

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No.

~~CM-02-07~~ <sup>26</sup> RESOLUTION CM-02-26

Passed

November 12, 2002

## A RESOLUTION CONVEYING CERTAIN CONSERVATION EASEMENTS AND OTHER SUPPORT TO THE OHIO DEPARTMENT OF NATURAL RESOURCES

**WHEREAS**, the Municipality of West Milton intends to construct a water main crossing the Stillwater River in order to connect its water distribution system with the City of Troy; and

**WHEREAS**, pursuant to Ohio Revised Code 1517.16 the river crossing requires prior approval from the Ohio Department of Natural Resources (ODNR); and

**WHEREAS**, it is the policy of ODNR to secure mitigation to off-set the effects of such crossings on the environmental quality of the waterway and to promote the natural scenic character of the state's river systems; and

**WHEREAS**, the Council of the Municipality of West Milton is willing to provide appropriate mitigation by conveying a Conservation Easement to ODNR for portions of two separate parcels owned by the Municipality along the east bank of the Stillwater River and by supporting future efforts by ODNR to remove the low level dam on Municipal owned property in the vicinity of the current West Milton Water Plant.

### SECTION I:

The Municipal Manager is hereby authorized and directed to convey, as necessary to secure the river crossing permit, a Deed of Conservation Easement for two portions of certain real property belonging to the Municipality of West Milton, to be described in detail in said deeds, along the east side of the Stillwater River to the Ohio Department of Natural Resources.

### SECTION II:

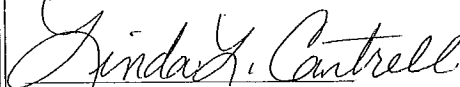
The Municipal Manager, acting on behalf of Council, is further authorized to pledge Council support to ODNR in any future effort that agency may undertake to cause the removal of the low laying dam on property owned by the Municipality of West Milton in the vicinity of the West Milton Water Plant and to provide access to the dam over municipal property.

Passed this <sup>12<sup>th</sup></sup> day of November 2002.



Donald R. Hamann Sr., Mayor

ATTEST:



Linda S. Cantrell, CPS/CAP  
Clerk of Council

I hereby certify the above to be a true and exact copy of Resolution CM-02-26, passed by the West Milton Council on November 12, 2002.

APPROVED AS TO FORM:



Charles H. Sell, II, Law Director



Linda L. Cantrell CPS/CAP  
Clerk of Council