

MINUTES OF THE SEVENTY-FIFTH MEETING
OCTOBER 13, 1953

Pursuant to call of the Chairman the Ohio Turnpike Commission met in special open session in the City Council Chamber in the City Hall at Youngstown, Ohio, at 10:22 A. M. on October 13, 1953, with the key members of its staff, representatives of the Consulting Engineer, 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, McKay, Linzell, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman said that the minutes of the meeting of August 21, 1953, and of the meeting of September 1, 1953, which had been submitted to the members for corrections, were before the Commission and were ready for approval as corrected, and he expressed his belief that they could be approved without reading.

A motion was made by Mr. Teagarden, seconded by Mr. Linzell, that the reading of the minutes of the meeting of August 21, 1953, and of the meeting of September 1, 1953, respectively, be dispensed with and that they be approved as presented.

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

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

Nays: None.

The Chairman declared the motion adopted.

The Chairman on behalf of the Commission voiced expressions of appreciation to the mayor and the council of the City of Youngstown for providing for the convenience of the Commission and for making the council chamber available as a meeting room. He instructed the Executive Assistant to advise the mayor and the president of council of the gratitude of the Commission for the arrangements which had been made. The Honorable Charles P. Henderson, Mayor of the City of Youngstown, responded by saying that the City was happy to be host to the Commission and was honored that the Commission had chosen the City as a meeting place.

The Chairman recalled that Mayor Henderson had served on the Citizens' Advisory Committee of the Commission for about a year and a half, and had always been ready to be helpful. He said the Commission hoped to begin to serve the Youngstown section, which he referred to as located in the economic heartland of the nation, as soon as possible, and that construction sections 1, 2 and 3 of Ohio Turnpike Project No. 1 were scheduled to be open to traffic in October, 1954. He said the Commission expected to take bids in the alternative as to completion dates on construction section 4 and part of construction section 5 to determine whether it would be economically justifiable based on the service to be rendered and the revenue to be derived to open Project No. 1 to traffic from the Ohio-Pennsylvania line to State Route No. 18 on December 1, 1954. The alternative dates for opening section 4 and part of section 5 to traffic would be December 1, 1954 and October 1, 1955. He said the Commission had never given up its hope of being able to serve the Youngstown area and the state as a whole by accepting the traffic from the Pennsylvania Turnpike in 1954.

Mayor Henderson in reply said that the area was very eager to see that development of roads in the area affording access to the Turnpike would keep pace with progress on the Turnpike itself.

The Chairman reported that a member of the City Council of Elyria had made a proposal to the council for a basis for settlement of the disagreement over the route of Project No. 1 in the vicinity of Elyria which had been the subject of extensive editorial comment. He reported also that

the Supreme Court of Ohio had denied the motion of Richard H. Shafer to assess certain printing costs against the Commission and that accordingly Mr. Shafer's attorney had presented a check to counsel for the Commission in the amount of \$23,629, and that the decision of the court concluded the so-called Shafer Asphalt Case.

The Chairman reported further that a representative of the Governor of Wisconsin, two members of the Wisconsin Turnpike Commission and the Consulting Engineer to that commission had conferred in Columbus with himself and members of the staff of the Ohio Turnpike Commission. He said the Executive Director had indicated he would undertake to consult with the Director of the Ohio Department of Highway Safety with regard to the communication system on Project No. 1, and with respect to the policing of the turnpike, with the objective of obtaining the services of the Ohio Highway Patrol for the policing of the project.

The Chairman announced that because of the heavy burden of decision on the Commission, the members had agreed to have a series of conferences in Columbus on October 21, 22 and 23, 1953, culminating with a meeting on October 23, 1953. The matters on which the Commission would work would be the details of the communication system, the toll plaza, the toll collection system, service facilities, maintenance installations, and emergency services on the Turnpike.

He said there would be an inspection trip that afternoon over construction sections 1, 2 and 3.

The Secretary-Treasurer reported that he had spent the previous week in New York signing the definitive bonds at the rate of about forty thousand a day, and that he would return to New York for about three more days of signing the bonds.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that the detail of reinvestment of funds during September had been mailed to all members on October 1, 1953, and that the financial statements for the period ending September 30, 1953, had been mailed to all members on October 5, 1953. He said that the day after series B savings notes had been purchased as recommended by the Co-Trustee and requested by the Commission at its last meeting the secretary of the treasury took the notes off the market and came out with a new series, effective October 1, 1953, at a lower

yield.

The Executive Director reported that bids had been received on September 28, 1953, for construction contracts for construction sections 31, 32, and 33 comprising some ten and nine-tenths miles in Erie County. He said that thirteen firms had submitted proposals and that the low bidder was the J. A. Jones Construction Company of Charlotte, North Carolina at a price of \$8,999,854.51. He said the low bid overran the estimate of the 1951 engineering report by about fifteen percent the larger part of which was represented by increased quantities. The Executive Director said that representatives of the Commission's staff and of the Consulting Engineer had discussed the plans of the J. A. Jones Construction Company with officers of that company and regarded the company as financially and professionally qualified. He said that the contracting engineer, the Consulting Engineer, the Chief Engineer, and he recommended that the award be made to the J. A. Jones Construction Company.

The General Counsel orally and by letter advised that in his opinion the bid of the J. A. Jones Construction Company conformed to the requirements of the applicable statute, and to the terms, conditions, and specifications prescribed by the Commission and to the legal notice; and that award might legally be made to it. Attached to his letter was proof of publication of notice of receipt of bids for contracts C-31, C-32 and C-33 and combinations thereof.

Resolution No. 436-1953, awarding construction contract C-31, 32 & 33, was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, 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 31, 32, and 33, which contracts are designated Contracts C-31, C-32, and C-33, 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 and upon a contract for the construction of all of said construction sections, which contracts are designated Contracts C-31 & 32, C-32 & 33, and C-31, 32 & 33, and proof of said advertising is likewise before the commission;

WHEREAS bids for the performance of each and all 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 executive director, chief engineer, and consulting engineer, and they have reported thereon to the commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for each of said contracts were solicited on the basis of the same terms and conditons, and the same specifications with respect to all bidders and potential bidders, and the bid of J. A. Jones Construction Company, in the amount of \$8,999,854.51, for the performance of Contract C-31, 32 & 33 is, 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 §5537.04 of the Revised 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 J. A. Jones Construction Company, in the amount of \$8,999,854.51, for the performance of Contract C-31, 32 & 33 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 executive director 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."

In reply to a question by Mr. Linzell, Mr. E. J. Donnelly, representing the Consulting Engineer, said nine percent of the overrun was accounted for principally by the unanticipated necessity of erecting an additional structure at the Plumbrook Ordnance Plant railroad crossing where there was just a right-of-way with no tracks on it and by increased clearance requirements at two grade-separation structures and by a considerable increase in the pavement for State Route U. S. 250.

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

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

Nays; None.

The Chairman declared the resolution adopted.

The Executive Director said that the J. A. Jones Construction Company was one of the largest general contractors in the United States, perhaps in the world, and that it operated all over the world and was a very reputable concern.

The Executive Director reported that bids had been received on October 8, 1953, on construction contracts on construction sections 6 and 7 comprising six and eight-tenths miles of Ohio Turnpike Project No. 1 in Mahoning and Trumbull Counties. He said that eleven contractors had submitted bids, and that the low bidder was the Harrison Construction Company of Pittsburgh, Pennsylvania with a price of \$5,479,481.85. The Executive Director recalled that bids had been taken previously by the Commission on construction sections 6 and 7 on two occasions, the last occasion being in July of 1953 at which time the bids were rejected. He said the low bid received on October 8, 1953, was approximately \$600,000 below the low bid received in July of 1953. He said that representatives of the Commission's staff and of the Contracting Engineer had discussed the plans of the Harrison Construction Company with officers of that company and regarded the company as financially and professionally qualified. He said the company expected to do the major portion of the work itself if awarded the contract. The Executive Director said it was the recommendation of the Contracting Engineer, the Consulting Engineer, the Chief Engineer, and himself that the award be made to the Harrison Construction Company.

The General Counsel orally and by letter advised that in his opinion the bid of the Harrison Construction Company conformed to the requirements of the applicable statute, and to the terms, conditions, and specifications prescribed by the Commission and to the legal notice; and that award might legally be made to it. Attached to his letter was proof of publication of notice of receipt of bids for contracts C-6 and C-7 and C-6&7..

Resolution No. 437-1953, awarding construction contract C-6 & 7, was moved for adoption by Mr. Linzell, seconded by Mr. Teagarden, as follows:

"WHEREAS the Commission has duly advertised, according to law, for bids on separate contracts for the construction of those portions of Ohio Turnpike Project No. 1 which are known as Construction Sections 6 and 7, which contracts are designated Contracts C-6 and C-7, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of both construction sections, which contract is designated Contract C-6 & 7, 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 executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for each of said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Harrison Construction Co., in the amount of \$5,479,481.85, for the performance of Contract C-6 & 7 is, and is by the Commission determined to be, the lowest of all said bids, or combination 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 §5537.04 of the Revised 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 Harrison Construction Co., in the amount of \$5,479,481.85, for the performance of Contract C-6 & 7 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 executive director 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: Linzell, Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director reported that bids had been received on October 8, 1953, on construction contracts for construction sections 28, and 29 covering seven and six-tenths miles of Ohio Turnpike Project No. 1 in Erie County. He said proposals had been received from eleven bidders, and that the J. A. Jones Construction Company of Charlotte, North

Carolina was the low bidder at a price of \$5,348,405.13. He said that representatives of the Commission's staff and of the Consulting Engineer had discussed the plans of the J. A. Jones Construction Company with officers of the company and by long distance telephone with the president of the company, Mr. Jones, who said that if the Commission desired his firm would perform at least one and perhaps two of the major phases of construction with its own forces, and that the balance of the work was planned to be sublet. He said the company expected to ask that the H. N. Rogers and Sons Company of Memphis, Tennessee, be approved as subcontractor for the roadway and drainage items aggregating a little less than half the total contract. The Executive Director said that the Contracting Engineer, the Consulting Engineer, the Chief Engineer, and he recommended the award to the J. A. Jones Construction Company.

The General Counsel orally and by letter advised that in his opinion the bid of the J. A. Jones Construction Company conformed to the requirements of the applicable statute, and to the terms, conditions, and specifications prescribed by the Commission and to the legal notice; and that award might legally be made to it. Attached to his letter was proof of publication of notice of receipt of bids for contracts C-28 and C-29 and C-28 & 29.

The Chairman said he was glad that the Commission had bids from such a fine firm and that the company was going to do a major portion of the work itself. He said he was glad, also, that the company would be subcontracting part of the work because, probably, Ohio contractors would get some of the subcontracts.

Resolution No. 438-1953, awarding construction contract C-28 & 29, was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, 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 28 and 29, which contracts are designated Contracts C-28 and C-29, respectively, and proof of said advertising is before the Commission;

WHEREAS the Commission has also advertised in like manner for bids upon a contract for the construction of both construction sections, which contract is designated Contract C-28 & 29, 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 executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS all of the aforesaid bids for each of said contracts were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of J. A. Jones Construction Company, in the amount of \$5,348,405.13, for the performance of Contract C-28 & 29 is, 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 §5537.04 of the Revised 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 J. A. Jones Construction Company, in the amount of \$5,348,405.13, for the performance of Contract C-28 & 29 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 executive director 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."

Mr. Biggs of the J. A. Jones Construction Company stated to the Commission that the company would do by its own forces one or both of the remaining major sections of contract C-28 & 29. He explained that by remaining sections he meant the structures and the paving.

The Chairman said that the Commission was not indicating that it had any objection to subcontracting per se, because the Commission was aware that when an appropriate amount of subcontracting was done in any specific instance, particularly when an out-of-state contractor was getting the job, Ohio contractors would get some benefit by the subcontracting and the Commission knew that the Ohio contractors could do a good job.

