



FOR IMMEDIATE RELEASE: Dec. 7, 2022

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## **Ohio Supreme Court rules in favor of Ohio History Connection's plan to acquire lease for Octagon Earthworks in Newark**

COLUMBUS, Ohio – On Dec. 7, the Ohio Supreme Court upheld two lower courts' decisions in favor of the Ohio History Connection's efforts to acquire the Octagon Earthworks lease from Moundbuilders Country Club in Newark.

The court had been asked to rule on two points of law.

The court ruled that the Ohio History Connection made a good-faith offer to acquire the Octagon Earthworks lease from the country club after the property initially was appraised and the acquisition is necessary and for a public use.

The decision upheld Ohio's Fifth District Court of Appeals' January 2020 ruling, which unanimously affirmed Licking County Common Pleas Judge David Branstool's May 2019 ruling that the Ohio History Connection has the authority to acquire the lease and that the acquisition is both necessary and for a public use.

The Ohio Supreme Court had announced July 7, 2020, that it had accepted Moundbuilders Country Club's appeal, and the court heard oral arguments April 13, 2021.

"We are pleased the Ohio Supreme Court has ruled in favor of making the Octagon Earthworks accessible to the public and more available for research and learning," said Megan Wood, executive director and CEO of the Ohio History Connection. "The Octagon is a world-class example of ancient American Indian monumental landscape architecture, and the Ohio History Connection has a public duty to operate, protect, maintain, carefully restore and create public access to this indigenous wonder.

"The court's decision recognizes the incredible accomplishments of American Indian ancestors in Ohio, how relevant these amazing earthworks remain today and how essential their preservation is for the future."

The Octagon Earthworks consists of a 50-acre, 8-sided enclosure with earthen walls measuring about 550 feet long and 5 to 6 feet in height. Built between 1 and 400 A.D., it was part of a 4-square-mile complex now known as the Newark Earthworks, which was part cathedral, part cemetery and part astronomical observatory. The Octagon is aligned to the four moonrises and moonsets that mark a complicated 18.6-year-long lunar cycle.

The Ohio History Connection owns the site and leases it to the Moundbuilders Country Club. The lease had been renegotiated in 1997 – when the Ohio History Connection was known as the Ohio Historical Society – in five, 10-year exclusive, renewable options from 2028 to 2078.

The Ohio History Connection is allowed four full access days annually for public visitation.



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After several years of negotiations to buy out the lease, the Ohio History Connection concluded the only option was to acquire the lease while ensuring the Moundbuilders Country Club receives just compensation for the value of the lease.

A jury trial will be scheduled to determine the value of the lease. To learn more about the Octagon Earthworks, go to [ohiohistory.org/octagonruling](http://ohiohistory.org/octagonruling).

**About the Ohio History Connection:**

The Ohio History Connection, formerly the Ohio Historical Society, is a statewide history organization with the mission to spark discovery of Ohio's stories. As a 501(c)(3) nonprofit organization chartered in 1885, the Ohio History Connection carries out history services for Ohio and its citizens focused on preserving and sharing the state's history. This includes housing the State Historic Preservation Office, the official state archives and the Community Engagement Department and managing more than 50 sites and museums across Ohio. For more information, go to [ohiohistory.org](http://ohiohistory.org). The [Greater Columbus Arts Council](#) provides support for Ohio History Connection programs.

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