

RESOLUTION 2020 - 16

**A RESOLUTION APPROVING A LANDSCAPING MAINTENANCE AGREEMENT
WITH HEITMEYER FARMS CIVIC ASSOCIATION FOR THE PROPERTY THAT
MAKES UP THE KENWOOD ROAD ENTRANCE TO HEITMEYER FARMS
SUBDIVISION AND DISPENSING WITH THE SECOND READING**

WHEREAS, Sycamore Township, Hamilton County, Ohio (“Township”) is the owner of two parcels of real property on the northeast and southeast corners of the intersection of Kenwood Road and Bayberry Drive identified by the Hamilton County, Ohio Auditor as Parcel Nos. 600-0093-0019-00 and 600-0093-0278-00 (“Parcels”); and

WHEREAS, the Parcels make up the Kenwood Road entrance (“Entrance”) to the Heitmeyer Farms Subdivision (“Subdivision”); and

WHEREAS, the Heitmeyer Farms Civic Association (“Association”) manages the Kenwood entrance on behalf of the Subdivision; and

WHEREAS, the Board of Township Trustees desire to enter into a Landscaping Maintenance Agreement with the Association for the continuing care, maintenance, repairs and replacements of the landscaping and structures located on the Parcels.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Sycamore Township, State of Ohio that:

SECTION 1. The Board approves the Landscaping Maintenance Agreement attached hereto and authorizes the Township Administrator to execute the Agreement on behalf of the Board.

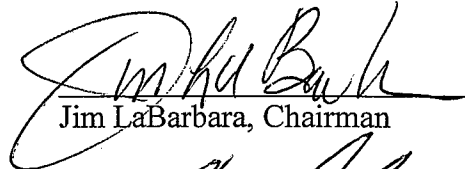
SECTION 2. The Board of Township Trustees of Sycamore Township, by at least a two-third vote of all of its members, dispenses with any requirement that this Resolution be read on two separate days and authorizes its passage upon one reading.

SECTION 3. This Resolution shall take effect on the earliest date allowed by law.

VOTE RECORD:

Mr. James Y Mr. LaBarbara Y Mr. Weidman Y

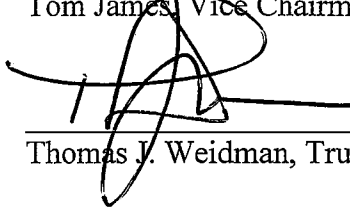
PASSED at a meeting of the Board of Township Trustees this 3rd day of March, 2020.



Jim LaBarbara, Chairman



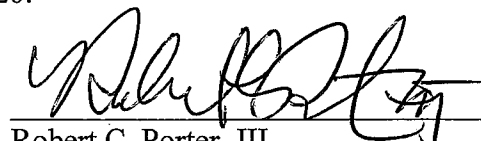
Tom James, Vice Chairman



Thomas J. Weidman, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 3rd day of March, 2020.



Robert C. Porter, III
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:



Deepak K. Desai, Law Director

LANDSCAPING MAINTENANCE AGREEMENT

This Landscaping Maintenance Agreement ("Agreement") is made this 7th day of February, 2020 between the Board of Township Trustees of Sycamore Township, Hamilton County, Ohio (The "Township"), an Ohio township, and Heitmeyer Farms Civic Association ("Heitmeyer") and Ohio nonprofit corporation.

Whereas, the Township is the owner of two parcels of real property on the northeast and southeast corners of the intersection of Kenwood Road and Bayberry Drive consisting of Hamilton County, Ohio Auditor's Parcel Numbers 600-0093-0019-00 and 600-0093-0278-00 (individually "Parcel 19" and Parcel 278" respectively, and collectively the ("Parcels"); and

Whereas, Parcel 278 is subject to certain restrictions contained in a deed recorded in Book 7379, Page 1416 of the Official Records of the Hamilton County, Ohio Recorder; and

Whereas, the Parcels make up the Kenwood Road entrance to the Heitmeyer Farms Subdivision in Sycamore Township; and

Whereas, the parties wish to provide for the continuing care, maintenance, repairs and replacements of the landscaping and structures located on the Parcels;

Now Therefore, in consideration of these premises and the mutual promises contained herein, the parties agree as follows:

1. The Township shall provide for the care of the lawns by mowing, trimming, and edging the grass on the Parcels. Heitmeyer shall provide the fertilizing, seeding and reseeding, weed control, and pest control of the lawn areas on the Parcels.

2. Heitmeyer shall maintain the landscape/flower beds on the Parcels, providing mulch, any flowers, and maintaining, trimming, and replacing any shrubs and bushes on the Parcels.

3. Heitmeyer shall maintain the subdivision entry walls keeping them in a safe and visually appealing condition. Heitmeyer shall pay all costs of maintaining the lighting for the subdivision entry walls including the energy costs of providing such lighting.

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4. Heitmeyer shall not construct, erect, or place any additional structures, signs, or landscaping on the Parcels without the consent of the Township.

5. Heitmeyer shall promptly pay for all materials used and services provided under the terms of this Agreement, but only for those services that Heitmeyer has contracted with a third party for, or has provided the labor and materials and shall not cause any mechanics liens to be placed upon the Parcels. If any such lien occurs, Heitmeyer shall cause its prompt removal and cancellation.

6. The parties shall cooperate to keep the parcels in first class condition and maintained to a high standard. Any tools, equipment, or supplies shall only be left on the Parcels for the length of time needed to complete the work for which they are being used. After completion of such work, those items shall be removed and the area restored as reasonably as possible to a condition as existed prior to the work.

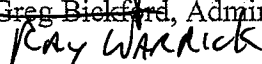
7. Heitmeyer agrees that any contractor who provides goods, services, materials, or labor shall maintain and procure general liability insurance, workers compensation, and professional liability insurance. Heitmeyer shall indemnify and hold harmless the Township, its officials, officers, employees and agents from any and all costs, claims, litigation, demands, suits, and any other cause of action arising out of Heitmeyer's use of the Parcels under this Agreement.

8. This Agreement may be terminated by either party upon thirty (30) days written notice.

Board of Township Trustees of Sycamore
Township, Ohio

By: 

~~Greg Bickford, Administrator~~


Heitmeyer Farms Civic Association

By:  2-7-2020

Name: Robert Sicking

Title: President

By:  2/7/20

Name: Ann Schrock

Title: Officer