

MINUTES OF THE SEVENTIETH MEETING  
AUGUST 4, 1953

Pursuant to call of the Chairman the Ohio Turnpike Commission met in regular open session in its offices at 139 East Gay Street in Columbus, Ohio at 11:10 A. M. on August 4, 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.

A motion was made by Mr. Teagarden, seconded by Mr. Linzell, that the minutes for the meetings of June 23, July 2, July 9, and July 23, which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading. 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 motion carried.

The Chairman reported that Robert S. Beightler, Major General, United States Army, Retired, who was present had advised that he was ready to go on duty at once as Executive Director. The Chairman said it was a great satisfaction to have General Beightler able and willing to undertake the

assignment which destiny and the Commission had laid out for him; that the members of the Commission thought there was nobody in the United States better equipped by experience, background, training and great heart to undertake the manifold responsibilities of Executive Director than General Beightler. The General, he said, would do only part-time duty until October 1, and had specified that he wanted to be paid only part pay when doing part-time duty. The Chairman said further that General Beightler, by his own choice, had established his salary at \$19,000 a year, although the Commission had been willing to pay a salary of \$20,000, because the General thought it was not appropriate that anyone who is working for an agency of the State of Ohio be paid as much as the Governor of Ohio. General Beightler responded that he was most grateful to the Commission for bearing with him for such a long period before his health permitted him to take the position. He said he would do all within his power and ability to carry out the same high standards that had characterized the Commission's operations since its inception.

The Chairman resumed his report with what he termed a thrilling bit of information. Mr. Linzell, the Director of Highways, he said, had stated to the members of the Commission just before the meeting that a turnpike from Cincinnati to Conneaut, passing in the vicinity of Dayton, Springfield, Columbus and Cleveland and connecting the great industrial empire of the south with the great industrial empire of the north in the economic heartland of the United States appeared prima facie feasible, and that the Director was willing to undertake the studies necessary to determine the ultimate economic feasibility of such a project. The Chairman said the Commission would expect to pass a resolution at a special meeting to be held August 7th, requesting Mr. Linzell to seek from the controlling board the funds necessary for the required studies.

The Chairman then read the following letter under date of July 22, 1953, which had been received from the J. E. Greiner Company:

"Mr. James W. Shocknessy, Chairman  
Ohio Turnpike Commission  
139 East Gay Street  
Columbus 15, Ohio

Dear Mr. Shocknessy:

This will confirm the report made orally to you on July 15 of the conference held in the Baltimore office of J. E. Greiner Company on July 14. Attending the conference were Mr. Robert Shoup special counsel for the City of Elyria, Mr. John Lansdale of Squire, Sanders and Dempsey, special counsel for the Ohio Turnpike Commission, and Mr. H. H. Allen and the writer of J. E. Greiner Company. The conference was held in Baltimore at the express request and insistance of Mr. Shoup who stated that he had done so at the suggestion of Dr. J. Gordon McKay, a member of the Ohio Turnpike Commission.

Mr. Shoup presented a second alternate route to the North of Elyria which was a modification of the first alternate route prepared by the engineering firm of Wilbur Watson and Associates and submitted by the City of Elyria for consideration by the Ohio Turnpike Commission. Mr. Shoup stated that the route was developed by Wilbur Watson and Associates after having been evolved trough discussions between himself and Dr. McKay. The proposed new alternate would move the line out of the City of Elyria, but would not extend as far north as the first alternate route suggested by the City of Elyria.

Mr. Shoup stated that he did not wish this second alternate route to be considered as a proposal from Elyria, but rather felt that it would be advantageous if it were proposed by a third party who would be someone other than official of Elyria or an official of the Ohio Turnpike Commission. He further stated that the third party might well be Governor Lausche--"

At that point the Chairman interpolated a letter under date of July 24, 1953 from Governor Lausche:

"Mr. James W. Shocknessy, Chairman  
Ohio Turnpike Commission  
139 East Gay Street  
Columbus 15, Ohio

Dear Mr. Shocknessy:

I read the letter of July 22nd addressed to you by Mr. E. J. Donnelly with respect to an alternate route in the Elyria difficulties.

The letter of Mr. Donnelly indicates that Mr. Shoup, in proposing the second alternate route, suggested that the proposal ' might well be by Governor Lausche'.

I write you this letter to tell you that I have no knowledge of any character whatsoever about the second alternate route or of any proposal such as suggested by Mr. Shoup.

Sincerely yours,

/s/ Frank J. Lausche

Frank J. Lausche

FJL/mk"

The Chairman resumed reading the letter from the Greiner Company as follows:

"who could offer the route as a compromise settlement between the City of Elyria and the Ohio Turnpike Commission. We have no way of knowing whether or not Governor Lausche or anyone in his behalf made any such suggestion nor do we know whether or not this matter was discussed with Governor Lausche or with Dr. McKay by Mr. Shoup.

We advised Mr. Shoup that we would examine the proposed second alternate route and would report to the Commission on the entire matter. Upon a cursory examination it is apparent that the proposed second alternate route cannot be economically justified in view of the fact that 85% of the main-line right-of-way for the approved route has been acquired and that the contract plans for the approved route are 90% complete. However, if the Commission so desires we will make the necessary studies to determine the estimated cost of this proposed second alternate route.

Very truly yours,

J. E. GREINER COMPANY

/s/ By E. J. Donnelly

E. J. Donnelly"

The Chairman then read the following letter under date of July 28, 1953 which the Chairman had addressed to the Greiner Company:

"J. E. Greiner Company  
139 East Gay Street  
Columbus, Ohio

Gentlemen:

This will acknowledge the receipt of your letter under date of July 22, 1953 signed by Mr. E. J. Donnelly, which reported upon a conference held in the Baltimore office of J. E. Greiner Company on July 14, 1953, at which Mr. Robert Shoup, special counsel for the City of Elyria, proposed a second alternate route to the north of Elyria for Ohio Turnpike Project No. 1 and requested that you make a preliminary study of it. Your letter was received on July 22, 1953, and copies thereof were transmitted that day to each member of the Commission for consideration.

Your letter stated that upon preliminary examination it was apparent that the proposed second alternate route could not be justified economically. Since it appears from your preliminary analysis that the alternate proposed by Mr. Shoup would not be satisfactory, it would not seem feasible that the Commission require a detailed cost study of the proposal. Unless in the opinion of the J. E. Greiner Company such a study would lend some authority to the proposal of Mr. Shoup, I shall not ask the Commission to make a request upon your firm for it.

It is believed that consideration of the second proposed alternate at Elyria should be concluded by the Commission without delay. It is therefore requested that you advise the Commission at once as to whether in your opinion a detailed cost study of the second proposed alternate should be made by the J. E. Greiner Company.

Very truly yours,

/s/ James W. Shocknessy

James W. Shocknessy  
Chairman"

The Chairman read the following letter under date of July 29, 1953 received from the Greiner Company:

"Mr. James W. Shocknessy, Chairman  
Ohio Turnpike Commission  
139 East Gay Street  
Columbus, Ohio

Dear Mr. Shocknessy:

This is in immediate response to your letter of July 28, 1953 in which you inquired as to whether in the opinion of J. E. Greiner Company a detailed cost analysis of a second alternate location at Elyria for Ohio Turnpike Project No. 1 need be made in order to establish the validity or invalidity of the proposal. It is our belief that the preliminary analysis which was made after presentation of the proposed route informally to our firm in Baltimore by Mr. Shoup on July 14, 1953, was sufficiently comprehensive for the purpose of the Commission. It is apparent that the proposed second alternate route cannot be economically justified, and we do not recommend that detailed engineering study be given to it.

Very truly yours,

J. E. GREINER COMPANY

/s/ E. J. Donnelly

E. J. Donnelly'

The Chairman commented that the proposal made by Mr. Shoup to the Greiner Company in the conference at Baltimore seemed to have been disposed of and that so far as he was concerned the matter of the second Elyria alternate was closed. He said he had asked the General Counsel to prepare a resolution which would set forth the program of the Commission with respect to the Elyria controversy.

Mr. McKay inquired about the status of the plans on construction sections 22 and 23 in the Elyria area. Mr. E. J. Donnelly of the Greiner Company advised that the plans would be delivered to the Commission August 25, 1953, and that they incorporated modifications, simplifications and additions that had generally been agreed to with respect to the line and treatment.

