

NEW LEGISLATION

July 14, 2025

Temp. No.	Introduced	Committee	Description
B-52	7/14/25	Fin	An ordinance authorizing the Mayor to apply for, accept, and enter into a cooperative agreement with the Ohio Development Water Authority for the replacement of the 4" water mains in Brookpark Drive, from Northampton Road to Eleanorora Drive, Eleanorora Drive, from Brookpark Drive East to Brookpark Drive West, Hoffman Drive, from Eleanorora Drive to Woodbrook Road and Woodbrook Road, from Northampton Road to Hoffman Drive, with an 8" water main, and declaring an emergency.
B-53	7/14/25	Fin	An ordinance authorizing the Mayor to apply for, accept, and enter into a cooperative agreement with the Ohio Water Development Authority for the replacement of the 6" and 8" water mains on Oakwood Drive, from Monroe Avenue to Graham Road, with an 8" water main, and declaring an emergency.
B-54	7/14/25	Fin	An ordinance authorizing the Mayor to apply for, accept, and enter into a cooperative agreement with the Ohio Water Development Authority for the improvements to the Bailey Road and State Road booster pump stations, and declaring an emergency.
B-55	7/14/25	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with IM Company, LLC., for emergency repairs needed to the first-floor restroom of the downtown

pavilion, and declaring an emergency.

B-56	7/14/25	Fin	An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$1,310,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of acquiring, constructing, reconstructing, improving, equipping and installing 3,400 lineal feet of sanitary sewer lines, 3,550 feet of water main lines and 8,000 lineal feet of electrical conduit wiring, related storm sewer lines and retention, erosion control and landscaping along Princeton Place Boulevard, Nottingham Trail, Bainbridge Trail and Kensington Court, together with all related and necessary appurtenances thereto, and declaring an emergency.
B-57	7/14/25	Fin	An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$730,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the construction, reconstruction, widening, improving, grading, draining and resurfacing of Wyoga Lake Road between Steels Corners Road and Seasons Road, together with all related and necessary appurtenances thereto, and declaring an emergency.
B-58	7/14/25	Fin	An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$4,615,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the design and engineering, construction, reconstruction,

widening, improving, grading, draining and resurfacing of, and installation of traffic controls along, and the intersections of, State Road, Seasons Road and Wyoga Lake Road, and a traffic study of those roads and related areas, including but not limited to the extension, opening, improving, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts, providing signage, lighting systems, signalization, and installation of stormwater and flood remediation facilities, together with all related and necessary appurtenances thereto, and declaring an emergency.

B-59	7/14/25	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of the Oak Park water tank, located within Oak Park near the intersection of Jefferson Avenue and Thirteenth Street, and declaring an emergency.
B-60	7/14/25	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of the 6" water main in Cedar Hill Road, West Portage Trail to Cedar Hill Circle, and Cedar Hill Circle, with an 8" water main, and declaring an emergency.
B-61	7/14/25	PI	An ordinance authorizing the Mayor to apply for and accept financial assistance in the form of a grant from the Federal Congestion Mitigation/Air Quality Funds programmed by

the Akron Metropolitan Area Transportation Study for the city wide traffic signal improvement project, and declaring an emergency.

Sub B-42	7/14/25	PI	A resolution of intent to appropriate certain property along Wyoga Lake Road between Seasons Road and E. Steels Corners Road, and declaring an emergency.
B-62	7/14/25	PI	An ordinance authorizing the appropriation of certain interests in real property necessary for the improvement of Wyoga Lake Road between Seasons Road and E. Steels Corners Road, and declaring an emergency.
B-63	7/14/25	CD	An ordinance approving and authorizing the Mayor to execute and submit the annual action plan to the U.S. Department of Housing and Urban Development for program year 2025, and declaring an emergency.

CALENDAR
July 14, 2025

The following legislation will be up for passage at the Council Meeting on July 14, 2025.

Temp. No.	Introduced	Committee	Description
B-38	6/23/25	Fin	An ordinance providing for supplemental appropriations for operational expenditures of the City of Cuyahoga Falls in the General Fund, Civil Service Commission, and declaring an emergency.
B-39	6/23/25	Fin	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Atlantic Emergency Solutions, Inc. for the purchase of Self-Contained Breathing Apparatus (SCBA) equipment for use by the Fire Department, and declaring an emergency.
B-40	6/23/25	Fin	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Breathing Air Systems, Inc. for the purchase of Self-Contained Breathing Apparatus (SCBA) equipment for use by the fire department, and declaring an emergency.
B-41	6/23/25	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of the Air Handling Units on the Municipal Building, located at 2310 2nd Street in the City of Cuyahoga Falls, and declaring an emergency.
B-42	6/23/25	PI	A resolution of intent to appropriate certain property along Wyoga Lake Road between Seasons Road and East Steels

Corners Road, and declaring an emergency.

B-43	6/23/25	PI	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, according to law, for the demolition and replacement of Fire Station 4 and construction of a new training facility and training prop, and declaring an emergency.
B-44	6/23/25	PI	An ordinance authorizing the Director of Public Service to enter into a modification of contract No. 8984 with DLZ Ohio, Inc., and declaring an emergency.
B-45	6/23/25	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with United Survey Inc. for the lining of storm sewers in the City right of way, and declaring an emergency.
B-46	6/23/25	PI	A resolution authorizing the Mayor to apply for Federal Congestion Mitigation/Air Quality Funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the signal improvement of Barney's Busy Corners, and declaring an emergency.
B-47	6/23/25	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 4, 2025, which amendment will revise Article IV, Section 2, "Composition and Term," and

declaring an emergency.

B-48	6/23/25	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 4, 2025, which amendment will revise Article IV, Section 5, "Vacancies and Absences," and declaring an emergency.
B-49	6/23/25	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 4, 2025, which amendment will revise Article II, Section 7, "Vacancy in the Office of the Mayor," and declaring an emergency.
B-50	6/23/25	PA	An ordinance providing amendments to the Charter of the City of Cuyahoga Falls, Ohio, which amendments will remove obsolete language in Article III, Section 5, "Director of Public Service," and declaring an emergency.
B-51	6/23/25	CD	A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community Reinvestment Area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

PENDING LEGISLATION

July 14, 2025

Temp. No.	Introduced	Committee	Description
B-38	6/23/25	Fin	An ordinance providing for supplemental appropriations for operational expenditures of the City of Cuyahoga Falls in the General Fund, Civil Service Commission, and declaring an emergency.
B-39	6/23/25	Fin	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Atlantic Emergency Solutions, Inc. for the purchase of Self-Contained Breathing Apparatus (SCBA) equipment for use by the Fire Department, and declaring an emergency.
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B-42	6/23/25	PI	A resolution of intent to appropriate certain property along Wyoga Lake Road between Seasons Road and East Steels Corners Road, and declaring an emergency.

B-43	6/23/25	PI	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, according to law, for the demolition and replacement of Fire Station 4 and construction of a new training facility and training prop, and declaring an emergency.
B-44	6/23/25	PI	An ordinance authorizing the Director of Public Service to enter into a modification of contract No. 8984 with DLZ Ohio, Inc., and declaring an emergency.
B-45	6/23/25	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with United Survey Inc. for the lining of storm sewers in the City right of way, and declaring an emergency.
B-46	6/23/25	PI	A resolution authorizing the Mayor to apply for Federal Congestion Mitigation/Air Quality Funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the signal improvement of Barney's Busy Corners, and declaring an emergency.
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B-48	6/23/25	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 4, 2025, which amendment will revise Article IV, Section 5, "Vacancies and Absences," and declaring an emergency.
B-49	6/23/25	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 4, 2025, which amendment will revise Article II, Section 7, "Vacancy in the Office of the Mayor," and declaring an emergency.
B-50	6/23/25	PA	An ordinance providing amendments to the Charter of the City of Cuyahoga Falls, Ohio, which amendments will remove obsolete language in Article III, Section 5, "Director of Public Service," and declaring an emergency.
B-51	6/23/25	CD	A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community Reinvestment Area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

B-32

5/12/25

CD

An ordinance creating the Reserve at Boulder Estate Tax Increment Financing Incentive District; declaring improvements to the parcels within the incentive district to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of those service payments; specifying the public infrastructure improvements that benefit or serve parcels in the incentive district; and declaring an emergency.

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2025

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEVELOPMENT WATER AUTHORITY FOR THE REPLACEMENT OF THE 4" WATER MAINS IN BROOKPARK DRIVE, FROM NORTHAMPTON ROAD TO ELEANORA DRIVE, ELEANORA DRIVE, FROM BROOKPARK DRIVE EAST TO BROOKPARK DRIVE WEST, HOFFMAN DRIVE, FROM ELEANORA DRIVE TO WOODBROOK ROAD AND WOODBROOK ROAD, FROM NORTHAMPTON ROAD TO HOFFMAN DRIVE, WITH AN 8" WATER MAIN, AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to obtain a loan from the Ohio Water Development Authority ("OWDA") for the replacement of the 4" water mains in Brookpark Drive, from Northampton Road to Eleanora Drive, Eleanora Drive, from Brookpark Drive East to Brookpark Drive West, Hoffman Drive, from Eleanora Drive to Woodbrook Road and Woodbrook Road, from Northampton Road to Hoffman Drive, with an 8" water main; and

WHEREAS, the City intends to apply for an OWDA Fresh Water Loan Program loan for the improvements stated above; and

WHEREAS, OWDA requires a government authority to pass legislation for the application of a loan and the execution of an agreement, as well as designating a payment source.

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

Section 1. This Council hereby authorizes the Mayor to apply for, accept, and enter into a Cooperative Agreement with the OWDA for replacement of the 4" water mains in Brookpark Drive, from Northampton Road to Eleanora Drive, Eleanora Drive, from Brookpark Drive East to Brookpark Drive West, Hoffman Drive, from Eleanora Drive to Woodbrook Road and Woodbrook Road, from Northampton Road to Hoffman Drive, with an 8" water main.

Section 2. The Mayor, Director of Public Service, Director of Finance, Director of Law, and any other public officials, individually or collectively as may be appropriate, are authorized to prepare and execute such other documents, including contracts, and do all other things as necessary or incidental to carrying out the intent and/or requirements of the Cooperative Agreement and this ordinance.

50 Section 3. It is found and determined that all formal actions of this Council
51 concerning and relating to the adoption of this ordinance were adopted in an open
52 meeting of this Council, and that all deliberations of this Council and any of its
53 committees that resulted in such formal action were in meetings open to the public in
54 compliance with all legal requirements including Chapter 107 of the Codified
55 Ordinances.

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58 Section 4. This ordinance is hereby declared to be an emergency measure necessary
59 for the immediate preservation of the public peace, health, safety, convenience, and
60 welfare of the City of Cuyahoga Falls, and the inhabitants thereof, and provided that it
61 receives the affirmative vote of two-thirds of the members elected or appointed to Council
62 and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest
63 period allowed by law.

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66 Passed: _____

President of Council

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Clerk of Council

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74 Approved: _____

Mayor

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77 7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2025

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR THE REPLACEMENT OF THE 6" AND 8" WATER MAINS ON OAKWOOD DRIVE, FROM MONROE AVENUE TO GRAHAM ROAD, WITH AN 8" WATER MAIN, AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to obtain a loan from the Ohio Water Development Authority ("OWDA") for the Oakwood Drive water line improvements with the replacement of the 6" and 8" water mains on Oakwood Drive from Monroe Avenue to Graham Rd, with an 8" water main; and

WHEREAS, the City intends to apply for an OWDA Fresh Water Loan Program loan for the construction costs of the Oakwood Drive water line improvements; and

WHEREAS, the OWDA requires a government authority to pass legislation for the application of a loan and the execution of an agreement, as well as designating a repayment source.

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

Section 1. This Council hereby authorizes the Mayor to apply for, accept, and enter into a Cooperative Agreement with the OWDA for the replacement of the 6" and 8" water mains on Oakwood Drive, from Monroe Avenue to Graham Road, with an 8" water main.

Section 2. The Mayor, Director of Public Service, Director of Finance, Director of Law, and any other public official, individually or collectively as may be appropriate, are authorized to prepare and execute such other documents, including contracts, and do all other things as necessary or incidental to carrying out the intent and/or requirements of the Cooperative Agreement and this ordinance.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience, and

welfare of the City of Cuyahoga Falls, and the inhabitants thereof, and provided that it receives the affirmative vote of two-thirds of all members elected or appointed to Council and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2025

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR THE IMPROVEMENTS TO THE BAILEY ROAD AND STATE ROAD BOOSTER PUMP STATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to obtain a loan from the Ohio Water Development Authority ("OWDA") for improvements to the Bailey Road and State Road booster pump stations; and

WHEREAS, the City intends to apply for an OWDA Fresh Water Loan Program loan for the construction costs of the Bailey Road and State Road booster pump stations; and

WHEREAS, the OWDA requires a government authority to pass legislation for the application of a loan and the execution of an agreement, as well as designating a repayment source.

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

Section 1. This Council hereby authorizes the Mayor to apply for, accept, and enter into a Cooperative Agreement with the OWDA for the improvements to the Bailey Road and State Road booster pump stations.

Section 2. The Mayor, Director of Public Service, Director of Finance, Director of Law, any other public official, individually or collectively as may be appropriate, are authorized to prepare and execute such other documents, including contracts, and do all other things as necessary or incidental to carrying out the intent and/or requirements of the Cooperative Agreement and this ordinance.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

51 Section 4. This ordinance is hereby declared to be an emergency measure necessary
52 for the immediate preservation of the public peace, health, safety, convenience, and
53 welfare of the City of Cuyahoga Falls, and the inhabitants thereof, and provided that it
54 receives the affirmative vote of two-thirds of all members elected or appointed to Council
55 and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest
56 period allowed by law.

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59 Passed: _____

President of Council

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64 Clerk of Council
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67 Approved: _____

Mayor

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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. – 2025

AN ORDINANCE AUTHORIZING THE PARKS AND RECREATION BOARD TO ENTER INTO A CONTRACT OR CONTRACTS, WITHOUT COMPETITIVE BIDDING, WITH LM COMPANY, LLC., FOR EMERGENCY REPAIRS NEEDED TO THE FIRST-FLOOR RESTROOM OF THE DOWNTOWN PAVILION, AND DECLARING AN EMERGENCY.

WHEREAS, emergency repairs are needed to the restroom of the first floor of the Downtown Pavilion; and

WHEREAS, the Contractor, LM Company LLC., has the necessary skills, experience, and capacity to complete the work in a timely and workmanlike manner.

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 Parks and Recreation Board is hereby authorized to enter into a contract or contracts, without competitive bidding, with LM Company, LLC., for emergency repairs needed to the first-floor restroom of the Downtown Pavilion.

Section 2. The Director of Finance is hereby authorized to make payment for same in an amount not to exceed \$88,864.00 from the Recreation Levy Fund, line item Capital Outlay and Other Operations.

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.

