

MINUTES OF THE EIGHTY-THIRD MEETING
MARCH 9, 1954

The Ohio Turnpike Commission met in regular open session in its offices at 139 East Gay Street in Columbus, Ohio, at 1:35 o'clock P. M. on March 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 Vice-Chairman, due to the absence of the Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Allen, Teagarden, Linzell, McKay.

Absent: Shocknessy.

The Vice-Chairman announced that a quorum was present.

The General Counsel observed that the regular March meeting had been postponed under the by-laws by the Chairman until Friday of the previous week, and that at that time it had become apparent before the meeting that no quorum would be available and the remaining members of the Commission had been notified of that fact so that none of them had appeared, and that the assembly of the members on March 9, 1954, was the convening of the regular March meeting at the first time after the time fixed for the meeting that a quorum had assembled.

The Vice-Chairman said that the meeting of the Commission was the first meeting that Chairman Shocknessy had not attended since the organization of the Commission on September 8, 1949. With the unanimous concurrence of the members present, the Vice-Chairman asked the Secretary-Treasurer to address a letter on behalf of the Commission to Mr. Shocknessy who was ill and unable to be present

extending to him the best wishes of the members for a speedy recovery.

The Vice-Chairman reported that a resolution of the Youngstown City Council requesting that the interchange of Ohio Turnpike Project No. 1 with Ohio State Route No. 7 be named the Youngstown Interchange had been received and referred to the members. He said also that a similar request from the Youngstown Motel Restaurant Association signed by Mr. Harry Barmeier suggesting that that same interchange be named the Youngstown Gateway had been received and transmitted to the members. He said that the Commission had had a request from the Kiwanis Club of Austintown to name the interchange on the expedited section at State Route No. 18 the Austintown Interchange and that that request also had been transmitted to the members.

He said that on February 11, 1954, representatives of the Indiana Toll Road Commission had visited the Ohio Turnpike Commission offices and conferred with the Chairman and with members of the staff. He called on the Director of Information and Research to make a brief report on that conference.

The Director of Information and Research reported that the representatives of the Indiana Toll Road Commission had visited the Ohio Turnpike Commission in the course of a tour of the headquarters of several eastern turnpike commissions with the object of learning some of the things that they might find useful in setting up their own organization and in constructing their own turnpike project. He said that they had conferred with the Executive Assistant, the Comptroller, the Executive Director and the Chief Engineer. He said that several days later the Chief Engineer of the Indiana Toll Road Commission together with the architect who was designing a headquarters building for that Commission and the Secretary-Treasurer of the Commission had visited the Ohio Turnpike Commission headquarters and had been taken on a tour of the headquarters building. He said that letters had since been received from both groups thanking the Ohio Turnpike

Commission and its staff for courtesies extended.

The Vice-Chairman reported that the Florida Turnpike Commission had extended an invitation to the Ohio Commission to attend a meeting in Miami, Florida on March 11, 1954. He said that the Chairman had accepted the invitation on February 18, 1954, designating himself, the Vice-Chairman, and the Executive Assistant to attend on behalf of the Ohio Commission. He said that since the Chairman was ill, the Commission would be represented by the Vice-Chairman and the Executive Assistant. He said that the purpose of the meeting was to discuss the contemplated turnpike extending from Florida north to the Great Lakes or to the north Atlantic states.

The Vice-Chairman reported that on February 26, 1954, the Chairman, accompanied by the Executive Assistant, conferred in Harrisburg, Pennsylvania with Chairman Evans of the Pennsylvania Turnpike Commission; Mr. James Torrence, Secretary-Treasurer of that Commission, and Mr. Watson, a member of that Commission. The Vice-Chairman said that a memorandum of the conference and a copy of a press release issued at Harrisburg had been sent to each of the members.

The Assistant Secretary-Treasurer, reporting for the Secretary-Treasurer, said that since the previous meeting detail of investment transactions during February had been mailed to the members on March 1, 1954; that monthly financial statements had been mailed to the members on March 4, 1954; and that draft of minutes of the meeting of December 22, 1953, had been mailed to the members on March 5, 1954. He said that income from investments at the end of February, 1954, had been \$10,107,000 compared to the original forecast for the same period of \$5,419,000 or a gain of \$4,688,000. He said that it was expected that by the end of March, 1954, the gain would exceed \$5,000,000. He reported that the market value of the Commission's investments was about a million dollars in excess of the book value used in its financial statements.

The Executive Director reported that in connection with the receipt of proposals for the furnishing of toll system equipment on the Ohio Turnpike Project No. 1, meetings had been held on February 10, 1954, and February 13, 1954, in the Commission's headquarters with representatives of Remington Rand, Inc., and Taller and Cooper, Inc., together with their attorneys, the Messrs. Feighan from Cleveland, Ohio, regarding specifications for the equipment. He said that those firms had stated that they would not be able to bid unless the specifications should be altered in several respects. He said that after the second meeting the Commission representatives had come to an agreement with the two firms and that the firms had given assurance that they would bid if addenda should be issued as per the agreement. He said that the addenda had been issued and that the letting had been postponed to March 2, 1954, at which time both firms had submitted proposals.

The Executive Director said that on March 2, 1954, only one bid had been received on contract TC-1 for furnishing non-classifying toll system equipment and that that bid had been submitted by Taller and Cooper, Inc. in the amount of \$498,915. He said that two bids had been received on contract TC-2A for furnishing classifying toll system equipment on a rental and maintenance basis, and that one of the bids had been submitted by International Business Machines, Corp. at a total price, including maintenance, of \$35,570.00 per month, and that the other bid had been submitted by Remington Rand, Inc. at a total price, including maintenance, of \$64,888.44 per month. He said that only one bid had been received on contract TC-2B for furnishing classifying toll system equipment on a purchase and maintenance basis, and that the bid had been submitted by Remington Rand, Inc. at a total price of \$2,884,223.00 plus maintenance of \$10,460.04 per month.

The Executive Director said that letters containing a detailed analysis of the two types of equipment on which bids had been taken, had been received from the Consulting Engineer and from the Chief Engineer and had been transmitted to the members. He said that in case the Commission should elect

to make an award on the automatic type of equipment, he would concur with the reports and recommendations of the Consulting Engineer and the Chief Engineer which favored contract TC-2A. He said that automatic toll system equipment for classifying vehicles according to weight had been a development of recent years, and that it was definitely an advancement over toll systems using non-classifying methods. He said that the Pennsylvania Turnpike Commission had recently contracted to replace all of its existing equipment, some of which had been installed as recently as 1950, with the automatic equipment.

The Executive Director said that the automatic type of equipment eliminated the human element and would prevent most of the types of fraud which were commonly practiced in toll collecting. He said that it was difficult actually to estimate the total revenue losses resulting from under-classification and from fraud, both of which were inherent on turnpikes using the non-classification equipment, but that he believed the amount to be rather substantial. He said that he was in receipt of a letter from the low bidder on contract TC-2A which contained an analysis of the potential increase in revenue on semi-trailer commercial vehicles if the automatic weighing system rather than the non-classifying system should be employed on Ohio Turnpike Project No. 1. He said that that analysis showed a gross increase of \$1,323,850.00 per year in revenue and that after deducting the cost of rental, less depreciation and maintenance and other items in connection with the use of non-classifying equipment, the annual net increase in revenue through the use of automatic classifying equipment had been estimated at \$1,152,850.00. He said that semi-trailer commercial vehicles would constitute a very large part of the traffic on Project No. 1.

The Executive Director said that although there might be some doubt as to accuracy of the anticipated increased revenues to be realized from the use of automatic classification equipment as well as of the losses attributed to fraud, it was his belief that enough increased revenue would be generated to more than compensate for the difference between the bids

on TC-1 and TC-2A. He pointed out that in the case of contract TC-1 the bidder would supply maintenance for only one year as part of his bid so that the Commission would have to take care of maintenance from that time on and also to replace a certain amount of the equipment as it should become obsolete. He called the attention of the Commission to the fact that the low bidder on contract TC-2A had submitted a proposal which could be considered to be unbalanced in that the maintenance item was only \$75.00 per month. He said that that was a matter which was within the Commission's province to evaluate.

The General Counsel orally and by letter advised that in his opinion the bid of International Business Machines Corporation 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 legally might be made to it. Attached to his letter was proof of publication of notice of receipt of bids for contracts TC-1, TC-2A and TC-2B.

Mr. McKay said that he had made his own calculation concerning the bids after receiving information concerning the bids on March 4, 1954, and that he had forwarded a summary of his calculation to the Chairman with a copy to the Executive Director. He said that the bid on contract TC-1 involved a purchase price of \$498,915 and included one year of maintenance. He said that cost to the Commission for maintenance thereafter was unknown. He said that the low bid on contract TC-2A would involve a total cost of \$2,134,200 over a period of five years. He said that the bid on contract TC-2B would involve a total cost of \$3,511,825.40 for purchase and maintenance for a period of five years. Mr. McKay said that he saw no reason to change his opinion with respect to the award of the contract as transmitted to the Chairman and Executive Director. He said that he thought that the saving to the Commission due to proper classification and control would be somewhere in the neighborhood of a million dollars, plus or minus, a year. He said that he was impressed by the fact that use of classification equipment would provide strict control of weighing so that trucks would be charged according to actual weight, and would avoid cheating possibi-

lities such as kiting or under-classification.

