINCINNATI, OHIO 45202

You are hereby summoned and required to serve a copy of your answer to the complaint upon the plaintiff's attorney, or upon the plaintiff, if he has no attorney of record, within TWENTY-EIGHT (28) DAYS after service of this summons on you, exclusive of the day you receive it.

Your answer must also be filed with this Court within THREE (3) DAYS after you serve, (delivered or by mail), a copy of your answer on the plaintiff's attorney.

If you fail to appear and defend, judgment by default will be rendered against you for the relief demanded in the complaint.

RON NABAKOWSKI
CLERK OF THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

October 6, 2006

BY: Y. Brills
Deputy Clerk

FILED
IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

2004 SEP 27 A 9:23
Deutsche Bank National Company, as Case Number:

Trustee, for the Certificateholders of
Morgan Stanley ABS Capital Trust 2004-NC2, Mortgage Pass-
through Certificates, Series 2004-NC2
c/o Countrywide Home Loan Servicing
LP

PO.Box 660694
Dallas, TX 75526

CLERK OF COMMON PLEAS
RON HABAKOWSKI

06CV147829

WILLIAM H. HARRIS

Plaintiff,

COMPLAINT IN FORECLOSURE
(With Notice Under the Fair Debt
Collection Practices Act)

vs.

Permanent Parcel No. 09-00-088-103-032

Tina L Storrow aka Tina L Radinger
18236 Indian Hollow Road
Grafton, OH 44044

Thomas Storrow
18236 Indian Hollow Road
Grafton, OH 44074

Unknown Tenant
45 Willow Brook Drive
Oberlin, OH 44074

City of Oberlin, Ohio
Serve Highest Officer Found
85 South Main Street
Oberlin, OH 44074

Defendants.

Now comes the Plaintiff, Deutsche Bank National Company, as Trustee, for the Certificateholders of Morgan Stanley ABS Capital Inc., Trust 2004-NC2, Mortgage Pass-through Certificates, Series 2004-NC2, ("Plaintiff"), by and through counsel, and for its Complaint against the Defendants, states as follows:

COUNT ONE

1. On or about December 26, 2003, the Defendants, Tina L Storrow aka Tina L Radinger and Thomas Storrow, ("Makers"), executed and delivered a Note to Plaintiff in the original sum of \$84,150.00, plus interest thereon as set forth in the Note. A true and accurate copy of the Note is attached hereto as Exhibit 'A'.

2. Plaintiff states that the Makers have defaulted under the terms of the Note and Mortgage securing the same; that there is currently due and owing from the Makers to the Plaintiff on the Note, the sum of \$82,145.96, plus interest at the rate of 9.99 percent per annum, from May 30, 2006, plus late fees, prepayment penalty if applicable, escrow advances, court costs, and other expenses.

COUNT TWO

3. Plaintiff incorporates the allegations of Count One and further states that it is the holder of a Mortgage given by Defendants, Tina L Storrow aka Tina L Radinger and Thomas Storrow, (hereinafter "Grantors"), to secure payment of the above described Note, and that said Mortgage is a valid and subsisting lien upon certain real property located in this County commonly known as 45 Willow Brook Drive, Oberlin, OH 44074, and which is fully described within the Mortgage

attached hereto as Exhibit "B". Plaintiff further states that said Mortgage was recorded on January 5, 2004 in Volume 976370, Page 2037, of the records of the Lorain County Recorder, and except for real estate taxes and assessments, is the first and best lien on the real property.

4. Plaintiff states that the Defendant, City of Oberlin, Ohio, may claim an interest in the subject property by virtue of a mortgage filed for record on June 23, 2000 in the amount of \$20,500.00 as Volume 691464, Page 1599 of the records of this County. Plaintiff further states that said Defendant waived the priority of their mortgage in a subordination agreement dated March 16, 2004 in Volume 909295, Page 2061.

5. Plaintiff states that the Defendant, Tina L Storrow aka Tina L Radinger, may claim an interest or right in the subject property by virtue of being a current title-holder.

6. Plaintiff states that the Defendant, Thomas Storrow, may claim an interest or right in the subject property by virtue of being a grantor/notemaker.

7. Plaintiff states that the Defendant, Unknown Tenant, may claim an interest or right in the subject property by virtue of being the current occupant of the subject property.

WHEREFORE, Plaintiff demands judgment against all the Defendants named herein as follows:

A. Judgment against the Defendant-Makers, Tina L Storrow aka Tina L Radinger and Thomas Storrow, upon the Note in the sum of \$82,145.96, plus interest at the rate of 9.99 percent per annum from May 30, 2006, plus late fees,

prepayment penalty if applicable, title charges, court costs, reasonable attorney fees, and expenses for the preservation and maintenance of the real estate, prior to and subsequent to the filing of this Complaint.

B. Declaration that except for real estate taxes and assessments that may be due and owing, Plaintiff's Mortgage is a valid lien upon the Real Property; that the equity of redemption of the Defendant-Grantors, Tina L Storrow aka Tina L Radinger and Thomas Storrow, and all persons claiming under and through them be foreclosed; and that all other Defendants herein be required to set up their liens or interest in said real property or forever be barred from asserting the same.

C. Order subject real property to be sold free and clear of all liens, claims and interests, by the Sheriff of this County; that Plaintiff be paid out of the proceeds of such sale the amounts due and incurred; that all liens be marshaled; and for such other relief, legal and equitable, as may be proper and necessary.

Respectfully submitted,



Daniel A Cox (0076469)
Matthew C Gladwell (0075591)
Sallie A Conyers (0074810)
Reisenfeld & Associates
Attorneys for Plaintiff
2035 Reading Road
Cincinnati, OH 45202
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