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

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

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. -2025

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,310,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, EQUIPPING AND INSTALLING 3,400 LINEAL FEET OF SANITARY SEWER LINES, 3,550 FEET OF WATER MAIN LINES AND 8,000 LINEAL FEET OF ELECTRICAL CONDUIT WIRING, RELATED STORM SEWER LINES AND RETENTION, EROSION CONTROL AND LANDSCAPING ALONG PRINCETON PLACE BOULEVARD, NOTTINGHAM TRAIL, BAINBRIDGE TRAIL AND KENSINGTON COURT, TOGETHER WITH ALL RELATED AND NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 60-2024 passed September 9, 2024, notes in anticipation of bonds in the amount of \$1,255,000 dated October 29, 2024 (the "Outstanding Notes"), were issued for the purpose stated in Section 1, as part of a consolidated issue pursuant to Section 133.30(B) of the Ohio Revised Code in the aggregate principal amount of \$2,305,000, to mature on October 29, 2025; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, this Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 1, the estimated maximum maturity of the Bonds described in Section 1 and the maximum maturity of the Notes described in Section 3; and

WHEREAS, the Director of Finance has certified to this Council that the estimated life or period of usefulness of the Improvement described in Section 1 is at least five (5) years, the estimated maximum maturity of the Bonds described in Section 1 is at least twenty (20) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is November 8, 2042 as to \$1,200,000 of the principal amount, November 1, 2043 as to \$55,000 of the principal amount and two hundred forty (240) months as to \$55,000 of the principal amount;

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

Section 1. It is necessary to issue bonds of this City in the maximum principal amount of \$1,310,000 (the "Bonds") for the purpose of (i) paying the costs of acquiring, constructing, reconstructing, improving, equipping and installing 3,400 lineal feet of

55 sanitary sewer lines, 3,550 feet of water main lines and 8,000 lineal feet of electrical
56 conduit wiring, related storm sewer lines and retention, erosion control and landscaping
57 along Princeton Place Boulevard, Nottingham Trail, Bainbridge Trail and Kensington
58 Court, together with all related and necessary appurtenances thereto (the "Improvement")
59 and (ii) paying capitalized interest.
60

61 Section 2. The Bonds shall be dated approximately October 1, 2026, shall bear
62 interest at the now estimated rate of 6.00% per year, payable on June 1 and December 1
63 of each year, commencing June 1, 2027, until the principal amount is paid, and are
64 estimated to mature in twenty (20) annual principal installments that are in such
65 amounts that the total principal and interest payments on the Bonds in any fiscal year
66 in which principal is payable are not more than three times the amount of those payments
67 in any other fiscal year. The first principal installment is estimated to be December 1,
68 2027.
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70 Section 3. It is necessary to issue and this Council determines that notes in the
71 maximum principal amount of \$1,310,000 (the "Notes") shall be issued in anticipation of
72 the issuance of the Bonds for the purpose stated in Section 1 and to retire, together with
73 other funds available to the City, the Outstanding Notes, to pay capitalized interest and
74 to pay any financing costs. The principal amount of Notes to be issued (not to exceed the
75 stated maximum principal amount) shall be determined by the Director of Finance in the
76 certificate awarding the Notes in accordance with Section 6 of this ordinance (the
77 "Certificate of Award") as the amount which, along with other available funds of the City,
78 is necessary to provide for the retirement of the Outstanding Notes, and capitalized
79 interest (if any) and to pay any financing costs. The Notes shall be dated the date of
80 issuance and shall mature not earlier than six months from that date and not later than
81 12 months from that date, as shall likewise be fixed by the Director of Finance in the
82 Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 7.00%
83 per year (computed on the basis of a 360-day year consisting of twelve 30-day months),
84 payable at maturity and until the principal amount is paid or payment is provided for.
85 The rate or rates of interest on the Notes shall be determined by the Director of Finance
86 in the Certificate of Award in accordance with Section 6 of this ordinance.
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88 Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds
89 of the United States of America, and shall be payable, without deduction for services of
90 the City's paying agent, at the designated corporate trust office of The Huntington
91 National Bank or at the office of a bank or trust company designated by the Director of
92 Finance in the Certificate of Award after determining that the payment at that bank or
93 trust company will not endanger the funds or securities of the City and that proper
94 procedures and safeguards are available for that purpose or at the office of the Director
95 of Finance if agreed to by the Director of Finance and the original purchaser (the "Paying
96 Agent"). The Director of Finance is authorized, to the extent necessary or appropriate, to
97 enter into an agreement with the Paying Agent in connection with the services to be
98 provided by the Paying Agent after determining that the signing thereof will not endanger
99 the funds or securities of the City.
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101 Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the
102 name of the City and in their official capacities, provided that one of those signatures
103 may be a facsimile. The Notes shall be issued in minimum denominations of \$100,000
104 (and may be issued in denominations in such amounts in excess thereof as requested by
105 the original purchaser and approved by the Director of Finance) and with numbers as
106 requested by the original purchaser and approved by the Director of Finance. The entire
107 principal amount may be represented by a single note and may be issued as fully
108 registered securities (for which the Director of Finance will serve as note registrar) and in

book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance. As used in this section and this ordinance:

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City and payable only to a Depository or its nominee as registered owner, with the certificate deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company).

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (a) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (b) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (c) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (d) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the

book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

Section 6. The Notes shall be sold at not less than 97% of the par value thereof at private sale by the Director of Finance in accordance with law and the provisions of this ordinance, the Certificate of Award and the Note Purchase Agreement (as hereinafter defined). The Director of Finance shall, in accordance with his determination of the best interests of and financially advantageous to the City and its taxpayers and conditions then existing in the financial market, consistently with the provisions of Sections 3 and 4, establish the interest rates to be borne by the Notes and their maturity, sign the Certificate of Award referred to in Sections 3 and 4 evidencing those determinations, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes, if requested by the original purchaser, to the original purchaser upon payment of the purchase price.

The note purchase agreement (the "Note Purchase Agreement") now on file with the Clerk of Council is approved, and the Mayor and the Director of Finance are authorized to sign and deliver, on behalf of the City, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this ordinance, are not materially adverse to the interests of the City and are approved by the Mayor and the Director of Finance. Any such changes to the Note Purchase Agreement are not materially adverse to the interests of the City and are approved by the Mayor and the Director of Finance shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Mayor and the Director of Finance. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, and any person serving in an interim or acting capacity for any such official, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments, including any paying agent agreement, and to take such actions as are necessary and appropriate to consummate the transactions contemplated by this ordinance. Any actions heretofore taken by the Mayor, the Director of Finance, the Director of Law, the Clerk of Council or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Notes are hereby ratified and confirmed. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.

The Director of Finance is also hereby authorized to offer all or part of the Notes at par and any accrued interest to the Treasury Investment Board of the City for investment under Section 731.56 of the Ohio Revised Code, in accordance with law and the provisions of this ordinance if, as a result of the conditions then existing in the financial markets, the Director of Finance determines it is in the best financial interest of the City in lieu of the private sale authorized in the preceding paragraph and which determination shall be set forth in the Certificate of Award.

Section 7. The proceeds from the sale of the Notes received by the City (or withheld by the original purchaser or deposited with the Paying Agent, in each case on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. The Certificate of Award may authorize the original purchaser to (a) withhold certain proceeds from the sale of the Notes or (b) remit certain proceeds from the sale of the Notes to the Paying Agent, in each case to provide for the payment of certain financing costs on behalf of the City. If proceeds are remitted to the Paying Agent in accordance with this Section 7, the Paying Agent shall be authorized to create a fund in accordance with the Certificate of Award for that purpose. Any portion of those proceeds received by the City (after payment

of those financing costs) representing premium or accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the eleven-mill limitation provided by the Charter of the City, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

In each year to the extent the service payments in lieu of real property taxes (the "Service Payments") deposited into the Princeton Crossroads Municipal Public Improvement Tax Increment Equivalent Fund created pursuant to Section 5709.43(A) of the Ohio Revised Code and Ordinance No. 11-2022 passed February 14, 2022 (the "TIF Ordinance") are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the Service Payments so available and appropriated.

In each year to the extent net revenues from the City's water system are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent net revenues from the City's storm sewer system are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent net revenues from the City's sanitary sewer system are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, and to the extent not paid from the Service Payments or net revenues of the City's water system, the City's storm sewer system or the City's sanitary sewer system, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Notes or the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the laws of the State of Ohio, and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to

appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the five preceding paragraphs in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Notes and the Bonds.

Section 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent, as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are

authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

Section 11. The Director of Finance is authorized to request a rating for the Notes from Moody's Ratings or S&P Global Ratings, or both, as the Director of Finance determines is in the best interest of the City. The expenditure of the amounts necessary to secure any such ratings as well as to pay the other financing costs (as defined in Section 133.01 of the Ohio Revised Code) in connection with the Notes is hereby authorized and approved and the amounts necessary to pay those costs are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 12. The Clerk of Council is directed to deliver a certified copy of this ordinance to the Fiscal Officer in Summit County.

Section 13. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. The legal services of the law firm of Squire Patton Boggs (US) LLP, as bond counsel, are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement and/or the Certificate of Award, the Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 15. The services of Baker Tilly Municipal Advisors, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal

advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement and/or the Certificate of Award, the Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 16. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with Chapter 107 of the City's Codified Ordinances.

Section 17. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. -2025

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$730,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE CONSTRUCTION, RECONSTRUCTION, WIDENING, IMPROVING, GRADING, DRAINING AND RESURFACING OF WYOGA LAKE ROAD BETWEEN STEELS CORNERS ROAD AND SEASONS ROAD, TOGETHER WITH ALL RELATED AND NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 61-2024 passed September 9, 2024, notes in anticipation of bonds in the amount of \$700,000 dated October 29, 2024 (the "Outstanding Notes"), were issued for the purpose stated in Section 1, as part of a consolidated issue pursuant to Section 133.30(B) of the Ohio Revised Code in the aggregate principal amount of \$2,305,000, to mature on October 29, 2025; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, this Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 1, the estimated maximum maturity of the Bonds described in Section 1 and the maximum maturity of the Notes described in Section 3; and

WHEREAS, the Director of Finance has certified to this Council that the estimated life or period of usefulness of the Improvement described in Section 1 is at least five (5) years, the estimated maximum maturity of the Bonds described in Section 1 is twenty (20) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is November 1, 2043 as to \$700,000 of the principal amount and two hundred forty (240) months as to \$30,000 of the principal amount;

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

Section 1. It is necessary to issue bonds of this City in the maximum principal amount of \$730,000 (the "Bonds") for the purpose of (i) paying the costs of the construction, reconstruction, widening, improving, grading, draining and resurfacing of Wyoga Lake Road between Steels Corners Road and Seasons Road, together with all related and necessary appurtenances thereto (the "Improvement") and (ii) paying capitalized interest.

Section 2. The Bonds shall be dated approximately October 1, 2026, shall bear interest at the now estimated rate of 6.00% per year, payable on June 1 and December 1 of each year, commencing June 1, 2027, until the principal amount is paid, and are

55 estimated to mature in twenty (20) annual principal installments that are in such
56 amounts that the total principal and interest payments on the Bonds in any fiscal year
57 in which principal is payable are not more than three times the amount of those payments
58 in any other fiscal year. The first principal installment is estimated to be December 1,
59 2027.
60

61 Section 3. It is necessary to issue and this Council determines that notes in the
62 maximum principal amount of \$730,000 (the "Notes") shall be issued in anticipation of
63 the issuance of the Bonds for the purpose stated in Section 1 and to retire, together with
64 other funds available to the City, the Outstanding Notes, to pay capitalized interest and
65 to pay any financing costs. The principal amount of Notes to be issued (not to exceed the
66 stated maximum principal amount) shall be determined by the Director of Finance in the
67 certificate awarding the Notes in accordance with Section 6 of this ordinance (the
68 "Certificate of Award") as the amount which, along with other available funds of the City,
69 is necessary to provide for the retirement of the Outstanding Notes, and capitalized
70 interest (if any) and to pay any financing costs. The Notes shall be dated the date of
71 issuance and shall mature not earlier than six months from that date and not later than
72 12 months from that date, as shall likewise be fixed by the Director of Finance in the
73 Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 7.00%
74 per year (computed on the basis of a 360-day year consisting of twelve 30-day months),
75 payable at maturity and until the principal amount is paid or payment is provided for.
76 The rate or rates of interest on the Notes shall be determined by the Director of Finance
77 in the Certificate of Award in accordance with Section 6 of this ordinance.
78

79 Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds
80 of the United States of America, and shall be payable, without deduction for services of
81 the City's paying agent, at the designated corporate trust office of The Huntington
82 National Bank or at the office of a bank or trust company designated by the Director of
83 Finance in the Certificate of Award after determining that the payment at that bank or
84 trust company will not endanger the funds or securities of the City and that proper
85 procedures and safeguards are available for that purpose or at the office of the Director
86 of Finance if agreed to by the Director of Finance and the original purchaser (the "Paying
87 Agent"). The Director of Finance is authorized, to the extent necessary or appropriate, to
88 enter into an agreement with the Paying Agent in connection with the services to be
89 provided by the Paying Agent after determining that the signing thereof will not endanger
90 the funds or securities of the City.
91

92 Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the
93 name of the City and in their official capacities, provided that one of those signatures
94 may be a facsimile. The Notes shall be issued in the denominations and numbers as
95 requested by the original purchaser and approved by the Director of Finance, provided
96 that no Note shall be issued in a minimum denomination less than \$100,000 if such
97 Notes are consolidated with any other note issue of the City pursuant to Section 133.30(B)
98 of the Ohio Revised Code and the aggregate principal amount of such consolidated issue
99 equals or exceeds \$1,000,000. The entire principal amount may be represented by a
100 single note and may be issued as fully registered securities (for which the Director of
101 Finance will serve as note registrar) and in book entry or other uncertificated form in
102 accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is
103 determined by the Director of Finance that issuance of fully registered securities in that
104 form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons
105 attached, shall be numbered as determined by the Director of Finance and shall express
106 upon their faces the purpose, in summary terms, for which they are issued and that they
107 are issued pursuant to this ordinance. As used in this section and this ordinance:
108

109 “Book entry form” or “book entry system” means a form or system under which (a)
110 the ownership of beneficial interests in the Notes and the principal of and interest on the
111 Notes may be transferred only through a book entry, and (b) a single physical Note
112 certificate in fully registered form is issued by the City and payable only to a Depository
113 or its nominee as registered owner, with the certificate deposited with and “immobilized”
114 in the custody of the Depository or its designated agent for that purpose. The book entry
115 maintained by others than the City is the record that identifies the owners of beneficial
116 interests in the Notes and that principal and interest.

117
118 “Depository” means any securities depository that is a clearing agency registered
119 pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934,
120 operating and maintaining, with its Participants or otherwise, a book entry system to
121 record ownership of beneficial interests in the Notes or the principal of and interest on
122 the Notes, and to effect transfers of the Notes, in book entry form, and includes and
123 means initially The Depository Trust Company (a limited purpose trust company).

124
125 “Participant” means any participant contracting with a Depository under a book entry
126 system and includes securities brokers and dealers, banks and trust companies and
127 clearing corporations.

128
129 The Notes may be issued to a Depository for use in a book entry system and, if and
130 as long as a book entry system is utilized, (a) the Notes may be issued in the form of a
131 single Note made payable to the Depository or its nominee and immobilized in the custody
132 of the Depository or its agent for that purpose; (b) the beneficial owners in book entry
133 form shall have no right to receive the Notes in the form of physical securities or
134 certificates; (c) ownership of beneficial interests in book entry form shall be shown by
135 book entry on the system maintained and operated by the Depository and its Participants,
136 and transfers of the ownership of beneficial interests shall be made only by book entry
137 by the Depository and its Participants; and (d) the Notes as such shall not be transferable
138 or exchangeable, except for transfer to another Depository or to another nominee of a
139 Depository, without further action by the City.

140
141 If any Depository determines not to continue to act as a Depository for the Notes for
142 use in a book entry system, the Director of Finance may attempt to establish a securities
143 depository/book entry relationship with another qualified Depository. If the Director of
144 Finance does not or is unable to do so, the Director of Finance, after making provision
145 for notification of the beneficial owners by the then Depository and any other
146 arrangements deemed necessary, shall permit withdrawal of the Notes from the
147 Depository, and shall cause the Notes in bearer or payable form to be signed by the
148 officers authorized to sign the Notes and delivered to the assigns of the Depository or its
149 nominee, all at the cost and expense (including any costs of printing), if the event is not
150 the result of City action or inaction, of those persons requesting such issuance.

151
152 The Director of Finance is also hereby authorized and directed, to the extent necessary
153 or required, to enter into any agreements determined necessary in connection with the
154 book entry system for the Notes, after determining that the signing thereof will not
155 endanger the funds or securities of the City.

156
157 Section 6. The Notes shall be sold at not less than 97% of the par value thereof at
158 private sale by the Director of Finance in accordance with law and the provisions of this
159 ordinance, the Certificate of Award and the Note Purchase Agreement (as hereinafter
160 defined). The Director of Finance shall, in accordance with his determination of the best
161 interests of and financially advantageous to the City and its taxpayers and conditions
162 then existing in the financial market, consistently with the provisions of Sections 3 and

163 4, establish the interest rates to be borne by the Notes and their maturity, sign the
164 Certificate of Award referred to in Sections 3 and 4 evidencing those determinations,
165 cause the Notes to be prepared, and have the Notes signed and delivered, together with a
166 true transcript of proceedings with reference to the issuance of the Notes, if requested by
167 the original purchaser, to the original purchaser upon payment of the purchase price.
168

169 The note purchase agreement (the "Note Purchase Agreement") now on file with the
170 Clerk of Council is approved, and the Mayor and the Director of Finance are authorized
171 to sign and deliver, on behalf of the City, the Note Purchase Agreement with such changes
172 that are not inconsistent with the provisions of this ordinance, are not materially adverse
173 to the interests of the City and are approved by the Mayor and the Director of Finance.
174 Any such changes to the Note Purchase Agreement are not materially adverse to the
175 interests of the City and are approved by the Mayor and the Director of Finance shall be
176 evidenced conclusively by the signing of the Note Purchase Agreement by the Mayor and
177 the Director of Finance. The Mayor, the Director of Finance, the Director of Law, the
178 Clerk of Council and other City officials, as appropriate, and any person serving in an
179 interim or acting capacity for any such official, are each authorized and directed to sign
180 any transcript certificates, financial statements and other documents and instruments,
181 including any paying agent agreement, and to take such actions as are necessary and
182 appropriate to consummate the transactions contemplated by this ordinance. Any
183 actions heretofore taken by the Mayor, the Director of Finance, the Director of Law, the
184 Clerk of Council or other City official, as appropriate, in doing any and all acts necessary
185 in connection with the issuance and sale of the Notes are hereby ratified and confirmed.
186 The Director of Finance is authorized, if it is determined to be in the best interest of the
187 City, to combine the issue of Notes with one or more other note issues of the City into a
188 consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.
189

190 The Director of Finance is also hereby authorized to offer all or part of the Notes at
191 par and any accrued interest to the Treasury Investment Board of the City for investment
192 under Section 731.56 of the Ohio Revised Code, in accordance with law and the
193 provisions of this ordinance if, as a result of the conditions then existing in the financial
194 markets, the Director of Finance determines it is in the best financial interest of the City
195 in lieu of the private sale authorized in the preceding paragraph and which determination
196 shall be set forth in the Certificate of Award.
197

198 Section 7. The proceeds from the sale of the Notes received by the City (or withheld
199 by the original purchaser or deposited with the Paying Agent, in each case on behalf of
200 the City) shall be paid into the proper fund or funds, and those proceeds are appropriated
201 and shall be used for the purpose for which the Notes are being issued. The Certificate
202 of Award may authorize the original purchaser to (a) withhold certain proceeds from the
203 sale of the Notes or (b) remit certain proceeds from the sale of the Notes to the Paying
204 Agent, in each case to provide for the payment of certain financing costs on behalf of the
205 City. If proceeds are remitted to the Paying Agent in accordance with this Section 7, the
206 Paying Agent shall be authorized to create a fund in accordance with the Certificate of
207 Award for that purpose. Any portion of those proceeds received by the City (after payment
208 of those financing costs) representing premium or accrued interest shall be paid into the
209 Bond Retirement Fund.
210

211 Section 8. The par value to be received from the sale of the Bonds or of any renewal
212 notes and any excess funds resulting from the issuance of the Notes shall, to the extent
213 necessary, be used to pay the debt charges on the Notes at maturity and are pledged for
214 that purpose.
215

216 Section 9. During the year or years in which the Notes are outstanding, there shall
217 be levied on all the taxable property in the City, in addition to all other taxes, the same
218 tax that would have been levied if the Bonds had been issued without the prior issuance
219 of the Notes. The tax shall be within the eleven-mill limitation provided by the Charter of
220 the City, shall be and is ordered computed, certified, levied and extended upon the tax
221 duplicate and collected by the same officers, in the same manner, and at the same time
222 that taxes for general purposes for each of those years are certified, levied, extended and
223 collected, and shall be placed before and in preference to all other items and for the full
224 amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement
225 Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or
226 the Bonds when and as the same fall due.

