

RESOLUTION #09-0518-07

Modifying the prior request by the Liberty Township Trustees to the Delaware County Commissioners, to designate inspection and enforcement of the conservation easements in River Run Subdivision to Liberty Township Trustees

Whereas, the River Run subdivision plat was recorded at the Delaware County Recorder's Office on Nov. 6, 2009 in Vol. 816, Pg. 1498-1501, and

Whereas, language on the recorded subdivision plat and in the recorded Declaration of Covenants, Easements, Restrictions and Assessment Liens document provide for the protection and preservation of designated areas within the River Run subdivision, and

Whereas, Item #12 on page 2 of 4, of the recorded River Run Subdivision plat provides the following in regards to ODNR Conservation Easements / Common Areas/ Tree Preservation Easements (No-Cut Zones) Drainage Easements (also identified as ODNRCE/CA/TPENCE): "The Ohio Department of Natural Resources and Delaware County and/or their authorized representatives reserve the right to periodically inspect the easement property for violations of this easement. If upon sixty (60) days advance written notice the Grantor has not eliminated said violations, the Department and/or the County may remove or eliminate, at the expense of the landowner, any violation by the Grantor of the easement. The Director of the Department of Natural Resources and/or Delaware County and/or their authorized representatives may enter upon said lands for the purpose of inspection."

NOW, THEREFORE, BE IT RESOLVED, that the Liberty Township Board of Trustees of Delaware County, Ohio, respectfully request that the Delaware County Commissioners designate the Liberty Township Board of Trustees as their authorized representatives, in their stead or to assist the Delaware County Commissioners with, inspection of the ODNR Conservation Easements/Common Areas/Tree Preservation Easements (No-Cut Zones) in the River Run subdivision and enforcement of all applicable provisions relative to those areas.

This Resolution shall be in force and become effective immediately upon its execution.

Motion made by MANN and seconded by GUZZO .

Vote: Ms. Guzzo Mr. Mann Mr. Sybert

 5-18-09
Date

CERTIFIED BY:

 Mark S. Gerber
Mark S. Gerber, Fiscal Officer

 Robert Mann
Robert Mann, Trustee

 Curtis J. Sybert
Curtis J. Sybert, Trustee

 Peggy Guzzo
Peggy Guzzo, Trustee