

RESOLUTION NO. 29-2023

Statutory Resolution approving a lease agreement between the West Chester Township Board of Trustees and the Board of Park Commissioners of MetroParks of Butler County, Ohio for construction, maintenance, and management of a multi-use trail and related improvements

WHEREAS, MetroParks owns land in West Chester Township which is used as a public park known as Voice of America MetroPark; and,

WHEREAS, West Chester Township owns land adjacent to Voice of America MetroPark which is used as the National Voice of America Museum of Broadcasting and adjacent public green space; and,

WHEREAS, MetroParks has been awarded a Clean Ohio Trails Fund grant for the purpose of constructing a multi-use trail and related improvements across the MetroParks Property and Township Property; and,

WHEREAS, West Chester Township has approved Resolution 11-2022 pledging to grant a 20-year lease of the property interests necessary for MetroParks to construct, maintain, and manage the Trail in accordance with Clean Ohio Trails Fund program guidelines and specifying the conditions for said pledge, and further pledging to fund the 25% local matching contribution for the portion of the Trail located on the Township Property; and,

WHEREAS, MetroParks has the expertise and desire to operate the Trail and maintain it for use by the public.

NOW THEREFORE, BE IT RESOLVED the West Chester Township Board of Trustees hereby agrees to:

SECTION 1. Approve a lease agreement, attached as Exhibit A1, between the West Chester Township Board of Trustees and the Board of Park Commissioners of MetroParks of Butler County, Ohio for the construction, maintenance, and management of a multi-use trail and related improvements on Township-owned property.

SECTION 2. Authorize the Township Administrator to make non-substantive changes, if necessary, with Law Director approval and execute said lease agreement and all other necessary documents and take all other actions as may be necessary to carry out this resolution.

Adopted this 11th day of July, 2023.



Ann Becker, Chair




Yes/No

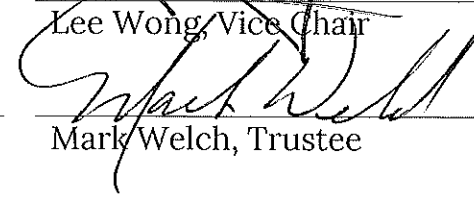
ATTEST:



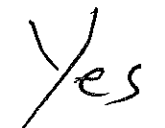
Bruce Jones, Fiscal Officer



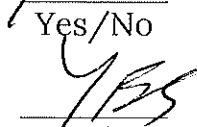
Lee Wong, Vice Chair



Mark Welch, Trustee

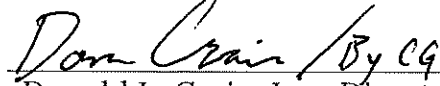


Yes/No



Yes/No

APPROVED AS TO FORM:



Donald L. Crain, Law Director

TRANSFER NOT NECESSARY
NANCY NIX, CPA
BY K. [Signature] 11-2-23 DEPT.
AUDITOR, BUTLER CO., OHIO

Recorded: 11/02/2023 03:21 PM Page: 1 of 13
File # 2023-00035080 Fee Amt: \$122.00
BUTLER County, Ohio DANNY N. CRANK, Recorder
BK 10029 PG 732

Exhibit A1

LEASE AGREEMENT
BETWEEN WEST CHESTER TOWNSHIP AND METROPARKS OF BUTLER COUNTY

This Lease Agreement ("Lease") is entered into this 11th day of July, 2023, by and between West Chester Township Board of Trustees, 9113 Cincinnati Dayton Road, West Chester Township, Ohio, 45069 (hereinafter referred to as "Township") and the Board of Park Commissioners of MetroParks of Butler County, Ohio, 2051 Timberman Road, Hamilton, Ohio 45013 (hereinafter referred to as "MetroParks").

WHEREAS, MetroParks owns land in West Chester Township which is used as a public park known as Voice of America MetroPark, which is shown for informational purposes on Exhibit A attached hereto (the "MetroParks Property").

WHEREAS, Township owns land adjacent to Voice of America MetroPark which is used as the National Voice of America Museum of Broadcasting and adjacent public green space, which is shown for informational purposes on Exhibit A attached hereto (the "Township Property").

WHEREAS, MetroParks has been awarded a Clean Ohio Trails Fund grant for the purpose of constructing a multi-use trail and related improvements (collectively, the "Trail") across the MetroParks Property and Township Property, shown for informational purposes on Exhibit A.

WHEREAS, Township has approved Resolution 11-2022, attached as Exhibit B, pledging to grant a 20-year lease of the property interests necessary for MetroParks to construct, maintain, and manage the Trail in accordance with Clean Ohio Trails Fund program guidelines and specifying the conditions for said pledge, and further pledging to fund the 25% local matching contribution for the portion of the Trail located on the Township Property.

