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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. 2 - 2024
7

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9 A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN
10 PROPERTY ALONG STATE ROAD, SEASONS ROAD AND
11 WYOGA LAKE ROAD, AND DECLARING AN EMERGENCY.
12

13
14 WHEREAS, the City wishes to repair, improve and widen State Road, Seasons Road
15 and Wyoga Lake Road; and
16

17 WHEREAS, this Council finds and determines that the acquisition of fee simple title
18 is a proper public use associated with the improvement, as contemplated in Art. I, §19
19 of the Ohio Constitution.
20

21 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
22 County of Summit and State of Ohio:
23

24 Section 1. This Council considers it necessary and declares its intention to
25 appropriate for public purposes, certain permanent interests in real property necessary
26 for the improvement of State Road, Seasons Road and Wyoga Lake Road, namely, the
27 properties described in the Exhibits numbered A(1-WD), A(2-WD) and A(3-WD).
28

29 Section 2. The Mayor is hereby authorized to cause written notice of the adoption of
30 this resolution to be given to the owners, persons in possession, or others having an
31 interest of record in one or more of the properties described in the Exhibits hereto. The
32 notice shall be served and returned according to law.
33


34 Section 3. It is found and determined that all formal actions of this Council
35 concerning and relating to the adoption of this resolution were adopted in an open
36 meeting of this Council and that all deliberations of this Council and of any of its
37 committees that resulted in such formal action were in meetings open to the public, in
38 compliance with all legal requirements, to the extent applicable, including Chapter 107
39 of the Codified Ordinances.
40

41 Section 4. This resolution is hereby declared to be an emergency measure necessary
42 for the preservation of the public peace, health, safety, convenience and welfare of the
43 City of Cuyahoga Falls and the inhabitants thereof, and provided it received the
44 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
45 effect and be in force immediately upon its passage and approval by the Mayor; otherwise
46 it shall take effect and be in force at the earliest period allowed by law.
47

48
49 Passed: 2-12-2024
50



President of Council



Clerk of Council

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56 Approved: 2-12-2024
57



Mayor

EXHIBIT A

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Ver. Date 03/02/23

PID 00000

**PARCEL 1-WD
THE TRIANGLE
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 formerly located in Northampton Township and known as being part of Lot 1 of the original Northampton Township, Township 3N, Range 11W, and being part of a track of land now or formerly conveyed to Walter Real Estate LLC by a deed recorded in Instrument Number 55898081 of the Summit County Fiscal Officer's records, and as shown on the right of the centerline of existing right of way of State Road, the right of the centerline of existing right of way of Seasons Road, and the left of the centerline of existing right of way of Wyoga Lake Road on plans designated The Triangle, on file with the City of Cuyahoga Falls, more fully described as follows:

Commencing at a point of intersection of the northerly line of said Lot 1 of the original Northampton Township, with a line tangent to a curve on the centerline of existing right of way of Wyoga Lake Road, and being on the centerline of existing right of way of Seasons Road Station 4+03.86, being on the northerly township line of the former Northampton Township and the southerly township line of Boston Township, being a deflection point in the corporation boundary between the City of Cuyahoga Falls and Boston Township, being the northeast corner of the Grantor's land, witnessed by a 3/4" iron pin found in a monument box, being 0.45 feet right of the proposed centerline of construction of Seasons Road Station 205+11.53, being the TRUE PLACE OF BEGINNING of the parcel herein described;

Thence South 00°56'34" East along a line tangent to the centerline of existing right of way of Wyoga Lake Road a distance of 238.05 feet to a point at the southeast corner of the Grantor's land, being on the centerline of existing right of way of Wyoga Lake Road, Station 155+21.41, being 3.49 feet left of the centerline of proposed construction of Wyoga Lake Road, Station 302+60.92;

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Thence South $89^{\circ}53'18''$ West along the southerly property line of lands of the Grantor adjoining land now or formerly conveyed to Cartwright Properties LLC, and through present land occupied by Wyoga Lake Road right of way a distance of 30.00 feet to a point on the westerly existing right of way line of Wyoga Lake Road, 30.00 feet left of the centerline of existing right of way of Wyoga Lake Road Station 155+21.84, being 33.46 feet left of the centerline of proposed construction of Wyoga Lake Road Station 302+62.32;