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director said that the Commission had placed under contract some 63.2 percent of the amount of money it had for the construction of the roadway and 62.1 percent of approximately 150 miles of the roadway itself. He said the total of awards was approximately 4 percent or \$5,152,000.00 in excess of the estimates that had been made two years previously

for the construction involved. He mentioned the 10 percent cushion amounting to approximately \$26,000,000.00 that the Commission had provided to take care of any overruns above the estimates, and said that the Commission was still in excellent condition and probably in better shape than any other turnpike commission in letting its contracts. The Executive Director said the Commission apparently would be able to conclude the letting of all contracts in December, 1953, and still have a considerable part of the rather sizable cushion that had been set aside for emergencies.

Mr. E. J. Donnelly representing the Consulting Engineer confirmed for Mr. McKay that the overrun with respect to costs had generally been due to new structures or railroad overpasses or increased quantities. Unit prices had run fairly steady, he said.

The Executive Director presented to the Commission for its approval and adoption the plans and other contract documents for contracts C-4, C-5, C-4 & 5, C-39, C-40, and C-39 & 40. He said the contracts covering construction sections 4 and 5 involved taking bids in the alternative as to completion dates and covered 9.2 miles of Ohio Turnpike Project No. 1 in Mahoning County. He recalled that contract C-4 had been advertised for letting on April 1, 1953, and contract C-5 had been advertised for letting on April 15, 1953, and that both those lettings had been cancelled. The Executive Director said that the alternate bids to be taken for construction of construction sections 4 and 5 required in the one case that all of the contractors' work with certain exceptions such as topsoil be completed by November 30, 1954, for opening to traffic and in the other case completed by October 1, 1955, for opening to traffic. He said the contract documents had been approved by the Contracting Engineer, the Consulting Engineer, the Chief Engineer and himself and that all of them recommended that they be approved by the Commission. He said that contract sections 39 and 40 covered 7.84 miles of Ohio Turnpike Project No. 1 in Sandusky County, that the contract documents for those sections had been approved by the Contracting Engineer, the Consulting Engineer, the Chief Engineer and himself all of whom recommended approval by the Commission.

Resolution No. 439-1953, approving, adopting, and ratifying the plans and other contract documents for contracts C-4, C-5, C-4 & 5, C-39, C-40, and C-39 & 40, was moved

for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

"WHEREAS there are before this meeting the plans and forms of other contract documents, to-wit: forms of notice to bidders, proposals, special provisions, and contracts, for Contracts C-4, C-5, C-4 & 5, C-39, C-40, and C-39 & 40;

WHEREAS the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contracts, being for and in connection with the construction of those portions of Ohio Turnpike Project No. 1 which are known as Construction Sections 4, 5, 39, and 40; provided, that any changes which are in the nature of adding or changing headings, captions, and style of writing or printing, or correcting typographical, clerical, or arithmetical errors, may be made upon the authority of any one of the executive director, chief engineer, or general counsel; and

FURTHER RESOLVED that the executive director, chief engineer, and general counsel are authorized to cause said Contracts to be advertised for the aforesaid construction Sections, and that the executive director 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: McKay, Teagarden, Linzell, Allen, Shocknessy.

Nays; None.

The Chairman declared the resolution adopted.

The Executive Director presented to the Commission for its approval and adoption contract documents for contracts C-43, C-44, C-45, C-43 & 44, C-44 & 45, and C-43, 44 & 45. He said the documents involving construction sections 43, 44,

and 45, located in Ottawa and Wood Counties, had been approved by the Contracting Engineer, the Consulting Engineer, the Chief Engineer, and himself and that all of them recommended approval by the Commission.

Resolution No. 440-1953, approving, adopting, and ratifying documents for contracts C-43, C-44, C-45, C-43 & 44, C-44 & 45 and C-43, 44 & 45, was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"WHEREAS there are before this meeting forms of contract documents, to-wit: forms of notice to bidders, proposals, special provisions, and contracts, for Contracts C-43, C-44, C-45, C-43 & 44, C-44 & 45, and C-43, 44 & 45;

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

WHEREAS the Commission has previously approved the plans which comprise a part of the contract documents for said contracts;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the forms before it at this meeting of the aforesaid contract documents, being for and in connection with the construction of those portions of Ohio Turnpike Project No. 1 which are known as Construction Sections 43, 44, and 45; and

FURTHER RESOLVED that all action heretofore taken by the executive, director, chief engineer, and general counsel, and any of them, with reference to said contracts be, and the same hereby is, ratified, approved, and confirmed; and that the executive director 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: Teagarden, McKay, Linzell, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Mr. Donnelly reported for the Consulting Engineer that the report estimate for construction sections 31, 32, and 33 was \$7,605,213.40, and that the report estimate for construction sections 28 and 29 was \$5,057,655.00.

The Executive Director reported on the status of right-of-way on specific construction sections as follows:

Construction section 43 (for letting November 10, 1953) -- Of 24 mainline parcels 14 were cleared, 4 were in process of condemnation and 6 were in process of negotiation. Of 93 supplemental parcels, 36 were cleared, 22 in process of condemnation and 35 were in process of negotiation.

Construction section 44 (for letting November 10, 1953) - Of 28 mainline parcels 18 were cleared, 8 were in process of condemnation and 2 were in process of negotiation. On one of the latter the Commission had a right of entry from the owner, the Chesapeake and Ohio Railroad. Of 75 supplemental parcels, 35 were cleared, 13 were in process of condemnation and 27 were in process of negotiation.

Construction section 45, (for letting November 10, 1953) - Of 48 mainline parcels, 43 were cleared, 2 were in process of condemnation and 3 were in process of negotiation. Of 119 supplemental parcels 60 were cleared, 6 were in process of condemnation and 53 were in process of negotiation.

Construction section 39 (for letting November 19, 1953) - Of 21 mainline parcels, 10 were cleared, 7 were in

process of condemnation and 4 were in process of negotiation. Of 55 supplemental parcels, 12 were cleared, 7 were in process of condemnation and 36 were in process of negotiation.

Construction section 40 (for letting November 19, 1953) - Of 16 mainline parcels, 10 were cleared, 3 were in process of condemnation and 3 were in process of negotiation. The Executive Director did not report concerning supplemental parcels.

Construction ^{section} 41 (for letting November 19, 1953) - Of 34 mainline parcels, 25 were cleared, 4 were in process of condemnation and 5 were in process of negotiation. Of 79 supplemental parcels, 62 were cleared, 12 were in process of condemnation and 4 were in process of negotiation.

Construction section 5 (for letting November 19, 1953) - Of 27 mainline parcels, 25 were cleared, one was in process of condemnation and one was in process of negotiation. Of 78 supplemental parcels, 57 were cleared and six were in process of condemnation. The Executive Director said he had no record on the balance of the supplemental parcels.

Mr. McKay requested that when contract documents should be submitted to the Commission for approval in the future, the Commissioners should receive with them a simplified statement of the total number of mainline parcels to which the Commission had access either by title or by right of entry. The Chairman and the Executive Director said they thought his request could be complied with.

The Chairman asked the Executive Director whether any reply had been received from the clerk of the planning commission of the City of Elyria concerning the plans for Ohio Turnpike Project No. 1 in and in the vicinity of the City of Elyria which had been presented to the planning commission. The Executive Director replied that no reply had been received either to his letter of the middle of September asking that the City of Elyria give the Commission an answer regarding the plans by the 30th of September or to his

letter of October 3, 1953, following up the letter of September. The Chairman directed that the record show that the Executive Director had written another letter to the City of Elyria asking for a determination pursuant to the submission, and that he had had no reply to that letter of October 3, 1953.

The General Counsel reported that he had received from the Trustee a letter requesting that the Commission adopt a resolution setting forth all in one place the names of the employees of the Commission whom the Commission had authorized to sign various types of requisitions, certificates, statements, approvals, and opinions which were provided for and required by sections 405, 406, 407 and 408 of the trust agreement. He said the Trustee desired that the names of persons, other than officers and General Counsel, be set forth in the resolution. The General Counsel said it took a liberal construction of the trust agreement for the Commission to have proceeded as it had previously. He said he had prepared a resolution which was substantially in the form suggested by the Trustee and that it contained nothing new, except to add the name of Robert S. Beightler as one of those authorized to sign a certificate in the case of requisitions having to do with payments for right-of-way. He read the resolution and recommended its adoption by the Commission.

Resolution No. 441-1953, further designating officers and other persons to sign requisitions, etc., to Trustee under Trust Indenture, was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

"WHEREAS The Ohio National Bank of Columbus, as trustee under the trust agreement dated June 1, 1953 between Ohio Turnpike Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York, as co-trustee, has requested the Commission to designate by name the persons, other than officers of the Commission, authorized to sign the requisitions, certificates, statements, approvals, and opinions provided for by §§405, 406, 407, and 408 of the trust agreement;

NOW, THEREFORE, BE IT

RESOLVED that requisitions for payment of compensation or deposit of moneys to be made by the trustee pursuant to §405 of the trust agreement shall be signed by general counsel or by C. W. Hartford, an employee of the Commission;

FURTHER RESOLVED that requisitions for payments to be made by the trustee pursuant to §§406 and/or 408 of the trust agreement shall be signed by the secretary-treasurer or by Charles P. Smith, an employee of the Commission, or by John Soller, an employee of the Commission;

FURTHER RESOLVED that requisitions for payments to be made by the trustee pursuant to §407 and certificates required by the same section shall be signed by the secretary-treasurer or Charles P. Smith, an employee of the Commission, or John Soller, an employee of the Commission; and if any item in any such requisition is for reimbursement on account of the payment for any real property, the requisite certificate shall be signed by Charles P. Smith or John Soller, employees of the Commission, and by Robt. S. Beightler or C. W. Hartford, employees of the Commission, or general counsel, and the requisite statement, opinion, or approval shall be signed by general counsel or by Charles E. Westervelt, Jr., one of counsel for the Commission;

FURTHER RESOLVED that certificates required by §408 of the trust agreement shall be signed by Charles P. Smith or John Soller, employees of the Commission, and by Robt S. Beightler or C. W. Hartford, employees of the Commission, or general counsel; and

FURTHER RESOLVED that statements, opinions, and approvals required by §408 of the trust agreement shall be signed by general counsel or by Charles E. Westervelt, Jr., one of counsel for the Commission."

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 reported that the Commission had in Mahoning County, the county in which the meeting was being held, the greatest number of condemnation cases of any of the counties traversed by Ohio Turnpike Project No. 1. He said that 28 cases had been wholly concluded in Mahoning County, and that there were 22 other cases in one stage or another, making a total of 50. The General Counsel said the Commission had been very fortunate in having fine cooperation from the several judges of the common pleas court of Mahoning County. He said the Commission's first condemnation cases were filed in Mahoning County, and that in that county the Commission had first met some of the preliminary questions that were raised whenever first cases had been filed in any county. He said that in view of the very large number of cases both behind and before the Commission, the record was good in Mahoning County.

The Chairman said that the Mahoning County courts had been giving extraordinary service, and that all the public officials in Mahoning County had been of wonderful assistance.

The General Counsel presented to the Commission a resolution by which it would repeal resolution No. 432-1953, which had been adopted on September 22, 1953. He said that the resolution involved property of the Baltimore and Ohio Railroad where the problem was a title problem. He said the Commission was trying to clear a title, and that this situation was the nastiest one the Commission had run into out of nearly six thousand parcels. He explained that involved were some old trust agreements, and various conveyances, plus a positive restriction in an agreement whereunder preferred stock was issued many years previously against any conveyance, so that it appeared possible that no one in the world had the power to convey perfect title in

the case, and that therefore the only possible way of acquiring title was by the exercise of the Commission's power of eminent domain.

Resolution No. 442-1953, rescinding condemnation resolution No. 432-1953, was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

"WHEREAS certain information has been discovered concerning the status of title to Ohio Turnpike Parcel Nos. 52-B(1) and (2), and 52-B(3), which indicates that there are several owners and persons having an interest in said parcels whose names were previously unknown, and

WHEREAS resolution No. 432-1953, adopted September 22, 1953; which directed the commencement of appropriation proceedings for said Parcel Nos. 52-B(1) and (2), and 52-B(3), is now inaccurate because it failed to name certain owners and persons having an interest in said parcels and named certain persons who no longer have any interest in said parcels.