WHEREAS, MetroParks has the expertise and desire to operate the Trail and maintain it for use by the public.

NOW THEREFORE, the parties hereto, in consideration of the promises and covenants set forth herein, agree as follows:

SECTION 1: LEASED PREMISES.

Township hereby leases to MetroParks the Trail on the Township Property and ten (10) feet to each side of the center line of the Trail on the Township Property ("Leased Premises").

SECTION 2: TERM.

The term of this Lease shall be for a period of twenty (20) years, beginning October 9, 2023 and terminating October 9, 2043.



SECTION 3: RENT.

MetroParks shall pay no rent to Township for the Leased Premises.

SECTION 4: USE OF THE LEASED PREMISES.

MetroParks shall have possession and use of the Leased Premises for the purposes set forth herein, and the general public shall have the right to use the Trail during MetroParks' regular operating hours. MetroParks shall have the right, at no cost, expense, or obligation to Township, to patrol and enforce MetroParks rules and regulations for the Trail. MetroParks shall have the right to conduct such programs and activities on the Trail as MetroParks deems appropriate.

SECTION 5: CONSTRUCTION AND MAINTENANCE.

MetroParks shall have the right to construct the Trail across the Township Property for use by the public. The Trail shall be constructed in accordance with plans and specifications that have been approved by Township and MetroParks in writing prior to commencing any construction on the Trail on the Township Property.

MetroParks shall be solely responsible for all improvements to the Trail and shall maintain, repair, and replace the Trail at its sole cost and expense, unless otherwise agreed in writing by MetroParks and Township. Township shall make no alterations, additions or improvements to the Trail without MetroParks' prior written consent.

All permanent improvements made to the Trail on the Township Property shall remain a part of the Township Property upon termination of this Lease and become the property of Township.

SECTION 6: INSURANCE.

MetroParks covenants that it will carry and maintain, at its sole cost and expense, commercial general liability insurance covering claims arising out of its use of the Leased Premises with limits of at least One Million and 00/100 (\$1,000,000.00) Dollars per occurrence and Two Million and 00/100 (\$2,000,000.00) in the aggregate.

SECTION 7: REPRESENTATIONS OF TOWNSHIP.

As an inducement for MetroParks to enter and sign this Lease, Township represents and warrants to MetroParks that as of the date of this Lease:

A) Township owns good, marketable and insurable fee simple title to the Leased Premises.

B) Township has the power and authority to execute and deliver this Lease and to complete all of the transactions contemplated by the terms of this Lease. This Lease is the legal,



valid and binding obligation of Township, enforceable against Township in accordance with its terms.

C) This Lease does not violate the terms of any mortgage, deed restriction, or agreement that is binding on Township or the Leased Premises.

D) To the best of Township's knowledge, there is no pending or threatened claim, litigation, condemnation, administrative action or other legal proceeding related to the Leased Premises.

E) Township shall not place or permit the placement of any obstruction which may interfere with the exercise of the rights granted herein to MetroParks.

SECTION 8: DEFAULT

In the event either party deems the other to have violated the terms of this Lease, the party alleging default (Alleging Party) shall provide written notification to the party allegedly in default (Defaulting Party). Such notification shall specify a period of not less than sixty (60) days (Cure Period) during which the Defaulting Party shall have the opportunity to cure the alleged default. If the Defaulting Party fails to cure the alleged default within the Cure Period, the Alleging Party may submit a claim to a court of competent jurisdiction for injunctive or monetary relief.

SECTION 9: ASSIGNMENT.

Neither MetroParks nor Township may assign its rights or delegate its obligations under this Lease without the prior written consent of the other party.

IN WITNESS WHEREOF, the parties have set their hands on the date first written herein.

West Chester Township Board of Trustees,
West Chester Township, Butler County,
Ohio

Board of Park Commissioners of MetroParks
of Butler County, Ohio

Resolution No. 29-2023

Resolution No. 2023 - *Not Applicable*

Date: 7/13/23

Date: 10/9/23

Signed: *Larry D. Burks*

Signed: *Jacqueline O'Connell*

Typed: Larry D. Burks

Typed: Jacqueline O'Connell

Title: Township Administrator

Title: Executive Director



RESOLUTION NO. 29-2023

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WHEREAS, West Chester Township owns land adjacent to Voice of America MetroPark which is used as the National Voice of America Museum of Broadcasting and adjacent public green space; and,

WHEREAS, MetroParks has been awarded a Clean Ohio Trails Fund grant for the purpose of constructing a multi-use trail and related improvements across the MetroParks Property and Township Property; and,

WHEREAS, West Chester Township has approved Resolution 11-2022 pledging to grant a 20-year lease of the property interests necessary for MetroParks to construct, maintain, and manage the Trail in accordance with Clean Ohio Trails Fund program guidelines and specifying the conditions for said pledge, and further pledging to fund the 25% local matching contribution for the portion of the Trail located on the Township Property; and,

WHEREAS, MetroParks has the expertise and desire to operate the Trail and maintain it for use by the public.

