

COPY

200800000512  
Filed for Record in  
PAULDING COUNTY, OHIO  
CAROL E TEMPLE, RECORDER  
02-22-2008 At 11:35 am.  
DEDICATION \$ 124.00  
OR Volume 525 Page 1871 - 1884

ARTICLES OF DEDICATION

FORREST WOODS NATURE PRESERVE

The Black Swamp Conservancy, an Ohio non-profit corporation which has a tax mailing address of 132 W. Second Street, Suite C, Perrysburg, Ohio 43551-7632 (Landowner), in accordance with the Ohio Revised Code Section 1517.05 does hereby dedicate for and on behalf of the State of Ohio, for public benefit, the following described premises, situated in the Township of Crane, County of Paulding, and State of Ohio, further described as follows:

**Tract One (Forrest acquisition one - 80 acres)**

**Parcel One**

Situated in Section Eight (8) of the Township of Crane, County of Paulding, State of Ohio, and described as follows:

All of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section Eight (8), Township Three (3) North, Range Two (2) East, Crane Township, Paulding County, Ohio, **containing 40 acres**, more or less; and

Auditor's Parcel I.D. # 14-08-002-01

**Parcel Two**

Situated in Section Eight (8) of the Township of Crane, County of Paulding, State of Ohio, and described as follows:

All of the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Eight (8), Township Three (3) North, Range Two (2) East, Crane Township, Paulding County, Ohio **containing 40 acres**, more or less.

Parent Parcel I.D. # 14-08-002-00

Split Parcel I.D. # 14-08-002-04

The above described real estate shall include all land and appurtenant rights and timber, except as reserved elsewhere in this Deed.

This tract is subject to Grantor's Conditions as specified in Volume 495, Pages 162-166 of the Paulding County Deed Records.

This grant is subject to and with the benefit of all legal highways and zoning restrictions and all easements, leases, oil leases, conditions, limitations, restrictions and reservations of record, if any.

Prior instrument references: Volume 157, Page 80; and Volume 459, page 501 of the Paulding County Deed Records.

**Tract Two (Shaffer acquisition - 40 acres)**

Situated in the Township of Crane, County of Paulding, and State of Ohio, and known as:

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Eight (8), Township

Three (3) North, Range Two (2) East, Paulding County, Ohio, containing Forty (40) acres of land, more or less, but subject to all legal highways.

The above described real estate shall include all land and appurtenant rights and timber, except as reserved elsewhere in this agreement.

This tract is subject to Grantor's Conditions as specified in Volume 499, Page 857 of the Paulding County Deed Records.

This grant is further subject to and with the benefit of all legal highways and zoning restrictions and all easements, conditions, limitations, restrictions, and reservations of record, if any.

Permanent Auditor's Parcel Number: 14-08-003-00

Prior Deed References: Volume 172, Page 584 and Volume 174, Page 386 of the Paulding County Certificate of Transfer Records; Also Volume 204, Page 499 and Volume 204, Page 501 of the Paulding County Deed Records.

Grantors release all rights of dower herein.

**Tract Three (Harper Acquisition - 40 acres)**

Situated in the Township of Crane, in the County of Paulding and State of Ohio, to-wit:

The Southwest Quarter (  $\frac{1}{4}$  ) of the Northwest Quarter (  $\frac{1}{4}$  ) of Section Number Eight (8), Township Three (3) North, Range Two (2) East, Paulding County, Ohio, containing Forty (40) acres of land, more or less, but subject to all legal highways.

The above described real estate shall include all land and appurtenant rights and timber, except as reserved elsewhere in this agreement.

This tract is subject to Grantor's Conditions as specified in Volume 512, Page 775 of the Paulding County Deed Records.

This grant is further subject to and with the benefit of all legal highways and zoning restrictions and all easements, conditions, limitations, restrictions, and reservations of record, if any.

Permanent Auditor's Parcel Number: 14-08-004-00

Prior Deed References: Volume 417, Page 466 and Volume 417, Page 469 of the Paulding County Deed Records.

Grantors release all rights of dower herein.