Resolution No. 45-1954, awarding contract TC-2A, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

"WHEREAS the Commission has duly advertised, according to law, for bids upon separate alternative contracts for the sale to the Commission of non-classifying toll-system equipment, with provisions for its maintenance for a period of one year; for the rental of vehicle-classifying toll-system equipment for a fixed monthly rate and for maintenance services, all for a period of five years; and for the sale to the Commission of a vehicle-classifying toll-system equipment and for maintenance services, all for a period of five years, which contracts are designated Contracts TC-1, TC-2A, and TC-2B, 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 analysis 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 rental of the vehicle-classifying toll-system equipment versus the purchase of the non-classifying toll-system equipment, and also versus the purchase of the vehicle-classifying toll-system equipment;

WHEREAS all 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 bid of International Business Machines Corporation, for the performance of Contract TC-2A in the amount of \$35,495.00 per month for the rental of the vehicle-classifying system, and, in the amount of \$75.00 per month for maintenance services for said equipment is, and is by the Commission determined to be, the lowest and best of all said bids for the performance of any of the aforesaid contracts, and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio, and to 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 said contract; 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, considering the prices bid and the other relevant factors, the possible benefits and detriments of the rental of the vehicle-classifying toll-system equipment versus the purchase of the vehicle-classifying toll-system equipment, and also versus the purchase of the non-classifying toll-system equipment, are such as to make it advisable for, and to the advantage of, the Commission to rent the vehicle-classifying system, and that the bid of International Business Machines Corporation for the performance of Contract TC-2A, is, and is hereby determined to be, the lowest and best of all of the bids for any of the aforesaid contracts, and is hereby 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; (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 as

heretofore approved by the Commission by and in its resolution No. 69-1952; and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

Mr. Allen asked whether there would be any difference in the number of employees that would be needed to operate TC-2A system as compared to TC-1 system. The Assistant Secretary-Treasurer said that no fewer employees would be required in the toll booths but that fewer employees would be required in the central office because the punching of toll cards would be done in the field rather than in the central office so that fewer employees would be required under TC-2A than under TC-1. The Assistant Secretary-Treasurer assured Mr. McKay that operating costs per year would be less under TC-2A. Mr. Allen said that the Commission would retain a dollar out of every dollar it saved in wages, so that it was up to the Commission to use the most labor-saving devices possible in operating the turnpike. The Executive Director said that it was contemplated that less space would be required in the main building in case the TC-2A system should be adopted because fewer employees would be required under that system.

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

Ayes: McKay, Linzell, Allen Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

The Executive Director asked whether there were any objections to proceeding to implement plans described in the joint report on emergency services which had previously been submitted to the Commission by the Consulting Engineer and by the Chief Engineer. He said that since that report had been submitted the Commission's engineers had consulted with the National Safety Council, the Ohio Safety Council and, on

February 15, 1954, with the Ohio Petroleum Industries Committee. No objections were expressed by the members.

The Executive Director reported that as a result of a conference he and the Chief Engineer had had early in February with Colonel Charles McKee, Executive Secretary of the Ohio Contractors Association, and Mr. Visintine, Chairman of the Association's specifications committee, a two-day construction conference had been held in Cleveland on February 24 and 25, 1954. He said that the conference had been attended by the Contracting Engineers, by some resident engineers, by the Consulting Engineer, by the Chief Engineer, by several members of the Chief Engineer's staff, by contractors on the turnpike and by the testing engineers. He said that the contractors had been given the opportunity of presenting complaints and of making recommendations and that the matters thus brought forward had been discussed in subsequent panel meetings on the following topics: Change orders and administration, bridges and earthwork. He said that on March 1, 1954, in the Commission offices another panel meeting had been held on the subject of pavement design, and that that meeting had been attended by representatives of the contractors, the Contracting Engineers, the Consulting Engineer and the Chief Engineer. He said that decisions on the matters that had been presented would be made in the very near future and that the meeting at Cleveland had been quite beneficial and would bear constructive results.

The Executive Director reported that Bero Construction Corporation had had an estimate amounting to some eight hundred thousand dollars approved for February 1954, on Contract C4A & 5A, and that the contractor had done a lot of work for the winter season.

The Executive Director said that preliminary plans for maintenance buildings would be submitted by the Consulting Engineer by March 10, 1954. He said that he had been informed that final plans could not be prepared until decisions should be made on service-building designs since the Commission

had directed that all buildings be compatible in design and use of materials. He said that some decision should be made on the service-building design in the very near future as soon as the Commission's committee on service areas should have made up its mind.

The Executive Director reported that preliminary meetings had been held with the Consulting Engineer, the Chief Engineer and the Comptroller regarding the operation of the expedited section which the Commission proposed to open to traffic on December 1, 1954. He said that in accordance with the contract of employment with the Consulting Engineer he had asked the Consulting Engineer to submit at an early date recommendations on such matters as toll collection, accounting and policing in connection with operation of the expedited section. He said that improvised equipment probably would have to be used in the collection of tolls on the expedited section.

The Executive Director reported that a second meeting would be held the following day with Director Felty of the Department of Highway Safety, and that the Commission would be represented at the meeting by the General Counsel and himself. He said that consideration would be given to police requirements for the turnpike and to a possible contract agreement between the Commission and the Director of the Department of Highway Safety under which the State Highway Patrol would do the policing.

The Executive Director reported that he had sent to the members prints of the Commission's construction organization as revised and brought up to date to include liaison engineers recently designated by the Chief Engineer. He said that liaison engineers from the office of the Chief Engineer would be assigned to certain design sections for which they would be responsible to a certain extent. He said that certain of the liaison engineers would be released eventually from those responsibilities because of their specialty assignments, and that additional engineers would be employed to take over their responsibilities as liaison engineers.

The Executive Director reported that in accordance with the trust indenture, invitations had been extended to three insurance agencies that had evinced interest in bridge insurance on the turnpike to submit proposals for insurance of two substructures that had been completed. He said that as a result the McElroy-Minister Agencies of Columbus, Ohio had been directed to arrange for the underwriting of insurance on the substructures on contract section C-15-A which had recently been completed by the Horvitz Company. He said that a very favorable premium rate of .091 per hundred for a total premium of \$791.04 had been secured, and that the total premium had been about half that which had been anticipated.

The Chief of the Right-of-Way Section reported that since the last meeting of the Commission a total of fifteen supplemental parcels had been added to the right-of-way requirements, and that the parcels still in negotiation totaled three mainline parcels and forty supplemental parcels. He said that those totals did not include parcels in condemnation and railroad parcels.

Mr. McKay, commenting on the report by the Executive Director concerning assignment of liaison engineers from the Commission's staff to certain design sections, said that for the record he had raised the same question in July of 1953, and at almost each meeting of the Commission thereafter. He said that in December of 1953 there had been an informal general agreement that the Commission had assigned its own engineers to check generally on inspection in the field and the question of any delays with respect to contractors in order to establish and maintain a record for use in connection with any subsequent claims that should be made in connection with such delays. He said that on January 19 or February 19 of 1954 he had written the Chairman outlining his views on the matter, and that several days thereafter he had received the Chairman's reply and subsequently had received an excellent reply from the Executive Director outlining the assignment of liaison engineers.

Mr. McKay said that the reason for his comments was that he had learned more than thirty years previously, in connection with highway construction work in Wisconsin, that there was an old rule in highway construction that the legislative agency responsible for the financing and the construction was always ultimately responsible and that an additional safeguard of having its own personnel in the field with respect to conditions and happenings was always a very wise measure even though the additional cost might run to some dollars. He said that in his judgment the liaison engineer program would result in no gaps in the excavation and fill work or in the pavement on excavation and fill. He said that what he had said imputed no dereliction of duty with respect to either the Consulting Engineer or Design Engineers but that, without implying any criticism, when the job should be done and the Consulting Engineer and the Contracting Engineers and the contractors should have gone, the product would remain and, should failures then develop, the Commission would be the group which would have to bear the responsibility for such failures. He said that he thought that the liaison engineer program was a very wise investment of a modest amount of money as insurance of a very fine ultimate end product.

The General Counsel reported that the Commission had substantially completed its right-of-way condemnation cases in Wood County and that there was nothing left in that county except a little pro forma work. He said that Wood County some time ago had looked like the worst spot on the whole turnpike. He said that the Commission had secured a very satisfactory adjudication in the Court of Common Pleas of Williams County the previous day in a case related to an appropriation action. He said that in that case one landowner had sought the issuance of an injunction by the Court of Common Pleas and that the case had been pending for some time during which several landowners had, in effect, joined in the request by cross petitions. He said that the essence of the matter was that the landowner had asked the Common Pleas Court substantially to redesign a portion of the turnpike by ordering various design changes. He said that the Court had denied

everything requested with one slight exception which the Commission engineers had held to be utterly innocuous and unimportant. He said the Court had ordered what in effect amounted to a two-foot lowering of the bottom of a culvert. The General Counsel said that the pendency of that case probably had in some degree slowed down the Commission's prosecution of other cases and that, with that case behind, he anticipated that the Commission might make reasonably rapid progress in finishing up the rest of the work of the Williams County cases.

He said that a very large number of cases were pending in Lorain County but that the Commission had rights of entry on a reasonable number of the parcels involved. He said that the reason the Commission was further behind in Lorain County than in any other county, relatively, was principally that there was a very large aggregate number of parcels in that county so that if the Commission had had only an average ratio between the total parcels and condemnation cases, it would have had a large number of condemnation cases there. He said that the pending dispute with the City of Elyria had contributed definitely to the delay in the disposition of condemnation cases and that additional surveying requirements in connection with the Elyria streets likewise had made for some delay in the production of surveys for condemnation purposes. He said that good progress had been made in either getting rights of entry or disposing of some of the cases.