227
228 In each year to the extent the service payments in lieu of real property taxes (the
229 “Service Payments”) deposited into the Pine Ridge Incentive District Municipal Public
230 Improvement Tax Increment Equivalent Fund created pursuant to Section 5709.43(A) of
231 the Ohio Revised Code and Ordinance No. 115-2021 passed December 13, 2021 (the “TIF
232 Ordinance”) are available for the payment of the debt charges on the Notes or the Bonds
233 and are appropriated for that purpose, the amount of the tax shall be reduced by the
234 amount of the Service Payments so available and appropriated.

235
236 In each year to the extent receipts from the municipal income tax are available for the
237 payment of the debt charges on the Notes or the Bonds and are appropriated for that
238 purpose, and to the extent not paid from the Service Payments, the amount of the tax
239 shall be reduced by the amount of such receipts so available and appropriated in
240 compliance with the following covenant. To the extent necessary, the debt charges on
241 the Notes or the Bonds shall be paid from municipal income taxes lawfully available
242 therefor under the Constitution and the laws of the State of Ohio, and the Charter of the
243 City; and the City hereby covenants, subject and pursuant to such authority, including
244 particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from
245 such municipal income taxes such amount as is necessary to meet such annual debt
246 charges.

247
248 Nothing in the two preceding paragraphs in any way diminishes the irrevocable pledge
249 of the full faith and credit and general property taxing power of the City to the prompt
250 payment of the debt charges on the Notes and the Bonds.

251
252 Section 10. The City covenants that it will use, and will restrict the use and
253 investment of, the proceeds of the Notes in such manner and to such extent, as may be
254 necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage
255 bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the
256 “Code”) or (ii) be treated other than as bonds the interest on which is excluded from gross
257 income under Section 103 of the Code, and (b) the interest on the Notes will not be an
258 item of tax preference under Section 57 of the Code.

259
260 The City further covenants that (a) it will take or cause to be taken such actions that
261 may be required of it for the interest on the Notes to be and remain excluded from gross
262 income for federal income tax purposes, (b) it will not take or authorize to be taken any
263 actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will,
264 among other acts of compliance, (i) apply the proceeds of the Notes to the governmental
265 purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely
266 and adequate payments to the federal government, (iv) maintain books and records and
267 make calculations and reports and (v) refrain from certain uses of those proceeds, and,
268 as applicable, of property financed with such proceeds, all in such manner and to the
269 extent necessary to assure such exclusion of that interest under the Code.

270
271 The Director of Finance, as the fiscal officer, or any other officer of the City having
272 responsibility for issuance of the Notes is hereby authorized (a) to make or effect any
273 election, selection, designation, choice, consent, approval, or waiver on behalf of the City
274 with respect to the Notes as the City is permitted to or required to make or give under the
275 federal income tax laws, for the purpose of assuring, enhancing or protecting favorable
276 tax treatment or status of the Notes or interest thereon or assisting compliance with
277 requirements for that purpose, reducing the burden or expense of such compliance,
278 reducing the rebate amount or payments or penalties, or making payments of special
279 amounts in lieu of making computations to determine, or paying, excess earnings as
280 rebate, or obviating those amounts or payments, as determined by that officer, which
281 action shall be in writing and signed by the officer, (b) to take any and all other actions,
282 make or obtain calculations, make payments, and make or give reports, covenants and
283 certifications of and on behalf of the City, as may be appropriate to assure the exclusion
284 of interest from gross income and the intended tax status of the Notes, and (c) to give one
285 or more appropriate certificates of the City, for inclusion in the transcript of proceedings
286 for the Notes, setting forth the reasonable expectations of the City regarding the amount
287 and use of all the proceeds of the Notes, the facts, circumstances and estimates on which
288 they are based, and other facts and circumstances relevant to the tax treatment of the
289 interest on and the tax status of the Notes. The Director of Finance or any other officer
290 of the City having responsibility for issuance of the Notes is specifically authorized to
291 designate the Notes as "qualified tax-exempt obligations" if such designation is applicable
292 and desirable, and to make any related necessary representations and covenants.
293

294 Each covenant made in this section with respect to the Notes is also made with respect
295 to all issues any portion of the debt service on which is paid from proceeds of the Notes
296 (and, if different, the original issue and any refunding issues in a series of refundings), to
297 the extent such compliance is necessary to assure exclusion of interest on the Notes from
298 gross income for federal income tax purposes, and the officers identified above are
299 authorized to take actions with respect to those issues as they are authorized in this
300 section to take with respect to the Notes.
301

302 Section 11. The Director of Finance is authorized to request a rating for the Notes
303 from Moody's Ratings or S&P Global Ratings, or both, as the Director of Finance
304 determines is in the best interest of the City. The expenditure of the amounts necessary
305 to secure any such ratings as well as to pay the other financing costs (as defined in
306 Section 133.01 of the Ohio Revised Code) in connection with the Notes is hereby
307 authorized and approved and the amounts necessary to pay those costs are hereby
308 appropriated from the proceeds of the Notes, if available, and otherwise from available
309 moneys in the General Fund.
310

311 Section 12. The Clerk of Council is directed to deliver a certified copy of this ordinance
312 to the Fiscal Officer in Summit County.
313

314 Section 13. This Council determines that all acts and conditions necessary to be done
315 or performed by the City or to have been met precedent to and in the issuing of the Notes
316 in order to make them legal, valid and binding general obligations of the City have been
317 performed and have been met, or will at the time of delivery of the Notes have been
318 performed and have been met, in regular and due form as required by law; that the full
319 faith and credit and general property taxing power (as described in Section 9) of the City
320 are pledged for the timely payment of the debt charges on the Notes; and that no statutory
321 or constitutional limitation of indebtedness or taxation will have been exceeded in the
322 issuance of the Notes.
323

324 Section 14. The legal services of the law firm of Squire Patton Boggs (US) LLP, as
325 bond counsel, are hereby retained. Those legal services shall be in the nature of legal
326 advice and recommendations as to the documents and the proceedings in connection
327 with the authorization, sale and issuance of the Notes and securities issued in renewal
328 of the Notes and rendering at delivery related legal opinions, all as set forth in the form
329 of engagement letter from that firm which is now on file in the office of the Clerk of
330 Council. In providing those legal services, as an independent contractor and in an
331 attorney-client relationship, that firm shall not exercise any administrative discretion on
332 behalf of this City in the formulation of public policy, expenditure of public funds,
333 enforcement of laws, rules and regulations of the State of Ohio, any county or municipal
334 corporation or of this City, or the execution of public trusts. For those legal services, that
335 firm shall be paid just and reasonable compensation and shall be reimbursed for actual
336 out-of-pocket expenses incurred in providing those legal services. To the extent they are
337 not paid or reimbursed pursuant to the Note Purchase Agreement and/or the Certificate
338 of Award, the Director of Finance is authorized and directed to make appropriate
339 certification as to the availability of funds for those fees and any reimbursement and to
340 issue an appropriate order for their timely payment as written statements are submitted
341 by that firm. The amounts necessary to pay those fees and any reimbursement are hereby
342 appropriated from the proceeds of the Notes, if available, and otherwise from available
343 moneys in the General Fund.
344

345 Section 15. The services of Baker Tilly Municipal Advisors, LLC, as municipal advisor,
346 are hereby retained. The municipal advisory services shall be in the nature of financial
347 advice and recommendations in connection with the issuance and sale of the Notes. In
348 rendering those municipal advisory services, as an independent contractor, that firm
349 shall not exercise any administrative discretion on behalf of the City in the formulation
350 of public policy, expenditure of public funds, enforcement of laws, rules and regulations
351 of the State of Ohio, the City or any other political subdivision, or the execution of public
352 trusts. That firm shall be paid just and reasonable compensation for those municipal
353 advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs
354 in rendering those municipal advisory services. To the extent they are not paid or
355 reimbursed pursuant to the Note Purchase Agreement and/or the Certificate of Award,
356 the Director of Finance is authorized and directed to make appropriate certification as to
357 the availability of funds for those fees and any reimbursement and to issue an appropriate
358 order for their timely payment as written statements are submitted by that firm. The
359 amounts necessary to pay those fees and any reimbursement are hereby appropriated
360 from the proceeds of the Notes, if available, and otherwise from available moneys in the
361 General Fund.
362

363 Section 16. This Council finds and determines that all formal actions of this Council
364 and any of its committees concerning and relating to the passage of this ordinance were
365 taken in an open meeting of this Council or any of its committees, and that all
366 deliberations of this Council and of any of its committees that resulted in those formal
367 actions were in meetings open to the public, all in compliance with Chapter 107 of the
368 City's Codified Ordinances.
369

370 Section 17. This ordinance is declared to be an emergency measure necessary for the
371 immediate preservation of the public peace, health and safety of the City, and for the
372 further reason that this ordinance is required to be immediately effective in order to issue
373 and sell the Notes, which is necessary to enable the City to timely retire the Outstanding
374 Notes and thereby preserve its credit; wherefore, this ordinance shall be in full force and
375 effect immediately upon its passage and approval by the Mayor, otherwise it shall take
376 effect and be in force at the earliest period allowed by law.

377

378

379 Passed: _____

380

President of Council

381

382

383

Clerk of Council

384

385 Approved: _____

386

Mayor

387

388 7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. -2025

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,615,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE DESIGN AND ENGINEERING, CONSTRUCTION, RECONSTRUCTION, WIDENING, IMPROVING, GRADING, DRAINING AND RESURFACING OF, AND INSTALLATION OF TRAFFIC CONTROLS ALONG, AND THE INTERSECTIONS OF, STATE ROAD, SEASONS ROAD AND WYOGA LAKE ROAD, AND A TRAFFIC STUDY OF THOSE ROADS AND RELATED AREAS, INCLUDING BUT NOT LIMITED TO THE EXTENSION, OPENING, IMPROVING, CURBING OR CHANGING OF THE LINES AND TRAFFIC PATTERNS OF ROADS, HIGHWAYS, STREETS, INTERSECTIONS, BRIDGES (BOTH ROADWAY AND PEDESTRIAN), SIDEWALKS, BIKEWAYS, MEDIANS AND VIADUCTS, PROVIDING SIGNAGE, LIGHTING SYSTEMS, SIGNALIZATION, AND INSTALLATION OF STORMWATER AND FLOOD REMEDIATION FACILITIES, TOGETHER WITH ALL RELATED AND NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 62-2024 passed September 9, 2024, notes in anticipation of bonds in the amount of \$350,000 dated October 29, 2024 (the "Outstanding Notes"), were issued for the purpose stated in Section 1, as part of a consolidated issue pursuant to Section 133.30(B) of the Ohio Revised Code in the aggregate principal amount of \$2,305,000, to mature on October 29, 2025; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City and provide an additional \$4,250,000 for the purpose stated in Section 1; and

WHEREAS, this Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 1, the estimated maximum maturity of the Bonds described in Section 1 and the maximum maturity of the Notes described in Section 3; and

WHEREAS, the Director of Finance has certified to this Council that the estimated life or period of usefulness of the Improvement described in Section 1 is at least five (5) years, the estimated maximum maturity of the Bonds described in Section 1 is twenty (20) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is November 1, 2043 as to \$350,000 of the principal amount, and two hundred forty (240) months as to \$4,265,000 of the principal amount;

55 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
56 Summit County, Ohio, that:
57

58 Section 1. It is necessary to issue bonds of this City in the maximum principal
59 amount of \$4,615,000 (the "Bonds") for the purpose of (i) paying the costs of the design
60 and engineering, construction, reconstruction, widening, improving, grading, draining
61 and resurfacing of, and installation of traffic controls along, and the intersections of, State
62 Road, Seasons Road and Wyoga Lake Road, and a traffic study of those roads and related
63 areas, including but not limited to the extension, opening, improving, curbing or changing
64 of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both
65 roadway and pedestrian), sidewalks, bikeways, medians and viaducts, providing signage,
66 lighting systems, signalization, and installation of stormwater and flood remediation
67 facilities, together with all related and necessary appurtenances thereto (the
68 "Improvement") and (ii) paying capitalized interest.
69

70 Section 2. The Bonds shall be dated approximately October 1, 2026, shall bear
71 interest at the now estimated rate of 6.00% per year, payable on June 1 and December 1
72 of each year, commencing June 1, 2027, until the principal amount is paid, and are
73 estimated to mature in twenty (20) annual principal installments that are in such
74 amounts that the total principal and interest payments on the Bonds in any fiscal year
75 in which principal is payable are not more than three times the amount of those payments
76 in any other fiscal year. The first principal installment is estimated to be December 1,
77 2027.
78

79 Section 3. It is necessary to issue and this Council determines that notes in the
80 maximum principal amount of \$4,615,000 (the "Notes") shall be issued in anticipation of
81 the issuance of the Bonds for the purpose stated in Section 1 and to retire, together with
82 other funds available to the City, the Outstanding Notes, to provide additional money for
83 the purpose stated in Section 1 and to pay capitalized interest and any financing costs.
84 The principal amount of Notes to be issued (not to exceed the stated maximum principal
85 amount) shall be determined by the Director of Finance in the certificate awarding the
86 Notes in accordance with Section 6 of this ordinance (the "Certificate of Award") as the
87 amount which, along with other available funds of the City, is necessary to provide for
88 the retirement of the Outstanding Notes, to provide additional money for the purpose
89 stated in Section 1 and to pay capitalized interest (if any) and any financing costs. The
90 Notes shall be dated the date of issuance and shall mature not earlier than six months
91 from that date and not later than 12 months from that date, as shall likewise be fixed by
92 the Director of Finance in the Certificate of Award. The Notes shall bear interest at a rate
93 or rates not to exceed 7.00% per year (computed on the basis of a 360-day year consisting
94 of twelve 30-day months), payable at maturity and until the principal amount is paid or
95 payment is provided for. The rate or rates of interest on the Notes shall be determined
96 by the Director of Finance in the Certificate of Award in accordance with Section 6 of this
97 ordinance.
98

99 Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds
100 of the United States of America, and shall be payable, without deduction for services of
101 the City's paying agent, at the designated corporate trust office of The Huntington
102 National Bank or at the office of a bank or trust company designated by the Director of
103 Finance in the Certificate of Award after determining that the payment at that bank or
104 trust company will not endanger the funds or securities of the City and that proper
105 procedures and safeguards are available for that purpose or at the office of the Director
106 of Finance if agreed to by the Director of Finance and the original purchaser (the "Paying
107 Agent"). The Director of Finance is authorized, to the extent necessary or appropriate, to
108 enter into an agreement with the Paying Agent in connection with the services to be

provided by the Paying Agent after determining that the signing thereof will not endanger the funds or securities of the City.

Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in minimum denominations of \$100,000 (and may be issued in denominations in such amounts in excess thereof as requested by the original purchaser and approved by the Director of Finance) and with numbers as requested by the original purchaser and approved by the Director of Finance. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance. As used in this section and this ordinance:

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City and payable only to a Depository or its nominee as registered owner, with the certificate deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company).