**Tract Four (Forrest Acquisition Two - 33.388 acres)**

A parcel of land situated in the northwest quarter of the southwest quarter of Section 8 of Township Three North, Range Two East, Crane Township, Paulding County, Ohio, more particularly described as follows:

Commencing at a railroad spike found at the northwest corner of the southwest quarter of said Section 8, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS PARCEL HEREIN DESCRIBED;

thence along the north line of the northwest quarter of said southwest quarter N 89°47'43"E a distance of One Thousand Three Hundred Twenty-Three and 71/100 (1,323.71) feet to a wood fence post found at the northeast corner of said northwest quarter of the southwest quarter;

thence along the east line of said northwest quarter of the southwest quarter S00°06'55"W a distance of One Thousand Three Hundred Twenty-two and 61/100 (1,322.61) feet to a wood corner post found at the southeast corner of said northwest quarter of the southwest quarter;

thence along the south line of said northwest quarter of the southwest quarter S89°00'44"W a distance of Nine Hundred Six and 34/100 (906.34) feet to an iron pin and cap at the southeast corner of a parcel of land acquired by William and Susan Hunt by a deed recorded in Volume 475, Page 978 of the Deed Records of Paulding County, Ohio;

thence N00°00'00"E a distance of Seven Hundred Thirty-seven and 44/100 (737.44) feet to an iron pin and cap at the northeast corner of a parcel of land acquired by Joseph Hunt by a deed recorded in Volume 476, Page 1865 of the Deed Records of Paulding County, Ohio;

thence along the north line of said Joseph Hunt property S89°23'49"W a distance of Three Hundred Ninety-four and 86/100 (394.86) feet to an iron pin and cap in the east right-of-way line of County Road 73;

thence continuing S89°23'49"W a distance of Twenty and 00/100 (20.00) feet to a nail in the west line of said northwest quarter of the southwest quarter;

thence along said west line N00°00'00"E a distance of Six hundred and 43/100 (600.43) feet to the point of beginning.

Said parcel contains 33.388 acres of land, more or less, subject to all highways and easements apparent or of record. The above description was based on a survey make by Douglas E. Dunakin, Registered Surveyor No. 7498, on May 5, 2005. All bearings are assumed.

The above described real estate shall include all land and appurtenant rights and timber, except as reserved elsewhere in this Deed.

This tract is subject to Grantor's Conditions as specified in Volume 512, Page 808-809 of the Paulding County Deed Records.

This grant is subject to and with the benefit of all legal highways and zoning restrictions and all easements, leases, oil leases, conditions, limitations, restrictions and reservations of record, if any.

Permanent Parcel #: 14-08-005-00

Prior Instrument Reference: Volume 506, Page 1250 and Volume 173, Page 391 of the Paulding County, Ohio Deed Records.

**TOTAL ACREGE BEING DEDICATED IS 193.388 ACRES.**

All of the above listed tracts were purchased using Clean Ohio Funds and are therefore encumbered with DECLARATION OF RESTRICTIONS under the Ohio Public Works Commission. These restrictions are recorded in the Official Records in the Office of the Country Recorder in Paulding County, Ohio in the following locations: Volume 495, Pages 168 - 171 recorded September 24, 2003 for the Tract One described above, Volume 499, Pages 859-862 recorded March 22, 2004 for the Tract

Two described above, and Volume 512, Pages 1889 -1892 recorded January 11, 2006 for Tracts Three and Four described above. Tract One was acquired with funding assistance from the Ohio Division of Wildlife which requires that an agreement be developed to ensure a portion of the property will be available for public wildlife recreational opportunities. As an interpretive nature preserve, said preserve shall be known as "Forrest Woods Nature Preserve."

The aforementioned property is dedicated pursuant to Ohio Revised Code Section 1517.05 to be preserved as one of the finest remaining floodplain forest association in northwestern Ohio and Marie DeLarme Creek, a tributary of the Maumee State Scenic River.

