

MINUTES OF THE SIXTY-NINTH MEETING  
JULY 23, 1953

Pursuant to call of the Chairman the Ohio Turnpike Commission met in special open session in its offices at 139 East Gay Street in Columbus, Ohio, at 11:00 A. M. on July 23, 1953, with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, members of the press, and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Allen, Teagarden, Linzell, McKay, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman reported that since the last meeting he and Mr. Donnelly of the Greiner Company had had a conference in New York with the underwriters to give them a view of the status of the Commission's affairs as it approached the end of the year since the financing was completed. He referred to a letter written by Mr. James Couffer, Vice President of B. J. Van Ingen & Company, Inc. to the Governor of Ohio, telling the Governor how stable the market on Ohio Turnpike bonds had been and how generally satisfactory the reactions of the market to the Ohio Turnpike bonds had been in comparison with the reaction of the market to other securities, and also mentioning a small flurry in the market because of certain publicity in the Cleveland Plain Dealer stating that there was a substantial overrun in construction costs which might make necessary the issuance of new bonds. The Chairman said the letter would be made part of the minutes and stated that Mr. Couffer and his associates told him and Mr. Donnelly that they were entirely satisfied with the current situation with respect to construction and financing.

The Chairman reported that the bids which had been received on July 22, 1953, were in his opinion a

happy omen. He stated that the bids which the Commission had rejected at an earlier meeting and which he had characterized as being markedly high, had been approximately 47 per cent above the report estimate, whereas the bids of July 22, 1953, were approximately 11 per cent over the report estimate even though the construction was in the same general area as the predecessor rejected bids. He pointed out that the bids of July 22, 1953, were based upon a date for opening to traffic of June 30, 1955, whereas the earlier bids had been committed to an opening to traffic in 1954. He advised the Commission that a committee, composed of Mr. Linzell, acting as chairman, and Messrs. Kauer, Donnelly, Dunbar, Smith, and Hartshorne, in addition to the specific technical experts in both the Greiner Company and the Turnpike Commission, had given careful examination and analysis to the bids and also had suggested an addition to the extension of time for opening to traffic, and some other slight adjustments in specifications which would relieve the bidders. He stated that those adjustments had been made the subject of an addendum on July 22, 1953, which would be a part of the specifications upon which bids would next be received, and that the matter had been discussed with the several members of the Commission by long distance telephone prior to issuance of the addendum.

The Chairman advised the Commission that he preferred that the next meeting of the Commission be its regular meeting on the first Tuesday in August rather than a special meeting on July 30, 1953.

The Chief Engineer then reported that bids had been received from nine construction firms on July 22, 1953, bidding for the construction of sections C-11 and C-12, of which eight were upon the combination of C-11 & 12. He said that the low bid had been received from the firm of R. B. Potashnick of Cape Girardeau, Missouri, in the amount of \$7,522,678.05. The Chief Engineer stated that the financial situation, experience and other qualifications as well as other current work of the Potashnick firm had been thoroughly reviewed by himself and by the Consulting Engineers, and that he had inquired of the Director of Highways of the State of Missouri concerning the reputation for performance by the Potashnick firm. He said that Mr. Rex Whitton, the Missouri Director of Highways, had reported that Mr. Potashnick and his firm were of the highest repute as construction contractors. He recommended to the Commission that the award of contract C-11 & 12 be made to the Potashnick firm.

Mr. Donnelly stated for the Consulting Engineers, that the bids had received a complete analysis and that the Consulting Engineers were completely satisfied that the low bid received was sound and represented proper costs based upon the conditions under which the bids had been prepared. He stated further than an analysis had been made of the costs of all contracts which the Commission had awarded to date including the low bids which had been received on July 22, 1953, and that the total amount of the work to date was \$37,735,000. He pointed out that the report estimate of construction costs for that work had been \$38,946,000, and that therefore the bids had under-run the estimate by \$1,211,000, which represented an underrun of 3.1 per cent.

The Chief Engineer handed to the Commission his written recommendation under date of July 23, 1953, together with the written recommendation of the Consulting Engineer under date of July 22, 1953, for the award of contract C-11 & 12. The General Counsel handed to the Commission his written opinion under date of July 23, 1953, together with proof of publication of the notice by which the bids had been solicited, and advised the Commission that if it should determine on the basis of other than legal considerations that the bid of R. B. Potashnick was the lowest and best bid, it might lawfully make award of the contract to that bidder.

The several members of the Commission stated their opinions that the bidding had been good and that excellent competition had obtained.

Resolution No. 306-1953 awarding construction contract C-11 & 12, was moved for adoption by Mr. Allen and seconded by Mr. McKay, as follows:

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate contracts for the construction of those portions of Ohio Turnpike Project No. 1 which are known as Construction Sections 11 and 12, which contracts are designated Contract C-11 and Contract C-12, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of both construction sections, which contract is designated Contract C-11 & 12 and proof of said

advertising is likewise before the Commission;

WHEREAS bids for the performance of each and all of said contracts have been received, and were duly opened and read as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's consulting engineer and by its chief engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for each of said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of R. B. Potashnick for the performance of Contract C-11 & 12 was, and is by the Commission determined to be, the lowest of all said bids, or combinations of bids, for the construction of the aforesaid construction sections; and the Commission has been advised by its general counsel that said bid conforms to the requirements of section 1205 of the General Code of Ohio and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of said constructions; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the bid of R. B. Potashnick for the performance of Contract C-11 & 12 be, and hereby it is, determined to be the lowest and best of all said bids, or combinations of bids, and is accepted; and that each of the chairman and the chief engineer be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that the successful bidder shall furnish a performance bond as heretofore prescribed by the Commission by and in its resolution No. 69-1952 and meeting the requirements of said resolution, (2) to return to all other bidders the bid security

furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:

Ayes, Allen, McKay, Teagarden, Linzell, Shocknessy.

Nays, none.

The Chairman declared the resolution adopted.

The Chief Engineer then recommended the approval by the Commission of construction plans for construction sections C-13 and C-14, representing 9.24 miles of the Turnpike in Portage and Summit Counties. Mr. Donnelly concurred in the recommendation of the Chief Engineer.

Resolution No. 307-1953, approving, adopting, and ratifying the plans for construction sections 13 and 14, was moved for adoption by Mr. Teagarden and seconded by Mr. Linzell, as follows:

"WHEREAS there are before this meeting the respective plans for the construction of those portions of Ohio Turnpike Project No. 1, which are known as Construction Sections 13 and 14, and the Commission's chief engineer and consulting engineer have recommended to the Commission the approval and adoption thereof, and

WHEREAS the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the aforesaid plans before it at this meeting, being for the construction of those portions of Ohio Turnpike Project No. 1, which are known as Construction Sections 13 and 14;

FURTHER RESOLVED that all action heretofore taken by the chief engineer with reference to the said plans be, and the same hereby is, ratified, approved,

and confirmed; and

FURTHER RESOLVED that the chief engineer and general counsel are authorized to cause said contracts to be advertised for the aforesaid Construction Sections, and that the chief engineer shall take and open bids for the same, and shall report the results thereof to the Commission."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Linzell, Allen, McKay, Shocknessy.

Nays, none.

The Chairman declared the resolution adopted.

The Chief Engineer then recommended to the Commission the approval of contract documents for construction sections 56, 57, 58, and 59 in Fulton and Williams Counties, the plans for which had been approved by the Commission at its meeting on June 9, 1953, and bids for which he stated would be received on August 19, 1953. There was discussion among the members of the Commission as to the schedule for advertising for the receipt of bids, and it was agreed that the Commission would consider at the meeting on August 4, 1953, a re-scheduling of the dates of opening of bids for the remainder of the project.

Resolution No. 308-1953, approving, adopting, and ratifying documents for contracts C-56, C-57, C-58, C-59, C-56 & 57, C-57 & 58, C-58 & 59, C-56, 57 & 58, C-57, 58 & 59 and C-56, 57, 58, & 59, was moved for adoption by Mr. Linzell and seconded by Mr. McKay, as follows:

"WHEREAS there are before this meeting forms of contract documents, to-wit: forms of notice to bidders, proposals, special provisions, and contracts, for Contracts C-56; C-57; C-58; C-59; C-56 & 57; C-57 & 58; C-58 & 59; C-56, 57 & 58; C-57, 58 & 59; and C-56, 57, 58 & 59;

WHEREAS the Commission has duly and fully considered the same; and

WHEREAS the Commission has previously approved the plans which comprise a part of the contract documents

for said contracts;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the forms before it at this meeting of the aforesaid contract documents, being for and in connection with the construction of those portions of Ohio Turnpike Project No. 1 which are known as Construction Sections 56, 57, 58, and 59; and

FURTHER RESOLVED that all action heretofore taken by the chief engineer and general counsel, or either of them, with reference to said contracts, be, and the same hereby is, ratified, approved, and confirmed; that the chief engineer is directed to take and open bids for the same and report the results thereof to the Commission. "

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Linzell, McKay, Allen, Teagarden, Shøcknessy.