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (a) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (b) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (c) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (d) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of

163 Finance does not or is unable to do so, the Director of Finance, after making provision
164 for notification of the beneficial owners by the then Depository and any other
165 arrangements deemed necessary, shall permit withdrawal of the Notes from the
166 Depository, and shall cause the Notes in bearer or payable form to be signed by the
167 officers authorized to sign the Notes and delivered to the assigns of the Depository or its
168 nominee, all at the cost and expense (including any costs of printing), if the event is not
169 the result of City action or inaction, of those persons requesting such issuance.
170

171 The Director of Finance is also hereby authorized and directed, to the extent necessary
172 or required, to enter into any agreements determined necessary in connection with the
173 book entry system for the Notes, after determining that the signing thereof will not
174 endanger the funds or securities of the City.
175

176 Section 6. The Notes shall be sold at not less than 97% of the par value thereof at
177 private sale by the Director of Finance in accordance with law and the provisions of this
178 ordinance, the Certificate of Award and the Note Purchase Agreement (as hereinafter
179 defined). The Director of Finance shall, in accordance with his determination of the best
180 interests of and financially advantageous to the City and its taxpayers and conditions
181 then existing in the financial market, consistently with the provisions of Sections 3 and
182 4, establish the interest rates to be borne by the Notes and their maturity, sign the
183 Certificate of Award referred to in Sections 3 and 4 evidencing those determinations,
184 cause the Notes to be prepared, and have the Notes signed and delivered, together with a
185 true transcript of proceedings with reference to the issuance of the Notes, if requested by
186 the original purchaser, to the original purchaser upon payment of the purchase price.
187

188 The note purchase agreement (the "Note Purchase Agreement") now on file with the
189 Clerk of Council is approved, and the Mayor and the Director of Finance are authorized
190 to sign and deliver, on behalf of the City, the Note Purchase Agreement with such changes
191 that are not inconsistent with the provisions of this ordinance, are not materially adverse
192 to the interests of the City and are approved by the Mayor and the Director of Finance.
193 Any such changes to the Note Purchase Agreement are not materially adverse to the
194 interests of the City and are approved by the Mayor and the Director of Finance shall be
195 evidenced conclusively by the signing of the Note Purchase Agreement by the Mayor and
196 the Director of Finance. The Mayor, the Director of Finance, the Director of Law, the
197 Clerk of Council and other City officials, as appropriate, and any person serving in an
198 interim or acting capacity for any such official, are each authorized and directed to sign
199 any transcript certificates, financial statements and other documents and instruments,
200 including any paying agent agreement, and to take such actions as are necessary and
201 appropriate to consummate the transactions contemplated by this ordinance. Any
202 actions heretofore taken by the Mayor, the Director of Finance, the Director of Law, the
203 Clerk of Council or other City official, as appropriate, in doing any and all acts necessary
204 in connection with the issuance and sale of the Notes are hereby ratified and confirmed.
205 The Director of Finance is authorized, if it is determined to be in the best interest of the
206 City, to combine the issue of Notes with one or more other note issues of the City into a
207 consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.
208

209 The Director of Finance is also hereby authorized to offer all or part of the Notes at
210 par and any accrued interest to the Treasury Investment Board of the City for investment
211 under Section 731.56 of the Ohio Revised Code, in accordance with law and the
212 provisions of this ordinance if, as a result of the conditions then existing in the financial
213 markets, the Director of Finance determines it is in the best financial interest of the City
214 in lieu of the private sale authorized in the preceding paragraph and which determination
215 shall be set forth in the Certificate of Award.
216

217 Section 7. The proceeds from the sale of the Notes received by the City (or withheld
218 by the original purchaser or deposited with the Paying Agent, in each case on behalf of
219 the City) shall be paid into the proper fund or funds, and those proceeds are appropriated
220 and shall be used for the purpose for which the Notes are being issued. The Certificate
221 of Award may authorize the original purchaser to (a) withhold certain proceeds from the
222 sale of the Notes or (b) remit certain proceeds from the sale of the Notes to the Paying
223 Agent, in each case to provide for the payment of certain financing costs on behalf of the
224 City. If proceeds are remitted to the Paying Agent in accordance with this Section 7, the
225 Paying Agent shall be authorized to create a fund in accordance with the Certificate of
226 Award for that purpose. Any portion of those proceeds received by the City (after payment
227 of those financing costs) representing premium or accrued interest shall be paid into the
228 Bond Retirement Fund.
229

230 Section 8. The par value to be received from the sale of the Bonds or of any renewal
231 notes and any excess funds resulting from the issuance of the Notes shall, to the extent
232 necessary, be used to pay the debt charges on the Notes at maturity and are pledged for
233 that purpose.
234

235 Section 9. During the year or years in which the Notes are outstanding, there shall
236 be levied on all the taxable property in the City, in addition to all other taxes, the same
237 tax that would have been levied if the Bonds had been issued without the prior issuance
238 of the Notes. The tax shall be within the eleven-mill limitation provided by the Charter of
239 the City, shall be and is ordered computed, certified, levied and extended upon the tax
240 duplicate and collected by the same officers, in the same manner, and at the same time
241 that taxes for general purposes for each of those years are certified, levied, extended and
242 collected, and shall be placed before and in preference to all other items and for the full
243 amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement
244 Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or
245 the Bonds when and as the same fall due.
246

247 In each year to the extent the service payments in lieu of real property taxes (the
248 “Service Payments”) deposited into the Pine Ridge Incentive District Municipal Public
249 Improvement Tax Increment Equivalent Fund created pursuant to Section 5709.43(A) of
250 the Ohio Revised Code and Ordinance No. 115-2021 passed December 13, 2021 (the “TIF
251 Ordinance”) are available for the payment of the debt charges on the Notes or the Bonds
252 and are appropriated for that purpose, the amount of the tax shall be reduced by the
253 amount of the Service Payments so available and appropriated.
254

255 In each year to the extent receipts from the municipal income tax are available for the
256 payment of the debt charges on the Notes or the Bonds and are appropriated for that
257 purpose, and to the extent not paid from the Service Payments, the amount of the tax
258 shall be reduced by the amount of such receipts so available and appropriated in
259 compliance with the following covenant. To the extent necessary, the debt charges on
260 the Notes or the Bonds shall be paid from municipal income taxes lawfully available
261 therefor under the Constitution and the laws of the State of Ohio, and the Charter of the
262 City; and the City hereby covenants, subject and pursuant to such authority, including
263 particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from
264 such municipal income taxes such amount as is necessary to meet such annual debt
265 charges.
266

267 Nothing in the two preceding paragraphs in any way diminishes the irrevocable pledge
268 of the full faith and credit and general property taxing power of the City to the prompt
269 payment of the debt charges on the Notes and the Bonds.
270

271 Section 10. The City covenants that it will use, and will restrict the use and
272 investment of, the proceeds of the Notes in such manner and to such extent, as may be
273 necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage
274 bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the
275 “Code”) or (ii) be treated other than as bonds the interest on which is excluded from gross
276 income under Section 103 of the Code, and (b) the interest on the Notes will not be an
277 item of tax preference under Section 57 of the Code.

278
279 The City further covenants that (a) it will take or cause to be taken such actions that
280 may be required of it for the interest on the Notes to be and remain excluded from gross
281 income for federal income tax purposes, (b) it will not take or authorize to be taken any
282 actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will,
283 among other acts of compliance, (i) apply the proceeds of the Notes to the governmental
284 purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely
285 and adequate payments to the federal government, (iv) maintain books and records and
286 make calculations and reports and (v) refrain from certain uses of those proceeds, and,
287 as applicable, of property financed with such proceeds, all in such manner and to the
288 extent necessary to assure such exclusion of that interest under the Code.

289
290 The Director of Finance, as the fiscal officer, or any other officer of the City having
291 responsibility for issuance of the Notes is hereby authorized (a) to make or effect any
292 election, selection, designation, choice, consent, approval, or waiver on behalf of the City
293 with respect to the Notes as the City is permitted to or required to make or give under the
294 federal income tax laws, for the purpose of assuring, enhancing or protecting favorable
295 tax treatment or status of the Notes or interest thereon or assisting compliance with
296 requirements for that purpose, reducing the burden or expense of such compliance,
297 reducing the rebate amount or payments or penalties, or making payments of special
298 amounts in lieu of making computations to determine, or paying, excess earnings as
299 rebate, or obviating those amounts or payments, as determined by that officer, which
300 action shall be in writing and signed by the officer, (b) to take any and all other actions,
301 make or obtain calculations, make payments, and make or give reports, covenants and
302 certifications of and on behalf of the City, as may be appropriate to assure the exclusion
303 of interest from gross income and the intended tax status of the Notes, and (c) to give one
304 or more appropriate certificates of the City, for inclusion in the transcript of proceedings
305 for the Notes, setting forth the reasonable expectations of the City regarding the amount
306 and use of all the proceeds of the Notes, the facts, circumstances and estimates on which
307 they are based, and other facts and circumstances relevant to the tax treatment of the
308 interest on and the tax status of the Notes. The Director of Finance or any other officer
309 of the City having responsibility for issuance of the Notes is specifically authorized to
310 designate the Notes as “qualified tax-exempt obligations” if such designation is applicable
311 and desirable, and to make any related necessary representations and covenants.

312
313 Each covenant made in this section with respect to the Notes is also made with respect
314 to all issues any portion of the debt service on which is paid from proceeds of the Notes
315 (and, if different, the original issue and any refunding issues in a series of refundings), to
316 the extent such compliance is necessary to assure exclusion of interest on the Notes from
317 gross income for federal income tax purposes, and the officers identified above are
318 authorized to take actions with respect to those issues as they are authorized in this
319 section to take with respect to the Notes.

320
321 Section 11. The Director of Finance is authorized to request a rating for the Notes
322 from Moody’s Ratings or S&P Global Ratings, or both, as the Director of Finance
323 determines is in the best interest of the City. The expenditure of the amounts necessary
324 to secure any such ratings as well as to pay the other financing costs (as defined in

Section 133.01 of the Ohio Revised Code) in connection with the Notes is hereby authorized and approved and the amounts necessary to pay those costs are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 12. The Clerk of Council is directed to deliver a certified copy of this ordinance to the Fiscal Officer in Summit County.

Section 13. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. The legal services of the law firm of Squire Patton Boggs (US) LLP, as bond counsel, are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement and/or the Certificate of Award, the Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 15. The services of Baker Tilly Municipal Advisors, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Note Purchase Agreement and/or the Certificate of Award, the Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated

379 from the proceeds of the Notes, if available, and otherwise from available moneys in the
380 General Fund.

381
382 Section 16. This Council finds and determines that all formal actions of this Council
383 and any of its committees concerning and relating to the passage of this ordinance were
384 taken in an open meeting of this Council or any of its committees, and that all
385 deliberations of this Council and of any of its committees that resulted in those formal
386 actions were in meetings open to the public, all in compliance with Chapter 107 of the
387 City's Codified Ordinances.

388
389 Section 17. This ordinance is declared to be an emergency measure necessary for the
390 immediate preservation of the public peace, health and safety of the City, and for the
391 further reason that this ordinance is required to be immediately effective in order to issue
392 and sell the Notes, which is necessary to enable the City to timely retire the Outstanding
393 Notes and thereby preserve its credit; wherefore, this ordinance shall be in full force and
394 effect immediately upon its passage and approval by the Mayor, otherwise it shall take
395 effect and be in force at the earliest period allowed by law.

396
397
398 Passed: _____

President of Council

400
401
402 _____
Clerk of Council

403
404 Approved: _____

Mayor

405
406 7/14/25

2
3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. - 2025
78
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
10 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
11 ACCORDING TO LAW, FOR THE DEMOLITION OF THE OAK PARK
12 WATER TANK, LOCATED WITHIN OAK PARK NEAR THE
13 INTERSECTION OF JEFFERSON AVENUE AND THIRTEENTH
14 STREET, AND DECLARING AN EMERGENCY.
1516
17 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State
18 of Ohio:
1920 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
21 contracts, according to law, for demolition of the Oak Park Water Tank located within Oak Park
22 near the intersection of Jefferson Avenue and Thirteenth Street.
2324 Section 2. The Director of Finance is hereby authorized and directed to make payment for
25 same from the Water Fund, line item Capital.
2627 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
28 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
29 not inconsistent herewith and which have not previously been repealed are hereby ratified and
30 confirmed.
3132 Section 4. It is found and determined that all formal actions of this Council concerning and
33 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
34 that all deliberations of this Council and of any of its committees that resulted in such formal
35 action, were in meetings open to the public, in compliance with all legal requirements, to the
36 extent applicable, including Chapter 107 of the Codified Ordinances.
3738 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
39 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
40 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
41 the members elected or appointed to Council, it shall take effect and be in force immediately
42 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
43 earliest period allowed by law.
4445
46 Passed: __________
President of Council_____
Clerk of Council49
50
51 Approved: __________
Mayor52
53
54 7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2025

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR REPLACEMENT OF THE 6" WATER MAIN IN CEDAR HILL ROAD, WEST PORTAGE TRAIL TO CEDAR HILL CIRCLE, AND CEDAR HILL CIRCLE, WITH AN 8" WATER MAIN, AND DECLARING AN EMERGENCY.

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

Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts, according to law, for replacement the 6" water main in Cedar Hill Road, from West Portage Trail to Cedar Hill Circle, and Cedar Hill Circle with an 8" water main.

Section 2. The Director of Finance is hereby authorized and directed to make payment for same from the Water Fund, line item Capital.

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

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

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

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

7/14/25

3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. - 2025
78 AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND
9 ACCEPT FINANCIAL ASSISTANCE IN THE FORM OF A GRANT
10 FROM THE FEDERAL CONGESTION MITIGATION/AIR QUALITY
11 FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY FOR THE CITY WIDE TRAFFIC SIGNAL
13 IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.
1415 WHEREAS, the United States Congress has set aside monies for Congestion Mitigation and
16 Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation (ODOT)
17 and administered by the Akron Metropolitan Area Transportation Study (AMATS); and
1819 WHEREAS, local public agencies can apply for these monies and be selected for funding by
20 the Ohio Association of Regional Councils, who has been charged with management of statewide
21 CMAQ program by ODOT; and
2223 WHEREAS, the City Wide Traffic Signal Improvement project is a transportation activity
24 eligible to receive federal CMAQ funding; and
2526 WHEREAS, if requested funds are granted, the City of Cuyahoga Falls shall be responsible
27 for a least twenty percent (20%) of the eligible costs; and
2829 WHEREAS, the outlined improvements are significant to the City of Cuyahoga Falls in order
30 to improve safety and reduce congestion; and
3132 WHEREAS, the need to improve safety and reduce congestion is vital to improve the quality
33 of life for the citizens and motoring public, reduce emissions and improve overall safety of the
34 citizens and visitors of the City of Cuyahoga Falls; and
3536 WHEREAS, the improvements are necessary for capacity and safety improvements, currently
37 identified as the improvements to efficiency and reliability of traffic signal systems across the
38 city.
3940 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
41 of Summit and State of Ohio, that:
4243 Section 1. The Mayor is hereby authorized to apply for and accept financial assistance in the
44 form of a grant from the Federal Congestion Mitigation/Air Quality (CMAQ) funds programmed
45 by the Akron Metropolitan Area Transportation Study (AMATS) for the City-Wide Traffic Signal
46 Improvement project.
4748 Section 2. This Council's authorization is granted with the following understandings:
49

- 50 A. The City will bear one hundred percent (100%) of the cost of preliminary
-
- 51 engineering.
-
- 52 B. The City will bear one hundred percent (100%) of the total cost of those
-
- 53 features requested by the City which are not eligible for Federal participation.
-
- 54
-
- 55

- 56 C. The federal share will assume eighty percent (80%) of the construction cost
57 of the improvement. The City will be responsible for the local share.
58 D. The City of Cuyahoga Falls is in receipt of and acknowledges the
59 applicability of the "AMATS 2025 CMAQ Guidance" to this funding request.
60

61 Section 3. The Director of Finance is hereby authorized to make payment for the same from
62 the Capital Projects Fund, line item Capital Outlay.
63

64 Section 4. Any ordinances or resolutions or portions of ordinances and resolutions
65 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
66 not inconsistent herewith and which have not previously been repealed are hereby ratified and
67 confirmed.
68

69 Section 5. It is found and determined that all formal actions of this Council concerning and
70 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
71 that all deliberations of this Council and of its committees that resulted in such formal action,
72 were in meetings open to the public, in compliance with all legal requirements, to the extent
73 applicable, including Chapter 107 of the Codified Ordinances.
74

75 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the
76 preservation of public peace, health, safety, convenience and welfare of the City of Cuyahoga
77 Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of
78 the members elected or appointed to Council, it shall take effect and be in force immediately
79 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
80 earliest period allowed by law.
81

82
83
84 Passed: _____

President of Council

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86
87 _____
88 Clerk of Council
89

90 Approved: _____

Mayor

91
92 7/14/25
93

CITY OF CUYAHOGA FALLS, OHIO

RESOLUTION NO. – 2025

A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN PROPERTY ALONG WYOGA LAKE ROAD BETWEEN SEASONS ROAD AND E. STEELS CORNERS ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the City wishes to repair, improve, and widen Wyoga Lake Road between Seasons Road and E. Steels Corners Road, a road which shall be open to the public without charge, and;

WHEREAS, this Council finds and determines that the acquisition of fee simple title and temporary construction easements are a proper public use associated with the improvement, as contemplated in Art. I, §19 of the Ohio Constitution,

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

Section 1. This Council considers it necessary and declares its intention to appropriate for public purposes, certain temporary and permanent interests in real property necessary for the improvement of Wyoga Lake Road between Seasons Road and E. Steels Corners Road, namely, the properties and easements described in the Exhibits numbered A(7-T), A(8-WD, T), A(11-WD, T), A(12-T), A(13-T, T-1), A(16-WD), A(17- T), A(18-T), A(20-WD, T), A(24-WD, T), A(25-WD, T), A(26-WD, T), A(27-WD, T, T-1), A(31-T), A(32-T), A(34-WD, T), A(36-WD, WD-1, WD-2, T, T-1, T-2, T-3).

Section 2. The Mayor is hereby authorized to cause written notice of the adoption of this resolution to be given to the owners, persons in possession, or others having an interest of record in one or more of the properties described in the Exhibits hereto. The notice shall be served and returned according to law.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

Section 6. This resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: _____
President of Council

Clerk of Council

Approved: _____
Mayor

7/14/25

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2025

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF CERTAIN INTERESTS IN REAL PROPERTY NECESSARY FOR THE IMPROVEMENT OF WYOGA LAKE ROAD BETWEEN SEASONS ROAD AND E. STEELS CORNERS ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, on _____, this Council adopted Resolution No. _____, declaring the intention of the City to appropriate certain interests in real property necessary for the improvement of Wyoga Lake Road between Seasons Road and E. Steels Corners Road, and caused notice thereof to be served on the owners thereof as required by law, and;

WHEREAS, despite diligent efforts, the City and property owners have been unable to agree to the terms by which the necessary land will be transferred to the City, and;

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

Section 1. This Council authorizes and directs the appropriation of certain interests in real property necessary for the improvement of Wyoga Lake Road between Seasons Road and E. Steels Corners Road, more fully described in the exhibits numbered A(7-T), A(8-WD, T), A(11-WD, T), A(12-T), A(13-T, T-1), A(16-WD), A(17-T), A(18-T), A(20-WD, T), A(24-WD, T), A(25-WD, T), A(26-WD, T), A(27-WD, T, T-1), A(31-T), A(32-T), A(34-WD, T) AND A(36-WD, WD-1, WD-2, T, T-1, T-2, T-3).

Section 2. The Director of Law is hereby authorized to file any necessary civil actions in the Summit County Probate Court, or any other court of competent jurisdiction, to provide for the appropriation of the real property interests mentioned in Section 1 hereof by eminent domain and the assessment of the compensation to be paid for the interests hereby appropriated.

Section 3. The Director of Finance is hereby authorized to deposit with the Court the amount of the appraised value of each of the real property interests mentioned in Section 1 hereof, which is on file with the Clerk of Council and incorporated as if fully rewritten herein, to permit the immediate appropriation of the property. The Director of Finance is hereby authorized to make payment for the same out of the Capital Projects Fund, line item Capital Outlay.

Section 4. 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.

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

Section 6. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

7/14/25

EXHIBIT A

LPA RX 887 T

DLS

Ver. Date 08/22/24

Page 1 of 2

Rev. 07/09

PID 116742

PARCEL 7-T SUM-WYOGA LAKE ROAD

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PURPOSE OF GRADING FOR 24 MONTHS FROM DATE OF ENTRY BY THE CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of Lots 4, 5, 6, 7 and 8 in the Wyoga Lake Acres Subdivision, Plat Book 39 Page 41, Northampton Township, also being part of land described in deed to 4204 Wyoga Lake LLC recorded in Instrument No. 56825491, records of Summit County, described as follows:

Commencing at a 3/4" Iron Pipe found at the northwesterly corner of said Lot 9 in the Wyoga Lake Acres Subdivision; Thence South 89 degrees 46 minutes 36 seconds East, along the northerly lines of land described in deed to Wyoga Lake Commons in Instrument No. 55486482 and in deed to Wyoga Lake LLC in Instrument No. 56825491, a distance of 379.91 feet, to a 5/8" capped Iron Pin found being in the existing western right of way edge of Wyoga Lake Road, and being 30 feet to the left of the existing centerline of Wyoga Lake Road, Station 82+55.04; Thence following the existing western right-of-way edge of Wyoga Lake Road, North 01 degrees 01 minutes 38 seconds West, a distance of 200.68 feet, to a point at Station 84+55.72, and being 30.20 feet to the left of the existing center line of Wyoga Lake Road, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 53 minutes 39 seconds West, a distance of 25.00 feet, to a point 55.00 feet left of the existing centerline of the Wyoga Lake Road, Station 84+56.21, and through the land described in deed too Wyoga Lake LLC in Instrument No. 56825491;

Thence continue through the same land, North 01 degrees 01 minutes 33 seconds West, a distance of 199.99 feet, to a point 55 feet left of the existing centerline of the Wyoga Lake Road, Station 86+56.20;

Thence continue through the same land, South 89 degrees 54 minutes 34 seconds East, a distance of 25.00 feet, to a point in the existing western right-of-way edge of Wyoga Lake Road, and being 30 feet to the left of the existing center line of Wyoga Lake Road, Station 86+55.71;

EXHIBIT A

LPA RX 887 T

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Thence following the existing western right-of-way edge of Wyoga Lake Road, South 01 degrees 01 minutes 33 seconds East, a distance of 200.00 feet, to the POINT OF TRUE BEGINNING and containing 0.115 Acres (4999.921 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3507242.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

EXHIBIT A

Page 1 of 2

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LPA RX 887 T

DLS

Ver. Date 08/07/24

PID 116742

**PARCEL 8-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 3, formerly Northampton Township, described as follows:

Commencing at a 5/8 inch capped iron pin found on the northerly line of land described in deed to William Willoughby Wright LLC in Reception No. 56070058, records of Summit County, said point being 30.00 feet right of the existing centerline of Wyoga Lake Road; Thence continuing through the same land and along the southerly line of land described in deed to Community Drug Board Inc in Reception No. 54507003, North 89 degrees 26 minutes 46 seconds East, a distance of 8.20 feet, to a point 38.20 feet right of the existing centerline of Wyoga Lake Road, Station 85+97.14, and the POINT OF TRUE BEGINNING of land being described:

Thence continuing through the same land, North 89 degrees 21 minutes 23 seconds East, a distance of 7.12 feet, to a point 45.32 feet right of the existing centerline of the Wyoga Lake Road, Station 85+97.10;

Thence leaving the southerly line of Community Drug Board Inc's land and continuing through land now or formerly owned by William Willoughby Wright LLC, South 1 degree 1 minute 30 seconds East, a distance of 137.10 feet, to a point 45.32 feet right of the existing centerline of Wyoga Lake Road, Station 84+60.00;

Thence continuing through the same land, South 2 degrees 52 minutes 21 seconds West, a distance of 111.62 feet, to a point 37.73 feet right of the existing centerline of the Wyoga Lake Road, Station 83+48.64;

Thence continuing through the same land, North 0 degrees 55 minutes 3 seconds West, a distance of 248.51 feet, to the POINT OF TRUE BEGINNING and containing 0.032 Acres (1404.794 SF) of land.

EXHIBIT A

LPA RX 887 T

Page 2 of 2

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The above described area is contained within Summit County Auditor Officer's parcel 3500294.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

EXHIBIT A

LPA RX 851 WD

DLS

Ver. Date 08/07/24

Page 1 of 2

Rev. 06/09

PID 116742

**PARCEL 8-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 3, formerly Northampton Township, described as follows:

Commencing at a 5/8 inch capped iron pin found on the northerly line of land described in deed to William Willoughby Wright LLC in Reception No. 56070058, records of Summit County, said point being 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 85+97.21, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 26 minutes 46 seconds East, through land now or formerly owned by William Willoughby Wright LLC and along the southern line of lands described in deed to Community Drug Board Inc in Reception No. 54507003, a distance of 8.20 feet, to a point 38.20 feet right of the existing centerline of the Wyoga Lake Road, Station 85+97.14;

Thence leaving the southerly line of Community Drug Board Inc's land and continuing through land now or formerly owned by William Willoughby Wright LLC, South 0 degrees 55 minutes 3 seconds East, a distance of 248.51 feet, to a point 37.73 feet right of the existing centerline of Wyoga Lake Road, Station 83+48.64;

Thence continuing through the same land and along the northerly line of land described in deed to JDH Real Estate LLC in Reception No. 56403721, South 89 degrees 26 minutes 46 seconds West, a distance of 37.73 feet, to a point on the existing centerline of Wyoga Lake Road, Station 83+48.95;

EXHIBIT A

LPA RX 851 WD

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Thence leaving the northerly line of JDH Real Estate LLC's land and continuing through land now or formerly owned William Willoughby Wright LLC, North 1 degree 1 minute 33 seconds West, a distance of 248.51 feet, to a point on the existing centerline of Wyoga Lake Road, Station 85+97.46;

Thence continuing through the same land and along the southerly line of Community Drug Board Inc, North 89 degrees 26 minutes 46 seconds East, a distance of 30.00 feet, to the POINT OF TRUE BEGINNING and containing 0.217 Acres (9435.099 SF) of land, of which 0.171 Acres (7448.760 SF) are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3500294.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

EXHIBIT A

LPA RX 887 T

DLS

Ver. Date 08/07/24

Page 1 of 2

Rev. 07/09

PID 116742

**PARCEL 11-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 3, formerly Northampton Township, described as follows:

Commencing at the south western corner of land described in deed to Ilario A Cavallaro in Reception No. 56661904, records of Summit County, from which a 5/8 inch capped iron pin found bears South 79 degrees 58 minutes 12 seconds East, a distance of 0.38 feet; Thence continuing through the same land, North 1 degree 1 minute 33 seconds West, a distance of 531.55 feet, to a point; Thence continuing along the northerly line of land now or formerly owned by Ilario A Cavallaro and the southerly line of land described in deed to Dittaterra LLC in Reception No. 55314190, South 88 degrees 52 minutes 14 seconds East, a distance of 39.96 feet, to a point 39.93 feet right of the existing centerline of Wyoga Lake Road, Station 93+68.84, and the POINT OF TRUE BEGINNING of land being described:

Thence continuing through the same land, South 88 degrees 52 minutes 14 seconds East, a distance of 15.08 feet, to a point 55.00 feet right of the existing centerline of the Wyoga Lake Road, Station 93+68.28;

Thence leaving the southerly line of land now or formerly owned by Dittaterra LLC and continuing through land now or formerly owned by Ilario A Cavallaro, South 1 degree 1 minute 33 seconds East, a distance of 468.28 feet, to a point 55.00 feet right of the existing centerline of Wyoga Lake Road, Station 89+00.00;

Thence continuing through the same land, South 88 degrees 58 minutes 27 seconds West, a distance of 11.25 feet, to a point 43.75 feet right of the existing centerline of the Wyoga Lake Road, Station 89+00.00;

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Thence continuing through the same land, North 2 degrees 6 minutes 31 seconds West, a distance of 172.69 feet, to a point 40.49 feet right of the existing centerline of the Wyoga Lake Road, Station 90+72.66;

Thence continuing through the same land, North 1 degree 7 minutes 59 seconds West, a distance of 296.19 feet, to the POINT OF TRUE BEGINNING and containing 0.152 Acres (6600.474 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3501636 and 3501637.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 11-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 3, formerly Northampton Township, described as follows:

Commencing at the south western corner of land described in deed to Ilario A Cavallaro in Reception No. 56661904, records of Summit County, from which a 5/8 inch capped iron pin found bears South 79 degrees 58 minutes 12 seconds East, a distance of 0.38 feet, said south west corner being a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 88+38.55, and the POINT OF TRUE BEGINNING of land being described:

Thence South 89 degrees 26 minutes 46 seconds West, through land now or formerly owned by Ilario A Cavallaro and along the northern line of lands described in deed to Community Drug Board Inc in Reception No. 54507003, a distance of 30.00 feet, to a point on the existing centerline of the Wyoga Lake Road, Station 88+38.80;

Thence leaving the northerly line of land now or formerly owned by Community Drug Board Inc and continuing through land now or formerly owned by Ilario A Cavallaro, North 1 degree 1 minute 33 seconds West, a distance of 531.55 feet, to a point on the existing centerline of Wyoga Lake Road, Station 93+70.35;

Thence continuing along the northerly line of land now or formerly owned by Ilario A Cavallaro and the southerly line of land described in deed to Dittaterra LLC in Reception No. 55314190, South 88 degrees 52 minutes 14 seconds East, a distance of 39.96 feet, to a point 39.93 feet right of the existing centerline of Wyoga Lake Road, Station 93+68.84;

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Thence leaving the southerly line of land now or formerly owned by Dittaterra LLC and continuing through land now or formerly owned by Ilario A Cavallaro, South 1 degree 7 minutes 59 seconds East, a distance of 296.19 feet, to a point 40.49 feet right of the existing centerline of Wyoga Lake Road, Station 90+72.66;

Thence continuing through the same land, South 2 degrees 6 minutes 31 seconds East, a distance of 172.69 feet, to a point 43.75 feet right of the existing centerline of Wyoga Lake Road, Station 89+00.00;

Thence continuing through the same land, North 88 degrees 58 minutes 27 seconds East, a distance of 16.25 feet, to a point 60.00 feet right of the existing centerline of Wyoga Lake Road, Station 89+00.00;

Thence continuing through the same land, South 1 degree 1 minute 33 seconds East, a distance of 61.69 feet, to a point 60.00 feet right of the existing centerline of Wyoga Lake Road, Station 88+38.31;

Thence continuing through the same land and along the northerly line of land now or formerly owned by Community Drug Board Inc, South 89 degrees 26 minutes 46 seconds West, a distance of 30.00 feet, to the POINT OF TRUE BEGINNING and containing 0.526 Acres (22898.561 SF) of land, of which 0.365 Acres (15899.400 SF) are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3501636 and 3501637.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

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The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 12-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3501031 in Northampton Township, also being part of land described in deed to BVI Realty LLC and recorded in Instrument No. 56451893, records of Summit County, described as follows:

Commencing at a 3/4" Iron Pipe found at the northwesterly corner of said parcel 3501031; Thence North 89 degrees 52 minutes 20 seconds East, along the northerly lines of land described in deed to BVI Realty LLC in Instrument No. 56451893 and along the lines of land described in deed to Wyoga Lake Road Development II LLC in Instrument No. 56898757 and 56808834, a distance of 653.69 feet, to a point being in the existing western right of way edge of Wyoga Lake Road, and being 30 feet to the left of the existing centerline of Wyoga Lake Road, Station 92+35.91; Thence following the existing western right-of-way edge of Wyoga Lake Road, South 01 degrees 01 minutes 33 seconds East, a distance of 85.91 feet, to Station 91+50.00 and being 30 feet to the left of the existing center line of Wyoga Lake Road, and the POINT OF TRUE BEGINNING of land being described:

Thence South 01 degrees 01 minutes 33 seconds East, a distance of 90.00 feet, to a point 30 feet left of the existing centerline of the Wyoga Lake Road, Station 90+60.00, and through the land described in deed too BVI Realty LLC in Instrument No. 56451893;

Thence continuing through the same land, North 88 degrees 58 minutes 27 seconds East, a distance of 5.00 feet, to a point 35 feet left of the existing centerline of the Wyoga Lake Road, Station 90+60.00;

Thence continue through the same land, North 01 degrees 01 minutes 33 seconds West, a distance of 90.00 feet, to a point 35 feet to the left of the existing center line of Wyoga Lake Road, Station 91+50.00;

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Thence continue through the same land, North 88 degrees 58 minutes 27 seconds East, a distance of 5.00 feet, to the POINT OF TRUE BEGINNING and containing 0.010 Acres (450.000 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3501031.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 13-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3507225 in Northampton Township, also being part of land described in deed to Wyoga Lake Road Development II LLC and recorded in Instrument No. 56898757 and 56808834, records of Summit County, described as follows:

Commencing at a 3/4" Iron Pipe found at the northwesterly corner of land described in deed to BVI Realty LLC in Instrument No. 56451893; Thence North 89 degrees 52 minutes 20 seconds East, along the northerly lines of land described in deed to BVI Realty LLC in Instrument No. 56451893 and along the lines of land described in deed to Wyoga Lake Road Development II LLC in Instrument No. 56898757 and 56808834, a distance of 648.69 feet, to a point being 35 feet to the left of the existing centerline of Wyoga Lake Road, Station 92+35.99, and the POINT OF TRUE BEGINNING of land being described:

Thence North 01 degrees 01 minutes 33 seconds West, a distance of 214.01 feet, to a point 35 feet left of the existing centerline of the Wyoga Lake Road, Station 94+50.00, and through the land described in deed to Wyoga Lake Road Development II LLC in Instrument No. 56898757 and 56808834;

Thence continuing through the same land, North 11 degrees 24 minutes 27 seconds West, a distance of 33.29 feet, to a point 41 feet left of the existing centerline of the Wyoga Lake Road, Station 94+82.75, and being in the southern right-of-way edge of Princeton Place Blvd;

Thence with the southern right-of-way edge of Princeton Place Blvd, North 88 degrees 56 minutes 40 seconds East, a distance of 11.03 feet, to a point 29.97 feet to the left of the existing center line of Wyoga Lake Road, Station 94+82.76, and being the intersection of the southern right-of-way edge of Princeton Place Blvd and the western right-of-way edge of Wyoga Lake Road;

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Thence with the western right-of-way edge of Wyoga Lake Road, South 01 degrees 01 minutes 33 seconds East, a distance of 246.84 feet, to a point 30 feet to the left of the existing center line of Wyoga Lake Road, Station 92+35.91, and being in the southern line of Wyoga Lake Road Development II LLC;

Thence with the southern line of Wyoga Lake Road Development II LLC, South 89 degrees 52 minutes 20 seconds West, a distance of 5.00 feet, to the POINT OF TRUE BEGINNING and containing 0.031 Acres (1332.263 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3507225.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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PARCEL 13-T-1 SUM-WYOGA LAKE ROAD

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PURPOSE OF GRADING FOR 24 MONTHS FROM DATE OF ENTRY BY THE CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3507225 in Northampton Township, also being part of land described in deed to Wyoga Lake Road Development II LLC recorded in Instrument No. 56898757 and 56808834, records of Summit County, described as follows:

Commencing at a 3/4" Iron Pipe found at the northwesterly corner of land described in deed to BVI Realty LLC in Instrument No. 56451893; Thence North 89 degrees 52 minutes 20 seconds East, along the northerly lines of land described in deed to BVI Realty LLC in Instrument No. 56451893 and along the lines of land described in deed to Wyoga Lake Road Development II LLC in Instrument No. 56898757 and 56808834, a distance of 653.69 feet, to a point being in the existing western right of way edge of Wyoga Lake Road; Thence along the western right of way edge of Wyoga Lake Road and crossing the right of way of Princeton Place Blvd, North 1 degree 1 minute 33 seconds West, a distance of 306.84 feet, to a point on the western right of way line of Wyoga Lake Road and the northern right of way line of Princeton Place Blvd, said point being 30.00 feet left of the existing centerline of Wyoga Lake Road, Station 95+42.76, and the POINT OF TRUE BEGINNING of land being described:

Thence along the northerly right of way line of Princeton Place Blvd and through land described in deed to Wyoga Lake Road Development II LLC in Instrument No. 56898757 and 56808834, South 88 degrees 56 minutes 40 seconds West, a distance of 11.00 feet, to a point 41.00 feet left of the existing centerline of Wyoga Lake Road, Station 95+42.75;

Thence leaving the northerly right of way line of Princeton Place Blvd and continuing through land now or formerly owned by Wyoga Lake Road Development II LLC, North 1 degree 1 minute 33 seconds West, a distance of 96.15 feet, to point 41.00 feet left of the existing centerline of Wyoga Lake Road, Station 96+38.90;

Thence continuing along the southerly line of land described in deed to Princeton Place

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Development LLC in Instrument No. 56713005 and the northerly line of land now or formerly owned by Wyoga Lake Road Development II LLC, North 88 degrees 56 minutes 40 seconds East, a distance of 11.00 feet, to a point 30.00 feet left of the existing centerline of Wyoga Lake Road, Station 96+38.90;

Thence leaving the southerly line of land now or formerly owned by Princeton Place Development LLC and continuing through land now or formerly owned by Wyoga Lake Road Development II LLC, South 1 degree 1 minute 33 seconds East, a distance of 326.15 feet, to the POINT OF TRUE BEGINNING and containing 0.024 Acres (1057.601 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3507225.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 16-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lots No. 2 and 3, formerly Northampton Township, described as follows:

Commencing at a 3/4 inch iron pin found on the southerly line of lands described in deed to Akron Metropolitan Housing Authority in Deed Volume 6586 Page 776, records of Summit County, and being 30.93 feet right of the existing centerline of the Wyoga Lake Road; Thence through the same land, South 86 degrees 44 minutes 51 seconds West, a distance of 0.93 feet, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 97+64.79, and the POINT OF TRUE BEGINNING of land being described:

Thence South 88 degrees 40 minutes 24 seconds West, along the southerly line of land now or formerly owned by Akron Metropolitan Housing Authority and the northerly line of land described in deed to Dittaterra LLC in Reception No. 55314190, a distance of 30.00 feet, to a point on the existing centerline of the Wyoga Lake Road, Station 97+64.63;

Thence leaving the northerly line of land now or formerly owned by Dittaterra LLC and continuing through land now or formerly owned by Akron Metropolitan Housing Authority, North 1 degree 1 minute 33 seconds West, a distance of 194.12 feet, to a point on the existing centerline of Wyoga Lake Road, Station 99+58.75;

Thence continuing through the same land, North 88 degrees 59 minutes 7 seconds East, a distance of 33.55 feet, to a point 33.55 feet right of the existing centerline of Wyoga Lake Road, Station 99+58.74;

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Thence continuing through the same land, South 1 degree 6 minutes 40 seconds East, a distance of 113.74 feet, to a point 33.72 feet right of the existing centerline of Wyoga Lake Road, Station 98+45.00;

Thence continuing through the same land, North 88 degrees 58 minutes 27 seconds East, a distance of 5.50 feet, to a point 39.22 feet right of the existing centerline of Wyoga Lake Road, Station 98+45.00;

Thence continuing through the same land, South 1 degree 6 minutes 40 seconds East, a distance of 80.17 feet, to a point 39.34 feet right of the existing centerline of Wyoga Lake Road, Station 97+64.84;

Thence continuing through the same land, South 88 degrees 40 minutes 24 seconds West, a distance of 9.34 feet, to the POINT OF TRUE BEGINNING and containing 0.160 Acres (6979.237 SF) of land, of which 0.133 Acres (5793.480 SF) are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3502955 and 3503050.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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PARCEL 17-T SUM-WYOGA LAKE ROAD

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PURPOSE OF PARKING LOT IMPROVEMENTS AND GRADING FOR 24 MONTHS FROM DATE OF ENTRY BY THE CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 2, formerly Northampton Township, described as follows:

Commencing at a 3/4 inch iron pin found on the southerly line of lands described in deed to Akron Metropolitan Housing Authority in Deed Volume 6586 Page 776, records of Summit County, and being 30.93 feet right of the existing centerline of the Wyoga Lake Road; Thence through the same land, South 86 degrees 44 minutes 51 seconds West, a distance of 0.93 feet, to a point; Thence North 1 degree 1 minute 33 seconds West, a distance of 193.96 feet, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 99+58.74, and the POINT OF TRUE BEGINNING of land being described:

Thence through land described in deed to BWIP Wyoga Village Owner LLC in Reception No. 56039417, North 1 degree 1 minutes 33 seconds West, a distance of 950.26 feet, to a point 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 109+09.00;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 53 degrees 7 minutes 36 seconds and a chord of 22.36 feet that bears North 25 degrees 32 minutes 27.77 seconds East, to a point 40.00 feet right of the existing centerline of Wyoga Lake Road, Station 109+29.00;

Thence continuing through the same land, South 0 degrees 47 minutes 22 seconds East, a distance of 970.27 feet, to a point 36.00 feet right of the existing centerline of Wyoga Lake Road, Station 99+58.74;

Thence along the southerly line of lands described in deed to BWIP Wyoga Village Owner LLC in Reception No. 56039417 and the northerly line of lands described in deed to Akron Metropolitan Housing Authority in Deed Volume 6586 Page 776, South 88 degrees 59 minutes 7

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seconds West, a distance of 6.00 feet, to the POINT OF TRUE BEGINNING and containing 0.177 Acres (7701.875 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3506153.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in May of 2025 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 5-21-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 18-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcels 3500516 and 3500515 in Northampton Township, also being part of land described in deed to Richard A. & Kristine M. Gill and recorded in Vol. 2254 Pg. 407, records of Summit County, described as follows:

Commencing at a 5/8" iron pin found, Station 102+19.67 and being 30 feet left of the existing centerline of Wyoga Lake Road and also being in the western right-of-way line of Wyoga Lake Road and in the northern most line of Princeton Place Development LLC in Instrument No. 56713005, Thence North 01 degrees 01 minutes 33 seconds West, a distance of 40.33 feet, to a point 30 feet left of the existing centerline of the Wyoga Lake Road, Station 102+60.00, the POINT OF TRUE BEGINNING of land being described:

Thence through the land described in deed to Richard A. & Kristine M. Gill in Vol. 2254 Pg. 407, South 88 degrees 58 minutes 27 seconds West, a distance of 15.00 feet, to a point 45 feet left of the existing centerline of the Wyoga Lake Road, Station 102+60.00;

Thence continuing through the land described in deed to Richard A. & Kristine M. Gill in Vol. 2254 Pg. 407, North 01 degrees 01 minutes 33 seconds West, a distance of 100.00 feet, to a point 45 feet left of the existing centerline of the Wyoga Lake Road, Station 103+60.00;

Thence continuing through the land described in deed to Richard A. & Kristine M. Gill in Vol. 2254 Pg. 407, South 88 degrees 58 minutes 27 seconds West, a distance of 9.00 feet, to a point 54 feet left of the existing centerline of the Wyoga Lake Road, Station 103+60.00;

Thence continuing through the land described in deed to Richard A. & Kristine M. Gill in Vol. 2254 Pg. 407, North 01 degrees 01 minutes 33 seconds West, a distance of 89.74 feet, to a point 54 feet left of the existing centerline of the Wyoga Lake Road, Station 104+49.74, and being in the northern most line of Christine M. Gill parcel 3500515 recorded in Vol. 2254 Pg.

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407;

Thence with the northern most line of Richard A. & Kristine M. Gill parcel 3500515 recorded in Vol. 2254 Pg. 407, North 89 degrees 14 minutes 31 seconds East, a distance of 24.00 feet, to a 3/4" iron pin found 30 feet left of the existing centerline of the Wyoga Lake Road, Station 104+49.62, and being in the western right-of-way line of Wyoga Lake Road;

Thence with the western right-of-way line of Wyoga Lake Road, South 01 degrees 01 minutes 33 seconds East, a distance of 189.62 feet, to the POINT OF TRUE BEGINNING and containing 0.084 Acres (3652.313 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3500516 and 3500515.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 20-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 2, formerly Northampton Township, described as follows:

Commencing at the southwest corner of subplot 174 in Wyoga Lake Park Subdivision, Section C, from which a 5/8 inch capped iron pin found bears North 80 degrees 31 minutes 19 seconds West, a distance of 0.29 feet; Thence North 89 degrees 0 minutes 9 seconds East, a distance of 8.27 feet, to a being a point 38.27 feet right of the existing centerline of the Wyoga Lake Road, Station 118+56.12, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 0 minutes 9 seconds East, through land described in deed to BWIP Wyoga Towers Owner LLC in Reception No. 56039419 and along the southerly line of lands described in deed to Shelley A Engelhardt in Reception No. 56585807, a distance of 6.73 feet, to a point 45.00 feet right of the existing centerline of the Wyoga Lake Road, Station 118+56.12;

Thence leaving the southerly line of lands now or formerly owned by Shelley A Engelhardt and continuing through land now or formerly owned by BWIP Wyoga Towers Owners LLC, South 0 degrees 56 minutes 7 seconds East, a distance of 306.12 feet, to a point 45.00 feet right of the existing centerline of Wyoga Lake Road, Station 115+50.00;

Thence continuing through the same land, North 89 degrees 3 minutes 53 seconds East, a distance of 5.01 feet, to a point 50.01 feet right of the existing centerline of Wyoga Lake Road, Station 115+50.00;

Thence continuing through the same land, South 0 degrees 56 minutes 16 seconds East, a distance of 299.92 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 112+50.00;

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Thence continuing through the same land, South 88 degrees 58 minutes 27 seconds West, a distance of 4.00 feet, to a point 46.00 feet right of the existing centerline of Wyoga Lake Road, Station 112+50.00;

Thence continuing through the same land, South 1 degree 1 minute 33 seconds East, a distance of 263.54 feet, to a point 46.00 feet right of the existing centerline of Wyoga Lake Road, Station 109+86.46;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 22 degrees 57 minutes 15 seconds and a chord of 9.95 feet that bears North 58 degrees 26 minutes 56 seconds West, to a point 37.62 feet right of the existing centerline of Wyoga Lake Road, Station 109+91.82;

Thence continuing through the same land, North 0 degrees 55 minutes 14 seconds West, a distance of 864.24 feet, to the POINT OF TRUE BEGINNING and containing 0.178 Acres (7759.142 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3500441.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 20-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot No. 2, formerly Northampton Township, described as follows:

Commencing at the southwest corner of subplot 174 in Wyoga Lake Park Subdivision, Section C, from which a 5/8 inch capped iron pin found bears North 80 degrees 31 minutes 19 seconds West, a distance of 0.29 feet, said southwest corner of subplot 174 being a point 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 118+56.11, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 0 minutes 9 seconds East, through land described in deed to BWIP Wyoga Towers Owner LLC in Reception No. 56039419 and along the southerly line of lands described in deed to Shelley A Engelhardt in Reception No. 56585807, a distance of 8.27 feet, to a point 38.27 feet right of the existing centerline of the Wyoga Lake Road, Station 118+56.12;

Thence leaving the southerly line of lands now or formerly owned by Shelley A Engelhardt and continuing through land now or formerly owned by BWIP Wyoga Towers Owners LLC, South 0 degrees 55 minutes 14 seconds East, a distance of 864.24 feet, to a point 37.62 feet right of the existing centerline of Wyoga Lake Road, Station 109+91.82;

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Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 45 degrees 53 minutes 29 seconds and a chord of 19.49 feet that bears North 24 degrees 1 minute 32 seconds West, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 110+09.81;

Thence continuing through the same land, South 89 degrees 6 minutes 9 seconds West, a distance of 30.00 feet, to a point on the existing centerline of Wyoga Lake Road, Station 110+09.83;

Thence continuing through the same land, North 1 degree 1 minute 33 seconds West, a distance of 256.52 feet, to a point on the existing centerline of Wyoga Lake Road, Station 112+66.35;

Thence continuing through the same land, North 0 degrees 56 minutes 7 seconds West, a distance of 589.78 feet, to a point on the existing centerline of Wyoga Lake Road, Station 118+56.13;

Thence continuing through the same land, North 89 degrees 6 minutes 7 seconds East, a distance of 30.00 feet, to the POINT OF TRUE BEGINNING and containing 0.742 Acres (32340.096 SF) of land, of which 0.583 Acres (25395.480 SF) are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3500441.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 24-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of subplot 129 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at the southwest corner of subplot 129 in Wyoga Lake Park Subdivision, Section E, from which a 1 inch iron pin found bears North 46 degrees 55 minutes 4 seconds West, a distance of 0.26 feet; Thence North 89 degrees 2 minutes 3 seconds East, a distance of 7.16 feet, to a point 37.16 feet right of the existing centerline of the Wyoga Lake Road, Station 122+21.11, and the POINT OF TRUE BEGINNING of land being described:

Thence North 1 degree 18 minutes 58 seconds West, through land described in deed to John Karpinsky in Reception No. 56080397, a distance of 28.89 feet, to a point 36.97 feet right of the existing centerline of the Wyoga Lake Road, Station 122+50.00;

Thence continuing through the same land, North 89 degrees 3 minutes 53 seconds East, a distance of 8.03 feet, to a point 45.00 feet right of the existing centerline of Wyoga Lake Road, Station 122+50.00;

Thence continuing through the same land, South 0 degrees 56 minutes 7 seconds East, a distance of 28.89 feet, to a point 45.00 feet right of the existing centerline of Wyoga Lake Road, Station 122+21.11;

Thence continuing through the same land and along the northerly line of land described in deed to Sara L Kline in Reception No. 56593624, South 89 degrees 2 minutes 3 seconds West, a distance of 7.84 feet, to the POINT OF TRUE BEGINNING and containing 0.005 Acres (229.133 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3502578.

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The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Nathaniel C. Thompson, EI, LEED Green Associate, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 24-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of subplot 129 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at the southwest corner of subplot 129 in Wyoga Lake Park Subdivision, Section E, from which a 1 inch iron pin found bears North 46 degrees 55 minutes 4 seconds West, a distance of 0.26 feet; said southwest corner of subplot 129 being a point 30.10 feet right of the existing centerline of the Wyoga Lake Road, Station 122+21.11, and the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 56 minutes 07 seconds West, through land described in deed to John Karpinsky in Reception No. 56080397, a distance of 85.00 feet, to a point 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 123+06.11;

Thence continuing through the same land and along the southerly line of land described in deed to Craig Robert McSparran in Reception No. 56052940, North 89 degrees 2 minutes 3 seconds East, a distance of 6.60 feet, to a point 36.60 feet right of the existing centerline of Wyoga Lake Road, Station 123+06.11;

Thence leaving the southerly line of lands now or formerly owned by Craig Robert McSparran and continuing through lands now or formerly owned by John Karpinsky, South 1 degree 18 minutes 58 seconds East, a distance of 85.00 feet, to a point 37.16 feet right of the existing centerline of Wyoga Lake Road, Station 122+21.11;

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Thence continuing through the same land and along the northerly line of land described in deed to Sara L Kline in Reception No. 56593624, South 89 degrees 2 minutes 3 seconds West, a distance of 7.16 feet, to the POINT OF TRUE BEGINNING and containing 0.013 Acres (584.950 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3502578.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 25-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of subplot 128 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at the southwest corner of subplot 129 in Wyoga Lake Park Subdivision, Section E, from which a 1 inch iron pin found bears North 46 degrees 55 minutes 4 seconds West, a distance of 0.26 feet; Thence North 0 degrees 56 minutes 7 seconds West, a distance of 85.00 feet, to a point; Thence North 89 degrees 2 minutes 3 seconds East, a distance of 6.60 feet, to a point 36.60 feet right of the existing centerline of the Wyoga Lake Road, Station 123+06.11, and the POINT OF TRUE BEGINNING of land being described:

Thence North 1 degree 18 minutes 58 seconds West, through land described in deed to Craig Robert McSparran in Reception No. 56052940, a distance of 85.00 feet, to a point 36.03 feet right of the existing centerline of the Wyoga Lake Road, Station 123+91.11;

Thence continuing through the same land and along the southerly line of land described in deed to Spencer McClure in Reception No. 56898221, North 89 degrees 2 minutes 3 seconds East, a distance of 5.97 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

Thence leaving the southerly line of lands now or formerly owned by Spencer McClure and continuing through lands now or formerly owned by Craig Robert McSparran, South 0 degrees 56 minutes 7 seconds East, a distance of 85.00 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 123+06.11;

Thence continuing through the same land and along the northerly line of land described in deed to John Karpinsky in Reception No. 56080397, South 89 degrees 2 minutes 3 seconds West, a

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distance of 5.40 feet, to the POINT OF TRUE BEGINNING and containing 0.011 Acres (483.071 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3502549.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 25-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of subplot 128 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at the southwest corner of subplot 129 in Wyoga Lake Park Subdivision, Section E, from which a 1 inch iron pin found bears North 46 degrees 55 minutes 4 seconds West, a distance of 0.26 feet; Thence North 0 degrees 56 minutes 7 seconds West, a distance of 85.00 feet, to a point 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 123+06.11, and the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 55 minutes 44 seconds West, through land described in deed to Craig Robert McSparran in Reception No. 56052940, a distance of 85.00 feet, to a point 30.01 feet right of the existing centerline of the Wyoga Lake Road, Station 123+91.11;

Thence continuing through the same land and along the southerly line of land described in deed to Spencer McClure in Reception No. 56898221, North 89 degrees 2 minutes 3 seconds East, a distance of 6.02 feet, to a point 36.03 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

Thence leaving the southerly line of lands now or formerly owned by Spencer McClure and continuing through lands now or formerly owned by Craig Robert McSparran, South 1 degree 18 minutes 58 seconds East, a distance of 85.00 feet, to a point 36.60 feet right of the existing centerline of Wyoga Lake Road, Station 123+06.11;

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Thence continuing through the same land and along the northerly line of land described in deed to John Karpinsky in Reception No. 56080397, South 89 degrees 2 minutes 3 seconds West, a distance of 6.60 feet, to the POINT OF TRUE BEGINNING and containing 0.012 Acres (536.520 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3502549.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 26-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of sublots 126 and 127 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at a 5/8 inch iron pin found along the southerly line of land deeded to Cuyahoga Valley Christian Academy and recorded in Deed Volume 6025 Page 737, records of Summit County; Thence South 69 degrees 42 minutes 1 second East, a distance of 0.74 feet, to a point; Thence North 89 degrees 17 minutes 52 seconds East, a distance of 6.18 feet, to a point 36.18 feet right of the existing centerline of the Wyoga Lake Road, Station 126+14.31, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 17 minutes 52 seconds East, along the southerly lines of land described in deed to Cuyahoga Valley Christian Academy in Deed Volume 6025 Page 737, a distance of 5.82 feet, to a point 42.00 feet right of the existing centerline of the Wyoga Lake Road, Station 126+14.28;

Thence continuing through land described in deed to Spencer McClure in Reception No. 56898221, South 0 degrees 56 minutes 7 seconds East, a distance of 114.28 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 125+00.00;

Thence continuing through the same land North 89 degree 3 minutes 53 seconds East, a distance of 4.00 feet, to a point 46.00 feet right of the existing centerline of Wyoga Lake Road, Station 125+00.00;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 90.89 feet, to a point 46.00 feet right of the existing centerline of Wyoga Lake Road, Station 124+09.11;

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Thence continuing through the same land South 89 degrees 2 minutes 3 seconds West, a distance of 4.00 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 124+09.11;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 18.00 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

Thence continuing through the same land South 89 degrees 2 minutes 3 minutes West, a distance of 5.97 feet, to a point 36.03 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

Thence continuing through the same land North 0 degrees 53 minutes 53 seconds West, a distance of 223.20 feet, to the POINT OF TRUE BEGINNING and containing 0.039 Acres (1678.764 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3501435, 3700035, and 3700036.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 26-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of sublots 126 and 127 in Wyoga Lake Park Subdivision, Section E, as shown by the plat recorded in Volume 71 of Maps, Page 24, records of Summit County, described as follows:

Commencing at a 5/8 inch iron pin found along the southerly line of land deeded to Cuyahoga Valley Christian Academy and recorded in Deed Volume 6025 Page 737, records of Summit County; Thence South 69 degrees 42 minutes 1 second East, a distance of 0.74 feet, to a point 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 126+14.33, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 17 minutes 52 seconds East, along the southerly lines of land described in deed to Cuyahoga Valley Christian Academy in Deed Volume 6025 Page 737, a distance of 6.18 feet, to a point 36.18 feet right of the existing centerline of the Wyoga Lake Road, Station 126+14.31;

Thence continuing through land described in deed to Spencer McClure in Reception No. 56898221, South 0 degrees 53 minutes 53 seconds East, a distance of 223.20 feet, to a point 36.03 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

Thence continuing through the same land and along the northerly line of land described in deed to Craig Robert McSparran in Reception No. 56052940, South 89 degrees 2 minutes 3 seconds West, a distance of 6.02 feet, to a point 30.01 feet right of the existing centerline of Wyoga Lake Road, Station 123+91.11;

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Thence leaving the northerly line of lands now or formerly owned by Craig Robert McSparran and continuing through lands now or formerly owned by Spencer McClure, North 0 degrees 57 minutes 57 seconds West, a distance of 18.00 feet, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 124+09.11;

Thence continuing through the same land North 0 degrees 56 minutes 7 seconds West, a distance of 67.00 feet, to a point 29.96 feet right of the existing centerline of Wyoga Lake Road, Station 124+76.11;

Thence continuing through the same land North 0 degrees 56 minutes 7 seconds West, a distance of 138.23 feet, to the POINT OF TRUE BEGINNING and containing 0.031 Acres (1363.065 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3501435, 3700035, and 3700036.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 27-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING AND DRIVE RECONSTRUCTION
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3700218 in Northampton Township, also being part of land described in deed to Judith A. Kelly, Co-Trustee in Instrument No. 56274687, records of Summit County, described as follows:

Commencing at a 1/2" iron pipe found, being in the northern most line of land described in deed to Judith A. Kelly, Co-Trustee in Instrument No. 56274687 and the southern most line of land described in deed to Ricardo Farone Jr & Alexis Dennis in Instrument No. 56814951; Thence South 0 degrees 56 minutes 7 seconds East, a distance of 367.01 feet, to a point on the southerly line of land now or formerly owned by Judith A. Kelly and the northerly line of land described in deed to Walsh Jesuit High School in Instrument No. 55178213; Thence South 89 degrees 19 minutes 8 seconds West, a distance of 8.75 feet, to a point 38.75 feet left of the existing centerline of the Wyoga Lake Road, Station 125+57.18, and the POINT OF TRUE BEGINNING of land being described:

Thence continuing through land now or formerly owned by Judith A. Kelly, Co-Trustee and along the northerly line of lands now or formerly owned by Walsh Jesuit High School, South 89 degrees 19 minutes 8 seconds West, a distance of 11.25 feet, to a point 50.00 feet left of the existing centerline of the Wyoga Lake Road, Station 125+57.23;

Thence continuing through land now or formerly owned by Judith A. Kelly, Co-Trustee and leaving the northerly line of lands now or formerly owned by Walsh Jesuit High School, North 0 degrees 56 minutes 7 seconds West, a distance of 22.77 feet, to a point 50.00 feet left of the existing centerline of the Wyoga Lake Road, Station 125+80.00;

Thence continuing through land now or formerly owned by Judith A. Kelly, Co-Trustee, North 89 degrees 3 minutes 53 seconds East, a distance of 11.25 feet, to a point 38.75 feet left of the existing centerline of the Wyoga Lake Road, Station 125+80.00;

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Thence continuing through the same land, South 0 degrees 56 minutes 7 seconds East, a distance of 22.82 feet, to the POINT OF TRUE BEGINNING and containing 0.006 Acres (256.393 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3700218.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 27-T-1
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3700218 in Northampton Township, also being part of land described in deed to Judith A. Kelly, Co-Trustee in Instrument No. 56274687, records of Summit County, described as follows:

Commencing at a ½" iron pipe found, being in the western most right-of-way edge of Wyoga Lake Road and being in the northern most line of Judith A. Kelly, Co-Trustee in Instrument No. 56274687, being 30 feet left of the existing centerline of Wyoga Lake Road, Station 129+24.15, and the POINT OF TRUE BEGINNING of land being described:

Thence with the western right-of-way line of Wyoga Lake Road, South 00 degrees 56 minutes 07 seconds East, a distance of 158.43 feet, to a point 30 feet left of the existing centerline of the Wyoga Lake Road, Station 127+65.73;

Thence continuing through lands now or formerly owned by Judith A. Kelly, Co-Trustee, South 89 degrees 03 minutes 53 seconds West, a distance of 25.00 feet, to a point 55 feet left of the existing centerline of the Wyoga Lake Road, Station 125+65.73;

Thence continuing through the lands of Judith A. Kelly, Co-Trustee in Instrument No. 56274687, North 00 degrees 56 minutes 07 seconds West, a distance of 158.54 feet, to a point 55 feet left of the existing centerline of the Wyoga Lake Road, Station 129+24.26, and being in the northern most line of Judith A. Kelly, Co-Trustee in Instrument No. 56274687;

Thence with the northern most line of Judith A. Kelly, Co-Trustee in Instrument No. 56274687, North 89 degrees 19 minutes 01 seconds East, a distance of 25.00 feet, to the POINT OF TRUE BEGINNING and containing 0.091 Acres (3962.030 SF) of land.

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The above described area is contained within Summit County Auditor Officer's parcel 3700218.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 27-WD
WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3700218 in Northampton Township, also being part of land described in deed to Judith A. Kelly, Co-Trustee in Instrument No. 56274687, records of Summit County, described as follows:

Commencing at a 1/2" iron pipe found, being in the northern most line of land described in deed to Judith A. Kelly, Co-Trustee in Instrument No. 56274687 and the southern most line of land described in deed to Ricardo Farone Jr & Alexis Dennis in Instrument No. 56814951, said iron pipe being a point 30.00 feet left of the existing centerline of the Wyoga Lake Road, Station 129+24.15, and the POINT OF TRUE BEGINNING of land being described:

Thence continuing through land now or formerly owned by Judith A. Kelly, Co-Trustee and along the southern line of land now or formerly owned by Ricardo Farone Jr & Alexis Dennis, North 89 degrees 19 minutes 1 second East, a distance of 30.00 feet, to a point on the existing centerline of Wyoga Lake Road, Station 129+24.02;

Thence leaving the southerly line of lands now or formerly owned by Ricardo Farone Jr & Alexis Dennis and continuing through land now or formerly owned by Judith A. Kelly, Co-Trustee, South 0 degrees 56 minutes 7 seconds East, a distance of 367.01 feet, to a point on the southerly line of land now or formerly owned by Judith A. Kelly, Co-Trustee and the northerly line of land described in deed to Walsh Jesuit High School in Instrument No. 55178213, said point being on the existing centerline of Wyoga Lake Road, Station 125+57.01;

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Thence continuing on the same line, South 89 degrees 19 minutes 8 seconds West, a distance of 38.75 feet, to a point 38.75 feet left of the existing centerline of Wyoga Lake Road, Station 125+57.18;

Thence leaving the northern line of land now or formerly owned by Walsh Jesuit High School and continuing through land now of formerly owned by Judith A. Kelly, Co-Trustee, North 0 degrees 56 minutes 7 seconds West, a distance of 22.82 feet, to a point 38.75 feet left of the existing centerline of Wyoga Lake Road, Station 125+80.00;

Thence continuing through the same land, North 11 degrees 24 minutes 14 seconds East, a distance of 40.95 feet, to a point 30.00 feet left of the existing centerline of Wyoga Lake Road, Station 126+20.00;

Thence continuing through the same land, North 0 degrees 56 minutes 7 seconds West, a distance of 304.15 feet, to the POINT OF TRUE BEGINNING and containing 0.261 Acres (11385.088 SF) of land, of which 0.253 acres (11020.680 SF) are in present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3700218.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 31-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING AND DRIVE RECONSTRUCTION
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3700116 in Northampton Township, also being part of land described in deed to Torreta LLC in Instrument No. 56567335, records of Summit County, described as follows:

Commencing at a 5/8" Iron pin found in the southern line of Torreta LLC in Instrument No. 56567335; Thence North 89 degrees 18 minutes 47 seconds East, along the southerly line of land described in deed to Torreta LLC in Instrument No. 56567335, a distance of 283.58 feet, to a point 35.00 feet left of the existing centerline of the Wyoga Lake Road, Station 133+04.17, and the POINT OF TRUE BEGINNING of land being described:

Thence through the lands of Torreta LLC in Instrument No. 56567335, North 00 degrees 56 minutes 07 seconds East, a distance of 55.83 feet, to a point 35 feet left of the existing centerline of the Wyoga Lake Road, Station 133+60.00;

Thence continuing through the lands of Torreta LLC in Instrument No. 56567335, North 89 degrees 03 minutes 53 seconds East, a distance of 5.00 feet, to a point in the western right-of-way line of Wyoga Lake Road, 30 feet left of the existing centerline of the Wyoga Lake Road, Station 133+60.00;

Thence with the western right-of-way line of Wyoga Lake Road, South 00 degrees 56 minutes 07 seconds East, a distance of 55.85 feet, to a point 30 feet left of the existing centerline of the Wyoga Lake Road, Station 133+04.15, said point being in the western right-of-way line of Wyoga Lake Road and being in the southern line of Torreta LLC in Instrument No. 56567335;

Thence with the southern most line of Torreta LLC in Instrument 56567335, South 89 degrees 18 minutes 47 seconds West, a distance of 5.00 feet to the POINT OF TRUE BEGINNING and containing 0.006 Acres (279.182 SF) of land.