The General Counsel reported that the so-called Elyria case wherein the Commission sought the issuance of a writ of mandamus by the Supreme Court would be argued before the court on March 24, 1954, and that on the following day the Commission would argue motions to certify two cases that had a direct relation to right-of-way acquisitions although both cases had come up in instances in which the Commission already had completed the appropriation cases with which they were connected. He said that one of the cases was an injunction suit in which a man named Ellis, in Toledo, had sought the issuance of an injunction by the Court of Common Pleas of Lucas County to restrain the appropriation of his land,

and especially to restrain the appropriation of the so-called billboard rights with respect to the remaining portions of his land not acquired by the Commission. The General Counsel said that the effort to restrain appropriation of the land had failed and that the effort to restrain the appropriation of billboard rights had been denied by the Common Pleas Court and that, on appeal, the Court of Appeals had rendered a judgment identical with that of the Common Pleas Court. He said that Mr. Ellis had then filed a motion with the Supreme Court of Ohio to certify the record of the case made before the Court of Appeals.

The General Counsel said that the other motion to certify which would be argued on March 25 involved the so-called Solether case in which a landowner had sought an injunction in the Court of Common Pleas of Wood County to restrain the appropriation of the so-called billboard rights. He said that the Court of Common Pleas had sustained a demurrer to the petition of the landowner but that the Court of Appeals had reversed the decision of the Common Pleas Court with one of the three judges dissenting, and that the Commission had filed its motion to certify the record of the Court of Appeals in that case.

The General Counsel reported that on March 1, 1954, the Chief Engineer had addressed a memorandum to all the members of the Commission wherein he had stated that the Consulting Engineer had made a recommendation of a site for an administration building and wherein he described that site and pointed out some of the advantages and stated that he concurred in the recommendation of the Consulting Engineer. He said that the memorandum bore the written approval of the Executive Director.

Resolution No. 46-1954, approving the site for the location of the administration building, was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

"WHEREAS the Commission's chief engineer and its consulting engineer have recommended to the Commission

that the administration building for Ohio Turnpike Project No. 1 be located upon a site in the village of Strongsville, in the area hereinbelow more fully described; and

WHEREAS said recommendations are now before the Commission and the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the site located in the village of Strongsville, Cuyahoga County, Ohio and being a tract of approximately 10 acres, being part of Original Strongsville Lot No. 90 and lying within a triangular tract of land bounded on the north by the northerly corporation limits of said village of Strongsville, on the east by Prospect Road and on the southwest by the northerly right-of-way line of Ohio Turnpike Project No. 1, with provisions for access to both Sprague Road on the north and Prospect Road on the east as well as to the turnpike on the southwest, recommended by the Commission's consulting engineer and its chief engineer be, and the same hereby is, approved as the site for the location of the administration building for Ohio Turnpike Project No. 1."

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

Ayes: Allen, McKay, Linzell, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

The General Counsel reported that he had prepared a resolution rescinding resolution No. 235-1953 in which the Commission had declared the necessity of changing the location of a portion therein described of Portage River-South Road in Ottawa County, Ohio. He said that since the adoption of resolution No. 235-1953, an agreement had been developed between the Commission's engineers, the Board of County

Commissioners of Ottawa County, and an owner of a parcel of land which was primarily affected by that relocation whereunder the proposed new location of the relocated portion of the road would be slightly changed from that which had been provided earlier. He said that if the Commission should adopt the resolution of rescision, he would suggest that the Commission follow up with the adoption of a new resolution ratifying the action of the Chief Engineer in telling the County Commissioners that a slightly different portion should be relocated to conform to the change.

Resolution No. 47-1954, rescinding resolution No. 235-1953 finding it necessary to change the location of a portion of Portage River-South Road, Ottawa County, Ohio, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

"WHEREAS a portion of Portage River-South Road, a county road, in Ottawa County, Ohio, intersects the route to be traversed by Ohio Turnpike Project No. 1, and

WHEREAS on June 23, 1953, the Commission by Resolution No. 235-1953 found it necessary to change the location of a portion of Portage River-South Road, and

WHEREAS, the Commission now finds it necessary to change that portion of Portage River-South Road to be relocated,

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 235-1953 adopted on June 23, 1953, be, and the same hereby is rescinded."

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

Ayes: McKay, Linzell, Allen, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

Resolution No. 48-1954, ratifying the action of the Commission's Chief Engineer with respect to Portage River-South Road, Ottawa County, Ohio, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

"WHEREAS a portion of Portage River-South Road, a county road, in Ottawa County, Ohio, intersects the route to be traversed by Ohio Turnpike Project No. 1, hereinafter called "the turnpike";

WHEREAS §5537.05 of the Revised Code of Ohio provides for the relocation of any portion of any public road upon the Commission's finding that it is necessary to change the location thereof; and

WHEREAS the Commission's chief engineer, acting for and on behalf of the Commission, advised the Board of County Commissioners of Ottawa County, Ohio, by letter delivered to said board on February 15, 1954, that the Commission finds it necessary to change the location of that portion of Portage River-South Road, Harris Township, Ottawa County, Ohio, the centerline of which presently intersects the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8 Page 28 of Ottawa County Map Records, at or near turnpike station 337+20 and which extends from a point approximately 872 feet southerly from said intersection on the Ohio Turnpike Project No. 1 to a point approximately 1168 feet northeasterly from said intersection with Ohio Turnpike Project No. 1;

NOW, THEREFORE, BE IT

RESOLVED that the aforesaid action by the Commission's chief engineer for and on behalf of the Commission be, and the same hereby is, approved."

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

Ayes: McKay, Linzell, Allen, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

The General Counsel presented to the Commission the written statement of the Chief of the Right-of-Way Section and the Chief Engineer that certain revisions in the right-of-way requirements for Ohio Turnpike Project No. 1 could be made concerning the property of Stephen Gnizak and others, and of C. H. English and others, respectively, which would materially minimize the cost of acquiring the needed property and the extent of damage to those owners' properties, together with their recommendation that the changes be made and that the descriptions of the property to be acquired from those owners be as set forth in the amending resolutions that would be placed before the Commission. The General Counsel said that he also had appended his written statement to the Commission that appropriation proceedings were pending in the Court of Common Pleas of Lorain County and the Court of Common Pleas of Erie County, respectively, for the appropriation of those properties as they had been described in Resolutions Nos. 542-1953 and 514-1953, respectively, together with his written recommendation that the Commission adopt those amending resolutions in order that the proceedings might be amended, with the result that the Commission would effectuate the savings in the cost of acquiring the necessary property as suggested by the Chief of the Right-of-Way Section. The General Counsel presented to the Commission a separate writing, signed by the Chief of the Right-of-Way Section and the Chief Engineer, to the effect that certain revisions in the final construction plans had changed the right-of-way requirements concerning the property of one Joseph T. Uebbing and others, thus necessitating a revision of the description for parcel No. 109A-110H-5. He said that resolution No. 541-1953 had directed that appropriation proceedings be commenced for the appropriation of that parcel, and that the description in that resolution had become erroneous due to the change in plans which the Chief of the Right-of-Way Section and the Chief Engineer had mentioned, and that he recommended and was so stating in the writing handed to the Commission, that it

rescind Resolution No. 541-1953.

Resolution No. 49-1954, amending resolution No. 514-1953 regarding the description of property to be appropriated, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

"WHEREAS it has come to the attention of the Commission that under the detailed plans for the construction of that portion of Ohio Turnpike Project No. 1 which has been denominated construction section C-27, it is not necessary to acquire as much of the land owned by C. H. English and others as was described in resolution No. 514-1953 for the construction and efficient operation of said project; and

WHEREAS the Commission has been unable to agree with the owners of said property as to the compensation to be paid for said property, either as described in resolution No. 514-1953 or as hereinafter described and amended,

NOW, THEREFORE, BE IT

RESOLVED that resolution No. 514-1953 adopted by the Commission on November 24, 1953, be, and the same hereby is, amended so that the property to be appropriated be described as follows:

Parcel No. 105-N -- Permanent Easement for Drainage
Purposes

Situated in the Township of Florence, County of Erie and State of Ohio and known as being part of Original Florence Township Lot No. 33 and described as follows:

Beginning at the centerline Station 1220+25 of the Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 13, Page 24 of Erie County Map Records.

Thence N-4°-52'-18" W a distance of 120 feet as measured normal to the centerline of the Ohio Turnpike, to the North right of way line of the Ohio Turnpike.

Thence N-4°-52'-18" W a distance of 42 feet to a point.

Thence N-21°-24'-42" E a distance of 361 feet, to a point.
Thence N-13°-45'-18" W a distance of 167 feet, to a point.
Thence N-0°-30'-18" W a distance of 75.7 feet, to the principal place of beginning of the parcel of land herein described.

Thence S-74°-00' E a distance of 26.07 feet as measured along the South property line of C. H. English to the East property line of C. H. English.

Thence N-0°-30'-18" W a distance of 162.15 feet as measured along the East property line of C. H. English to the North property line of C. H. English.

Thence N-65°-40'-18" W a distance of 117 feet as measured along the property line of C. H. English, to a point.

Thence N-45°-01' W a distance of 208.5 feet as measured along the property line of C. H. English to a point.

Thence S-37°-34'-42" W a distance of 49.66 feet to a point.

Thence S-52°-25'-18" E a distance of 178.50 feet to a point.

Thence S-30°-57'-12" W a distance of 65.44 feet to a point.

Thence S-65°-40'-18" E a distance of 81 feet to a point.

Thence S-0°-30'-18" E a distance of 80.15 feet to the South property line of C. H. English/

Thence S-74°-00' W a distance of 67.79 feet as measured along the South property line of C. H. English to the principal place of beginning and containing 0.63 acre of land more or less.

FURTHER RESOLVED that the General Counsel be, and he hereby is, instructed to do or cause to be done all things that may be necessary in the premises in order that the proceedings already commenced in the Common Pleas Court of Erie County may be amended to provide for the appropriation of the property described above."