NOW THEREFORE, BE IT RESOLVED the West Chester Township Board of Trustees hereby agrees to:

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SECTION 2. Authorize the Township Administrator to make non-substantive changes, if necessary, with Law Director approval and execute said lease agreement and all other necessary documents and take all other actions as may be necessary to carry out this resolution.

Adopted this 11th day of July, 2023.


Ann Becker, Chair


Yes/No



EX: 10029 PG 736

ATTEST:

Bruce Jones
Bruce Jones, Fiscal Officer

Lee Wong
Lee Wong, Vice Chair

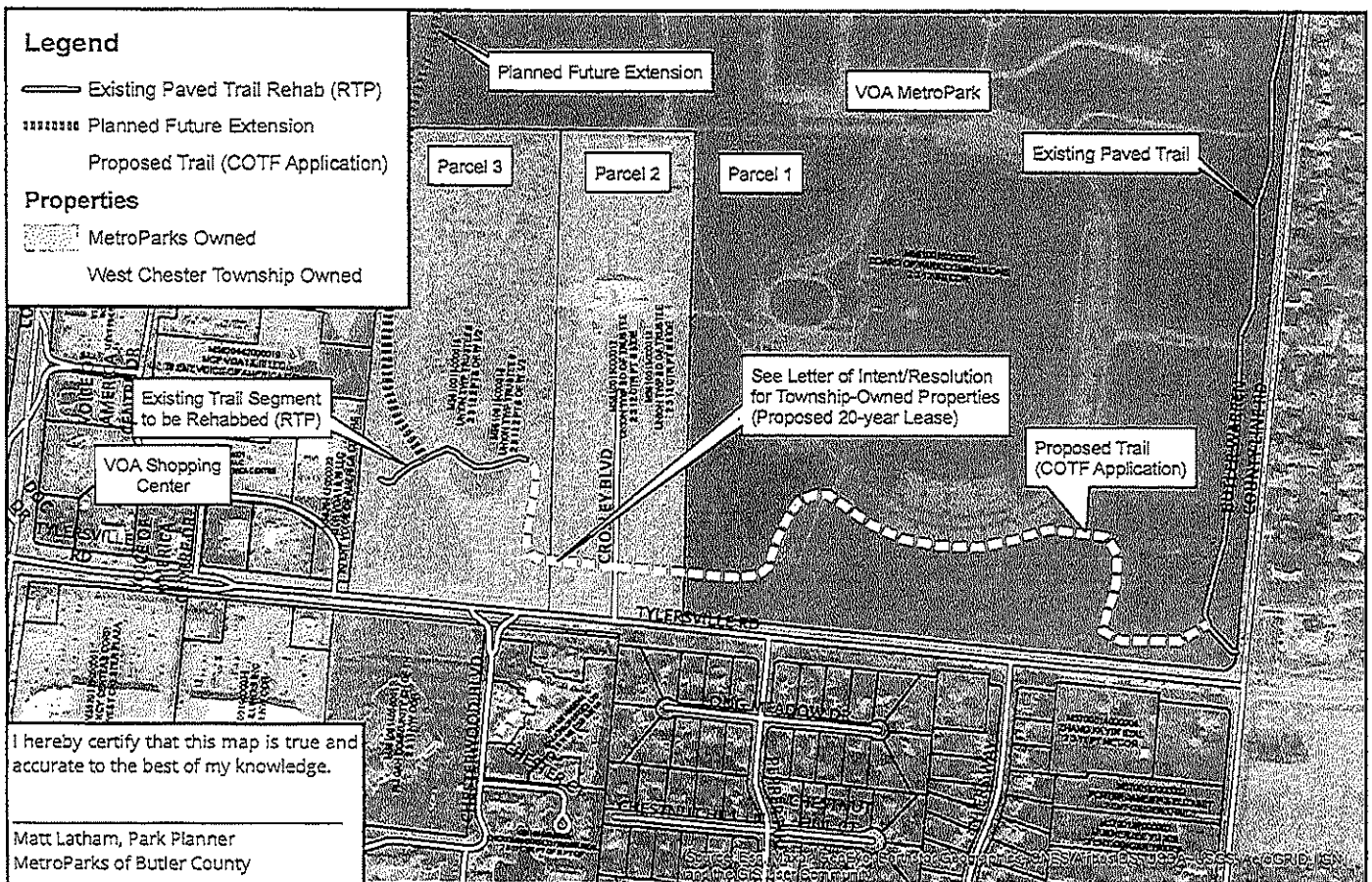
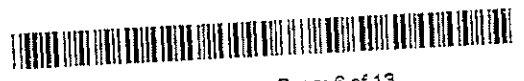
Mark Welch
Mark Welch, Trustee

