

**RESOLUTION NO. R18-95**

**A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 78.00 ACRES OF LAND OWNED BY RONALD & MARILYN BRUBAKER TR., 9759 MILLARD ROAD, DAYTON, OHIO 45426 IN THE AGRICULTURAL TAX DISTRICT, SAID PROPERTY LOCATED AT 9400 LITTLE RICHMOND ROAD (PARCEL NO. H33-02306-0005) 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 Ronald & Marilyn Brubaker Tr. for placement of the property consisting of 78.00 total 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 renewal application for placement of the property owned by Ronald & Marilyn Brubaker Tr., 78.00 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. **R18-95** 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 Fuller, CMC  
Deputy Clerk of Council