

OHIO TURNPIKE COMMISSION

Resolution No. 80 -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>
Florence L. Heberding	Tippecanoe Road Youngstown, Ohio
John Heberding	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-B -- 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. 9 in 4th Division, and being all that part of the lands described in the deeds to Florence L. Heberding, one dated December 17, 1920, and recorded in Volume 268, Page 347, and one dated November 2, 1925, and recorded in Volume 341, Page 455 of Mahoning County Deed Records, lying within a strip of land 280 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 33, Pages 36 and 37 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. 189-B(1) -- 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. 9, 4th Division, and being all that land within a strip 80 feet wide lying Northeasterly of a line 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 33, Pages 36 and 37 of Mahoning County Map Records, and being 40 feet by right angle measurement on each side of the following described center line:

Beginning at the intersection of the center line of Ohio Turnpike Project No. 1, as aforesaid at Station 627 + 99.99; thence North 76° 55' 20" East along the center line of said 80 foot strip 532 feet, said center line forming an angle of 69° 52' 33" Southeast to Northeast with the tangent of the curve of the center line of said Ohio Turnpike Project No. 1.

Parcel No. 189-B(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. 9, 4th Division, and being bounded and described as follows:

Beginning on a line drawn parallel to and distant 135 feet Southwesterly measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 36 and 37 of Mahoning County Map Records at its intersection with a line drawn Southwesterly, normal to said center line from Station 627 + 03; thence Westerly on a curve deflecting to the right, to a point distant 265 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, at Station 626 + 00, said curve having a radius of 560 feet; thence Southwesterly to a point distant 325 feet Southwesterly, measured on a line normal to said center line at Station 626 + 60; thence Easterly on a curve deflecting to the left to a point on said line parallel to and distant 135 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 as aforesaid, at its intersection with a line drawn Southwesterly, normal to said center line at Station 627 + 90, said curve having a radius of 640 feet; thence Northwesterly along said parallel line to the place of beginning.

Parcel No. 189-B(4) -- Permanent Easement for Highway 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. 9, 4th Division, and being all that part of lands described in the deeds to Florence L. Heberding and dated December 17, 1920, and recorded in Volume 268, Page 347, and one dated November 2, 1925, and recorded in Volume 341, Page 455 of Mahoning County Deed Records, bounded and described as follows:

Beginning on the center line of Tippecanoe Road at its intersection with a line drawn parallel to and distant 145 feet Northeasterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as recorded in Volume 33, Pages 36 and 37 of Mahoning County Map Records; thence Northerly along said center line of Tippecanoe Road to a point 700 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Easterly at right angles to the center line of Tippecanoe Road, 20 feet; thence Southeasterly along a straight line to a point 30 feet Easterly at right angle measurement from the center line of Tippecanoe Road at a point 650 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southeasterly along a straight line to a point 45 feet Easterly at right angles from the center line of Tippecanoe Road at a point 300 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southerly along a line parallel to the center line of Tippecanoe Road to the intersection of said parallel line with a line drawn parallel to and distant 145 feet Northeasterly measured on a line normal to

the center line of Ohio Turnpike Project No. 1; thence Northwesterly along said line parallel to the center line of Ohio Turnpike Project No. 1 to the place of beginning.

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

Parcel No. 189-B(5) -- 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. 9 in 4th Division and being a parcel of land 30 feet wide, 15 feet by right angle measurement on each side of the following described center line:

Beginning on the center line of Tippecanoe Road at its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 36 and 37 of Mahoning County Map Records; thence Northerly along the center line of Tippecanoe Road 475 feet as measured along said center line; thence Easterly at right angles to the center line of Tippecanoe Road to a point on a line drawn from a point 30 feet Easterly at right angles from the center line of Tippecanoe Road, at a point 650 feet North as measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, to a point 45 feet Easterly at right angles from the center line of Tippecanoe Road at a point 300 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, to the principal place of beginning of the center line of the said 15 foot wide parcel; thence continuing Easterly along said right angle line being the center line of said 15 foot parcel to a point 70 feet Easterly at right angles from the center line of Tippecanoe Road at a point 475 feet Northerly as measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1.

Parcel No. 189-B(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. 9, 4th Division, and being a parcel of land 70 feet wide, 35 feet by right angle measurement on each side of the following described center line:

Beginning on the center line of Tippecanoe Road, at its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 36 and 37 of Mahoning County Map Records; thence Northerly along the center line of Tippecanoe Road, 200 feet, as measured along said center line; thence Easterly on a line at right angles to said center line of Tippecanoe Road, 45 feet to the principal place of beginning of the center line of said 70 foot parcel; thence continuing Easterly along said right angle line, being also the center line of said 70 foot parcel, 155 feet, and being all that part of the above described parcel lying Northeasterly of a line drawn parallel to and distant 145 feet Northeasterly, measured on a line normal to the center line of said Ohio Turnpike Project No. 1.