Yes
Yes/No

YES
Yes/No

APPROVED AS TO FORM:

Don Crain
Donald L. Crain, Law Director

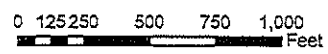


Tylersville Trail

at Voice of America MetroPark: Butler-Warren Road to VOA Shopping Center

Tax Map

8070 Tylersville Road, West Chester, OH 45069



2051 Timberman Road, Hamilton, OH 45013
www.YourMetroParks.net (513) 867-5835

12/22/2020



EXHIBIT B
RESOLUTION NO. 11-2022

Statutory Resolution supporting a grant application by the West Chester Board of Trustees and MetroParks of Butler County Requesting Funding from the Recreational Trails Program (RTP) and/or the Clean Ohio Trails Fund (COTF) for the new Tylersville Trail at Voice of America

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the Recreational Trails Program and/or the Clean Ohio Trails Fund;

WHEREAS, MetroParks of Butler County (MetroParks) and West Chester Township agree to partner on an application for assistance under the Recreational Trails Program and/or the Clean Ohio Trails Fund for the Tylersville Trail at Voice of America (VOA);

WHEREAS, the proposed trail is planned to cross properties owned by West Chester Township and MetroParks, in accordance with the VOA MetroParks Vision Plan that was prepared as a partnership between West Chester Township and MetroParks, and;

WHEREAS, West Chester Township and MetroParks are partners through a Maintenance & Use Agreement for the VOA parcels owned by the Township, and;

WHEREAS, the Tylersville Trail at VOA is an element of the 2013 West Chester Township Comprehensive Land Use Plan and the 2009 West Chester Connections Plan, and its completion would further the Township's goal of increasing pedestrian and bicycle connectivity;

NOW, THEREFORE BE IT RESOLVED the West Chester Township Board of Trustees do hereby agree to:

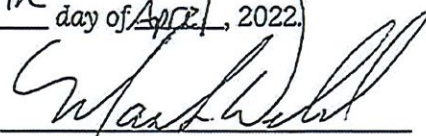

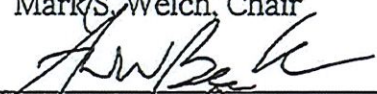

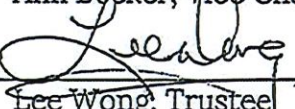
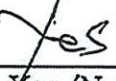
SECTION 1. Apply as a co-applicant with MetroParks for Recreational Trails Program and/or Clean Ohio Trails Fund financial assistance;

SECTION 2. The Board pledges a 20 year lease of the property interests necessary for MetroParks to construct, maintain, and manage the project in accordance with Clean Ohio Trails Fund program guidelines along a route to be mutually agreed between West Chester Township and MetroParks, with the understanding that the lease agreement is contingent upon receiving approval from the National Park Service in accordance with the Federal Lands to Parks deed restrictions that also apply to the property;

SECTION 3. The Board further pledges to fund the 25% local matching contribution for the portion of the Tylersville Trail that occurs on Township-Owned property, with the understanding that such a pledge is an expression of intent and is not to be construed as a legally binding obligation of the Township at this time;



Adopted this 12th day of April, 2022.

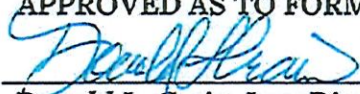
	
Mark S. Welch, Chair	Yes/No
	
Ann Becker, Vice Chair	Yes/No
	
Lee Wong, Trustee	Yes/No

ATTEST:



 Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



 Donald L. Crain, Law Director



Legal Description
Parcel # 1



engineers • architects • planners
landscape architects • surveyors

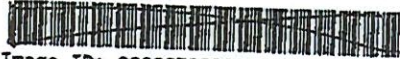


Image ID: 000007028991 Type: OFF
Kind: DEED

File# 2008-00014885 Page 5 of 12

~~BK 8000 PG 2280~~

6900 Tylersville Road, Suite A
Mason, Ohio 45040
P 513.336.6600
F 513.336.9365

www.bayerbecker.com

INTEGRITY QUALITY SERVICE CONTINUOUS IMPROVEMENT

May 15, 2007

DESCRIPTION:

V.O.A.
257.565 Acres
Remainder

LOCATION:

West Chester Township
Butler County, Ohio

B5H
SR

Situated in Section 12, Town 3, Range 2, West Chester Township, Butler County, Ohio and being part of an original 307.551 acre parcel as conveyed to Union Township Trustees, as recorded in Official Record 6455, Page 1301, of the Butler County Recorder's Office, and being 257.565 acres further described as follows:

Begin at a found 5/8" iron pin at the northeasterly corner of Lot 17 of Voice of America Centre, as recorded in Plat Envelope 3745, Pages A-B, said corner being the true point of beginning;

- thence from the true point of beginning, departing said Lot 17, with a new division line, the following three courses: South 85°34'15" East, 586.91 feet to a set 5/8" iron pin;
- thence North 00°12'52" East, 1089.63 feet to a set 5/8" iron pin;
- thence North 85°34'15" West, 324.42 feet to a set 5/8" iron pin on the southerly right of way of V.O.A. Park Drive, as recorded in Plat Envelope 3526, Pages A-B;
- thence departing said new division line, with said right of way, the following five courses:
North 38°52'53" East, 5.00 feet to a set 5/8" iron pin;
- thence North 51°07'07" West, 60.00 feet to a set 5/8" iron pin;
- thence South 38°52'53" West, 5.00 feet to a set 5/8" iron pin;
- thence with a curve to the right, having a radius of 485.00 feet, an arc length of 470.20 feet, (Chord = South 66°39'19" West, 452.00 feet), to a set 5/8" iron pin;
- thence North 85°34'15" West, 84.69 feet to a set 5/8" iron pin on the southeast corner of Metro Parks of Butler County, as recorded in Official Record 6448, Page 2132;
- thence departing said right of way, with said Metro Parks of Butler County, the following two courses: North 04°25'45" East, 636.33 feet to a found 5/8" iron pin;
- thence South 85°50'04" East, passing a set 5/8" iron pin at 3778.21 feet on the westerly right of way of Butler Warren Road, for a total of 3808.21 feet to the centerline of said Butler Warren Road, the easterly line of said Section 12, and the easterly line of said Butler County.
- thence with said centerline, and said Section line the following two courses: South 04°09'56" West, 1263.65 feet;
- thence South 04°08'26" West, 2745.54 feet to the southeast corner of said Section 12, and the centerline of Tylersville Road;



thence with the south line of said Section 12, and said centerline of Tylersville Road, North 85°29'01" West, 2180.57 feet to the southeast corner of Union Township Board of Trustees, as recorded in Official Record 6298, Pg 747;

thence departing said Section line, and said centerline, with said Union Township Board of Trustees, the following two courses: North 00°00'15" East, passing a set 5/8" iron pin on the northerly right of way of said Tylersville Road at 60.00 feet, for a total distance of 1904.06 feet to a found 5/8" iron pin;

thence South 89°59'45" West, 517.77 feet to a found 5/8" iron pin;

thence departing said Union Township Board of Trustees, with a new division line, continuing, South 89°59'45" West, 635.03 feet to a set 5/8" iron pin on the easterly line of said Lot 17;

thence departing said new division line, with said Lot 17, North 04°30'59" East, 632.72 feet to the true point of beginning containing 5.726 acres of right of way, for a total of 257.565 acres of land subject to all easements and right of way of record.

The above description was prepared from survey prepared by Bayer Becker, Jeffrey O. Lambert, Registered Surveyor #7568 in the State of Ohio, May 15, 2007.

The Plat of which is recorded in Volume 51, Page28, of the Butler County Engineer's Records.



Image ID: 00007028992 Type: OFF Kind: DEED

Page 6 of 12

File# 2008-00014885

~~BK 8000 PG 2281~~

APPROVED BY
BUTLER COUNTY PLANNING COMMISSION
 FOR THE PURPOSES OF CONVEYANCE OF
 TITLE DOES NOT CONSTITUTE A ZONING
 CERTIFICATE OR BUILDING PERMIT.
 NO PLAT REQUIRED.

03/28/08
JF.



TRANSFERRED
DATE 12-3-98
CONVEYANCE # -0-
FEE \$ -0-
EXEMPT 4913

Kay Rogers, Butler Co. Auditor

This conveyance has been examined and the grantor has complied with section 319.202 of the revised code.