The Chairman concluded his report with the announcement that the conference with representatives of the Pure Oil Company with respect to facilities for the distribution of petroleum products and related services on the Turnpike scheduled for that afternoon would be postponed until a later date because of the inability of Mr. Jerome B. Sanner of the Pure Oil Company to be present because of a personal emergency. The Chairman said the committee representing the petroleum industry had reported back on July 24, 1953, after a long lapse of time to the Commission's committee dealing with the matter of gasoline facilities and services to vehicles on the Turnpike, and that the report had been furnished to the members of the Commission. The petroleum industry committee, he said, had indicated some dissatisfaction with the Commission's willingness to confer with the Pure Oil Company. He made it clear that the Commission did not restrict itself to dealing only with the petroleum industry committee unless that committee was represen-

tative of the total industry , saying that if the Pure Oil Company , which is a large portion of the industry, did not consider itself to be bound to that committee, then the Commission did not exclude its right to consult with any and everybody who is not within the structure of the committee.

In the absence of any objection the report of the Chairman was accepted.

Resolution No. 324-1953, appointing Robert S. Beightler to the position of Executive Director and fixing the salary to be paid, was moved for adoption by Mr. Teagarden, seconded by all members of the Commission, as follows:

"WHEREAS the Commission finds it desirable to fill the position of executive director heretofore created by resolution No. 197-1953:

NOW, THEREFORE , BE IT

RESOLVED that Robert S. Beightler be and he hereby is employed to fill the position of executive director of the Commission; that his duties as said executive director shall be as prescribed by the by-laws of the Commission; that his compensation shall be at the rate of \$19,000.00 per annum, it being understood, however , that until October 1, 1953 the appointee shall serve on a half-time basis and be paid pro rata; that such employment shall be effective as soon as he shall be ready to enter upon the performance of his duties; and that he shall serve at his and the Commission's mutual pleasure. "

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 and said that Mr. Beightler was on duty as of that moment.

Resolution No. 325-1953, approving construction of Ohio Turnpike Project No. 1 through the City of Elyria, was moved for adoption by Mr. McKay and seconded by Mr. Teagarden, as follows:

"WHEREAS the commission during a period of approximately two years has received and fully considered all information, representations, and recommendations furnished and made to it by officials of the City of Elyria, counsel for the City of Elyria,

various public officials from Lorain County, a "citizens' committee" of the City of Elyria, residents of Elyria Township and Ridgeville Township, the commission's consulting engineer, staff engineers and counsel, and various other persons, respecting the problems engendered by the construction of Ohio Turnpike Project No. 1 through the City of Elyria and by the location of said project in the vicinity of said city;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby instructs its consulting engineer, its counsel and its staff to complete the development of plans and do all other things requisite to the construction of Ohio Turnpike Project No. 1 in and through the City of Elyria and in the vicinity thereof, incorporating in said plans and construction the following features which the commission is of the opinion will accommodate said construction to the present needs and future development of the City of Elyria and its environs, and will result in the maximum practicable economy and traffic service to the public using the turnpike;

1. It shall be constructed upon the location heretofore approved by the governor of the State of Ohio and in accordance with the alignment and design standards approved by the director of highways of the State of Ohio.

2. The grade line shall be such that the turnpike shall overpass Wesley Avenue and Abbe Road and west of Abbe Road shall descend as rapidly as surface drainage conditions and design criteria will permit; the grade line shall be sufficiently depressed at the proposed future crossing of Hilliard Road that a structure carrying Hilliard Road could be constructed at approximately present ground elevation; the turnpike shall pass under Gulf Road (State Route 301), which shall remain at approximately its present grade; it shall pass under West River Road, and it shall remain at approximately its present grade, it being understood by the commission that necessary plans to make the changes in the grades to effect the depression of the turnpike referred to above have been substantially completed and that the indicated additional cost of depressing it is not substantially in excess of \$265,000 over the estimated cost of constructing the turnpike on the grades originally contemplated.

3. Wesley Avenue shall cross under the turnpike at its present grade and alignment through a structure having sufficient horizontal clearance for a 24-foot pavement with shoulders on each side.

4. Adequate facilities shall be provided to accommodate traffic between Wesley Avenue and Abbe Road in the vicinity of Bon-Air Avenue.



5. Abbe Road shall cross under the turnpike at its present grade and alignment through a structure having sufficient horizontal clearance to permit a 40-foot pavement with 6-foot clearance on each side between edge of pavement and face of piers.

6. A 60-foot right of way shall be provided along the south side of the turnpike between Brandston Avenue and Gulf Road so that the City of Elyria can extend Sycamore Street to Gulf Road at some future date.

7. A bridge to carry Hilliard Road over the turnpike at approximately its present grade shall be provided if the City of Elyria shall so elect, in lieu of bridges at Abbe and West River Roads as wide as herein specified and also in lieu of the 60-foot right of way for extension of Sycamore Street.

8. Gulf Road (State Route 301) shall cross over the turnpike at approximately its present grade on a bridge wide enough for a 52-foot, four-lane pavement with 6-foot sidewalks on each side.

9. West River Road shall cross over the turnpike on a bridge wide enough for a 52-foot, four-lane pavement with 6-foot sidewalks on each side.

10. An interchange shall be provided with new State Route 57.

11. The 60-foot right of way that may be provided for extension of Sycamore Street shall provide also right of way for a 72-inch storm sewer contemplated by the city to serve territory south of the turnpike not served by the Poplar Street storm sewer.

12. The 60-inch storm sewer in Gulf Road shall be given an increased grade for a distance of 300 feet and connected with a 72-inch line in the turnpike right of way, which shall empty into Black River.

13. The 96-inch trunk sewer on the west side of the Black River shall be relocated south of the turnpike with a new outlet to the river.

14. The existing 8-inch sanitary sewer in Abbe Road shall not be disturbed except as it may be necessary to relocate it to accommodate a bridge footing. The underpass shall be ample to provide space for installation of a future 24-inch sanitary sewer along Abbe Road if expansion of the city should require it.

15. The existing 48-inch sanitary sewer in Gulf Road shall be relocated at present grade to miss the bridge footing and shall be encased in concrete.

16. A crossing shall be provided near West River Road so that the 24-inch sanitary sewer proposed by the city may be extended across the turnpike to satisfy future needs north of the turnpike. A right of way shall be provided for the proposed 18-inch sanitary sewer in the vicinity of West River Road parallel and adjacent to the relocation of the 96-inch storm sewer.

17. The 6-inch water distribution line in Wesley Avenue shall not be disturbed unless it interferes with a bridge footing. There shall be ample clearance between the bridge piers and existing pavement for installation of future lines with sufficient vertical clearance for ditching machines.

18. The 6-inch water distribution line in Abbe Road shall not be disturbed unless it interferes with a bridge footing. There shall be ample clearance between the bridge piers and existing pavement for installation of future lines with sufficient vertical clearance for ditching machines.

19. The existing 8-inch water distribution line in Gulf Road shall be reconstructed and pass under the turnpike in casing to permit servicing.

20. The existing 6-inch water distribution line in West River Road shall be reconstructed and pass under the turnpike in a casing to permit servicing.

21. The existing 30-inch water supply line in new State Route 57 shall be encased in a sleeve where it passes under the turnpike to permit servicing.

22. The existing 20-inch water supply line in Lake Avenue shall be encased in a sleeve where it will pass under the turnpike to permit servicing.

23. A sufficient number of sleeves under the turnpike shall be provided for the accommodation of future utility expansions by the city. "

The Chairman commented that certain elections noted in the resolution must be made before the plans for construction sections 22 and 23 are presented to the Commission for approval and if the elections were not made by the City of Elyria, the Commission would be required to make its own determination. Prior to August 25, 1953, he said, the Commission's engineers, always with the advice of counsel, would make whatever representations were necessary to be made to the municipality to seek agreement and understanding. He then read excerpts from an editorial of the Cleveland News which set forth that the people of Ohio want the Turnpike now,

and that Elyria must make a decision soon that would enlarge its reputation as a progressive community or a roadblock city. This editorial is set forth hereafter as follows:

### "PEOPLE OF OHIO WANT TURNPIKE BUILT NOW

Elyria must make a decision soon that will enlarge its reputation as a progressive community - or - a 'roadblock city'.