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

Ayes: Linzell, Allen, McKay, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

Resolution No. 50-1954, amending resolution No. 542-1953 regarding the description of property to be appropriated, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

"WHEREAS it has come to the attention of the Commission that under the detailed plans for the construction of that portion of Ohio Turnpike Project No. 1 which has been denominated construction section C-24, it is not necessary to acquire as much of the land owned by Stephen Gnizak and others as was described in resolution No. 542-1953 for the construction and efficient operation of said project; and

WHEREAS the Commission has been unable to agree with the owners of said property as to the compensation to be paid for said property, either as described in resolution No. 542-1953 or as hereinafter described and amended,

NOW, THEREFORE, BE IT

RESOLVED that resolution No. 542-1953 adopted by the Commission on December 22, 1953, be, and the same hereby is, amended so that the property to be appropriated be described as follows:

Parcel No. 115-P -- Permanent Easement for Drainage
Purposes

Situated in the Township of Amherst, County of Lorain and State of Ohio, and known as being part of Original Amherst Township Lot No. 56 and described as follows:

Beginning at the Ohio Turnpike Project No. 1 centerline Station 454+97 as shown by plat recorded in Volume 15, Page 62 of Lorain County Map Records.

Thence N-12°-13'-12" W a distance of 150 feet as measured normal to the centerline of the Ohio Turnpike to the North right of way line of the Ohio Turnpike.

Thence N-77°-46'-48" E a distance of 26.16 feet as measured along the North right of way line of the Ohio Turnpike. Thence N-4°-53'-48" E a distance of 123 feet. Thence N-34°-15'-48" E a distance of 109.26 feet to the principal place of beginning of the parcel of land herein described.

Thence S-89°-25' E a distance of 108.88 feet as measured along the South property line of Stephen Gnizak. Thence N-34°-15'-48" E a distance of 29.98 feet.

Thence N-2°-35'-48" E a distance of 190.94 feet. Thence N-87°-24'-12" W a distance of 30 feet. Thence N-2°-35'-48" E a distance of 62.58 feet. Thence N-15°-54'-43" E a distance of 244.52 feet. Thence N-74°-05'-17" W a distance of 85 feet. Thence S-15°-54'-43" W a distance of 254.43 feet. Thence S-2°-35'-48" W a distance of 230.82 feet. Thence S-34°-15'-48" W a distance of 75.09 feet to the South property line of Stephen Gnizak. Thence S-89°-25' E a distance of 30.24 feet as measured along the South property line of Stephen Gnizak to the principal place of beginning and containing 1.15 acres of land more or less.

Parcel No. 115-P(1) -- Permanent Easement for Highway Purposes

Situated in the Township of Amherst, County of Lorain and State of Ohio, and known as being part of Original Amherst Township Lot No. 56 and bounded and described as follows:

Beginning on the center line of Oberlin Road at its intersection with the Southerly line of said Original Lot No. 56; thence Westerly along said Southerly line to a point distant 60 feet Westerly, measured at right angles from the center line of Oberlin Road; thence Northerly parallel to said center line to a point distant 60 feet Westerly, measured at right angles, from a point on the center line of Oberlin Road, distant 400 feet Northerly, measured along said center line from its intersection with the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 62 of Lorain County Map Records; thence Easterly at right angles to the center line of Oberlin Road, 4 feet to a point; thence Northerly parallel to said center line 100 feet to a point; thence Easterly at right angles to said center line of Oberlin Road, 56 feet to a point thereon; thence Southerly

along said center line to the place of beginning.

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

FURTHER RESOLVED that the General Counsel be, and he hereby is, instructed to do or cause to be done all things that may be necessary in the premises in order that the proceedings already commenced in the Common Pleas Court of Lorain County may be amended to provide for the appropriation of the property described above."

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

Ayes: Linzell, Allen, McKay, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

Resolution No. 51-1954, rescinding condemnation resolution No. 541-1953 due to changes in and revision of construction plans, was moved for adoption by Mr. Linzell, seconded by Mr. McKay, as follows:

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

WHEREAS Resolution No. 541-1953, 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. 541-1953, adopted December 22, 1953; be, and the same hereby is, rescinded."

A vote by ayes and nays was taken and all members

present responded to roll call. The vote was as follows:

Ayes: Linzell, McKay, Allen, Teagarden.

Nays: None.

The Vice 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. 52-1954, 53-1954, 54-1954, 55-1954, 56-1954, 57-1954, 58-1954, 59-1954, 60-1954, 61-1954, 62-1954, 63-1954, 64-1954, 65-1954, 66-1954, 67-1954, 68-1954, 69-1954, 70-1954, 71-1954, and 72-1954, 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. McKay, as follows:

Resolution No. 52-1954.

"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>
Charles D. Roberts	North Monroe Road Tallmadge, Ohio
Helen J. Roberts	North Monroe Road Tallmadge, Ohio
Carl H. Bietz	R. D. #3 Mantua, Ohio
Jane E. Bietz	R. D. #3 Mantua, Ohio
The First Savings Bank and Trust Co.	Ravenna, Ohio
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. 161-D(1) -- Permanent Easement for Drainage
Purposes

Situated in the Township of Shalersville, County of Portage and State of Ohio, and known as being part of Original Shalersville Township Lot No. 46, and being all that part of the lands described in the deed to Charles D. Roberts, dated November 20, 1943, and recorded in Volume 399, Page 269

of Portage County Deed Records, and bounded and described as follows:

Beginning at a point distant 145 feet Southerly, measured on a line normal to center line Station 430+00 of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Pages 16 and 17 of Portage County Map Records; thence Easterly along a line parallel with the center line of said Ohio Turnpike Project No. 1, to its intersection with a line drawn normal to center line Station 432+00 of said Ohio Turnpike Project No. 1; thence Southerly along said line drawn normal to center line Station 432+00, a distance of 115 feet; thence Northwesterly in a direct line to the place of beginning."

Resolution No. 53-1954.

"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>
Donald W. Milestone	Prospect Road Hudson, Ohio
Suzanne Hutchinson Milestone	Prospect Road Hudson, Ohio
County Auditor of Summit County	Summit County Court House Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 151-J -- Temporary Easement for Railroad Runaround

Situated in the Township of Hudson, County of Summit and State of Ohio, and known as being part of Original Hudson Township Lot No. 73, bounded and described as follows:

Beginning on a line drawn parallel to, and distant 180 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 44, Pages 150 and 151 of Summit County Map Records, at a point thereon, normal to said center line at Station 526+50; thence Northwesterly on a straight line to its intersection with a Southeasterly line of land described in the Deed to Donald W. Milestone and Suzanne Hutchinson Milestone, dated July 28, 1949, and recorded in Volume 2627, Page 502 of Summit County Deed Records, and the principal place of beginning of the premises herein intended to be described, said straight line, if prolonged, Southeasterly, would form an angle of $52^{\circ}49'20''$ in the Northwest quadrant with said Ohio Turnpike Project No. 1 center line; thence continuing Northwesterly along said straight line to the Northwesterly corner of land so described in said Deed to Donald W. Milestone and Suzanne Hutchinson Milestone, as aforesaid; thence Southeasterly along the Southwesterly line of land so described in the Deed to Donald W. Milestone and Suzanne Hutchinson Milestone to the Southwesterly corner thereof; thence Northeasterly along the Southeasterly line of land so described in said Deed to the principal place of beginning."

Resolution No. 54-1954.

"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 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>
Calvin M. Price	Schady Road Olmsted Falls, Ohio
Viola G. Price	Schady Road Olmsted Falls, Ohio
Harley Capell	Schady Road Olmsted Falls, Ohio
Joe Lyons, Sr.	Address Unknown
Joe Lyons, Jr.	3243 Erin Avenue Cleveland, Ohio
Eleanor Lyons	3243 Erin Avenue Cleveland, Ohio
Milton Price	4172 W. 144th Street Cleveland, Ohio
Amelia V. Price	4172 W. 144th Street Cleveland, Ohio
Mordicai C. Price	Address Unknown
William Price	3463 Granton Avenue Cleveland, Ohio
Midge Price	3463 Granton Avenue Cleveland, Ohio
Mildred Jarvis	R. D., Brunswick, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
J. B. Jarvis	R.D., Brunswick, Ohio
Frank Price	R.D., Brunswick, Ohio
Viola Price	R.D., Brunswick, Ohio
Mary Ready	Schady Road Olmsted Falls, Ohio
Clarence Ready	Schady Road Olmsted Falls, Ohio
May McCarthy	9788 Ridge Road North Royalton, Ohio
Kenneth McCarthy	9788 Ridge Road North Royalton, Ohio
Emanuel Walter, Also Known as Manuel Walter	Schady Road Olmsted Falls, Ohio
Mary Walter, Incompetent	Cambridge State Hospital Cambridge, Ohio
Superintendent of Cambridge State Hospital, Custodian of Mary Walter, Incompetent	Cambridge State Hospital Cambridge, Ohio
The Unknown Heirs, Devisees, Creditors, and Assigns of Barbara Capell, Deceased	Addresses Unknown
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. 126-T -- Fee Simple

Situated in the Township of Olmsted, County of Cuyahoga and State of Ohio, and known as being all that part of the lands described in the Deed to Barbara Capell, dated November 15, 1943, and recorded in Volume 5642, Page 416 of Cuyahoga County Deed Records, lying Northeasterly of a line drawn parallel to and distant 130 feet Southwesterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 146, Page 21 of Cuyahoga County Map Records.