Thence North $00^{\circ}56'32''$ West along the westerly existing right of way line of Wyoga Lake Road a distance of 10.53 feet to a point on the westerly existing right of way line of Wyoga Lake Road, 30.00 feet left of the centerline of existing right of way of Wyoga Lake Road Station 155+32.37, being 33.10 feet left of the centerline of proposed construction of Wyoga Lake Road Station 302+72.94;

Thence continuing along the westerly existing right of way line of Wyoga Lake Road along a curve to the left, having a radius of 1117.47 feet, a delta angle of $6^{\circ}45'48''$, an arc length of 131.91 feet, with a chord bearing of North $04^{\circ}19'28''$ West, and a chord distance of 131.83 feet to an iron rebar set, being 30.00 feet left of the centerline of existing right of way of Wyoga Lake Road Station 156+67.82, being 33.87 feet left of the centerline of proposed construction of Wyoga Lake Road Station 304+06.00;

Thence North $44^{\circ}13'46''$ West through lands of the Grantor a distance of 62.86 feet to an iron rebar set, being 63.00 feet right of the centerline of proposed construction of Seasons Road Station 204+42.00;

Thence North $79^{\circ}30'06''$ West through lands of the Grantor a distance of 110.52 feet to an iron rebar set on the existing southerly right of way line of Seasons Road, being 63.00 feet right of the centerline of proposed construction of Seasons Road Station 203+31.48;

Thence South $89^{\circ}43'26''$ West along the southerly existing right of way line of Seasons Road a distance of 178.26 feet to an iron rebar set, 50.00 feet right of the centerline of proposed construction of State Road Station 110+78.49;

Thence through lands of the Grantor along a curve to the right, having a radius of 3850.00 feet, a delta angle of $3^{\circ}19'11''$, an arc length of 223.07 feet, with a chord bearing of South $21^{\circ}45'59''$ West, and a chord distance of 223.03 feet to an iron rebar set on the southerly property line of the Grantor, being 50.00 feet right of the centerline of proposed construction of State Road Station 108+58.31;

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Thence South 89°53'18" West along the southerly property line of the Grantor adjoining land now or formerly conveyed to 4895 State Road LLC, passing the easterly existing right of way line of State Road at 11.29 feet, and continuing a total distance of 60.94 feet to a point on the original centerline of State Road, 5.79 feet left of the centerline of proposed construction of State Road Station 108+33.93;

Thence North 24°16'25" East along the westerly property line of the Grantor, being the original centerline of State Road, a distance of 260.07 feet to a point being at the intersection of the original centerline of State Road and the centerline of existing right of way of Seasons Road, 5.29 feet right of the centerline of proposed construction of State Road Station 110+93.83;

Thence North 89°43'26" East along the northerly property line of the Grantor, being the southerly property line of land now or formerly conveyed to David B. & Mary Schrembeck Trustees, being the former township line between Northampton Township and Boston Township, a distance of 403.72 feet to a point being the TRUE PLACE OF BEGINNING;

Parcel herein described containing 0.7838 acres (34,141 SF) of land, of which 0.669 acres are in present road occupied.

The above described area is contained within Summit County Fiscal Officer's parcel 3700008.

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

Iron rebar set in the above description are 5/8 inch x 30 inch long rebar set with plastic cap stamped "Thrasher Group."

The description was prepared in February of 2023 by Craig M. Klein, PE. 69280, 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 June 2022 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran R. Milojkovic 1-15-2024
Zoran R. Milojkovic, Professional Surveyor #8202

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Ver. Date 10/16/23

PID 00000

**PARCEL 2-WD
THE TRIANGLE
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 formerly located in Boston Township and known as being part of Lot 9 of the original Boston Township, Township 4N, Range 11W, and being part of a track of land now or formerly conveyed to David Blaise & Mary Schrembeck by a deed recorded in Instrument Number 54841773 of the Summit County Fiscal Officer's records, and as shown on the right of the centerline of existing right of way of State Road, the left of the centerline of existing right of way of Seasons Road, and the left of the centerline of existing right of way of Wyoga Lake Road on plans designated The Triangle, on file with the City of Cuyahoga Falls, more fully described as follows:

Commencing at a point of intersection of the southerly line of said Lot 9 of the original Boston Township, with a line tangent to a curve on the centerline of existing right of way of Wyoga Lake Road, and being the centerline of existing right of way of Seasons Road Station 4+03.86 being on the northerly township line of the former Northampton Township and the southerly township line of Boston Township, being a deflection point in the corporation boundary between the City of Cuyahoga Falls and Boston Township, being the southeast corner of the Grantor's land, witnessed by a 3/4" iron pin found in a monument box, being 0.45 feet right of the proposed centerline of construction of Seasons Road, being the TRUE PLACE OF BEGINNING of the parcel herein described;

Thence South 89°43'26" West along the southerly property line of the Grantor, being the northerly property line of land now or formerly conveyed to Walter Real Estate LLC, being the former township line between Northampton Township and Boston Township, a distance of 403.50 feet to a point being at the intersection of the original centerline of State Road and the

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centerline of existing right of way of Seasons Road, 5.50 feet right of the centerline of proposed construction of State Road Station 110+93.91;

Thence North 16°40'52" East along the westerly property line of the Grantor, being the original centerline of State Road, a distance of 185.32 feet to a point, 0.31 feet left of the centerline of proposed construction of State Road Station 112+79.03;

Thence South 72°54'25" East through lands of the Grantor and present lands occupied by State Road right of way, a distance of 39.93 feet to an iron rebar set on the easterly existing right of way line of State Road, 39.62 feet right of the centerline of proposed construction of State Road Station 112+79.03, being 40.00 feet right of the centerline of existing right of way of State Road Station 196+36.22;

Thence South 31°20'10" East through lands of the Grantor, a distance of 72.48 feet to an iron rebar set, 52.00 feet left of the centerline of proposed construction of Seasons Road Station 202+23.00;

Thence South 79°30'06" East through lands of the Grantor, a distance of 207.95 feet to an iron rebar set on the westerly existing right of way line of Wyoga Lake Road, 52.00 feet left of the centerline of proposed construction of Seasons Road Station 204+30.95;

Thence North 73°53'31" East through lands of the Grantor and present lands occupied by Wyoga Lake Road right of way, a distance of 39.19 feet to a point on the tangent of a curve on the centerline of existing right of way of Wyoga Lake Road, being the easterly property line of the Grantor, being the corporation line of the City of Cuyahoga Falls and Boston Township, 69.55 feet left of the centerline of proposed construction of Seasons Road Station 204+65.99, being 9.19 feet right of the centerline of existing right of way of Wyoga Lake Road Station 158+36.02;

Thence South 23°19'53" East along the easterly property line of the Grantor, being on the tangent of a curve on the centerline of existing right of way of Wyoga Lake Road, being the corporation line of the City of Cuyahoga Falls and Boston Township, a distance of 81.58 feet to a point being the TRUE PLACE OF BEGINNING;

Parcel herein described containing 0.856 acres (37,291 SF) of land, of which 0.442 acres are in present road occupied.

The above described area is contained within Summit County Fiscal Officer's parcel 3700220.

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

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Iron rebar set in the above description are 5/8 inch x 30 inch long rebar set with plastic cap stamped "Thrasher Group."

The description was prepared in February of 2023 by Craig M. Klein, PE. 69280, 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 June 2022 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran R. Milojkovic 1-15-2024
Zoran R. Milojkovic, Professional Surveyor #8202

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Ver. Date 10/16/23

PID 00000

**PARCEL 3-WD
THE TRIANGLE
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 formerly located in Northampton Township and known as being part of Lot 1 of the original Northampton Township, Township 3N, Range 11W, and located in Lot 1 of the Seasons Road Subdivision No. 1 dated November 29, 1957 and being part of a track of land now or formerly conveyed to BH (Ohio) Leasing, LLC by a deed recorded in Instrument Number 55263882 of the Summit County Fiscal Officer's records, and as shown on the right of the centerline of existing right of way of Seasons Road, and the right of the centerline of existing right of way of Wyoga Lake Road on plans designated The Triangle, on file with the City of Cuyahoga Falls, more fully described as follows:

Commencing at a point of intersection of the northerly line of said Lot 1 of the original Northampton Township, with a line tangent to a curve on the centerline of existing right of way of Wyoga Lake Road, and being on the centerline of existing right of way of Seasons Road Station 4+03.86, being on the northerly township line of the former Northampton Township and the southerly township line of Boston Township, being a deflection point in the corporation boundary between the City of Cuyahoga Falls and Boston Township, witnessed by a 3/4" iron pin found in a monument box, being 0.45 feet right of the proposed centerline of construction of Seasons Road Station 205+11.53;

Thence North 89°43'26" East along the centerline of existing right of way of Seasons Road, being the former township line between Northampton Township and Boston Township, being the corporation boundary between the City of Cuyahoga Falls and Boston Township, a distance of 54.14 feet to a point, on the centerline of existing right of way of Seasons Road Station 4+58.00;

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Thence South $00^{\circ}16'34''$ East through existing right of way of Seasons Road, a distance of 30.00 feet to an iron pin found on the southerly existing right of way line of Seasons Road, being on the northerly property line of the Grantor, 30.00 feet right of the centerline of existing right of way of Seasons Road Station 4+58.00, being the TRUE PLACE OF BEGINNING of the parcel herein described;

Thence North $89^{\circ}43'26''$ East along the southerly existing right of way line of Season Road, being the northerly property line of the Grantor, a distance of 57.00 feet to an iron pin found, 30.00 feet right of the centerline of existing right of way of Seasons Road Station 5+15.00;

Thence South $76^{\circ}10'44''$ East continuing along the southerly existing right of way line of Season Road, being the northerly property line of the Grantor, a distance of 41.06 feet to an iron rebar set, 40.00 feet right of the centerline of existing right of way of Seasons Road Station 5+54.82;

Thence South $89^{\circ}43'26''$ West through lands of the Grantor, a distance of 79.82 feet to an iron rebar set, 40.00 feet right of the centerline of existing right of way of Seasons Road Station 4+75.00;

Thence South $41^{\circ}03'39''$ West through lands of the Grantor, a distance of 32.32 feet to an iron rebar set, 55.00 feet right of the centerline of proposed construction of Wyoga Lake Road Station 304+30.00;

Thence South $04^{\circ}54'15''$ East through lands of the Grantor, a distance of 65.95 feet to an iron rebar set on the southerly lot line of Lot 1, 55.00 feet right of the centerline of proposed construction of Wyoga Lake Road Station 303+65.03;

Thence South $89^{\circ}43'26''$ West along the southerly lot line of Lot 1 and northerly lot line of Lot 2, also now or formerly conveyed to BH (Ohio) Leasing LLC, a distance of 27.59 feet to an iron rebar set on the easterly existing right of way line of Wyoga Lake Road, 27.48 feet right of the centerline of proposed construction of Wyoga Lake Road Station 303+67.00;

Thence along the existing easterly right of way line of Wyoga Lake Road along a curve to the left, having a radius of 1177.47 feet, a delta angle of $2^{\circ}41'41''$, an arc length of 55.38 feet, with a chord bearing of North $7^{\circ}00'16''$ West, and a chord distance of 55.37 feet to a point, being 25.41 feet right of the centerline of proposed construction of Wyoga Lake Road Station 304+21.93;

Thence continuing along the easterly existing right of way line of Wyoga Lake Road, being also the southerly existing right of way line of Seasons Road, North $36^{\circ}03'08''$ East, a distance of 55.87 feet to a point being the TRUE PLACE OF BEGINNING;

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Parcel herein described containing 0.073 acres (3,186 SF) of land, of which 0.000 acres are in present road occupied.

The above described area is contained within Summit County Fiscal Officer's parcel 3700084.

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

Iron rebar set in the above description are 5/8 inch x 30 inch long rebar set with plastic cap stamped "Thrasher Group."

The description was prepared in February of 2023 by Craig M. Klein, PE. 69280, 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 June 2022 under the direct supervision of Zoran R. Milojkovic, PS. 8202.



Zoran Milojkovic 1-15-2024
Zoran R. Milojkovic, Professional Surveyor #8202