It must decide whether it will accept the proposed route for the Ohio Turnpike, and thus speed a vital traffic artery to completion.

The community officials have argued into a stalemate the question of whether the super-highway shall travel its engineer-plotted route, or dodge the city.

Residents, divided on the issue, are now sitting on their hands and minds until a mandamus suit pending in Common Pleas Court decides whether the Ohio Turnpike Commission must submit its planned route to Elyria's City Council.

Opposition to the Commission-designated route stems from the fact that Elyria's new Overbrook residential section would be bi-sected. Mayor Henry W. Ault argues that the Pike route would divert existing streets, upset street planning, isolate proposed shopping areas, split churches and eliminate playgrounds.

Commission spokesmen deny this, and insist that the proposed route would save many hundreds of thousands of dollars which the alternative Elyria route could cost.

Legal spokesmen for the city also have indicated that if the mandamus action fails, the city will refuse to yield property it owns for construction of a bridge across the Black River, on the Commission route.

Turnpike planners have offered concessions of impressive size: \$300,000 worth of changes in original plans, to widen horizontal clearance on the proposed Abbe Road overpass, and to clear right of way for utility lines.

It is hard to believe that the Turnpike is designed to damage any community. It offers a vital high-speed highway accommodation to relieve traffic, and to take from Ohio's back the label of 'backward state'.

Elyria officialdom's opposition is natural, but should not be foolishly insurmountable.

Cleveland's Metropolitan Park Board and other agencies battled the Pike's plans until sensible route compromise was reached.

The population of the State of Ohio, through its Legislature has voted and endorsed this super highway.

Elyria conscientiously cannot stand in the way of that endorsement for selfish reasons alone.

A compromise must be reached - for progress. It must be quick in coming."

Adoption of the resolution, he said, would be a forthright indication to the State of Ohio and to the City of Elyria of the willingness of the Commission to be reasonable at all times in dealing with public bodies. The Commission, the Chairman continued, could not refrain longer from proceeding in accordance with the standards it has adopted and pursuant to its profound responsibility to proceed with a turnpike in northern Ohio. If the Elyria community is not willing to be reasonable, he said, the people of Ohio nevertheless must have the turnpike. 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 and instructed the General Counsel through special counsel to provide certified copies of the resolution to counsel for the City of Elyria.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the preceding meeting a draft of the minutes for the meeting of July 23, 1953 and the report on reinvestment of funds during July, had been mailed to the members. He said the income from investments at the end of July was \$6,228,000 which compared with an estimate of \$4,074,000 for the same period.

The Chairman commented that the gain in interest income over the estimate when added to the \$1,667,300 underrun in the total amount of contracts awarded when compared with the engineering report estimate indicated a saving of almost four million dollars.

The Assistant Secretary-Treasurer advised that by August 27, 1953 the Commission would have earned on investments the \$6,700,000 which was originally estimated to be the earnings of the entire period of construction.

In the absence of any objection, the report of the Secretary-Treasurer was accepted.

The Chief Engineer reported that bids had been received on July 29, 1953, from eleven firms bidding on the construction of construction sections 50, 51 and 52, which comprise the whole of design section No. 18 in Lucas and Fulton Counties. He said that the low bid was submitted as a joint venture by Launder & Sons, Inc., and The Pierce Construction Company of Toledo, Ohio, in the amount of \$6,891,387.56. He advised that the proposals had been reviewed by the turnpike staff and by the staff of the Greiner Company, and that the contractors had been interviewed. The contractors, he said, were eminently qualified to do the work. He reported that it was the recommendation of the Greiner Company that an award be made to Launder & Sons Company and The Pierce Construction Company at their low bid, and that he concurred in the recommendation. The Chief Engineer thereupon introduced Mr. Clyde Launder and his son, Mr. Venner Launder, and Mr. Richard Pierce and a representative of the Lathrop Construction Company which proposed to be subcontractors on the structures involved in the award. The Executive Director said the two firms which submitted the low bid were very reputable. Mr. Linzell said the Department of Highways of Ohio had had a very satisfactory experience with the two construction firms, and that he would recommend an award to them.

The General Counsel presented to the Commission proof of publication of the notice for the taking of bids on construction of construction sections 50, 51 and 52, and stated that publication had been made as required by law. Both by letter handed to the Chairman and orally, he expressed the opinion that the bid of Launder & Sons, Inc., and The Pierce Construction Company conformed to the requirements of the applicable statute, section 1205 of the Ohio General Code, and to the terms, conditions and specifications prescribed by the Commission and to the legal notice.

Resolution No. 326-1953, awarding construction contract C-50, 51 & 52, was moved for adoption by Mr. Allen, seconded by Mr. Linzell, 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 50, 51 and 52, which contracts are designated Contract C-50, C-51 and C-52, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon contracts for the construction of the several possible combinations of any adjacent two or all of said construction sections, which contracts are designated Contracts C-50&51, C-51&52; and C-50, 51&52; 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 recommendation 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 Launder & Son, Inc. and The Pierce Construction Co., a joint venture, for the performance of Contract C-50, 51&52 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 construction sections; 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 Launder & Son, Inc. and The Pierce Construction Co. for the performance of Contract C-50, 51&52 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 said successful bidder shall furnish a performance bond as heretofore approved 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, Linzell, Teagarden, McKay, Shocknessy  
Nays, None

The Chairman declared the resolution adopted.

The Chief Engineer announced that the revised report estimate on design section 18, including the structural steel required, was \$7,757,230, and that the low bids for construction and for furnishing fabricated structural steel totaled \$7,288,914.64, or about five and three-quarter percent under the estimate.

The Chief Engineer then reported that proposals had been received on July 29, 1953, from four firms for furnishing fabricated structural steel for two twin and seven single bridge structures in construction sections 20 and 21 in design section 7, the contract involved being designated as Contract M-7A. The low bid, he said, was that submitted by American Bridge Division, U. S. Steel Corporation, at Cincinnati, Ohio, in the amount of \$720,651.60. The proposals had been carefully reviewed by engineers of the Commission and by the Consulting Engineers, the Chief Engineer advised. He said that it was the joint recommendation of the Chief Engineer and the Consulting Engineers that award be made to American Bridge Division of U. S. Steel Corporation at its low bid.

The General Counsel presented the Commission proof of publication of the notice for the taking of bids for contract M-7A and stated that publication had been made as required by law. Orally and by letter handed to the Chairman, he also expressed his opinion that the bid of American Bridge Division of U. S. Steel Corporation conformed to the applicable statute and to the terms, conditions and specifications prescribed by the Commission and to the legal notice.

Resolution No. 327-1953, awarding structural steel contract M-7A was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"WHEREAS the Commission has duly advertised, according to law, for bids upon a contract for the furnishing of fabricated structural steel for Construction Sections 20 and 21 in Design Section D-7 of Ohio Turnpike Project No. 1, to the Commission, which contract is designated Contract M-7A, and proof of said advertising is before the Commission;

WHEREAS bids for the performance of said contract 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 said contract 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 the United States Steel Corporation (American Bridge Division) for the performance of Contract M-7A is, and is by the Commission determined to be, the lowest of all said bids for the furnishing of fabricated structural steel for 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 of the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for furnishing fabricated structural steel for said construction sections; 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 the United States Steel Corporation (American Bridge Division) for the performance of Contract M-7A, be, and hereby it is, determined to be the lowest and best of all said 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 said successful bidder shall furnish a performance bond as heretofore approved 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 for the aforesaid contract 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 contract."

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 resolution adopted.

The Chief Engineer reported that on July 29, 1953, bids were received for the furnishing of fabricated structural steel on contract M-4B, the low bid being submitted by Allied Structural Steel Companies of Chicago, Illinois, in the amount of \$1,147,393.25. The Chief Engineer and the General Counsel were engaged in making an investigation with respect to the organization of Allied Structural Steel Companies and therefore no recommendation for award would be made at the time, the Chief Engineer advised.

The Chief Engineer then reported on the status of contracts for the furnishing of structural steel. He said that bids had been received on separate steel contracts which involved in excess of 36,000 tons of steel and that contracts involving about 6,300 tons of steel were to be advertised soon. Altogether the Commission had arranged to purchase about 59,000 tons of structural steel and had still to purchase 16,000 tons, he said.

