

MINUTES OF THE EIGHTY-SECOND MEETING  
FEBRUARY 9, 1954

The Ohio Turnpike Commission met in regular open session in its offices at 139 East Gay Street in Columbus, Ohio, at 11:00 o'clock A. M. on February 9, 1954, 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, Linzell, McKay, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Teagarden, seconded by Mr. Allen, that the minutes for the meeting of December 1, 1953, which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading.

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: None.

Mr. McKay refrained from voting, explaining that he had not been present at the meeting of December 1, 1953. He said that that meeting was the only one he had ever missed. The Chairman declared the motion carried.

The Chairman reported that one of the principal things that had been done since the previous meeting had been done pursuant to an informal direction of the Commission to the

Chairman at that meeting to send a letter to the Director of Highways requesting that he proceed with the feasibility studies for Project No. 2, in accordance with the description for Project No. 2 which was contained in the year-end statement of the Commission. He said that under date of the 29th of January, the Director of Highways had advised the Commission that he was proceeding and had submitted a list of firms of consulting engineers whom he was considering for contracts and from whom he would seek proposals for the studies to be accomplished. He said that the Director of Highways had been under no compulsion to submit such a list to the Commission, that the funds which were under the control of the Director of Highways for the completion of the studies had been made available to him by the Controlling Board pursuant to law so that it was as a courtesy to the Commission that the Director of Highways had indicated that he would like the advice of the Commission with respect to the firms that he had been considering. The Chairman said that the Director of Highways had called him by telephone prior to the letter of January 29, 1954, and had advised him that he was considering certain firms and that he would be glad to have the advice of the Commission with respect to those firms if the Commission wanted to give any, and that he would be glad to consider any firms that the Commission might like to have given consideration. He said that he told the Director of Highways in that telephone conversation that he would prefer that the Director send the Commission a letter which he could bring to the attention of the other members. He said that the matter was not one requiring any official action by the Commission and that, accordingly, he had told the Director of Highways that when the Commission received the letter he would ask the Executive Assistant to the Commission to call the members by telephone and advise them of his list and seek their advice.

Accordingly, the Chairman continued, the Executive Assistant called Mr. Teagarden by long distance in Florida, called Mr. McKay at Cleveland and called Mr. Allen at Cincinnati and asked them for their advice. He said that Mr. Teagarden and Mr. Allen had advised the Executive Assistant that they were entirely satisfied with the submission by the Director of Highways, and that the Chairman had also so advised the Executive Assistant. He said that the Executive Assistant then had talked to Mr. McKay, who, he gathered, had expressed his dissent. He added that three of the members

had been approving of the choices of the Director of Highways and had been grateful to the Director for the courtesy extended in asking the advice of the Commission.

The Chairman said that there had been some misapprehension abroad about whether or not there had been a five-way telephone conference call on the subject. He directed that the record should show that there had been no conference telephone call, that the Executive Assistant had spoken to Mr. Allen and Mr. Teagarden separately on long distance and that there would have been no occasion for a five-member conference because one member, the Ex Officio Member, the Director of Highways, had been asking for the advice. He said that the Chairman had advised the Director of Highways that three of the members had been satisfied with his list and that one member had indicated his dissatisfaction.

The Chairman reported that on the 20th of January the Commission, through several members of its staff, had had a conference with the Mayor and the Safety Director of the City of Elyria and that it was his understanding that a subsequent meeting was contemplated. He said that he had heard that morning from the press that at a meeting of Council in the City of Elyria the previous night the Mayor of the city had given the Council a report of the controversy and quite aggressively had indicated his purpose to conclude the controversy to the satisfaction of all concerned. He said that the Mayor, when representatives of the Commission had first seen him before the Mayor assumed office, had envisioned as one of the purposes of his administration to conclude the controversy satisfactorily. The Chairman said that it had always been his belief that an objective appraisal of the controversy without any factor of pride of authorship or subjective consideration involved would bring about a proper settlement and that he had every reason to believe that the purpose of the Mayor of Elyria was to bring about a proper settlement.

He said that in the event that an amicable settlement should not be reached out of court, the Commission had adequate remedies at law in the suits that were pending before the Supreme Court of Ohio and before the Common Pleas Court of Lorain County so that he was confident that either by operation of law through the courts or by amicable discussion a solution would be reached of the Elyria conflicts.

The Chairman said that in thinking about the Elyria problem he was reminded that the Indiana Turnpike in crossing northern Indiana had been required to cross over the property of the University of Notre Dame and that he had been told that greater violence had been done to the master plan of the University of Notre Dame by the proposed Indiana Turnpike than would be done to the master plan at Elyria by the Ohio Turnpike. He said that he had been told that at Notre Dame the University administration, recognizing the validity of the project and its economic and patriotic necessity, had made an adjustment in its master plan which would accommodate the Indiana Turnpike, and that he could not help being impressed by the conclusion so readily reached by the University of Notre Dame with respect to the Indiana Turnpike as contrasted with the difficulties that the Commission had had at Elyria with the master plan of that municipality.

The Chairman reported that the Commission had had a report of the General Consultant concerning the comparative costs of the so-called middle-alternate route of Elyria and had furnished that to the Mayor of Elyria and also to the members of the Commission.

The Chairman reported that bids had been received for the communications system for Project No. 1 on January 21, 1954, and were before the Commission; that a report on the establishment of service areas for Project No. 1 had been submitted to the members on February 3, 1954, by the Executive Director at the request of Mr. Allen; that the Executive Director had consulted with Mr. Felty, the Director of the Department of Highway Safety of the State of Ohio, on the 28th of January, concerning the policing of the project, that the Commission had submitted its Fifth Annual Report to the General Assembly and to the Governor on January 29, 1954, in accordance with law, and that a report of right-of-way acquisition had been submitted to the members.

The Assistant Secretary-Treasurer, reporting for the

Secretary-Treasurer, said that since the previous meeting the Auditor's report for the period ending December 31, 1953, had been mailed January 20, 1954, to the members; that copy of instructions to the Trustee and the Co-trustee relative to charges for exchange of definitive bonds had been mailed to the members January 21, 1954; that draft of minutes of December 1, 1953 meeting had been mailed to the members on February 3, 1954; that detail of January investment transactions had been mailed to the members on February 3, 1954; and that financial reports for the period ending January 31, 1954, had been mailed to the members on February 3, 1954. He said that income from investments for the month of January had been \$594,700, the highest of any month to date. He said that for the entire period ending January 31, the income from investments had been \$9,615,000 compared to a forecast for the same period of \$5,264,000 or a gain of \$4,351,000.

At this point the Chairman was called from the meeting to answer a long distance telephone call and the Vice Chairman presided in his absence but no business was transacted until the Chairman returned to the meeting. Upon his return the Chairman reported that the telephone call had been from John Lansdale, Jr., of Counsel for the Commission in the mandamus action brought by the Commission against the City of Elyria in the Supreme Court of Ohio. The Chairman said that Mr. Lansdale had advised him that the Mayor of Elyria had called Mr. Lansdale on the telephone to say that the Mayor would ask the Governor of Ohio to appoint a board of arbitration to consider the differences between the Turnpike Commission and the City of Elyria. The Chairman said that quite obviously the Commission and the City were already before the highest board of arbitration there was, the Supreme Court of Ohio, as well as other courts of the state. The Chairman said that it was his further belief that in the absence of authorization by law to follow the dictates of a board of arbitration, public bodies were under a duty to exercise their own judgment and public bodies might not, in the absence of authority of law, submit their judgment to the judgment of anyone else

and that he believed that the Commission might not agree in advance that it would be bound to any findings of any arbitrators other than the findings of a court of law. He said that public bodies were entitled to advice but that public bodies were required to exercise their own conscientious judgments so that it would be unlikely that the Governor would accede to any request of the Mayor of Elyria that he appoint a board of arbitration to resolve any differences between the Commission and the City of Elyria. The Chairman said that the Commission was empowered by law to build a turnpike project and had been given the right to condemn land for right-of-way and to fulfill the purposes envisioned for it by the General Assembly. He said that the Commission obviously must so do and he added that therefore, if the Mayor's recommendation was for an arbitration, in the absence of an ability to resolve the differences between the Commission and the City of Elyria amicably at the conference table, the supreme arbitration would be held in the Supreme Court of Ohio.

Each of the other members of the Commission said individually that he agreed with the statement of the Chairman.

The Executive Director reported that bids for a radio communications system had been received from four firms on January 21, 1954; that the letting had originally been advertised for January 7, 1954, but had been extended in order to give the several bidders a longer time for preparing their proposals. He said that three of the firms had submitted proposals on both the contract which envisioned selling the equipment and furnishing maintenance for a period of seven years at a monthly rate and the contract which envisioned rental for a period of seven years and maintenance for a similar period on a monthly rate. He said that an analysis of the bids showed that Radio Corporation of America was the low bidder on both of the contracts.

The Executive Director said that prior to the actual taking of the bids very careful consideration had been given to requests from the several prospective bidders for changes they desired in the Commission's specifications which would fit their particular, available equipment. He

said that an honest effort had been made by the Consulting Engineer and the Commission's engineers to make the changes which would be satisfactory to all the prospective bidders with the result that the Commission had issued five addenda prior to the actual taking of bids. He said that since receiving the proposals the bids had been evaluated and analyzed by the technical specialist and partners of the Consulting Engineer and by the Commission's engineers. He said that a meeting had been held with representatives of the bidders, including the attorney, of one of them, at which the validity of, and certain technical data in the apparent low bid had been questioned, and that in order to make certain that the low proposal which had been submitted met the specifications he had subsequently arranged a meeting with representatives of the apparent low bidder, the Radio Corporation of America. He said that that meeting had been attended by seven representatives of the Radio Corporation of America, by Mr. John J. Jenkins, Jr., a partner in the firm of the Consulting Engineer; by Mr. McClain and Mr. Wright, engineers with the Consulting Engineer; by the Chief Engineer of the Commission and some of his assistants; by the Executive Assistant and by himself. The Executive Director said that he had a letter from the Consulting Engineer which stated that the conference had been entirely satisfactory and that the Radio Corporation of America's responses to all queries had been considered to be very adequate. He said that the Consulting Engineer had submitted a letter in which it recommended the award to the Radio Corporation of America for Contract No. RC-1A, which was the purchase and rental contract. He said that the analysis had gone into some detail in evaluating the cost to the Commission of purchase and maintenance versus rental and maintenance, including an estimate of the replacement costs for different categories of the equipment in the event the Commission should contract for purchase and maintenance. He said that the results of the analysis showed a cost of \$11,824.12 per month for purchase and maintenance as compared to \$19,323.85 for rental and maintenance, and that consequently the cost to the Commission would be much lower if the equipment were to be purchased. He said that the Chief Engineer and he concurred in the

recommendation of the Consulting Engineer that the contract RC-1A be awarded.

Mr. Allen said that he was in agreement with the conclusions that the Executive Director had presented on behalf of himself and the Consulting Engineer and that, having gone quite thoroughly into the matter at the time the specifications had been prepared, he was quite confident that Contract RC-1A would give the Commission a fine communications system.

Resolution No. 16-1954, awarding Contract RC-1A, 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 alternative contracts for the sale to the Commission of a radio-communications system, with provisions for its maintenance for a period of years, and for the rental thereof by the Commission for a period of seven years, which contracts are designated contracts RC-1A and RC-1B, respectively, and proof of said advertising is before the Commission;

WHEREAS bids for the performance of each of the aforesaid 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 the bids received 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 analyses and made their recommendations predicated thereon;

WHEREAS, having been duly advised as aforesaid, the Commission has reviewed the bids and considered the possible benefits and detriments to the Commission of the purchase of the proposed radio-communications system versus the rental thereof;



WHEREAS the bid of Radio Corporation of America for the sale of said system to the Commission was accompanied by a letter addressed to the Commission and dated January 20, 1954, and the Commission has examined said letter and said bid;

WHEREAS all of the bids for each of the aforementioned 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 aforesaid bid of Radio Corporation of America, for the performance of contract RC-1A in the amount of \$744,846.00 for Item No. 1, \$577.00 for Item No. 2, \$6,338.00 for Item No. 3, and \$8.25 for Item No. 4 is, and is by the Commission determined to be, the lowest and best of all said bids, and the Commission has been advised by its assistant general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio and of 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 performance of either of said contracts; 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 Commission finds that the aforesaid letter is no part of the bid of Radio Corporation of America; and

FURTHER RESOLVED that the bid of Radio Corporation of America, in the amounts aforesaid, for the performance of contract RC-1A be, and hereby it is, determined to be the lowest and best of all said bids for the performance of either of the aforesaid contracts, 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, which contract shall not contain or include any unsolicited or unauthorized matter and in particular shall not contain or include any matter pertaining to patents contained in the aforesaid letter; (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 a 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; provided, however, that the authority hereby delegated to execute said contract is granted 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 as contained in the contract documents for said contracts as furnished to prospective bidders therefor."