~~O.R. 6298 PAGE 0747~~
*Legal Description
Parcel #2*

PT

Contract No. 1-Z-OH-726B

QUITCLAIM DEED

THIS INDENTURE, between the UNITED STATES OF AMERICA, acting by and through the Administrator of General Services, under and pursuant to the authority contained in the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, and applicable orders and regulations promulgated thereunder, hereinafter called the "Grantor," and UNION TOWNSHIP, acting by and through its Board of Trustees, a political subdivision of the State of Ohio, whose address is 9113 Cincinnati-Dayton Road, Westchester, Ohio, 45069, hereinafter called the "Grantee:"

3800088998
Filed for Record in
BUTLER COUNTY, OHIO
JOYCE B THALL
On 12-03-1998 At 09:30 am.
DEED 46.00
Book DR Vol. 6298 Pg. 747 - 756

WITNESSETH THAT:

The Grantor, for a public-benefit conveyance for historic monument purposes, and pursuant to Title 40 of the United States Code, Section 484(k)(3), does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM, without representation or warranty, express or implied, unto the said Grantee, its successors and assigns, the property commonly known as "Parcel 1, Voice of America, Bethany Relay Station," GSA Control No. 1-Z-OH-726B, hereinafter referred to as "Property," and more particularly described as a certain piece or parcel of land situated and being in the County of Butler and State of Ohio, and described as follows:

Situated in Section 12, Town 3, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows: Beginning at a railroad spike in the south line of section 12 and in the centerline of Tylersville Road, found by measuring along the south line of section 12 and the centerline of Tylersville Road, South 85° 28' 46" East, 2117.87 feet from a railroad spike found at the southwest corner of said section; thence departing said section line along new division lines the following three courses:

1. North 00° 00' 00" East, 1863.13 feet to an iron pin;
2. North 90° 00' 00" East, 517.77 feet to an iron pin;
3. South 00° 00' 00" West, 1904.06 feet to a railroad spike in the south line of section 12 and in the centerline of Tylersville Road;

thence along the south line of said section and the centerline of Tylersville Road North 85° 28' 46" West, 519.39 feet to the Point of Beginning, containing 22.389 acres, more or less. 18.381 acres from parcel M5610-015-000-007 and 4.008 acres from parcel M5610-015-000-006.

Together with all buildings, improvements, and personalty located thereon, and all and singular the tenements, hereditaments, appurtenances, and improvements thereunto belonging, or in anywise appertaining.

APPROVED BY
BUTLER COUNTY PLANNING COMMISSION
FOR THE PURPOSES OF CONVEYANCE OF
TITLE, DOES NOT CONSTITUTE A ZONING
CERTIFICATE OR BUILDING PERMIT.
NO PLAT REQUIRED 12-1-98

MADE 35
BUTLER COUNTY ENGINEER
RECORD OF LAND SURVEYS



TRANSFERRED
DATE 3-9-2000
CONVEYANCE # 0
FEES 0
EXEMPT 0977 (90)

Y016455 PAGE 1301 *Legal Description Parcel #3*

QUITCLAIM DEED

200000013028
Filed for Record in
BUTLER COUNTY, OHIO
DANNY N CRANK
On 03-09-2000 At 11:16:10 am.
DEED 30.00
OR Book 6455 Page 1301

Kay Rogers, Butler Co. Auditor
This conveyance has been examined and the grantor has complied with section 319.222 of the revised code.

THE UNITED STATES OF AMERICA, hereinafter referred to as Grantor, acting by and through the Deputy Regional Director, National Park Service, Northeast Region with offices at 15 State Street, Boston, Massachusetts, pursuant to authority delegated by the Secretary of the Interior, and as authorized by the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. § 484 (k) (2), and regulations and orders promulgated thereunder, for and in consideration of the use and maintenance of the property herein conveyed exclusively for public park or public recreation purposes in perpetuity by the Union Township Trustees, hereinafter referred to as Grantee, does hereby remise, release and quitclaim to Grantee, its successors and assigns, subject to the reservations, exceptions, restrictions, conditions and covenants hereinafter set forth, all right, title and interest of the Grantor in and to the following described property situated in Union Township, Butler County, Ohio, and more particularly described as follows:

Situated in Section 12, Town 3, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows:

Instrument 200000013028 OR Book 6455 Page 1301

Beginning at a railroad spike in the south line of Section 12 and in the centerline of Tylersville Road, found by measuring along the south line of Section 12 and the centerline of Tylersville Road, S 85° 28' 46" E, 1337.97 feet from a railroad spike found at the southwest corner of said section; ** thence N 85° 34' 00" W, 351.68 feet to an iron pin; thence N 04° 26' 00" E, 1546.33 feet to an iron pin; thence S 85° 49' 49" E, 3808.21 feet to a railroad spike on the east line of Section 12, said point also being in the centerline of Butler-Warren Road; thence along the east line of said section and the centerline of Butler-Warren Road S 04° 10' 11" W, 1263.65 feet to a magnail; thence continuing along said section line and centerline S 04° 08' 41" W, 2745.54 feet to a magnail at the southeast corner of Section 12; thence along the south line of Section 12 and the centerline of Tylersville Road N 85° 28' 46" W, 2180.57 feet to a railroad spike; thence departing said section line and centerline N 00° 00' 00" E, 1904.06 feet to an iron pin; thence N 90° 00' 00" W, 517.77 feet to an iron pin; thence S 00° 00' 00" E, 1863.13 feet to a railroad spike on the south line of Section 12, said point also being the centerline of Tylersville Road; thence along the south line of said section and the centerline of Tylersville Road N 85° 28' 46" W, 779.90 feet to the Point of Beginning.

