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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 62 - 2022

6
7 AN ORDINANCE AUTHORIZING AND DIRECTING THE
8 APPROPRIATION OF CERTAIN INTERESTS IN REAL
9 PROPERTY NECESSARY FOR THE IMPROVEMENT OF
10 WEST PORTAGE TRAIL EXTENSION BETWEEN STATE
11 ROAD AND NORTHAMPTON ROAD, AND DECLARING AN
12 EMERGENCY.
13

14 WHEREAS, on June 13, 2022, this Council adopted Resolution No. 7-2022, declaring
15 the intention of the City to appropriate certain interests in real property necessary for the
16 improvement of West Portage Trail Extension between State Road and Northampton
17 Road, and caused notice thereof to be served on the owners thereof as required by law,
18 and;
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20 WHEREAS, despite diligent efforts, the City and property owners have been unable to
21 agree to the terms by which the necessary land will be transferred to the City.
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23 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
24 County of Summit and State of Ohio, that:
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26 Section 1. This Council authorizes and directs the appropriation of certain interests
27 in real property necessary for the improvement of West Portage Trail Extension between
28 State Road and Northampton Road, more fully described in the exhibits numbered A(20-
29 WD, T), A(24- T), A(25-WD, T), A(26A-WD, T), A(26B-WD, T), A(27-WD, T), A(28WD, T1,
30 T2), A(30-WD, T), A(31-WD, T), A(32-WD, T) and A(33-T).
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32 Section 2. The Director of Law is hereby authorized to file any necessary civil actions
33 in the Summit County Probate Court, or any other court of competent jurisdiction, to
34 provide for the appropriation of the real property interests mentioned in Section 1 hereof
35 by eminent domain and the assessment of the compensation to be paid for the interests
36 hereby appropriated.
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38 Section 3. The Director of Finance is hereby authorized to deposit with the Court the
39 amount of the appraised value of each of the real property interests mentioned in Section
40 1 hereof, which is on file with the Clerk of Council in Council File No. 62-2022 and
41 incorporated as if fully rewritten herein, to permit the immediate appropriation of the
42 property. The Director of Finance is hereby authorized to make payment for the same
43 out of the Capital Projects Fund, line item Capital Outlay.
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45 Section 4. Any other ordinances and resolutions or portions of ordinances and
46 resolutions inconsistent herewith are hereby repealed, but any ordinances and
47 resolutions or portions of ordinances and resolutions not inconsistent herewith and
48 which have not previously been repealed are hereby ratified and confirmed.
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50 Section 5. It is found and determined that all formal actions of this Council
51 concerning and relating to the adoption of this resolution were adopted in an open
52 meeting of this Council and that all deliberations of this Council and of 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, to the extent applicable, including Chapter 107
55 of the Codified Ordinances.

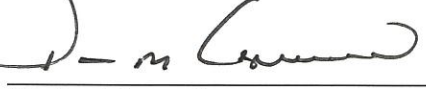
56 Section 6. This ordinance is hereby declared to be an emergency measure necessary
57 for the preservation of the public peace, health, safety, convenience and welfare of the
58 City of Cuyahoga Falls and the inhabitants thereof, and provided it received the
59 affirmative vote of two-thirds of the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

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64 Passed: 7-11-2022



President of Council

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Clerk of Council

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71 Approved: 7-15-2022



Mayor

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73 6/21/22
74 \\CF-FILE01\ldpublic\Council\2022ords\06-27-22\W Portage Improvement
75 State-Northampton.docx
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