Mr. McKay asked what the fundamental difference in the responsibility of the Commission would be as between a purchase contract and a lease contract. He asked also whether the Commission would have to employ electronic specialists. Mr. E. J. Donnelly, representing the Consulting Engineer, replied that under the purchase agreement the Commission would own the equipment whereas under the rental agreement it would not, and that maintenance would be performed by the successful bidder in either case. He said that the bidder in either case would provide the necessary technical staff and the experts required to keep the equipment operating. He said that what checking up the Commission would do would be done by its maintenance employees. He said that if a radio set should be set off the air or if the system should be off the air for certain number of minutes, everyone would know and that a log would be kept of non-performance time and that the bidder would be penalized depending upon the amount of non-performance time that the system should suffer in any one month, and that that would be true whether the Commission purchased or rented the equipment.

The Assistant General Counsel presented to the Commission a letter in which she advised that in her opinion the bid of Radio Corporation of America 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 the letter was proof of publication of notice of receipt of bids for contracts RC-1A and RC-1B.

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director reported that a layout drawing of a single service building for the furnishing of fuel and food at service areas had been prepared and was ready for consideration by the subcommittee on service areas.

He reported that he had held a meeting with Director Felty of the Department of Highway Safety regarding the use of the State Highway Patrol on Project No. 1, and that the conference had been attended by Mr. Fritz Moritz, the Assistant Superintendent of the State Highway Patrol. He said that the atmosphere of that conference had been most friendly, agreeable and cooperative and that all in attendance had felt that they could arrive at some satisfactory agreement between the Commission and the Highway Patrol. He said that another meeting was planned for the near future.

The Executive Director reported that the typical roadway lighting plans and specifications which had been prepared by the Consulting Engineer had been sent to the Contracting Engineers so that they might prepare detail plans and specifications for their respective design sections. He said that the plans would be submitted for the approval of the Commission at a later date.

The Executive Director referred to a memorandum he had sent to the members in regard to additional construction costs and he said that he was pleased to report that those costs were well in hand, and that they were much less than he had thought they would be with all the bridge work which was going

on and which often resulted in increased costs. He said that the net change as of that date, considering the reduction in quantities as originally planned and the changes made by extra work contracts, was only \$95,000 but that, as he had indicated to the members, a number of extra work orders were being processed which would appreciably increase that amount.

The Executive Director said that the Commission would have before it a resolution on potential locations for service areas. He said that the locations might be changed slightly as a result of borings which were being made to determine water accessibility, particularly in the easterly half of the project where the supply of water was questionable. He said that the location of the first service area west of the Ohio- Pennsylvania line might have to be changed because of an excess of rock and possible prohibitive costs of construction. The Executive Director reported that he was submitting for the consideration of the Commission a service area layout plan which was the result of months of study by Mr. Allen and his committee on service areas. He said that the design would permit future expansion and improvements as required and as the Commission's funds should permit. He said that although financing of the construction of service areas had not been included among the funds originally set up for the construction of Project No. 1, the Commission, nevertheless, would be able to finance a part and perhaps all of the service area construction due to the successful contracting of the main construction program. He said that the funds that would be available would determine just how far the Commission could go with the actual financing of the sixteen service areas contemplated, plus two service areas that would be designed especially for trucking servicing.

Mr. McKay said that his first reaction had been that the report as submitted and the design layout were excellent. He asked what had been meant by provision for expansion of facilities, and whether there would be provision for supplying fuel and oil to trucks. The Executive Director

replied that the service area layout would lend itself to expansion of parking facilities, particularly on the outgoing side, and that expansion of the service building proper would be possible also. He indicated where fuel pumps for trucks would be located. Mr. McKay commented that the layout was an excellent one.

Resolution No. 17-1954, accepting and approving the report on layout of service areas, was moved for adoption by Mr. McKay and seconded by Mr. Teagarden as follows:

"WHEREAS the Commission's consulting engineer and its chief engineer have submitted to the Commission their report, entitled "Report on Layout of Service Areas, Ohio Turnpike Project No. 1", dated February 3, 1954; and

WHEREAS said report is now before the Commission and the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that said report be, and the same hereby is, accepted and approved;

FURTHER RESOLVED that the Commission's executive director be, and he hereby is, authorized and directed to cause detailed construction plans to be prepared on the basis of the typical service area presented in said report; and

FURTHER RESOLVED that the executive director be, and he hereby is, authorized and directed to cause to be prepared a typical service layout for areas to be constructed, primarily, to furnish truck service."

Mr. Teagarden commented that he was very happy to see that consideration had been given to facilities

for trucks.

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.

Mr. McKay asked whether the proposed resolution accepting and approving the report on the location of service areas provided enough leeway to permit the Executive Director and the Chief Engineer to move the areas if consideration of water supply required.

The General Counsel (who had entered the meeting room a moment before, having been absent during the first portion of the meeting) said that the locations of the service areas were not pinpointed by the report, because the locations had not been described with particularity. He said that no center line stations had been included in the report, and that no more than an approximation of location had been possible until the conclusion of the studies which the Executive Director had mentioned as having been commenced. He said that if it should be necessary as a result of the studies radically to move a location, then probably it would take further action of the Commission. The Executive Director pointed out that several sites had been selected for future expansion when traffic should require some additional service areas.

Resolution No. 18-1954, accepting and approving report on location of service areas was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

"WHEREAS the Commission's consulting engineer and its chief engineer having submitted to the Commission their report, entitled "Report on Location of Service Areas Ohio Turnpike Project #1," dated January 8, 1954; and

WHEREAS said report is now before the Commission and the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the aforesaid report be and the same hereby is accepted and approved;

FURTHER RESOLVED that the Commission's executive director be and he hereby is authorized and directed to investigate, select, delineate, and acquire service-area sites at the approximate locations shown on the print designated "Service Areas Ohio Turnpike Project No. 1 Location Map, "dated December 21, 1953, attached to the aforementioned "Report on Location of Service Areas Ohio Turnpike Project #1;" and

FURTHER RESOLVED that the service areas shall be in conformity with said "Report on Location of Service Areas Ohio Turnpike Project #1," and with the "Report on Layout of Service Areas, Ohio Turnpike Project No. 1."

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.

Mr. E. J. Donnelly, representing the Consulting Engineer, reported that as of February 1, 1954, 4985 parcels out of a total of 5583 parcels had been acquired for right-of-way purposes. He said that the Commission's right-of-way staff had set the date of February 18, 1954, as a deadline

by which the land agents should complete all of their negotiations. He said that after that date the balance of the parcels to be required would be in condemnation.

Mr. Donnelly said that as of February 1, 1954, there had been a total of 250 parcels, representing 97 ownerships, in condemnation. He said that all told there were yet to be acquired either through condemnation or through negotiation 658 parcels, representing 285 ownerships. He explained that that meant that there would be 285 negotiations or condemnations yet to go through. The General Counsel said that according to the records of the Commission's legal department as of February 2, 1954, the Commission had had pending in one stage or another a total of 130 cases. He explained that by "pending" he meant any case which the Right-of-way Section had turned over to counsel to prosecute as a condemnation case. He said that many of those cases would never be filed in court, and that some of the cases would not even get to the Commission in the form of a resolution because they would be settled before reaching that point. He said that out of those 130 cases the Commission had had rights of entry with respect to 45 of the cases as of February 2. He said that the 75 remaining cases involved 38 mainline parcels and a number of supplemental parcels and that he had estimated at the 3rd of February that it was probable that in a matter of ten days at the most the Commission probably would, by agreement or settlement, have rights of entry in about 13 cases. He said that the legal department was getting a flood of additional certifications from the Right-of-way Section, and that there were about 20 appropriation resolutions for consideration by the Commission at that meeting. He said that several of the 20 resolutions involved mainline parcels, but that far more supplemental parcels, which involved either additional widths or easements of one type or another, were dealt with in the resolutions.

The General Counsel said that the Commission was at the very peak of activity in disposing of appropriation cases.



He said that about half of the cases had been disposed of without trials, and that the ratio in the future would be even greater. He warned that there would undoubtedly be a fair number of cases in which the Commission would not procure rights of entry with respect to some of the supplemental parcels for, at the very best, quite a number of weeks. The General Counsel explained that various things often had to be done in appropriation cases. He explained that if surveys and plats had not already been procured, the engineers had to go out in the field and make plats and surveys before the Commission could file a case in Court. He said that before the Commission could adopt an appropriation resolution, the legal department often had a special research job to be done in running down all the necessary parties, and that sometimes the information that was available and adequate for negotiation purposes was not sufficient to accomplish service of summons. He explained that if any of the parties could not be served personally, it was necessary to advertise publicly in order to obtain service, so that it not infrequently happened that a period of at least two months, and sometimes more, elapsed after a case had been certified to the legal department before the case could possibly be set for trial. He said that that time lapse was entirely apart from the question as to whether the landowner was able, by one maneuver or another, to delay a trial. He added that, of course, appropriation resolutions had to be acted upon at a Commission meeting before a case could be filed in Court.

The Executive Director reported that up to and including February 8, 1954, the total number of mainline parcels still to be negotiated had been six, that the total number of supplemental parcels remaining to be negotiated had been 111. He said that it was expected that more supplemental parcels would be added as construction proceeded. He explained that General Counsel's report did not take into consideration three railroad parcels with which the Commission was still having considerable difficulty and that it did not include parcels involved in condemnation proceedings.

Resolution No. 19-1954, ratifying the action of the Comptroller in requesting sale and reinvestment by the Co-trustee under Paragraph 603 of the Trust Agreement, was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"WHEREAS it is contemplated by the trust agreement securing the Commission's Turnpike Revenue Bonds, Project No. 1, that the moneys derived from the sale of said bonds (except for

expenditures provided for in said agreement) shall be kept invested by the co-trustee thereunder in United States Government obligations maturing in amounts and at times (as nearly as practicable) as may be necessary to provide funds when needed for construction costs, as set forth in the statement of the consulting engineer mentioned in clause (b) of §208 of said agreement, which statement has been revised from time to time so far as said consulting engineer's estimate of cash requirements from the construction fund is concerned, the last revised estimate being dated January 13, 1954;

WHEREAS the co-trustee has recently reviewed the investments in the construction fund and has made certain recommendations for changes of securities to provide maximum yields and availability of funds as required in said estimates as last revised by the consulting engineer January 13, 1954, said recommendation of the co-trustee having been submitted orally by phone to the comptroller of the Commission January 23, 1954 and confirmed by letter dated January 25, 1954;

WHEREAS the co-trustee recommended the sale of the following securities and the reinvestment in U. S. Treasury Bills of all except \$1,000,000 of the proceeds thereof, the trustee having requested transfer of said \$1,000,000 in order to make payments:

	<u>Par Value</u>	<u>Issue</u>
\$5,172,000	2 - 1/4%	U. S. Treasury Ctfs. due Feb. 15, 1954
6,298,000	1 - 3/8%	U. S. Treasury Notes due Mar. 15, 1954

WHEREAS the comptroller, acting for and on behalf of the Commission, accepted the recommendation of the co-trustee and requested said co-trustee to sell the aforesaid securities and reinvest the proceeds thereof, with the exception of the aforesaid \$1,000,000, in accordance with its recommendation therefor;

NOW, THEREFORE, BE IT

RESOLVED that the Commission does hereby ratify and confirm the actions of its comptroller in requesting the

co-trustee, The National City Bank of New York, pursuant to §603 of the trust agreement securing Ohio Turnpike Revenue Bonds, Project No. 1, in accordance with the recommendation of said co-trustee, to sell the following securities and reinvest all with the exception of the aforesaid \$1,000,000 of the proceeds thereof in accordance with the aforesaid recommendations of the co-trustee or in such other securities as said co-trustee shall deem advisable in accordance with authority vested in said co-trustee by said trust agreement:

<u>Par Value</u>		<u>Issue</u>
\$5,172,000	2 - 1/4%	U. S. Treasury Ctfs. due Feb. 15, 1954
6,298,000	1 - 3/8%	U. S. Treasury Notes due Mar. 15, 1954"

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

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

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel reported that because of the fact that Contract C-1 had been let before certain of the General Specifications had been modified by supplemental specifications having to do with such things as the height of the right-of-way fence and the number of wires in the fence, an exhaustive analysis of the problem had been made with the result that he was presenting to the Commission a form of supplemental agreement and a form of resolution by which the Commission might authorize the Executive Director or Chief Engineer to enter into a supplemental agreement with Harrison Construction Company. He said that the supplemental agreement would make Contract C-1, in the particular respects that were covered, conformable with the Specifications for construction on all the rest of Project No. 1. He said that he had previously rendered to the Chief Engineer his written opinion that the agreement might legally be entered into and he stated to the Commission that, in his opinion, based on the reasons and necessity for

entering into the agreement set forth in the Chief Engineer's memorandum to him and his inquiry of the Chief Engineer, that the action recommended might properly be taken.

