



1. Except for the fencing mandated by Ordinance ORD-0154-2002 at the rear and side property lines of lots on which the Conservation Easement is located, the City of Gahanna Zoning Regulation 1167.21, Preservation Zones, enacted as Ordinance 101-97, shall be incorporated as the baseline regulations for Easement Property in addition to the following:
2. The Easement Property herein described shall be kept in perpetuity in its natural state. As herein used, the term "natural state" refers to allowing natural plant succession to take place without buildings, accessory use structures, play yards, swing sets, or other infrastructures of any kind, either temporary or otherwise. Limited to the easement area only, it is the intent that the Easement Property be protected from all uses non-consistent with the fostering and propagation of natural successional processes and to assist in the continued enrichment of the adjacent State Nature Preserve.
3. There shall be no industrial, commercial, or agricultural activity on the Easement Property.
4. There shall be on or in the Easement Property no filling, excavating, ditching, unnatural draining, diking, removal of any natural materials, such as topsoil, leaf litter, fallen trees, logs, limbs, gravel, rock, minerals, oil, gas or other materials, nor any change in the topography of the Easement Property in any manner, other than that caused by the forces of nature or as reserved hereafter.
5. The use of all herbicides, pesticides, fertilizers, deicing agents, and the use of chemicals that would cause a serious risk of harm to the protected area are prohibited and are not to be used within the Easement Property or in such a way that would cause their entry into the Easement Property, State Nature Preserve, or City park property, without the said written permission of the City of Gahanna, which includes the approved plans, by the grantor or its successors.
6. No power transmission lines, water, sewer, or utilities may be erected within or infringe upon easement property. It is the intent of revision to grant to the City of Gahanna such an interest in said Easement Property as is sufficient to prohibit the exercise of the power of eminent domain by public utility companies and other body or person.
7. There shall be no operation of any motorized and/or wheeled vehicles, including but not limited to snowmobiles, tractors, lawnmowers, all terrain vehicles, motorcycles, bicycles, and/or maintenance equipment.
8. No native trees, ground cover, or other dead or living vegetation shall be removed from the Easement Property, provided, however, if deemed to be necessary for reasons of health or safety, the City of Gahanna may grant written permission to spray or remove dead or living vegetation. Non-native trees, bushes, ground cover, grasses, gardens of any type, or invasive plants shall NOT be introduced onto Easement Property.
9. The Easement Property shall at all times be kept free of garbage, trash, and machinery; and no other unsightly material shall be allowed to accumulate or be stored. The term "unsightly" does not encompass accumulation of native plant material.
10. The City of Gahanna reserves the right to periodically inspect the Easement Property for violations of this easement. If upon five (5) days advance written notice the Grantor has not eliminated said violations, the City of Gahanna may remove or eliminate, at the expense of the landowner, any violation by the Grantor of the easement. The Director of Parks and Recreation of the City of Gahanna, or his authorized representative(s), may enter upon said lands for the purpose of inspection.
11. The Grantee shall post or clearly mark and maintain the boundaries of the Conservation Easement with Carsonite posts using the colors of green, brown, or black. The intent of the City of Gahanna is to clearly define and maintain all survey pins, corners, points on line, traverse locations, easement boundaries or reference lines to insure that boundaries are easily identifiable in perpetuity. The City of Gahanna retains the right to clearly mark the Easement Property with signs. The City of Gahanna is responsible for the maintenance of these signs. No more than three signs shall be associated with any one lot.