

OHIO TURNPIKE COMMISSION

Resolution Authorizing Release of Interest in Parcel No. 139F-5

WHEREAS, the Commission purchased in the name of the State of Ohio a perpetual easement for drainage purposes over a parcel of real estate designated as Parcel No. 139F-5, located in the City of Broadview Heights, Ohio;

WHEREAS, the purchase of the aforesaid parcel was for the drainage purposes at the Towpath Service Plaza as a result of the construction of Ohio Turnpike Project No. 1;

WHEREAS, the City of Broadview Heights and the Property Owner, Norman E. Schniegenberg, Jr., have requested that the Commission take any and all action necessary to release its current interest in Parcel No. 139F-5 and to relocate the drainage easement on the Schniegenberg parcel due to shifting of the angle and alignment of the drainage channel;

WHEREAS, the Consulting Engineers, by letter dated June 4, 2007, have advised the Commission that the subject parcel is no longer needed for the construction and operation of the Turnpike and that the drainage easement should be relocated;

WHEREAS, the Chief Engineer by letter dated July 9, 2007, has advised the Commission that the subject parcel is no longer needed for the construction and operation of the Turnpike and that the drainage easement can be relocated;

WHEREAS, the Commission has determined, based on the recommendations of the consulting engineer and the Chief Engineer that current Parcel No. 139F-5 is no longer needed for the construction, operation and maintenance of the Turnpike and that the drainage easement can be relocated;

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director and General Counsel, are authorized and directed to take any and all action necessary on behalf of the Commission or by or through the appropriate officers of the State of Ohio to release its interest in Parcel No. 139F-5 to the Property Owner, Norman E. Schniegenberg, Jr.; and

FURTHER RESOLVED that the authority hereby granted to the Executive Director and General Counsel shall include authority, if deemed appropriate, to execute the release of easement of the Commission's jurisdiction to the Property Owner, Norman E. Schniegenberg, Jr., as permitted by statute.

(Resolution No. 34 - 2007 adopted August 20, 2007)

OHIO TURNPIKE COMMISSION

Release of Easement for Public Highway Purposes

The OHIO TURNPIKE COMMISSION, a body corporate and politic of the State of Ohio, with its principal office in the City of Berea, County of Cuyahoga and State of Ohio, Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, and in accordance with the provisions of Section 5537.06(C) R.C., does hereby release an interest in an easement for drainage purposes, held in the name of the State of Ohio for the use of the Grantor, over the real estate described herein to Norman E. Schniegenberg, Jr., said parcel being an easement for drainage purposes designated as Parcel No. 139F-5.

Parcel No. 139F-5

Situated in the Village of Broadview Heights, County of Cuyahoga and State of Ohio and known as being part of Original Brecksville Township Lot No. 52, and bounded as follows:

Northeasterly by a line drawn parallel to and distant 390 feet Southwesterly of, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 147, Page 8 of Cuyahoga County Map Records; Southwesterly by a line drawn parallel to and distant 460 feet Southwesterly of, measured at right angles to said Turnpike center line; Northwesterly by a line drawn Southwesterly at right angles to said Turnpike center line at Station 875+25 and Southeasterly by a line drawn Southwesterly at right angles to said Turnpike center line at Station 877+00.

Title to said real estate is based on instruments of record in Volume 8098, Page 404 of Cuyahoga County Deed Records.

IN WITNESS WHEREOF, Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers on _____, 2007.

Signed and acknowledged:

OHIO TURNPIKE COMMISSION

By _____
Gary C. Suhadolnik, Executive Director

And _____
Noelle Tsevdos, General Counsel