Nays, none.

The Chairman declared the resolution adopted.

The General Counsel then reported to the Commission that certain changes and revisions of construction plans in three construction sections since its adoption of certain appropriation resolutions had altered the requirements for right-of-way. He stated his opinion that it was necessary that a resolution be adopted rescinding the prior actions to which he had referred and he handed to the Commission a proposed form of resolution by which such action might be taken.

Resolution No. 309-1953, rescinding condemnation resolutions Nos. 258-1953, 255-1953, 282-1953, and 292-1953 due to changes in and revision of construction plans, was moved for adoption by Mr. McKay and seconded by Mr. Teagarden, as follows:

"WHEREAS certain revisions in the construction plans for construction sections 26, 29 and 44 have altered the right-of-way requirements in connection with properties owned by Paul O. Meyer et al., Theodore O. Ritz et al., and Charles Swartz et al., and

WHEREAS the title to a certain parcel known as Parcel No. 192-Z has been recently transferred and

WHEREAS resolution No. 258-1953, adopted June 23, 1953; resolution No. 255-1953, adopted June 23, 1953, resolution No. 282-1953, adopted July 2, 1953; and resolution No. 292-1953, adopted July 9, 1953; which directed the commencement of appropriation proceedings against the above-mentioned owners, are now inaccurate because of the revisions in plans and the change in title mentioned above,

NOW, THEREFORE, BE IT

RESOLVED that resolution No. 258-1953, adopted June 23, 1953; resolution No. 255-1953, adopted June 23, 1953; resolution No. 282-1953, adopted July 2, 1953; and resolution No. 292-1953, adopted July 9, 1953; be, and the same hereby are, rescinded."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, McKay, Teagarden, Linzell, Allen, Shocknessy.

Nays, none.

The Chairman declared the resolution adopted.

The General Counsel then presented twelve recommended forms of resolutions by which the Commission would declare the necessity for appropriating various parcels of property therein designated and described. He stated that in each of the twelve cases the Commission's negotiators had endeavored without success to agree with the owners of the land as to the compensation to be paid therefor. He presented to the Commission written recommendations signed by himself, by the Chief Engineer and by the Chief of the Right-of-Way section, with respect to each of the twelve cases.



Resolutions Nos. 310-1953, 311-1953, 312-1953, 313-1953, 314-1953, 315-1953, 316-1953, 317-1953, 318-1953, 319-1953, 320-1953, and 321-1953, each declaring the necessity of appropriating certain property and directing that proceedings to effect such appropriation be begun and prosecuted, were moved for adoption by Mr. Linzell and seconded by Mr. Teagarden, as follows:

Resolution No. 310-1953

"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>
Helen Osborne Little	257 Upland Avenue Youngstown, Ohio
Ann Little O'Dea	188 Clifton Drive Boardman, Ohio
Stanley J. O'Dea	188 Clifton Drive Boardman, Ohio
Catherine Little Rosevear	292 Granada Avenue Youngstown, Ohio
William T. Rosevear	292 Granada Avenue Youngstown, Ohio
Charles J. Little II	50 Brookline Avenue Youngstown, Ohio
Lois B. Little	50 Brookline Avenue Youngstown, 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. 187-A -188-F(1) -- 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. 48 in 2nd Division and part of Original Lot No. 19 in 3rd Division and being all that part of the lands described in the deed to Randall H. Little, dated May 12, 1936 and recorded in Volume 561, Page 523 of Mahoning County Deed Records lying within a strip of land 40 feet wide between parallel lines, the Southwesterly line of said strip being parallel to and distant 190 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 33 and 34 of Mahoning County Map Records, and the Northeasterly line of said strip being parallel to and distant 150 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 187-A-188-F(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. 48, 2nd Division, and bounded and described as follows:

Beginning on a line parallel to and distant 190 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 33 of Mahoning County Map Records at its intersection with the center line of Raccoon Road; thence Southerly along the center line of Raccoon Road to a point distant Southerly, measured along said center line, 700 feet from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 33 of Mahoning County Map Records; thence Easterly at right angles to the center line of Raccoon Road 30 feet to a point; thence Northerly to a point distant 40 feet Easterly, measured at right angles, from a point on the center line of Raccoon Road distant Southerly, measured along said center line, 600 feet from the center line of Ohio Turnpike Project No. 1; thence Northerly to a point 65 feet Easterly, measured at right angles, from a point on the center line of Raccoon Road distant Southerly 450 feet, measured along said center line from the center line of Ohio Turnpike Project No. 1; thence Northerly to a point distant 55 feet Easterly, measured at right angles, from a point on the center line of Raccoon Road distant Southerly 350 feet, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Northerly parallel to the center line of Raccoon Road to said line parallel to the center line of Ohio

Turnpike Project No. 1 as aforesaid; thence Northwesterly along said parallel line to the place of beginning.

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

Parcel No. 187-A-188-F(3)--Permanent Easement for Drainage 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. 19 in 3rd Division, and known as being a parcel of land 40 feet wide, 20 feet on each side of the following described center line:

The beginning point is on a line drawn parallel to and distant 185 feet Northeasterly, measured on a line normal to Ohio Turnpike Project No. 1, as shown on the plat recorded in Volume 33, Page 33 of Mahoning County Map Records at its intersection with a line drawn Easterly forming an angle of  $20^{\circ} 20'$  with said center line of said Turnpike at Station 530+00; thence continuing Easterly along said last described line 87.60 feet.

Parcel No. 187-A-188-F(4)--Permanent Easement for Drainage 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. 19, 3rd Division and being all that part of a strip of land 50 feet wide between parallel lines lying North-easterly of a line drawn parallel to and distant 185 feet North-easterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 33 of Mahoning County Map Records, the center line of said strip being described as follows:

Beginning on a tangent to a curve in said center line of Ohio Turnpike Project No. 1 distant South  $63^{\circ} 22' 38''$  East, 246.92 feet from a point of curvature on said center line at Station 537+23.08; thence North  $80^{\circ} 07' 22''$  East, 515 feet to a point.

Parcel No. 187-A-188-F(5)--Permanent Easement for Drainage 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. 19. 3rd Division, and being all that part of a strip of land 50 feet wide between parallel lines lying Southwesterly of a line drawn parallel to and distant 190 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project

No. 1, as shown by plat recorded in Volume 33, Page 33 of Mahoning County Map Records, the center line of said strip being described as follows:

Beginning on a tangent to a curve in said center line of Ohio Turnpike Project No. 1, as aforesaid, distant South 63°22'38" East, 138.92 feet from a point of curvature on said center line at Station 537+23.08; thence South 62°36'22" West, 285 feet to a point.

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 parcel described above as Parcel No. 187-A-188-F(1), 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."

Resolution No. 311-1953

"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>
Meri Kanca, also known as Mary Kanca	Kirk Road, R. D. #1, Canfield, 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. 185-F--Fee Simple

Situated in the Township of Austintown, County of Mahoning and State of Ohio and known as being part of Original Austintown Township Lot No. 24, Salt Spring Tract, and being all that part of the lands described in the deed to Andy Kanca and Meri Kanca, dated June 8, 1925 and recorded in Volume 327, page 302 of Mahoning County Deed Records lying within a strip of land 305 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 33, pages 44 and 47 of Mahoning County Map Records, and the Southwesterly line of said strip being parallel to and distant 155 feet Southwesterly, measured on a line normal to said center line.

