

MINUTES OF THE EIGHTY-FIFTH MEETING  
MAY 18, 1954

The Ohio Turnpike Commission met in regular open session in Petersburg High School at Petersburg, Ohio at 8:30 o'clock A. M. Eastern Standard Time on May 18, 1954, with the key members of its staff, representatives of the Consulting Engineer, of the Trustee, members of the press and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

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

Absent: None.

The Chairman declared that a quorum was present.

The Chairman extended the Commission's greetings to the community of Petersburg and expressed the Commission's gratitude to the Superintendent of Springfield Local School who had cooperated so fully with the Commission's staff in making arrangements for the meeting.

The Chairman introduced from among the audience Mayor Burbank of Warren, Ohio, State Senator Charles Carney, County Commissioner W. B. Kilpatrick, Jr. of Trumbull County, Colonel Charles McKee, Secretary of the Ohio Contractors Association, James G. Couffer of New York, Vice President of the B. J. VanIngen & Company, Mr. J. A. Meckstroth of Columbus, Ohio, Editor of the Ohio State Journal, representing the Citizens Advisory Committee, and Mr. Walter Cleave of Chicago, Vice President of Blyth & Co., Inc. The Chairman said that a large measure of the success that the Commission had enjoyed had been because

of the cooperation it had had from public officials. He said that any failure of cooperation which the Commission had had in isolated incidents only emphasized the vast body of cooperation and help which the Commission had had from public officials throughout the state and notably from the public officials in the counties traversed by the turnpike. He said that the Commission expected that Governor Lausche would join the inspection party when it would begin a tour of inspection of Ohio Turnpike Project No. 1 at the conclusion of the meeting. He said that the Commission had invited to be with it that day the elected state officials but that declinations, either formal or informal, had been received from all of them save Governor Lausche.

The Chairman invited the public officials and the others who had been introduced to address the Commission and several responded and expressed their appreciation at being given the opportunity to attend the meeting and to participate in the subsequent inspection tour.

The Chairman said that the meeting was probably the last meeting the Commission would hold in the Youngstown area before it should come again in the late fall to signalize the opening of the twenty-two miles of the expedited section in the easternmost part of the project. He said that the Commission would not accept any excuses from the contractors beyond acts of God for any failure to perform its contracts. He said that the Commission had agreed to pay a premium to complete the expedited section and that it intended to open it on time barring acts of God and that somehow or other he was inclined to believe that God was on the Commission's side. He said that God was always on the side of the people and that certainly Ohio Turnpike Project No. 1 which crosses the heartland of the nation and will serve the whole nation is in the best interest of the people of Ohio and of the people of the nation.

The Chairman congratulated the Director of Information and Research and the members of his staff upon the fine arrangements for the inspection trip. He said that the preparation that had been done should assure the success of

the trip of inspection. The other members subscribed to what the Chairman had said.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that the following had been sent to all members since the last meeting:

1. Detail of investment transactions during April, mailed April 30, 1954;
2. Letter with reference to change in investments, mailed May 4, 1954;
3. Monthly financial statements, mailed May 7, 1954;
4. Auditors' report for the period ending March 31, 1954, mailed May 10.

He said that income from investments at the end of April, 1954 had been \$11,188,000, compared to the original forecast for the same period of \$5,711,000, or a gain of \$5,477,000. He said that the gain at the end of May, 1954 would be in excess of \$6,000,000 and that for the month of May the Commission would have the highest income from investments of any month to that date. He said that that was due to a profit of about \$350,000 on securities that had been sold in May. He said that the Co-Trustee had chosen to sell \$49,524,000 principal amount of 2-5/8 percent U.S. Treasury Certificates due June 1, 1954, and \$6,208,750 principal amount of 2-1/4 percent U.S. Treasury Bonds called for June 15, 1954, rather than subscribe for the 1-1/8 percent or 1-7/8 percent securities that had been offered in exchange. He said that the wisdom of that choice was evident by comparing the profit of 20/32 that the Commission had realized on the 2-5/8 percent certificates with the current premium of 10/32 on the securities offered in exchange. The Assistant Secretary-Treasurer said that the proceeds from the sales had been invested in Treasury Bills maturing each week for the subsequent three months and that there would be no substantial reinvestment problem until late in August, 1954, when the Commission would approach the maturity of the 2-5/8 percent certificates due September 15, 1954. He

said that the Commission had continued to operate with a low cash balance, the construction fund cash then being below \$5000. He said that with larger contractors' invoices during the months ahead, the Commission would have to carry a substantially larger balance in order to make payments promptly.

The Chairman said that it seemed to him that no public body had ever paid its bills more promptly than had the Commission. The Executive Director supported that statement.

The Chairman said that the report of the Secretary-Treasurer would be received as offered.

