

OHIO TURNPIKE COMMISSION

Resolution No. 170 - 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>
Emma Fiehler	Niles-Canfield Road, Canfield, Ohio
Lawrence Fiehler	Niles-Canfield Road, Canfield, Ohio
Carbonic Dispenser, Incorporated	Canfield Township, Mahoning County, Ohio
County Auditor of Mahoning County	Mahoning County Court House Youngstown, Ohio
County Treasurer of Mahoning County	Mahoning County Court House Youngstown, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 186-B -- Fee Simple

Situated in the Township of Canfield, County of Mahoning and State of Ohio and known as being part of Original Canfield Township Lot No. 10, in the 2nd Division, and being all that part of the lands described in the deed to Emma Fiehler, dated April 29, 1939, and recorded in Volume 480, Page 279 of Mahoning County Deed Records lying Southwesterly of a line drawn parallel to and distant 170 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 32 of Mahoning County Map Records.

Parcel No. 186-B(2) -- Permanent Easement for Highway Purposes

Situated in the Township of Canfield, County of Mahoning and State of Ohio and known as being part of Original Canfield Township Lot No. 10, in the 2nd Division, and being a strip of land 32 feet in width bounded as follows:

Easterly by a line parallel to and distant Easterly 65 feet at right angle measurement from the center line of Canfield-Niles Road (which is also State Route #46 and which center line is also the Westerly line of said Original Lot No. 10); Westerly by said center line of Canfield-Niles Road; Northerly by the center line of Herbert Road, and Southwesterly by a line drawn parallel to and distant Northeasterly 170 feet, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 32 of Mahoning County Map Records.

Excepting therefrom that portion thereof lying within the bounds of Herbert Road and Canfield-Niles 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 on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travelway of Ohio Turnpike Project No. 1, and which is not now upon said lands.

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 \_\_\_\_\_.

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John Soller  
Assistant Secretary-Treasurer