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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 79 - 2021

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF LAW TO  
8 FILE A RELEASE WITH THE SUMMIT COUNTY FISCAL  
9 OFFICE TO REMOVE A DEED RESTRICTION ON PARCEL  
10 NO. 02-18936, AND DECLARING AN EMERGENCY.

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12 WHEREAS, in 1991 the Board of Zoning Appeals approved a site plan with  
13 restrictions for former Parcel No. 02-04880, also known as 2443 9<sup>th</sup> Street; and

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15 WHEREAS, a deed restriction was put in place combining 2443 9<sup>th</sup> Street into  
16 current Parcel No. 02-18936, also known as 833 Portage Trail, and preventing the  
17 separate sale of 2443 9<sup>th</sup> Street and limiting its uses to office and off-street parking; and

18  
19 WHEREAS, the deed restriction is no longer applicable to the allowed uses for said  
20 property under the Cuyahoga Falls Development Code; and

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22 WHEREAS, a release is needed to remove the deed restriction from the chain of title  
23 related to Parcel No. 02-18936.

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

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28 Section 1. The Director of Law is hereby authorized to file with the Summit County  
29 Fiscal Office a release of the deed restriction for parcel No. 02-18936, also known as  
30 833 Portage Trail, which prohibits the sale of 2443 9<sup>th</sup> Street and limits the use of said  
31 property to office and off-street parking.

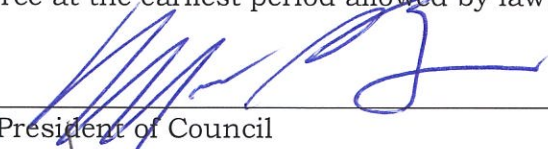
32  
33 Section 2. The Director of Law and any other necessary City officials are hereby  
34 authorized to provide such information and to execute such other documents and do all  
35 other actions as are necessary for and incidental to carrying out the requirements of  
36 this ordinance, together with such revisions, additions or amendments as are approved  
37 by the Director of Law as being consistent with the objectives and requirements of this  
38 ordinance.

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


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45 Section 4. It is found and determined that all formal actions of this Council  
46 concerning and relating to the passage of this ordinance were taken in an open meeting  
47 of this Council and that all deliberations of this Council and of any committees that  
48 resulted in those formal actions were in meetings open to the public, in compliance with  
49 all legal requirements including Chapter 107 of the Codified Ordinances.

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

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58 Passed: 9-27-2021

  
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President of Council

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62 Clerk of Council

  
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Clerk of Council

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66 Approved 9-28-2021

  
\_\_\_\_\_  
Mayor

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68 9/13/21  
69 \\cf-file01\ldpublic\Council\2021ords\09-13-21\Removing Deed Restriction.docx