The Executive Director reported that bids had been taken for the construction of toll plazas designated as TP-1, TP-2, and TP-3, all of which would be located on the expedited part of the Ohio Turnpike Project No. 1. He said that two bids had been received on TP-1; two bids on TP-2; one bid on TP-3. He said that the fact that the toll plazas perhaps involved different types of construction from that to which contractors had been accustomed in that part of Ohio plus possibly the comparatively short time for doing the work might explain why there had not been more bidders.

He said that the Consulting Engineer, the Chief Engineer and members of the Chief Engineer's staff were in agreement that award should be made in each instance to the low bidder. He said that they felt that time was so of the essence that there might not be sufficient time to assure completion of the toll plazas by December 1, 1954 if the Commission were to reject the bids and readvertise. He said that he was in accord with their recommendations.

The Executive Director said that he had given instructions to the Consulting Engineer to consider immediately the redesign of toll plazas to the end that the Commission might be able to secure lower bids than the ones that had been received on the initial three plazas for which construction contracts had been sought. He said that the so-called armored plywood which

was specified for the booths of the toll plazas seemed to have been an item of considerable cost and one that was not current usage in that part of Ohio and that it might have been one of the reasons for the rather high costs. He recommended award of Contract TP-1 to the Harrison Construction Company of Pittsburgh, Pennsylvania on its low bid of \$279,450; of TP-2 to C.C. Kaiser & Son, Incorporated of Canfield, Ohio on its low bid of \$189,006; of TP-3 to the Heller-Murray Company of Youngstown, Ohio on its low bid of \$186,971.

Mr. Teagarden asked what was the difference in design with respect to TP-1, TP-2, and TP-3. He said that the bid on TP-1 was much greater than on the other two toll plazas. The Chief Engineer said that TP-1 was the terminal plaza at the east end of Project No. 1 and that it would accommodate eight lanes or seven booths. He said that TP-2 at the interchange at Route 7 and TP-3 at the interchange at Route 18 each would accommodate four lanes and three booths.

Mr. McKay noted that the low bidder on TP-1 was the same contractor which had Contract C-1 and Contract C-6 & 7 and asked the Executive Director whether he thought he would have any difficulty with that contractor with regard to completion on time. The Executive Director said that he could guarantee nothing. He said that the contractor was a very reputable one and had done a great deal of work. He said that since the contractor was working and had its equipment in the area of the site of TP-1 it was the one which should be able to build TP-1 faster than anyone else. The Executive Director said that the contractor was not making satisfactory progress on Contract C-1 but that he did not think that there was any question about the contractor's completing that work within the time limit. He said that the contractor had accomplished very little to date upon Contract C-6 & 7, having between two and three percent of the work completed as compared to about 10 percent that he was supposed to have accomplished at that time. He said that the contractor planned to sublet some of the construction of TP-1 with which the contractor was not familiar to any great extent and that as to the other work the contractor had all of its equipment right there on the job and should be able to expedite the work to the

satisfaction of the Commission.

The Chief Engineer said that he had talked to the president of the Harrison Construction Company who had assured him that the company could complete the toll plaza on time although the time was rather tight. He said that the president had told him that the company was ready to go to work promptly and that the area where the toll plaza was to be built was ready for toll plaza construction.

Mr. McKay said that John J. Jenkins, Jr., a partner of the Consulting Engineers, had suggested that when the remainder of the toll plazas should be up for bids consideration might be given to taking bids covering the construction of all the remaining plazas or of combinations of the remaining plazas as a possible means of obtaining better bids. The Executive Director said that he had suggested that same procedure to the Consulting Engineer. Mr. Linzell said that he thought that the awards of Contracts TP-1, TP-2, and TP-3 should be made promptly because delay would mean that the Commission would run into a much more difficult situation and that there would be less chance of completion by December 1, 1954.

The General Counsel orally and by separate letters advised that in his opinion the bids, respectively, of Harrison Construction Company, C.C. Kaiser & Son, Incorporated, and the Heller-Murray Company conformed to the requirements of the applicable statute, and to the terms, conditions, and specifications prescribed by the Commission and to the legal notices and that awards might legally be made to them. Attached to his letters were proofs of publication of the notices of receipt of bids for Contracts TP-1, TP-2, and TP-3, respectively.

Resolution No. 85-1954, awarding toll plaza Contract TP-1, was moved for adoption by Mr. Linzell, seconded by Mr. McKay, as follows:

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have cause an advertisement to be published, according to law, for bids upon

a contract for the construction of a toll plaza at the interchange of Ohio Turnpike Project No. 1 to be located in the vicinity of the Ohio-Pennsylvania state line, which contract is designated Contract TP-1, and proof of said advertising is before the commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to-wit: forms of notice to bidders, proposal, contract, and special provisions for Contract TP-1, and the commission has heretofore, by and in its resolution No. 76-1954, approved the Special Provisions for Toll-plaza Contracts in General which comprise a part of the contract documents for said contract;

WHEREAS bids for the performance of said contract 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 said bids 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 all of the aforesaid bids for said contract 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 Harrison Construction Co., a corporation formed under the laws of the state of Delaware, in the amount of \$279,450.00, for the performance of Contract TP-1 is, and is by the commission determined to be, the lowest of said bids; 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 construction of the aforesaid toll plaza; and

WHEREAS the commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of a toll plaza at the interchange of Ohio Turnpike Project No. 1 to be located in the vicinity of the Ohio-Pennsylvania state line, and that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and the same hereby is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of Harrison Construction Co., a corporation formed under the laws of the state of Delaware, in the amount of \$279,450.00, for the performance of Contract TP-1 be, and hereby it is, determined to be the lowest and best of all said bids for the aforesaid contract, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to the other bidder the bid security furnished, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said contract."