NOW, THEREFORE, BE IT

RESOLVED that resolution No. 432-1953, adopted September 22, 1953; be, and the same hereby is, rescinded."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel presented to the Commission the written report of the Chief of the Right-of-Way Section with respect to the unsuccessful efforts of the Commission's negotiators to agree with the owners, or their guardians or trustees, of the several properties described in fifteen forms of resolution which accompanied the report, with respect to the compensation to be paid for those properties by the Commission, and also, his written recommendation that the properties be appropriated. He presented also the written

statement of the Chief Engineer that, under the plans for construction of Ohio Turnpike Project No. 1, it was necessary that the properties be acquired; also the written statement of the concurrence by the Executive Director in the recommendations of the Chief of the Right-of-Way Section and the Chief Engineer, and the General Counsel's written recommendation that title be acquired as indicated in the forms of resolutions he was presenting to the Commission.

Resolutions Nos. 443-1953, 444-1953, 445-1953, 446-1953, 447-1953, 448-1953, 449-1953, 450-1953, 451-1953, 452-1953, 453-1953, 454-1953, 455-1953, 456-1953, and 457-1953, declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and prosecuted, were moved for adoption respectively by Mr. Linzell and seconded respectively by Mr. Teagarden, as follows:

Resolution No. 443-1953

"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, the easement and rights 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>
Arthur E. Kyle	Route 224, Canfield, Ohio
Ina Kyle	Route 224, Canfield, Ohio
County Auditor of Mahoning County	Mahoning County Court House Youngstown, Ohio
County Treasurer of Mahoning County	Mahoning County Court House Youngstown, Ohio

The aforementioned property to be appropriated is

described as follows:

Parcel No. 188-E -- Fee Simple

Situated in the Township of Canfield, County of Mahoning and State of Ohio, and known as being parts of Original Canfield Township Lots Nos. 19 and 20, in 3rd Division, and bounded Westerly by the Easterly line of lands conveyed to Randall H. Little, by deed dated May 12, 1936, and recorded in Volume 561, Page 523 of Mahoning County Deed Records, Easterly by the lands conveyed to Ina Kyle, by deed dated August 3, 1939, and recorded in Volume 487, Page 253 of Mahoning County Deed Records, Northeasterly by a line drawn parallel to and distant 185 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 34 of Mahoning County Map Records, and Southwesterly by a line drawn parallel to and distant 175 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 188-B(3) -- Temporary Easement for Detour Purposes.

Situated in the Township of Canfield, County of Mahoning and State of Ohio, and known as being part of Original Canfield Township Lot No. 23, 3rd Division, and being bounded and described as follows:

Beginning on a line parallel to and distant 165 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 34 of Mahoning County Map Records, at a point distant 40 feet Southerly, measured at right angles, from the center line of U. S. Route 224; thence Southeasterly along said parallel line to a point distant 100 feet Southerly, measured at right angles, from the center line of U. S. Route 224; thence Northeasterly to a point distant 45 feet Southerly, measured at right angles, from a point on the center line of U. S. Route 224, distant 450 feet Easterly, measured along said center line, from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Northeasterly to a point distant 33 feet Southerly, measured at right angles, from

a point on the center line of U. S. Route 224, distant 515 feet Easterly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1; thence Northerly on said right angle line, 33 feet to the center line of U. S. Route 224; thence Westerly along said center line 133 feet to a point; thence Southerly at right angles to said center line of U. S. Route 224, 40 feet to a point; thence Westerly parallel to said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of U. S. Route 224, as now established.

The aforementioned rights 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. 188-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. 444-1953

"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>
Carl J. Felger	Tippecanoe Road Youngstown, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Odean E. Felger	Tippecanoe Road Youngstown, Ohio
County Auditor of Mahoning County	Mahoning County Court House Youngstown, Ohio
County Treasurer of Mahoning County	Mahoning County Court House Youngstown, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 189-D(3) -- Permanent Easement for
Highway Slope Purposes.

Situated in the Township of Canfield, County of Mahoning and State of Ohio, and known as being part of Original Canfield Township Lot No. 22, 4th Division, and being all that part of the lands described in the deed to Carl J. Felger and Odean E. Felger, dated September 13, 1945 and recorded in Volume 545, Page 347 of Mahoning County Deed Records, bounded as follows:

Northerly by the Northerly line of land described in the deed as aforesaid;

Northeasterly by a line parallel to and distant 195 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 33, Page 36 of Mahoning County Map Records; and

Southwesterly by a line drawn Northwesterly from, a point distant 195 feet Southwesterly of, measured on a line normal to, said center line of Ohio Turnpike Project No. 1 at Station 614+85.39 to the Northerly line of land described in the deed as aforesaid, which line if prolonged would intersect a point distant 300 feet Southwesterly of, measured on a line normal to said center line of Ohio Turnpike Project No. 1 at Station 612+53.03."

Resolution No. 445-1953

"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, the easement and rights 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>
Emily C. Rybak	220 N. Main Street Hudson, Ohio
County Auditor of Summit County	Summit County Court House Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 153-G--Fee Simple

Situated in the Township of Hudson, County of Summit and State of Ohio, and known as being part of Original Hudson Township Lot No. 67, and being all that part of the lands described in the deed to Emily C. Rybak, dated August 11, 1947 and recorded in Volume 2434, Page 378 of Summit County Deed Records, lying Southerly of a line drawn parallel to and distant 135 feet Northerly, measured on a line normal to the center-line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 144 of Summit County Map Records.

Parcel No. 153-G(1) -- Permanent Easement for Highway Purposes.

Situated in the Township of Hudson, County of Summit and State of Ohio, and known as being part of Original Hudson Township Lots Nos. 67 and 68 and being all that part of the lands described in the Executrix's deed to Emily C. Rybak, dated August 11, 1947 and recorded in Volume 2434, Page

378 of Summit County Deed Records, bounded as follows:

Southerly by a line drawn parallel to and distant 135 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 44, Page 144 of Summit County Map Records;

Southeasterly by the Southeasterly line of land described in the deed as aforesaid, which is also the center line of Moran Road;

Northwesterly by a line drawn parallel to and distant 43 feet Northwesterly, measured at right angles, from the said center line of Moran Road; and

Northeasterly by a line drawn Northwesterly, at right angles, from a point on the center line of Moran Road, distant 300 feet Northeasterly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 44, Page 144 of Summit County Map Records.

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

The aforementioned rights 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. 153-G, including such rights to any turnpike constructed thereon.

Second: All rights to erect on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travelway of Ohio Turnpike Project No. 1, and which is not now upon said lands. "

Resolution No. 446-1953

"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 rights 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>
William E. Malm	415 Swetland Building Cleveland, Ohio
Alice B. Malm	415 Swetland Building Cleveland, Ohio
County Auditor of Summit County	Summit County Court House Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 141-A - 142-D - Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being parts of Original Richfield Township Lots Nos. 11, 12, 13 and 14, Tract 5, and bounded and described as follows:

Beginning on the Westerly line of land conveyed to Telair Company by deed dated October 9, 1945 and recorded in Volume 2776, Page 526 of Summit County Deed Records, at its intersection with a line parallel to and distant 180 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 44, Pages 136 and 137 of Summit County Map Records; thence Northwesterly along said parallel line to its intersection with the Westerly line of said Original Lot No. 14; thence Southerly along the Westerly line of said Original Lot No. 14 to its intersection with a line parallel to

and distant 190 feet Southwesterly of, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1; thence Southeasterly along said parallel line to its intersection with the Westerly line of land conveyed to Telair Company, as aforesaid; thence Northerly along the Westerly line of land so conveyed to Telair Company to the place of beginning.

Parcel No. 141-A - 142-D(1) -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lots Nos. 13 and 14, Tract No. 5, and bounded and described as follows:

Beginning on the Westerly line of said Original Lot 14 at its intersection with a line drawn parallel to and distant 180 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 136 and 137 of Summit County Map Records; thence Southeasterly along said parallel line to its point of intersection with a line drawn Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 from Station 73+00; thence Westerly in a direct line to a point on a line distant 210 feet Northeasterly, measured on a line normal to said center line from Station 67+00; thence Northwesterly in a direct line to a point on a line 260 feet Northeasterly, measured on a line normal to said center line from Station 65+00; thence Northwesterly in a direct line to a point on a line distant 640 feet Northerly, measured on a line normal to said center line from Station 61+00; thence Northwesterly to the Northerly line of land conveyed to William E. Malm by deed dated December 14, 1945 and recorded in Volume 2229, Page 547 of Summit County Deed Records, measured along a line drawn Northwesterly from the last described point to a point on a line distant 600 feet Northeasterly, measured on a line normal to said center line from Station 58+00; thence Westerly along said Northerly line to its intersection with a line drawn Southwesterly from a point on a line distant 600 feet Northerly, measured on a line normal to said center line from Station 58+00 to a point on a line distant 350 feet Northeasterly, measured on a line normal to said center line from Station 57+00; thence Southwesterly in a direct line to

a point distant 250 feet Northeasterly, measured on a line normal to said center line from Station 57+00 and the Westerly line of said Original Lot No. 14; thence Southerly along the Westerly line of said Original Lot No. 14 to the place of beginning.

Parcel No. 141 A - 142-D(2) -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 14, Tract 5, and bounded and described as follows:

Beginning on the Westerly line of said Original Lot No. 14 at its intersection with a line drawn parallel to and distant 190 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 136 and 137 of Summit County Map Records; thence Southeasterly along said parallel line to its intersection with a line drawn Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 from Station 66+90; thence Northwesterly in a direct line to a point distant 215 feet Southwesterly, measured on a line normal to said center line from Station 63+50; thence Westerly to the Westerly line of said Original Lot No. 14, measured along a line drawn Westerly from the last described point to a point 620 feet Southwesterly, measured on a line normal to said center line from Station 58+00; thence Northerly along the Westerly line of said Original Lot No. 14 to the place of beginning.

Parcel No. 141-A - 142-D(3) --
Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lots Nos. 11 and 13, Tract No. 5, and bounded and described as follows:

Beginning on the Westerly line of land conveyed to Telair Company by deed dated October 9, 1945 and recorded in Volume 2776, Page 526 of Summit County Deed Records at its intersection with a line drawn parallel to and distant 180 feet Northeasterly, measured on a line normal to the center

line of Ohio Turnpike Project No. 1, as shown by Plat recorded in Volume 44, Pages 136 and 137 of Summit County Map Records; thence Northwesterly along said parallel line to its intersection with a line drawn North-easterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 from Station 80+40; thence Northeasterly along said normal line to a point which is distant 195 feet Northeasterly, measured on a line normal to said center line; thence Southeasterly and parallel to said center line to the Westerly line of land so conveyed to Telair Company as aforesaid; thence Southerly along said Westerly line to the place of beginning.

Parcel No. 141-A - 142-D(4) -- Fee Simple.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 5, and bounded and described as follows:

Beginning on the Westerly line of land conveyed to Telair Company by deed dated October 9, 1945 and recorded in Volume 2776, Page 526 of Summit County Deed Records, at its intersection with a line parallel to and distant 190 feet Southwesterly of, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 136 of Summit County Map Records; thence Northwesterly along said parallel line to its intersection with a line drawn Southwesterly at right angles to said Turnpike center line at Station 93+52; thence Southwesterly along said right angle line 490 feet; thence Southeasterly parallel with said Turnpike center line 338 feet; thence Easterly in a direct line to a point distant 596 feet Southwesterly, measured on a line at right angles to the said Turnpike center line at Station 97+84; thence Southerly on a line at right angles to the center line of Boston Mills Road to the center line thereof; thence Easterly along said center line of Boston Mills Road 56 feet; thence Northerly to a point distant 397 feet Southwesterly of, measured on a line at right angles to, the said Turnpike center line at Station 96+80; thence Northeasterly on a line at right angles to said Turnpike center line to its

intersection with the Westerly line of land conveyed to Telair Company as aforesaid; thence Northerly along the Westerly line of land so conveyed to Telair Company to the place of beginning.

