

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 55 - 2024

AN ORDINANCE AUTHORIZING THE MAYOR TO EXCHANGE LAND WITH THE CUYAHOGA FALLS CITY SCHOOL DISTRICT IN CONNECTION WITH THE NEW SCHOOL CAMPUS AT 13TH STREET AND PORTAGE TRAIL AND ACCOMPANYING RIGHT-OF-WAY, AND DECLARING AN EMERGENCY.

WHEREAS, the Cuyahoga Falls City School District ("CFCSD") is constructing a new school campus to accommodate grades 6 through 12 at 13th Street and Portage Trail;

WHEREAS, the City will transfer a portion of property, attached hereto as Exhibit A, to CFCSD for the purpose of constructing a driveway and sidewalk, and installing a stop sign for the new school campus; and

WHEREAS, as an additional part of this construction project, CFCSD has installed a new right turn lane on Portage Trail to allow ingress into its new school campus from the east and not impede traffic; and

WHEREAS, CFCSD now intends to transfer this portion of property, attached hereto as Exhibit B, to the City for dedication as City right-of-way along Portage Trail so that the City can maintain this area as a public road; and

WHEREAS, the property that the City seeks to transfer to CFCSD is no longer needed for any municipal purpose; and

WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII, Sections 3 and 7 of the Ohio Constitution, authorize this Council to make exception to the competitive bidding procedures set forth in the Revised Code.

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

Section 1. The Mayor is authorized to exchange land with the Cuyahoga Falls City School District in connection with the new school campus at 13th Street and Portage Trail and accompanying right-of-way as set forth in Exhibits A and B attached to this ordinance.



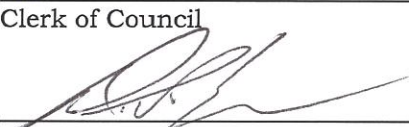
Section 2. The Mayor, Director of Law and any other necessary City official are hereby authorized to prepare and execute documents, together with such revisions, additions, or amendments as are approved by the Director of Law as being consistent with the objectives and requirements of this ordinance.

Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

56 Section 4. It is found and determined that all formal actions of this Council
57 concerning and relating to the adoption of this ordinance were adopted in an open
58 meeting of this Council and that all deliberations of this Council and of any of its
59 committees that resulted in such formal action were in meetings open to the public, in
60 compliance with all legal requirements, to the extent applicable, including Chapter 107
61 of the Codified Ordinances.

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63 Section 5. This ordinance is hereby declared to be an emergency measure necessary
64 for the preservation of the public peace, health, safety, convenience and welfare of the
65 City of Cuyahoga Falls and the inhabitants thereof, and provided it received the
66 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
67 effect and be in force immediately upon its passage and approval by the Mayor; otherwise
68 it shall take effect and be in force at the earliest period allowed by law.

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71 Passed: 7-22-2024
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79 Approved: 7-22-2024
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81 7/8/24


President of Council

Clerk of Council

Mayor



Project No. 24-030
April 2, 2024

LEGAL DESCRIPTION
PARCEL "A"
Portage Trail
Cuyahoga Falls, Ohio

Situated in the City of Cuyahoga Falls, County of Summit, State of Ohio, being part of Township 3 N, Range 11 W of the Connecticut Western Reserve Survey, and being part of Original Lot No. 18 of Original Northampton Township, and being part of a parcel of land known as Summit County Auditor's Parcel No. 02-20691 now or formerly owned by the City of Cuyahoga Falls as recorded in Document No. 56441724 of Summit County Deed Records and being more completely described as follows:

Commencing at a railroad spike in monument box found at the intersection Portage Trail, formerly known as Northampton Avenue (80 feet wide) and 13th Street, formerly known as Cleveland Boulevard (50 feet wide); thence North 51° 37' 17" West along the centerline of Portage Trail, 194.55 feet to the southerly line of said Original Lot No. 18; thence North 51° 57' 18" West along the centerline of Portage Trail, 194.81 feet to a point; thence North 38° 02' 42" East, 40.00 feet to an iron pin set on the northerly right-of-way of Portage Trail; Thence North 51° 57' 18" West along the northerly right-of-way of Portage Trail, 610.72 feet to a 5/8-inch rebar with ID cap "H&A" found at the southwest corner of a parcel of land known as Summit County Auditor's Parcel No. 02-20692 now or formerly owned by the Cuyahoga Falls City School District of Cuyahoga Falls, Ohio as recorded in Document No. 56441725 of Summit County Deed Records, and being the **PLACE OF BEGINNING** for the parcel herein described;

Course No. 1: thence **North 51° 57' 18" West**, along the northerly right-of-way of Portage Trail, **23.19 feet**, to an iron pin set;

