

**VILLAGE OF YELLOW SPRINGS  
RESOLUTION #2007-38**

**WHEREAS**, the Village of Yellow Springs received an application for final plat approval from Clauser, Alexander Development for the development of a residential planned unit development known as The Stancliff Neighborhood (“Planned Development”); and

**WHEREAS**, the Village Planning Commission held a public hearing and reviewed the preliminary and final plats for the Subdivision with consultation from a Consulting Engineer, and Village Solicitor; and

**WHEREAS**, based on public input and technical review, the Village Planning Commission made a recommendation, subject to conditions, to approve the final plat (the “Plat”) for the Planned Development; and

**WHEREAS**, the Village of Yellow Springs adopted Ordinance 2006-15, dated July 17, 2006 that conferred final approval for The Stancliff Neighborhood; and

**WHEREAS**, Clauser Alexander Development endeavored to complete the necessary improvements by installing streets, drainage, water, sewer and electrical infrastructure on the site as outlined in conditions of approval; and

**WHEREAS**, the Codified Ordinances of Yellow Springs Section 1226.09(b) allows two years from the date of final approval of Council for the plat to complete public improvements on site; and

**WHEREAS**, the Village’s Engineering Consultant has inspected the public improvements on site and has found them to be sufficient to meet the standards and specifications as outlined in the conditions of approval; and,

**WHEREAS**, Clauser Alexander Development retains financial sureties that are in excess of those that are required by the Village code, given the sufficiency of the improvements

**NOW THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY RESOLVES THAT:**

**Section 1.** The Village hereby accepts the public improvements made to The Stancliff Neighborhood by Clauser Alexander Development, and

**Section 2.** The Village Manager is authorized to release financial sureties for completing the improvements to Clauser Alexander Development and to begin any applicable maintenance period as stated in the conditions of approval and Village code, and

**Section 3.** Upon successful completion of the maintenance period, as applicable, the Village Manager is authorized to release any remaining financial sureties on The Stancliff Neighborhood to Clause Alexander Development and/or successors or assignees, and,

**Section 4.** Council hereby authorizes the Village Manager the right to foreclose on the sureties retained as specified in if said performance is found lacking during any applicable maintenance period

\_\_\_\_\_  
President of Council

Passed:

Attest: \_\_\_\_\_  
Deborah Benning, Clerk of Council

**ROLL CALL:**

Judith Hempfling \_\_\_\_\_                      Karen Wintrow \_\_\_\_\_                      Kathryn Van der Heiden \_\_\_\_\_  
Lori Askeland \_\_\_\_\_                      John Booth \_\_\_\_\_