

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 6 - 2016

6
7 AN ORDINANCE AUTHORIZING THE CITY OF CUYAHOGA
8 FALLS TO TRANSFER REAL PROPERTY KNOWN AS THE FALLS
9 THEATER TO THE COMMUNITY IMPROVEMENT CORPORATION
10 OF CUYAHOGA FALLS TO FACILITATE THE REDEVELOPMENT
11 OF THE PROPERTY, AND DECLARING AN EMERGENCY.

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13 WHEREAS, certain real property owned by the City of Cuyahoga Falls is no longer needed
14 for public purpose; and

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16 WHEREAS, pursuant to Chapter 1724 of the Ohio Revised Code, and as authorized by
17 Resolution No. 40-1970, the Community Improvement Corporation of Cuyahoga Falls, Ohio (CIC)
18 was duly designated by the City of Cuyahoga Falls, Ohio as the City's agency for industrial,
19 commercial, distribution, and research development in the City of Cuyahoga Falls; and

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21 WHEREAS, one of the many goals of the CIC is to strive for assisting the economic growth
22 in the Cuyahoga Falls community; and

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24 WHEREAS, under Ohio Revised Code Chapter 1724, the City of Cuyahoga Falls may
25 designate the CIC as its agent in order to sell, lease, transfer or dispose of property; and

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27 WHEREAS, the City of Cuyahoga Falls had an independent firm conduct an assessment
28 of the overall condition of the theater; and

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30 WHEREAS, the firm concluded that the Falls Theater is a unique structure with many
31 key historic features intact; and

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33 WHEREAS, a substantial rehabilitation is warranted; the building has significant cultural
34 value and is a good candidate for rehabilitation; and

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36 WHEREAS, the Ohio Historic Preservation Office concurs and it is their opinion that the
37 building qualifies for nomination to the National Register of Historic Places; and

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39 WHEREAS, federal and state tax credits are necessary to facilitate the redevelopment of
40 this City icon; and

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42 WHEREAS, the CIC is an eligible applicant for State of Ohio historic tax credits and has
43 agreed to be the conduit to receive the tax credits; and

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45 WHEREAS, the CIC and Developer, identified through the City's RFP process, have forged
46 a partnership to rehabilitate the Falls Theater.

47
48 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
49 County of Summit and State of Ohio, that:

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51 Section 1. That the real property described in Exhibit A, attached hereto and made a
52 part of this Ordinance, is hereby determined to be not required by the City of Cuyahoga Falls for
53 its purposes.

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55 Section 2. That the use of the above described parcel for redevelopment will assist in
56 promoting the general welfare of the people of Cuyahoga Falls, Ohio by providing employment and
57 commercial development.

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59 Section 3. That the Mayor, Director of Community Development, Director of Law, and
60 other City officials, as appropriate, be and are hereby authorized to execute, certify and/or
61 furnish other such documents and do all other actions as are necessary to transfer the property

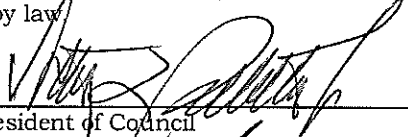
1 to the Community Improvement Corporation of Cuyahoga Falls for purposes set forth in this
2 ordinance.

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4 Section 4. Any other ordinances and resolutions or portions of ordinances and
5 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or
6 portions of ordinances and resolutions not inconsistent herewith and which have not previously
7 been repealed are hereby ratified and confirmed.

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9 Section 5. It is found and determined that all formal actions of this Council concerning
10 and relating to the adoption of this ordinance were adopted in an open meeting of this Council
11 and that all deliberations of this Council and of any of its committees that resulted in such formal
12 action were in meetings open to the public, in compliance with all legal requirements including
13 Chapter 107 of the Codified Ordinances.

14
15 Section 6. This ordinance is hereby declared to be an emergency measure necessary for
16 the preservation of the public peace, health, safety, convenience and welfare of the City of
17 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary to
18 permit timely and appropriate development of this property, and provided it receives the
19 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect
20 and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take
21 effect and be in force at the earliest period allowed by law.

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24 Passed: 1-25-16



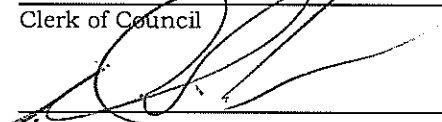
President of Council

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Clerk of Council

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31 Approved: 1-26-2016



Mayor

EXHIBIT A

Legal Description of Parcel Number 02-19577

Situated in the State of Ohio, County of Summit and City of Cuyahoga Falls, and being a part of the Front and Center Urban Renewal Area as shown on the Disposition Map as recorded in Vol. 105, Pages 59-60-61 of the Summit County Record of Plats, and further described as follows:

Beginning at a point where the Northerly line of Portage Trail (66 feet in width) and the Westerly line of Front Street (66 feet in width) intersect; thence N. 5° 20' 23" E., along the Westerly line of said Front Street a distance of 131.00 feet to a point, said point being the true place of beginning; thence N 84° 42' 06" W, a distance of 128.0 feet to a point; thence S 5° 20' 23" W a distance of 3 feet to a point; thence N 84° 42' 06" W, a distance of 31.0 feet to a point; thence N 5° 20' 23" E, a distance of 9.0 feet to a point; thence N 84° 42' 06" W a distance of 28.0 feet to a point; thence N 5° 20' 23" E a distance of 61.0 feet to a point; thence S 84° 42' 06" E a distance of 187.0 feet, said point being on the Westerly line of said Front Street; thence S 5° 20' 23" W along said Westerly line a distance of 67.0 feet to the true place of beginning and containing 11,977.0 square feet or 0.275 acres more or less.