Parcel No. 126-T(2) -- Permanent Easement for Drainage Purposes

Situated in the Township of Olmsted, County of Cuyahoga and State of Ohio, and known as being part of Original Olmsted Township Tract No. 3, and being all that part of the lands described in the deed to Barbara Capell, dated November 15, 1943, and recorded in Volume 5642, Page 416 of Cuyahoga County Deed Records, bounded as follows;

Northeasterly by a line parallel to and distant 130 feet Southwesterly of, measured on a line normal to, the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 146, Page 21 of Cuyahoga County Map Records; Southwesterly by a line parallel to and distant 180 feet Southwesterly of, measured on a line normal to, said center line of Ohio Turnpike Project No. 1; Northwesterly by a line drawn Southwesterly, normal to said center line, from Station 6+60; and Southwesterly by a line drawn southwesterly, normal to said center line, from Station 7+00.

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. 126-T, 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. 55-1954.

"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>
Edwin C. Grospitch	R.D. #1 Olmsted Falls, Ohio
Eleanor M. Grospitch	R.D. #1 Olmsted Falls, Ohio
Society for Savings in the City of Cleveland	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. 127-HH -- Permanent Easement for Highway Purposes

Situated in the Township of Olmsted, County of Cuyahoga

and State of Ohio, and known as being part of Original Olmsted Township Tract No. 3, and being all that part of the lands described in the Deed to Edwin C. Grospitch and Eleanor M. Grospitch, dated May 31, 1951, and recorded in Volume 7276, Page 118 of Cuyahoga County Deed Records, bounded as follows:

On the North by the Northerly line of land so conveyed to Edwin C. and Eleanor M. Grospitch, as aforesaid; on the South by the Southerly line of land so conveyed, as aforesaid; on the East by the center line of Stearns Road; on the West by a straight line, which straight line is drawn from a point distant 50 feet Westerly, measured at right angles from a point on the center line of Stearns Road, distant 729.25 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 23 of Cuyahoga County Map Records to a point on the Northerly line of Tract No. 3, distant 70 feet Westerly, measured along said Northerly line of Tract No. 3 from the center line of Stearns Road.

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

Parcel No. 127-HH(1) -- Permanent Easement for Access
Road Purposes

Situated in the Township of Olmsted, County of Cuyahoga and State of Ohio, and known as being part of Original Olmsted Township Tract No. 3, and being all that part of the lands described in the Deed to Edwin C. Grospitch and Eleanor M. Grospitch, dated May 31, 1951, and recorded in Volume 7276, Page 118 of Cuyahoga County Deed Records, bounded as follows:

On the North by the Northerly line of land so conveyed to Edwin C. and Eleanor M. Grospitch, as aforesaid; on the South by the Southerly line of land so conveyed, as aforesaid; on the West by a line drawn parallel to and distant 95 feet Westerly, measured at right angles from the center line of Stearns Road; on the East by a straight line, which straight line is drawn from a point distant 50 feet Westerly, measured at right angles from a point on the center line of Stearns Road, distant 729.25 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 23 of Cuyahoga County Map Records, to a point on the Northerly line of Tract No. 3, distant 70 feet Westerly, measured along said Northerly line of Tract No. 3, from the center line of Stearns Road."

Resolution No. 56-1954.

"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>
Frances A. Kasper	115 Sprague Road Berea, Ohio
Emil E. Kasper	115 Sprague Road Berea, Ohio
National City Bank of Cleveland	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. 130-F(1) -- Fee Simple

Situated in the City of Berea and partly in the Village of Strongsville, and known as being part of Sub Lot No. 113 in the F.M. Stearns Subdivision of a part of Original Strongsville Township Lot No. 90, as shown by the plat recorded in Volume 11, Page 9 of Cuyahoga County Map Records, and a part of said Original Strongsville Township Lot No. 90, and bounded and described as follows:

Beginning on the center line of Sprague Road, 60 feet wide, at its intersection with the Northerly prolongation of the Easterly line of said Sub Lot No. 113; thence Westerly along the center line of Sprague Road, 60 feet; thence Southerly parallel with said Easterly line of Sub Lot No. 113 about 190 feet to the Southerly line thereof; thence Westerly along the Southerly lines of Sub Lots Nos. 113, 114 and 115 in said F.M. Stearns Subdivision to the Westerly line of land conveyed to Frances A. Kasper, by deed dated August 14, 1947, and recorded in Volume 6411, Page 596 of Cuyahoga County Deed Records; thence Southerly along the Westerly line of land so conveyed to Frances A. Kasper, to its intersection with a line drawn parallel to and distant 120 feet Northeasterly of, measured at right angles to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 146, Page 30 of Cuyahoga County Map Records; thence Southeasterly along said parallel line to the Easterly line of land so conveyed to Frances A. Kasper; thence Northerly along said Easterly line to the Southerly line of said Sub Lot No. 113; thence Easterly along the Southerly line of said Sub Lot No. 113 to the Southeasterly corner thereof; thence Northerly along the Easterly line of said Sub Lot No. 113 and its Northerly prolongation about 190 feet to the place of beginning."

Resolution No. 57-1954.

"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>
Arthur Baesel, Also Known as Arthur Frederick Baesel	R.D. #1 Kent, Ohio
Dorothy Baesel	R.D. #1 Kent, Ohio
Wesley Baesel, Also Known as Wesley Robert Baesel	Prospect Road Berea, Ohio
Laverne Baesel	Prospect Road Berea, Ohio
Raymond Baesel, Also Known as Raymond Frederick Baesel	172 Riverside Road, Berea, Ohio
Thelma G. Baesel	172 Riverside Road, Berea, Ohio
George Baesel, Also Known as George W. Baesel	193 Gibson Road Berea, Ohio
Marian Baesel	193 Gibson Road Berea, Ohio
Edward Baesel, Also Known as Edward Frank Baesel	75 Hartman Road Berea, Ohio
Rose Baesel	75 Hartman Road Berea, Ohio
Louis Baesel, Also Known as Louis Carl Baesel	17922 Sedalia Cleveland, Ohio
Anna Baesel	17922 Sedalia Cleveland, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Laura Phillips, Also Known as Laura Barbara Phillips	Albion Road Strongsville, Ohio
Arthur C. Phillips	Albion Road Strongsville, Ohio
Nellie Poots, Formerly Nellie Violet Baesel	Marks Road Strongsville, Ohio
Forrest Poots	Marks Road Strongsville, Ohio
Ray Surrarer, A Minor	202 Fournier Street Berea, Ohio
Thomas C. Surrarer, Parent Guardian of Ray Surrarer, A Minor	202 Fournier Street Berea, Ohio
Baldwin-Wallace College	Berea, 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. 130-E -- 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. 90, and being all that part of the first parcel of the lands described in the deed to Elizabeth Baesel, dated March 3, 1931 and recorded in Volume 4142, Page 575 of Cuyahoga 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 146, Pages 30 and 31 of Cuyahoga 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. 130-E(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. 90, and being part of the first parcel of lands described in the deed to Elizabeth Baesel, dated March 3, 1931 and recorded in Volume 4142, Page 575 of Cuyahoga County Deed Records, and bounded on the North by the Southerly line of lands conveyed to Wesley R. Baesel by deed dated April 1, 1931 and recorded in Volume 4142, Page 578, Deed Records of Cuyahoga County, and on the South by the most Southerly line of the lands described in the deed to Elizabeth Baesel, as aforesaid; East by the center line of Prospect Road; West by a line parallel with and distant 85 feet Westerly, by rectangular measurement, from the center line of Prospect Road.

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

Parcel No. 130-E(2) -- 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. 90, and being part of the first parcel of lands described in the deed to Elizabeth Baesel, dated March 3, 1931 and recorded in Volume 4142, Page 575 of Cuyahoga County Deed Records, and bounded on the North by the most Northerly line of lands described in the aforesaid deed, and on the South by the Northerly line of the land described in the deed to Wesley R. Baesel, dated April 1, 1931, and recorded in Volume 4142, Page 578, Deed Records of Cuyahoga County;

East by the center line of Prospect Road; West by a line parallel with and distant 55 feet Westerly, by rectangular measurement, from the center line of Prospect Road.

Excepting therefrom that portion thereof lying within the bounds of Prospect 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. 130-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 lands."

Resolution No. 58-1954.

"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 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>
Morgan T. O'Brien	R. D. #1 Berea, Ohio
Beatrice L. O'Brien	R. D. #1 Berea, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
The Southwestern Savings and Loan Company	9815 Lorain Avenue 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 -M(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. 49, and being bounded and described as follows:

Beginning on the center line of Pearl Road, at its intersection with a line parallel to and distant 165 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 37 of Cuyahoga County Map Records; thence Northwesterly along said parallel line to a point distant 80 feet Northwesterly, measured at right angles, from said center line of Pearl Road; thence Northeasterly, parallel to said center line to a line drawn Northwesterly, at right angles, from a point on said center line of Pearl Road, distant 262.83 feet Northeasterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southeasterly on said right angle line, 22 feet to a point; thence Northeasterly to a point distant 33 feet Northwesterly, measured at right angles, from a point on the center line of Pearl Road, distant 354.83 feet Northeasterly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Northeasterly, parallel to said center line of Pearl Road to the center line of Whitney Road; thence Easterly along said center line of Whitney Road, to its intersection with the center line of Pearl Road; thence South-

westerly along said center line of Pearl Road to the place of beginning.