Bsk

** thence S 04° 31' 14" W, 2440.00 feet to and iron pin;

Parcel contains 308.362 acres more or less and is subject to all legal easements and Rights of Way of record. A plat of survey prepared by JMA Consultants in filed in Volume 35 Page 128 of the Butler County Record of Land Surveys.

Prior Deed Reference: Deed Book 506, Page 697.

TOGETHER WITH the appurtenances and improvements thereon, and all the estate and rights of the Grantor in and to said premises, but

SUBJECT TO any and all outstanding reservations, easements and rights-of-way, recorded and unrecorded, for public roads, railroads, pipelines, drainage ditches, sewer mains and lines, and public utilities affecting the property herein conveyed.

APPROVED BY
BUTLER COUNTY PLANNING COMMISSION
FOR THE PURPOSES OF CONVEYANCE OF
TITLE, DOES NOT CONSTITUTE A ZONING
CERTIFICATE OR BUILDING PERMIT.
NO PLAT REQUIRED *03/09/00*

Legend

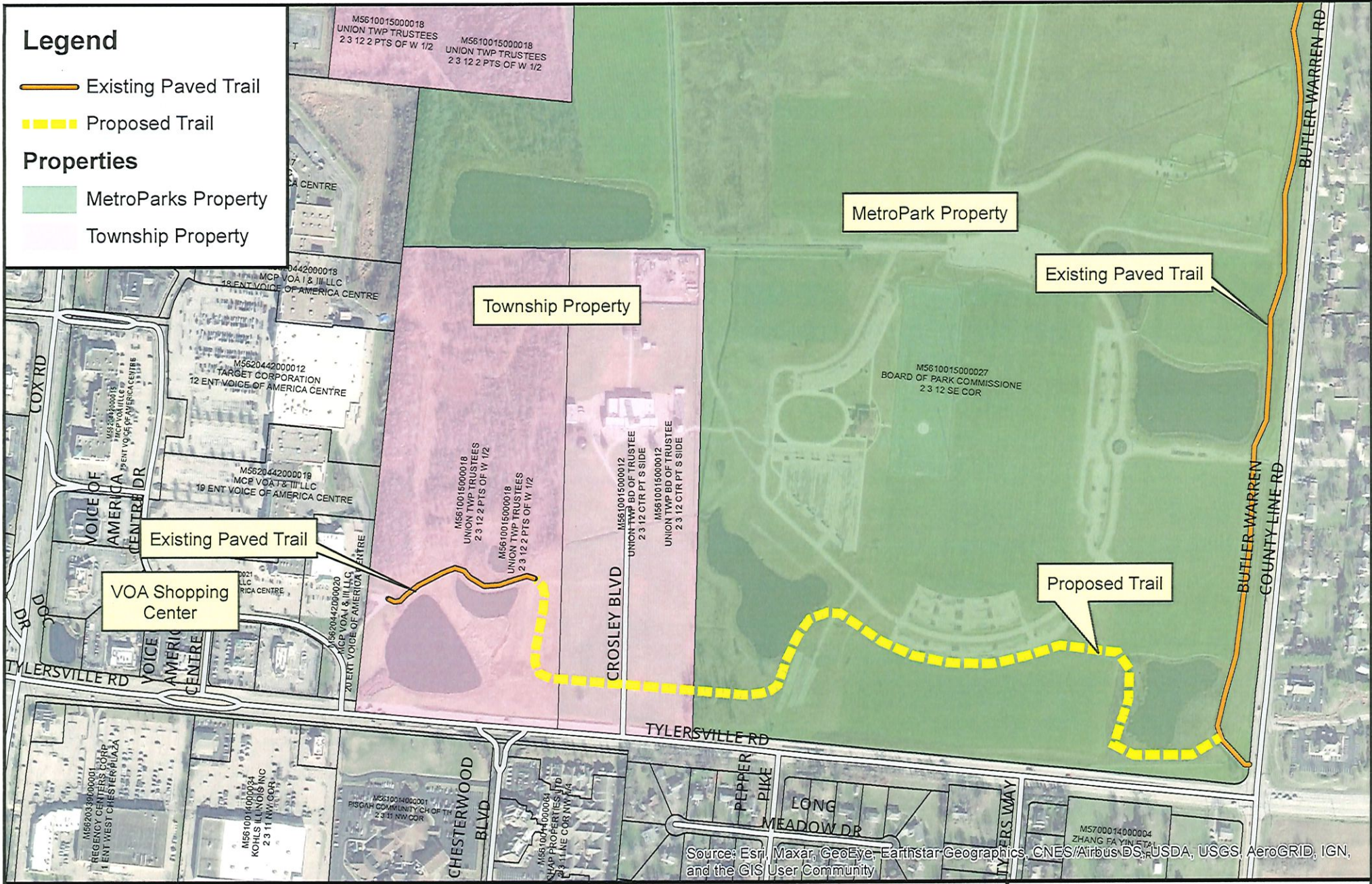
 Existing Paved Trail

 Proposed Trail

Properties

 MetroParks Property

 Township Property



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Exhibit A - Tylersville Trail

at Voice of America MetroPark
 Butler-Warren Road to VOA Shopping Center
 8070 Tylersville Road, West Chester, OH 45069



ml 03/17/2023



2051 Timberman Road, Hamilton, OH 45013
 www.YourMetroParks.net (513) 867-5835

EXHIBIT B
RESOLUTION NO. 11-2022

Statutory Resolution supporting a grant application by the West Chester Board of Trustees and MetroParks of Butler County Requesting Funding from the Recreational Trails Program (RTP) and/or the Clean Ohio Trails Fund (COTF) for the new Tylersville Trail at Voice of America

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the Recreational Trails Program and/or the Clean Ohio Trails Fund;

WHEREAS, MetroParks of Butler County (MetroParks) and West Chester Township agree to partner on an application for assistance under the Recreational Trails Program and/or the Clean Ohio Trails Fund for the Tylersville Trail at Voice of America (VOA);

