

Resolution No. 3
Fields Brook Natural Resource Damage Settlement

Re: Transfer of funds from the United States Department of the Interior's Natural Resource Damage Assessment and Restoration Fund to the U.S. Fish and Wildlife Service Region 3 for land acquisition by the Ashtabula Township Park Commission.

Whereas the Fields Brook Trustee Council was established pursuant the December 23, 1998 Memorandum of Understanding entered into by the U. S. Department of the Interior and the Ohio Environmental Protection Agency;

Whereas, a Fields Brook Restoration Account has been established in the United States Department of the Interior's Natural Resource Damage Assessment and Restoration Fund (NRDAR Fund);

Whereas, the Fields Brook Trustee Council, by unanimous consent, agrees that Two Hundred Fifty Thousand Dollars (\$250,000.00) should be transferred from the Fields Brook Restoration Account in the NRDAR Fund to the U.S. Fish and Wildlife Service Region 3 for the purpose of providing funds to the Ashtabula Township Park Commission for acquisition of the 28.17 acre property owned by CDM Development Corporation, located in the Fields Brook assessment area and appraised by Paul O. Van Curen & Co. on April 22, 2005 (A copy of the Appraisal is attached hereto as Exhibit A and incorporated by reference herein as if fully rewritten). The funds so transferred for land acquisition shall be utilized for natural resource restoration activities in accordance with the Cooperative Agreement between the U.S. Fish & Wildlife Service and the Ashtabula Township Park Commission (A copy of the Cooperative Agreement is attached hereto as Exhibit B and incorporated by reference herein as if fully rewritten).

NOW THEREFORE BE IT RESOLVED that the Trustee Council, in consultation with the National Oceanic and Atmospheric Administration and the Ohio Department of Natural Resources, agrees, by unanimous consent, that Two Hundred Fifty Thousand Dollars (\$250,000.00) be transferred from the United States Department of the Interior's NRDAR Fund to the U.S. Fish and Wildlife Service Region 3 for the purpose of land acquisition in the Fields Brook assessment area by the Ashtabula Township Park Commission, as specified above.

DATED this 9th day of September, 2005.

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Department of the Interior
U. S. Fish and Wildlife Service


By: Mary M. Knapp, USFWS, Field Supervisor, Reynoldsburg, Ohio Field Office

Ohio Environmental Protection Agency

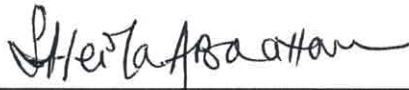
By: Sheila Abraham, OH EPA, Northeast District Office

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