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. "

Resolution No. 312-1953

"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 from the following-named owner or owners and persons having interests therein, to-wit:

<u>Owner(s)</u>	<u>Place of Residence</u>
Margaret L. Wiseman	R. D. #1 Poland, Ohio
Harold E. Wiseman	R. D. #1 Poland, Ohio
Rae Coulter	North Benton-Calla Road North Lima, Ohio
Gerald Coulter	North Benton-Calla Road, North Lima, Ohio
The Union Banking Company of Columbiana, Ohio	Columbiana, 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. 192-Z--Permanent Easement for Highway Purposes

Situated in the Township of Beaver, County of Mahoning and State of Ohio and known as being part of Original Beaver Township Section No. 2 and bounded and described as follows:

Beginning at the intersection of the center line of Sharrot Road with the center line of North Benton Calla State Line Road, being also the Southwesterly corner of said Section No. 2; thence Northerly along the center line of Sharrot Road about 239.58 feet to the Northwesterly corner of land conveyed to Rae Coulter and Gerald Coulter, by deed dated May 29, 1952 and recorded in Volume 676, page 570 of Mahoning County Deed Records; thence Easterly along the Northerly line of land so conveyed to Rae Coulter and Gerald Coulter, 55.50 feet; thence Southwesterly in a direct line to a point distant 45 feet Easterly of, measured at right angles to, the center line of Sharrot Road at a point therein distant 100 feet Northerly of the place of beginning; thence Southwesterly in a direct line to a point in the center line of North Benton Calla State Line Road, distant 38.75 feet Easterly of the place of beginning; thence Easterly along the center line of North Benton Calla State Line Road 38.75 feet to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Sharrot Road and North Benton Calla State Line Road, as now established. "

Resolution No. 313-1953

"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>
Thomas Lohr	R. D. #2, Warren, Ohio
Alma Lohr	R. D. #2, Warren, Ohio
County Auditor of Trumbull County	Trumbull County Court House Warren, Ohio
County Treasurer of Trumbull County	Trumbull County Court House Warren, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 177-A-178-F--Fee Simple

Situated in the Township of Lordstown, County of Trumbull and State of Ohio and known as being part of lots 60 and 61 in said Township and being all that part of the land described in the deed to Thomas Lohr recorded in Volume 469 Page 85 of the Trumbull County Deed Records, lying within a strip of land 255 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 135 feet Northeasterly from measured on a line normal to the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 11 Page 68 of the Trumbull County Plat Records, and the Southwesterly line of said strip being parallel to and distant 120 feet Southwesterly from, measured on a line normal to said centerline.

Parcel No. 177-A-178-F(1)--Permanent Easement for Highway Purposes

Situated in the Township of Lordstown, County of Trumbull and State of Ohio and known as being part of lot 60 of said Township and is further bounded and described as follows:

Beginning at the intersection of the centerline of Lintz Townline Road with a line drawn parallel to and distant 135 feet Northeasterly from, measured at right angles to the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 11 Page 68 of the Trumbull County Plat Records and from thence running North  $26^{\circ}25'35''$  East along the centerline of Lintz Townline Road 543.32 feet to a line normal to Lintz Townline Road, thence North  $63^{\circ}34'25''$  West along said line 60 feet to a line parallel to Lintz Townline Road, thence South  $26^{\circ}25'35''$  West along said line 290.00 feet to a line normal to Lintz Townline Road, thence North  $63^{\circ}34'25''$  West along said line 20.00 feet to a line parallel to Lintz Townline Road, thence South  $26^{\circ}25'35''$  West along said line 219.33 feet to a line parallel to and distant 135 feet Northeasterly from, measured normal to the centerline of said Ohio Turnpike, thence South  $40^{\circ}33'05''$  East along said line 86.92 feet to the point of beginning.

Parcel No. 177-A-178-F(2)--Permanent Easement for Highway Purposes

Situated in the Township of Lordstown, County of Trumbull, and State of Ohio and known as being part of Lot 61 of said Township and is further bounded and described as follows:

Beginning at the intersection of the centerline of Lintz Townline Road with a line drawn parallel to and distant 120 feet Southwesterly from, measured normal to the centerline of Ohio Turnpike Project No. 1 as shown by Plat recorded in Volume 11 Page 68 of the Trumbull County Plat Records and from thence running South  $40^{\circ}33'05''$  East parallel to the centerline of Ohio Turnpike 86.92 feet to a line parallel to Lintz Townline Road, thence South  $26^{\circ}25'35''$  West 24.79 feet, thence South  $32^{\circ}54'40''$  West 222.50 feet, thence South  $44^{\circ}32'45''$  West 400.87 feet, thence North  $45^{\circ}27'15''$  West 120 feet thence North  $44^{\circ}32'45''$  East 176.72 feet, thence North  $32^{\circ}42'40''$  East 407.81 feet, thence North  $26^{\circ}25'35''$  East 92.77 feet to a line parallel to and distant 120 feet Southwesterly from, measured normal to the centerline of said Ohio Turnpike, thence South  $40^{\circ}33'05''$  East along said line 86.92 feet to the point of beginning.

Parcel No. 177-A-178-F(3)--Permanent Easement for Highway Purposes

Situated in the Township of Lordstown, County of Trumbull and State of Ohio and known as being part of lot 61 of said Township  
1287.



and is further bounded as follows:

Northerly by the line between lots 59 and 61, Easterly by a line at right-angles to said line at a point 363.53 feet Easterly from the intersection of the centerline of Lintz Townline Road and the line between lots 59 and 61, Southerly by a line parallel to and distant 40 feet Southerly from, measured at right angles to the line between lots 59 and 61, and Westerly by a line at right angles to the line between lots 59 and 61 and distant 263.53 feet Easterly from the intersection of said lot line with the centerline of Lintz Townline Road.

Parcel No. 177-A-178-F(4)--Temporary Easement for Detour Road

Situated in the Township of Lordstown, County of Trumbull, and State of Ohio and known as being part of lot 61 of said Township and is further bounded and described as follows:

Beginning at the intersection of a line parallel to and distant 80 feet Northwesterly from, measured normal to the centerline of Lintz Townline Road and a line drawn parallel to and distant 120 feet Southwesterly from, measured on a line normal to the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 11 Page 68 of the Trumbull County Plat Record and from thence running North  $40^{\circ}33'05''$  West parallel to the centerline of said Ohio Turnpike 54.32 feet to a line parallel to the centerline of Lintz Townline Road, thence South  $26^{\circ}25'35''$  West along said line 114.01 feet, thence South  $35^{\circ}29'10''$  West 388.44 feet, thence South  $44^{\circ}32'45''$  West 176.72 feet, thence South  $16^{\circ}05'35''$  West 230.88 feet to the Westerly Right-of-Way line of Lintz Townline Road, thence North  $44^{\circ}32'45''$  East along said line 203 feet, thence North  $45^{\circ}27'15''$  West 40 feet, thence North  $44^{\circ}32'45''$  East 176.72 feet, thence North  $32^{\circ}42'40''$  East 407.81 feet, thence North  $26^{\circ}25'35''$  East 92.77 feet to the point of beginning.

Parcel No. 177-A-178-F(5)--Temporary Easement for Detour Road

Situated in the Township of Lordstown, County of Trumbull and State of Ohio and known as being part of lot 60 of said Township and is further bounded and described as follows:

Beginning at the intersection of a line parallel to and distant 130 feet Northwesterly from, measured on a line normal to the centerline of Lintz Townline Road with a line parallel to and distant 135 feet Northeasterly from, measured on a line normal to the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 11 Page 68 of Trumbull County Plat Records and from thence running North  $26^{\circ}25'35''$  East parallel to Lintz Townline Road 488.09 feet, thence North  $54^{\circ}14'25''$  East 237.06

feet to the Westerly right of way line of Lintz Townline Road, thence South 26°25'35" West along said right of way line 210.00 feet to a line normal to Lintz Townline Road, thence North 63°34'25" West along said line 40 feet to a line parallel to Lintz Townline Road, thence South 26°25'35" West along said line 290 feet to a line normal to Lintz Townline Road, thence North 63°34'25" West along said line 20.00 feet to a line parallel to Lintz Townline Road, thence South 26°25'35" West along said line 219.33 feet to a line parallel to and distant 135 feet North-easterly from, measured on a line normal to the centerline of said Ohio Turnpike, thence North 40°33'05" West along said line 54.32 feet to the point of beginning.

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 parcel described above as Parcel No. 177-A-178-F, 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. "

Resolution No. 314-1953

"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>
Paul O. Meyer	R. D. #2, Amherst, Ohio
Carrie C. Meyer	R. D. #2, Amherst, Ohio

Ohio Fuel Gas Co.

