

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2021-20**

**ACCEPTING THE ANNEXATION OF 33.816 ACRES OF PROPERTY LOCATED
NORTH OF EAST HYDE ROAD AND WEST OF SPILLAN ROAD FROM MIAMI
TOWNSHIP, GREENE COUNTY, TO THE VILLAGE OF YELLOW SPRINGS, OHIO**

Whereas, the Village of Yellow Springs and Miami Township previously negotiated an Annexation Agreement pursuant to Ohio Revised Code Section 709.192 for an area anticipated to be annexed as an expedited Type 1 petition with consent from all property owners as approved by Village of Yellow Springs Resolution No. 2020-37 and Miami Township Resolution No. 2020-38, as approved by both the Village and Township on September 21, 2020; and

Whereas, the petition for annexation of approximately 33.816 acres, more or less, from Miami Township, Greene County, Ohio to the Village of Yellow Springs, Ohio was filed on April 23, 2021 by Oberer Land Developers Ltd., Frank A. Doden and Lori J. Askeland; and

Whereas, the Greene County Board of County Commissioners approved the annexation of the proposed territory to the Village of Yellow Springs by Resolution No. 21-4-29-7 on April 29, 2021; and

Whereas, the Clerk of the Board of Commissioners certified a transcript of the proceedings to the Clerk of Council, who received the transcript April 30, 2021; and

Whereas, a certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition and papers relating to proceedings before the Greene County Commissioners, are on file with the Clerk of Council, and have been for more than sixty (60) days as required by Ohio Revised Code Section 709.04;

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

Section 1. Council, having reviewed the Petition and the transcript of proceedings, accepts the proposed annexation pursuant to R.C. 709.04 and the territory is hereby deemed annexed to the Village of Yellow Springs, subject to the statement of services contained within Resolution 2020-37 and the terms and conditions of the Annexation Agreement with Miami Township. The territory to be annexed is more particularly described in Exhibit A, incorporated.

Section 2. Pursuant to Section 1242.04 of the Village Codified Ordinances, the annexed territory is automatically zoned within the “R-A” Low-Density Residential District as defined by Section 1248.01(A) of the Village Codified Ordinances but may be subsequently rezoned in accordance with Chapter 1280 of the Village Codified Ordinances.

Section 3. The Clerk of Council is authorized and directed to make five certified copies of this Resolution, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners of Greene County, Ohio, and deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the County Engineer, and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective, and take any other steps required by law.

Section 4. This Ordinance shall take effect on the 30th day following adoption.

Brian Housh, Council President

Passed: 7-19-2021

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh __Y__ Marianne MacQueen __Y__ Kevin Stokes __Y__
Lisa Kreeger __Y__ Laura Curliss __Y__