The use of the aforementioned property is restricted and the Landowner covenants that it shall be preserved and managed by the Landowner in such a manner as to accommodate public visitation in accordance with a management plan prepared and adopted by the Landowner and approved by the Director of the Ohio Department of Natural Resources and attached as Exhibit A. Both Landowner and the Ohio Department of Natural Resources understand that the Management Plan can be amended from time to time to reflect changes in management strategies, without affecting these Articles of Dedication. Furthermore, no facilities or improvements shall be permitted within the preserve unless the Director of the Ohio Department of Natural Resources upon consultation with the Division of Natural Areas and Preserves deems that such facilities or improvements are necessary for visitation, use, restoration and protection and that they do not significantly impair the natural character of the preserve.

The Landowner shall assume all financial and legal obligations as custodian of said preserve and may provide facilities, nature interpretive programs, and information for visitation of the preserve.

Public access is hereby granted but is subject to all statutes, rules and regulations of the State of Ohio, the Black Swamp Conservancy and those adopted by the Chief of the Division of Natural Areas & Preserves.

When the Landowner determines that a game species poses a significant threat to the ecological or aesthetic condition of the preserve it may request that the Director of the Ohio Department of Natural Resources, allow wildlife management activities in Forrest Woods Nature Preserve for the express purpose of controlling or otherwise managing the species. The criteria for determining the nuisance status of a given game species, as well as the management of controlled or public hunts shall


be determined by the Landowner with the advice of the Division of Natural Areas and Preserves, and subject to all applicable laws and regulations of the Division of Wildlife. The former property owner of Tracts 1 and 4 retained rights related to hunting and trapping. These rights are listed in Exhibit B.

The Landowner may lease the above mentioned state nature preserve to a local public agency or political subdivision of the State of Ohio for purposes that are not inconsistent with the intent of the original Articles of Dedication. The Landowner may transfer its ownership interest in the above mentioned property to a local public agency, political subdivision of the State of Ohio or a non-profit conservation agency for purposes that are not inconsistent with the intent of the original Articles of Dedication, subject to approval by the Division of Natural Areas and Preserves, which approval shall not be unreasonably withheld. If the property is leased or transferred in fee, the Landowner shall notify the Ohio Department of Natural Resources in writing prior to the transaction.

The Ohio Department of Natural Resources may make or accept amendments to any of these articles upon terms and conditions that will not destroy the natural or aesthetic conditions of the preserve.

The interest herein granted may be extinguished only as provided in Ohio Revised Code Sections 1517.06 and 1517.07.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND, THIS 17<sup>TH</sup> DAY OF JANUARY, IN THE YEAR OF OUR LORD TWO THOUSAND AND ~~SEVEN~~ EIGHT.  
SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

  
\_\_\_\_\_  
Kevin Joyce, Executive Director  
The Black Swamp Conservancy

STATE OF OHIO,  
Wood County, ss.

Before me, a Notary Public, in and for said county and state, personally appeared the above-named Kevin Joyce, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed. In testimony whereof, I hereunto set my hand and official seal at

PERRYSBURG, Ohio, this 17th day of JANUARY, 2008.

Dawn M. Krusel

NOTARY PUBLIC

DAWN M. KRUSEL  
Notary Public, State of Ohio  
My Commission Expires 04-26-2011

My commission expires on 4-26-2011

ACCEPTANCE

Accepting the dedication of this property as an interpretive nature preserve under Section 1517.05 of the Revised Code for the benefit of the people of the State of Ohio, I do hereby affix my signature.

2.19.08  
Date

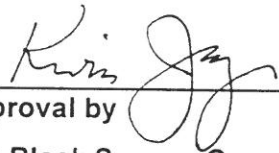
Sean D. Logan  
SEAN D. LOGAN, DIRECTOR  
OHIO DEPARTMENT OF NATURAL RESOURCES

This instrument prepared by:  
John Bartley, Assistant Attorney General

EXHIBIT A

Date Prepared: December 2007  
Date Revised: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_