The aforementioned rights 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 parcels described above, 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 travel-way of Ohio Turnpike Project No. 1, and which is not now upon said lands."

Resolution No. 447

"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, the easements and rights 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>
William E. Malm	415 Swetland Building Cleveland, Ohio
Alice B. Malm	415 Swetland Building Cleveland, Ohio
County Auditor of Summit County	Summit County Court House, Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 141-C -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio and known as being parts of Original Richfield Township Lot No. 1, in Tract No. 1, and Lots Nos. 11 and 12, in Tract No. 4, and bounded and described as follows:

Beginning on the center line of the Cleveland-Massillon Road (U. S. Route #21) at its intersection with a line parallel to and distant 120 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 44, Pages 138 and 140 of Summit County Map Records; thence Southerly along the center line of the Cleveland-Massillon Road to its intersection with a line parallel with and distant 130 feet Southwesterly of, measured on a line normal to, the said center line of Ohio Turnpike Project No. 1; thence Northwesterly along said parallel line to its intersection with the Easterly line of land conveyed to The Board of Park Commissioners of The Akron Metropolitan Park District of Summit County by deed dated April 4, 1928, and recorded in Volume 1293, Page 320 of Summit County Deed Records; thence Northerly along the Easterly line of land so conveyed to said Board of Park Commissioners to its intersection with a line parallel to and distant 120 feet Northeasterly of, measured on a line normal to said center line of Ohio Turnpike Project No. 1; thence Southeasterly along said parallel line to the place of beginning.

Parcel No. 141-C(1) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 4, and bounded and

described as follows:

Beginning on a line drawn parallel to and distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records, at its intersection with a line drawn Northeasterly, measured normal to said center line, from Station 31+58; thence Southeasterly along said parallel line 132 feet; thence Northerly to a point on a line which is distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 from Station 32+72; thence Northwesterly on a drawn parallel to said center line, to the intersection with a line drawn Northeasterly, measured normal to said center line, from Station 32+00; thence Northwest to the place of beginning.

Parcel No. 141-C(2) -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 1 in Tract No. 1 and Lots Nos. 11 and 12 in Tract No. 4, and forming a parcel of land bounded as follows:

Southeasterly by the Cleveland-Massillon Road, (U.S. Route No. 21), as established;

Northwesterly by the Easterly line of land described in the Deed to the Board of Park Commissioners of The Akron Metropolitan Park District of Summit County;

Northeasterly by a line parallel to and distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 44, Pages 138 and 140 of Summit County Map Records;

Southwesterly by a line parallel to and distant 120 feet Northeasterly, measured on a line normal to said center line of Ohio Turnpike Project No. 1.

Parcel No. 141-C(3) -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Rich-
1647.

field Township Lot No. 1 in Tract No. 1 and Lots Nos. 11 and 12 in Tract No. 4, and bounded and described as follows:

Beginning on the center line of The Cleveland-Massillon Road, (U.S. Route No. 21), at its intersection with a line drawn parallel to and distant 130 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records; thence Northwesterly along said parallel line to the Easterly line of land conveyed to The Board of Park Commissioners of the Akron Metropolitan Park District of Summit County by Deed dated April 4, 1928, and recorded in Volume 1293, Page 320 of Summit County Deed Records; thence Southerly along said Easterly line to its intersection with a line drawn parallel to and distant 160 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1; thence Southeasterly along said parallel line to its intersection with a line drawn Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 from Station 12+00; thence Northeasterly along said normal line to its intersection with a line drawn parallel to and distant 150 feet Southwesterly, measured on a line normal to said center line; thence Southeasterly along said parallel line to a point which is distant 89 feet Westerly, at right angle measurement, from the center line of The Cleveland-Massillon Road (U.S. Route No. 21); thence South $12^{\circ} 40' 12''$ West, forming an angle of $95^{\circ} 46' 42''$ in the Southwest Quadrant with the last described parallel line, a distance of 164.75 feet; thence South $55^{\circ} 40' 14''$ West 460.43 feet; thence South $09^{\circ} 13'$ West, to the Southerly line of said Original Lot No. 11; thence Easterly along the Southerly line of said Original Lot No. 11 to the center line of The Cleveland-Massillon Road, (U.S. Route No. 21); thence Northerly along the center line of said Road to the place of beginning.

Parcel No. 141-C(4) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 4, and bounded and described as follows:

Beginning on a line drawn parallel to and distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records, at its intersection with a line drawn North-easterly, measured normal to said center line, from Station 21+80; thence Southeasterly along said parallel line 60 feet; thence Northeasterly along a line measured normal to said center line 30 feet; thence Northwesterly parallel to said center line 60 feet; thence Southwesterly 30 feet to the place of beginning.

Parcel No. 141-C(5) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit, and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 4, and bounded and described as follows:

Beginning on a line drawn parallel to and distant 150 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records, at its intersection with a line drawn Southwesterly, measured on a line normal to said center line from Station 16+20; thence Southeasterly along said parallel line 40 feet; thence Southwesterly on a line measured normal to said center line 20 feet; thence Northwesterly and parallel to said center line 40 feet; thence Northeasterly 20 feet to the place of beginning.

Parcel No. 141-C(6) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 4, and bounded and described as follows:

Beginning on a line drawn parallel to and distant 150 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records, at its intersection with a line drawn Southwesterly, measured on a line normal to said center line from Station 28+70; thence Southeasterly along said parallel line 40 feet; thence Southwesterly on a line measured normal to said center line 10 feet; thence Northwesterly and parallel to said center line 40 feet; thence Northeasterly 10 feet to the place of beginning.

Parcel No. 141-C(7) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract No. 4, and bounded and described as follows:

Beginning on a line drawn parallel to and distant 150 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 138 and 140 of Summit County Map Records, at its intersection with a line drawn Northwesterly, measured on a line normal to said center line from Station 34+87; thence Northeasterly to a point distant 175 feet Northeasterly, measured on a line normal to said center line from Station 34+95; thence Southeasterly at right angles to the last described line 40 feet; thence Southwesterly at right angles to the last described line 10 feet to a point which is distant 150 feet Northeasterly, measured on a line normal to said center line; thence Northwesterly and parallel to said center line to the place of beginning.

Parcel No. 141-C(8) -- Permanent Easement for Highway Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lots Nos. 11 and 12, Tract 4, and being all that part of said Lots to be described below.

Line A to be hereinafter referred to is the proposed center line of Brecksville Road Relocation and is described as follows:

Beginning on the center line of Brecksville Road, 100 feet wide, as shown by the dedication plat in Volume 130, Page 18 of Cuyahoga County Map Records, at a point distant 620.85 feet Northerly, measured along said center line, from its intersection with the Southerly line of Cuyahoga County, (said point beginning being known as Point A); thence Southwesterly on a curve deflecting to the right, 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$ and the center line of Brecksville Road as now established being tangent to said curve; thence Southwesterly on a line tangent to the last described curve, 1000.81 feet to a point of curvature; thence Southerly on a curve deflecting to the left, 1696.66 feet to a point of tangency, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$.

The parcel herein intended to be described is bounded and described as follows:

Beginning on the center line of Brecksville Road, as now established, (U. S. Route 21), at its intersection with a line parallel to and distant 150 feet Northeasterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 138 of Summit County Map Records; thence Northerly along said center line of Brecksville Road, to its intersection with the Northerly line of Summit County, which line is the boundary line between Summit and Cuyahoga Counties; thence Westerly along said Northerly line of Summit County to its intersection with a line parallel to and distant 70 feet Westerly, measured normal to said Line A as hereinabove described; thence Southwesterly parallel to Line A to a point distant 70 feet Westerly, measured normal to a point on said line distant 1588.67 feet Southerly, measured along said line from Point A as aforesaid; thence Westerly normal to said Line A, 15 feet to a point; thence Southerly parallel to Line A to its intersection with a line parallel to and distant 150 feet Northeasterly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Southeasterly along said parallel line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Brecksville Road (U.S. Route 21), as now established.

Parcel No. 141-C(9) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 11, Tract 4, and being bounded and described as follows:

Beginning on the center line of Brecksville Road (U.S. Route 21), as now established, at a point distant 620.85 feet Northerly, measured along said center line, from its intersection with the Southerly line of Cuyahoga County, said line being the boundary line between Cuyahoga County and Summit County.

Course 1: Thence Southwesterly on a curve deflecting to the right 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$, and said center line of Brecksville Road being tangent to said curve.

Course 2: Thence Southerly on a line tangent to the last described curve, 1000.81 feet to a point of curve.

Course 3: Thence Southerly on a curve deflecting to the left, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$, a distance of 152.68 feet.

Course 4: Thence Westerly on a line normal to Course 3, 85 feet to a point and the principal place of beginning.

Course 5: Thence continuing Westerly on said normal line, 75 feet to a point.

Course 6: Thence Northerly parallel to Course 3, 60 feet to a point.

Course 7: Thence Easterly on a line drawn normal to Course 3, 75 feet.

Course 8: Thence Southerly parallel to Course 3, to the principal place of beginning.

Parcel No. 141-N -- Permanent Easement for Highway Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Rich-
1652.

field Township Lot No. 10, Tract 4, and being bounded as follows:

Northerly by the Southerly line of land described in the deed to Chester B. Budd and Jean Budd, dated January 28, 1949, and recorded in Volume 2553, Page 466 of Summit County Deed Records;

Westerly by the center line of Brecksville Road, as now established;

Southerly by a line drawn Easterly at right angles from a point on the center line of Brecksville Road, known as "Point A" to be hereinafter described, and

Easterly by a line drawn from a point distant 40 feet Easterly, measured at right angles to said center line of Brecksville Road, from said "Point A" to a point distant 100 feet Easterly, measured at right angles from a point on the relocated center line of Brecksville Road (to be hereinafter described) distant 400 feet Northerly, measured along said line from "Point B" to be hereinafter designated,

Said relocated center line of Brecksville Road is described as follows:

Beginning on the center line of Brecksville Road, as now established, at a point distant 620.85 feet Northerly, measured along said center line, from its intersection with the boundary line between Cuyahoga and Summit Counties; thence Southwesterly on a curve deflecting to the right, 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$, and said center line of Brecksville Road being tangent to said last described curve; thence Southerly on a line tangent to said curve, 1000.81 feet to a point of curvature; thence Southerly on a curve deflecting to the left, 1696.66 feet to a point of tangency, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$; thence Southerly on a line tangent to said curve, 446.02 feet to the aforesaid "Point B" on said relocated center line; thence Easterly at right angles to said line, 13.5 feet to "Point A" as aforesaid, on the center line of Brecksville Road, as now established.

Parcel No. 141-P -- Fee Simple

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original

Richfield Township Lots Nos. 9 and 10, Tract 4, and being all that part of the lands described in the deed to William E. Malm, dated January 8, 1952, and recorded in Volume 2883, Page 1 of Summit County Deed Records, to be described below.

The relocated center line of Brecksville Road and "Points A and B" to be hereinafter referred to are described as follows:

Beginning on the center line of Brecksville Road (U.S. Route 21) as now existing, at a point distant 620.85 feet Northerly, measured along said center line, from its intersection with the boundary line between Cuyahoga and Summit Counties; thence Southwesterly on a curve deflecting to the right, 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$, and said center line of Brecksville Road as now existing being tangent to said curve; thence Southerly on a line tangent to said curve, 1000.81 feet to a point of curvature; thence Southerly on a curve deflecting to the left, 1696.66 feet to a point of tangency, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$; thence Southerly on a line tangent to said curve, 446.02 feet to "Point B" as aforesaid; thence Easterly at right angles to the last described line, 13.5 feet to "Point A" as aforesaid, which point is on the center line of Brecksville Road as now established.