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The above described area is contained within Summit County Auditor Officer's parcel 3700116.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 32-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, county of Summit, State of Ohio and being part of parcel 3700208 in Northampton Township, also being part of land described in deed to 370 Falls Commerce Holdings LLC in Instrument No. 56796947, records of Summit County, described as follows:

Commencing at a 5/8" capped iron pin found in the southern line of 370 Falls Commerce Holdings LLC in Instrument No. 56796947 and being in the western right-of-way line of Wyoga Lake Road; Thence North 00 degrees 56 minutes 07 seconds West, along the westerly right-of-way line of Wyoga Lake Road, a distance of 96.05 feet, to a 5/8" iron pin found, said iron pin being 30.04 feet left of the existing centerline of the Wyoga Lake Road, Station 136+00.21, and the POINT OF TRUE BEGINNING of land being described:

Thence through the lands of 370 Falls Commerce Holdings LLC in Instrument No. 56796947, South 86 degrees 41 minutes 26 seconds West, a distance of 5.00 feet, to a point 35 feet left of the existing centerline of the Wyoga Lake Road, Station 136+00.00;

Thence continuing through the lands of 370 Falls Commerce Holdings LLC in Instrument No. 56796947, North 01 degrees 13 minutes 18 seconds West, a distance of 345.16 feet, to a point in the western right-of-way line of Wyoga Lake Road, 36.73 feet left of the existing centerline of the Wyoga Lake Road, Station 139+45.16;

Thence with the western right-of-way line of Wyoga Lake Road with a curve to the right having a radius of 50.00 feet, an arc length of 26.22 feet, with a chord bearing of South 15 degrees 58 minutes 18 seconds East, and a chord distance of 25.93 feet, to a point 30 feet left of the existing centerline of the Wyoga Lake Road, Station 139+20.12, said point being in the western right-of-way line of Wyoga Lake Road;

Thence with the western right-of-way line of Wyoga Lake Road, South 00 degrees 56 minutes

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07 seconds East, a distance of 319.92 feet, to the POINT OF TRUE BEGINNING and containing 0.045 Acres (1968.573 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3700208.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 34-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot 1 of Northampton Township, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the northerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet, to a point 36.44 feet right of the existing centerline of the Wyoga Lake Road, Station 146+28.92, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 43 minutes 58 seconds East, a distance of 7.57 feet, to a point 44.00 feet right of the existing centerline of the Wyoga Lake Road, Station 146+28.83, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land South 0 degrees 56 minutes 07 seconds East, a distance of 178.83 feet, to a point 44.00 feet right of the existing centerline of Wyoga Lake Road, Station 144+50.00;

Thence continuing through the same land North 89 degrees 3 minutes 53 seconds East, a distance of 8.00 feet, to a point 52.00 feet right of the existing centerline of Wyoga Lake Road, Station 144+50.00;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 350.00 feet, to a point 52.00 feet right of the existing centerline of Wyoga Lake Road, Station 141+00.00;

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Thence continuing through the same land North 89 degrees 3 minutes 53 seconds East, a distance of 7.00 feet, to a point 59.00 feet right of the existing centerline of Wyoga Lake Road, Station 141+00.00;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 32.47 feet, to a point 59.00 feet right of the existing centerline of Wyoga Lake Road, Station 140+67.53;

Thence continuing through the same land and along the northerly line of lands described in deed to Cuyahoga Valley Christian Academy in Deed Volume 4872 Page 595, South 89 degrees 21 minutes 2 seconds West, a distance of 21.74 feet, to a point 37.26 feet right of the existing centerline of Wyoga Lake Road, Station 140+67.64;

Thence leaving the northerly line of lands now or formerly owned by Cuyahoga Valley Christian Academy and continuing through lands now or formerly owned by BH OHIO LEASING, LLC, North 1 degree 1 minute 9 seconds West, a distance of 561.29 feet, to the POINT OF TRUE BEGINNING and containing 0.168 Acres (7301.592 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcel 3700114.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 34-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Original Lot 1 of Northampton Township, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet, said point being 30.00 feet right of the existing centerline of the Wyoga Lake Road, Station 146+29.00, and the POINT OF TRUE BEGINNING of land being described:

Thence North 89 degrees 43 minutes 58 seconds East, along the northerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet, to a point 36.44 feet right of the existing centerline of the Wyoga Lake Road, Station 146+28.92;

Thence continuing through the same land South 1 degree 1 minute 9 seconds East, a distance of 561.29 feet, to a point 37.26 feet right of the existing centerline of Wyoga Lake Road, Station 140+67.64;

Thence continuing through the same land and along the northerly line of lands described in deed to Cuyahoga Valley Christian Academy in Deed Volume 4872 Page 595, South 89 degrees 21 minutes 2 seconds West, a distance of 37.26 feet, to a point on the existing centerline of Wyoga Lake Road, Station 140+67.82;

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Thence leaving the northerly line of lands now or formerly owned by Cuyahoga Valley Christian Academy and continuing through lands now or formerly owned by BH OHIO LEASING, LLC, North 0 degrees 56 minutes 7 seconds West, a distance of 561.52 feet, to a point on the existing centerline of Wyoga Lake Road, Station 146+29.35;

Thence continuing through the same land North 89 degrees 43 minutes 58 seconds East, a distance of 30.00 feet, to the POINT OF TRUE BEGINNING and containing 0.475 Acres (20685.546 SF) of land, of which 0.387 Acres (16857.720 SF) are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcel 3700114.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 36-T
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 53 and 54 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet, to a point 36.44 feet right of the existing centerline of the Wyoga Lake Road, Station 146+28.92, and the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 29 minutes 48 seconds West, a distance of 193.04 feet, to a point 37.91 feet right of the existing centerline of the Wyoga Lake Road, Station 148+21.95, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 17 degrees 0 minutes 50 seconds and a chord of 7.40 feet that bears North 54 degrees 27 minutes 14 seconds East, to a point 44.00 feet right of the existing centerline of Wyoga Lake Road, Station 148+26.15;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 197.32 feet, to a point 44.00 feet right of the existing centerline of Wyoga Lake Road, Station 146+28.83;

Thence continuing through the same land South 89 degrees 43 minutes 58 seconds West, along the northerly line of land described in deed to BH OHIO LEASING, LLC in in Reception No.

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55263882, a distance of 7.57 feet, to the POINT OF TRUE BEGINNING and containing 0.031 Acres (1332.131 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3700102 and 3700099.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 36-T-1
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 51 and 52 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet;

Thence North 0 degrees 29 minutes 48 seconds West, through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 256.10 feet, to a point 38.40 feet right of the existing centerline of Wyoga Lake Road, Station 148+85.02, and the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 29 minutes 48 seconds West, a distance of 154.99 feet, to a point 39.58 feet right of the existing centerline of the Wyoga Lake Road, Station 150+40.00, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land North 89 degrees 3 minutes 53 seconds East, a distance of 10.42 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 150+40.00;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 160.79 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 148+79.21;

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Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 30 degrees 5 minutes 0 seconds and a chord of 12.98 feet that bears North 64 degrees 21 minutes 24 seconds West to the POINT OF TRUE BEGINNING and containing 0.040 Acres (1747.757 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3700085 and 3700086.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

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**PARCEL 36-T-2
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 27, 28, and 51 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet;

Thence North 0 degrees 29 minutes 48 seconds West, through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 431.09 feet, to a point 39.73 feet right of the existing centerline of Wyoga Lake Road, Station 150+60.00, and the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 29 minutes 48 seconds West, a distance of 214.67 feet, to a point 41.39 feet right of the existing centerline of the Wyoga Lake Road, Station 152+74.66, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 21 degrees 27 minutes 25 seconds and a chord of 9.31 feet that bears North 66 degrees 46 minutes 38 seconds East, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 152+78.19;

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Thence continuing through the same land South 0 degrees 56 minutes 17 seconds East, a distance of 218.20 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 150+60.00;

Thence continuing through the same land South 89 degrees 3 minutes 53 seconds West, a distance of 10.27 feet to the POINT OF TRUE BEGINNING and containing 0.047 Acres (2044.175 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3700086, 3700061, and 3700093.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

EXHIBIT A

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Ver. Date 08/07/24

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PID 116742

**PARCEL 36-T-3
SUM-WYOGA LAKE ROAD**

**TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 2, 25, and 26 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet;

Thence North 0 degrees 29 minutes 0 seconds West, through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 703.46 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 153+32.36, and the POINT OF TRUE BEGINNING of land being described:

Thence North 1 degree 17 minutes 52 seconds East, a distance of 296.69 feet, to a point 57.47 feet right of the existing centerline of the Wyoga Lake Road, Station 156+24.32, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land South 3 degrees 6 minutes 50 seconds East, a distance of 168.95 feet, to a point 60.00 feet right of the existing centerline of Wyoga Lake Road, Station 154+60.00;

Thence continuing through the same land South 1 degree 14 minutes 17 seconds West, a distance of 131.40 feet, to a point 55.00 feet right of the existing centerline of Wyoga Lake Road, Station 153+28.70;

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Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 30 degrees 43 minutes 3 seconds and a chord of 13.24 feet that bears North 74 degrees 54 minutes 39 seconds West, to the POINT OF TRUE BEGINNING and containing 0.064 Acres (2798.864 SF) of land.

The above described area is contained within Summit County Auditor Officer's parcels 3700076, 3700088, and 3700113.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-29-2025

Zoran R. Milojkovic, Professional Surveyor
#8202

EXHIBIT A

LPA RX 851 WD

DLS

Ver. Date 08/21/24

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Rev. 06/09

PID 116742

**PARCEL 36-WD
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 53 and 54 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet, said point being 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 146+29.00, said point also being the POINT OF TRUE BEGINNING of land being described:

Thence North 0 degrees 56 minutes 7 seconds West, a distance of 174.71 feet to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 148+03.71, and through the land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 46 degrees 52 minutes 56 seconds and a chord of 19.89 feet that bears North 22 degrees 30 minutes 21 seconds East, to a point 37.91 feet right of the existing centerline of Wyoga Lake Road, Station 148+21.95;

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Thence continuing through the same land South 0 degrees 29 minutes 48 seconds East, a distance of 193.04 feet, to a point 36.44 feet right of the existing centerline of Wyoga Lake Road, Station 146+28.92;

Thence continuing through the same land South 89 degrees 43 minutes 58 seconds West, along the northerly line of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet to the POINT OF TRUE BEGINNING and containing 0.031 Acres (1339.928 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3700102 and 3700099.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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PID 116742

**PARCEL 36-WD-1
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 27, 28, 51, and 52 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet;

Thence North 0 degrees 29 minutes 48 seconds West, through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 256.10 feet, to a point 38.40 feet right of the existing centerline of Wyoga Lake Road, Station 148+85.02, and the POINT OF TRUE BEGINNING of land being described:

Thence with a curve deflecting to the right, having a radius of 25.00 feet, delta of 48 degrees 22 minutes 46 seconds and a chord of 20.49 feet that bears North 25 degrees 7 minutes 30 seconds West, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 149+03.71, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

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Thence continuing through the same land North 0 degrees 56 minutes 7 seconds West, a distance of 349.79 feet, to a point 30.01 feet right of the existing centerline of Wyoga Lake Road, Station 152+53.49;

Thence continuing through the same land with a curve deflecting to the right, having a radius of 25.00 feet, delta of 57 degrees 27 minutes 59 seconds and a chord of 24.04 feet that bears North 27 degrees 18 minutes 56 seconds East, to a point 41.39 feet right of the existing centerline of Wyoga Lake Road, Station 152+74.66;

Thence continuing through the same land South 0 degrees 29 minutes 48 seconds East, a distance of 214.67 feet, to a point 39.73 feet right of the existing centerline of Wyoga Lake Road, Station 150+60.00;

Thence continuing through the same land North 89 degrees 3 minutes 53 seconds East, a distance of 10.27 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 150+60.00;

Thence continuing through the same land South 0 degrees 56 minutes 7 seconds East, a distance of 20.00 feet, to a point 50.00 feet right of the existing centerline of Wyoga Lake Road, Station 150+40.00;

Thence continuing through the same land South 89 degrees 3 minutes 53 seconds West, a distance of 10.42 feet, to a point 39.58 feet right of the existing centerline of Wyoga Lake Road, Station 150+40.00;

Thence continuing through the same land South 0 degrees 29 minutes 48 seconds East, a distance of 154.99 feet, to the POINT OF TRUE BEGINNING and containing 0.091 Acres (3940.273 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3700085, 3700086, 3700061, and 3700093.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

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The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

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PID 116742

**PARCEL 36-WD-2
SUM-WYOGA LAKE ROAD**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF CUYAHOGA FALLS, SUMMIT COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio, and being part of Lots 2, 25, and 26 in Seasons Road Subdivision No. One (1) as recorded in Plat Book 50, Page 66 of Summit County Records of Plats, also being part of land described in deed to BH OHIO LEASING, LLC recorded in Reception No. 55263882, records of Summit County, described as follows:

Commencing at the southwestern corner of Lot 54 in Seasons Road Subdivision No. 1, from which a 1 ½ inch iron pipe found bears North 2 degrees 56 minutes 14 seconds, a distance of 0.41 feet; Thence North 89 degrees 43 minutes 58 seconds East, along the southerly lines of land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 6.44 feet;

Thence North 0 degrees 29 minutes 00 seconds West, through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882, a distance of 703.46 feet, to a point 42.00 feet right of the existing centerline of Wyoga Lake Road, Station 153+32.36, and the POINT OF TRUE BEGINNING of land being described:

Thence with a curve deflecting to the right, having a radius of 25.00 feet, delta of 58 degrees 37 minutes 5 seconds and a chord of 24.48 feet that bears North 30 degrees 14 minutes 35 seconds West, to a point 30.02 feet right of the existing centerline of Wyoga Lake Road, Station 153+53.70, and through land described in deed to BH OHIO LEASING, LLC in Reception No. 55263882;

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Thence continuing through the same land North 0 degrees 53 minutes 21 seconds West, a distance of 184.92 feet, to a point 30.21 feet right of the existing centerline of Wyoga Lake Road, Station 155+38.46;

Thence continuing through the same land with a curve deflecting to the left, having a radius of 1145.91 feet, delta of 4 degrees 31 minutes 54 seconds and a chord of 90.61 feet that bears North 3 degrees 29 minutes 52 seconds West, to a point 30.00 feet right of the existing centerline of Wyoga Lake Road, Station 156+26.79;

Thence continuing through the same land North 89 degrees 43 minutes 26 seconds East, a distance of 27.45 feet, to a point 57.47 feet right of the existing centerline of Wyoga Lake Road, Station 156+24.32;

Thence continuing through the same land South 1 degree 17 minutes 52 seconds West, a distance of 296.69 feet, to the POINT OF TRUE BEGINNING and containing 0.122 Acres (5295.795 SF) of land, of which 0.000 Acres are in the present road occupied.

The above described area is contained within Summit County Auditor Officer's parcels 3700076, 3700088, and 3700113.

The basis of bearing in this description is based on the Ohio State Plane Coordinates, North Zone (3401) NAD 83 (2011).

The description was prepared in August of 2024 by Curtis J. Deibel, PE. 81305, RSP21, and reviewed by Zoran R. Milojkovic, PS. 8202, of The Thrasher Group, Inc.

The description is based on a field survey performed by The Thrasher Group, Inc. in December 2023 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 8-21-2024

Zoran R. Milojkovic, Professional Surveyor
#8202

2
3 CITY OF CUYAHOGA FALLS, OHIO4
5 ORDINANCE NO. - 20256
7 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO
8 EXECUTE AND SUBMIT THE ANNUAL ACTION PLAN TO THE U.S.
9 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR
10 PROGRAM YEAR 2025, AND DECLARING AN EMERGENCY.
1112 WHEREAS, as a prerequisite to receive the 2025 Program Year Community Development
13 Block Grant ("CDBG") allocation, the City is required to submit an Annual Action Plan to the
14 Department of Housing and Urban Development ("HUD"), that outlines the ways in which it plans
15 to utilize its CDBG allocation for Program Year 2025; and
1617 WHEREAS, the City anticipates receiving an approximate allocation of \$669,676 in CDBG
18 funding for Program Year 2025; and
1920 WHEREAS, the Department of Community Development has prepared the Annual Action
21 Plan for Program Year 2025 as required by HUD;
2223 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
24 of Summit, and State of Ohio, that:
2526 Section 1. The Mayor is hereby authorized to execute and submit the Annual Action Plan for
27 Program Year 2025 to the U.S. Department of Housing and Urban Development for the
28 Community Development Block Grant Program and the Community Development Department is
29 authorized to carry out the programs contained within this document.
3031 Section 2. The Mayor, Director of Finance, Director of Community Development, Director of
32 Law, and any other public officials, individually or collectively as may be appropriate, are
33 authorized to prepare and execute such other documents, including contracts, and do all other
34 things as necessary or incidental to carrying out the intent and/or requirements of the
35 Community Development Block Grant Program.
3637 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
38 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
39 herewith and which have not previously been repealed are hereby ratified and confirmed.
4041 Section 4. It is found and determined that all formal actions of this Council concerning and
42 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
43 that all deliberations of this Council and of any of its committees that resulted in such formal
44 action, were in meetings open to the public, in compliance with all legal requirements, to the
45 extent applicable, including Chapter 107 of the Codified Ordinances.
4647 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
48 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
49 Falls and the inhabitants thereof, and provided that it receives the affirmative vote of two-thirds
50 of the members elected or appointed to Council, it shall take effect and be in force immediately
51 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
52 earliest period allowed by law.
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56 Passed: _____

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66 Approved: _____

67

68 7/14/25

President of Council

Clerk of Council

Mayor

City of Cuyahoga Falls, Ohio

Notice of Special Public Improvement Committee Meeting

Notice is hereby given that a Special Meeting of the Public Improvement Committee will be held on Monday, July 14, 2025, at 6:30 p.m. at The Cuyahoga Falls Natatorium, 2345 4th Street, Cuyahoga Falls, Ohio 44221, for the purpose of the following:

To discuss and potentially pass Temp. Ord. B-61.

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN THE FORM OF A GRANT FROM THE FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY FOR THE CITY WIDE TRAFFIC SIGNAL IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

Dated at Cuyahoga Falls, Ohio, this 11th day of July, 2025.

Meika Penta
Chairperson of the Public Improvement Committee