  
Approval by Chief

  
Approval by  
The Black Swamp Conservancy

MANAGEMENT PLAN

**Legal Name:** Forrest Woods Nature Preserve

**Location:** Paulding Co., Crane Twp., Sec. 8, Antwerp 7.5' Quad.

**Acreage:** 193.388 acres

**Owner:** The Black Swamp Conservancy

**Custodian:** The Black Swamp Conservancy

**Classification:** Recommend Interpretive

**Funding:** An 80-acre tract of this preserve was purchased by The Black Swamp Conservancy in 2003 using Clean Ohio Funds and \$10,000 provided by the Ohio Division of Wildlife. Clean Ohio Funds were also used to purchase an additional 40-acre tract in 2004. A 40-acre parcel and a 32.974-acre parcel were acquired in 2005. All landowners agreed to sell at a bargain sale donating 25% of the appraised value to meet Clean Ohio match requirements. The Division of Natural Areas and Preserves provided \$15,000 to assist with these acquisitions. This money was used to increase the match, thereby decreasing the amount of Clean Ohio funds requested.

**Special Conditions Stated in Articles of Dedication**

The Black Swamp Conservancy accepts financial and legal responsibility for the preserve.

**Special Conditions Stated in Deeds:**

*Harper Tract (Grantor's Conditions)*

It is hereby agreed by the Grantors and the Grantee herein that by acceptance of the deed to this parcel, that they and all their heirs, transferors, and assigns agree that somewhere in a noticeable location on this parcel, shall be placed signage acknowledging that this 40 acre Frank A. Harper and Marietta L. Harper Addition to Forrest Woods Nature Preserve was made

possible by the conservation effort and generous contribution of Frank A. Harper and Marietta L. Harper. Words of similar meaning and import may be substituted. This condition may be changed by permission of the grantors, their heirs, or assigns.

*Forrest Tracts (Grantor's Conditions)*

1. Premises shall be known as Forrest Woods.
2. ~~Property is to be dedicated as a nature preserve.~~
3. Grantor retains rights related to maintenance of existing drainage ways.
4. Grantor retains hunting and trapping rights (See Exhibit B for details).
5. Grantor retains right to two ingress/egress easements for access to/from C.R. 73 and T.R. 192.
6. Grantor gives a Right of First Refusal to The Black Swamp Conservancy over 111.5 acres.

**Site to be Legally Preserved**

"as one of the finest remaining floodplain forest association in northwestern Ohio and Marie DeLarme Creek, a tributary of the Maumee State Scenic River. "

**I. SITE MANAGEMENT**

**A. Primary Management Goal** To preserve and perpetuate the bottomland swamp forest

**Ecological Management Plan:**

1. Non-native and/or problem native species that are systematically removed from the preserve by manual and/or herbicide treatment:

Non-native and/or problem native species that are present within the preserve, but are not currently being managed:

Amur honeysuckle, *Lonicera maackii*  
Common teasel, *Dipsacus sylvestris*  
Cut-leaved teasel, *Dipsacus laciniatus*  
Garlic mustard, *Alliaria officinalis*  
Japanese honeysuckle, *Lonicera japonica*  
Multiflora rose, *Rosa multiflora*  
Reed canary grass, *Phalaris arundinacea*

Non-native and/or problem native species that are not presently found within the preserve but are a potential threat:

**B. Secondary Management Goal:**

To preserve, protect and perpetuate the uplands associated with the bottomland swamp forest.

**C. Potential Ecological Threats:**

Stream siltation from adjacent farmland may threaten the quality of the stream.

Pesticide runoff and/or fertilizer runoff from the adjacent farmlands may be a threat to



the site.

**D. Documented Disturbances:**

The upland woods were logged at some point prior to acquisition. The upland forest community is younger and more disturbed than the adjacent lowland swamp forests that have been protected from logging or grazing for over 25 years.

**II. MONITORING/RESEARCH**

**A. Division Monitoring Programs**

1. Active: None
2. Past Activities: None
3. Proposed: None

**B. Research/Experimentation Projects:** A copy of these projects can be found in the Division of Natural Areas and Preserves' Natural Heritage files or within the Division's library system.

Marshal A. Moser, Jr. compiled a master list of species for the Marie DeLarme Swamp Forest in 2001.