N. Front Street  
Columbus, Ohio

County Auditor of Lorain County

Lorain County Court House  
Elyria, Ohio

County Treasurer of Lorain County

Lorain County Court House  
Elyria, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 110A-111H--Fee Simple

Situated in the Township of Brownhelm, County of Lorain and State of Ohio and known as being part of Original Brownhelm Township Lot No. 76, and bounded and described as follows:

Beginning on the center line of Portman Road at the Southwesterly corner of said Original Lot No. 76, said corner being also the Southwesterly corner of land conveyed to Paul O. Meyer and Carrie C. Meyer by deed dated June 27, 1944, and recorded in Volume 335, Page 196 of Lorain County Deed Records; thence Northerly along the Westerly line of land so conveyed to Paul O. and Carrie C. Meyer, to a point distant 140 feet Northwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by the recorded plat in Volume 15, Pages 53 and 54 of Lorain County Map Records; thence Northeasterly on a line drawn parallel to said center line, to its intersection with the center line of Vermilion Road; thence continuing Northeasterly along said parallel line, 801.25 feet to a point; thence Northwesterly 65 feet to a point distant 205 feet Northwesterly, measured on a line normal to said center line of Ohio Turnpike Project No. 1; thence Northeasterly on a line drawn parallel to said center line to a Northerly line of land so conveyed to Paul O. and Carrie C. Meyer; thence Easterly along said Northerly line of land so conveyed to Paul O. and Carrie C. Meyer to the Northeasterly corner thereof; thence Southerly along the Easterly line of land so conveyed to Paul O. and Carrie C. Meyer, to a point distant 200 feet Southeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1; thence Southwesterly on a line drawn parallel to said center line 735.47 feet to a point; thence Northwesterly 45 feet to a point distant 155 feet Southeasterly, measured on a line normal to said center line of Ohio Turnpike Project No. 1; thence Southwesterly on a line drawn parallel to said center line to its intersection with the center line of Portman Road; thence

Westerly along said center line of Portman Road to the place of beginning.

Containing approximately 21.16 acres of land.

Parcel No. 110-A-111-H(1) -- Permanent Easement for Highway Purposes

Situated in the Township of Brownhelm, County of Lorain and State of Ohio and known as being part of Original Brownhelm Township Lot No. 76 and being bounded and described as follows:

Beginning on a line parallel to and distant 140 feet Northwesterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, page 53 of Lorain County Map Records at its intersection with the Westerly line of land conveyed to Paul O. Meyer and Carrie C. Meyer, by deed dated June 27, 1944 and recorded in Volume 335, page 196 of Lorain County Deed Records; thence Northerly along said Westerly line to a line parallel to and distant 200 feet Northwesterly of, measured on a line normal to said center line of Ohio Turnpike Project No. 1; thence Northeasterly on said parallel line to a point on a line normal to said center line at Station 133+33.94; thence Northeasterly to a point distant 246.59 feet Northwesterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, at Station 134+18.49 therein; thence Easterly at right angles to the center line of Vermilion Road, 30 feet to a point on said center line; thence Southerly along the center line of Vermilion Road to a line parallel to and distant 140 feet Northwesterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Southwesterly along said parallel line to the place of beginning.

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

Parcel No. 110-A-111-H(3) -- Permanent Easement for Drainage Purposes

Situated in the Township of Brownhelm, County of Lorain and State of Ohio and known as being part of Original Brownhelm Township Lot No. 76, and being all that part of the lands described in the deed to Paul O. Meyer and Carrie C. Meyer, dated June 27, 1944 and recorded in Volume 335, page 196 of Lorain County Deed Records, bounded as follows:

Southeasterly by a line drawn parallel to and 205 feet Northwesterly as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 15, pages 53 and 54 of Lorain County Map Records; Northwesterly by a line drawn parallel to and 305 feet Northwesterly as measured on a line normal to the center line of said Ohio Turnpike Project No. 1; Southwesterly by a line drawn normal to center line at Station 143+50 of said Ohio Turnpike Project No. 1; Northeasterly by a line drawn normal to center line at Station 145+00 of said Ohio Turnpike Project No. 1.

Parcel No. 110-A-111-H(4)--Permanent Easement for Drainage Purposes

Situated in the Township of Brownhelm, County of Lorain and State of Ohio and known as being part of Original Brownhelm Township Lot No. 76, and being all that part of the lands described in the deed to Paul O. Meyer and Carrie C. Meyer, dated June 27, 1944 and recorded in Volume 335, page 196 of Lorain County Deed Records, and bounded as follows:

Northwesterly by a line drawn parallel to and 200 feet Southeasterly, as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 15, pages 53 and 54 of Lorain County Map Records; Southeasterly by a line drawn parallel to and 430 feet Southeasterly, as measured on a line normal to the center line of said Ohio Turnpike Project No. 1; Southwesterly by a line drawn normal to center line at Station 144+00 of said Ohio Turnpike Project No. 1; Easterly by the Easterly line of lands described in aforesaid deed.

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 parcel described above as Parcel No. 110-A-111-H, 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."

Resolution No. 315-1953

"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 O. Ritz	Mason Road Berlin Heights, Ohio
The Federal Land Bank of Louisville	Louisville, Kentucky
County Auditor of Erie County	Erie County Court House, Sandusky, Ohio
County Treasurer of Erie County	Erie County Court House, Sandusky, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 99-A-100-D--Fee Simple

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Sub-Range No. 12, and being all that part of Lot No. 7 in Sub-Range No. 12 lying within a strip of land 280 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 140 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, Pages 6 and 7 of Erie County Map Records, and the Southerly line of said strip being parallel to and distant 140 feet Southerly, measured on a line normal to said center line.

Parcel No. 99-A-100-D(1)--Permanent Easement for Highway Purposes

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Sub-Range No. 12 and being all that part of Lot No. 7 in Sub-Range No. 12, bounded and described as follows:

Beginning on the center line of Wikel Road (so-called) at its intersection with the center line of Old Jeffries Road (so-called); thence Southerly along the center line of Wikel Road to its intersection with a line drawn parallel to and 140 feet Northerly as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, Pages 6 and 7 of Erie County Map Records; thence Easterly along said last described parallel line to its intersection with a direct line drawn between a point distant 55 feet Easterly by rectangular measurement from the center line of said Wikel Road, said point being also 140 feet Northerly, as measured on a line normal to the center line of said Turnpike, and a point distant 30 feet Southeasterly by rectangular measurement from a point on the center line of said Old Jeffries Road 499.85 feet Northeasterly, as measured along said center line from its intersection with the center line of said Wikel Road; thence North-easterly along the last aforesaid direct line to the point described as being 30 feet Southeasterly by rectangular measurement from a point on the center line of said Old Jeffries Road; thence North-westerly at right angles to the last described line 30 feet to the center line of said Old Jeffries Road; thence Southwesterly along the center line of said Old Jeffries Road to the place of beginning.

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

Parcel No. 99-A-100-D(2)--Permanent Easement for Highway Purposes

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12 and being all that part of Lot No. 7 in Subrange No. 12 bounded and described as follows:

Beginning on the center line of Wikel Road (so-called) at a point distant 140 feet Southerly, as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, pages 6 and 7 of Erie County Map Records; thence Southerly along the center line of said Wikel

Road to a point distant 560 feet Southerly, as measured along said center line from its intersection with the center line of said Turnpike; thence Easterly at right angles to the center line of Wikel Road 30 feet; thence Northeasterly in a direct line to a point on a line drawn parallel to and 140 feet Southerly, as measured on a line normal to the center line of said Turnpike, said last described point being 75 feet Easterly, as measured along said parallel line from the place of beginning; thence Westerly along said parallel line 75 feet to the place of beginning.

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

Parcel No. 99-A-100-D(3)--Permanent Easement for Highway Purposes

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12 and being all that part of Lot No. 7 in Subrange No. 12, bounded and described as follows:

Beginning on the center line of Arlington Road at its intersection with a line drawn parallel to and 140 feet Southerly, as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, pages 6 and 7 of Erie County Map Records; thence Westerly along said line drawn parallel to the center line of said Turnpike 70 feet; thence Southeasterly in a direct line to a point distant 35 feet Westerly, by rectangular measurement from a point on the center line of Arlington Road, 575 feet Southerly, as measured along said center line from its intersection with the center line of said Turnpike; thence Easterly on the last described line drawn at right angles to the center line of Arlington Road 35 feet to the center line; thence Northerly along said center line of Arlington Road to the place of beginning.

