

OHIO TURNPIKE COMMISSION

Resolution No. 78 -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>
Frank W. Bieber	R. D. #2, Canfield, Ohio
Edna Bieber	R. D. #2, 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. 190-C -- Fee Simple

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13 in 4th Division, and being all that part of the lands described in the deed to Frank W. Bieber dated May 26, 1922, and recorded in Volume 286, Page 581 of Mahoning County Deed Records, lying within a strip of land 270 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 135 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 37 and 38 of Mahoning County Map Records, and the Southwesterly line of said strip being parallel to and distant 135 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 190-C(2) -- Permanent Easement for Drainage Purposes

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13 in 4th Division, and being a part of lands described in the deed to Frank W. Bieber, dated May 26, 1922 and recorded in Volume 286, Page 581 of Mahoning County Deed Records, and bounded as follows: Southwesterly by a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 38 of Mahoning County Map Records, and distant 115 feet Northeasterly, measured on a line normal to said center line; Northeasterly by the Northerly line of land described in the deed to Frank W. Bieber as aforesaid; Northwesterly by a line drawn at right angles to said center line of Ohio Turnpike Project

Parcel 190-C(2) -- continued

No. 1 from Station 674 + 60; Southeasterly by a line drawn at right angles to said center line of Ohio Turnpike Project No. 1 from Station 675 + 40.

Parcel No. 190-C(3) -- Permanent Easement for Drainage Purposes

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13, 4th Division, and bounded as follows:

Southwesterly by a line drawn parallel to and distant Northeasterly 135 feet measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by the recorded plat in Volume 33 of Maps, Page 38 of Mahoning County Records; bounded Northeasterly by a line drawn parallel to and distant Northeasterly 788 feet, measured on a line normal to, said centerline; bounded Northwesterly by a line drawn Northeasterly normal to said centerline from Station 687 + 65 on said centerline; bounded Southeasterly by a line drawn Northeasterly normal to said centerline from Station 688 + 35 on said centerline.

Parcel 190-C(4) - - Permanent Channel Easement

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13, 4th Division, and being all that part of the lands described in the deed to Frank W. Bieber dated May 26, 1922, and recorded in Volume 286, Page 581 of Mahoning County Deed Records, lying within a strip of land 120 feet wide, between parallel lines, the centerline of said strip being described as follows:

Beginning on the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 37 and 38 of Mahoning County Map Records, at Station 716+77; thence North 11° 55' 20" East, 177.17 feet to a point of curvature; thence Northerly on a curve deflecting to the left, 721.40 feet to a point of tangency, said curve having a radius of 1000 feet and a central angle of 41° 20' 00"; thence North 29° 24' 40" West 1131.43 feet to a point.

Parcel 190-C(5) - - Temporary Construction Easement for Drainage Control Purposes

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13 in 4th Division, and being a strip of land 965 feet in width lying parallel and adjacent to the southwesterly boundary of parcel 190C as above described and extending from a line drawn southwesterly from and normal to Station 671+ 00 in the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 33, Pages 37 and 38 of Mahoning County Map Records, to a line drawn southwesterly from and normal to Station 695+00 in said centerline.

Parcel 190-C(6) - - Permanent Easement for Drainage Purposes

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13 in the 4th division, bounded as follows:

Parcel 190-C(6) - - continued

Southerly by the Southerly line of a parcel of land conveyed to Frank W. Bieber by deed dated May 26, 1922, and recorded in Volume 286, Page 581 of Mahoning County Records; bounded Northeasterly by a line drawn parallel to and distant Northeasterly 382 feet, measured on a line normal to, the centerline of Ohio Turnpike Project No. 1, as shown by the recorded plat in Volume 33, Pages 15 and 38 of Mahoning County Records; bounded Northwesterly by a line drawn normal to said centerline Northeasterly from Station 704+85 on said centerline; bounded Southeasterly by a line drawn normal to said centerline Northeasterly from Station 705+15 on said centerline.

Parcel 190-C(7) - - Temporary Construction Easement for Drainage
Control Purposes

Situated in the Township of Boardman, County of Mahoning and State of Ohio, and known as being part of Original Boardman Township Lot No. 13 in 4th Division and beginning at a point in the northeasterly line of parcel 190C, as above described, same being 135 feet north-easterly of and normal to Station 699+00 in the centerline of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 33, Pages 37 and 38 of Mahoning County Map Records; thence continuing along said line drawn normal to Station 699+00 to its intersection with the southwesterly line of parcel 190-C-4, as above described; thence southeasterly along said southwesterly line of said parcel 190-C-4 to its intersection with the southerly line of lands described in the deed to Frank W. Bieber dated May 26, 1922, and recorded in Volume 286, Page 581 of Mahoning County Deed Records; thence westerly along said southerly line of lands to the intersection with a line drawn parallel and distant 135 feet measured on a line normal to the centerline of Ohio Turnpike Project No. 1, said point also being in the northeasterly line of said parcel 190-C; thence northwesterly along said northeasterly line to the place of beginning.

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

First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the above-described real estate, including such rights to any turnpike constructed thereon.

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

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