

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2025-17**

**ACCEPTING ANNEXATION FROM MIAMI TOWNSHIP TO THE VILLAGE OF
YELLOW SPRINGS OF 28.324 ACRES OF PROPERTY LOCATED EAST OF EAST
ENON ROAD AND NORTH OF DAYTON STREET**

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 Number 2025-25 and as approved by both the Village and Township and certified as such by the Village Solicitor on June 18, 2025; and

Whereas, the Type 1 petition for annexation of approximately 28.324 acres from Miami Township, Greene County, Ohio to the Village of Yellow Springs, Ohio was filed on June 24, 2025 by the petitioner/owner, CF Holdings, LLC, with Jonathan M. Bills, President of CAP5 Development, LLC named as agent for the petitioner; and

Whereas, the Greene County Board of County Commissioners approved the annexation of the proposed territory to the Village of Yellow Springs by Resolution Number 25-7-3-7 on July 3, 2025; and

Whereas, the Clerk of the Board of Commissioners certified a transcript of the proceedings to the Clerk of Council, who received the transcript July 11, 2025; 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 Annexation Agreement with Miami Township. The transcript of annexation proceedings and all relevant documents are attached hereto as Exhibit A.

Section 2. Pursuant to Section 1242.04 of the Village Codified Ordinances, the annexed territory is automatically zoned within the “R-C” High-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 Ordinance, inclusive of attachments, 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.

Kevin Stokes, Council President

Passed: 10-6-2025

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Kevin Stokes __Y__ Gavin DeVore Leonard __Y__ Brian Housh __Y__
Carmen Brown __Y__ Trish Gustafson __Y__