The Chief Engineer said that contract plans for construction sections 20 and 21 in Cuyahoga County had been placed before the Commission, and that contracts for furnishing structural steel for those sections had been awarded. He recommended that the Commission approve the contract plans for future advertising and said that the Consulting Engineer joined in the recommendation.

Resolution No. 328-1953, approving, adopting and ratifying the plans for construction sections 20 and 21, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, 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 20 and 21, 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 20 and 21;

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 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, Allen, McKay, Teagarden, Shocknessy  
Nays, None

The Chairman declared the resolution adopted.

The Chief Engineer stated that contract documents for construction sections 13 and 14 in Summit and Portage Counties had been placed before the Commission, Plans for the two sections were approved by the Commission on July 22, 1953, and the contracts for construction of the sections had been advertised for letting on August 26, 1953. The Chief Engineer advised that the contract documents had been approved by the Contracting Engineers, and that the Consulting Engineers and he recommended their approval by the Commission.

Resolution No. 329-1953 , approving, adopting, and ratifying documents for contracts C-13, C-14 and C-13&14 , was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, 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-13, C-14, and C-13&14;

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 afore said 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 13 and 14; 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, McKay, Teagarden, Linzell, Allen, Shocknessy  
Nays, None

The Chairman declared the resolution adopted.

In the absence of of any objections the report of the Chief Engineer was accepted.

The General Counsel then reported that he had written a letter the previous week to members of the Commission with respect to waiving the right of the Commission under the trust indenture securing the Commission's bonds to impose a charge not exceeding two dollars in connection with the exchange of any fully registered definitive bonds in the denominations of \$50,000 or more which are issued in direct exchange for a temporary bond or bonds. It is probable, he said, that substantial savings on the order of at least several thousand dollars would accrue to the Commission if holders of large-denomination temporary bonds could be induced to refrain from demanding one thousand dollar coupon bonds upon the first exchange. The matter had been discussed with the Trustee and Co-Trustee, and the General Counsel said he understood they were satisfied. Mr. John Blanpied, representing the Trustee, concurred in the General Counsel's statement.

Resolution No. 330-1953, with respect to exchange of large-denomination bonds, was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

"WHEREAS the commission's fiscal counsel and general counsel have recommended that the commission, in conformity with common practice with respect to large issue of bonds, waive its right under 206 of trust agreement dated June 1, 1952, between the commission and The Ohio National Bank of Columbus, as trustee, and

The National City Bank of New York, as co-trustee, to make a charge of not exceeding two dollars upon the exchange of any fully registered definitive bonds in the denominations of \$50,000 or more which are issued in direct exchange for a temporary bond or bonds, subject to certain conditions and restrictions; and

WHEREAS the commission has fully considered such suggestion and is of the opinion that such waiver will result in substantial savings to the commission in expenses of various kinds in connection with the exchange of definitive for temporary bonds;

NOW, THEREFORE, BE IT

RESOLVED that the chairman is hereby authorized and directed to sign and deliver a letter in the following form:

August 4, 1953

Blyth & Co., Inc. on behalf of itself and  
B. J. Van Ingen & Co., Inc.  
The Ohio Company  
Braun, Bosworth & Co.  
McDonald & Company  
Frescott & Co., and  
The Weil, Roth & Irving Co.

Re: Ohio Turnpike Commission Definitive Bonds

Gentlemen:

The Commission is desirous of having as many fully registered definitive bonds as possible issued in large denominations. Under section 206 of the trust agreement of June 1, 1952, whereunder the Commission's outstanding bonds were issued, the Commission is entitled to make a charge for every exchange or transfer of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer and in addition the Commission is permitted to charge a sum not exceeding two dollars for each new bond delivered upon such exchange or transfer.

In order to induce holders of temporary bonds to accept fully registered definitive bonds in large denominations and thereby reduce the cost of exchange and issuance of definitive bonds in place of temporary bonds,

the Commission waives its right to make the charge of not exceeding two dollars referred to above upon exchange or transfer of any fully registered definitive bonds in denominations of \$50,000 or more issued in direct exchange for a temporary bond or bonds, provided the holder gives the Trustee or Co-trustee time to process the exchange or transfer in the normal course of its business, and provided further that the definitive bonds so issued in exchange for temporaries shall not be in denominations of less than \$100,000 except to the extent necessary to effect a complete exchange of a holder's entire holding. Said waiver shall be applicable only to the first time such registered definitive piece is surrendered for exchange or transfer. The Commission does not hereby waive its right under section 206 of the trust agreement to reimbursement for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer.

The Commission understands that you intend to inform those who purchased large blocks of bonds from the underwriting group of the agreement of the Commission herein contained in order that the Commission and the bondholders may be saved as much expense as possible in connection with the exchange of temporary bonds for definitive bonds.

The Commission will appreciate anything you can do to induce bondholders to accept large-denomination registered pieces in exchange for their temporary bonds.

Since it may take five or six weeks to print the additional bonds that would be necessary if all the present large holders elected to take definitive bonds in coupon form, it will be appreciated if you will let us know as promptly as possible the principal amount of bonds held by persons who will be willing to take registered pieces in large denominations, pursuant hereto.

Very truly yours,

James W. Shocknessy  
Chairman

cc:  
B. J. Van Ingen & Co., Inc.  
The Ohio Company  
Braun, Bosworth & Co.  
McDonald & Company  
Prescott & Co.  
The Weil, Roth & Irving Co.

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 General Counsel advised that there had been certain revisions in the construction plans which changed the right-of-way requirements, since the adoption by the Commission of appropriation resolutions, with respect to two ownership parcels and he recommended therefore that Resolutions Nos. 229-1953 and 262-1953, be rescinded.

Resolution No. 331-1953, rescinding condemnation resolutions Nos. 299-1953 and 262-1953, due to changes in and revisions of construction plans, was moved for adoption by Mr. Linzell, seconded by Mr. Teagarden, as follows:

"WHEREAS certain revisions in the construction plans have altered the right-of-way requirements in connection with properties owned by Edward B. Reitz et al., and Louis Hoodlebrink et al., and

WHEREAS resolution No. 299-1953, adopted July 9, 1953; and resolution No. 262-1953, adopted June 23, 1953; which directed the commencement of appropriation proceedings against the above-mentioned owners, are now inaccurate because of the revisions in plans mentioned above,

NOW, THEREFORE, BE IT

RESOLVED that resolution No. 299-1953, adopted July 9, 1953; and resolution No. 262-1953, adopted June 23, 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, Linzell, Teagarden, McKay, Allen, Shocknessy  
Nays, None

The Chairman declared the resolution adopted.

The General Counsel 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 Com-

mission negotiators had endeavored without success to agree with the owners of the land as to the compensation to be paid therefor. He presented 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. 332-1953, 333-1953, 334-1953, 335-1953, 336-1953, 337-1953, 338-1953, 339-1953, 340-1953, 341-1953, 342-1953 and 343-1953, each declaring the necessity of appropriating certain property and directing that proceedings to effect such appropriation be begun and prosecuted were respectively moved for adoption by Mr. Linzell, and respectively seconded by Mr. Teagarden, as follows:

Resolution 332-1953

"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>
John Kucherak, also known as John Kucharek	550 Princeton St., Elyria, Ohio
Virginia Kucherak	550 Princeton St., Elyria, 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. 120-U -- Fee Simple

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being part of Original Elyria Township Lot No. 33, East of Black River and being all that part of the lands described in the deed to John Kucharak, dated August 18, 1950 and recorded in Volume 497, Page 74 of Lorain County Deed Records, lying Southerly of a line drawn 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 plat recorded in Volume 15, Page 40 of Lorain County Map Records.

Parcel No. 120 - U(1) -- Fee Simple

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being part of Original Elyria Township Lot No. 33, East of Black River, and being all that part of the lands described in the deed to John Kucharek, dated April 19, 1951 and recorded in Volume 515, Page 570 of Lorain County Deed Records, lying Southerly of a line drawn 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 plat recorded in Volume 15, Page 40 of Lorain County Map Records.

Parcel No. 120-U(2)--Permanent Easement for Highway Purposes

Situated in the City of Elyria, County of Lorain and State of Ohio and known as being part of Original Elyria Township Lot No. 33, East of Black River, and bounded and described as follows:

Being a strip of land 20 feet wide between parallel lines, the Easterly line being parallel to and distant 20 feet Easterly by right angle measurement from the Easterly line of State Route #301; the Westerly line being the Easterly line of State Route #301; the Northerly line being the Southerly line of land described in the deed to Margaret E. Simon, dated June 26, 1946 and recorded in Volume 390, Page 28 of Lorain County Deed Records, the Southerly line being the Northerly line of Sycamore Street.