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

Parcel No. 99-A-100-D(4)--Permanent Easement for Highway Purposes

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12, and being all that part of Lot No. 7 in Subrange No. 12 bounded and described as follows:

Beginning on the center line of Arlington Road at its intersection with a line drawn parallel to and 140 feet Northerly, as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14,



pages 6 and 7 of Erie County Map Records; thence Westerly along said line drawn parallel to the center line of said Turnpike 70 feet; thence Northeasterly in a direct line to a point distant 35 feet Westerly, by rectangular measurement from a point on the center line of Arlington Road 625 feet Northerly, as measured along said center line from its intersection with the center line of said Turnpike; thence Easterly on the last described line drawn at right angles to the center line of Arlington Road 35 feet to the center line; thence Southerly along said center line of Arlington Road to the place of beginning.

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

Parcel No. 99-A-100-D(5)--Temporary Easement for Detour Road

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12, and being all that part of Lot No. 7 in Subrange No. 12 bounded and described as follows:

Beginning at a point on the center line of Arlington Road (so-called) distant 900 feet Northerly, as measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, pages 6 and 7 of Erie County Map Records; thence Southerly along the center line of Arlington Road 275 feet; thence Westerly at right angles to the center line of Arlington Road 35 feet; thence Southwesterly in a direct line to a point distant 70 feet Westerly, as measured on a line drawn parallel to and 140 feet Northerly, as measured on a line normal to the center line of said Ohio Turnpike; thence Westerly along the last described parallel line to its intersection with a line drawn parallel to and 125 feet Westerly, by rectangular measurement from the center line of Arlington Road; thence Northerly along the last aforesaid parallel line to its intersection with a line drawn Westerly at right angles to the center line of Arlington Road from the place of beginning; thence Easterly in a direct line 125 feet to the place of beginning.

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

Parcel No. 99-A-100-D (6)--Temporary Easement for Detour Road

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12 and being all that part of Lot No. 7 in Subrange No. 12 bounded and described as follows:

Beginning at a point on the center line of Arlington Road (so-called) distant 800 feet Southerly, as measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, pages 6 and 7 of Erie County Map Records; thence Northerly along the center line of Arlington Road 225 feet; thence Westerly at right angles to the center line of Arlington Road 35 feet; thence Northwesterly in a direct line to a point distant 70 feet Westerly, as measured on a line drawn parallel to and 140 feet Southerly, as measured on a line normal to the center line of said Ohio Turnpike thence Westerly along the last described parallel line to its intersection with a line drawn parallel to and 125 feet Westerly by rectangular measurement from the center line of Arlington Road thence Southerly along the last aforesaid parallel line to its intersection with a line drawn Westerly at right angles to the center line of Arlington Road from the place of beginning thence Easterly in a direct line 125 feet to the place of beginning.

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

Parcel No. 99-A-100-D(7)--Permanent Easement for Drainage Purposes

Situated in the Township of Berlin, County of Erie and State of Ohio and known as being part of Original Berlin Township Section No. 3, Lot No. 7 in Subrange No. 12 and being all that part of Lot No. 7 in Subrange No. 12 and bounded as follows:

Northerly by a line drawn parallel to and 140 feet Southerly, as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, pages 6 and 7 of Erie County Map Records; Southerly by a line drawn parallel to and 190 feet Southerly, as measured on a line normal to the center line of said Turnpike; Easterly by a line drawn normal to center line station 850+00 of said Turnpike; Westerly by a direct line drawn between a point distant 30 feet Easterly, by rectangular measurement from a point on the center line of Wikel Road (so-called) 560 feet Southerly, as measured along said center line from its intersection with the center line of said Turnpike and a point distant 75 feet Easterly, as measured along a line drawn parallel to and 140 feet Southerly, as measured on a line normal to the center line of said Turnpike.

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 parcel described above as Parcel No. 99-A-100-D, 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. "

Resolution No. 316-1953

"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>
Beulah Blausey	R. F. D. #1 Woodville, Ohio
County Auditor of Sandusky County	Sandusky County Court House Fremont, Ohio
County Treasurer of Sandusky County	Sandusky County Court House Fremont, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 64-B--Fee Simple

Situated in the Township of Woodville, County of Sandusky and State of Ohio and known as being part of Original Woodville Township Section No. 15, Town 6 North, Range 13 East and being all that part of the lands described in the Certificate of Transfer in the matter of the Estate of George Blausey, dated March 5, 1935 and recorded in Volume 7, Page 252 of Sandusky County Certificate of Transfer Records lying within a strip of land 225 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 120 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project

No. 1, as shown by plats recorded in Volume 9, Pages 43 and 44 of Sandusky County Map Records, and the Southwesterly line of said strip being parallel to and distant 105 feet Southwesterly, measured on a line normal to said center line.

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."

Resolution No. 317-1953

"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>
Charles F. Swartz	R. F. D. #3, Perrysburg, Ohio
Lottie Swartz	R. F. D. #3, Perrysburg, Ohio
County Auditor of Wood County	Wood County Court House Bowling Green, Ohio
County Treasurer of Wood County	Wood County Court House Bowling Green, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 57-B--Fee Simple

Situated in the Township of Lake, County of Wood and State of Ohio and known as being part of Original Lake Township Section No. 28, Township 7 North, Range 12 East and being all that part of the lands described in the deed to Charles F. Swartz and Lottie Swartz, dated October 21, 1941 and recorded in Volume 256, Page 380 of Wood County Deed Records lying within a strip of land 270 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 135 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 60 of Wood County Map Records, and the Southwesterly line of said strip being parallel to and distant 135 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 57-B(1)--Permanent Easement for Highway Purposes

Situated in the Township of Lake, County of Wood and State of Ohio and known as being part of Original Lake Township Section No. 28, Township 7 North, Range 12 East and bounded and described as follows:

Beginning at the intersection of the center line of Luckey Road with the center line of Wagoner Road; thence Southerly along the center line of Luckey Road 608.86 feet; thence Easterly along a line at right angles with the center line of Luckey Road 30 feet; thence Northerly to a point distant 50 feet Easterly, by right angle measurement from a point on the center line of Luckey Road distant 308.86 feet Southerly, measured along said center line from its intersection with the center line of Wagoner Road; thence Northerly to a point distant 85 feet Easterly by right angle measurement from a point on the center line of Luckey Road distant 8.86 feet Southerly, measured along said center line from its intersection with the center line of Wagoner Road; thence Northerly and parallel with the center line of Luckey Road, to the Northerly line of land conveyed to Charles F. Swartz and Lottie Swartz, dated October 21, 1941 and recorded in Volume 256, Page 380 of Wood County Deed Records; thence Westerly along the Northerly line of land so conveyed to the place of beginning.

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

Parcel No. 57-G--Permanent Easement for Highway Purposes

Situated in the Township of Lake, County of Wood and State of Ohio and known as being part of Original Lake Township Section No. 29, Town 7 North, Range 12 East, and known as being all that part of Parcel No. 1 of land conveyed to Charles F. Swartz and Lottie Swartz, by deed dated October 21, 1941 and recorded in Volume 256, Page 380

of Wood County Deed Records, and bounded and described as follows:

Beginning on the Easterly line of Parcel No. 1 of land so conveyed, at a point distant 798.71 feet Southerly, measured along said Easterly line and its Northerly prolongation, from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 60 of Wood County Map Records; thence Northerly along the Easterly line of land so conveyed to the Northeasterly corner thereof; thence Westerly along the Northerly line of Parcel No. 1 of land so conveyed; 750 feet to a point; thence Southerly at right angles to the Northerly line of land so conveyed, 20 feet to a point; thence Easterly to a point distant 35 feet Southerly, measured at right angles, from a point on the Northerly line of land so conveyed, distant 650 feet Westerly from the Northeasterly corner thereof; thence Easterly to a point distant 80 feet Southerly, measured at right angles, from a point on the Northerly line of land so conveyed, distant Westerly 125 feet from the Northeasterly corner thereof; thence Easterly parallel to the Northerly line of land so conveyed, 15 feet to a point distant 110 feet Westerly from the Easterly line of land so conveyed; thence Southerly parallel to the Easterly line of land so conveyed to a point distant 110 feet Westerly, measured at right angles from a point 298.71 feet Southerly, measured along said Easterly line and its Northerly prolongation from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Southerly to a point distant 55 feet Westerly, measured at right angles, from a point on said Easterly line of land conveyed and its Northerly prolongation as aforesaid, distant Southerly 498.71 feet from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southerly to a point distant Westerly 30 feet, measured at right angles from a point on the Easterly line of land so conveyed to Swartz and its Northerly prolongation, distant 798.71 feet Southerly from its intersection with the center line of Ohio Turnpike Project No. 1; thence Easterly at right angles to the Easterly line of land so conveyed; 30 feet to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Luckey and Wagoner Roads, 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 parcel described above as Parcel No. 57-B, 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."