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

Parcel No. 132-M(2) -- Permanent Easement for Drainage
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. 49, and being bounded and described as follows:

Beginning on a line parallel to and distant 165 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 37 of Cuyahoga County Map Records, at a point distant 80 feet Northwesterly, measured at right angles, from the center line of Pearl Road; thence Northwesterly along said parallel line to a point normal to said center line of Ohio Turnpike Project No. 1 at Station 416+00; thence Northeasterly to a point distant 215 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1 at Station 416+25; thence Easterly to a point distant 260 feet Northeasterly of, measured on a line normal to, said center line at Station 416+80; thence Southeasterly to a point distant 80 feet Northwesterly, measured at right angles, from a point on the center line of Pearl Road, distant 262.83 feet Northeasterly, measured along said center line, from its intersection with the center line of Ohio Turnpike Project No. 1; thence Southwesterly, parallel to said center line of Pearl Road to the place of beginning.

The aforementioned rights to be appropriated are as follows:

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 that portion of Parcel No. 132-M(1) as described above lying southerly of a point on the centerline of Pearl Road, distant 262.83 feet Northeasterly, measured along said centerline, from its intersection with the centerline of Ohio Turnpike Project No. 1."

Resolution No. 59-1954.

"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>
Lester G. Potter, Trustee	14724 Bayes Avenue Lakewood, Ohio
Ethel R. Demming	115 Florida Avenue Fort Lauderdale, Florida
Lawrence E. Demming	115 Florida Avenue Fort Lauderdale, Florida
Lester G. Potter	14724 Bayes Avenue Lakewood, Ohio
Elsie I. Potter	14724 Bayes Avenue Lakewood, Ohio
George B. Carr	3323 W. 94th Street Cleveland, Ohio
Lillian Carr	3323 W. 94th Street 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. 137-R(1) -- Permanent Easement for Drainage Purposes

Situated in the Village of North Royalton, County of Cuyahoga and State of Ohio and known as being part of Original Royalton Township Section No. 17, and bounded and described as follows:

Beginning on the Westerly line of Parcel No. 1 of land conveyed to Lester G. Potter, Trustee, by deed dated July 8, 1947 and recorded in Volume 6299, Page 647 of Cuyahoga County Records, at its intersection with a line drawn parallel to and distant 140 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 148, Page 4 of Cuyahoga County Map Records; thence Easterly along said parallel line to the Westerly line of land conveyed to Ethel R. Demming, by deed dated June 24, 1948, and recorded in Volume 6499, Page 626 of Cuyahoga County Records; thence Southerly along said Westerly line 32.33 feet; thence Southwesterly along a line deflecting $65^{\circ}30'$ to the right, a distance of 526 feet; thence continuing Southwesterly along a line deflecting 15° to the left to the Westerly line of Parcel No. 1 of land conveyed to Lester G. Potter as aforesaid; thence Northerly along said Westerly line of Parcel No. 1 to the place of beginning."

Resolution No. 60-1954.

"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 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>
Glenard B. Millisor	General Delivery Brecksville, Ohio
Lenore H. Millisor	Haddam Hotel Euclid Avenue, 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. 135-H -- Fee Simple

Situated in the Village of North Royalton, County of Cuyahoga and State of Ohio, and known as being part of Original Royalton Township Section No. 8, and being all that part of the lands described in the Deed to Glenard B. and Lenore H. Millisor, dated August 26, 1944, and recorded in Volume 5818, Page 61 of Cuyahoga County Deed Records, lying within a strip of land 270 feet wide between parallel lines, the North-easterly line of said strip being parallel to and distant 115 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 1 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. 135-H(1) -- Permanent Easement for Drainage
Purposes

Situated in the Village of North Royalton, County of Cuyahoga and State of Ohio, and known as being part of Original Royalton Township Section No. 8, and being all that part of the lands described in the deed to Glenard B. and Lenore H.

Millisor, dated August 26, 1944, and recorded in Volume 5818, Page 61 of Cuyahoga County Deed Records, and being a triangle parcel bounded as follows:

On the Southwest on a line drawn parallel to, distant 205 feet Southwesterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by the plat recorded in Volume 147, Page 1 of Cuyahoga County Map Records;

On the Northwest by a line drawn Southwesterly normal to the centerline of Ohio Turnpike Project No. 1, as aforesaid, at Station 631+40;

On the East by the Easterly line of lands described in a deed to Glenard B. and Lenore H. Millisor, as aforesaid.

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. 135-H, 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. 61-1954.

"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>
Joseph T. Uebbing	7812 Colgate Avenue Cleveland, 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. 109-A - 110-H(5) -- Permanent Easement for
Drainage Purposes

Situated in the Township of Henrietta, County of Lorain and State of Ohio, and known as being part of Original Henrietta Township Lot No. 82 and described as follows:

Beginning on a line parallel to and distant 125 feet Northwesterly of, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 51 of Lorain County Map Records at a point normal to said center line at Station 54+72.

Thence Southwesterly 38.92 feet as measured along the North right of way line of the Ohio Turnpike. Thence N-40°-41'-51" E a distant of 327.97 feet. Thence N-56°-01'-51" E a distance of 302.57 feet. Thence S-63°-58'-09" E a distance of 232.04 feet. Thence S-33°-44'-15" W a distance of 224.87 feet. Thence S-14°-18'-45" W a distance of 38.86 feet. Thence Southwesterly a distance of 115 feet as measured along the North right of way line of the Ohio Turnpike. Thence N-14°-18'-45" E a distance of 90.10 feet. Thence N-33°-44'-15" E a distance of 144.51 feet. Thence N-63°-58'-09" W a distance of 34.05 feet. Thence S-56°-01'-51" W a distance of 221.72 feet. Thence S-40°-41'-51" W a distance of 176.30 feet to the North right of way line of the Ohio Turnpike. Thence Southwesterly a distance of 140.11 feet as measured along the North right of way line of the Ohio Turnpike to the principal place of beginning and containing 2.32 Acres of land more or less."

Resolution No. 62-1954.

"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>
Granite Improvement Company	Philadelphia, Pennsylvania
Tullus P. Corts	R.D. #1, Leavitt Road Amherst, Ohio
Gwendolyn Corts	R.D. #1, Leavitt Road Amherst, 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. 115-G -- Fee Simple

Situated in the Township of Amherst, County of Lorain and State of Ohio and known as being part of Original Amherst Township Lot No. 46 and being all that part of the lands described in the deed to The Lorain & Ashland Railroad Company dated May 25, 1906 and recorded in Volume 102, Page 284 of Lorain

County Deed Records lying within a strip of land 330 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 165 feet Northerly measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 15, Page 64 of Lorain County Map Records, and the Southerly line of said strip being parallel to and distant 165 feet Southerly 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 as Parcel No. 115-G, including such rights to any turnpike construction 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. 63-1954.

"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>
Western Coating Manufacturing Corporation	Elyria, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
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-Q -- 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. 39, and bounded and described as follows:

Beginning on the center line of Race Road at the Northerly line of lands conveyed to Western Coating Manufacturing Corporation by deed dated August 20, 1951 and recorded in Volume 525, Page 291 of Lorain County Deed Records; thence Southerly along the center line of Race Road to the Southerly line of the lands so conveyed to Western Coating Manufacturing Corporation; thence Westerly along the Southerly line of lands so conveyed to its intersection with a "straight line" drawn from a point distant 30 feet Westerly measured at right angles from a point on the center line of Race Road distant 700 feet measured Southerly along the said center line from the center line of Ohio Turnpike Project No. 1 as shown by plat recorded in Volume 15, Page 37 of Lorain County Map Records to a point on a line drawn parallel to and distant 115 feet Southerly measured on a line normal to the said center line of Ohio Turnpike Project No. 1, distant 80 feet Westerly by rectangular measurement from the center line of Race Road; thence Northwesterly along said "straight line" to its intersection with the Northerly line of lands conveyed to Western Coating Manufacturing Corporation as aforesaid; thence Easterly along the Northerly line of lands so conveyed to the place of beginning."

Resolution No. 64-1954.

"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>
Otto Harmeyer	Route 163 Genoa, Ohio
Juanita Harmeyer	Route 163 Genoa, Ohio
The Federal Land Bank of Louisville	Louisville, Kentucky
Land Bank Commissioner	Louisville, Kentucky
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. 61-H(3) -- Permanent Easement for Drainage Purposes

Situated in the Township of Clay, County of Ottawa and State of Ohio and known as being part of Original Clay Township Section No. 6, Township 6 North, Range 13 East, and being all

that part of the lands described in the deed to Otto Harmeyer, dated February 28, 1940, and recorded in Volume 116, Page 527 of Ottawa County Deed Records, bounded and described as follows:

Beginning on the Westerly line of land conveyed to Otto Harmeyer 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 8, Page 26A of Ottawa County Map Records, and distant Northeasterly therefrom 170.00 feet measured on a line normal thereto; thence Southeasterly along said parallel line to its intersection with a line parallel to the Westerly line of land conveyed to Otto Harmeyer as aforesaid, and distant Easterly therefrom 50.00 feet measured on a line at right angles thereto; thence Northerly along said parallel line to the center line of State Route No. 163; thence Westerly along said center line to the Westerly line of land conveyed to Otto Harmeyer as aforesaid; thence Southerly along said Westerly line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of State Route No. 163 as now established."

Resolution No. 65-1954.

"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 Miller	R. F. D. #1 Elmore, Ohio
Sylvia Miller	R. F. D. #1 Elmore, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
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-K -- 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 Clifford Miller, dated August 1, 1950, and recorded in Volume 158, Page 294 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 No. 24; and

Westerly by a line 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 Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 8, Page 28 of Ottawa County Map Records, to a point distant 40 feet Westerly, measured at right angles from a point on said 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.

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

Parcel No. 66-K(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 Clifford Miller, dated August 1, 1950, and recorded in Volume 158, Page 294 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 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, 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 the center line of Ohio Turnpike Project No. 1; and

Westerly by a line parallel to and distant 40 feet Westerly, measured at right angles, from said Easterly boundary as last described."

Resolution No. 66-1954.