Course No. 2: thence **North 38° 02' 42" East**, along a new right-of-way line, **12.00 feet**, to an iron pin set;

Course No. 3: thence **South 51° 57' 18" East**, along a new right-of-way line, **23.18 feet**, to an iron pin set on a westerly line of said Cuyahoga Falls City School District parcel;

Course No. 4: thence **South 37° 59' 51" West**, along the westerly line of said Cuyahoga Falls City School District parcel, **12.00 feet**, to the **PLACE OF BEGINNING**, containing **0.0064 acres**, 278 square feet, more or less, but subject to all highways, covenants, and easements of legal record as surveyed in April 2024 by Matthew A. Hildebrandt, Registered Professional Land Surveyor No. 8817 on behalf of **McSteen Land Surveyors** under Project No. 24-030.



Project No. 24-030
April 2, 2024

LEGAL DESCRIPTION
PARCEL "A"
Portage Trail
Cuyahoga Falls, Ohio

Bearings are based on centerline of Portage Trail, observed as North 51° 57' 18" West, between monuments found, per the Ohio State Plane Coordinates System, North Zone(3401), NAD83 (2011), 2010.0 Epoch, as derived from GNSS Observations via the ODOT CORS/VRS Real Time Network. Distances are given in U.S. Survey feet and decimal parts thereof. All iron pins shown as set are 30" long 5/8" rebar with an identification cap stamped "McSTEEN CA 02236".

A handwritten signature in black ink, appearing to read "Matthew A. Hildebrandt", written over a horizontal line.

Matthew A. Hildebrandt
Registered Professional Land Surveyor No. 8817





Project No. 24-030
April 2, 2024

**LEGAL DESCRIPTION
PARCEL "B"
Portage Trail
Cuyahoga Falls, Ohio**

Situated in the City of Cuyahoga Falls, County of Summit, State of Ohio, being part of Township 3 N, Range 11 W of the Connecticut Western Reserve Survey, and being part of Original Lot No. 18 of Original Northampton Township, and being part of a parcel of land known as Summit County Auditor's Parcel No. 02-20692 now or formerly owned by the Cuyahoga Falls City School District of Cuyahoga Falls, Ohio as recorded in Document No. 56441725 of Summit County Deed Records and being more completely described as follows:

Commencing at a railroad spike in monument box found at the intersection Portage Trail, formerly known as Northampton Avenue (80 feet wide) and 13th Street, formerly known as Cleveland Boulevard (50 feet wide); thence North 51° 37' 17" West along the centerline of Portage Trail, 194.55 feet to the south line of said Original Lot No. 18; thence North 51° 57' 18" West along the centerline of Portage Trail, 194.81 feet to a point; thence North 38° 02' 42" East, 40.00 feet to an iron pin set on the northern right-of-way of Portage Trail, and being the **PLACE OF BEGINNING** for the parcel herein described;

Course No. 1: thence **North 51° 57' 18" West**, along the northerly right-of-way of Portage Trail, **610.72 feet**, to a 5/8-inch rebar with ID cap "H&A" found at the southeast corner of a parcel of land known as Summit County Auditor's Parcel No. 02-20691 now or formerly owned by the City of Cuyahoga Falls as recorded in Document No. 56441724 of Summit County Deed Records;

Course No. 2: thence **North 37° 59' 51" East**, along the easterly line of said City of Cuyahoga Falls parcel, **12.00 feet**, to an iron pin set;

Course No. 3: thence **South 51° 57' 18" East**, along a new right-of-way line, **610.73 feet**, to an iron pin set;

Course No. 4: thence **South 38° 02' 42" West**, along a new right-of-way line, **12.00 feet**, to the **PLACE OF BEGINNING**, containing **0.1682 acres**, 7329 square feet, more or less, but subject to all highways, covenants, and easements of legal record as surveyed in April 2024 by Matthew A. Hildebrandt, Registered Professional Land Surveyor No. 8817 on behalf of **McSteen Land Surveyors** under Project No. 24-030.



Project No. 24-030
April 2, 2024

**LEGAL DESCRIPTION
PARCEL "B"
Portage Trail
Cuyahoga Falls, Ohio**

Bearings are based on centerline of Portage Trail, observed as North 51° 57' 18" West, between monuments found, per the Ohio State Plane Coordinates System, North Zone(3401), NAD83 (2011), 2010.0 Epoch, as derived from GNSS Observations via the ODOT CORS/VRS Real Time Network. Distances are given in U.S. Survey feet and decimal parts thereof. All iron pins shown as set are 30" long 5/8" rebar with an identification cap stamped "McSTEEN CA 02236".

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Matthew A. Hildebrandt
Registered Professional Land Surveyor No. 8817

