

OHIO TURNPIKE COMMISSION

Resolution No. 446 -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 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:

Parcel No. 141-A - 142-D(1) - continued

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 Northeasterly, 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 Northwesterly 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 Talair 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 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 _____

John Soller
Assistant Secretary - Treasurer