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

First: Any and all abutter's 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 parcels described above as Parcel No. 120-U and Parcel No. 120-U(1), including such rights to any turnpike constructed thereon.

Second: All rights to erect on any of the aforesaid remaining lands any billboards, 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. 333-1953

"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>
R. W. Beckett Corporation	38250 Cleveland St., Elyria, Ohio
Cora Bailey Dempsey	337 Third St., Elyria, Ohio
The Lorain County Savings & Trust Co.	124 Middle Avenue, Elyria, 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. 122-K -- Fee Simple

Situated in the Township of Ridgeville, County of Lorain and State of Ohio and known as being part of

Original Ridgeville Township Lot No. 39, and being all that part of the lands described in the deed to R. W. Beckett Corporation, dated May 28, 1947 and recorded in Volume 419, Page 215 of Lorain County Deed Records, lying within a strip of land 215 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 110 feet Northerly, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 37 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 105 feet Southerly, measured on a line normal to said center line.

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

First: Any and all abutter's 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. 334-1953

"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>
The Elywood Company	126 Columbus Street Elyria, 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. 119 A-120BB -- Fee Simple

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lot No. 161, East of Black River and being all that part of the lands described in the deed to The Elywood Company, dated December 6, 1951 and recorded in Volume 534, Page 168 of Lorain County Deed Records, lying within a strip of land 325 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 150 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 15, Pages 39 and 40 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 175 feet Southerly, measured on a line normal to said center line.

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

First: Any and all abutter's 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. 335-1953

"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>
Aurelia H. Diederich	38599 Center Ridge Road Elyria, Ohio
Audoen F. Diederich	38599 Center Ridge Road Elyria, Ohio
W. J. Dempsey	19673 Beachcliff Rocky River, Ohio
The Ohio Fuel Gas Company	99 North Front Street Columbus, Ohio
The Lorain County Savings & Trust Company	124 Middle Avenue Elyria, 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. 121-B -- Fee Simple

Situated in the Township of Ridgeville, County of Lorain and State of Ohio and known as being part of Original Ridgeville Township Lots Nos. 39 and 46 and being all that part of the lands described in the deed to Aurelia H. Diederich, dated February 14, 1928 and recorded in Volume 233, Page 491 of Lorain County Deed Records, lying within a strip of land 215 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 110 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 36 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 105 feet Southerly, measured on a line normal to said center line.

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

First: Any and all abutter's 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. 336-1953

"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>
George P. Yunker	R. D. #1 Amherst, Ohio
George P. Yunker, Jr.	Crehore Street Lorain, Ohio
Joan Yunker	Crehore Street Lorain, Ohio
The Lorain County Savings & Trust Company	124 Middle Avenue Elyria, Ohio
James Yunker	R. D. #1 Amherst, Ohio
Wanda M. Yunker	R. D. #1 Amherst, Ohio
Edward Wells	Medina, Ohio
Alice Wells	Medina, Ohio

William George	Route #18 Wellington, Ohio
Greta George	Route #18 Wellington, Ohio
Dorothy Wells Uehlein	Jackson Street Amherst, Ohio
Allen Uehlein	Jackson Street Amherst, Ohio
The Unknown Heirs, Devisees and Assigns of Irene A. Yunker, Deceased	Addresses Unknown
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. 114-H -- Fee Simple

Situated in the Township of Amherst, County of Lorain and State of Ohio and known as being part of Original Amherst Township Lots Nos. 14 and 27 and being all that part of the lands described in the deed to George P. Yunker and Irene A. Yunker, dated February 8, 1946 and recorded in Volume 384, Page 402 of Lorain County Deed Records, lying within a strip of land 265 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 130 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 56 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 135 feet Southerly, measured on a line normal to said center line.

Parcel No. 114-H(1) -- Permanent  
Easement for Drainage Purposes

Situated in the Township of Amherst, County of Lorain and State of Ohio and known as being part of Original Amherst Township Lots Nos. 14 and 27 and being all that part of the lands described in the deed to George P. Yunker and Irene A. Yunker, dated February

8, 1946 and recorded in Volume 384, Page 402 of Lorain County Deed Records, bounded as follows:

Southerly by a line parallel to and distant 130 feet Northerly 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 56 of Lorain County Map Records; Northerly by a line parallel to and distant 250 feet Northerly of, measured on a line normal to said center line of Ohio Turnpike Project No. 1; Westerly by a line drawn Northerly normal to said center line from Station 346 + 80; Easterly by a line drawn Northerly normal to said center line from Station 347 + 95.

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

First: Any and all abutter's 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. 114-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. 337-1953

"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>
John M. Sparenga	R. D. #1, Olmsted Falls, Ohio
Helen Sparenga	R. D. #1, Olmsted Falls, Ohio

The Ohio Fuel Gas Company	99 North Front Street Columbus, Ohio
The Elyria Savings & Trust Company	Court Street Elyria, 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. 125 - B -- Fee Simple

Situated in the Township of Ridgeville, County of Lorain and State of Ohio and known as being part of Original Ridgeville Township Lot No. 2, and being all that part of the lands described in the deed to John M. Sparenga and Helen Sparenga, dated November 14, 1949 and recorded in Volume 476, Page 417 of Lorain County Deed Records, lying within a strip of land 240 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 115 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 47 of Lorain County Map Records, and the Southwesterly line of said strip being parallel to and distant 125 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 125-B(1)-Permanent Easement for Highway Purposes

Situated in the Township of Ridgeville, County of Lorain and State of Ohio and known as being part of Original Ridgeville Township Lot No. 2, and being all that part of the lands described in the deed to John M. Sparenga and Helen Sparenga, dated November 14, 1949 and recorded in Volume 476, Page 417 of Lorain County Deed Records, bounded as follows:

Easterly by the Easterly line of lands described in the deed as aforesaid;  
 Northerly by the center line of Berea Road;  
 Southwesterly by a line parallel to and distant 115 feet Northeasterly from, measured on a line normal to, the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 47 of Lorain County Map Records;



Southeasterly by a line drawn from a point distant 50 feet Southerly, measured at right angles from a point on said center line of Berea Road, distant 175 feet Easterly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1, to a point distant 30 feet Southerly, measured at right angles, from a point on said center line of Berea Road, distant 500 feet Easterly, measured along said center line, from its intersection with said center line of Ohio Turnpike Project No. 1.

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

Parcel No. 125-B(2)-Permanent Easement for Drainage Purposes

Situated in the Township of Ridgeville, County of Lorain and State of Ohio and known as being part of Original Ridgeville Township Lot No. 2, and being all that part of the lands described in the deed to John M. Sparenga and Helen Sparenga, dated November 14, 1949 and recorded in Volume 476, Page 417 of Lorain County Deed Records, bounded as follows:

Easterly and Westerly by the Easterly and Westerly lines of lands described in the deed as aforesaid;

Northeasterly by a line parallel to and distant 125 feet Southwesterly from, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 15, Pages 47 and 28 of Lorain County Map Records;

Southwesterly by a line described as follows: Beginning at a point distant 275 feet Southwesterly, measured on a line normal to, said center line of Ohio Turnpike Project No. 1, from Station 1086 + 25 on said center line; thence Southeasterly to a point distant 255 feet Southwesterly, measured on a line normal to said center line, from Station 1090 + 93 on said center line; thence Southeasterly to a point distant 170 feet Southwesterly, measured on a line normal to said center line, from Station 1094 + 86 on 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 Parcel No. 125-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. 338-1953

"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>
G. C. Sturtevant, Also Known as Guy C. Sturtevant	Berlin Heights, Ohio
Marlie Sturtevant	Berlin Heights, Ohio
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. 101-B--Fee Simple

That part of lot number eight (8) in subrange number six (6) in section number two (2) of Berlin Township, now in the Village of Berlin Heights, Erie County, Ohio, bounded and described as follows:

Beginning in the center line of the Ceylon Road (so-called) at the Southwest corner of said lot number 8, in subrange number 6; running thence North 89°45' East, along the South line of said lot number 8, a distant

of 15.23 chains to the West line of the land now or formerly owned by Joseph B. and Rosa Cosentino; thence North 1° West, along said last mentioned line, a distance of 1.313 chains; thence South 89°45' West, 15.23 chains to the center line of the Ceylon Road; thence South 1° East, 1.313 chains to the place of beginning."