Resolution No. 20-1954, authorizing a supplemental agreement pertaining to Contract C-1, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

"WHEREAS there is before this meeting a form of supplemental agreement between the commission and Harrison Construction Company, supplementing Contract C-1;

WHEREAS the commission's consulting engineer, chief engineer, and executive director have recommended to the commission that it enter into such supplemental agreement for the purpose of changing certain of the specifications which comprise a part of said Contract C-1; and

WHEREAS the commission's general counsel has advised the commission that it may legally enter into such an agreement and that the form before it at this meeting is satisfactory for the purpose;

NOW, THEREFORE, BE IT

RESOLVED that each of the commission's executive director and chief engineer be, and each of them hereby is, authorized to execute on behalf of the commission a supplemental agreement with Harrison Construction Company, pertaining to the specifications for Contract C-1, which agreement shall be in the form before this meeting or in a substantially similar form approved by general counsel; and that each of the commission's executive director and chief engineer is authorized to take any and all action necessary to carry out the terms of said supplemental agreement. "

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

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

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel said that the Chairman, on January 15, 1954, had addressed a letter to the Director of Highways with respect to the latter's studies for a proposed turnpike project No. 2. He said that he had drawn a resolution which set forth the letter in full text and wound up with ratification and confirmation of the aforesaid action taken by the Chairman on its behalf on January 15, 1954.

Mr. Allen said that he would like to strike out the last paragraph of the letter before it should go into the form of a resolution. He explained that the newspapers in Cincinnati had used dates such as those mentioned in the last paragraph in the headlines and that he preferred not to have any dates specified, particularly any relating to financing. He said that the Commission certainly did not want to be even guessing at which date it would finance; that the Commission would finance when it should be most advantageous. He added that the Commission did not want to have a resolution even hinting at the time that it would be going to finance.

The Chairman said that the last paragraph would have to remain in the copy of letter contained in the resolution because the letter had been sent. He explained that at the time that the letter was written, Mr. Linzell had had reason for wanting the dates in, that he had wanted an early date specified because he had wanted to make that formidable in his negotiating and that therefore the paragraph had not been thoughtlessly done. The Chairman added that Mr. Linzell had already found out that he could not make a preliminary report to the Commission by May 15, 1954.

Mr. Allen said that he was raising the point with the hope that the Commission would not go ahead using dates in connection with the new project to the point where it would be

bound to a schedule and where the newspaper articles would be saying that the Commission was already three months behind and things of that kind. He said that he did not object to the resolution and that the Commission could proceed with the resolution but that he had just wanted to make the point about not being bound to dates. The Chairman said that he was willing to agree in principle that the Commission would not use any target dates until it knew more about the project than it then did.

Resolution No. 21-1954, ratifying the action of the Chairman requesting the Director of Highways to proceed with studies of Ohio Turnpike Project No. 2, was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"WHEREAS on January 15, 1954 the chairman, acting for and on behalf of the Commission and upon the informal direction of the Commission, directed and delivered to the director of highways a letter in the following form and words:

"January 15, 1954

"The Honorable Samuel O. Linzell  
The Director of Highways  
State Highway Department  
State Office Building  
Columbus 15, Ohio

"Dear Mr. Linzell:

"At its meeting today the Commission reviewed, discussed, and approved the year-end statement to the press issued on behalf of the Commission by its Chairman on December 31, 1953, in which the Chairman expressed the Commission's hope that before the end of 1954 the studies would be completed of a proposed Turnpike Project #2.

"Pursuant to the statement of the Commission's objective with respect to Project #2 as set forth in the year-end statement the Commission directed its Chairman to advise you, and you hereby are advised, that you may disregard its letter of November 7, 1952, and its letter of July 15, 1953, and instead you are requested to proceed with studies of a toll road system to be known as Ohio Turnpike Project #2 which would originate at Cincinnati and proceed generally toward the New York Thruway with a terminal point in Ohio at the Pennsylvania border in the vicinity of Conneaut, having a connection with Toledo and the Michigan border originating in the vicinity of Columbus and also having a connection at the Pennsylvania border south of Petersburg originating in the vicinity of U. S. Route #30 or where otherwise practicable.

"It is hoped that you will be able to negotiate contracts for the feasibility studies of the whole project promptly so that your preliminary report to the Commission can be made not later than May 15 this year, whereupon, if the project is found feasible, the studies in detail may be contracted for and undertaken so as to be completed early enough next year to permit completion of financing of the project by June of 1955.

"Very truly yours,

/s/ James W. Shocknessy

James W. Shocknessy  
Chairman"

NOW, THEREFORE, BE IT

RESOLVED that the Commission does hereby ratify and confirm the aforesaid action taken by its chairman on its behalf on January 15, 1954.

A vote by ayes and nays was taken and all members responded to roll call, except that Mr. Linzell refrained

from voting, since the resolution called for action by him as Director of Highways. The vote was as follows:

Ayes: Teagarden, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 22-1954, rescinding condemnation resolution No. 515-1953 due to changes in and revision of construction plans, was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

"WHEREAS certain revisions in the construction plans have altered the right-of-way requirements in connection with property owned by Carl Keller, et al., and

WHEREAS Resolution No. 515-1953, adopted November 24, 1953; which directed the commencement of appropriation proceedings against the above-mentioned owners, is now inaccurate because of the revisions in plans mentioned above.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 515-1953, adopted November 24, 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: Allen, Linzell, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 23-1954, rescinding condemnation resolution No. 537-1953 due to changes in and revision of



construction plans, was moved for adoption by Mr. Allen, seconded by Mr. Linzell, as follows:

"WHEREAS certain revisions in the construction plans have altered the right-of-way requirements in connection with property owned by Garrett Marrie et al., and

WHEREAS Resolution No. 537-1953, adopted December 22, 1953; which directed the commencement of appropriation proceedings against the above-mentioned owners, is now inaccurate because of the revisions in plans mentioned above.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 537-1953, adopted December 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: Allen, Linzell, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel presented to the Commission the written statement of the Chief of the Right-of-way Section with respect to the unsuccessful efforts of the Commission's negotiators to reach agreement with respect to the amounts to be paid by the Commission for certain parcels of land and his recommendation that such properties be appropriated; also, the written statement of the Chief Engineer that the acquisition of this property was necessary for the construction of Ohio Turnpike Project No. 1; a written statement of the concurrence of the Executive Director in the recommendations

of the Chief Engineer and the Chief of the Right-of-way Section; and the General Counsel's written recommendation that title be acquired as and to the extent set forth in the forms of resolutions presented to the Commission by the General Counsel.

Resolutions Nos. 24-1954, 25-1954, 26-1954, 27-1954, 28-1954, 29-1954, 30-1954, 31-1954, 32-1954, 33-1954, 34-1954, 35-1954, 36-1954, 37-1954, 38-1954, 39-1954, 40-1954, 41-1954, 42-1954, and 43-1954, 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, seconded respectively by Mr. Teagarden, as follows:

Resolution No. 24-1954

"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, 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>
Andrew Petrenchak	R. D. #1 Mantua, Ohio
Mary Petrenchak	R. D. #1 Mantua, Ohio
M. B. Benden	Address Unknown
County Auditor of Portage County	Portage County Court House Ravenna, Ohio
County Treasurer of Portage County	Portage County Court House Ravenna, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 164-D -- Fee Simple

Situated in the Township of Freedom, County of Portage and State of Ohio and known as being part of Original Freedom Township Lot No. 62, and being all that part of the lands described in the Certificate of Transfer in the matter of the Estate of Ira N. Strickland, dated August 7, 1948 and recorded in Volume 444, Page 443 of Portage County Deed Records, lying Southerly of 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 plats recorded in Volume 8, Pages 22 and 23 of Portage County Map Records.

Parcel No. 164-D(2) -- Permanent Easement for Highway Purposes

Situated in the Township of Freedom, County of Portage and State of Ohio and known as being part of Original Freedom Township Lot No. 62, and being all that part of the lands described in the Certificate of Transfer in the matter of the Estate of Ira N. Strickland, dated August 7, 1948 and recorded in Volume 444, page 443 of Portage County Deed Records and being a parcel of land 50 feet wide bounded on the South by 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 8, pages 22 and 23 of Portage County Map Records; bounded on the West by the Westerly line of land so transferred in the matter of the Estate of Ira N. Strickland; bounded on the East by a line drawn parallel to said Westerly line and 50 feet Easterly therefrom; bounded on the North by a line drawn Easterly at right angles to said Westerly line and distant 400 feet Northerly from the center line of Ohio Turnpike. Excepting therefrom that part which falls within the bounds of Jones-Nichols 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. 164-D, including such rights to any turnpike constructed thereon.

Second: All rights to erect any billboard, sign, notice, poster, or other advertising device designed to attract the attention of travelers on Ohio Turnpike Project No. 1, upon any of the aforesaid remaining lands of the owners herein, which lands together with Ohio Turnpike Parcel No. 164-D are described by deed dated August 7, 1948, and recorded in Volume 444, Page 443 of Portage County Deed Records; provided that nothing herein shall prevent the erection upon said lands of billboards, signs, notices, posters, or other advertising devices which are so designed and located as primarily to attract the attention of travelers on any other highway, road, or street."

Resolution No. 25-1954

"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, 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>
John M. Renner	Monroe Falls, Ohio
Beatrice M. Renner	Monroe Falls, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
George Pringle	502 S. Arlington Akron, Ohio
Alice M. Pringle	502 S. Arlington Akron, Ohio
Mary Corlett	Address Unknown
Eloise Corlett	Address Unknown
Unknown Heirs, Devisees and Assigns of Eloise Corlett, Deceased	Addresses Unknown
Unknown Heirs, Devisees and Assigns of Henry Baldwin, Deceased	Addresses Unknown
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. 150-A - 151-E -- 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. 71, and being all that part of the lands described in the deed to John M. Renner and George Pringle dated September 22, 1950, and recorded in Volume 2771, Page 475 of Summit County Deed Records, lying within a strip of land 245 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 125 feet Northeasterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 153 of Summit 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. 150-A - 151-E(1) -- Permanent Easement for Drainage Purposes

Situated in the Township of Hudson, County of Summit and State of Ohio, and known as being part of Original Hudson Township Lot No. 71, and being all that part of the lands described in the deed to John M. Renner and George Pringle, dated September 22, 1950, and recorded in Volume 2771, Page 475 of Summit County Deed Records, lying within a strip of land 40 feet wide between parallel lines, the center line of said strip being described as follows:

Beginning on a line parallel to and distant 125 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 153 of Summit County Map Records, at a point normal to said center line at Station 462 plus 42; thence continuing Northerly normal to said center line of Ohio Turnpike Project No. 1, 50 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 parcel described above as Parcel No. 150-A - 151-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 land."