Resolution No. 318-1953

"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>
Fred Perkins	R. F. D. #3, Perrysburg, Ohio
Mable Perkins	R. F. D. #3, Perrysburg, Ohio
Berdie Perkins	R. F. D. #3, Perrysburg, Ohio
Frank Perkins	Lucas County Home, Toledo, Ohio
Harry Perkins	450 Tecumseh Avenue, Toledo, Ohio
Anna Perkins	450 Tecumseh Avenue, Toledo, Ohio
Gladys Douglas	R. R. #1, New Liskeard, Ontario, Canada
Stanley Douglas	R. R. #1, New Liskeard, Ontario, Canada
Lloyd M. Duncan	420 Hughson Street, Hamilton, Ontario, Canada
Constance Duncan	420 Hughson Street, Hamilton, Ontario, Canada

Myron B. Duncan	65 Robins Avenue, Hamilton, Ontario, Canada
Josephine Glover	608 Boone Street, Piqua, Ohio
John Glover	608 Boone Street, Piqua, Ohio
Robert Reese	229 Norwood Avenue, Dayton, Ohio
Earthline Reese	229 Norwood Avenue, Dayton, Ohio
Thomas H. Sheldrick, receiver for the estate of Joseph Perkins, deceased	Bowling Green, Ohio
The Unknown Heirs, Devisees and Assigns of Joseph Perkins, deceased	Addresses Unknown
The Unknown Heirs, Devisees and Assigns of Minnie Perkins, deceased	Addresses Unknown
County Auditor of Wood County	Wood County Court House Bowling Green, Ohio
County Treasurer of Wood County	Wood County Court House Bowling Green, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 54A-55E--Fee Simple

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of the Southeasterly Quarter of Section No. 2, Town 4, United States Reserve and bounded and described as follows:

Beginning in the Southeasterly right of way line as conveyed to The Toledo, Columbus and Southern Railway Company, by deed dated March 28, 1885 and recorded in Volume 74, Page 137 of Wood County Deed Records, at its intersection with the Northerly line of land conveyed to Joseph Perkins, by deed dated May 5, 1883, and recorded in Volume 71, Page 365 of Wood County Deed Records; thence Easterly along said Northerly line to its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, page 67 of Wood County Map Records, and distant Northeasterly therefrom 140.00 feet, measured on a line normal to said center line; thence Southeasterly along said parallel line to the Easterly line of land conveyed to Joseph Perkins, by deed dated June 16, 1909 and recorded in Volume 155, Page 33 of



Wood County Deed Records; thence Southerly along said Easterly line to its intersection with a line parallel to said center line of Ohio Turnpike Project No. 1, and distant Southwesterly therefrom 150.00 feet, measured on a line normal to said center line; thence Northwesterly along said parallel line to the Southeasterly right of way line of The Toledo, Columbus and Southern Railway Company, as aforesaid; thence Northeasterly along said Southeasterly right of way line to the place of beginning.

Parcel No. 54-T--Fee Simple

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of the South Quarter of the Northwest Quarter of the Southeast Quarter in Section No. 2, Town 4, United States Reserve and bounded and described as follows:

Beginning in the Northerly line of land conveyed to Joseph Perkins, by deed dated May 5, 1883, and recorded in Volume 71, Page 365 of Wood County Deed Records at its intersection with the Northwesterly Right of Way line as conveyed to The Toledo, Columbus and Southern Railway Company, by deed dated March 28, 1885, and recorded in Volume 74, Page 137 of Wood County Deed Records; thence Southwesterly along said Northwesterly Right of Way line to a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 67 of Wood County Map Records, and distant Southwesterly therefrom 150.00 feet, measured on a line normal to said center line; thence Northwesterly along said parallel line to the Northerly line of land conveyed to Joseph Perkins, as first aforesaid; thence Easterly along said Northerly line to the place of beginning.

Parcel No. 54A-55E(1)--Permanent Easement for Drainage Purposes

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of Original Perrysburg Township Section No. 2, Town 4, United States Reserve and being all that part of the lands described in the deed to Joseph Perkins, dated June 16, 1909, and recorded in Volume 155, Page 33 of Wood County Deed Records and bounded and described as follows:

Beginning on the Easterly line of land described in said deed at its intersection with a line drawn parallel to and distant 150 feet Southwesterly, measured along a line drawn normal to the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 10, Page 67 of Wood County Map Records; thence Southerly along the Easterly line of land described in said deed 75 feet; thence Westerly along a line at right angles with the last described line 30 feet;

thence Northerly and parallel with the Easterly line of land described in said deed, to its intersection with a line parallel to and distant 150 feet Southwesterly, measured along a line normal to the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Southeasterly and parallel with said center line to the place of beginning.

Parcel No. 54-A-55-E(2)--Permanent Easement for Drainage Purposes

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of Original Perrysburg Township Section No. 2, Town 4 United States Reserve and being all that part of the lands described in the deed to Joseph Perkins, dated June 16, 1909, and recorded in Volume 155, Page 33 of Wood County Deed Records and bounded and described as follows:

Beginning on the Easterly line of land described in said deed at its intersection with a line parallel to and distant 140 feet Northeasterly, measured along a line drawn normal to the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 10, Page 67 of Wood County Map Records; thence Northerly along the Easterly line of land described in said deed, 75 feet; thence Westerly along a line at right angles with the last described line 30 feet; thence Southerly and parallel with the Easterly line of land described in said deed, to its intersection with a line parallel to and distant 140 feet Northeasterly, measured along a line normal to the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Southeasterly and parallel with said center line to the place of beginning.

Parcel No. 54-A-55-E(3)--Permanent Easement for Drainage Purposes

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of the Southeasterly Quarter of Original Perrysburg Township Section No. 2, Town 4, United States Reserve and being a parcel of land 60 feet wide, 30 feet by right angle measurement on each side of the following described center line; Beginning on the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 10, Page 67 of Wood County Map Records, at Turnpike Station 177+52; thence Northerly along a line forming an angle of 51°30' in the Northwest Quadrant with the tangent to the curved center line of said Ohio Turnpike Project No. 1, to its intersection with a line parallel to and distant 140 feet Northeasterly, measured along a line normal to said center line and the principle place of beginning; thence Northerly continuing along the line forming an angle of 51°30' in the Northwest Quadrant with the tangent to the curved center line of Ohio Turnpike Project No. 1, 75 feet.

Parcel No. 54-A-55-E(4)--Permanent Easement for Drainage Purposes

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of the Southeasterly Quarter of Original Perrysburg Township Section No. 2, Town 4, United States Reserve and being a parcel of land 60 feet wide, 30 feet by right angle measurement on each side of the following described center line:

Beginning on the center line of Ohio Turnpike Project No. 1 as shown by the plat recorded in Volume 10, Page 67 of Wood County Map Records, at Turnpike Station 177+52; thence Southerly along a line forming an angle of  $51^{\circ}30'$  in the Southeast Quadrant with the tangent to the curved center line of said Ohio Turnpike Project No. 1, to its intersection with a line parallel to and distant 150 feet Southwesterly, measured along a line normal to said center line and the principal place of beginning; thence Southerly continuing along the line forming an angle of  $51^{\circ}30'$  in the Southeast Quadrant with the tangent to the curved center line of Ohio Turnpike Project No. 1, 75 feet.

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 parcel described above as Parcel No. 54-A-55-E and Parcel No. 54-T, 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."

