

RESOLUTION #09-0803-04

Delegate inspection and enforcement of Conservation Easements in the River Run subdivision to the zoning department

WHEREAS, the River Run subdivision plat was recorded at the Delaware County Recorder's Office on November 6, 2007 in Volume 816, Page 1498 -1501, and

WHEREAS, language on the recorded subdivision plat provides for the protection and preservation of designated areas within the River Run subdivision, and

WHEREAS, Item #12 of page 2 of 4, of the recorded River Run Subdivision plat provides for the following in regards to the ODNR Conservation Easements/Common Areas/Tree Preservation Easements (No-Cut Zones): "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 Delaware County may remove or eliminate, at the expense of the landowner, and violation by the Grantor of the easement. The Director of the Department of Natural Resources and/or Delaware County and/or their representatives may enter said lands for the purpose of inspection.", and

WHEREAS, the Delaware County Commissioners adopted Resolution #09-880 to authorize the Liberty Township Trustees to act as its authorized representative for inspecting and enforcing the ODNR Conservation Easement/Common Areas/Tree Preservation Easement (No-Cut Zones) in accordance with the Final Plat of the River Run Subdivision situated in Liberty Township, Ohio, and

WHEREAS, the Delaware County Commissioners also resolved that the Delaware County Board of Commissions shall be notified in writing, by the Liberty Township Trustees, of any action pursuant to their resolution.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO:

1. That the Trustees of Liberty Township hereby acknowledge and accept authorization to inspect and enforce the ODNR Conservation Easement/Common Areas/Tree Preservation Easements (No-Cut Zones) on behalf of the Delaware County Commissioners, and
2. That the Trustees of Liberty Township hereby authorize the Liberty Township Zoning Inspector to inspect and enforce the ODNR Conservation Easement/Common Areas/Tree Preservation Easement (No-Cut Zone) in the River Run subdivision, and

3. It is envisioned that the Liberty Township Zoning Inspector's inspection and enforcement of said Conservation Easements will occur in conjunction with and in support of any similar efforts that may be made by ODNR and/or Delaware County.

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

Motion made by Guzzo and seconded by Sybert.

Vote: Y Ms. Guzzo _____ Mr. Mann Y Mr. Sybert

8/3/09
Date

Robert Mann, Trustee

Curtis J. Sybert
Curtis J. Sybert, Trustee

Peggy Guzzo
Peggy Guzzo, Trustee

CERTIFIED BY:
Mark S. Gerber
Mark S. Gerber, Fiscal Officer