

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 30 -2013

7
8
9 AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE
10 AMENDED AND RESTATED CONTRACT FOR SALE OF LAND
11 FOR PRIVATE REDEVELOPMENT WITH PORTAGE
12 CROSSING, LLC (CONTRACT NO. 6779), AND DECLARING
13 AN EMERGENCY.
14

15 WHEREAS, to eliminate blighted and deteriorated conditions, the City acquired certain
16 real property known as the State Road Shopping Center (the "Property"); and
17

18 WHEREAS, for the purpose of preventing the recurrence of those conditions of blight
19 and deterioration, to provide for the productive development and reuse of the Property and
20 for the purpose of creation of jobs and employment opportunities, the City entered into an
21 Amended and Restated Contract for Sale of Land for Private Redevelopment on July 3, 2012
22 (Contract No. 6779, hereinafter the "Agreement") for the sale of the Property to Portage
23 Crossing, LLC (the "Redeveloper"); and
24

25 WHEREAS, the development plan for a portion of the Property has been amended to
26 provide for a movie theater to be part of the development, and the City and the Redeveloper
27 desire to make amendments to the Agreement as described in the proposed Amendment to
28 Amended and Restated Contract for Sale of Land for Private Redevelopment (the
29 "Amendment"), a copy of which is on file with the Clerk of Council;
30

31 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
32 County of Summit, Ohio, that:
33

34 Section 1. This Council hereby confirms its previous findings and determination that the
35 Property will not be needed for public use by the City and that continued City ownership
36 thereof will not be necessary to carry out the purpose of eliminating conditions of blight
37 and, further, that the sale thereof is necessary to carry out the public purpose of preventing
38 the recurrence of the conditions of blight, to provide for the productive development and
39 reuse of the Property, and for the purpose of creation of jobs and employment opportunities
40 and improving the economic welfare of the people.
41

42 Section 2. This Council hereby approves the form of Amendment on file with the Clerk
43 of Council in Council File No. _____. The Mayor and Director of Community
44 Development are hereby authorized and directed to execute said Amendment on behalf of
45 the City in substantially the form on file with the Clerk of Council, together with such
46 revisions or additions thereto as are approved by the Mayor, Director of Community
47 Development and Director of Law, and are consistent with the objectives and requirements
48 provided in this ordinance. The Mayor is authorized to execute and deliver such deed or
49 deeds and purchase and accept delivery of such easements as are necessary to carry out
50 such Amendment, and the Mayor and Director of Community Development, Director of
51 Finance, Director of Law, and other City officials, as appropriate, are authorized to provide
52 such information and to execute, certify or furnish such other documents, and do all other
53 things, as are necessary for and incidental to carrying out the terms of the Amendment.

54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87

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

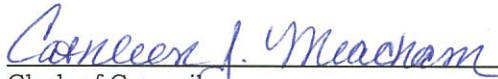
Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City, and for the further reason that it is necessary to enter into the Amendment as soon as possible so that the Property may be sold and redeveloped in order to prevent the recurrence of conditions of deterioration and blight and to create jobs and employment opportunities, wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: 5-13-13



President of Council



Clerk of Council

Approved: 5/15/13



Mayor