Resolution No. 26-1954

"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, 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>
Berea Tile Company	R. D. #2, Berea, Ohio
The Ohio Fuel Gas Company	Columbus, 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. 131-B -- 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. 69, and bounded and described as follows:

Beginning on the Northerly line of said Original Lot No. 69 at its intersection with the Southeasterly line of land conveyed to the Cleveland, Lorain and Wheeling Railroad by Deed recorded in Volume 574, Page 637, Deed Records of Cuyahoga County; thence Southwesterly, along said Southeasterly line to its intersection with a line parallel to and distant 170 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project

No. 1, as shown by plat recorded in Volume 147, Page 37 of Cuyahoga County Map Records; thence Southeasterly, along said parallel line to the center line of Eastland Road; thence Northerly, along said center line to its intersection with a line parallel to and distant 150 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 147, Page 37 of Cuyahoga County Map Records; thence Easterly along said parallel line to the Easterly line of said Original Lot No. 69; thence Northerly, along said Easterly line of Original Lot No. 69 to the Northerly line of said Original Lot No. 69, which is also the center line of Whitney Road; thence Westerly along said Northerly line of Original Lot No. 69 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 real estate 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."

Resolution No. 27-1954

"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>
Garrett Marrie	Prospect Road R. D. #2 Berea, Ohio
Colette H. Marrie	Prospect Road R. D. #2 Berea, Ohio
First Federal Savings and Loan Association of Lakewood	Lakewood, 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. 131-H(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. 71, and being part of the lands described in the deed to Garrett Marrie and Colette H. Marrie, dated October 15, 1948, and recorded in Volume 6647, Page 727 of Cuyahoga County Deed Records, and being a rectangular parcel of land bounded on the North, South and West by land described in the aforesaid deed; and on the East by a line drawn parallel to and distant Easterly 35 feet by rectangular measurement from the Easterly line of Prospect Road, (60 feet wide).

Parcel No. 131-H(2) -- Temporary Easement for Detour Purposes

Situated in the Village of Strongsville, County of Cuyahoga and State of Ohio, and known as being all that part of Sub Lots 1 and 2 in Milton A. Sprague's Allotment, of part of Original Strongsville Township Lot No. 71, as shown by plat recorded in Volume 9, Page 12 of Cuyahoga County Map Records, lying Easterly of a line parallel to and distant 65 feet Easterly, measured at right angles, from the center line of Prospect Road, and lying within a strip of land 60 feet wide, 30 feet on either side of a line described as follows:

Beginning at a point on said center line of Prospect Road, distant 717.79 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 146, Page 31 of Cuyahoga County Map Records; thence Northeasterly along the arc of a curve deflecting to the right, said curve being tangent to said center line of Prospect Road and having a radius of 200 feet and a central angle of 49° 00' to a point of tangency; thence Northeasterly on a line tangent to said curve 447.36 feet to a point."

Resolution No. 28-1954

"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, 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>
Michael F. Hornack	14603 Bayes Avenue Lakewood, Ohio
Mary Hornack	14603 Bayes Avenue Lakewood, Ohio
William R. Hornack	2199 Elbur Avenue Lakewood, Ohio
Marian Hornack	2199 Elbur Avenue Lakewood, Ohio
Rupert M. Echle	Valley City, Ohio
Carl A. Echle	Valley City, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
W. Guy Penick	East Smith Road Medina, Ohio
Gilbert J. Schaefer	13362 State Road North Royalton, Ohio
The Cleveland Trust Company	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. 132-H -- 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. 49, and being all that part of the lands described in the deed to Michael F. Nornack, dated September 25, 1946, and recorded in Volume 6226, Page 43 of Cuyahoga County Deed Records, lying within a strip of land 300 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 147, Page 37 of Cuyahoga County Map Records, and the Southwesterly line of said strip being parallel to and distant 155 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 132-H(1) -- 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. 49, and bounded and described as follows:

Beginning on the Southeasterly line of Pearl Road (formerly Wooster Pike) as widened, by plat recorded in Volume 118, Page 39 of Cuyahoga County Map Records at its intersection with a Northerly line of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District, by deed dated March 22, 1930 and recorded in Volume 4015, Page 222 of Cuyahoga County Deed Records; thence Northeasterly along the Southeasterly line of Pearl Road as widened by said plat, 787.81 feet to the Northwestern corner of land conveyed to Michael F. Hornack by deed dated September 25, 1946 and recorded in Volume 6226, Page 43 of Cuyahoga County Deed Records; thence Easterly along the Northerly line of land so conveyed to Michael F. Hornack, 303.77 feet to its intersection with a line drawn parallel to and distant 155 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 37 of Cuyahoga County Map Records; thence Southeasterly along said parallel line, 1431.60 feet to the Southerly line of land conveyed to Michael F. Hornack as aforesaid; thence South 88° 50' 22" West along the Southerly line of land so conveyed to Michael F. Hornack, 695.40 feet; thence North 52° 49' 20" West, 227.55 feet; thence North 18° 34' 37" West, 189.49 feet; thence North 67° 47' 15" West, 318.94 feet; thence 89° 31' 41" West, 176.92 feet; thence South 61° 28' West, 4.08 feet to a Northeasterly line of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District as aforesaid; thence North 68° 58' 24" West along said Northeasterly line of land conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District, 27.51 feet to an angle therein; thence South 83° 11' 22" West along a Northerly line of land so conveyed to the Board of Park Commissioners of the Cleveland Metropolitan Park District, 171.71 feet to the place of beginning.

Parcel No. 132 - H (2) -- 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. 49 and bounded and described as follows:

Beginning on the Southerly line of land conveyed to Michael F. Hornack, by deed dated September 25, 1946 and recorded in Volume 6226, Page 43 of Cuyahoga County Deed Records at its intersection with a line drawn parallel to and distant 145 feet Northeasterly of, measured at right angles to,

the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 147, Page 37 of Cuyahoga County Map Records; thence North 34° 24' 58" East along said parallel line 363.50 feet to a point opposite Station 434+30 on said Turnpike center line; thence North 55° 35' 02" East 270.00 feet; thence South 76° 55' 36" East, 244.18 feet; thence South 34° 24' 58" East, 235.00 feet; thence South 8° 44' 11" West, 198.44 feet to the Southerly line of land conveyed to Michael F. Hornack as aforesaid; thence South 88° 50' 22" West along the Southerly line of land so conveyed to Michael F. Hornack, 357.89 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 real estate 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."

Resolution No. 29-1954

"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, 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>
Albert C. Woellert	Harvard Road, Chagrin Falls, Ohio
Myrna E. Woellert	Harvard Road, Chagrin 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. 139-A - 140-J -- Fee Simple

Situated in the Village of Brecksville, County of Cuyahoga and State of Ohio, and known as being part of Original Brecksville Township Lot No. 62, and being all that part of the lands described in the deed to Albert C. Woellert and Myrna E. Woellert dated March 12, 1945, and recorded in Volume 5851, Page 572 of Cuyahoga County Deed Records, lying within a strip of land 320 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 147, Pages 6 and 7 of Cuyahoga County Map Records, and the Southwesterly line of said strip being parallel to and distant 175 feet Southwesterly, measured on a line normal to said center line.

Parcel No. 139-A - 140-J(1) -- 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. 62, and being all that part of the lands described in the Deed to Albert C. Woellert and Myrna E. Woellert, dated March 12, 1945, and recorded in Volume 5851, Page 572 of Cuyahoga County Deed Records, bounded and described as follows:

Beginning on a line drawn parallel to and distant 145 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

147, Pages 6 and 7 of Cuyahoga County Map Records, at a point measured normal from the said center line at its Station 919+50; thence Southeasterly along said parallel line to its intersection with a line drawn normal Northeasterly from the said center line at Station 920+60; thence Northeasterly along said line drawn normal to its intersection with the Northerly line of lands so conveyed to Albert C. Woellert and Myrna E. Woellert, as aforesaid; thence Westerly along said Northerly line so conveyed, to its intersection with a line drawn normal, Northeasterly from the said center line at Station 919+50 as aforesaid; thence Southwesterly along said line drawn normal to the center line to the place of beginning.

Parcel No. 139-A - 140-J(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. 62, and being all that part of the lands described in the Deed to Albert C. Woellert and Myrna E. Woellert, dated March 12, 1945, and recorded in Volume 5851, Page 572 of Cuyahoga County Deed Records, being a strip of land 60 feet wide, bounded as follows:

On the Northeasterly side by a line drawn parallel to and distant 205 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 147, Page 6 of Cuyahoga County Map Records; on the Southwesterly side by a line drawn parallel to and distant 145 feet Northeasterly of, measured on a line normal to said center line; on the Northwesterly side by a line drawn Northeasterly, normal from the said center line at its Station 926+30; on the Southeasterly side by a line drawn Northeasterly, normal from said center line at its Station 927+10.

Parcel No. 139-A - 140-J(3) -- Permanent Easement for Highway 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. 62, and being all that part of the lands described in the Deed to Albert C. Woellert and Myrna E. Woellert, dated

March 12, 1945, and recorded in Volume 5851, Page 572 of Cuyahoga County Deed Records, bounded and described as follows:

Beginning in the center line of Richfield Road, at the Southerly line of lands conveyed to Albert C. Woellert and Myrna E. Woellert, as aforesaid; thence Westerly along the Southerly line of lands so conveyed to a point distant 50 feet Westerly, measured at right angles from said center line of Richfield Road; thence Northeasterly parallel to the center line of Richfield Road to the intersection with the Northwesternly line of Richfield Road produced Southwesterly from an angle therein; thence Northeasterly along said Northwesternly line of Richfield Road produced to an angle in said line as now established; thence Southeasterly from said point to an angle point in said center line; thence Southwesterly along said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Richfield 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. 139-A - 140-J, 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. 30-1954

"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>
Frank E. Johnson	189 Overbrook Road Elyria, Ohio
Ruth D. Johnson	189 Overbrook 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. 119-C(1) -- Fee Simple

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being part of Sub Lot No. 11, Section A in Gulf Farms Allotment of part of Original Elyria Township Lot No. 162, East of Black River, as shown by the recorded plat in Volume 10 of Maps, Page 24 of Lorain County Records, and being all that part of the lands described in the deed to Frank E. Johnson and Ruth D. Johnson, dated March 16, 1951 and recorded in Volume 516, Page 124 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 170 feet Northerly, measured along a line normal to the center line of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 15 of Maps, Page 39 of Lorain County Records and the Southerly line of said strip being parallel to and distant 150 feet Northerly, measured on a line normal to said center line."

Resolution No. 31-1954

"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>
Clifford N. Currier	Maddock Road R. D. #1 Elyria, Ohio
Dorothy L. Currier	Maddock Road R. D. #1 Elyria, Ohio
The Elyria Savings & 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. 122-U -- 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. 34 and being all that part of the lands described in the deed to Clifford N. Currier and Dorothy L. Currier dated July 28, 1951 and recorded in Volume 522, Page 13 of Lorain County Deed Records, and bounded as follows:

On the Northerly side and the Southerly side by the Northerly and Southerly line of the lands described in the said deed to

Clifford N. Currier and Dorothy L. Currier as aforesaid; on the Easterly side by the center line of Maddock Road; on the Westerly side by a line drawn through a point distant 65 feet Westerly measured at right angles from a point on the center line of Maddock Road distant 225 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 55 of Lorain County Map Records to a point distant 30 feet Westerly measured at right angles from a point on the center line of Maddock Road distant 700 feet measured Northerly along said center line from the center line of Ohio Turnpike Project No. 1 as aforesaid.

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

Resolution No. 32-1954

"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, 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>
Carl Keller	R. F. D. #2, Sandusky, Ohio
Leona Keller	R. F. D. #2, Sandusky, Ohio
Henry Quirin	400 Southwest Street Bellevue, Ohio
County Auditor of Erie County	Erie County Court House Sandusky, Ohio

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

The aforementioned property to be appropriated is described as follows:

Parcel No. 90-C -- Fee Simple

Situated in the Township of Groton, County of Erie and State of Ohio, and known as being part of Original Groton Township Lots Nos. 9 and 15 in Section No. 2, and being all that part of the lands described in the deed to Carl Keller and/or Leona Keller, dated March 7, 1951, and recorded in Volume 223, Page 462 of Erie County Deed Records, lying Northeasterly of a line drawn parallel to and distant 115 feet Southwesterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 14, Pages 18 and 19 of Erie County Map Records.