WHEREAS, the proposed trail is planned to cross properties owned by West Chester Township and MetroParks, in accordance with the VOA MetroParks Vision Plan that was prepared as a partnership between West Chester Township and MetroParks, and;

WHEREAS, West Chester Township and MetroParks are partners through a Maintenance & Use Agreement for the VOA parcels owned by the Township, and;

WHEREAS, the Tylersville Trail at VOA is an element of the 2013 West Chester Township Comprehensive Land Use Plan and the 2009 West Chester Connections Plan, and its completion would further the Township's goal of increasing pedestrian and bicycle connectivity;

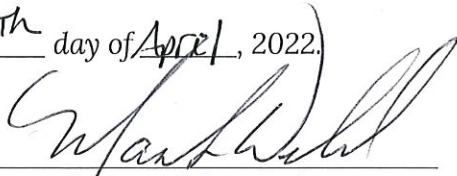
NOW, THEREFORE BE IT RESOLVED the West Chester Township Board of Trustees do hereby agree to:

SECTION 1. Apply as a co-applicant with MetroParks for Recreational Trails Program and/or Clean Ohio Trails Fund financial assistance;

SECTION 2. The Board pledges a 20 year lease of the property interests necessary for MetroParks to construct, maintain, and manage the project in accordance with Clean Ohio Trails Fund program guidelines along a route to be mutually agreed between West Chester Township and MetroParks, with the understanding that the lease agreement is contingent upon receiving approval from the National Park Service in accordance with the Federal Lands to Parks deed restrictions that also apply to the property;

SECTION 3. The Board further pledges to fund the 25% local matching contribution for the portion of the Tylersville Trail that occurs on Township-Owned property, with the understanding that such a pledge is an expression of intent and is not to be construed as a legally binding obligation of the Township at this time;

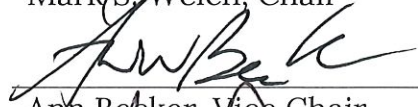
Adopted this 12th day of April, 2022.



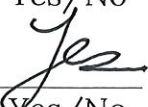
Mark S. Welch, Chair



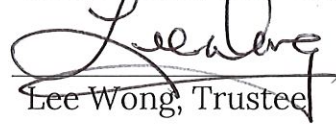
Yes/No



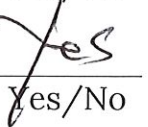
Ann Becker, Vice Chair



Yes/No



Lee Wong, Trustee



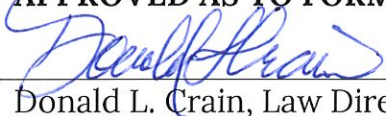
Yes/No

ATTEST:



Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:



Donald L. Crain, Law Director