"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>
Isidore P. Smith	Salsbury Road Maumee, Ohio
Anna D. Smith	Salsbury Road Maumee, Ohio
County Auditor of Lucas County	Lucas County Court House Toledo, Ohio
County Treasurer of Lucas County	Lucas County Court House Toledo, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 47-M(1) -- Temporary Easement for Detour Purposes

Situated in the Township of Springfield, County of Lucas and State of Ohio, and known as being part of Original Springfield Township Section No. 28, Township 2, United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the lands described in the deed to Isidore P. Smith and Anna D. Smith, dated May 6, 1946, and recorded in Volume 1212, Page 168 of Lucas County Deed Records, and bounded and described as follows:

Beginning on the center line of Holloway Road at a point distant 825 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 50, Page 11 of Lucas County Map Records; thence Southerly along the center line of Holloway Road, 125 feet; thence Easterly and at right angles to the center line of Holloway Road, 75 feet; thence Southerly and parallel with the center line of Holloway Road, to a line drawn Easterly, at right angles, from a point on the center line of Holloway Road, distant 600 feet Northerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Easterly along said right angle line, 40 feet to a point distant 115 feet Easterly, by normal measurement, from the center line of Holloway Road; thence Northerly and parallel with

the center line of Holloway Road to a line drawn Easterly and normal to the center line of Holloway Road at the place of beginning; thence Westerly in a direct line to the place of beginning.

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

Parcel No. 47-M(2) -- Permanent Easement for Highway Purposes

Situated in the Township of Springfield, County of Lucas and State of Ohio, and known as being part of Original Springfield Township Section No. 28, Township 2, United States Reserve of 12 miles square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the lands described in the deed to Isidore P. Smith and Anna D. Smith, dated May 6, 1946, and recorded in Volume 1212, Page 168 of Lucas County Deed Records, bounded as follows:

Easterly by a line parallel to and distant 115 feet Easterly, measured at right angles, from the center line of Holloway Road; Westerly by a line parallel to and distant 75 feet Easterly, measured at right angles, from the center line of Holloway Road; Northerly by a line drawn Easterly, at right angles to the center line of Holloway Road, from a point distant 600 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 50, Page 11 of Lucas County Map Records; and Southerly by the Southerly line of land described in the deed as aforesaid."

Resolution No. 67-1954.

"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 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>
Frederic K. Jaessing	5710 Alexander Drive Ft. Wayne, Indiana
Mary L. Jaessing	5710 Alexander Drive Ft. Wayne, Indiana
County Auditor of Lucas County	Lucas County Court House Toledo, Ohio
County Treasurer of Lucas County	Lucas County Court House Toledo, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 49-B(1) -- Fee Simple

Situated in the Township of Adams, County of Lucas and State of Ohio, and known as being part of Original Adams Township Section No. 25, Town Two (2) in the United States Reserve of Twelve (12) Miles Square at the foot of the rapids of the Miami of Lake Erie, and bounded as follows:

On the West by the Westerly line of Section No. 25;

On the South by the Southerly line of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section No. 25;

On the East by a line parallel to and distant 55 feet Easterly by rectangular measurement from the Westerly line of Section No. 25; and

Northerly by a line drawn parallel to and distant 135 feet Southerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 50, Page 14 of Lucas County Map Records.

Excepting therefrom that portion thereof lying within the bounds of U.S. Route 20, also known as Reynolds Road, as now established.

Parcel No. 49-B(2) -- Permanent Easement for Highway Purposes

Situated in the Township of Adams, County of Lucas and State of Ohio, and known as being part of Original Adams Township Section No. 25, Town Two (2) in the United States Reserve of Twelve (12) Miles Square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the Northwest Quarter of the Northwest Quarter of Section 25, bounded and described as follows:

Beginning on the center line of U.S. Route 20, at its intersection with a line drawn parallel to and distant 135 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 50, Pages 14 and 15 of Lucas County Map Records; thence Northerly along the center line of U.S. Route 20, to a point 200 feet Northerly, as measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1; thence Easterly along a line at right angle to the center line of U.S. Route 20, a distance of 60 feet; thence Southerly along a line parallel to the said center line of U.S. Route 20, to its intersection with a line drawn parallel to and distant 135 feet Northerly, measured on a line normal to the center line of Ohio Turnpike Project No. 1; thence Westerly along said parallel line to the place of beginning.

Excepting therefrom that portion thereof lying within the bounds of U.S. Route 20, as now established.

Parcel No. 49-B(3) -- Permanent Easement for Highway Purposes

Situated in the Township of Adams, County of Lucas and State of Ohio, and known as being part of Original Adams Township Section No. 25, Town 2 in the United States Reserve of Twelve Miles Square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the Northwest Quarter of the Northwest Quarter of said Section No. 25, bounded as follows:

Westerly by the center line of U. S. Route #20 as now existing;

Easterly by a line parallel to and distant 55 feet Easterly, measured at right angles, from the center line of said U.S. Route #20;

Northerly by a line drawn Easterly, at right angles to the

center line of U.S. Route #20 from a point distant 780.03 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 50, Page 14 of Lucas County Map Records; and

Southerly by a line drawn Easterly, at right angles to the center line of U.S. Route #20 from a point distant 680.03 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 U.S. Route #20 as now established.

Parcel No. 49-B(5) -- Fee Simple

Situated in the Township of Adams, County of Lucas and State of Ohio, and known as being part of Original Adams Township Section No. 25, Township 2, in the United States Reserve of 12 Miles Square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the Northwest Quarter of the Northwest Quarter of said Section No. 25, bounded as follows:

Northerly by a line parallel to and distant 135 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 50, Pages 14 and 15 of Lucas County Map Records;

Southerly by a line parallel to and distant 125 feet Northerly of, measured on a line normal to, said center line of Ohio Turnpike Project No. 1;

Easterly by a line drawn Northerly, normal to said center line from Station 610+00; and

Westerly by the Westerly line of said Section No. 25.

Parcel No. 49 - B(6) -- Fee Simple

Situated in the Township of Adams, County of Lucas and State of Ohio, and known as being part of Original Adams Township Section No. 25, Township 2, in the United States Reserve of 12 Miles Square at the foot of the Rapids of the Miami of Lake Erie, and being all that part of the Northwest Quarter of the Northwest Quarter of said Section No. 25, bounded as follows:

Southerly by a line parallel to and distant 135 feet Southerly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 50, Pages 14 and 15 of Lucas County Map Records;

Northerly by a line parallel to and distant 125 feet Southerly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1;

Easterly by a line drawn Southerly, normal to said center line from Station 610+00; and

Westerly by the Westerly line of said Section No. 25.

The aforementioned rights to be appropriated are as follows:

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. 49-B(1), Parcel No. 49-B (5), Parcel No. 49-B(6), including such rights to any turnpike constructed thereon."

Resolution No. 68-1954.

"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>
Charles L. Merillat	R.F.D., Archbold, Ohio
Hattie R. Merillat	R.F.D., Archbold, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
County Auditor of Fulton County	Fulton County Court House Wauseon, Ohio
County Treasurer of Fulton County	Fulton County Court House Wauseon, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 23-B(12) -- Permanent Easement for Drainage Purposes

Situated in the Township of Franklin, County of Fulton and State of Ohio, and known as being part of Original Franklin Township Section No. 3, Township 7 North, Range 5 East, and being all that part of the lands described in the deed to Charles L. Merillat, dated January 22, 1947, and recorded in Volume 152, Page 196 of Fulton County Deed Records, and bounded and described as follows:

Beginning on a line parallel to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 4, Page 19 of Fulton County Map Records, and distant Northerly therefrom 110.00 feet, measured on a line normal thereto, at its intersection with the Easterly line of land conveyed to Charles L. Merillat as aforesaid; thence Northerly along said Easterly line to a point thereon distant Northerly 850.00 feet from the aforesaid center line, measured along said Easterly line; thence Westerly at right angles to said Easterly line 100.00 feet; thence Southerly parallel to the Easterly line of land conveyed to Charles L. Merillat as aforesaid, to a line parallel to the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Easterly along said parallel line to the place of beginning."

Resolution No. 69-1954.

"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 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>
Elmer Herschel Miller	R. F. D. #2 Edon, Ohio
Elsie Ione Miller	R. F. D. #2 Edon, Ohio
The Defiance Home Savings and Loan Association	Defiance, 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-C -- Fee Simple

Situated in the Township of Northwest, County of Williams and State of Ohio, and known as being part of Original Northwest Township Section No. 3 in Town 10 South, Range 4 West, and being all that part of the lands described in the deed to Elmer Herschel Miller and Elsie Ione Miller, dated December 31, 1949, and recorded in Volume 173, Page 293 of Williams County Deed Records, lying within a strip of land 270 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 130 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 5, Page 47 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.

Parcel No. 3-C(1) -- Permanent Easement for Drainage Purposes

Situated in the Township of Northwest, County of Williams and State of Ohio, and known as being part of Original Northwest Township Section No. 3, Township 10 South, Range 4 West, and being all that part of the lands described in the deed to Elmer Herschel Miller and Elsie Ione Miller, dated December 31, 1949, and recorded in Volume 173, Page 293 of Williams County Deed Records, bounded as follows:

Southerly by a line parallel to and distant 130 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 5, Page 47 of Williams County Map Records;

Northerly by a line parallel to and distant 205 feet Northerly of, measured on a line normal to, said center line of Ohio Turnpike Project No. 1;

Westerly by a line drawn Northerly, normal to said center line from Station 158+50; and

Easterly by a line drawn Northerly, normal to said center line, from Station 159+50.

