

## OHIO TURNPIKE COMMISSION

### Resolution No. 403 -1953 Declaring the Necessity of Appropriating Property and Directing that Proceedings to Effect Such Appropriation be Begun and Prosecuted

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

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

<u>Owner(s)</u>	<u>Place of Residence</u>
Cooley Ellis	3635 Talmadge Road, Toledo, Ohio
Mary Ellis	3635 Talmadge Road, Toledo, Ohio
Ruth E. Slater, formerly Ruth E. Ellis	Lakeland, Michigan
Joel S. Rhinefort	3866 Brookside Road, Toledo, Ohio
Nolan Boggs, Howard W. Boggs, and Ralph Boggs, doing business as Boggs, Boggs, and Boggs, a partnership	828 Nicholas Bldg., Toledo, Ohio
John F. Kumler	3615 River Road, Toledo, Ohio
The unknown heirs, devisees, and assigns of Frederick A. Kumler, deceased	Addresses Unknown
County Auditor of Lucas County	Lucas County Court House Toledo, Ohio
County Treasurer of Lucas County	Lucas County Court House Toledo, Ohio

The aforementioned property to be appropriated is described as follows:

#### Parcel No. 51-B -- Fee Simple

Situated in the City of Maumee, County of Lucas and State of Ohio and known as being part of Lots Nos. 39, 40, 41 and 47 in Sylvan Park as shown by plat recorded in Volume 6, page 18 of Lucas County Map Records and part of Private Grant 581 in Town 3, United States Reserve of 12 miles square at the foot of the rapids of the Miami of Lake Erie, and bounded and described as follows:

Beginning in Southerly line of land conveyed to the City of Toledo by deeds dated May 1, 1931 and recorded in Volume 858, page 75 of Lucas County Deed Records at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 50, page 20 of Lucas County Map Records and distant North-easterly there from 160.00 feet, measured on a line normal to said center line; thence Northwesterly along said parallel line to the Northwesterly line of land conveyed to the City of Toledo as aforesaid; thence Southwesterly along said Northwesterly line to its intersection with a line parallel to said center line and distant Southwesterly there from 160.00 feet, measured on a line normal to said center line; thence Southeasterly along said parallel line to the Southerly line of land conveyed to the City of Toledo as aforesaid; thence Easterly along said Southerly line to the place of beginning.

Parcel No. 51-C -- Fee Simple

Situated in the City of Maumee, County of Lucas and State of Ohio and known as being part of Private Grants Nos. Five hundred eighty (580) and Five hundred eighty-one (581) in the United States Reserve of twelve (12) miles square at the foot of the rapids of the Miami of Lake Erie and bounded and described as follows:

Beginning in the Southeasterly line of Detroit Avenue as now established at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 50, page 20 of Lucas County Map Records and distant Southwesterly therefrom 160.00 feet, measured on a line normal to said center line; thence Southeasterly along said parallel line to the Northwesterly line of land conveyed to the City of Toledo by deed dated May 1, 1931 and recorded in Volume 858, page 75 of Lucas County Deed Records; thence Northeasterly along said Northwesterly line to its intersection with a line parallel to said center line and distant Northeasterly therefrom 160.00 feet, measured on a line normal to said center line; thence Northwesterly along said parallel line to the Southeasterly line of the abandoned Miami and Erie Canal; thence Southwesterly along said Southwesterly line to the Southeasterly line of Detroit Avenue; thence Southwesterly along said Southeasterly line of Detroit Avenue to the place of beginning.

Parcel No. 51-C(1) -- Permanent Easement for Water-Line Purposes

Situated in the City of Maumee, County of Lucas and State of Ohio and known as being part of Private Grant No. 581 in the United States Reserve of Twelve (12) Miles Square at the foot of the Rapids of the Miami of Lake Erie and being bounded and described as follows:

Beginning on a line parallel to and distant 160 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 50, Page 20 of Lucas County Map Records at its intersection with the Southeasterly line of the abandoned Miami and Erie Canal; thence Southeasterly along said parallel line to a point normal to said center line of Ohio Turnpike Project No. 1 at Station 740+15; thence Northerly to a point distant 70 feet Southeasterly, measured at right angles, from a point on the center line of Anthony Wayne Trail, distant 304 feet Northeasterly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southwesterly in a direct line to the place of beginning.

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

First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the parcels described above as Parcels Nos. 51-B and 51-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.

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

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John Soller  
Assistant Secretary-Treasurer