"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>
Louis Hoodlebrink, also known Louis Hoodelbrink	Woodville, Ohio
Mable Hoodlebrink	Woodville, Ohio
The Bank of Elmore Company	Elmore, Ohio
County Auditor of Ottawa County	Ottawa County Court House Port Clinton, Ohio
County Treasurer of Ottawa County	Ottawa County Court House Port Clinton, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 62-E -- Fee Simple

Situated in the Township of Clay, County of Ottawa and State of Ohio and known as being part of Original Clay Township Section No. 5, Town 6 North, Range 13 East and being all that part of the lands described in the Certificate to the Recorder of Real Estate devised by

will of Henry Hoodlebrink, dated August 25, 1932 and recorded in Volume 103, page 217 of Ottawa County Deed Records lying within a strip of land 230 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 115 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 8, Pages 25, 25A and 26 of Ottawa County Map Records, and the Southwesterly line of said strip being parallel to and distant 115 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 62-E(5)-Permanent Easement for Highway Purposes

Situated in the Township of Clay, County of Ottawa and State of Ohio and known as being part of Original Clay Township Section No. 5, Town 6 North, Range 13 East and being all that part of the lands described in the Certificate to the Recorder of Real Estate devised by will of Henry Hoodlebrink, dated August 25, 1932 and recorded in Volume 103, page 217 of Ottawa County Deed Records and bounded as follows:

Beginning on a line parallel to and distant 115 feet Northeasterly, measured on a line normal to Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 8, pages 25, 25A and 26 of Ottawa County Map Records at its intersection with the center line of Billman Road; thence Southeasterly along said parallel line to a point distant 85 feet Easterly at right angles to the center line of Billman Road; thence Northerly and parallel with the center line of Billman Road to its intersection with a line drawn 85 feet Easterly, measured at right angles from a point on the center line of Billman Road distant 110.95 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Northwesterly in a direct line to its point of intersection with a line drawn 30 feet Easterly, measured at right angles from a point on the center line of Billman Road distant 660.95 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Westerly at right angles to the center line of Billman Road, 30 feet to the center line of Billman Road; thence Southerly along the center line of Billman Road to the place of beginning.

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

Parcel No. 62-E(6)-Permanent Easement for Highway Purposes

Situated in the Township of Clay , County of Ottawa and State of Ohio and known as being part of Original Clay Township Section No. 5, Town 6 North, Range 13 East and being all that part of the lands described in the Certificate to the Recorder of Real Estate devised by will of Henry Hoodlebrink, dated August 25, 1932 and recorded in Volume 103, page 217 of Ottawa County Deed Records and bounded as follows:

Beginning on a line parallel to and distant 115 feet Southwesterly, measured on a line normal to Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 8, page 25, 25A and 26 of Ottawa County Map Records at its intersection with the center line of Billman Road; thence Southeasterly along said parallel line to a point distant 80 feet Easterly at right angles to the center line of Billman Road; thence Southerly and parallel with the center line of Billman Road to its intersection with a line drawn 80 feet Easterly, measured at right angles from a point on the center line of Billman Road distant 214.05 feet Southerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southwesterly in a direct line to its intersection with a line drawn 40 feet Easterly, measured at right angles from a point on the center line of Billman Road distant 589.05 feet Southerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Southwesterly in a direct line to its intersection with a line drawn 30 feet Easterly, measured at right angles from a point on the center line of Billman Road distant 759.05 feet Southerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Westerly at right angles to the center line of said Billman Road, 30 feet to the center line of Billman Road; thence Northerly along the center line of Billman Road to the place of beginning.

Excepting therefrom That portion thereof lying within the bounds of Billman Road, as now established.

Parcel No. 62-E(8)-Permanent Easement for Highway Purposes

Situated in the Township of Clay, County of Ottawa and State of Ohio, and known as being all that part of the West 1/2 of the Southwest 1/4 of Original Clay Township Section No. 5, Town 6 North, Range 13 East, bounded and described as follows:

Beginning at the Southeast corner of the West 1/2 of the Southwest 1/4 of Section 5, said point being distant Westerly 405.22 feet measured along the South line of said Section 5 from the intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Pages 25, 25A and 26 of Ottawa County Plat Books; thence Westerly along the South line of said Section 5 to a point distant Westerly 614.16 feet from the intersection with the center line of Ohio Turnpike Project No. 1; thence Northerly on a line normal to said South line 30 feet; thence North-easterly to a point in the East line of the West 1/2 of the Southwest 1/4 of said Section 5 distant Northerly 70.38 feet measured along said East line from the Southeast corner of the West 1/2 of the Southwest 1/4 of said Section 5; thence Southerly along said East line to the point of beginning, and containing 0.10 acres, more or less, exclusive of the present road.

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. 62-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. 339-1953

"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>
Andrew M. Neipp	R. F. D. #1, Elmore, Ohio
Laura Neipp	R. F. D. #1, Elmore, Ohio
County Auditor of Ottawa County	Ottawa County Court House Port Clinton, Ohio
County Treasurer of Ottawa County	Ottawa County Court House Port Clinton,

The aforementioned property to be appropriated is described as follows:

Parcel No. 65A-66F--Fee Simple

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Town 6 North, Range 13 East and bounded and described as follows:

Beginning in the Easterly line of land conveyed to Andrew M. and Laura Neipp, by deed dated September 24, 1926 and recorded in Volume 93, page 178 of Ottawa County Deed Records at its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, pages 27 and 27A of Ottawa County Map Records; thence Northerly along said Easterly line to its intersection with a line parallel to said center line and distant Northeasterly therefrom 125.00 feet measured on a line normal to said center line; thence Northwesterly along said parallel line to the Easterly line of land conveyed to Michael and Lillian J. Pasco, by deed dated October 4, 1949 and recorded in Volume 146, page 66 of Ottawa 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 115.00 feet, measured on a line normal to said center line; thence Southeasterly along said parallel line to the Easterly line of land conveyed to Andrew M. and Laura Neipp, as aforesaid; thence Northerly along said Easterly line to the place 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 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. 340-1953

"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>
Edward B. Reitz	Route #1, Walbridge, Ohio
Charlotte C. Reitz	Route #1, Walbridge, 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. 56-E-- 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. 30, Township 7 North,



Range 12 East and being all that part of the lands described in deed to Edward B. Reitz, dated September 3, 1929 and recorded in Volume 155, Page 619 of Wood County Deed Records lying within a strip of land 240 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 10, Pages 68 and 69 of Wood County Map Records, and the Southwesterly line of said strip being parallel to and distant 120 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 56E(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. 30, Township 7 North, Range 12 East and being all that part of the lands described in the deed to Edward B. Reitz, dated September 3, 1929 and recorded in Volume 155, Page 619 of Wood County Deed Records and bounded and described as follows:

Beginning on the Northerly line of land conveyed to Edward B. Reitz, by deed aforesaid, at its intersection with a line drawn 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 plat recorded in Volume 10, Pages 68 and 69 of Wood County Map Records; thence Easterly along the Northerly line of land so conveyed to Edward B. Reitz, to a point distant 1200 feet Easterly, measured along said Northerly line from its intersection with the Westerly line of said Township Section No. 30; thence Southerly along a line at right angles with the last described line 30 feet; thence Westerly in a direct line to a point distant 40 feet Southerly by right angle measurement from a point in the Northerly line of land conveyed to Edward B. Reitz, as aforesaid, distant 1100 feet Easterly, measured along said Northerly line from its intersection with the Westerly line of said Township Section No. 30; thence Westerly along a line parallel to the Northerly line of land so conveyed to Edward B. Reitz, to its intersection with a line drawn parallel to and distant 120 feet Northeasterly, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1; thence Northwesterly along a line drawn parallel to and distant 120 feet Northeasterly, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1, to the place of beginning.

Excepting therefrom so much of the above described premises lying within the lines of Latcha Road, as now established.

Parcel No. 56E(2)-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. 30, Township 7 North, Range 12 East and being all that part of the lands described in the deed to Edward B. Reitz, dated September 3, 1929 and recorded in Volume 155, page 619 of Wood County Deed Records bounded and described as follows:

Beginning on the Westerly line of said Township Section No. 30 at its intersection with the Northerly line of land conveyed to Edward B. Reitz, by deed aforesaid; thence Southerly along said Westerly line of Township Section No. 30, 556.26 feet; thence Easterly along a line drawn at right angles to said Westerly Section line, 30 feet; thence Northerly in a direct line, the Northerly prolongation of said line passing through a point distant 80 feet Easterly by rectangular measurement from a point in the Westerly line of Township Section No. 19, distant 43.74 feet Northerly, measured along said Westerly line of Section No. 19, from the place of beginning, to the Northerly line of land conveyed to Edward B. Reitz, as aforesaid; thence Westerly along the Northerly line of land so conveyed to Edward B. Reitz to the place of beginning.

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

Parcel No. 56E(3)-Permanent Easement for Drainage 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. 30, Township 7 North, Range 12 East and being all that part of the lands described in the deed to Edward B. Reitz, dated September 3, 1929, and recorded in Volume 155, Page 619 of Wood County Deed Records and known as being a strip of land 100 feet wide between parallel lines, the center line of said strip of land being described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 68 of Wood County Map Records at Station 263+19; thence Northeasterly forming an angle of 67°, Northeast to Southeast, with said center line to its intersection with a line

drawn parallel to and distant 120 feet Northeasterly, measured on a line normal to the center line of said Ohio Turnpike Project No. 1, as aforesaid, and the principal place of beginning; thence Northeasterly along the last described line 100 feet.

Parcel No. 56E(5)-Permanent Easement for Drainage 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. 30, Township 7 North, Range 12 East and bounded and described as follows:

Beginning on a line drawn parallel to, and distant 120 feet Southwesterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 68 of Wood County Map Records, at its intersection with a line drawn Southwesterly, normal to said Turnpike center line at Station 268 $\frac{1}{2}$  00;

Course No. 1: thence Southwesterly along said line normal to the Turnpike center line, 130 feet to its intersection with a line drawn parallel to, and distant 250 feet Southwesterly of, measured on a line normal to said Turnpike center line.

Course No. 2: thence Northwesterly along said parallel line to a point distant 250 feet Southwesterly of, measured on a line normal to said Turnpike center line at Station 267 $\frac{1}{2}$  00;

Course No. 3: thence Northwesterly on a straight line to a point distant 170 feet Southwesterly of, measured on a line normal to said Turnpike center line at Station 266 $\frac{1}{2}$  00;

Course No. 4: thence Northwesterly on a line drawn parallel to said Turnpike center line to a point distant 170 feet Southwesterly of, measured on a line normal to said Turnpike center line at Station 263 $\frac{1}{2}$  03.04;

Course No. 5: thence Southwesterly on a straight line to a point distant 231.59 feet Southwesterly of, measured on a line normal to said Turnpike center line at Station 262 $\frac{1}{2}$  76.90;

Course No. 6: thence Northwesterly on a straight line to a point distant 212.05 feet Southwesterly of, measured on a line normal to said Turnpike center line at Station 262 $\frac{1}{2}$  30.87;

Course No. 7: thence continuing Northwesterly on a straight line to a point distant 192.51 feet Southwesterly, measured on a line normal to said Turnpike center line at Station 261 $\frac{1}{2}$  84.84;

Course No. 8: thence Northeasterly on a straight line drawn parallel to Course No. 5 to its intersection with a line drawn parallel to, and distant 120 feet Southwesterly of, measured on a line normal to said Turnpike center line;

Course No. 9: thence Southeasterly along said parallel line to the place 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. 56-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. 342-1953

"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>
William E. Mohr	R. R. #4, Swanton, 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. 44-U(1)-Permanent Easement for Highway Purposes

Situated in the Township of Monclova, County of Lucas and State of Ohio and known as being part of Lot No. 10 in Hamlin's Subdivision of part of Original Monclova Township Section No. 2, and being all that part of the lands described in the deed to William E. Mohr, dated January 18, 1945 and recorded in Volume 1165, Page 345 of Lucas County Deed Records, and being a strip of land bounded on the North by the center line of Toledo and Wauseon Road (State Route No. 2).

Bounded on the East and West by the Easterly and Westerly lines of land described in said deed to William E. Mohr.

Bounded on the South by a line drawn parallel to and distant 100 feet Southerly at right angle measurement from the center line of Toledo and Wauseon Road.

Excepting therefrom that portion thereof lying within the bounds of Toledo and Wauseon Road (State Route No. 2), as now established.

Parcel No. 44-U(2)-Temporary Easement for Drainage Purposes

Situated in the Township of Monclova, County of Lucas and State of Ohio and known as being part of Lot No. 10 in Hamlin's Subdivision of part of Original Monclova Township Section No. 2, and being all that part of the lands described in the deed to William E. Mohr, dated January 18, 1945 and recorded in Volume 1165, Page 345 of Lucas County Deed Records, and being a strip of land 60 feet wide bounded on the East and West by the Easterly and Westerly lines of land described in said deed to William E. Mohr.

Bounded on the North by a line drawn parallel to and distant 100 feet Southerly at right angle measurement from the center line of Toledo and Wauseon Road (State Route No. 2).

Bounded on the South by a line drawn parallel to and distant 160 feet Southerly at right angle measurement from the center line of Toledo and Wauseon Road."

Resolution No. 343-1953

"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>
Orra Griesinger	Palmyra, Michigan
Bertha Griesinger	Palmyra, Michigan
R. C. Reighard	Delta, Ohio
Harry Griesinger	Lenawee Junction, Palmyra, Michigan
Ruth J. Griesinger	Lenawee Junction Palmyra, Michigan
Betty Rapp	R. F. D. #3, Delta, Ohio
Kenneth G. Rapp	R. F. D. #3, Delta, Ohio
Bernice Still, a Minor	R. F. D. , Adrian, Michigan
Ladd M. Still	R. F. D. , Adrian, Michigan
Orra Griesinger, Parent Guardian of Bernice Still, a Minor	Palmyra, Michigan
Virginia Griesinger Sanders, A Minor	R. F. D. , Adrian, Michigan
Orra Griesinger, Parent Guardian of Virginia Griesinger Sanders, a Minor	Palmyra, Michigan
Howard Sanders	R. F. D. , Adrian, Michigan
Leroy Griesinger, a Minor	R. F. D. , Adrian, Michigan

Orra Griesinger, Parent Guardian of Virginia Griesinger Sanders, a Minor	Palmyra, Michigan
Howard Sanders	R. F. D. , Adrian, Michigan
Leroy Griesinger, a Minor	R. F. D. , Adrian, Michigan
Orra Griesinger, Parent Guardian of Leroy Griesinger, a Minor	Palmyra, Michigan
Janet Diane Griesinger, a Minor	Lenawee Junction Palmyra, Michigan
Harry Griesinger, Parent Guardian of Janet Diane Griesinger, a Minor	Lenawee Junction Palmyra, Michigan
Gerald Lewis Griesinger, a Minor	Lenawee Junction Palmyra, Michigan
Harry Griesinger, Parent Guardian of Gerald Lewis Griesinger, a Minor	Lenawee Junction Palmyra, Michigan
Marjorie Ann Rapp, a Minor	R. F. D. #3, Delta, Ohio
Betty Rapp, Parent Guardian of Marjorie Ann Rapp, a Minor	R. F. D. #3, Delta, Ohio
Shirlee Jeane Rapp, a Minor	R. F. D. #3, Delta, Ohio
Betty Rapp, Parent Guardian of Shirlee Jeane Rapp, a Minor	R. F. D. #3, Delta, Ohio
Kathy Ann Still, a Minor	R. F. D. , Adrian, Michigan
Ladd M. Still, Parent Guar- dian of Kathy Ann Still, a Minor	R. F. D. , Adrian, Michigan
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. 34-C--Fee Simple

Situated in the Township of Pike, County of Fulton and State of Ohio and known as being part of Original Pike Township Section No. 2, Town 7 North, Range 7 East and being all that part of the lands described in the deed to Orra Griesinger, dated October 5, 1939 and recorded in Volume 132, page 376 of Fulton County Deed Records, bounded and described as follows:

Beginning on the Westerly line of the Northeast Quarter of the Southeast Quarter of said Section No. 2 at its intersection with a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, pages 9 and 10 of Fulton County Map Records; thence North  $1^{\circ}14'18''$  East along said Westerly line to its intersection with a line drawn parallel to and distant 140 feet Northwesterly of, measured on a line normal to said Turnpike center line; thence North  $62^{\circ}54'33''$  East along said line parallel to the Turnpike center line, 603.21 feet to its intersection with the Northerly line of the Northeast Quarter of the Southeast Quarter of said Section No. 2; thence South  $89^{\circ}20'42''$  East along said Northerly line 601.44 feet to its intersection with a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to said Turnpike center line; thence South  $62^{\circ}54'33''$  West along said parallel line 1112.41 feet to the place of beginning.