Resolution No. 319-1953

"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>
Francis W. McPeek	White Road, Route #3 Perrysburg, Ohio
Margaret S. McPeek, also known as Margaret McPeek	White Road, Route #3 Perrysburg, Ohio
The Citizens Banking Company of Perrysburg	Perrysburg, Ohio
County Auditor of Wood County	Wood County Court House Bowling Green, Ohio
County Treasurer of Wood County	Wood County Court House Bowling Green, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 52-P-53-L (1)--Fee Simple

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of Original Perrysburg Township River Tract No. 72, Town 3, United States Reserve and being all that part of the lands described in the deeds to Francis W. McPeek and Margaret McPeek, dated October 3, 1942, and recorded in Volume 261, Page 251 of Wood County Deed Records and dated March 28, 1951 and recorded in Volume 314, Page 507 of Wood County Deed Records lying within a strip of land 10 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 140 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 65 of Wood County Map Records, and the Southwesterly line of said strip being parallel to and distant 150 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 52-P-53-L(3)--Permanent Easement for Drainage Purposes

Situated in the Township of Perrysburg, County of Wood and State of Ohio and known as being part of Original Perrysburg Township River Tract, No. 72, Town 3, United States Reserve and being

all that part of the lands lying Northerly of the Southerly line of lands described in the deeds to Francis W. McPeek and Margaret McPeek, dated October 3, 1942 and recorded in Volume 261, Page 251 of Wood County Deed Records, and dated March 28, 1951 and recorded in Volume 314, Page 507 of Wood County Deed Records, within the bounds of a parcel of land 80 feet wide, 40 feet by right angle measurement on each side of the following described center line:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 10, Page 65 of Wood County Map Records, at Turnpike Project No. 1, Station 45+36; thence Southwesterly along a line forming an angle of 19° in the Southwest quadrant with a line normal to said Turnpike centerline at said Station 45+36, to its intersection with a line drawn parallel to and distant 150 feet Southwesterly, measured along a line normal to said centerline, and the principal place of beginning; thence Southwesterly continuing along said line forming an angle of 19° in the Southwest quadrant from Turnpike Station 45+36, a distant of 100 feet.

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 parcel described above as Parcel No. 52-P-53-L(1), 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. "

Resolution No. 320-1953

"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>
Elizabeth M. Scott, also known as Monna Scott	Route #1, Maumee, Ohio
Elizabeth M. Scott, trustee under the Last Will and Testament of Samuel F. Scott, deceased	Route #1, Maumee, Ohio
Betty Howard	Albon Road, R. D. #1 Maumee, Ohio
Byron Howard	Albon Road, R. D. #1 Maumee, Ohio
William Scott	Albon Road, R. D. #1 Maumee, Ohio
Twyla Scott	Albon Road, R. D. #1 Maumee, Ohio
Bertha Howard	1130 Michigan Avenue Westerville, Ohio
Wayne Howard	1130 Michigan Avenue Waterville, Ohio
Edward Scott	1617 Kreiger Street Toledo, Ohio
Janet Scott	1617 Kreiger Street Toledo, Ohio
Mary Bucher	Washington Drive Holland, Ohio
Vernon Bucher	Washington Drive Holland, Ohio
Samuel Scott	Toledo-Wauseon Road Holland, Ohio
Irma Scott	Toledo-Wauseon Road Holland, Ohio

Maude Scott Kaltenbach	6050 Judge Drive Toledo, Ohio
Donald Manley	Clark Street Holland, Ohio
Adaline Manley	Clark Street Holland, Ohio
Paul Manley	Railroad Avenue Holland, Ohio
Lucille Manley	Railroad Avenue Holland, Ohio
James Manley	Springfield Drive Holland, Ohio
Pearl Manley	Springfield Drive Holland, Ohio
Frank Manley	Clark Street Holland, Ohio
Cleo Manley	Clark Street Holland, Ohio
Rebecca J. Scott	Route #2 Port Clinton, Ohio
County Auditor of Lucas County	Lucas County Court House Toledo, Ohio
County Treasurer of Lucas County	Lucas County Court House Toledo, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 46-E--Fee Simple

Situated in the Township of Springfield, County of Lucas and State of Ohio and known as being part of Original Springfield Township Sections Nos. 29 and 30, Town Two (2) in the United States Reserve of Twelve (12) Miles Square at the foot of the Rapids of

the Miami of Lake Erie and being all that part of the lands described in the deed to Samuel F. Scott, dated October 22, 1945 and recorded in Volume 1190, page 553 of Lucas County Deed Records lying within a strip of land 240 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 120 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 48, page 96 and Volume 50, pages 8 and 9 of Lucas County Map Records, and the Southerly line of said strip being parallel to and distant 120 feet Southerly, measured on a line normal to said center line.

Parcel No. 46-E(1)--Permanent Easement for Channel Purposes

Situated in the Township of Springfield, County of Lucas and State of Ohio and known as being part of Original Springfield Township Section No. 30, Town 2 in the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie and being all that part of the lands described in the deed to Samuel F. Scott, dated October 22, 1945 and recorded in Volume 1190, page 553 of Lucas County Deed Records and bounded and described as follows:

Beginning at a point distant 120 feet Southerly, measured on a line normal to center line Station 372+00 of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 48, page 96 and Volume 50, pages 8 and 9 of Lucas County Map Records; thence Continuing Southerly along said normal line 105 feet; thence Easterly and parallel with the center line of said Ohio Turnpike to an intersection with a line drawn Southerly and normal to center line Station 379+00 of said Ohio Turnpike; thence Northerly along said normal line last aforesaid, 105 feet; thence Westerly and parallel with the center line of said Ohio Turnpike to the place of beginning.

Parcel No. 46-E(2)--Permanent Easement for Channel Purposes

Situated in the Township of Springfield, County of Lucas and State of Ohio and known as being part of Original Springfield Township Section No. 30, Town 2 in the United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie and being all that part of the lands described in the deed to Samuel F. Scott, dated October 22, 1945 and recorded in Volume 1190, page 553 of Lucas County Deed Records bounded and described as follows:

Bounded on the North by the Northerly line of land described in deed to Samuel F. Scott as aforesaid; on the South by a line parallel to and distant 120 feet Northerly by normal measurement from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 48, page 96 and Volume 50, pages 8 and 9



of Lucas County Map Records; Southeasterly by a line parallel to and distant 30 feet Southeasterly by rectangular measurement from a line drawn Northeasterly from center line Station 379+19.6 of said Ohio Turnpike and forming an angle of 51°30' with said center line in the Northeasterly Quadrant; and Northwesterly by a line parallel to and distant 75 feet Northwesterly by rectangular measurement from said line drawn Northeasterly from center line Station 379+19.6 as aforesaid.

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 parcel described above as Parcel No. 46-E, 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. "

Resolution No. 321-1953

"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>
Alice Bowers Clantz	R. F. D. #1 Swanton, Ohio
Esther Elton	R. F. D. Swanton, Ohio
George Elton	R. F. D. Swanton, Ohio
Frederick B. Elton, A. Minor	R. F. D. Swanton, Ohio

Esther Elton, Parent Guardian of Frederick B. Elton, A Minor	R. F. D. Swanton, Ohio
The Unknown Heirs, Devisees, and Assigns of John J. F. Bowers, Deceased	Addresses Unknown
The Unknown Heirs, Devisees, and Assigns of Fred J. Bowers, Deceased	Addresses Unknown
County Auditor of Fulton County	Fulton County Court House Wauseon, Ohio
County Treasurer of Fulton County	Fulton County Court House Wauseon, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 38-A-39-G--Fee Simple

Situated in the Township of Fulton, County of Fulton and State of Ohio and known as being part of Original Fulton Township Section No. 2, Town 7 North, Range 8 East and being all that part of the lands described in the Certificate to the Recorder in the matter of the Estate of Fred J. Bowers, dated December 9, 1929 and recorded in Volume 6, page 476 of Fulton County Miscellaneous Records lying Southerly of a line drawn parallel to and distant 125 feet Northerly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, page 14 of Fulton County Map Records.

Parcel No. 38-A-39-G(2)--Permanent Easement for Drainage Purposes

Situated in the Township of Fulton, County of Fulton and State of Ohio and known as being part of Original Fulton Township Section No. 2, Town 7 North, Range 8 East and being all that part of the lands described in the Certificate to the Recorder in the matter of the Estate of Fred J. Bowers, dated December 9, 1929 and recorded in Volume 6, page 476 of Fulton County Miscellaneous Records, bounded as follows:

On the North by a line parallel to, and distant 212 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 4,

page 14 of Fulton County Map Records;

On the South by a line parallel to, and distant 125 feet Northerly, measured on a line normal to said center line of Ohio Turnpike Project No. 1, aforesaid;

On the West by a line drawn Northerly and normal to said center line of Ohio Turnpike Project No. 1, from center line Station 1281+75 thereof;

On the East by a line drawn Northerly and normal to said center line of Ohio Turnpike Project No. 1, from center line Station 1282+25 thereof.