The parcel herein intended to be described is bounded and described as follows:

Beginning on the center line of Brecksville Road, as now existing, at its intersection with the Northerly line of land described in the deed to Amalia O. Ziol, dated December 26, 1952, and recorded in Volume 2971, Page 585 of Summit County Deed Records; thence Westerly along said Northerly line to a point distant 60 feet Westerly, measured at right angles from the center line of said Brecksville Road; thence Northerly parallel to said center line to a line drawn Westerly at right angles from a point on the center line of Brecksville Road, distant 300 feet Southerly, measured along said center line from "Point A" as aforesaid; thence Westerly at right angles to said center line, 18.50 feet to a point; thence North $0^{\circ} 35' 24''$ East, parallel to the center line of existing Brecksville Road, 442.55 feet to a point; thence Northerly on a line deflecting $0^{\circ} 05' 00''$ to the right, 157.55 feet to a point; thence Westerly on a line drawn at right angles to

to the last described line, 15 feet to a point; thence Northerly on a line drawn at right angles to the last described line, 146.02 feet to a point; thence Northerly to a point distant 80 feet Westerly, measured normal to the relocated center line of Brecksville Road, as above described at a point distant 630 feet Northerly, measured along said line from "Point B" as aforesaid; thence Westerly on a line normal to said relocated center line, 250 feet to a point; thence Northwesterly to a point distant 495 feet Westerly, measured normal to a point on said relocated center line, distant 800 feet Northerly, measured along said line from "Point B" as aforesaid; thence Northerly on a straight line to the Northerly line of said Lot 10 in Tract 4, Richfield Township, which straight line if prolonged would intersect a point distant 470 feet Westerly, measured normal to a point on the relocated center line of Brecksville Road as aforesaid, distant 1020 feet Northerly, measured along said line from "Point B" as aforesaid; thence Easterly along said Northerly line of said Lot 10 in Tract 4, Richfield Township as aforesaid, to the center line of Brecksville Road, as now established; thence Southerly along said center line to the place of beginning.

Excepting therefrom the following described property situated in the Township of Richfield, County of Summit and State of Ohio and known as being part of Original Richfield Township Lot No. 10, Tract No. 4, and bounded as follows:

Northerly and Southerly by the Northerly and Southerly lines of land conveyed to Michael C. Daumit and Helen M. Daumit, by deed recorded in Volume 3052, Page 368 of Summit County Deed Records; Easterly by the center line of the Cleveland-Massillon Road (U.S. Route No. 21) and Westerly by a line drawn parallel to and distant 78.50 feet Westerly of, measured at right angles to the center line of said road.

Parcel No. 141-P(1) -- Permanent Easement for Highway Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being part of Original Richfield Township Lot No. 9, Tract 4, and bounded as follows:

Northerly by the Southerly line of land described in the deed to Amalia O. Ziol, dated December 26, 1952, and recorded in Volume 2971, Page 585 of Summit County Deed Records;

Easterly by the center line of Brecksville Road, as now established;

Westerly by a line parallel to and distant 60 feet Westerly, measured at right angles from said center line, and Southerly by a line drawn Westerly at right angles from a point on the center line of Brecksville Road, distant 800 feet Southerly, measured along said center line from "Point A" on said center line.

Said "Point A" is described as follows:

Beginning on the center line of Brecksville Road, as now established, at a point distant 620.85 feet Northerly, measured along said center line, from its intersection with the boundary line between Cuyahoga and Summit Counties; thence Southwesterly on a curve deflecting to the right, 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$, and said center line of Brecksville Road being tangent to said curve; thence Southerly on a line tangent to said curve, 1000.81 feet to a point of curvature; thence Southerly on a line deflecting to the left, 1696.66 feet, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$; thence Southerly on a line tangent to said curve, 446.02 feet to a point; thence Easterly at right angles to the last described line, 13.5 feet to said "Point A" on the existing center line of Brecksville Road.

Parcel No. 141-P(2) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Richfield, County of Summit and State of Ohio and known as being part of Original Richfield Township Lot No. 10, Tract No. 4, and being all that part of the lands described in the deed to William E. Malm, dated January 8, 1952, and recorded in Volume 2883, Page 1 of Summit County Deed Records, to be described below.

The relocated center line of Brecksville Road and "Points A and B" to be hereinafter referred to, are described as follows:

Beginning on the center line of Brecksville Road (U.S. Route 21) as now existing, at a point distant 620.85 feet Northerly, measured along said center line, from its inter-

section with the boundary line between Cuyahoga and Summit Counties; thence Southwesterly on a curve deflecting to the right, 643.17 feet to a point of tangency, said curve having a radius of 3906.44 feet and a central angle of $9^{\circ} 26'$, and said center line of Brecksville Road as now existing being tangent to said curve; thence Southerly on a line tangent to said curve, 1000.81 feet to a point of curvature; thence Southerly on a curve deflecting to the left, 1696.66 feet to a point of tangency, said curve having a radius of 11459.16 feet and a central angle of $8^{\circ} 29'$; thence Southerly on a line tangent to said curve, 446.02 feet to "Point B" as aforesaid; thence Easterly at right angles to the last described line, 13.5 feet to "Point A" as aforesaid, which point is on the center line of Brecksville Road as now established.

The parcel herein intended to be described is bounded as follows:

Westerly by a line parallel to and distant 170 feet Westerly, measured at right angles, from the relocated center line of Brecksville Road hereinabove described; Northerly by a line drawn Westerly, at right angles to said relocated center line, from a point distant 420 feet Northerly, measured along said relocated center line, from "Point B" as aforesaid; Southerly by a line drawn Westerly, at right angles, to said relocated center line, from a point distant 340 feet Northerly, measured along said relocated center line, from "Point B" as aforesaid; and Easterly by a line described as follows: Beginning on the center line of Brecksville Road as now existing, at its intersection with the Northerly line of land described in the deed to Amalia O. Ziol, dated December 26, 1952, and recorded in Volume 2971, Page 585 of Summit County Deed Records; thence Westerly along said Northerly line to a point distant 60 feet Westerly, measured at right angles, from the center line of Brecksville Road; thence Northerly parallel to said center line to a line drawn Westerly, at right angles, from a point on said center line of Brecksville Road, distant 300 feet Southerly, measured along said center line from "Point A" as aforesaid; thence Westerly at right angles to said center line, 18.50 feet to a point; thence North $0^{\circ} 35' 24''$ East, parallel to the center line of existing Brecksville Road, 442.55 feet to a point; thence Northerly on a line deflecting $0^{\circ} 05' 00''$ to the right, 157.55 feet to a point; thence Westerly on a line drawn at right angles to the last

described line 15 feet to the principal place of beginning of the Easterly boundary line herein intended to be described; thence Northerly on a line at right angles to the last described line, 146.02 feet to a point.

The aforementioned rights 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 parcels described above as Parcel No. 141-C, Parcel No. 141-C(2), Parcel No. 141-C(3), and Parcel No. 141-P, 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. 448-1953

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

<u>Owner(s)</u>	<u>Place of Residence</u>
Ann M. Hoffman	R. D. #1, Webster Road Berea, Ohio
Gertrude L. Vunderink	R. D. #1, Webster Road Berea, Ohio
County Auditor of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
County Treasurer of Cuyahoga County	Cuyahoga County Court House, Cleveland, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 133-P -- Fee Simple

Situated in the Village of Strongsville, County of Cuyahoga and State of Ohio and known as being part of Original Strongsville Township Lot No. 28, and being all that part of the lands described in the deed to Ann M. Hoffman and Gertrude L. Vunderink, dated August 7, 1947 and recorded in Volume 6417, page 43 of Cuyahoga 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 plat recorded in Volume 147, pages 12 and 18 of Cuyahoga 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. 133-P(1) -- Permanent Easement for Highway Purposes.

Situated in the Village of Strongsville, County of Cuyahoga and State of Ohio and known as being part of Original Strongsville Township Lot No. 28, and bounded and described as follows:-

Beginning on the Westerly line of Webster Road, as now established 60 feet wide at its intersection with a line drawn parallel to, and distant 120 feet Northeasterly of, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 147, pages 12 and 18 of Cuyahoga County Map Records; thence North $74^{\circ} 18' 52''$ West along said line parallel to the Turnpike centerline 75.35 feet to a point; thence North $45^{\circ} 28' 54''$ East 67.47 feet to a line drawn parallel to and distant 55 feet Westerly, measured at right angles to the centerline of Webster Road; thence Northerly along said parallel line 29.15 feet to its intersection with the Northerly line of land described in deed to Ann M. Hoffman and Gertrude L. Vunderink, by deed dated August 7, 1947 and

recorded in Volume 6417, page 43 of Cuyahoga County Deed Records; thence North 87° 28' 19" East along said Northerly line 25.03 feet to its intersection with the Westerly line of Webster Road; thence South 00° 28' 54" West along said Westerly line 97.90 feet to the place of beginning.

The aforementioned rights 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. 133-P, 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. 449-1953

"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>
Amelia M. Diederick	7219 Camden Avenue Cleveland, Ohio
County Auditor of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio
County Treasurer of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 128-Q(1) -- Permanent Easement for Highway Purposes.

Situated partly in the Township of Olmsted and partly in the Village of West View, County of Cuyahoga and State of Ohio, and known as being part of Original Olmsted Township Tract No. 3, and being all that part of the lands described in the deed to Amelia M. Diederick, dated August 7, 1940 and recorded in Volume 5129, Page 173 of Cuyahoga County Deed Records, bounded and described as follows:

Beginning on the centerline of Usher Road at the Southwesterly corner of said Amelia M. Diederick's land conveyed as aforesaid; thence Southeasterly along the Southwesterly line of land so described to its intersection with a "straight line", said straight line if prolonged would intersect a point on a parallel line distant 130 feet Northeasterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 146, Page 25 of Cuyahoga County Map Records, and distant 80 feet, measured at right angles Southeasterly from the centerline of Usher Road, and a point distant 60 feet Southeasterly, measured at right angles to a point on the centerline of Usher Road 400 feet Northeasterly from the centerline of said Ohio Turnpike Project No. 1; thence Northeasterly along said "straight line" to a point distant 60 feet Southeasterly, measured at right angles to a point on the centerline of Usher Road distant 400 feet Northeasterly from the said Ohio Turnpike Project No. 1; thence Northeasterly on a "straight line" to the Northeasterly line of land described in the deed, as aforesaid, said "straight line" if prolonged would intersect a point distant 30 feet Southeasterly, measured at right angles to a point on the centerline of Usher Road distant 564 feet Northeasterly from the centerline of said Ohio Turnpike Project No. 1; thence Northwesterly along the Northeasterly line of land described in the deed, as aforesaid, to the centerline of Usher Road; thence Southwesterly along the centerline of Usher Road to the place of beginning.

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

Resolution No. 450-1953

"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 rights 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>
Chester A. Atkinson	8111 Columbia Road Olmsted Falls, Ohio
Virginia Atkinson	8111 Columbia Road Olmsted Falls, Ohio
County Auditor of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio
County Treasurer of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 127-A - 128-T -- Fee Simple

Situated in the Township of Olmsted, County of Cuyahoga and State of Ohio and known as being part of Original Olmsted Township Tract No. 3, and being all that part of the lands described in the deed to Chester A. Atkinson, dated April 11, 1945 and recorded in Volume 5888, page 231 of Cuyahoga County Deed Records, lying within a strip of land 250 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 Turn-

pike Project No. 1, as shown by plat recorded in Volume 146, page 25 of Cuyahoga County Map Records, and the Southwesterly line of said strip being parallel to and distant 135 feet Southwesterly, measured on a line normal to said center line.

The aforementioned rights 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. 127-A - 128-T, including such rights to any turnpike constructed thereon.

Second: All rights to erect on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travelway of Ohio Turnpike Project No. 1, and which is not now upon said lands."

Resolution No. 451-1953

"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, the easement and rights 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>
Frank Baldanza	7503 Marlborough Road Parma, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Jeannette Baldanza	7503 Marlborough Road Parma, Ohio
County Auditor of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio
County Treasurer of Cuyahoga County	Cuyahoga County Court House Cleveland, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 139-C -- Fee Simple

Situated in the Village of Brecksville, County of Cuyahoga and State of Ohio and known as being part of Original Brecksville Township Lots Nos. 53 and 62 and being all that part of the lands described in the deed to Frank Baldanza and Jeannette Baldanza, dated November 29, 1937 and recorded in Volume 4809, Page 188 of Cuyahoga County Deed Records, bounded and described as follows:

Beginning on a Westerly line of land so described in the deed to Frank Baldanza and Jeannette Baldanza, at its intersection with a line drawn parallel to, and distant 140 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 147, Page 7 of Cuyahoga County Map Records;

Thence Northerly along said Westerly line to a Northwesterly corner of said land described in the deed to Frank Baldanza and Jeannette Baldanza;

Thence Easterly along a Northerly line of said land described in the aforementioned deed to its intersection with a line drawn parallel to, and distant 115 feet Northeasterly of, measured on a line normal to, said Turnpike centerline;

Thence Southeasterly along said parallel line to its intersection with a line drawn Northeasterly, normal to said Turnpike centerline at Station 905+00;

Thence Northeasterly along said line drawn normal to the Turnpike centerline to its intersection with a line drawn parallel to, and distant 130 feet Northeasterly of, measured on a line normal to said Turnpike centerline;

Thence Southeasterly along said parallel line to its intersection with a Southerly line of land described in said deed to Frank Baldanza and Jeannette Baldanza;

Thence Westerly along said Southerly line to its

intersection with an Easterly line of land described in the aforementioned deed;

Thence Southerly along said Easterly line to its intersection with a line drawn parallel to, and distant 140 feet Southwesterly of, measured on a line normal to said Turnpike centerline;

Thence Northwesterly along said parallel line to the place of beginning.

Parcel No. 139-C(2) -- Permanent Easement for Drainage Purposes

Situated in the Village of Brecksville, County of Cuyahoga and State of Ohio and known as being part of Original Brecksville Township Lot No. 53, and being all that part of the lands described in the deed to Frank Baldanza and Jeannette Baldanza, dated November 29, 1937 and recorded in Volume 4809, Page 188 of Cuyahoga County Deed Records, bounded as follows:

Northeasterly by a line parallel to and distant 140 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 147, Page 7 of Cuyahoga County Map Records; Southwesterly by a line parallel to and distant 180 feet Southwesterly of, measured on a line normal to, said centerline of Ohio Turnpike Project No. 1; Northwesterly by a line drawn Southwesterly, normal to said center line, from Station 900+00; and Southeasterly by a line drawn Southwesterly, normal to said center line, from Station 900+60.

The aforementioned rights 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. 139-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."

Resolution No. 452-1953

"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, the easements and rights 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>
Kathryn E. Diederich	6873 Avon-Belden Road Ridgeville, Ohio
M. P. Diederich, Also Known As Marcellus B. Diederich	6873 Avon-Belden Road Ridgeville, Ohio
The Kiwanis Club of North Ridgeville, Inc.	Ridgeville, Ohio
The Lorain County Savings and Trust Company	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. 123-G(1) -- 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. 27, and being all that part of the lands described in the deed to Kathryn E. Diederich and M. B. Diederich, dated March 16, 1948 and recorded in Volume 434, Page 511 of Lorain County Deed Records, lying within a strip of land 20 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 120 feet

Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 43 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 100 feet Northerly, measured on a line normal to said center line.

Parcel No. 123-G(2) -- 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. 27, and being all that part of the lands described in the deed to Kathryn E. Diederich and M. B. Diederich, dated March 16, 1948 and recorded in Volume 434, Page 511 of Lorain County Deed Records lying within a strip of land 30 feet wide between parallel lines, the Southerly line of said strip being parallel to and distant 130 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 43 of Lorain County Map Records, and the Northerly line of said strip being parallel to and distant 100 feet Southerly, measured on a line normal to said center line.

Parcel No. 123-G(3) -- 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. 27, and being all that part of Sublot No. 3 in Westwood Allotment, as shown by plat recorded in Volume 15, Page 9 of Lorain County Map Records, described in the deed to Kathryn E. Diederich and M. B. Diederich, dated March 16, 1948 and recorded in Volume 434, Page 511 of Lorain County Deed Records, bounded as follows:

Southerly by the Southerly line of said Sublot No. 3;
Northerly by a line parallel to and distant 130 feet Southerly from, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 43 of Lorain County Map Records;
Easterly by the center line of Wooster Avon Lake Road;
Westerly by a line drawn from a point distant 90 feet Westerly, measured at right angles, from a point on said center line of Wooster Avon Lake Road, distant 125 feet Southerly, measured along said center line, from its intersection with said center line of Ohio Turnpike Project No. 1, to a

point distant 65 feet Westerly, measured at right angles, from a point on said center line of Wooster Avon Lake Road, distant 620 feet Southerly, 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 Wooster Avon Lake Road, as now established.

Parcel No. 123-G(4) -- 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. 27, and being all that part of lands described in the deed to Kathryn E. Diederich and M. B. Diederich, dated March 16, 1948 and recorded in Volume 434, Page 511 of Lorain County Deed Records, bounded as follows:

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

Southerly by a line parallel to and distant 120 feet Northerly from, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 43 of Lorain County Map Records;

Easterly by a line drawn from a point distant 120 feet Northerly, measured on a line normal to said Turnpike centerline, from Station 933+85 on said center line, to a point distant 275 feet Northerly, measured on a line normal to said center line, from Station 934+00 on said center line.

Parcel No. 123-G(5) -- 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. 27, and being all that part of the lands described in the deed to Kathryn E. Diederich and M. B. Diederich, dated March 16, 1948 and recorded in Volume 434, Page 511 of Lorain County Deed Records, bound as follows:

Westerly by the Westerly line of lands described in the deed as aforesaid:

Northerly by a line parallel to and distant 130 feet Southerly from, measured on a line normal to, the center line of Ohio

Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 43 of Lorain County Map Records;

Easterly by a line drawn Southerly, normal to said Turnpike center line, from Station 933+65 on said center line;

Southerly by a line drawn parallel to and distant 180 feet Southerly from, measured on a line normal to, said center line of Ohio Turnpike Project No. 1.

The aforementioned rights 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 parcels described above as Parcel No. 123-G(1), and Parcel No. 123-G(2), 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. 453

"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>
Thomas Kamenik	R. D. #2, Murray Ridge Road Elyria, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Justina Kamenik	R. D. #2 Murray Ridge Road 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. 117-B(1) -- Permanent Easement for
Highway Purposes.

Situated in the Township of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lots Nos. 43 and 44, West of Black River, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road at its intersection with 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 58 of Lorain County Map Records; thence Northerly along the center line of Murray Ridge Road to a point distant 700 feet, measured Northerly along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Easterly at right angles to said center line of Murray Ridge Road, 55 feet to a point; thence Southerly parallel to said center line, 300 feet to a point; thence Easterly at right angles to said center line, 15 feet; thence Southerly on a line parallel to and distant 70 feet Easterly from the said center line to its intersection with the said line drawn parallel to and distant 140 feet Northerly from the said center line of Ohio Turnpike Project No. 1; thence Westerly along said parallel line to the place of beginning.

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

Parcel No. 117-B(2) -- Permanent Easement for Highway
Purposes.

Situated in the Township of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lot No. 43, West of Black River, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road at its intersection with a line drawn parallel to and distant 140 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 58 of Lorain County Map Records; thence Southerly along said center line of Murray Ridge Road to a point distant 700 feet, measured Southerly along said center line from its intersection with the said center line of Ohio Turnpike Project No. 1; thence Easterly at right angles to said center line, 40 feet; thence Northerly parallel to the said center line, 100 feet to a point; thence Easterly at right angles to last described line, 30 feet to a point; thence Northerly on a line parallel to and distant 70 feet Easterly by rectangular measurement from said center line to its intersection with the said line drawn parallel to and distant 140 feet Southerly from the center line of Ohio Turnpike Project No. 1; thence Westerly along said line drawn parallel to the place of beginning.

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

Parcel No. 117-B(3) -- Fee Simple

Situated in the Township of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lots Nos. 41 and 43, West of Black River, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road at its intersection with a line drawn parallel to and distant 120 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 15, Page 58 of Lorain County Map Records; thence Easterly along said parallel line to its intersection with the Easterly line of lands conveyed to Thomas Kamenik and Justina Kamenik, by deed dated December 9, 1935 and recorded in Volume 276, Page 415 of Lorain County Deed Records; thence Northerly along the Easterly line of land so conveyed to its intersection with a line drawn parallel to and distant 170 feet Northerly, measured on a line normal to the said center line of Ohio Turnpike Project No. 1; thence Westerly along said parallel line to its intersection with a line drawn Northerly normal from the said center line at Station 584+06.4; thence Southerly along said normal line to a point distant 140 feet Northerly, measured on said line from the said center line;

thence Westerly on a line parallel to and distant 140 feet Northerly, measured on a line normal to the said center line of Ohio Turnpike Project No. 1 to its intersection with the center line of Murray Ridge Road; thence Southerly along said center line of Murray Ridge Road to the place of beginning.

Parcel No. 117-B(4) -- Fee Simple

Situated in the Township of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lots Nos. 41 and 43, West of Black River, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road at its intersection with a line drawn parallel to and distant 120 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 58 of Lorain County Map Records; thence Easterly along said parallel line, to its intersection with the Easterly line of lands conveyed to Thomas Kamenik and Justina Kamenik, by deed dated December 9, 1935 and recorded in Volume 276, Page 415 of Lorain County Deed Records; thence Southerly along said Easterly line of lands so conveyed to its intersection with a line drawn parallel to and distant 160 feet Southerly, measured on a line normal to the said center line of Ohio Turnpike Project No. 1; thence Westerly along said parallel line to its intersection with a line drawn Southerly normal from the said center line at Station 584+06.4; thence Northerly along said normal line to a point distant 140 feet Southerly, measured along said line from the said center line; thence Westerly on a line parallel to and distant 140 feet Southerly, measured on a line normal to said center line to the center line of Murray Ridge Road; thence Northerly along the center line of Murray Ridge Road to the place of beginning.

Parcel No. 117-M -- Permanent Easement for Highway Purposes.

Situated in the Township of Elyria, County of Lorain and State of Ohio, and known as being part of Original Elyria Township Lot No. 44, West of Black River, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road at the Northerly line of lands conveyed to Marko Raich and Sane Raich, by deed dated March 24, 1949 and recorded in Volume 461, Page 281 of Lorain County Deed Records; thence Westerly along the Northerly line of lands so conveyed to a point distant 60 feet Westerly, by rectangular measurement, from the center line; thence Northerly parallel to said center line to a point measured at right angles from a point on the center line of Murray Ridge Road, distant 700 feet, measured Northerly along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 58 of Lorain County Map Records; thence Easterly at right angles to said parallel line to a point distant 40 feet Westerly, by rectangular measurement, from the center line of Murray Ridge Road; thence Northerly parallel to said center line to the Southerly line of lands conveyed to Peter J. Leonard and Matilda Leonard, by deed dated October 19, 1944 and recorded in Volume 339, Page 311 of Lorain County Deed Records; thence Easterly along the Southerly line of lands so conveyed about 40 feet to the center line of Murray Ridge Road; thence Southerly along the said center line to the place of beginning.

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

Parcel No. 117-M(1) -- Temporary Easement for Detour Purposes.

Situated in the Township of Elyria, County of Lorain and State of Ohio, and being all that part of the lands described in the deed to Thomas Kamenik and Justina Kamenik, dated December 9, 1935 and recorded in Volume 276, Page 415 of Lorain County Deed Records, and bounded and described as follows:

Beginning on the center line of Murray Ridge Road, at its intersection with the Southerly line of the aforesaid deed; thence Westerly along said Southerly line to its intersection with a line drawn parallel to and distant 60 feet Westerly, measured at right angles to the center line of Murray Ridge Road and the principal place of beginning; thence Northerly along the aforesaid parallel line to its intersection with a line drawn Westerly at right angle measurement to the center line of Murray Ridge Road from a point in said center line, distant Northerly 700 feet from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 58 of Lorain County Map Records; thence Easterly at right angles to the last described line, 20 feet; thence Northerly along a line drawn parallel to and distant 40 feet Westerly,

measured at right angles to the center line of Murray Ridge Road to the Northerly line of the aforesaid deed; thence Westerly along said Northerly line to its intersection with a line drawn parallel to and distant 105 feet Westerly, measured at right angles to the center line of Murray Ridge Road; thence Southerly along said parallel line to the Southerly line of the aforesaid deed; thence Easterly along the Southerly line of said deed to the principal place of beginning.

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

Resolution No. 45.4 - 1954

"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>
Mary Secrest, Also Known As Mary Siekeres	R. D. #2, Amherst, Ohio
Albert Secrest, Also Known As Albert Kiekeres	R. D. #2, Amherst, 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. 111-K(1) -- Permanent Easement for Highway Purposes.

Situated in the Township of Brownhelm, County of Lorain and State of Ohio, and known as being part of Original Brownhelm Township Lot No. 75 and being all that part of the lands described in the deed to Mary Secrest, dated November 24, 1928 and recorded in Volume 240, Page 366 of Lorain County Deed Records, and bounded and described as follows:

Beginning on a line drawn parallel to and distant 155 feet Northwesterly, measured along a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 54 of Lorain County Map Records, at its point of intersection with the center line of Gifford Road as now established; thence Southwesterly along said parallel line to its point of intersection with a line normal to said center line of Gifford Road and distant 30 feet Southwesterly therefrom; thence Northwesterly and parallel to said center line of Gifford Road to the Northerly line of land so described to Mary Secrest; thence Easterly along said Northerly line of land so described to its point of intersection with a line normal to said center line of Gifford Road and distant 30 feet Northeasterly therefrom; thence Southeasterly and parallel to said center line of Gifford Road to a line drawn parallel to and distant 155 feet Northwesterly of, measured on a line normal to said center line of Ohio Turnpike Project No. 1; thence Southwesterly to the place of beginning.

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

Parcel No. 111-K(2) -- Temporary Easement for Detour Purposes.

Situated in the Township of Brownhelm, County of Lorain and State of Ohio, and known as being part of Original Brownhelm Township Lot No. 75, and being all that part of the lands described in the deed to Mary Secrest, dated November 24, 1928, and recorded in Volume 240, Page 366 of

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

Beginning at a point on the Northerly line of lands described in aforesaid deed distant 85 feet Westerly by rectangular measurement from the center line of Gifford Road (so-called); thence Southerly on a line drawn parallel to the center line of Gifford Road at the place of beginning to a point on a line drawn parallel to and 155 feet Northerly as measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 54 of Lorain County Map Records; thence Easterly along the last described line parallel to the center line of said Ohio Turnpike Project No. 1 to a point distant 30 feet Westerly by rectangular measurement from the center line of Gifford Road; thence Northerly on a line drawn parallel to the center line said Gifford Road to its intersection with the Northerly line of lands described in aforesaid deed; thence Westerly along said Northerly line to the place of beginning.

Parcel No. 111-K(3) -- Permanent Easement for Highway Purposes.

Situated in the Township of Brownhelm, County of Lorain and State of Ohio, and known as being part of Original Brownhelm Township Lot No. 75, and being all that part of the lands described in the deed to Mary Secrest, dated November 24, 1928 and recorded in Volume 240, Page 366 of Lorain County Deed Records, and being a strip of land 60 feet wide, 30 feet on each side of the center line of Gifford Road, the Northwesterly line of said strip being a line drawn parallel to and distant 175 feet Southeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 54 of Lorain County Map Records, the Southerly line of said strip being a line drawn at right angles to the center line of Gifford Road and distant 300 feet Southerly, measured along said center line from the center line of Ohio Turnpike Project No. 1.

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

Parcel No. 111-K(4) -- Temporary Easement for Detour Purposes

Situated in the Township of Brownhelm, County of Lorain

and State of Ohio, and known as being part of Original Brownhelm Township Lot No. 75, and being all that part of the lands described in the deed to Mary Secrest, dated November 24, 1928, and recorded in Volume 240, Page 366 of Lorain County Deed Records, bounded and described as follows:

Beginning in the center line of Gifford Road at a point distant 300 feet Southerly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 54 of Lorain County Map Records; thence Southerly along said center line of Gifford Road, 75 feet to a point; thence Westerly at right angles to said center line, 75 feet to a point; thence Northerly on a line parallel to said center line of Gifford Road to its intersection with a line drawn parallel to and distant 175 feet Southeasterly, measured on a line normal to, said center line of Ohio Turnpike Project No. 1; thence Northeasterly along said last described parallel line to its intersection with a line parallel to and distant 30 feet Westerly, measured at right angles, from the center line of Gifford Road as aforesaid; thence Southerly along said last described parallel line to its intersection with a line drawn Westerly, at right angles, to said center line of Gifford Road, from the place of beginning; thence Easterly in a direct line to the place of beginning.

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

Parcel No. 111-K(5) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Brownhelm, County of Lorain and State of Ohio, and known as being part of Original Brownhelm Township Lot No. 75 and being all that part of the lands described in the deed to Mary Secrest, dated November 24, 1928 and recorded in Volume 240, Page 366 of Lorain County Deed Records, bounded and described as follows:

Beginning on a line drawn parallel to and distant 155 feet Northwesterly of, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 54 of Lorain County Map Records, at a point normal to said centerline at Station 151+95.34;

Thence Northwesterly on a line forming an angle of 85°, Southwest to Northwest, with said parallel line to its inter-

-section with the Northerly line of land described in said deed to Mary Secrest, as aforesaid;

Thence Westerly along said Northerly line to the Northwesterly corner of land described in said deed to Mary Secrest, as aforesaid;

Thence Southerly along the Westerly line of land described in said deed to Mary Secrest, to its intersection with said line drawn parallel to and distant 155 feet Northwesterly of, measured on a line normal to said Turnpike centerline;

Thence Northeasterly along said parallel line to the place of beginning. "

Resolution No. 455-1953

"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>
M. I. Wiedle	R. F. D. #1 Clyde, Ohio
Lida Ethel Wiedle, Also Known As Lida E. Wiedle	R. F. D. #1 Clyde, Ohio
County Auditor of Sandusky County	Sandusky County Court House, Fremont, Ohio
County Treasurer of Sandusky County	Sandusky County Court House, Fremont, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 84-A - 85-F(1) -- Fee Simple

Situated in the Township of Townsend, County of Sandusky and State of Ohio, and known as being part of Original Townsend Township Section No. 34, Town 5 North, Range 17 East and being all that part of the North 30 Acres of the North Half of the East Half of the Northwest Quarter of said Section No. 34, lying within a strip of land 10 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 145 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 9, Page 14 of Sandusky County Map Records, and the Southwesterly line of said strip being parallel to and distant 135 feet Northeasterly, measured on a line normal to said center line.

Parcel No. 84-A - 85-F(2) -- Fee Simple

Situated in the Township of Townsend, County of Sandusky and State of Ohio, and known as being part of Original Townsend Township Section No. 34, Town 5 North, Range 17 East and being all that part of the North 30 Acres of the North Half of the East Half of the Northwest Quarter of said Section No. 34, lying within a strip of land 10 feet wide between parallel lines, the Southwesterly line of said strip being parallel to and distant 145 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 9, Page 14 of Sandusky County Map Records, and the Northeasterly line of said strip being parallel to and distant 135 feet Southwesterly, measured on a line normal to said center line."

Resolution No. 456-1953

"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>
Orpha Saeger Blauch	R. F. D., Delta, Ohio
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. 36-E -- Permanent Easement for Highway Purposes

Situated in the Township of Fulton, County of Fulton and State of Ohio, and known as being part of Original Fulton Township Section No. 5, Town 7 North, Range 8 East and being all that part of the lands described in the deed to Orpha Saeger Blauch, dated August 1, 1917 and recorded in Volume 106, Page 163 of Fulton County Deed Records, bounded and described as follows:

Beginning on the center line of Reighard-Whiteville Road, said center line being the North and South half Section line, at its intersection with the Southerly lined land described in the deed as aforesaid; thence Northerly along the center line of Reighard-Whiteville Road to a point distant 610 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, Page 11 of Fulton County Map Records; thence Westerly at right angles to the center line of Reighard-Whiteville Road, 27 feet to a point; thence Southwesterly on a "straight line" to the Southerly line of land described in the deed as aforesaid, which "straight line" if prolonged would intersect a line drawn parallel to and distant 130 feet Northwesterly, measured on a line normal to the center line of said Ohio Turnpike Project No. 1 at a point distant 86 feet Westerly,

measured at right angles, from the center line of Reighard-Whiteville Road; thence Easterly along the Southerly line of land described in the deed to Orpha Saeger Blauch as aforesaid, to the place of beginning.

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

Parcel No. 36-E(1) -- Temporary Easement for Detour Purposes

Situated in the Township of Fulton, County of Fulton and State of Ohio, and known as being part of Original Fulton Township Section No. 5, Township 7 North, Range 8 East, and being all that part of the lands described in the deed to Orpha Saeger Blauch, dated August 1, 1917 and recorded in Volume 106, Page 163 of Fulton County Deed Records, and bounded and described as follows:

Beginning on the center line of Reighard-Whiteville Road, said center line being the North and South half section line, at a point in said center line 610 feet Northerly, measured along said center line from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, Page 11 of Fulton County Map Records; thence Westerly at right angles to the center line of Reighard-Whiteville Road, 27 feet to a point; thence Southwesterly in a direct line to the Southerly line of land described in the deed aforesaid, which direct line if prolonged would intersect a line drawn parallel to and distant 130 feet Northwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, at a point distant 86 feet Westerly, measured at right angles from the center line of Reighard-Whiteville Road; thence Westerly along the said Southerly line of land described in the deed aforesaid to its intersection with a direct line drawn Southwesterly from a point distant 72.5 feet Westerly at right angles from a point in the center line of Reighard-Whiteville Road distant 660 feet Northerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid, to a point distant 130 feet Northerly by normal measurement from the center line of Ohio Turnpike Project No. 1, as aforesaid, distant 136 feet Westerly, measured at right angles from the center line of Reighard-Whiteville Road; thence Northeasterly in a direct line to a point distant 72.5 feet Westerly, measured at right angles, from a point in said center line of Reighard-Whiteville Road, distant 660 feet Northerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Easterly on

said right angle line 72.5 feet to said center line of Reighard-Whiteville Road; thence Southerly along the center line of Reighard-Whiteville Road to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Reighard-Whiteville Road, as now established."

