

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2025-29**

**APPROVING A RIGHT OF WAY VACATION REQUEST TO VACATE ONE ALLEY OFF OF
WEST WHITEMAN STREET AND PHILLIPS STREET**

Whereas, the Village has received a petition from Jon Hudson to vacate the right of way of an alley along the west portion of his West Whiteman Street property; and

Whereas, there are three property owners adjoining the alley in question and all authorized submittal of the application to Planning Commission by means of a petition; and

Whereas, Planning Commission for the Village of Yellow Springs conducted a public hearing on said petition on November 11, 2025 in accordance with the Village of Yellow Springs Codified Ordinances Section 1224.02; and

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


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

Section 1. Village Council shall hold first reading of this Ordinance on December 1, 2025. Following first reading, Village Council directs the Clerk of Council to advertise this Ordinance and a public hearing regarding same at least ten days prior to second reading and public hearing which is scheduled for December 15, 2025. Village Council also directs the Clerk to send written notification of this Ordinance to all abutting property owners prior to second reading.

Section 2. The Village does hereby vacate any interest it has or may have had in the subject right of way as set forth in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein.

Section 3. The Clerk of Council shall cause this vacation 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 as described above.

Section 4. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Signed:  _____
Kevin Stokes, President of Council

Passed: 12-15-2025

Attest: _____
Judy Kintner, Clerk of Council

Roll Call: Stokes __Y__ DeVore Leonard __Y__ Housh __Y__
 Brown __Y__ Gustafson __Y__



213 N. High St. Hillsboro, Oh 45133 937.393.9971 McCartyAssociates.com
Michael L. McCarty, P.E., P.S. Thomas E. Purtell, P.S. Douglas L. Karnes, A.I.A.
Cody W. Beucler, P.E. Jason C. McConnaughey, P.S. Dallas M. Puckett, A.I.A.

File No. S25-280
November 26, 2025

LEGAL DESCRIPTION

Alley Vacation
0.020 Acre Tract

Situated in the Village of Yellow Springs, County of Greene, State of Ohio, being a part of Section 20, Town 4, Range 8 and being further bounded and described as follows:

Beginning 1" pipe (found) at the intersection of the southerly line of Whiteman Street and the westerly line of an existing alley marking the northeasterly corner of Lot No. 182 of The Original Plat of Yellow Springs (Plat Cabinet 31, Pages 247A and 247B);

thence with the southerly line of S 86°05'36" E, a distance of 5.64 feet to the northwesterly corner of Lot No. 189 of The Original Plat of Yellow Springs;

thence with the westerly line of Lot No. 189 S 09°32'18" W passing the westerly corners of Lot Nos. 188, 187, a distance of 157.82 feet to the centerline of a portion of a vacated alley (Ordinance No. 90-07, O.R. 547, Page 183)

thence with the centerline of the aforesaid vacated alley N 86°05'36" W, a distance of 5.64 feet to a 1" pipe (found);

thence N 09°32'18" E passing the southeasterly corner to and continuing with the easterly line of Lot No. 182 of The Original Plat of Yellow Springs, a total distance of 157.82 feet to the point of beginning, **containing 0.020 acre of land.**

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 197°56'38.7") between National Geodetic Survey CORS Station "OHCL" and McCarty Associates Geodetic Local Control Monument "2001" and derived from GNSS

Exhibit A to Resolution 2025-29

observations taken September 16, 2025, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed September 2025, under the direction of Jason C. McConnaughey, Registered Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S25-280 on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".





Jason C. McConnaughey, P.S. 8509

Exhibit B to Ordinance 2025-29

