

RESOLUTION NO. R24-80

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 20.230 ACRES OF LAND, PARCEL NO. H33401701 0001, WHICH PROPERTY IS OWNED BY BRETT AND TINA GARBER, AND IS LOCATED AT 505 NORTH LUTHERAN CHURCH ROAD, IN AN AGRICULTURAL TAX DISTRICT IN ACCORDANCE WITH THE FARMLAND PRESERVATION ACT, SECTION 929.02 OF THE OHIO REVISED CODE.

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 Chapter 929 of the Ohio Revised Code; and

WHEREAS, the City of Trotwood received a renewal application from Brett and Tina Garber on September 23, 2024, for the placement of property consisting of 20.230 total acres located at 505 North Lutheran Church Road in such agricultural tax district.

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

SECTION I: The Trotwood City Council hereby approves the renewal application for placement of property owned by Brett and Tina Garber as described in the application filed with the City, specifically 20.230 total acres of land located at 505 North Lutheran Church Road, Parcel No. H33401701 0001, 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 7th day of October, 2024.

ATTEST:


KARA B. LANDIS
CLERK OF COUNCIL

APPROVED:


YVETTE F. PAGE
MAYOR


TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R24-80 adopted by the Trotwood City Council at a regular scheduled meeting held on the 7th day of October, 2024, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL

RECEIVED

SEP 23 2024

APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT (R.C. Section 929.02)

File Number 493
Renewal Application X

- A. Owner's Name: BRETT & TINA GARBER
- Owner's Address: 505 N LUTHERAN CHURCH RD DAYTON OH 45417
- Description of Land as shown on Property Tax Statement: 1 LILLIAN E LENK SUBD
- Location of Property: SAME

TAX DISTRICT (S)	PARCEL NUMBER (S)
TROTWOOD CITY--NEW LEBANON LSD	H33401701 0001 20.230 AC

Total Number of Acres: 20.230 AC

- B. Does any of the land lie within a municipal corporation limit? YES
- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31, R.C.? YES

1. If "NO" Show the following Evidence of Land Use:

	Last year--AC	2 years ago--AC	3 years ago--AC
CROPLAND	<u>20.230</u>	<u>20.230</u>	<u>20.230</u>
PERMANENT PASTURE			
WOODLAND			
LAND RETIREMENT OR CONSERVATION PROGRAM			
BUILDING AREAS			
ROADS AND WASTE			
TOTAL ACRES	<u>20.230</u>	<u>20.230</u>	<u>20.230</u>

- D. If the land for which application is being made is less than 10 acres then:
 1. Attach evidence of the gross income for each of the past 3 years, or
 2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred dollars or more, evidence must be attached showing the anticipated gross income.

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare that this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct report.

Signature of Owner [Signature] Date: 9-25-24

BELOW THIS LINE FOR OFFICIAL USE ONLY

County Auditor Signature: _____
Date Filed with County Auditor _____
Date filed (if required) with Clerk of Municipal Corporation _____
Clerk's Signature _____

Action of Legislative body of Municipal Corporation
Application Approved _____, Approved w/Modifications _____, * or Rejected _____*
Date of Legislative Action _____, Clerks Signature _____

*IF MODIFIED OR REJECTED ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION