

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 75 - 2022

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO
8 ENTER INTO A LAND SWAP AGREEMENT WITH
9 CUYAHOGA FALLS CITY SCHOOL DISTRICT IN
10 CONNECTION WITH THE NEW SCHOOL CAMPUS
11 LOCATED AT 2630 13TH STREET, AND DECLARING
12 AN EMERGENCY.
13

14 WHEREAS, the City and Cuyahoga Falls City School District ("CFCSD") each
15 own parcels of property which the other party needs to conduct daily operations,
16 to wit: CFCSD needs the City parcels for the development of the new school
17 campus located at 2630 13th Street and the City needs the CFCSD parcel for
18 additional space at Oakwood Cemetery; and
19

20 WHEREAS, to accomplish this goal, the City agrees to transfer parcel
21 numbers 0217975 and 0217976 located on the west side of 13th Street between
22 Portage Trail and Silver Lake Avenue, Cuyahoga Falls, Ohio to CFCSD and
23 CFCSD agrees to transfer part of parcel 0200949 located at 2300 4th Street,
24 Cuyahoga Falls, Ohio to the City; and
25

26 WHEREAS, the property that the City seeks to transfer to CFCSD is no longer
27 needed for any municipal purpose; and
28

29 WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII,
30 Sections 3 and 7 of the Ohio Constitution, authorize this Council to make
31 exception to the competitive bidding procedures set forth in the Revised Code.
32

33 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
34 Cuyahoga Falls, County of Summit and State of Ohio, that:
35

36 Section 1. The Mayor is authorized to enter into a land swap agreement with
37 CFCSD for the properties set forth in Exhibits A and B attached to this ordinance.
38

39 Section 2. Any other ordinances and resolutions or portions of ordinances and
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and
41 resolutions or portions of ordinances and resolutions not inconsistent herewith
42 and which have not previously been repealed are hereby ratified and confirmed.
43

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

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

57

58

59 Passed: 9-6-2022



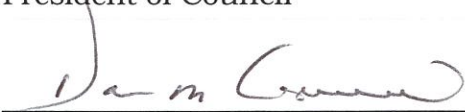
President of Council

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Clerk of Council

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67 Approved: 9-6-2022



Mayor

68

69 8/29/22

70 \\CF-FILE01\ldpublic\Council\2022ords\08-29-22\Land Swap Cuy Falls City
71 Schools Middle-High School.docx

EXHIBIT A

(City Parcels to be transferred to CFCSD)

Parcel 0217976

Beginning at the southwest corner of Lot 8; thence north along the west line of Lot 8 a distance of 2568.5 feet to the north line of Lot 8; thence east on the north line of Lot 8 a distance of 30 feet; thence south and parallel with the west line of Lot 8 a distance of 2568.5 feet to the south line of Lot 8; thence west on the south line of Lot 8 a distance of 30 feet to the place of beginning.

Parcel 0217975

Beginning at the southeast corner of Lot 18; thence north on the east line of Lot 18 a distance of 2266.44 feet; thence west and parallel with the south line of Lot 18 a distance of 30 feet; thence south and parallel with the east line of Lot 18 a distance of 2266.44 feet to the south line of Lot 18; thence east on the south line of Lot 18 a distance of 30 feet to the place of beginning.

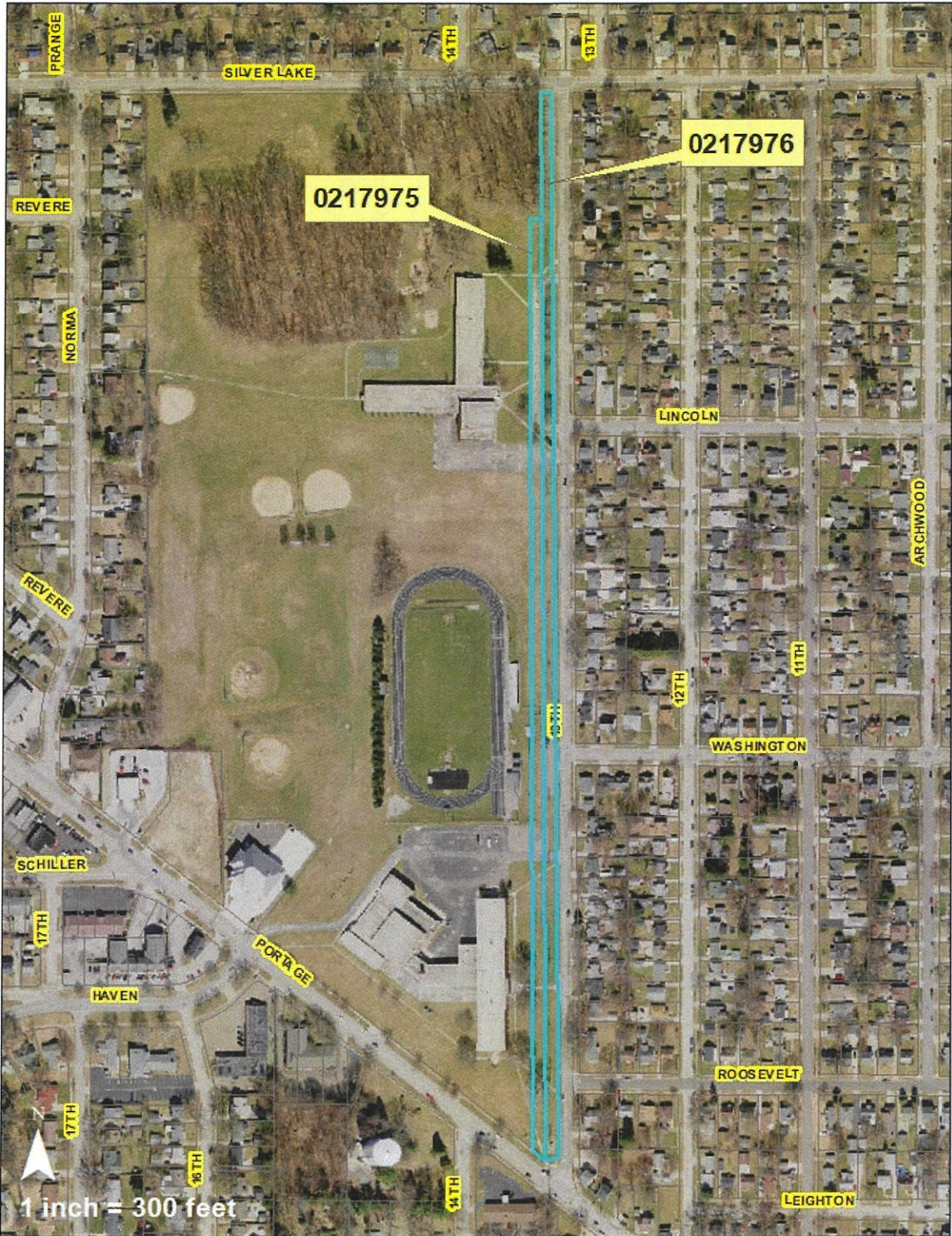


EXHIBIT B



CHARLES F. HAMMONTREE, P.E., P.S.
ROBERT J. HAMMONTREE, III
MICHAEL M. VALE, P.E., C.P.E.S.C., C.P.S.W.Q.
KARL J. OPRISCH, P.E.
WILLIAM P. UTZMAN, P.E., C.P.E.S.C.
MARK M. ZIMMERMAN, P.E., C.P.E.S.C., C.P.S.W.Q.
JENNIFER D. SCHUMACHER, P.E., LEED-AP

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5233 Stoneham Road
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TIMOTHY J. BRIGGS, P.S.
SHELBY R. PRINGLE, N.I.C.E.T.
MELINDA C. CHASE, P.E.
DANTE C. CELLITTI, R.L.A., C.P.E.S.C., C.P.S.W.Q.
JEFFREY A. RICE, C.P.S.S.
MATTHEW A. WOHLFORD, P.S.

Cuyahoga Falls High School 1.820 Acre Transient Parcel

Situated in the State of Ohio, County of Summit, and City of Cuyahoga Falls, and being part of Original Lot 1 of former Stow Township described as follows:

Beginning at a mag spike set in a tree stump at the southeast corner of subplot 2 of John H. Schillers Allotment as recorded in Plat Book 14, Pages 20-21;

1. Thence N 00°24'42" W with the east line of said subplot 2 and the east lines of sublots 3-7 of said John H. Schillers Allotment a distance of 271.78 feet to a 5/8 inch rebar with cap set;
2. Thence S 69°57'03" E with the southwest line of a parcel conveyed to The City of Cuyahoga Falls by Deed Book 1314, Page 579, a distance of 438.47 feet to a 5/8 inch rebar with cap set;
3. Thence S 11°51'32" W with the west line of a parcel conveyed to the Board of Education, City of Cuyahoga Falls School District by Deed Book 5157, Page 167, a distance of 158.15 feet to a 5/8 inch rebar with cap set;
4. Thence N 54°58'28" W with the north line of part of Thomas Court vacated by Instrument 57702207, and with a new line of division a distance of 66.38 feet to a 5/8 inch rebar with cap set;

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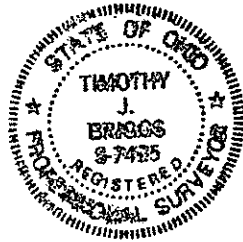
(CFCS Parcel to be transferred to City)

Cuyahoga Falls High School Transient Parcel
Page 2

5. Thence S 89°09'10" W continuing with a new line of division a distance of 323.13 feet to the **Point of Beginning**.

The above-described parcel has an area of 1.820 acres, none of which is in the public right of way as surveyed under the direction of Timothy J. Briggs, PS 7495, Hammontree & Associates, Ltd. North Canton, Ohio in June of 2022. Basis of bearings is the Ohio State Plane Coordinate System, North Zone (3401) Geoid 18, ODOT VRS NAD83(2011). All rebars set are 5/8-inch (nominal) diameter with caps inscribed "H&A LTD." All noted plats and deeds refer to the Summit County Fiscal Office records. The above-described parcel is subject to all easements and right of ways of public record or as otherwise legally established.

 7-15-22
Timothy J. Briggs, PS 7495 date
Hammontree & Associates, Ltd.



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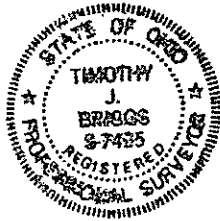
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