

RESOLUTION NO. R24-105

A RESOLUTION BY THE TROTWOOD CITY COUNCIL APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF 23.594 ACRES OF LAND, PARCEL NOS. H33 02107 0008, H33 02107 0009, AND H33 02107 0045, WHICH PROPERTY IS OWNED BY BRIAN C. BEAN JR. TR AND CIVISTA BANK TR, AND IS LOCATED ON SHILOH SPRINGS 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, attached hereto as Exhibit "A", from Brian C. Bean Jr. on October 10, 2024, for the placement of property consisting of 23.594 total acres located on Shiloh Springs 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 attached hereto as Exhibit "A" for placement of property owned by Brian C. Bean Jr. TR and Civista Bank TR as described in the application filed with the City, specifically 23.594 total acres of land, Parcel No. H33 02107 0008, H33 02107 0009, H33 02107 0045, located on Shiloh Springs 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.

SECTION III:

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

Passed this **4th** day of **November, 2024**.

TROTWOOD, OHIO 45426


3035 OLIVE ROAD

CITY OF TROTWOOD

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. **R24-105** adopted by the Trotwood City Council at a regular scheduled meeting held on the **4th** day of **November, 2024**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL

App # 587

New Application
Renewal Application

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

(See page 4 for General Information regarding this Application)

R24-105
Exhibit "A"

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
 Note: See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. **Owner's Name:** Brian Bowen JR TR & CIVISTA BANK TR.

Owner's Address:

Owner's Email (optional):¹

Description of Land as Shown on Property Tax Statement:
 6390 Shiloh Springs & Shiloh Springs
 5-4-7

Location of Property:
 Street or Road- Shiloh Springs
 County- Montgomery

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
Trotwood - Trotwood ESD	H33-21-7-8	16.2
	H33-21-7-9	.394
	H33-21-7-15	7
Total Number of Acres		23.94

B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?
Yes No

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code? Yes No

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government? Yes No

If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

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 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 application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:

Date:

Brian Bean

[Signature] VP & TO
Civista Bank Co-TRE

9-28-24