Parcel No. 90-C(2) -- Temporary Easement for Detour Purposes

Situated in the Township of Groton, County of Erie and State of Ohio, and known as being parts of Original Groton Township Lots Nos. 9 and 15 in Section No. 2, and bounded and described as follows:

Beginning on a line parallel to and distant 115 feet Southwesterly of, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 14, Page 19 of Erie County Map Records, at its intersection with a line parallel to and distant 73 feet Northwesterly of, measured at right angles to, the center line of the Columbus-Sandusky Road (State Route No. 4); thence Southwesterly parallel with the center line of said Columbus-Sandusky Road to a point 73 feet Northwesterly, at right angles, from a point in the center line of said road distant 300 feet Southwesterly of its intersection with said Turnpike center line; thence Southwesterly to a point 67 feet Northwesterly, at right angles, from a point in the center line of said road distant 500 feet Southwesterly of its intersection with said Turnpike center line; thence Southwesterly to a point distant 63 feet Northwesterly, at right angles, from a point in the center line of said road distant 600 feet Southwesterly of its intersection with said Turnpike center

line of said road distant 700 feet Southwesterly of its intersection with said Turnpike center line; thence Southwesterly to a point distant 63 feet Northwesterly, at right angles, from a point in the center line of said road distant 728 feet Southwesterly of its intersection with said Turnpike center line; thence Northerly to a point distant 90 feet Northwesterly, at right angles, from a point in the center line of said road distant 637 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 113 feet Northwesterly, at right angles, from a point in the center line of said road distant 257 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point that is 115 feet Southwesterly, at right angles, from said Turnpike center line and 138 feet Northwesterly, at right angles, from the center line of said Columbus-Sandusky Road; thence Southeasterly parallel with said Turnpike center line to the place of beginning.

Parcel No. 90-C(3) -- Permanent Easement for Highway Purposes.

Situated in the Township of Groton, County of Erie and State of Ohio, and known as being parts of Original Groton Township Lots Nos. 9 and 15 in Section No. 2, and bounded and described as follows:

Beginning on the center line of the Columbus-Sandusky Road (State Route No. 4) at its intersection with a line parallel to and distant 115 feet Southwesterly of, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 14, Page 19 of Erie County Map Records; thence Southwesterly along the center line of the Columbus-Sandusky Road to a point distant 1100 feet Southwesterly, measured along said center line from its intersection with said Turnpike center line; thence Northwesterly at right angles to said center line 53 feet; thence Northeasterly to a point 60 feet Northwesterly, at right angles, from a point in the center line of said road 1000 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point 62 feet Northwesterly, at right angles, from a point in the center line of said road distant 900 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 70 feet Northwesterly, at right angles, from a

point in the center line of said road distant 800 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 63 feet Northwesterly, at right angles, from a point in the center line of said road distant 728 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 60 feet Northwesterly, at right angles, from a point in the center line of said road distant 700 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 63 feet Northwesterly, at right angles, from a point in the center line of said road distant 600 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 67 feet Northwesterly, at right angles, from a point in the center line of said road distant 500 feet Southwesterly of its intersection with said Turnpike center line; thence Northeasterly to a point distant 73 feet Northwesterly, at right angles, from a point in the center line of said road distant 300 feet Southwesterly of its intersection with said Turnpike center line of said road to the intersection with a line parallel to and distant 115 feet Southwesterly of, measured at right angles to, the said Turnpike center line; thence Southeasterly along said parallel line 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. 90-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. 33-1954

"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>
Martha Blausey	Buckeye Avenue Genoa, Ohio
John Blausey	Buckeye Avenue Genoa, Ohio
The Ohio Oil Company	Findlay, 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. 62-J -- Permanent Easement for Highway Purposes.

Situated in the Township of Woodville, County of Sandusky and State of Ohio, and known as being part of Original Woodville Township Section No. 8, Town 6 North - Range 13 East, and being all that part of the lands described in the Deed to Martha Blausey, dated August 22, 1911, and recorded in Volume 92, Page 163 of Sandusky County Deed Records, bounded and described as follows:

Beginning on the Easterly line of land described in the Deed, as aforesaid, at its intersection with the center line of Camper Road; thence Westerly along said center line to a point distant 605.59 feet Westerly, 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 8, Page 25 of Sandusky County Map Records; thence Southerly, at right angles to said center line of Camper Road, 33.89 feet to a point; thence Easterly to a point distant 42.81 feet Southerly, measured at right

angles, from a point on the center line of Camper Road, distant 520 feet Westerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southerly at right angles, to the center line of Camper Road, to a line parallel to and distant 120 feet Southerly, measured at right angles, from the center line of Camper Road; thence Easterly parallel to said center line, to the Easterly line of land described in the Deed, as aforesaid; thence Northerly, along said Easterly line to the place of beginning.

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

The center line of Camper Road hereinabove referred to is described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as aforesaid, at Station 74+49.65 thereon; thence Westerly on a line forming an angle of 32° 18' in the Northwest Quadrant with said center line of Ohio Turnpike Project No. 1."

Resolution No. 34-1954

"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, 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>
George A. Kiser	R. F. D. #1, Fremont, Ohio
Daisy M. Kiser	R. F. D. #1, Fremont, 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. 74-D -- Fee Simple

Situated in the Township of Sandusky, County of Sandusky and State of Ohio and known as being part of Original Sandusky Township Section No. 9, Town 5 North, Range 15 East and being all that part of the lands described in the deed to Daisy M. Kiser, dated March 31, 1923 and recorded in Volume 119, page 52 of Sandusky County Deed Records bounded and described as follows:

Beginning on the Westerly line of land described in the deed to Daisy M. Kiser as aforesaid, at its intersection with a line drawn parallel to and distant 120 feet Northeasterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 9, pages 2b and 1c of Sandusky County Map Records; thence Southeasterly along said parallel line to the Easterly line of land so described in the deed to Daisy M. Kiser; thence Southerly along said Easterly line to its intersection with a line drawn parallel to and distant 140 feet Southwesterly, measured on a line normal to said Turnpike centerline; thence Northwesterly along said parallel line to its intersection with a line drawn normal to said Turnpike centerline at Station 440+00; thence Southwesterly along said normal line 10 feet to its intersection with a line drawn parallel to and distant 150 feet Southwesterly, measured on a line normal to said Turnpike centerline; thence Northwesterly along said parallel line to its intersection with the Westerly line of land described in the deed to Daisy M. Kiser, as aforesaid; thence Northerly along said Westerly 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 parcel described above as Parcel No. 74-D, 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. 35-1954

"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, 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>
Donald W. Kiser	R. F. D. #1, Fremont, Ohio
Iona A. Kiser	R. F. D. #1, Fremont, 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. 74-E--Fee Simple

Situated in the Township of Sandusky, County of Sandusky and State of Ohio and known as being part of Original Sandusky Township Section No. 9, Town 5 North, Range 15 East and being all that part of the lands described in the deed to Donald W. Kiser and Iona A. Kiser, dated April 27, 1945, and recorded in Volume 164, Page 448 of Sandusky 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 9, page 2b of Sandusky County Map Records, and the Southwesterly line of said strip being parallel to and distant 120 feet Southwesterly, measured on a line normal to the said center line.

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."

Resolution No. 36-1954

"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, 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>
Frederick A. W. Stiefler	176 South Garden Street Los Angeles, California
Fern Stiefler	176 South Garden Street Los Angeles, California
Marie P. Schedel	South Portage River Road Elmore, Ohio
Joseph Schedel	South Portage River Road Elmore, Ohio
County Auditor of Ottawa County	Ottawa County Court House Port Clinton, Ohio
County Treasurer of Ottawa County	Ottawa County Court House Port Clinton, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 66-C -- Fee Simple

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Township 6 North, Range 13 East, and being all that part of the lands described in the deed to Frederick A. W. Stiefler, dated August 26, 1938, and recorded in Volume 113, Page 492 of Ottawa County Deed Records, and bounded and described as follows:

Beginning on the center line of State Route No. 120 at the Southeasterly corner of land conveyed to Frederick A. W. Stiefler as aforesaid; thence Westerly along the Southerly line of land so conveyed to its intersection with a line parallel to the center line of State Route No. 120 and 120.00 feet Westerly therefrom measured on a line at right angles thereto; thence Northerly along said parallel line to its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 28 of Ottawa County Map Records and distant Southwesterly therefrom 125.00 feet measured on a line normal thereto; thence Northwesterly along said parallel line and along said line parallel to said center line as shown by plat recorded in Volume 8, Page 27a of Ottawa County Map Records, to the Westerly line of land conveyed to Frederick

A. W. Stiefler as aforesaid, said Westerly line being the center line of the Portage River; thence Northeasterly along said Westerly line to its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 27a of Ottawa County Map Records, and distant Northeasterly therefrom 120.00 feet measured on a line normal thereto; thence Southeasterly along said parallel line and along said line parallel to said center line, as shown by plat recorded in Volume 8, Page 28 of Ottawa County Map Records to the Easterly line of land conveyed to Frederick A. W. Stiefler as aforesaid; thence Southerly along said Easterly line to the place of beginning.

Parcel No. 66-C(1) -- Permanent Easement for Highway Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Township 6 North, Range 13 East, and being all that part of the lands described in the deed to Frederick A. W. Stiefler, dated August 26, 1938 and recorded in Volume 113, Page 492 of Ottawa County Deed Records, bounded and described as follows:

Beginning at Station 339+00 in the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 28 of Ottawa County Map Records, said center line bearing South  $71^{\circ} 33' 08''$  East at said Station.

Course 1. Thence North  $32^{\circ} 26' 52''$  East, 470 feet to a point of curvature;

Course 2. Thence Northeasterly along the arc of a circle deflecting to the right, having a central angle of  $36^{\circ}$ , a radius of 784.81 feet, and a tangent measuring 255 feet, a distance of 492.11 feet to a point, which point is in the center line of Portage River South Road (also known as County Road 117) and the principal place of beginning.

Course 3. Thence Northerly, at right angles to said center line of Portage River South Road, 30 feet to a point.

Course 4. Thence Southwesterly to a point distant 60 feet Northwesterly, measured on a line normal to said curve, from a point on Course 2 above described, distant 700 feet Northeasterly, measured along Courses 1 and 2 from the intersection of said Course 1 with said center line of Ohio Turnpike Project No. 1.

Course 5. Thence Southwesterly to a point distant 60 feet Northwesterly, measured at right angles, from a point on Course 2 above described, distant 500 feet Northeasterly, measured along said Courses 1 and 2 from the intersection of said Course 1 with said center line of Ohio Turnpike Project No. 1.

Course 6. Thence Southwesterly to a point distant 120 feet Northeasterly, measured on a line normal to said center line of Ohio Turnpike Project No. 1, from Station 338+40 on said center line.

Course 7. Thence Southeasterly on a line parallel to said center line of Ohio Turnpike Project No. 1 to its intersection with a line drawn Northeasterly normal to said center line from Station 340+15 on said center line.

Course 8. Thence Northeasterly to a point distant 50 feet Southeasterly, measured at right angles, from a point on Course 2 above described, distant 600 feet Northeasterly, measured along said Courses 1 and 2, from the intersection of said Course 1 with said center line of Ohio Turnpike Project No. 1.

Course 9. Thence Northeasterly to a point distant 35 feet Southeasterly, measured on a line normal to Course 2 above described, from a point on said Course 2 distant 800 feet Northeasterly, measured along Courses 1 and 2 above described, from the intersection of said Course 1 with said center line of Ohio Turnpike Project No. 1.

Course 10. Thence Northeasterly to a point distant 30 feet Southerly, measured on a line drawn at right angles to said center line of Portage River South Road, from the principal place of beginning.

Course 11. Thence Northerly to the principal place of beginning.

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

Parcel No. 66-C(2) --Permanent Easement for Highway Purposes

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Town 6 North, Range 13 East and being all that part of the lands described in the deed to Frederick A. W. Stiefler, dated August 26, 1938 and recorded in Volume 113, page 492 of Ottawa County Deed Records to be hereinafter described.

"Line A", hereinafter referred to, is described as follows:

Beginning at Station 339+00 on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, page 28

of Ottawa County Map Records, said center line bearing South  $71^{\circ} 33' 08''$  East at said Station; thence South  $32^{\circ} 26' 52''$  West 480 feet to a point of curvature; thence Southwesterly along the arc of a circle deflecting to the left, having a central angle of  $17^{\circ} 00' 00''$ , and a radius of 954.93 feet, 283.33 feet to a point, which point is also in the center line of Portage River South Road (aka County Road 117); thence Southwesterly along said center line of Portage River South Road 86.67 feet to a point.

