

RESOLUTION NO. R18-78

**A RESOLUTION BY THE TROTWOOD CITY COUNCIL
APPROVING THE APPLICATION FOR THE PLACEMENT OF
96.920 ACRES OF LAND OWNED BY HERBERK LEE LENK, IN
THE AGRICULTURAL TAX DISTRICT, SAID PROPERTY 9445
OLD DAYTON ROAD, DAYTON, OHIO 45427 (PARCEL NO.
H33-02306-0009) IN ACCORDANCE WITH O.R.C. CHAPTER
929, THE FARMLAND PRESERVATION ACT.**

WHEREAS, the Farmland Preservation Act, approved by the Ohio General Assembly in 1982, provides that farmland may be placed in an agricultural tax district in accordance with O.R.C. Chapter 929; and

WHEREAS, the City of Trotwood has received an application from Herbert Lee Lenk for placement of the property consisting of 96.920 acres in such agricultural tax district; and

WHEREAS, the Council for the City of Trotwood held a public hearing on said application as provided by law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF TROTWOOD, STATE OF OHIO, THAT:**

SECTION I:

The Trotwood City Council hereby approves the application for placement of the property owned by Herbert Lee Lenk, 96.920 acres as described in the application filed with the City, in accordance with the Farmland Preservation Act which provides a farm owner the following:

- 1) Deferment of water, sewer, and electrical assessments;
- 2) Limited protection for lawsuits alleging nuisance; and
- 3) Limited protection from eminent domain proceedings.

SECTION II:

The placement of real property in an agricultural tax district does not change the current zoning of the property.

SECTION III:

This Resolution shall take effect and be in force from and after the date of its passage.

Passed this _____ day of _____,
2018.

ATTEST:

APPROVED:

SANDRA RIEGE FULLER, CMC
DEPUTY CLERK OF COUNCIL

MARY A. MCDONALD
MAYOR

BETTYE L. GALES
VICE-MAYOR

CERTIFICATE

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. **R18-78** adopted by the Trotwood City Council at a regular scheduled meeting held on the _____ day of _____, 2018, and that I am duly authorized to execute this certificate. Signed this _____ day of _____, 2018.

Sandra L. Riege, CMC
Deputy Clerk of Council