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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 48 -2015
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8 AN ORDINANCE AUTHORIZING THE SALE OF PARCEL 107 IN
9 THE FRONT AND CENTER URBAN RENEWAL PROJECT AREA
10 TO RIVER FALLS PROPERTY III, LLC., FOR DEVELOPMENT IN
11 ACCORDANCE WITH A CONTRACT FOR SALE OF LAND FOR
12 PRIVATE DEVELOPMENT, DETERMINING THAT SUCH REAL
13 PROPERTY WILL NOT BE NEEDED FOR PUBLIC USE, THAT THE
14 PURCHASE PRICE IS SATISFACTORY, AND RELATED FINDINGS,
15 AND DECLARING AN EMERGENCY.
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17 WHEREAS, for purposes of carrying out an Urban Renewal Plan for the Front and
18 Center Urban Renewal Project adopted by the Council of the City of Cuyahoga Falls,
19 Ohio, by Resolution No. 40-1972 adopted on November 16, 1972, and to eliminate
20 conditions of blight existing in the Plan area, the City acquired the real property known
21 as Parcel 107 and described in Exhibit A (the "Property"); and
22

23 WHEREAS, for the purpose of preventing the recurrence of said conditions of blight,
24 to provide for the productive development and reuse of the Property, to allow
25 construction of a hotel in the downtown and for the purpose of creation of jobs and
26 employment opportunities and improving the economic welfare of the people, the City
27 has determined to sell the Property for hotel and hospitality uses; and
28

29 WHEREAS, the Mayor and Director of Community Development of the City have
30 recommended and approved the disposition of the Property by private negotiation as
31 being the best means of accomplishing title conveyance and construction of
32 improvements in order to carry out the aforesaid purposes; and
33

34 WHEREAS, River Falls Property III, LLC (the "Developer"), has made an offer to the
35 City for the purchase and development of the Property.
36

37 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
38 County of Summit, Ohio, that:
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40 Section 1. This Council hereby finds and determines that the Property will not be
41 needed for public use by the City and that continued City ownership thereof will not be
42 necessary to carry out the purpose of eliminating conditions of blight and, further, that
43 the sale thereof is necessary to the carrying out of the public purpose of preventing the
44 recurrence of the conditions of blight, to provide for the productive development and
45 reuse of the Property, to provide a new hotel in the downtown area and for the purpose
46 of creation of jobs and employment opportunities and improving the economic welfare of
47 the people.
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49 Section 2. This Council hereby authorizes the disposition of the Property by
50 negotiation; approves the sale of the Property to the Developer upon the terms and
51 conditions contained in the "Contract for Sale of Land for Private Development" (the
52 "Contract"), including the provision by the City to provide financial assistance up to
53 \$100,000 for the construction of the public right-of-way improvements provided for
54 therein for the safe and efficient flow of pedestrian and vehicular traffic adjacent to the
55 development area and to provide adequate parking for the proposed development,
56 notwithstanding the provisions, if any, of any other ordinance, a copy of which Contract
57 is on file in the office of the Clerk of Council and marked with the same number as this

58 ordinance, which Contract this Council hereby finds and determines to be satisfactory.
59 The Mayor and Director of Community Development are hereby authorized and directed
60 to execute said Contract on behalf of the City in substantially the form on file with the
61 Clerk, together with such revisions or additions thereto as are approved by the Mayor,
62 Director of Community Development and Director of Law, and are consistent with the
63 objectives and requirements provided in this ordinance. The Mayor is authorized to
64 execute and deliver such deed or deeds and purchase and accept delivery of such
65 easements as are necessary to carry out such Contract, and the Mayor and Director of
66 Community Development, Director of Finance, Director of Law, and other City officials,
67 as appropriate, are authorized to provide such information and to execute, certify or
68 furnish such other documents, and do all other things, as are necessary for and
69 incidental to carrying out said sale of the Property pursuant to the Contract.
70

71 Section 3. This Council hereby finds and determines the sale of the Property for the
72 purchase price provided in the Contract is satisfactory and hereby determines that the
73 development of the Property as a hotel and hospitality use provided for in the Contract
74 will result in the achievement of important City objectives for eliminating conditions of
75 blight, to provide for the productive development and reuse of the Property, and for the
76 creation of jobs and employment opportunities and improving the economic welfare of
77 the people, all of which represent substantial additional valuable considerations to the
78 City. This Council hereby also finds that, subject to the conditions of the Contract with
79 respect thereto being met, the Developer possesses the qualifications and financial
80 resources necessary to acquire and develop the real property in accordance with the
81 Contract.
82

83 Section 4. It is found and determined that all formal actions of this Council
84 concerning and relating to the passage of this ordinance were taken in an open meeting
85 of this Council and that all deliberations of this Council and of any of its committees
86 that resulted in those formal actions were in meetings open to the public, in compliance
87 with the law.
88

89 Section 5. This ordinance is hereby declared to be an emergency measure necessary
90 for the immediate preservation for the public peace, health and safety of the inhabitants
91 of this City, and for the further reason that it is necessary to carry out the sale of the
92 Property as soon as possible so that it can be developed in order to prevent the
93 recurrence of conditions of blight in the Urban Renewal Plan area, and to create jobs
94 and employment opportunities, wherefore, this ordinance shall be in full force and effect
95 immediately upon its passage and approval by the Mayor.
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97
98 Passed: 7/13/2015
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Mary Ellen Pyke
President of Council

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David Quinn
Clerk of Council

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106 Approved: 7-14-15
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[Signature]
Mayor

108 6/22/15
109 O:\2015 ords\Parcel 107 Development Agreement.doc

EXHIBIT A

DESCRIPTION OF THE PROPERTY

Urban Renewal Parcel 107 in the Front and Center Urban Renewal Plat as recorded in Plat Book 125, Page 66 in the Summit County records.