

**VILLAGE OF YELLOW SPRINGS, OHIO
RESOLUTION 2016-44**

ADOPTING A STATEMENT INDICATING THE SERVICES THE VILLAGE OF YELLOW SPRINGS, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE VILLAGE OF YELLOW SPRINGS, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF GREENE COUNTY, OHIO FILED BY THE PETITIONER, ANTIOCH COLLEGE CORPORATION, FOR THE ANNEXATION OF 422.106 ACRES OF LAND MORE OR LESS IN MIAMI TOWNSHIP, GREENE COUNTY, OHIO TO THE VILLAGE OF YELLOW SPRINGS, OHIO AS PROVIDED BY OHIO REVISED CODE SECTION 709.023(C).

WHEREAS, Antioch College Corporation ("Petitioner"), has filed with the Board of Commissioners of Greene County, Ohio, a petition to annex to the Village of Yellow Springs, Ohio, 422.106 acres of land, more or less, in Miami Township, Greene County, Ohio (the "Territory"); and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that the legislative authority of the Village shall adopt an ordinance or resolution indicating what services the Village will provide to the land to be annexed to the Village upon receiving notice of the petition for annexation; and

WHEREAS, it is the intent of the Village Council to respond accordingly.

NOW, THEREFORE, BE IT RESOLVED, by Council for the Village of Yellow Springs, Greene County, Ohio that:

SECTION I.

The Village of Yellow Springs, Ohio hereby states that it will provide immediately, upon final approval and acceptance of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff all shall be available immediately upon annexation; in addition, the facilitation of public utility services which include potable water, sanitary, and storm sewerage, solid waste collection and disposal, electricity, and street lighting, and any and all other services provided to or made available to the Citizens of the Village of Yellow Springs, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations and conditions as the Village deems appropriate.

SECTION II.

If the Territory becomes subject to zoning by the Village and the Village permits uses in the annexed territory that the Village determines are clearly incompatible with the uses permitted under current Township zoning regulations in the adjacent land remaining within the township from which the Territory was annexed, Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