**C. Published References:** None

**III. SPECIES PRESENT**

**A. Relocated Species:** None

**B. Significant Plant Communities Present**

Maple-ash-oak swamp  
Floodplain forest

**C. Significant Species Present – 2007 Heritage Database:**

1. Floral

<u>Scientific Name</u>	<u>Common Name</u>	<u>2007 Status*</u>
<i>Armoracia lacustris</i>	Lake cress	T
<i>Carex crus-corvi</i>	Raven-foot sedge	P
<i>Carex lupuliformis</i>	False hop sedge	T
<i>Carex muskingumensis</i>	Muskingum sedge	NS
<i>Cuscuta cuspidata</i>	Cuspidate dodder	E
<i>Iris brevicaulis</i>	Leafy blue flag	T
<i>Smilax lasioneura</i>	Pale carrion-flower	NS

## 2. Faunal

<u>Scientific Name</u>	<u>Common Name</u>	<u>2007 Status*</u>
<i>Emydoidea blandingii</i>	Blanding's turtle	SC
<i>Hemidactylium scutatum</i>	Four-toed salamander	SC

Breeding Amphibian Site  
Great Blue Heron Rookery

### \*Status Key:

E = Endangered

T = Threatened

P = Potentially Threatened

NS = No status (species of significance)

SC = Species of concern

## D. Other Notable Features or Species Present

1. Geological: This site is a remnant of the Great Black Swamp. A series of oxbows and vernal pools provide excellent habitat for flora and fauna. The upland forest community is separated from the floodplain by mesic bluffs rising approximately 20 ft. high.
2. Biological: In the early 1980's, a great blue heron rookery was reported from the site. Other bird species such as bobolink, horned lark, field sparrows and meadow larks have been seen more recently in open areas around the preserve. A breeding population of four-toed salamanders was also found in the early 1980's in association with the oxbows and woodland pools.

The Audubon Society has designated this site as an Important Bird Area. It was also identified as an important location to be protected in the Binational Conservation Blueprint for the Great Lakes, from The Nature Conservancy and the Nature Conservancy of Canada.

