

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2016-22**

**APPROVING THE RIGHT OF WAY VACATION REQUEST TO VACATE ONE
ALLEY OFF OF WEST LIMESTONE STREET.**

Whereas, the Village has received a petition from Carl P. Champney and Charlene L. Prestopino to vacate the right of way of an alley along West Limestone Street; and

Whereas, the Planning Commission of the Village of Yellow Springs conducted a public hearing on said petition on September 12, 2016 in accordance with the Village of Yellow Springs Codified Ordinances Section 1224.02; and

Whereas, the Planning Commission and Village Staff have recommended approval of the petition to vacate the aforementioned alley segment.

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

Section 1. The Village does hereby vacate any interest it has or may have had in the subject right of way, except that the Village retains for its future prospective use an easement for utilities and related purposes, and retains the same for the benefit of public utility companies currently using the easement area for utilities and related purposes.

Section 2. The petition to vacate right of way of an unused portion of an alley along West Limestone Street is approved.

Section 3. The easement for electrical and utilities and related purposes along West Limestone Street is hereby approved; the vacated area and easement area are set forth in Exhibit "A" which is attached hereto and incorporated herein.

Section 4. The Clerk of Council shall cause this vacation and easement to be officially recorded at the Greene County Recorder's Office thirty days after adoption of this Ordinance. The Village Manager is authorized to execute any documents to effect the vacation of the alley and easement as described above.

Section 5. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: 10-17-2016

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow __Y__

Brian Housh __Y__

Gerald Simms __Y__

Marianne MacQueen __Y__ Judith Hempfling _Y__

