

**RESOLUTION NO. R24-81**

**A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 143.967 ACRES OF LAND, PARCEL NOS. H33 02308 0012 (39.699 ACRES), H33 02308 0004 (50.182 ACRES), H33 02308 0010 (23.916 ACRES), AND H33 02305 0021 (30.17 ACRES), WHICH PROPERTY IS OWNED BY LARRY GARBER ET AL., AND IS LOCATED ON WEST THIRD STREET AND NORTH SNYDER 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 Larry Garber et al. on September 24, 2024, for the placement of property consisting of 143.967 total acres located on West Third Street and Snyder 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 Larry Garber et al. as described in the application filed with the City, specifically 143.967 total acres of land, Parcel Nos. H33 02308 0012 (39.699 acres) located at 8411 West Third Street, H33 02308 0004 (50.182 acres) located on North Snyder Road, H33 02308 0010 (23.916 acres) located on West Third Street, and H33 02305 0021 (30.17 acres) located on North Snyder Road, 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.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

**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:

APPROVED:



KARA B. LANDIS  
CLERK OF COUNCIL



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. R24-81 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 24 2024

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

File Number 588  
Renewal Application X

- A. Owner's Name: LARRY GARBER ETAL  
 Owner's Address: 8411 W THIRD ST NEW LEBANON OH 45345  
 Description of Land as shown on Property Tax Statement: 5-4-32  
 Location of Property: SAME

TAX DISTRICT (S)	PARCEL NUMBER (S)
TROTWOOD CITY—TROTWOOD CSD	H33 02308 0012 39.699 AC
	H33 02308 0004 50.182 AC
	H33 02308 0010 23.916 AC
	H33 02305 0021 30.17 AC

Total Number of Acres: 143.967 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	120		
PERMANENT PASTURE	5		
WOODLAND	13		
LAND RETIREMENT OR CONSERVATION PROGRAM	0		
BUILDING AREAS	0		
ROADS AND WASTE	2		
<b>TOTAL ACRES</b>	<b>140</b>		

- 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

*Larry Garber*

Date:

*Sept 24, 2024*

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 \_\_\_\_\_