## IV. SITE DEVELOPMENT PLAN

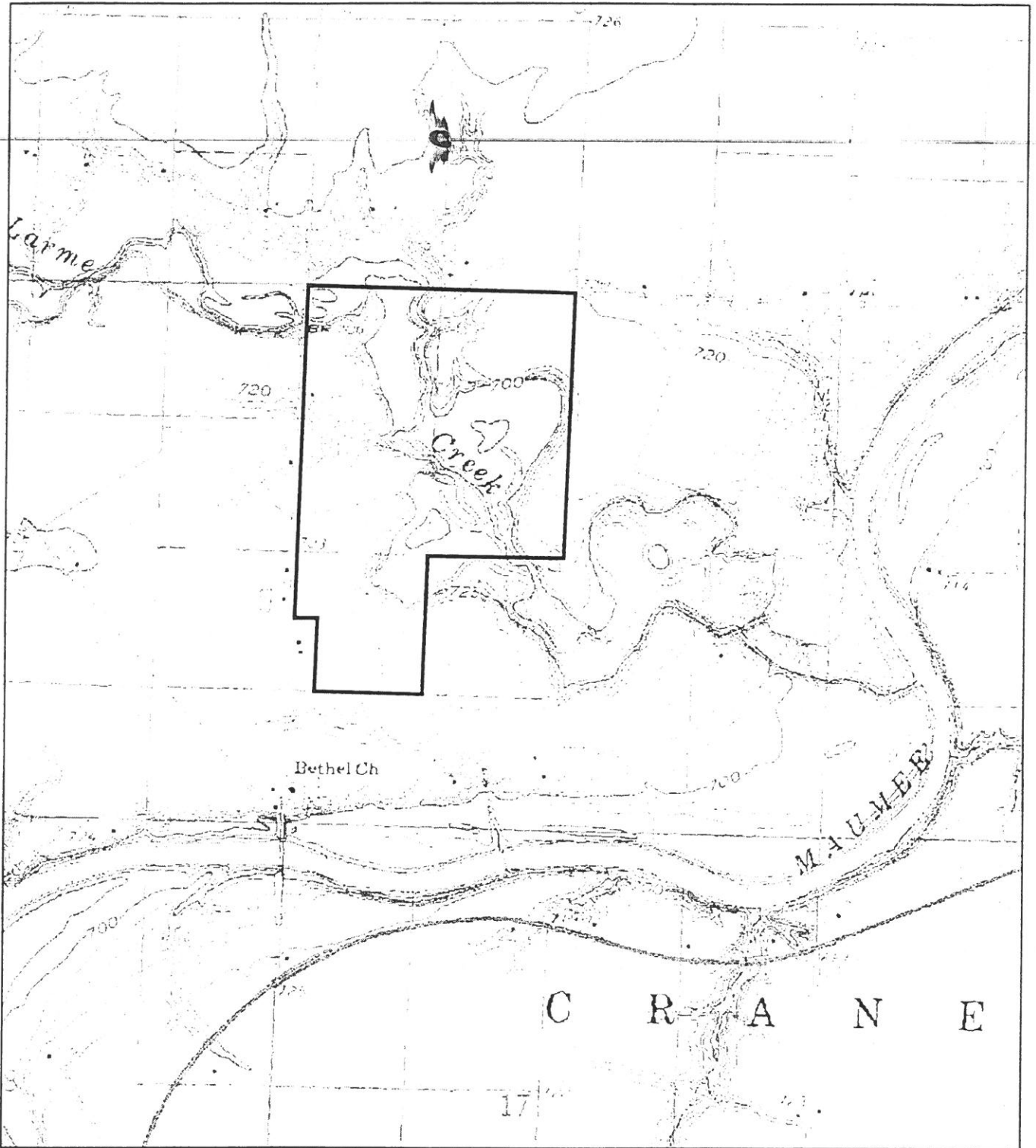
### A. Accessibility, Visitor Use and Physical Development


Public access will be by advance written permission of The Black Swamp Conservancy. It is anticipated that, as funding becomes available, a parking area, trails, boardwalks and restrooms may be constructed.

### B. Future Acquisitions:

Acquisition of the remaining woodlands owned by the Forrest family should be a top priority. Adjoining and nearby woodlands should also be protected. The riparian corridor of Marie DeLarme Creek should be protected down to the Maumee River. Any buffer lands that can be protected or acquired would also be important to long-term management of the preserve.