Description of parcel intended to be described is as follows:

Beginning at a point distant 125 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, page 28 of Ottawa County Map Records, from Station 339+60 on said center line; thence Northwesterly on a line parallel to said center line to its intersection with a line drawn Southwesterly, normal to said center line, from Station 337+90 on said center line; thence Southwesterly to a point distant 45 feet Northwesterly, measured at right angles from a point on "Line A", above described, distant 400 feet Southwesterly, measured along said "Line A", from its intersection with said center line of Ohio Turnpike Project No. 1; thence Southwesterly on a "straight line" to its intersection with the Westerly line of lands described in the deed to Frederick A. W. Stiefler, as aforesaid, which is also the center line of Portage River South Road, as now established, said "straight line" if prolonged, extending to a point distant 35 feet Northwesterly, measured on a normal line, from a point on said "Line A" above described, distant 650 feet Southwesterly, measured along said "Line A", from its intersection with said center line of Ohio Turnpike Project No. 1; thence Southerly along said Westerly line of lands deeded to Frederick A. W. Stiefler, to the Southwesterly corner thereof; thence Easterly along the Southerly line of lands so deeded to its intersection with a "straight line", said "straight line" extending from a point distant 30 feet Southeasterly, measured at right angles, from a point on "Line A" above described, distant 850 feet Southwesterly, measured along said "Line A", from its intersection with said center line of Ohio Turnpike Project No. 1, to a point distant 35 feet Southeasterly, measured at right angles, from a point on said "Line A" distant 700 feet Southwesterly, measured along said "Line A" from its intersection with said center line of Ohio Turnpike Project No. 1; thence

Northeasterly along said "straight line" to said point distant 35 feet Southeasterly, measured at right angles, from said point on "Line A", distant 700 feet Southerly, measured along said "Line A", from its intersection with said center line of Ohio Turnpike Project No. 1; thence Northeasterly to a point distant 55 feet Southeasterly, measured at right angles, from a point in said "Line A" above described, distant 400 feet Southwesterly, measured along said "Line A" from its intersection with said centerline of Ohio Turnpike Project No. 1; thence Northeasterly in a direct line to the place of beginning.

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

Parcel No. 66-C(4) -- Permanent Easement for Highway Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Town 6 North, Range 13 East and being all that part of the lands described in the deed to Frederick A. W. Stiefler, dated August 26, 1938 and recorded in Volume 113, page 492 of Ottawa County Deed Records and bounded and described as follows:

Beginning on the center line of State Route No. 120 at its intersection with a line drawn 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 8, page 28 of Ottawa County Map Records; thence Northwesterly along said parallel line to a point distant 80 feet Westerly, measured at right angles from a point on the center line of said State Route No. 120; thence Northerly and parallel with the center line of State Route No. 120, 46.37 feet; thence Northerly in a direct line to a point distant 60 feet Westerly, measured at right angles from a point on the center line of State Route No. 120 distant 700 feet Northerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Northeasterly in a "straight line" to the Northeasterly line of land so conveyed to Frederick A. W. Stiefler, as aforesaid, which "straight line" if prolonged would intersect a point distant 40 feet Westerly, measured at right angles from a point on the center line of said State Route No. 120 distant 1000 feet Northerly, measured along said center line from its intersection with the center line



of said Ohio Turnpike Project No. 1, as aforesaid; thence Southeasterly along the Northeasterly line of land so conveyed to the center line of said State Route No. 120; thence Southerly along the center line of said State Route No. 120 to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of State Route No. 120, as now established.

Parcel No. 66-C(5) -- Temporary Easement for Detour Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Town 6 North, Range 13 East and being all that part of the lands described in the deed to Frederick A. W. Stiefler, dated August 26, 1938 and recorded in Volume 113, page 492 of Ottawa County Deed Records and bounded and described as follows:

Beginning on the center line of State Route No. 120 at its intersection with a line drawn 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 8, page 28 of Ottawa County Map Records; thence Northwesterly along said parallel line to a point distant 80 feet Westerly, measured at right angles from the center line of said State Route No. 120 and the principle place of beginning; thence continuing Northwesterly along said parallel line to a point distant 120 feet Westerly, measured at right angles from the center line of said State Route No. 120; thence Northerly and parallel with the center line of said State Route No. 120; thence Northerly and parallel with the center line of said State Route No. 120, 32.88 feet; thence Northeasterly in a direct line to a point distant 100 feet Westerly, measured at right angles from a point on the center line of said State Route No. 120, distant 700 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1, as aforesaid; thence Northeasterly in a "straight line" to the Northeasterly line of land so conveyed to Frederick A. W. Stiefler, as aforesaid, which "straight line" if prolonged would intersect a point distant 80 feet Westerly, measured at right angles from the center line of said State Route No. 120, distant 1000 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1, as aforesaid; thence Southeasterly along the Northeasterly line of land so conveyed to Frederick A. W. Stiefler, as aforesaid, to its intersection with a "straight line" which "straight line" is drawn from a point distant 60 feet Westerly, measured at right angles from a point on the center line of State Route No. 120, distant 700 feet Northerly, measured along said center line

from its intersection with the center line of said Ohio Turnpike Project No. 1, as aforesaid, to a point distant 40 feet Westerly, measured at right angles from a point on the center line of State Route No. 120, distant 1000 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1, as aforesaid; thence Southerly along said straight line to a point distant 60 feet Westerly, measured at right angles from a point on the center line of State Route No. 120, distant 700 feet Northerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Southwesterly in a direct line to a point distant 80 feet Westerly, measured at right angles from a point on the center line of said State Route No. 120, distant 200 feet Northerly, measured along said center line from its intersection with the center line of said Ohio Turnpike Project No. 1; thence Southerly and parallel with the center line of State Route No. 120, 46.37 feet to the principal 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. 66-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. 37-1954

"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>
Fred J. Tank	Elmore, Ohio
Eva Tank	Elmore, Ohio
Walter R. Tank	Elmore, Ohio
Elfreda Tank	Elmore, Ohio
County Auditor of Ottawa County	Ottawa County Court House Port Clinton, Ohio
County Treasurer of Ottawa County	Ottawa County Court House, Port Clinton, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 66-N -- Permanent Easement for  
Highway Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio, and known as being part of Original Harris Township Section No. 19, Township 6, Range 14, and being all that part of the lands described in the Deed to Fred J. Tank, dated February 28, 1911, and recorded in Volume 67, Page 320 of Ottawa County Deed Records, bounded as follows:

Northerly by the Northerly line of land described in the Deed, as aforesaid; Southerly by the Southerly line of land described in the Deed, as aforesaid; Westerly by the center line of State Route No. 120; and Easterly by a line drawn from a point on the Northerly line of land described in the Deed, as aforesaid, distant 50.9 feet Easterly, measured at right angles, from the center line of State Route No. 120, to a point on the Southerly line of land described in the Deed, as aforesaid, distant 68 feet Easterly, measured at right angles, from the center line of State Route No. 120.

Excepting therefrom that portion thereof lying within the bounds of State Route No. 120, as now established.

Parcel No. 66-N(1) -- Permanent Easement for Highway Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 19, Township 6, Range 14 East, and being all that part of the lands described in the deed to Fred J. Tank, dated February 28, 1911 and recorded in Volume 67, Page 320 of Ottawa County Deed Records bounded and described as follows:

Beginning on the Northerly line of land described in the deed as aforesaid, at a point distant 50.9 feet Easterly, measured at right angles, from the center line of State Route No. 120; thence Easterly along the Northerly line of land so described to a point distant 100 feet Easterly, measured at right angles, from the center line of State Route No. 120; thence Southerly, parallel to said center line, to a point distant 100 feet Easterly, measured at right angles, from a point on the center line of State Route No. 120, distant 480 feet Northerly, 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 8, Page 28 of Ottawa County Map Records; thence Southeasterly to a point on the Southerly line of land described in the deed as aforesaid, distant 120 feet Easterly, measured at right angles, from the center line of State Route No. 120; thence Westerly along the Southerly line of land so described to a point distant 68 feet Easterly, measured at right angles, from said center line of State Route No. 120; thence Northerly in a direct line to the place of beginning."

Resolution No. 38-1954

"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>
Harry F. Foster	R. F. D. #1 Elmore, Ohio
Minnie LeJeune Foster	R. F. D. #1 Elmore, Ohio
George A. Weis	Elmore, Ohio
County Auditor of Ottawa County	Ottawa County Court House Port Clinton, Ohio
County Treasurer of Ottawa County	Ottawa County Court House Port Clinton, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 66-R -- Permanent Easement for Highway Purposes

Situated in the Township of Harris, County of Ottawa and State of Ohio, and known as being part of Original Harris Township Section No. 24, Town 6 North-Range 13 East, and being all that part of the lands described in the deed to Minnie LeJeune Foster and Harry F. Foster dated June, 1953, and recorded in Volume 167, Page 96 of Ottawa County Deed Records, bounded as follows:

Northeasterly by the Northeasterly line of land described in the deed as aforesaid; Southwesterly by the Southwesterly line of land described in the deed as aforesaid; Easterly by the center line of State Route No. 120, (said center line being also the Easterly line of said Section 24); and Westerly by a line drawn Northerly from a point distant 60 feet Westerly, measured at right angles, from a point on the center line of State Route 120, distant 700 feet Northerly, measured along said center line from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 28 of Ottawa County Map Records, and passing through a point distant 40 feet Westerly, measured at right angles from a point on the center line of State Route 120, distant 1000 feet Northerly, 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 State Route No. 120, as now established.

Parcel No. 66-R(1) -- Temporary Easement for Detour Purposes.

Situated in the Township of Harris, County of Ottawa and State of Ohio and known as being part of Original Harris Township Section No. 24, Township 6 North, Range 13 East, and being all that part of the lands described in the deed to Minnie LeJeune Foster and Harry F. Foster, dated June, 1953, and recorded in Volume 167, Page 96 of Ottawa County Deed Records, bounded as follows:

Northeasterly by the Northeasterly line of land described in the deed as aforesaid; Southwesterly by the Southwesterly line of land described in the deed as aforesaid; Easterly by a line drawn Northerly from a point distant 60 feet Westerly, measured at right angles, from a point on the center line of State Route No. 120 (said center line being also the Easterly line of Section No. 24) distant 700 feet Northerly, 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 8, Page 28 of Ottawa County Map Records, and passing through a point distant 40 feet Westerly, measured at right angles, from a point on the center line of State Route No. 120, distant 1000 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; and bounded Westerly by a line described as follows: Beginning at a point distant 100 feet Westerly, measured at right angles from a point on the center line of State Route No. 120, distant 700 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Northerly to a point distant 80 feet Westerly, measured at right angles, from a point on the center line of State Route No. 120, distant 1000 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Northeasterly to a point distant 40 feet Westerly, measured at right angles, from a point on the center line of State Route No. 120, distant 1100 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1"

Resolution No. 39-1954

"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>
Lena D. Fox	Edon, Ohio
DeWayne Fox	Edon, Ohio
County Auditor of Williams County	Williams County Court House Bryan, Ohio
County Treasurer of Williams County	Williams County Court House Bryan, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 3-G--Permanent Easement for Highway Purposes.

Situated in the Township of Northwest, County of Williams and State of Ohio, and known as being part of Original Northwest Township Section 3, Town 10 South, Range 4 West, and being all that part of the lands described in the Deed to Lena D. Fox, dated April 19, 1941, and recorded in Volume 152, Page 186 of Williams County Deed Records, bounded and described as follows:

Beginning on the Northerly line of land described in the Deed, as aforesaid, at its intersection with the center line of Malcolm-Church Road, said center line being also the Easterly line of land described in the Deed, as aforesaid; thence Southerly along center line of Malcolm-Church Road to a point distant 900 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 5, Page 48 of Williams County Map Records; thence Westerly, at right angles to the center line of Malcolm-Church Road, 30 feet to a point; thence Northwesterly to a point distant 85 feet Westerly, measured at right angles, from a point on the center line of Malcolm-Church Road, distant

700 feet Southerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Northerly on a straight line to the Northerly line of land described in the Deed, as aforesaid, which straight line, if prolonged would intersect a point distant 55 feet Westerly, measured at right angles, from a point on the center line of Malcolm-Church Road, distant 142 feet Southerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Easterly along the Northerly line of land described in the Deed, as aforesaid, to the place of beginning.