Parcel No. 34-C(3)-Permanent Easement for Highway Purposes

Situated in the Township of Pike, County of Fulton and State of Ohio and known as being part of Original Pike Township Section No. 2, Town 7 North, Range 7 East and being all that part of the lands described in the deed to Orra Griesinger, dated October 5, 1939 and recorded in Volume 132, page 376 of Fulton County Deed Records, bounded and described as follows:

Beginning at the Northwest corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of said Pike Township Section No. 2;



Thence South  $89^{\circ}20'42''$  East 95.15 feet along the Northerly line of said Northeast Quarter of the Southeast Quarter of Section No. 2;

Thence South  $2^{\circ}27'31''$  East 281.24 feet to a line drawn 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 4, page 9 of Fulton County Map Records;

Thence South  $62^{\circ}54'33''$  West along said line parallel to the Turnpike center line to its intersection with the Westerly line of the Northeast Quarter of the Southeast Quarter of said Section No. 2;

Thence North  $1^{\circ}14'18''$  East along said Westerly line to the place of beginning.

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

Parcel No. 34-C(4)-Permanent Easement for Highway Purposes

Situated in the Township of Pike, County of Fulton and State of Ohio and known as being part of Original Pike Township Section No 2, Town 7 North, Range 7 East and being all that part of the lands described in the deed to Orra Griesinger, dated October 5, 1939 and recorded in Volume 132, page 376 of Fulton County Deed Records, bounded and described as follows:

Beginning on the Westerly line of the Northeast Quarter of the Southeast Quarter of said Section No. 2 at a point 1103.17 feet Southerly, measured along said Westerly line from its intersection with the Northerly line of said Northeast Quarter of the Southeast Quarter of Section No. 2;

Thence South  $87^{\circ}38'27''$  East 32.01 feet to a point;

Thence North  $8^{\circ}52'10''$  East 502.73 feet to a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, page 9 of Fulton County Map Records;

Thence South  $62^{\circ}54'33''$  West along said line parallel to the Turnpike center line to its intersection with the Westerly line of the Northeast Quarter of the Southeast Quarter of Section No. 2;

Thence South  $1^{\circ}14'18''$  West along said Westerly line to the place of beginning.

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

Parcel No. 34-C(5)-Permanent Easement for Drainage Purposes

Situated in the Township of Pike, County of Fulton and State of Ohio and known as being part of Original Pike Township Section No.2, Town 7 North, Range 7 East and being all that part of the lands described in the deed to Orra Griesinger, dated October 5, 1939 and recorded in Volume 132, page 376 of Fulton County Deed Records, bounded and described as follows:

Beginning on a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 4, pages 9 and 10 of Fulton County Map Records, at a point drawn Southeasterly normal to said centerline at Station 1007+20;

Thence North  $62^{\circ}54'33''$  East along said line parallel to the Turnpike centerline, 80 feet to a point;

Thence South  $27^{\circ}05'27''$  East 58.90 feet to a point of curvature;

Thence on a curve having a radius of 425 feet, an arc distant of 425.65 feet, said arc having a chord bearing South  $1^{\circ}36'03''$  West 408.08 feet;

Thence South  $30^{\circ}17'33''$  West 245.51 feet;

Thence North  $59^{\circ}42'27''$  West 80 feet;

Thence North  $30^{\circ}17'33''$  East 245.51 feet to a point of curvature;

Thence on a curve having a radius of 345 feet, an arc distance of 345.53 feet, said arc having a chord bearing North  $1^{\circ}36'03''$  East 331.27 feet;

Thence North  $27^{\circ}05'27''$  West 58.90 feet to the place of beginning.

Parcel No. 34-C(6)-Temporary Construction Easement

Situated in the Township of Pike, County of Fulton and State of Ohio and known as being part of Original Pike Township Section No. 2, Town 7 North, Range 7 East and being all that part of the lands described in the deed to Orra Griesinger, dated October 5, 1939 and recorded in Volume 132, page 376 of Fulton County Deed Records, bounded and described as follows:

Beginning on a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 4, pages 9 and 10 of Fulton County Map Records, at a point drawn Southeasterly normal to said centerline at Station 1007+20;

Thence South  $27^{\circ}05'27''$  East 58.90 feet to a point of curvature;

Thence on a curve having a radius of 345 feet an arc distance of 345.53 feet, said arc having a chord bearing South  $1^{\circ}36'03''$  West 331.27 feet;

Thence South  $30^{\circ}17'33''$  West 245.51 feet;

Thence on a line drawn parallel to said Turnpike centerline 54.17 feet to a point;

Thence Northwesterly on a line drawn at right angles to said Turnpike centerline 481.83 feet to its intersection with a line drawn parallel to, and distant 140 feet Southeasterly of, measured on a line normal to said Turnpike centerline;

Thence North  $62^{\circ}54'33''$  East along said parallel line 420 feet to the place 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 above-described Parcel No. 34-C, 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, McKay, Allen, Shocknessy  
Nays, None

The Chairman declared the resolutions adopted.

The General Counsel further stated that he was very much encouraged by the rate of progress in connection with appropriation cases in Wood County. The previous week, he said, the Commission attorneys had settled one case in the court room at the price offered by the Commission before the case was commenced and had also settled two other cases, one of which had been scheduled for trial August 5, 1953, while the second had not yet been scheduled for trial. He cited another case recently tried in Wood County in which

the jury's verdict was only five hundred dollars more than the Commission had offered on a piece of property involving about \$13,000. He reported that he had received word that morning that a petition for an injunction had been filed with a request for a temporary restraining order to prevent the Commission from appropriating the billboard rights on a property in Wood County. The owner contended, the General Counsel said he understood, that such appropriation was unconstitutional but he added that the same question had already been settled in the Commission's favor in other counties but not by any court higher than the common pleas court. The case involved was not scheduled for trial for about two months, he said. The General Counsel corroborated the Chairman's stated impression that negotiations for billboard rights had been quite successful on the whole.

Mr. McKay advised that he would not be present at the special meeting of August 7, 1953, and that that absence would be his first from any meeting in three and a half years.

Mr. McKay suggested that at the meeting of August 21, 1953, the Executive Director report on the chain of control from the Executive Director to the Commission's engineers and the Consulting Engineers and down to the Contracting Engineers with respect to specific responsibility and control of inspection of construction, and particularly as to the point at which laboratory inspection test material comes back. The Commission should understand the latter thoroughly with respect to specific contracts as a matter of public policy for the Commission's own protection he explained. The Executive Director said he would consult with the staff on the matter raised by Mr. McKay.

The Chairman stated that he wanted the Governor to get a copy of the resolution on the Elyria matter.

Mr. Linzell said he was going to report to the Governor on the north and south turnpike.

Resolution No. 344-1953, ratifying actions of administrative officers, was moved for adoption by Mr. Teagarden, 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, but in no wise limited to, the action of the chief engineer and general counsel in issuing all addenda to contract documents, 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 23, 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, Linzell, Shocknessy  
Nays, McKay

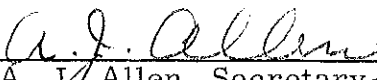
Mr. McKay explained that he was voting in the negative for the reason that the by-laws adopted by the Commission two weeks previous did not cure his original objections to elements contained in Resolutions Nos. 69-1952 and 71-1952 pertaining to delegations of authority. The Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by Mr. McKay, seconded by Mr. Linzell, that the meeting adjourn subject to the 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, McKay, Linzell, Teagarden, Allen, Shocknessy  
Nays, None

The Chairman declared the meeting adjourned. The time of adjournment was 12:40 o'clock P. M.

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

  
A. J. Allen, Secretary-Treasurer.