# FORREST WOODS NATURE PRESERVE




 Forrest Woods Nature Preserve

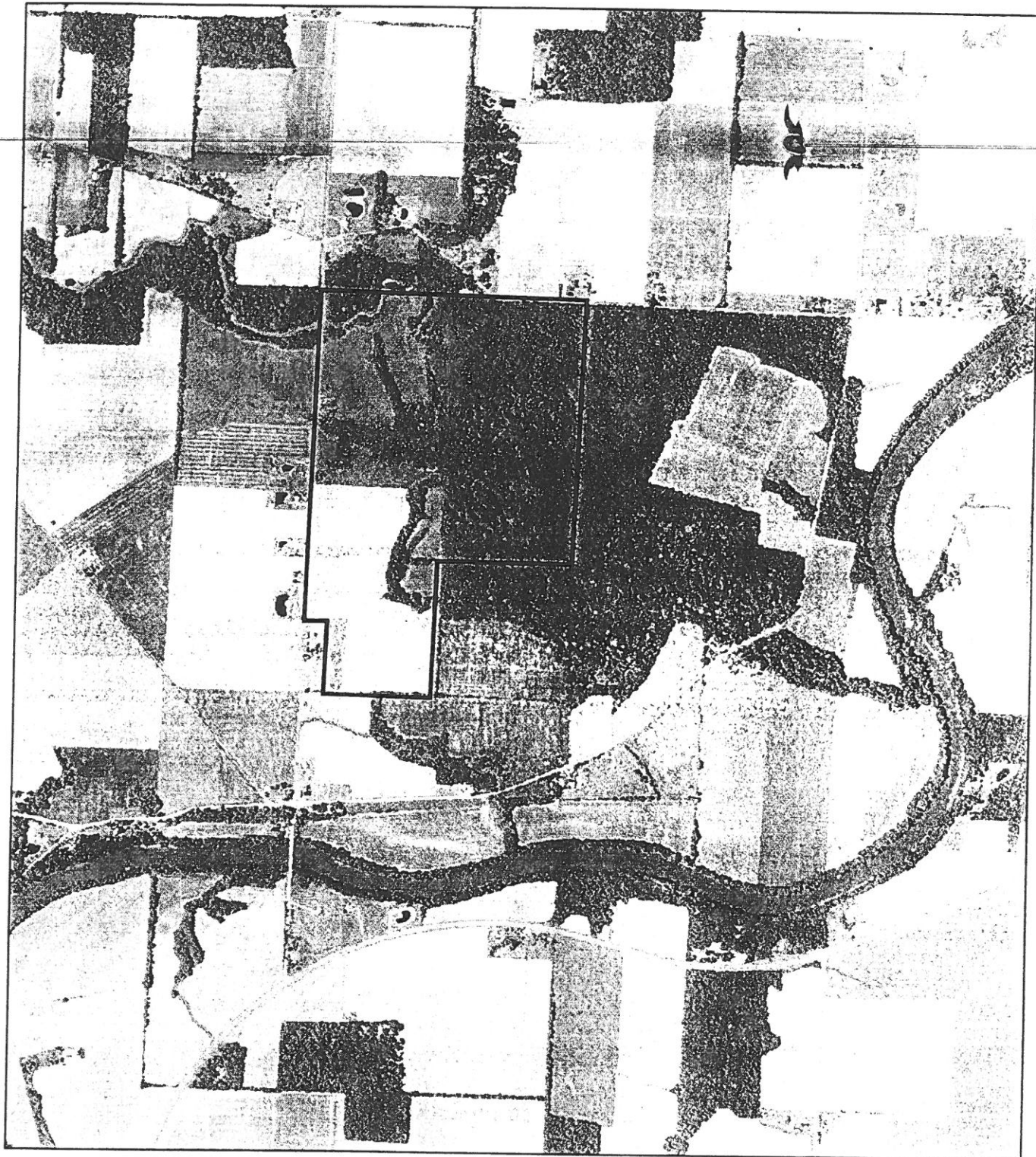



Mapped by: Melissa Moser  
ODNR DNAP  
June 2007

1,000 500 0 1,000 Feet



# FORREST WOODS NATURE PRESERVE



 Forrest Woods Nature Preserve

1,000 500 0 1,000 Feet



Mapped by: Melissa Moser  
ODNR DNAP  
June 2007

Aerial photo: naip 2006

## EXHIBIT B

The Forrest tracts were acquired with the following deed conditions. These conditions are recorded in Volume 512, Pages 808-809 in the Official Records in the Office of the County Recorder, Paulding County, Ohio for the 33.388 acre tract and in Volume 495, Pages 162-167 in the Official Records in the Office of the County Recorder, Paulding County, Ohio for the two, forty acres tracts.

**GRANTOR'S CONDITIONS:** This transfer is subject to and shall have benefit of the following reservations and agreements:

1. It is hereby agreed by the Grantee herein that by acceptance of this deed, that they and all their successors, transferors, and assigns agree to name these premises "Forrest Woods" or "Forrest Woods Nature Preserve", and that this name shall appear as part of publicity, signage, and literature used referring to these premises. Other additional words of description may be used in conjunction with this name, and this name may be changed by permission of the Grantor, her heirs, or assigns.
2. The herein conveyed property shall be dedicated by Grantee as a nature preserve.
3. Grantor hereby retains all rights needed to maintain any existing drainage ways or easements over, under, and across this property needed to drain any other property owned by Grantor or her heirs, assigns, or successors in interest or owned by them in the future. This reservation shall include all purposes of drainage including, but not limited to, surface drainage, underground drainage, tile or ditch drainage, and septic drainage. Grantor agrees that no new septic or sewage outlets may be placed upon these parcels without the written consent of the Grantee.
4. Grantor further retains and reserves to herself, her heirs and assigns the right to hunt wild animals on the herein conveyed property and the right to freely access said property to enjoy these hunting rights. Further, the parties herein agree that in order to protect the rights of access by the general public, the following restrictions shall apply to Grantor's hunting rights:
  - a. No more than six (6) persons shall be allowed to hunt on the herein conveyed property at any one time except that eight (8) persons shall be allowed during the deer gun season and the deer primitive weapons season;
  - b. The days of each calendar year that Grantor may exercise her hunting rights shall be limited to:
    - i. The first seven (7) days of deer gun season;
    - ii. The first four (4) days of deer primitive weapons season;
    - iii. Fourteen (14) consecutive days from November 1 through November 14 during deer archery season;
    - iv. Ten (10) days of spring turkey season to be scheduled by agreement;
    - v. An additional twenty-one (21) days for hunting or trapping game and wild animals as pursuant to the Ohio Hunting and Trapping Regulations. Grantor shall give adequate prior written notice of proposed hunting days to the Grantee. In order to promote the safety of all visitors, these additional 21 days shall be scheduled by agreement between the Grantor and Grantee.
    - vi. The parties herein agree that no hunting of any kind shall be allowed on the scheduled day of the Annual Christmas Bird Count. It is further agreed that

activities on these parcels scheduled by the Grantee and allowing public access with said scheduled date already having been disseminated to the public shall be accorded a priority in the scheduling process required in paragraph (5) above.

- vii. These above restrictions on Grantor's hunting rights may be changed or modified at any time by written agreement of the Grantor and the Grantee or their successors in title.

Grantee may allow additional hunting by other persons at their discretion as long as (1) the rights of the Grantor, her heirs and assigns are not unreasonably infringed, and (2) said additional hunting is necessary to control or limit the wildlife population on this property, said necessity to be determined by the Grantee or its assigns or agents.

Grantor further agrees that this reservation of hunting rights shall expire on the death of the last surviving grandchild of Clair March Forrest and Martha Ann Forrest, husband and wife and the Grantor herein, and the ownership of said hunting rights shall at that time pass to the Grantee, its heirs and assigns.



# Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

## Division of Natural Areas & Preserves

*Steven D. Maurer, Chief*

2045 Morse Road, F-1

Columbus, OH 43229-6693

Phone: (614) 265-6453 Fax: (614) 267-3096



February 27, 2008

Mr. Kevin Joyce, Executive Director  
Black Swamp Conservancy  
132 W. Second Street, Suite C  
Perrysburg, OH 43551-7632

Dear Kevin:

Enclosed please find your "original" Articles of Dedication for your files. I had the county place the recording information on the document for your reference. I am happy to have this project done.

I will send a copy to Clean Ohio for their records.

Thank you for your assistance with this project and we look forward to dedicating additional acreage as it is acquired.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy".

Nancy Strayer, Assistant Chief  
Division of Natural Areas and Preserves



# Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

## Division of Natural Areas & Preserves

*Steven D. Maurer, Chief*

2045 Morse Road, F-1

Columbus, OH 43229-6693

Phone: (614) 265-6693 Fax: (614) 267-3096

February 27, 2008

The Ohio Public Works Commission  
Attn: Ms. Donna Kirkbride  
65 East State Street Suite 312  
Columbus, OH 43215

Dear Donna:

Enclosed please find a copy of the recorded Articles of Dedication for the Forrest Woods property in Paulding County. The document has been recorded and the project is now complete. The additional deed restrictions as per the terms of the articles are on the property in perpetuity.

This property was acquired by the Black Swamp Conservancy.

Thank you for your understanding as we dealt with questions about this project.

Sincerely,

A handwritten signature in black ink that reads "Nancy".

Nancy Strayer, Assistant Chief  
Division of Natural Areas and Preserves

cc: Black Swamp Conservancy