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

Resolution No. 40-1954

"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>
Lauree Pressler	Route #1 Montpelier, Ohio
J. Vance Pressler	Route #1 Montpelier, Ohio
County Auditor of Williams County	Williams County Court House Bryan, Ohio
County Treasurer of Williams County	Williams County Court House Bryan, Ohio

The aforementioned property to be appropriated is described as follows:



Parcel No. 8-C -- Fee Simple

Situated in the Township of Superior, County of Williams and State of Ohio, and known as being part of Original Superior Township Section No. 33 in Town 8 North - Range 2 East, and bounded as follows:

Northerly, Southerly and Westerly by the Northerly, Southerly and Westerly lines of land conveyed to J. Vance Pressler and Lauree Pressler, by Deed dated June 27, 1945, and recorded in Volume 171, Page 373 of Williams County Deed Records, and Easterly by the Easterly line of said Section No. 33."

Resolution No. 41-1954

"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, 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>
J. Vance Pressler	Route #1 Montpelier, Ohio
Lauree Pressler	Route #1 Montpelier, Ohio
County Auditor of Williams County	Williams County Court House Bryan, Ohio
County Treasurer of Williams County	Williams County Court House Bryan, Ohio

"The aforementioned property to be appropriated is described as follows:

Parcel No. 8-B -- Permanent Easement for Highway Purposes.

Situated partly in the Township of Superior and partly in the Township of Bridgewater, County of Williams and State of Ohio, and known as being part of Original Superior Township Section No. 33, Town 8 North, Range 2 East, and part of Original Bridgewater Township Section 10, Town 10 South, Range 3 West, and being all that part of the lands described in the Deed to J. Vance Pressler, dated March 25, 1938, and recorded in Volume 144, Page 263 of Williams County Deed Records, bounded and described as follows:

Beginning on the center line of Farmer Center Road, as now existing, (said center line being also the Northeasterly line of land described as Tract No. 1 in the Deed to J. Vance Pressler, as aforesaid), at its intersection with the Northerly line of land described in the Deed to J. Vance Pressler and Lauree Pressler, dated June 27, 1945, and recorded in Volume 171, Page 373 of Williams County Deed Records; thence Northwesterly along said Northerly line of land described in the Deed, as last aforesaid, to a point distant 70 feet Southwesterly, measured at right angles, from the relocated center line of Farmer Center Road, to be hereinafter described; thence Northwesterly to a point distant 55 feet Southwesterly, measured at right angles, from a point on said relocated center line of Farmer Center Road, distant 400 feet Northwesterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 58 of Williams County Map Records; thence Northwesterly to a point distant 30 feet Southwesterly, measured at right angles, from a point on the relocated center line of Farmer Center Road, distant 700 feet Northwesterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Northeasterly at right angles to said center line of Farmers Center Road, to a point distant 30 feet Northeasterly therefrom; thence Southeasterly on a straight line to the Southerly line of Tract No. 2 of land described in the Deed to J. Vance Pressler, as first aforesaid, which straight line, if prolonged, would intersect a point distant 55 feet Northeasterly, measured at right angles, from a point on the relocated center line of Farmer Center Road, distant 500 feet Northwesterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Westerly along said Southerly line of Tract No. 2, as aforesaid, to the center line of Farmers Center Road, as now existing;

thence Southeasterly along said center line to the place of beginning.

The relocated center line of Farmer Center Road hereinabove referred to, is described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as aforesaid, at Station 486+60; thence Northwesterly on a line forming an angle of 71° 00' in the Northwest Quadrant with said center line, 258.96 feet to a point of curvature; thence Northwesterly on a curve deflecting to the left, 195.50 feet to a point of tangency, said curve having a radius of 1145.92 feet and a central angle of 9° 46' 30"; thence Northwesterly on a line tangent to said curve, said tangent line being also the center line of Farmer Center Road, as now existing.

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

Parcel No. 8-B(1) -- Temporary Easement for Detour Purposes

Situated partly in the Township of Superior and partly in the Township of Bridgewater, County of Williams and State of Ohio and known as being part of Original Superior Township Section No. 33, Township 8 North, Range 2 East, and part of Original Bridgewater Township Section 10, Township 10 South, Range 3 West, and being all that part of the lands described in the deed to J. Vance Pressler, dated March 25, 1938, and recorded in Volume 144, Page 263 of Williams County Deed Records, bounded and described as follows:

Beginning on the Northerly line of land described in the deed to J. Vance Pressler and Lauree Pressler, dated June 27, 1945, and recorded in Volume 171, Page 373 of Williams County Deed Records, at a point distant 70 feet Southwesterly, measured at right angles, from the relocated center line of Farmer Center Road, to be hereinafter described; thence Westerly along the Northerly line of land described in the deed as last aforesaid, to a point distant 150 feet Southwesterly, measured at right angles, from the relocated center line of Farmer Center Road; thence Northwesterly to a point distant 65 feet Southwesterly, measured at right angles, from a point on said center line of Farmer Center Road, distant 740 feet Northwesterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 58 of Williams County Map Records; thence Northeasterly at right angles to said center line of Farmer Center Road, 65 feet to a point thereon; thence Southeasterly along said center line, 40 feet to a point; thence

Southwesterly at right angles, to said center line, 30 feet to a point; thence Southeasterly to a point distant 55 feet Southwesterly, measured at right angles, from a point on said relocated center line of Farmer Center Road, distant 400 feet Northwesterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southeasterly in a direct line to the place of beginning.

The relocated center line of Farmer Center Road hereinabove referred to is described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1 as aforesaid, at Station 486+60; thence Northwesterly on a line forming an angle of  $71^{\circ} 00'$  in the Northwest quadrant with said center line, 258.96 feet to a point of curvature; thence Northwesterly on a curve deflecting to the left, 195.50 feet to a point of tangency with the existing center line of Farmer Center Road, said curve having a radius of 1145.92 feet and a central angle of  $9^{\circ} 46' 30''$ ; thence Northwesterly along said existing center line of Farmer Center Road.

Excepting therefrom that portion thereof lying within the bounds of Farmer Center Road as now established.

Parcel No. 8-B(3) -- Permanent Easement for Drainage Purposes.

Situated in the Township of Bridgewater, County of Williams and State of Ohio, and known as being part of Original Bridgewater Township Fractional Section No. 10, Town 10 South, Range 3 West and bounded and described as follows:

Beginning on the center line of Farmer Center Road as now established at its intersection with the center line of Nettle Creek (so-called); thence Southeasterly along the said center line of Farmer Center Road to a point distant 700 feet Northwesterly, measured along the center line of Farmer Center Road as proposed to be relocated as hereinafter described, from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 58 of Williams County Map Records; thence Northeasterly at right angles to the center line of said road, 30 feet; thence Southeasterly in a "straight line" to the Southerly line of said Section No. 10, which "straight line" if continued would intersect a point distant 55 feet Northeasterly, by normal measurement, from a point in said relocated center line distant 500 feet Northerly, measured along said line from its intersection with said Turnpike center line; thence Easterly along the Southerly line of said Section No. 10 to its intersection with a line drawn Northwesterly at an angle of  $60^{\circ}$  in the Northwest Quadrant with said Turnpike center line through a point which is 125 feet Northerly, by normal measure-

ment, from said Turnpike center line and 185 feet Northeasterly, by normal measurement, from said relocated center line of Farmer Center Road; thence Northwesterly along said last described line to the center line of Nettle Creek; thence Westerly along the center line of said creek to the place of beginning.

The center line of Farmer Center Road as proposed to be relocated and referred to above is described as follows:

Beginning on the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 58 of Williams County Map Records at Station 486+60; thence Northwesterly at an angle of  $71^{\circ}$  with said center line, measured from West to North, a distance of 258.96 feet to a point of curve; thence Northwesterly on a curved line deflecting to the left an arc distance of 195.50 feet to a point of tangency in the center line of Farmer Center Road, as now established, said curve having a radius of 1145.92 feet and a central angle of  $9^{\circ} 46' 30''$ ; thence Northwesterly along the center line of said Farmer Center Road, as now established 245.54 feet to the end of said relocation.

The aforementioned rights to be appropriated are as follows:

All rights to erect, on any of the remaining portion of the lands of said owner, or owners, of which the above-described real estate shall have formed a part prior hereto, 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. 42-1954

"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, 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>
Howard J. Luxan	Montpelier, Ohio
Bernice Luxan	Montpelier, Ohio
County Auditor of Williams County	Williams County Court House Bryan, Ohio
County Treasurer of Williams County	Williams County Court House Bryan, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 10-D -- Fee Simple

Situated in the Township of Bridgewater, County of Williams and State of Ohio, and known as being part of Original Bridgewater Township Fractional Section No. 12, Town 10 South, Range 3 West and being all that part of the lands described in the deed to Howard Luxan, dated April 19, 1943, and recorded in Volume 156, Page 131 of Williams County Deed Records, lying within a strip of land 265 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 125 feet Northerly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 5, Pages 60 and 61 of Williams County Map Records, and the Southerly line of said strip being parallel to and distant 140 feet Southerly of, 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, 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. 43-1954.

"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, 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>
Millard C. Stacey	R.F.D. #1 West Unity, Ohio
Audrey Stacey	R.F.D. #1 West Unity, Ohio
Paul E. Stacey	R.F.D. #1 West Unity, Ohio
County Auditor of Williams County	Williams County Court House Bryan, Ohio
County Treasurer of Williams County	Williams County Court House Bryan, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 18-A -- Fee Simple

Situated in the Township of Brady, County of Williams and

State of Ohio and known as being part of Original Brady Township Section No. 34, Town 8 North, Range 4 East and being all that part of the lands described in the Affidavit of Descent in the matter of the Estate of Samuel Clifton, Deceased, dated April 15, 1920 and recorded in Volume 117, Page 51 of Williams County Deed Records, bounded as follows:

On the East by the Easterly line of land described in said Affidavit of Descent in the matter of the Estate of Samuel Clifton, Deceased, as aforesaid;

On the West by the Westerly line of land described in said Affidavit of Descent, as aforesaid;

On the South by a line drawn parallel to, and distant 110 feet Southerly of, measured on a line normal to, the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 5, Pages 38 and 39 of Williams County Map Records;

On the North by the following described line: Beginning on the Westerly line of land described in said Affidavit of Descent, as aforesaid, at its intersection with a line drawn parallel to, and distant 120 feet Northerly of, measured on a line normal to said Turnpike centerline; thence Easterly along said parallel line to its intersection with a line drawn Northerly, normal to said Turnpike centerline at Station 1140+00; thence Northerly along said line drawn normal to said Turnpike centerline, to its intersection with a line drawn parallel to, and distant 125 feet Northerly of, measured on a line normal to said Turnpike centerline; thence Easterly along said parallel line to the Easterly line of land described in said Affidavit of Descent, as aforesaid.

Parcel No. 18-A(4) -- Permanent Easement for Highway Purposes

Situated in the Township of Brady, County of Williams and State of Ohio and known as being part of Original Brady Township Section No. 34, Township 8 North, Range 4 East, and bounded and described as follows:

Beginning on the center line of Clifton-Gunn Road (so-called) as now established, said center line being the East line of the West half (1/2) of the Southwest quarter (1/4) of said Section No. 34 at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 39 of Williams County Map Records, and distant Northerly therefrom 125.00 feet measured on a line normal to said center line;



thence Westerly along said parallel line to a point thereon distant 90.00 feet Westerly measured on a line at right angles to said center line of Clifton-Gunn Road; thence Northerly in a direct line to a point 40.00 feet Westerly from the center line of Clifton-Gunn Road measured on a line at right angles from a point on said center line distant 567.18 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Easterly along said right angle line 40.00 feet to the center line of Clifton-Gunn Road; thence Southerly along said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Clifton-Gunn Road as now established.

Parcel No. 18-A(5) -- Permanent Easement for Highway Purposes

Situated in the Township of Brady, County of Williams and State of Ohio and known as being part of Original Brady Township Section No. 34, Township 8 North, Range 4 East, and bounded and described as follows:

Beginning on the center line of Clifton-Gunn Road (so-called) as now established, said center line being the East line of the West half (1/2) of the Southwest quarter (1/4) of said Section No. 34 at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 39 of Williams County Map Records and distant Southerly therefrom 110.00 feet measured on a line normal to said center line; thence Westerly along said parallel line to a point thereon distant 90.00 feet Westerly measured on a line at right angles to said center line of Clifton-Gunn Road; thence Southerly in a direct line to a point 40.00 feet Westerly from the center line of Clifton-Gunn Road measured on a line at right angles from a point on said center line distant 682.82 feet Southerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Easterly along said right angle line 40.00 feet to the center line of Clifton-Gunn Road; thence Northerly along said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Clifton-Gunn Road as now established.