Parcel No. 38-A-39-G(3)--Permanent Easement for Highway Purposes

Situated in the Township of Fulton, County of Fulton and State of Ohio and known as being part of Original Fulton Township Section No. 2, Town 7 North, Range 8 East and being all that part of the lands described in the Certificate to the Recorder in the matter of the Estate of Fred J. Bowers, dated December 9, 1929 and recorded in Volume 6, page 476 of Fulton County Miscellaneous Records, bounded and described as follows:

Beginning on the center line of Brailey Road at its intersection with a line drawn parallel to and distant 125 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, page 14 of Fulton County Map Records; thence Easterly along said parallel line to a point which is distant 82 feet Easterly at right angle measurement from the center line of Brailey Road; thence Northwesterly in a direct line to a point which is distant 42 feet Easterly at right angle measurement from a point on the center line of Brailey Road which point on said center line is distant 750 feet Northerly from the center line of Ohio Turnpike; thence Westerly along a line drawn at right angles to the center line of Brailey Road, 42 feet to the center line thereof; thence Southerly along the center line of Brailey Road to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Brailey 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 parcel described above as Parcel No. 38-A-39-G, 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. "

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:

Ayes, Linzell, Teagarden, Allen, McKay, Shocknessy.

Nays, none.

The Chairman declared the resolutions adopted.

The General Counsel then reported that he had prepared at the direction of the Chairman a resolution by which the Commission would re-affirm the position which it had taken theretofore and confirm and ratify the action of the Chairman which was done pursuant to the informal direction of the members of the Commission in directing a letter to the Director of Highways with respect to the making of certain preliminary studies of proposed or suggested additional turnpike projects.

Resolution No. 322-1953, ratifying actions of Chairman requesting advices from Highway Director with respect to studies of a north and south turnpike in Ohio, was moved for adoption by Mr. Allen and seconded by Mr. Teagarden, as follows: :

"WHEREAS on or about November 7, 1952, the chairman of the Commission, pursuant to resolution No. 88-1952, requested the director of highways to advise the Commission whether or not it is appropriate that studies be undertaken to determine the feasibility of a turnpike terminating at Cincinnati and originating in the general area of Toledo;

WHEREAS in response to the aforesaid request, the director of highways, by letter dated July 8, 1953, and orally on July 9, 1953, rendered his advice to the Commission, and the Commission on July 9, 1953, duly and fully considered the same and thereupon asserted its position with respect to the matters therein contained; and

WHEREAS the chairman, acting for and on behalf of the Commission and upon the informal direction of the members thereof, by letter dated July 15, 1953,

directed and delivered to the director of highways, did, with respect to that portion of the aforesaid turnpike northward from U.S. Route 40, alter the request theretofore made by the Commission and did request the director to complete his preliminary study of a north-and-south turnpike in Ohio to include a connection with Ohio Turnpike Project No. 1 rather than a specific terminal point in the area of Toledo; did request the director to advise the Commission whether it is appropriate that studies be undertaken immediately to determine if a turnpike connection from Conneaut to Ohio Turnpike Project No. 1 may be feasible; and, further, did authorize the director to establish priority in his office for the several studies requested by the Commission;

NOW, THEREFORE, BE IT

RESOLVED that the Commission does hereby reaffirm the position taken by it on July 9, 1953, and confirm and ratify its chairman's action of July 15, 1953, in making the requests aforesaid of the director of highways and in granting the aforesaid authorization to said director. "

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:

Ayes, Allen, Teagarden, McKay, Shocknessy.

Nays, none.

Not voting, Linzell.

Mr. Linzell explained that he refrained from voting upon this resolution for the reason that he had certain administrative action to take as Director of Highways with respect to it. The Chairman declared the resolution adopted.

The Chairman then reported that the Commission had received a letter under date of July 16, 1953, from Mr. Kenneth B. Lord, President of the City Council of the City of Elyria and addressed to the Executive Assistant to the Commission. The Executive Assistant read the letter as follows:

" July 16, 1953

Mr. Charles P. Smith  
Executive Assistant to Commission  
Ohio Turnpike Commission  
361 East Broad Street  
Columbus, Ohio

Dear Mr. Smith:

The members of the Elyria City Council have received your letter of July 1, 1953, and this constitutes their unanimous reply.

We deplore the situation which exists at the present time, and it is our most sincere wish that an amicable solution to the problem confronting the City of Elyria and the Ohio Turnpike Commission may be reached at the earliest possible date.

Certainly we regard the Ohio Turnpike as a most desirable public improvement. However, as elected officials of the City of Elyria we have no choice but to oppose the Commission's proposed route through the city.

Assuredly by this time you are well acquainted with our basic objections to the Commission-proposed route. There is nothing to be gained in reviewing at this time the losses, immediate and future, which would accrue to the City of Elyria if the Turnpike were to be constructed as designated by the Commission.

However, in reply to specific points of your letter, please be informed that all members of the City Council are aware of proposals discussed to date, and we are unanimous in our support of the City's position in this matter.

Moreover, as to the costs of litigation, we have this to say: the legal costs involved in the mandamus action filed by our counsel in the Common Pleas Court of Franklin County are well within our ability to pay. So, too, are the foreseeable legal expenses of whatever further court action might become necessary to maintain our rights as set forth in the Constitution of the State of Ohio.

You suggest that "the City Council of Elyria weigh the doubtful benefits of litigation against the enormous cost of litigating the location of the Turnpike", implying that our situation is in some way comparable to one or other parties to the recent asphalt litigation which you use to draw a comparison.

We see no resemblance whatsoever.

We see only that Elyria's Master Plan for development has been violated in direct conflict with provisions of Ohio law.

We see only that a desirable portion of our city would be sacrificed to the permanent detriment of the City of Elyria.

We see only that the routing of the Turnpike through Elyria is the result of what we believe to be nothing more than a disposition on the part of Turnpike engineers to take advantage of the least expensive bridge site across the Black River, which site the City intends to use for a badly needed east-west city thoroughfare.

We see only that this proposed route is in direct contradiction to the recommendations of every highway engineering authority to come to our attention.

We see only that Elyria is the sole city in the path of the Turnpike to be subjected to such unconscionable treatment.

Further, we disagree when you state that Mr. Shoup's first lawsuit "does not reach the merits of the dispute." We believe Mr. Shoup's action pertinent and well-taken, and we expect his mandamus action will be upheld.

We believe that the statutes of the State of Ohio are specific on this point, and that Commission authorities are guilty of a grave omission in disregarding our status.

We do, however, thank you for your interest at this time. It is unfortunate, indeed, that a similar concern for the City of Elyria was not shown at an earlier date. Perhaps then the litigation which faces us today might never have become necessary.

I cannot emphasize too much our concern over the regrettable circumstances in which we find ourselves today. Perhaps a way may still be found to proceed with the construction of this fine

project that will not inflict upon a single community penalties that we believe to be unnecessary, illogical, and illegal.

Very truly yours,

/s/ K. B. Lord

Kenneth B. Lord  
President, City Council  
City of Elyria"

The Chairman expressed his hope that at the meeting of August 4, 1953, the Commission would be able to adopt a definite policy with respect to the situation in Elyria.

Resolution No. 323-1953, ratifying actions of administrative officers was moved for adoption by Mr. Teagarden and seconded by Mr. Allen, as follows:

"WHEREAS the executive Assistant, chief engineer, general counsel, assistant secretary-treasurer, comptroller, chief of the right-of-way section, and director of information and research of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, including the action of the chief engineer and general counsel in issuing Addendum No. 3 to the contract documents for contracts C-50, C-51, C-52, C-50 & 51, C-51 & 52, and C-50, 51 & 52, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT

RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on July 9, 1953, are hereby ratified, approved, and confirmed. "

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:



Ayes, Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays, none.

Mr. McKay qualified his affirmative vote and said that he had voted in the affirmative on the theory that the portion of the resolution dealing with addendum No. 3 to the contract documents for contracts C-50, C-51, C-52, C-50 & 51, C-51 & 52, and C-50, 51 & 52, could be modified by the Commission at a later date. The Chairman stated that the resolution expressed the policy of the Commission members with respect to the specifically enumerated items, and did not commit the Commission to any future action. The Chairman declared the resolution adopted.

There being no further business to come before the Commission a motion was made by Mr. Teagarden, seconded by Mr. McKay that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, McKay, Allen, Linzell, Shocknessy.

Nays, none.

The Chairman declared the meeting adjourned. The time of adjournment was 12:05 o'clock P. M.

Approved as a correct transcript of the proceedings of the Ohio Turnpike Commission.

  
A. J. Allen, Secretary-Treasurer