Parcel No. 3-C(2) -- Permanent Easement for Drainage Purposes

Situated in the Township of Northwest, County of Williams and State of Ohio, and known as being part of Original Northwest Township Section No. 3, Township 10 South, Range 4 West, and being all that part of the lands described in the deed to Elmer Herschel Miller and Elsie Ione Miller, dated December 31, 1949, and recorded in Volume 173, Page 293 of Williams County Deed Records, lying within a strip of land 50 feet wide between parallel lines, the center line of said strip being described as follows:

Beginning on a line parallel to and distant 140 feet Southerly of, measured on a line normal to the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 47 of Williams County Map Records, at a point normal to said center line at Station 159+42; thence Southerly on a line forming an angle of 80° 30' in the Southeast Quadrant with said

parallel line, 120 feet to a point; thence Southeasterly on a line deflecting 58° 30' to the left, to its intersection with the Easterly line of land described in the deed as aforesaid.

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. 3-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. 70-1954.

"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>
Fay D. Woodruff	Montpelier, Ohio
Genevieve Woodruff	Montpelier, Ohio
Ida J. Haines	Montpelier, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Cora C. Bauer	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. 7-A - 8-F -- 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, Town 8 North, Range 2 East, and being all that part of the lands described in the deed to Fay D. Woodruff, dated November 1, 1950, and recorded in Volume 175, Page 229 of Williams County Deed Records, lying within a strip of land 215 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 110 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 5, Page 56 of Williams County Map Records, and the Southerly line of said strip being parallel to and distant 105 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. 71-1954.

"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>
Charles Clyde Briner	Montpelier, Ohio
Geneva Briner	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. 9-D -- 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. 34, Town 8 North, Range 2 East and being all that part of the lands described in the deed to Charles Clyde Briner, dated November 11, 1918, and recorded in Volume 113, Page 258, of Williams County Deed Records, lying within a strip of land 260 feet wide between parallel lines, the Northerly line of said strip being parallel to and distant 130 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 58 and 59 of Williams County Map Records, and the Southerly line of said strip being parallel to and distant 130 feet Southerly of, measured on a line normal to said center line.

Parcel No. 9-D(4) -- Permanent Easement for Drainage Purposes

Situated in the Township of Superior, County of Williams and State of Ohio, and known as being part of Original Superior Township Section No. 34, Town 8 North, Range 2 East, and being all that part of the lands described in the deed to Charles Clyde Briner, dated November 11, 1918, and recorded in Volume 113, Page 258 of Williams County Deed Records, bounded as follows:

Northerly by a line parallel to and distant 130 feet Southerly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 5, Page 59 of Williams County Map Records;

Southerly by a line parallel to and distant 180 feet Southerly of, measured on a line normal to, said center line of Ohio Turnpike Project No. 1;

Westerly by a line drawn Southerly, normal to said center line from Station 519+95; and

Easterly by a line drawn Southerly, normal to said center line, from Station 520+45.

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. 9-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. 72-1954.

"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 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>
The Woodville Lime*Products Company	2140 Jefferson Avenue Toledo, Ohio
Carl Bruhn	R.R. #1 Woodville, 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. 64-J -- Fee Simple Subject To An Easement For A
Bridge Over The Turnpike

Situated in the Township of Woodville, County of Sandusky and State of Ohio, and known as being part of Original Woodville Township Section No. 15 Town 6 North-Range 13 East, and being all that part of the lands described in the deed to The Woodville Lime Products Company dated October 1, 1923, and recorded in Volume 124, Page 139 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 centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 9, Page 43 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 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 above-described real estate, including such rights to any turnpike constructed thereon, except for the rights incident to the easement for a bridge over the turnpike.

Second: All rights to establish or maintain, or permit any natural or legal person to establish or maintain on any of the aforesaid remaining lands any billboard, sign, notice, poster, advertising device, or other display to the extent that the same would be visible to, legible by, and designed to attract the attention of, travellers upon the Turnpike, and excepting any warning notices or other signs which are non-commercial in nature, and excepting billboards or advertising devices which may be so located as to attract the attention of, and be legible by, travellers upon sideroads and other highways, but not travellers on said Turnpike."

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

Ayes: Linzell, McKay, Allen, Teagarden.

Nays: None.

The Vice Chairman declared the resolutions adopted.

Mr. McKay said that he had a policy statement to make. He said that at the meeting of January 15, 1954, there had been

considerable discussion on the part of the Chairman, Mr. Allen, and the General Counsel concerning his voting for or against resolutions ratifying actions of administrative officers. He said that he was stating for the record that he would forever and eternally defend the right of any member of the legislative agency to inquire from him why he voted for or against a resolution. Mr. McKay said that he would seriously question the right at any time of the chief counsel or any employee of the Commission to question why he had voted for or against a policy matter or a resolution. He recalled that prior to the resignation of Mr. Seasongood as a member of the Commission, the Chairman of the Commission had raised a question with him concerning the General Counsel and that he had refused to agree with Mr. Seasongood and that if the same issue were to be raised under the same circumstances he would again disagree with anybody who questioned the excellent work that the General Counsel and his department had performed. Mr. McKay said that, however, he took issue with the right of any non-member of the Commission to question him concerning why he voted for or against a resolution. He said that any member of the Commission could question him at any time, and that usually in connection with difficult resolutions he stated the reason for his vote.

Resolution No. 73-1954, ratifying actions of administrative officers, was moved for adoption by Mr. Allen, 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 afore-

said administrative officers of the Commission on its behalf since the Commission's meeting on February 9, 1954, are hereby ratified, approved, and confirmed."

Mr. McKay asked whether any ratifications other than the conference at Harrisburg or the purchase of two Ford cars on the memorandum of February 26 were involved in the resolution. He said that if there were no other matters in addition to those, he was willing to vote for the resolution. He said that he knew nothing about the rest.

The General Counsel said that during the period since the last meeting of the Commission, in addition to various routine actions of which no specific or detailed reports had necessarily been made to the Commission, he had sent to all the members of the Commission the following things: On February 13, 1954, a copy of his memorandum to the Chairman dated the previous day regarding future condemnation cases and setting forth estimates on a number of parcels yet to be certified for appropriation; on February 15, 1954, a report as to the status of property appropriations as of February 13, 1954; on February 15, 1954, a summary of right-of-way documents received and processed during the week ended February 13, 1954; on February 15, 1954, a copy of the appellee's answer brief in the Cooley Ellis case in the Supreme Court of Ohio; on February 17, 1954, a copy of Addendum No. 3 to contract documents for contract TC-1; on February 17, 1954, a copy of Addendum No. 3 to contract documents for Contracts TC-2A and TC-2B; on February 23, 1954, a copy of relator's demurrer to the amended answer and a brief in support of the demurrer in the case of the State of Ohio ex rel. Ohio Turnpike Commission vs. City of Elyria, Supreme Court; on February 23, 1954, a report of the status of property appropriations as of February 20, 1954; on February 23, 1954, a summary of right-of-way documents received and processed during the week ended February 20, 1954; on February 24, 1954, a copy of General Counsel's memorandum to the Chairman regarding the status of appropriation cases as of February 20, 1954, in which he had pointed out or made certain comments with regard to the decline of various classes of appropriation cases; on February 26, 1954, a copy of General Counsel's letter to George Briggs Motor Sales, Incorporated regarding the award to it of the contract

pursuant to purchasing department invitation No. 15-B having to do with the purchase of two four-door sedans; on March 1, 1954, a copy of the assignment of errors and the brief in support of the motion to certify the record in the case of Sadie Solether vs. Ohio Turnpike Commission, Supreme Court; on March 1, 1954, a report of the status of property appropriations as of February 27, 1954; on March 1, 1954, a summary of right-of-way documents received and processed during the week ended February 27, 1954; on March 5, 1954, originals of General Counsel's letter to the Commissioners with respect to the regular March meeting; on March 8, 1954, a report of the status of property appropriations as of March 6, 1954; on March 8, 1954, a summary of right-of-way documents received and processed during the week ended March 6, 1954.

The General Counsel said that he and all members of the staff of the Commission enumerated in the resolution before the Commission had done many things other than the two matters that had been mentioned by Mr. McKay, and that all of the members of the Commission had had in various forms advices with respect to those things through correspondence and otherwise. He said that the Comptroller kept a list of the transmittals he had made and reported every week or at every meeting and that for a number of months the General Counsel had done the same thing. He said that he did not believe that had been true of the Chief Engineer, the Executive Director, the Director of the Department of Information and Research, or the Executive Assistant but that certainly the administrative actions that were embraced within the resolution encompassed many more things than merely the two matters that had been referred to by Mr. McKay.

The Executive Director said that he had approved the settlement of a number of right-of-way cases all through the preceding month. He said that he had tried to cover all the pertinent matters that he handled and that would be of any consequence or concern to the Commission in his presentations to the Commission. He said that there were a lot of minor matters that the staff handled all the time and which would take hours to present in detail, and that he did not think that it was necessary or desirable to make such presentation.

Mr. McKay said that he was not interested in routine matters and that he was perfectly willing to accept the reports of the Executive Director and the General Counsel. He said that the Comptroller always reported and that, therefore, he was perfectly willing to vote for the resolution but that that was the first time he had been able to do so with a clear conscience. He said that on general matters he was familiar with everything that the General Counsel, the Executive Director, and the Comptroller had sent out.

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

Ayes: Allen, Linzell, McKay, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by Mr. Linzell, seconded by Mr. Allen, that the meeting adjourn subject to call of the Chairman.

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

Ayes: Linzell, Allen, McKay, Teagarden.

Nays: None.

The Vice Chairman declared the meeting adjourned. The time of adjournment was 3:12 o'clock P. M.

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


A. J. Allen, Secretary-Treasurer