

OHIO TURNPIKE COMMISSION

Resolution No. 106 -1953 Declaring the Necessity of Appropriating Property and Directing that Proceedings to Effect Such Appropriation be Begun and Prosecuted

RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the following-described property, and the easements, rights, and restrictions hereinafter described, from the following-named owner or owners and persons having interests therein, to-wit:

<u>Owner(s)</u>	<u>Place of Residence</u>
Theodore N. Phelps	R. D. #1, Mantua, Ohio
Ruby G. Phelps	R. D. #1, Mantua, Ohio
Federal Land Bank of Louisville	Louisville, Kentucky
Jerry Henceroth	R. D. #1, Mantua, Ohio
County Auditor of Portage County	Portage County Court House Ravenna, Ohio
County Treasurer of Portage County	Portage County Court House Ravenna, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 165-B - - Fee Simple

Situated in the Township of Freedom, County of Portage and State of Ohio and known as being part of Original Freedom Township Lot No. 45, and being all that part of the lands described in the deed to Theodore N. Phelps, dated August 29, 1932 and recorded in Volume 333, Page 438 of Portage County Deed Records lying within a strip of land 275 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 145 feet Northerly measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 8, Pages 24 and 25 of Portage County Map Records, and the Southerly line of said strip being parallel to and distant 130 feet Southerly measured on a line normal to said center line.

Parcel No. 165-B(1) - - Permanent Easement for Highway Purposes

Situated in the Township of Freedom, County of Portage and State of Ohio and known as being part of Original Freedom Township Lot No. 45, and being all that part of the lands described in the deed to Theodore N. Phelps, dated August 29, 1932 and recorded in Volume 333, Page 438 of Portage County Deed Records lying within a strip of land 60 feet wide bounded as follows:

Northerly by a line drawn parallel to and distant 130 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 25 of Portage County Map Records; Southerly by a line parallel to and distant 360 feet Southerly measured on a line normal to the center line of said Ohio Turnpike Project No. 1; Easterly by the center line of Nichols Road, and Westerly by a

Parcel No. 165-B(1) - continued

line parallel to and distant 60 feet Westerly, measured at right angles from the center line of Nichols Road.

Excepting therefrom that portion thereof lying within the bounds of Nichols Road, as now established.

Parcel No. 165-B(2) - - Permanent Easement for Highway Purposes

Situated in the Township of Freedom, County of Portage and State of Ohio and known as being part of Original Freedom Township Lot No. 45, and being all that part of the lands described in the deed to Theodore N. Phelps, dated August 29, 1932 and recorded in Volume 333, Page 438 of Portage County Deed Records lying within a strip of land 50 feet wide bounded as follows:

Southerly by a line drawn parallel to and distant 145 feet Northerly measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 25 of Portage County Map Records; Northerly by a line parallel to and distant 400 feet Northerly measured on a line normal to the center line of said Ohio Turnpike Project No. 1; Easterly by the center line of Nichols Road, and Westerly by a line parallel to and distant 50 feet Westerly, measured at right angles from the center line of Nichols Road.

Excepting therefrom that portion thereof lying within the bounds of Nichols Road as now established.

The aforementioned rights and restrictions to be appropriated are as follows:

First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the above-described real estate, including such rights to any turnpike constructed thereon.

Second: All rights to erect any billboard, sign, notice, poster, or other advertising device designed to attract the attention of travelers on Ohio Turnpike Project No. 1, upon any of the aforesaid remaining lands of the owners herein, which lands together with Ohio Turnpike Parcel No. 165-B are described by deed dated August 29, 1932, and recorded in Volume 333, Page 438 of Portage County Deed Records; provided that nothing herein shall prevent the erection upon said lands of billboards, signs, notices, posters, or other advertising devices which are so designed and located as primarily to attract the attention of travelers on any other highway, road, or street.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Ohio Turnpike Commission at a meeting duly called for and held on _____.

John Soller
Assistant Secretary-Treasurer