Parcel No. 19-F -- Fee Simple

Situated in the Township of Brady, County of Williams and

State of Ohio and known as being part of Original Brady Township Section No. 34, Township 8 North, Range 4 East, and being all that part of the lands described in the deed to Millard C. Stacey, dated June 28, 1946, and recorded in Volume 164, Page 268 of Williams County Deed Records, lying within a strip of land 245 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 125 feet Northeasterly measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 5, Pages 39 and 40 of Williams 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. 19-F(1) -- Permanent Easement for Drainage Purposes

Situated in the Township of Brady, County of Williams and State of Ohio, and known as being part of Original Brady Township Section No. 34, Town 8 North, Range 4 East, and being all that part of the lands described in the deed to Millard C. Stacey, dated June 28, 1946, and recorded in Volume 164, Page 268 of Williams County Deed Records, and bounded and described as follows:

Beginning at the intersection of the Easterly line of lands deeded to Millard C. Stacey as aforesaid, with a line drawn parallel to and distant 120 feet Southwesterly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 40 of Williams County Map Records; thence Northwesterly along said line parallel to the center line of Ohio Turnpike Project No. 1 to a point on a line drawn Southwesterly from Station 1166+50 on a line normal to the center line of Ohio Turnpike Project No. 1; thence Southwesterly along last described line 40 feet; thence Southeasterly along a straight line to its intersection with the Easterly line of lands deeded to Millard C. Stacey as aforesaid, the prolongation Southeasterly of said straight line intersects the center line of Stryker Lockport Road (so-called) at a point distant Southerly, measured thereon 183.63 feet from the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Northerly along said Easterly line of lands conveyed to Millard C. Stacey as aforesaid, to the place of beginning.

Parcel No. 19-F(3) -- Permanent Easement for Highway Purposes

Situated in the Township of Brady, County of Williams and

State of Ohio and known as being part of Original Brady Township Section No. 34, Township 8 North, Range 4 East, and being all that part of the lands described in the deed to Millard C. Stacey, dated June 28, 1946, and recorded in Volume 164, Page 268 of Williams County Deed Records, and bounded and described as follows:

Beginning on the center line of the Clifton-Gunn Road (so-called) as now established, said center line being the Westerly line of land conveyed to Millard C. Stacey as aforesaid, at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 39 of Williams County Map Records, and distant Northerly therefrom 125.00 feet measured on a line normal to said center line; thence Easterly along said parallel line to a point distant 90.00 feet Easterly from the center line of Clifton-Gunn Road, measured on a line at right angles to said center line; thence Northerly in a direct line to a point 40.00 feet Easterly from the center line of Clifton - Gunn Road, measured on a line at right angles to said center line from a point thereon distant 567.18 feet Northerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Westerly along said right angle line 40.00 feet to the center line of Clifton-Gunn Road; thence Southerly along said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Clifton-Gunn Road as now established.

Parcel No. 19-F(4) -- Permanent Easement for Highway Purposes

Situated in the Township of Brady, County of Williams and State of Ohio and known as being part of Original Brady Township Section No. 34, Township 8 North, Range 4 East, and being all that part of the lands described in the deed to Millard C. Stacey, dated June 28, 1946, and recorded in Volume 164, Page 268 of Williams County Deed Records, and bounded and described as follows:

Beginning on the center line of the Clifton-Gunn Road (so-called) as now established, said center line being the Westerly line of land conveyed to Millard C. Stacey as aforesaid, at its intersection with a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 39 of Williams County Map Records, and distant Southerly therefrom 120.00 feet measured on a line normal to said center line; thence

Easterly along said parallel line to a point distant 90.00 feet Easterly from the center line of Clifton-Gunn Road measured on a line at right angles to said center line; thence Southerly in a direct line to a point 40.00 feet Easterly from the center line of Clifton-Gunn Road, measured on a line at right angles to said center line from a point thereon distant 682.82 feet Southerly measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as aforesaid; thence Westerly along said right angle line 40.00 feet to the center line of Clifton-Gunn Road; thence Northerly along said center line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of Clifton-Gunn 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 parcels described above as Parcel No. 18-A and Parcel No. 19-F, 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."

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 the Commission already had rights of entry on parcels in Summit County and in Cuyahoga County involved in two of the appropriation resolutions that had been passed.

Mr. Linzell, reporting as Director of Highways, advised the Commission that he had asked a number of consultants - engineering firms and one traffic and revenue consulting firm, to submit proposals to him before February 16, 1954, on an engineering report and a traffic and revenue report for Turnpike Project No. 2. He said that it appeared that the Department of Highways would get proposals on both phases of the project. He said that he felt that the Department of Highways should have a target date for completion of a full report on those sections that were feasible sometime after the first of 1955 and before the middle of 1955. The Highway Director explained that he thought that that much time was necessary to do the work thoroughly; that the Department of Highways did not want to rush the consultants into a slap-dash job. He said that also he would like the answer to be known at a time when the next legislature should be in session and that the Department of Highway should get the full answer before the next legislature should adjourn. He explained that by the term "full report" he meant the second phase of the report, which would in fact be the completion of the two reports, respectively, of traffic and revenue, and engineering.

Resolution No. 44-1954, ratifying actions of administrative officers, was moved for adoption by Mr. Teagarden, seconded by Mr. Linzell, 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 January 15, 1954, 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, Linzell, Allen, Shocknessy.

Nays: McKay.

The Chairman declared the resolution adopted.

Mr. McKay, in voting in the negative, had explained that he was doing so "for the same reason." The Chairman said that he did not know that reason. Mr. McKay replied that he had said many times that he did not approve of formalizing actions that he knew nothing about.

The Chairman said that he was willing to discuss that matter with Mr. McKay right then because the Executive Director, the General Counsel, the Comptroller, the Executive Assistant, the Chief Engineer, and other administrative officers were all required to take administrative action from day to day between Commission meetings. He said that it was his belief that they either had the Commission's total confidence, which it expressed at each meeting by ratifying those actions they had, respectively, taken between the meetings, or else the members of the Commission should be at the Commission headquarters every day in person, all five of them, and consider every administrative action before it should be taken. The Chairman said that he did not think that the Executive Director could be expected to proceed to take action unless he had the whole-hearted support of the Commission, and that the only way the Commission could give the Executive Director, the General Counsel, the Chief Engineer, the Comptroller, and the Executive Assistant and others an indications of its confidence in them as administrative officers was by approving the administrative actions which they performed during the interims when the Commission was not in session.

Mr. McKay said that as a matter of fact a purely administrative action did not require any action by the Commission. The Chairman said that his position was that a purely administrative action did not require an action, that purely administrative actions were valid by virtue of their proceeding in accordance with the by-laws. Mr.

McKay said that that was correct.

The Chairman continued by saying that it had been the custom of the Commission to review all actions that had been taken. He said that there was a recitation at each meeting of the Commission, and that the members of the Commission were almost inundated with papers between meetings indicating the actions which the administrative officers were taking. He said that he thought it was the view of the Commission, expressed by its long-term conduct, that administrative officers should not be expected over long periods of time to go on taking action without having those actions sanctioned by the Commission. He said that the Commission, under the law, was the body which was legally responsible for the conduct of all business of the Commission. The Chairman said that when the Commission's business was done by administrative officers, it seemed to him that those officers were entitled to a show of the Commission's confidence, and that if Mr. McKay personally had any lack of confidence in them or in the actions that they took to the extent that he was not willing on their representation to ratify and approve the acts that they had taken, then they were entitled to know why. He said that he thought they were entitled to the full support of the whole Commission.

Mr. McKay said that he took his position on the ground that, as far as approval of administrative actions was concerned, under the by-laws of the Commission no such resolution was required. The Chairman said that he agreed, that people had to act on their own. Mr. McKay said that his objection to the resolution was not based on any lack of confidence whatever. He said that the record would show everytime a report had come up that had some fundamental facts in it, he had agreed. The Chairman said that the Commission had found the passage of a resolution of approval of administrative acts useful and had found it desirable in court actions where the exercise of judgment by administrative officers was under examination. He said that in the one court action particularly, where the Chief Engineer's exercise of judgment was under examination, the fact that the Commission had been at all times advised and at all times had been approving of the actions of the Chief Engineer had been of great value. The Chairman explained that the only reason he had raised the issue was that he had wanted some kind of discussion on it. He said that, so long as it was understood why Mr. McKay had

been voting against the resolution, anyone on the staff who would like to consult with him privately and find out if he had any objection or any concern about any specific member of the staff should do so. Mr. McKay said that the answer to that was no.

Mr. Allen said that the first time that Mr. McKay had voted against a ratifying resolution he had mentioned two previous resolutions and had said that he would vote against the ratifying resolution then under consideration because those previous resolutions stood. He said that evidently Mr. McKay had changed his position. Mr. McKay said that in the interim between the time referred to by Mr. Allen and the time of the adoption of by-laws by the Commission the specific authority to be found in the by-laws had taken the matter of ratifying actions of administrative officers completely out of the window as far as any necessity of approval of the actions of the members of the staff.

The Chairman said that he was willing to agree that the matter might not be a sine qua non, but that he was not willing to agree that it was not something that the administrative officers were entitled to have from the Commission. He said that the Commission members were together only once a month and that he thought that the administrative officers were entitled to have a vote of confidence from the Commission whenever it was together. Mr. McKay said that if the Commission wanted to phrase the resolution as a vote of confidence, he would vote for it every time, that he had no objection to that procedure. Mr. McKay said that he had never before heard of a resolution ratifying actions of administrative officers in legislative procedure in the State of Ohio.

Mr. Teagarden said that he was glad to have had an explanation of Mr. McKay's position and he pointed out that on some of the ratifying resolutions Mr. McKay had voted yes while on identical resolutions he had voted no. Mr. McKay asked that the record be kept straight and he said that all that was necessary was to check the ratifying resolutions on which he had voted yes. He said that it would be found that in each of those on which he had voted yes there had been mentioned some specific action that might involve money or that had something to do with contracts. He said that if he had any questions to raise he would raise them direct with any member of the staff by letter or at the Commission meeting and would take his position on them.



Mr. Allen said that he had attested Mr. McKay's affirmative vote on several resolutions that had been worded exactly the same as the one on which he had just voted in the negative. Mr. McKay said that if Mr. Allen would go back and check the other resolutions that he would find usually that there had been a specific thing in them that had required a unanimous approval. Mr. Allen said that the record did not show that. Mr. McKay said that he would check the resolutions with Mr. Allen.

The General Counsel said that he had drafted the resolutions in question and that they had been substantially identical from the very first until the last with the exception that, as the staff had grown, one or two titles had been added and also with the exception that, when the Commission had gotten to the place at which it was issuing a substantial number of addenda, and additional clause had been added, and that the clause had been uniform with respect to those addenda. The General Counsel said that the procedure had started a year or so previously because some question had arisen at a meeting and Mr. McKay had suggested that from then on there should be a resolution drafted and presented at every meeting and that, in accordance with Mr. McKay's specific request, he had been preparing those resolutions. He said that Mr. McKay was the one who had said that it was necessary and desirable that that be done although the General Counsel had told him at the time and had told the rest of the Commission that in his opinion it was legally not necessary. The General Counsel said that he had felt very much concerned because, although it was his belief, exactly like Mr. McKay's, that it was not legally necessary, Mr. McKay had repeatedly, after the resolutions had been prepared according to his request, voted no on the resolutions.

Mr. McKay said that the General Counsel was correct in his statement up to the time of the adoption of the by-laws but that, as far as he was concerned, from that point on the procedure had been entirely unnecessary. He said that a different situation had obtained following the date in July of 1953 when the by-laws had been passed. The General Counsel said that he would not say that the adoption of the by-laws made a bit of difference, legally or otherwise. Mr. McKay replied that it made a lot of difference as far as his point of view was concerned.

There being no further business to come before the Commission, a motion was made by Mr. Teagarden, 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: Teagarden, Linzell, McKay, Allen, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 1:11 o'clock P. M.

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

  
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A. J. Allen, Secretary-Treasurer