Parcel No. 189-B(7) -- Permanent Easement for Highway 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. 9, 4th Division and being all that part of lands described in the deeds to Florence L. Heberding dated December 17, 1920, and recorded in Volume 268, Page 347 and dated November 2, 1925, and recorded in Volume 341, Page 455 of

Mahoning County Deed Records, and bounded and described as follows:

Beginning on the center line of Tippecanoe Road at a point 350 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 33, Pages 36 and 37 of Mahoning County Map Records; thence Easterly at right angles to the center line of Tippecanoe Road 20 feet; thence Northeasterly along a straight line to a point 30 feet Easterly at right angles to the center line of Tippecanoe Road at a point 300 feet Southerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Northerly along a line parallel to the center line of Tippecanoe Road to its intersection with a line drawn parallel to and distant 135 feet Southeasterly measured on a line normal to the center line of Ohio Turnpike Project No. 1; thence Northwesterly along last said line parallel to the center line of Ohio Turnpike Project No. 1 to the center line of Tippecanoe Road; thence Southerly along the center line of Tippecanoe Road to the place of beginning. Excepting therefrom that portion thereof lying within the bounds of Tippecanoe Road as now established.

Parcel No. 189-B(8) -- Temporary 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. 9, 4th Division, and being bounded and described as follows:

Beginning on a line drawn parallel to and distant 135 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 at its intersection with a line drawn Southwesterly, normal to Station 627 + 90 on said center line; thence Southeasterly along said parallel line to its intersection with a line drawn Southwesterly, normal to Station 631 + 00 on said center line of Ohio Turnpike Project No. 1; thence Southwesterly on said normal line 190 feet to a point; thence Northwesterly parallel to the center line of Ohio Turnpike Project No. 1 to a point 325 feet Southwesterly of the center line of Ohio Turnpike Project No. 1, measured normal to Station 626 + 60; thence Easterly on a curve deflecting to the left, said curve having a radius of 640 feet, to the place of beginning.

Parcel No. 189-B(9) -- Temporary 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. 9, 4th Division, and being bounded and described as follows:

Beginning on a line drawn parallel to and distant 135 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, at its intersection with a line drawn Southwesterly, normal to said center line from Station 627 + 03; thence Westerly on a curve deflecting to the right, to a point distant 265 feet Southwesterly of, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1 at Station 626 + 00, said curve having a radius of 560 feet; thence Northwesterly parallel to the center line of Ohio Turnpike Project No. 1 to a point distant 265 feet Southwesterly of, measured on a line normal to said center line, at Station 625 + 50; thence Northeasterly on said normal line 130

feet to said line parallel to and distant 135 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Southeasterly on said parallel line to the place of beginning.

Parcel No. 189-B(10) -- Temporary 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. 9, 4th Division, and being bounded and described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 36 of Mahoning County Map Records, at Station 627 + 99.99; thence North 76° 55' 20" East, 532 feet to a point; thence Northerly at right angles to the last described line, 40 feet to the principal place of beginning; thence South 76° 55' 20" West to a line drawn parallel to and distant 145 feet Northeasterly of, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1; thence Northwesterly along said parallel line to its intersection with a line drawn Northeasterly, normal to the center line of Ohio Turnpike Project No. 1 from Station 627 + 00; thence North-easterly along said normal line 155 feet to a point; thence South-easterly, parallel to the center line of Ohio Turnpike Project No. 1 to a point 300 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1 from Station 628 + 00; thence Northeasterly along said normal line 210 feet to a point; thence Southeasterly in a direct line to the principal place of beginning.

Parcel No. 189-B(11) -- Temporary 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. 9, 4th Division, and being bounded and described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Page 36 of Mahoning County Map Records, at Station 627 + 99.99; thence North 76° 55' 20" East, 532 feet to a point; thence Southerly at right angles to the last described line, 40 feet to the principal place of beginning; thence South 76° 55' 20" West to a line drawn parallel to and distant 145 feet Northeasterly of, measured on a line normal to, the center line of said Ohio Turnpike Project No. 1; thence Southeasterly along said parallel line to a line drawn North-easterly from said center line, normal to Station 631 + 50; thence Northeasterly along said normal line 340 feet to a point; thence Northwesterly in a direct line to the principal 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