Resolution No. 457-1953

"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>
The Baltimore and Ohio Railroad Company	Baltimore 1, Maryland
Dayton and Michigan Railroad Company	Dayton, Ohio
The Central Trust Company of Cincinnati, Trustee	Cincinnati, Ohio
Bankers Trust Company, Trustee	New York City, New York
The Hanover Bank, Trustee	New York City, New York

<u>Owner(s)</u>	<u>Place of Residence</u>
J. T. Harrigan, Trustee	New York City, New York
Belmont Development Company	Toledo, Ohio
United States Trust Company of New York	New York City, New York
Henry L. Smithers, Trustee	New York City, New York
The Unknown Heirs, Devisees and Assigns of Elizabeth I. Cavanaugh, deceased	Addresses Unknown
Elizabeth Wygant	Address Unknown
The Unknown Heirs, Devisees and Assigns of Elizabeth Wygant, deceased	Address Unknown
<u> </u> Wygant, first name unknown, spouse of William Wygant	Address Unknown
The Unknown Heirs, Devisees and Assigns of William Wygant, deceased	Addresses Unknown
Martin Wygant	Address Unknown
<u> </u> Wygant, first name unknown, spouse of Martin Wygant	Address Unknown
The Unknown Heirs, Devisees and Assigns of Martin Wygant, deceased	Addresses Unknown
Clarence Wygant	Address Unknown
<u> </u> Wygant, first name unknown, spouse of Clarence Wygant	Address Unknown
The Unknown Heirs, Devisees and Assigns of Clarence Wygant, deceased	Addresses Unknown
Irene Loeb	Address Unknown

<u>Owner(s)</u>	<u>Place of Residence</u>
The Unknown Heirs, Devisees and Assigns of Irene Loeb, deceased	Addresses Unknown
Florence Loeb	Address Unknown
The Unknown Heirs, Devisees and Assigns of Florence Loeb, deceased	Addresses Unknown
Clarence Loeb	Address Unknown
_____ Loeb, first name unknown, spouse of Clarence Loeb	Address Unknown
The Unknown Heirs, Devisees and Assigns of Clarence Loeb, deceased	Addresses Unknown
Samuel N. Wygant	Address Unknown
_____ Wygant, first name unknown, spouse of Samuel N. Wygant	Address Unknown
The Unknown Heirs, Devisees and Assigns of Samuel N. Wygant, deceased	Addresses Unknown
The Unknown Heirs, Devisees and Assigns of Letta Wygant, deceased	Addresses Unknown
Laney C. King, also known as Lena King, also known as Lany C. King	Address Unknown
_____ King, first name unknown, spouse of Laney C. King	Address Unknown

<u>Owner(s)</u>	<u>Place of Residence</u>
The Unknown Heirs, Devisees and Assigns of Laney C. King, deceased	Addresses Unknown
Ella M. Reed, also known as Ella C. Reed Frick, also known as Ella M. Frick	Address Unknown
_____ Frick, first name unknown, spouse of Ella M. Frick	Address Unknown
The Unknown Heirs, Devisees and Assigns of Ella M. Frick, also known as Ella M. Reed, deceased	Addresses Unknown
Phillip H. Munger	Address Unknown
The Unknown Heirs, Devisees and Assigns of Phillip H. Munger, deceased	Addresses Unknown
Susie Wood Sullivan, first name unknown, spouse of Susie Wood Sullivan	Address Unknown
_____, Sullivan, first name unknown, spouse of Susie Wood Sullivan	Address Unknown
The Unknown Heirs, Devisees and Assigns of Susie Wood Sullivan, deceased	Addresses Unknown
Ruth W. Gilders	Address Unknown
_____ Gilders, first name unknown, spouse of Ruth W. Gilders	Address Unknown

<u>Owner(s)</u>	<u>Place of Residence</u>
Helen W. Szuch	Address Unknown
_____ Szuch, first name unknown, spouse of Helen W. Szuch	Address Unknown
Daisy W. Shugar	Address Unknown
_____ Shugar, first name unknown, spouse of Daisy W. Shugar	Address Unknown
Letty W. Schwind	Address Unknown
_____ Schwind, first name unknown, spouse of Letty W. Schwind	Address Unknown
Florence W. Hufford	Address Unknown
_____ Hufford, first name unknown, spouse of Florence W. Hufford	Address Unknown
Charles Wygant	Address Unknown
_____ Wygant, first name unknown, spouse of Charles Wygant	Address Unknown
John H. Wygant	Address Unknown
_____ Wygant, first name unknown, spouse of John H. Wygant County Auditor of Wood County	Address Unknown
County Treasurer of Wood County	Wood County Court House, Bowling Green, Ohio Wood County Court House Bowling Green, Ohio

The aforementioned property to be appropriated is described as follows:

A PERPETUAL EASEMENT FOR AN OVERHEAD BRIDGE, with the necessary piers, columns, foundations and footings, carrying Ohio Turnpike Project No. 1, over and across Grantors' tracks and right of way, said Aerial Easement being over the following described parcel of land;

Turnpike Parcel No. 52-B(3)

Situated in the Township of Perrysburg, County of Wood and State of Ohio, and known as being part of Original Perrysburg Township Lots Nos. 3 and 4 in River Tract No. 71, Town 3, U. S. Reserve and bounded and described as follows:

Beginning on the Easterly right of way line of lands described in deeds to Dayton and Michigan Railroad Company, dated February 20, 1854, and recorded in Volume 130, Page 73, and dated February 17, 1854, and recorded in Volume 130, Page 74, of Wood County Deed Records, at its intersection with the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 64, of Wood County Map Records; thence North $47^{\circ} 08' 30''$ East along said right of way line 66.81 feet to its intersection with a line drawn parallel to and distant 62.83 feet Northerly of, measured on a line normal to, said centerline; thence North $62^{\circ} 44' 20''$ West along said parallel line 106.34 feet to its intersection with the Westerly right of way line of lands deeded to Dayton and Michigan Railroad Company as aforesaid; thence South $47^{\circ} 08' 30''$ West along said Westerly right of way line 133.62 feet to its intersection with a line drawn parallel to and distant 62.83 feet Southerly of, measured on a line normal to, the aforementioned centerline of Ohio Turnpike Project No. 1; thence South $62^{\circ} 44' 20''$ East along said parallel line 106.34 feet to its intersection with the Easterly right of way line of lands deeded to Dayton and Michigan Railroad Company as aforesaid; thence North $47^{\circ} 08' 30''$ East along said Easterly right of way line 66.81 feet to the place of beginning, enclosing an area of 0.307 acres.

together with a ground occupational easement for the construction and maintenance of said piers, columns, foundations and footings in, upon and over the following described parcels of land:

Turnpike Parcels Nos. 52-B(1) and (2)

Situated in the Township of Perrysburg, County of Wood and State of Ohio, and known as being part of Original Perrysburg Township Lots Nos. 3 and 4 in River Tract No. 71, Town 3, U. S. Reserve and bounded and described as follows:

Part One: Beginning on the Easterly right of way line of lands described in deeds to Dayton and Michigan Railroad Company, dated February 20, 1854, and recorded in Volume 130, Page 73, and dated February 17, 1854, and recorded in Volume 130, Page 74, of Wood County Deed Records, at its intersection with the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 64, of Wood County Map Records; thence North $47^{\circ} 08' 30''$ East along said right of way line 144.58 feet to a point in said line; thence North $87^{\circ} 51' 30''$ West in a direct line 39.85 feet to its intersection with a line drawn parallel to and distant 28.18 feet Westerly of, measured on a line normal to, said right of way line; thence $47^{\circ} 08' 30''$ West along said parallel line 215.12 feet to a point in said line; thence South $2^{\circ} 08' 30''$ West in a direct line 39.85 feet to its intersection with the Easterly right of way line of lands deeded to Dayton and Michigan Railroad Company as aforesaid; thence North $47^{\circ} 08' 30''$ East along said right of way line 126.90 feet to the place of beginning, enclosing an area of 0.157 acres, and

Part Two: Beginning on the Westerly right of way line of lands described in deeds to Dayton and Michigan Railroad Company, dated February 20, 1854, and recorded in Volume 130, Page 73, and dated February 17, 1854, and recorded in Volume 130, Page 74 of Wood County Deed Records, at its intersection with the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 10, Page 64, of Wood County Map Records; thence South $47^{\circ} 08' 30''$ West along said right of way line 135.65 feet to a point in said line; thence South $87^{\circ} 51' 30''$ East in a direct line 20.07 feet to its intersection with a line drawn parallel to and distant 14.19 feet Easterly of, measured on a line normal to, said right of way line; thence North $47^{\circ} 08' 30''$ East along said parallel line 215.12 feet to a point in said line; thence North $2^{\circ} 08' 30''$ East in a direct line 20.07 feet to its intersection with the Westerly right of way line of lands deeded to Dayton and Michigan Railroad Company as aforesaid; thence South $47^{\circ} 08' 30''$ West along said right of way line 107.85 feet to the place of beginning, enclosing an area of 0.075 acres."

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 commented that a week or so previously a very important landmark decision in the field of eminent domain had been rendered by Judge Solether of the Common Pleas Court of Wood County, Ohio. He said the owner of land which the Commission had appropriated had sought an injunction to restrain the Commission from appropriating what had been referred to as billboard rights. He said the Commission had filed a demurrer to that injunction petition, and that Judge Solether in his decision had announced that he would overrule the demurrer. The General Counsel said the Judge had rendered a rather complete opinion on the subject, holding the utilization of the power of eminent domain for the taking of the property right involved; that the Judge had held that, as a matter of law, the Commission might, in the interest of safety of the public traveling upon the Turnpike, take away either under contract or by appropriation and by jury trial the right which the owner of land had to erect or to suffer to be erected on his land billboards which would be visible from, or be designed to attract the attention of travelers on, the Turnpike Project. He said the decision was a vindication of the position that the Commission had taken near the beginning of its program of land acquisition when it set out to buy or appropriate the billboard rights so that the Commission could, utilizing the only legal instrument that apparently was within the power of the Commission, try to prevent the erection of attention distracting signs and billboards, not on the Turnpike, but adjacent to it for, of course, on the turnpike the Commission had full control and had announced previously that there would never be any commercial billboards erected on the Turnpike right-of-way proper.

The General Counsel confirmed for the Chairman that Judge Solether had placed his decision rather squarely on the factor of safety, and that courts in Mahoning County and in Portage County had had the same question presented to them with the same results, and that the same question had been raised in Sandusky County and in Williams County.

The General Counsel reported that the Board of Tax Appeals had received an inquiry from the county auditor of Williams County asking whether property acquired by the Turnpike Commission should be removed from the duplicate or how it should be handled, and that the Board of Tax Appeals had put on what they called an entry on their journal wherein they said that property should not be removed from the duplicate unless the Turnpike Commission first made an application to the Board of Tax Appeals for exemption, and, further, directed the county auditors to carry on the general tax list and on the duplicate in the name of the Turnpike Commission any property acquired by the Turnpike Commission in the name of the Turnpike Commission. He said he thought the course of action directed by the Board of Tax Appeals was squarely a violation of law because the statute required that all property be listed by county auditors in the name of the owner, and the Turnpike Act, in three different places, specifically required that the Commission take title to property, not in its own name, but in the name of the State of Ohio which it had always done. He said he did not understand how the Board of Tax Appeals expected that it might compel the State of Ohio to pay taxes on property which it owns, especially when the statute said that the functions discharged by the Commission were governmental functions and specifically, unqualifiedly said that the Commission should never pay any taxes on any property acquired or used by the Commission under the provisions of the Turnpike Act.

The Chairman said it appalled him that the Board would direct county auditors to put the property acquired by the Commission for the State of Ohio in the name of the State of Ohio as provided by law on the tax duplicates in the name of the Commission, rather than the name of the State of Ohio, as is required by law. The General Counsel said that starting at least a year and a half previous he directly and indirectly had had conversations with representatives of the Board of Tax Appeals, with regard to the subject, and that the Commission had been endeavoring to plan, before it ever even started to acquire any land for right-of-way for the project, to try to make sure that the practices and procedures that it would follow would make it as easy as possible, from a practical standpoint, for the various county auditors to make their records correct, to eliminate or simplify the work that would have to be done by them and everyone else concerned. He said he was rather surprised and chagrined that the Board of Tax Appeals would act in a case of that sort without even saying a word to the Commission about it.

Mr. Allen reported that the petroleum industry committee had asked permission to submit a plan to the Commission within the next two weeks.

Resolution No. 458-1953, ratifying actions of administrative officers was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

"WHEREAS the executive director, 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 September 22, 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.

The Chairman declared the resolution adopted.

The Chairman announced that the Commission would begin a tour of nearby construction projects at 2:00 P. M. in a chartered bus, and that members of the press were invited to go along. He said that the Commission had had magnificent cooperation from the press and other agencies of communication in dissemination of public information in Youngstown, and that one of the reasons the Commission had such a healthy position in Mahoning County and had achieved the success it had was due to the support the Commission had had from the Youngstown Vindicator and the other agencies disseminating public information.

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 12:12 o'clock P. M.

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



A. J. Allen, Secretary-Treasurer