

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2026

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT OR CONTRACTS TO TRANSFER REAL PROPERTY KNOWN AS OPEN SPACE BLOCK E IN THE WOODLAND PRESERVES SUBDIVISION, CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

WHEREAS, the real property known as Open Space Block E of the Woodland Preserves Final Subdivision (Parcel #35-06775), (hereinafter "Property") is more particularly described in Exhibit A; and

WHEREAS, the Property was dedicated to the City of Cuyahoga Falls in the Woodland Preserves Final Subdivision Plat and transferred to the City of Cuyahoga Falls on July 16, 2020 (Summit County Recorder Doc. #56629935); and

WHEREAS, the City of Cuyahoga Falls is desirous of eliminating potential future maintenance costs on the Property; and

WHEREAS, the Property is no longer needed for a public purpose and the Woodland Preserves Homeowners Association (HOA) declined to accept ownership of the Property; and

WHEREAS, the City of Cuyahoga Falls wishes to transfer the subject property to Kenneth D. Smith, Jr. subject to certain deed restrictions as more particularly described in Exhibit B.

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

Section 1. That the Mayor is hereby authorized to transfer real property known as Open Space Block E in the Woodland Preserves Subdivision, Cuyahoga Falls (Parcel #35-06775) to Kenneth D. Smith for One Dollar (\$1.00) and subject to the deed restrictions set forth in Exhibit B.

Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.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 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 of 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.

1 Section 4. This ordinance is hereby declared to be an emergency measure
2 necessary for the preservation of the public peace, health, safety, convenience and welfare
3 of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
4 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
5 effect and be in force immediately upon its passage and approval by the Mayor; otherwise,
6 it shall take effect and be in force at the earliest period allowed by law.
7
8

9 Passed: _____

President of Council

Clerk of Council

16
17 Approved: _____

Mayor

18
19 2/9/26

EXHIBIT A

Legal Description of Parcel Number 35-06775

Situated in the City of Cuyahoga Falls, County of Summit, and State of Ohio; being part of Lot 3 of Original Northampton Township and known as being all of **Open Space Block E** of Woodland Preserves as shown by the subdivision plat recorded as Document No. 56453692 of Summit County Records of Plats.

Parcel No. 35-06775

ALT ID: NH00031B9050000

Land Use Restrictions

1. No vehicular access is permitted from South Woodland Dr. or Sourek Trail.
2. No filling, excavating, or clearing of any trees within the stream buffer area as depicted below in this exhibit.
3. No construction, installation or placement of any structures on the subject parcel.
4. No further subdivision of subject parcel shall be permitted.
5. The subject parcel shall not be transferred separately from parcel #3500323