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

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

Nays: None.

The Chairman declared the resolution adopted.



A representative of the Harrison Construction Company was present and the Chairman told him that there were some reservations on the part of the Commission about the award of the contract and about the ability of the company to perform in time. The Executive Director corrected his previous statement that the company had around two or three percent of the work on Contract C-6&7 completed. He said that the company had 3.21 percent completed and that it was supposed to have had 18.6 percent completed at that time so that the situation was even worse than he had said.

The representative of the Harrison Construction Company said that the company had no doubt that it could complete the Contract TP-1 within the time allotted even though the company felt that it would take all the time that had been allotted. With respect to Contract C-6&7 the representative said that the company had already started to make up any loss of time.

Mr. McKay said that he thought that the staff engineers would have to check up awfully carefully the shop work on Contract TP-1 lest on December 1, 1954 the Commission should face opening up the first section as a free road.

Resolution No. 86-1954, awarding toll plaza Contract TP-2, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon a contract for the construction of a toll plaza at the State Route 7 interchange of Ohio Turnpike Project No. 1, which contract is designated Contract TP-2, and proof of said advertising is before the commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to-wit: forms of notice to bidders, proposal, contract, and special provisions for Contract TP-2, and the commission has heretofore, by and in its resolution No. 76-1954, approved the

Special Provisions for Toll-plaza Contracts in General which comprise a part of the contract documents for said contract;

WHEREAS bids for the performance of said contract 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 said bids 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 all of the aforesaid bids for said contract 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 C.C. Kaiser & Son, Inc., a corporation formed under the laws of the state of Ohio, in the amount of \$189,006.00, for the performance of Contract TP-2 is, and is by the commission determined to be, the lowest of said bids; 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 construction of the aforesaid toll plaza; and

WHEREAS the commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of a toll plaza at the State Route 7 interchange of Ohio Turnpike Project No. 1, and that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them,

with reference to said contract be, and the same hereby is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of C.C. Kaiser & Son, Inc., a corporation formed under the laws of the state of Ohio, in the amount of \$189,006.00, for the performance of Contract TP-2 be, and hereby it is, determined to be the lowest and best of all said bids for the aforesaid contract, and is accepted, and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return to the other bidder the bid security furnished, (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

The Chief Engineer said that Mr. Lev, a representative of the C.C. Kaiser & Son, Incorporated, had assured the Chief Engineer and the Consulting Engineer that the company could construct Contract TP-2 on time although the time was a little bit tight. The Chief Engineer said that the company was a principal builder of industrial buildings and commercial buildings and had done much of that work in the Youngstown area very satisfactorily.

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

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

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 87-1954, awarding toll plaza Contract TP-3, was moved for adoption by Mr. Linzell, seconded by Mr. Teagarden, as follows:

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon a contract for the construction of a toll plaza at the State Route 18 interchange of Ohio Turnpike Project No. 1, which contract is designated Contract TP-3, and proof of said advertising is before the commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to-wit: forms of notice to bidders, proposal, contract, and special provisions for Contract TP-3, and the commission has heretofore, by and in its resolution No. 76-1954, approved the Special Provisions for Toll-plaza Contracts in General which comprise a part of the contract documents for said contract;

WHEREAS only one bid for the performance of said contract has been received, and was duly opened and read as provided in the published notice for bids, and said bid is before this meeting;

WHEREAS said bid has 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 bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and said bid, which was submitted by The Heller-Murray Company, a corporation formed under the laws of the state of Ohio, in the amount of \$186,971.00, for the performance of Contract TP-3 is, and is by the commission determined to be, the lowest and best bid; and the commission has been advised by its general counsel that said bid conforms to the require-

ments 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 construction of the aforesaid toll plaza; and

WHEREAS the commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of a toll plaza at the State Route 18 interchange of Ohio Turnpike Project No. 1, and that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and the same hereby is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of The Heller-Murray Company, a corporation formed under the laws of the state of Ohio, in the amount of \$186,971.00, for the performance of Contract TP-3 be, and hereby it is, determined to be the lowest and best bid for the aforesaid contract, and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, (2) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

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

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

Nays: None.

The Chairman declared the resolution adopted.

Mr. Shilling and Mr. Grace, representatives of the Heller-Murray Company, were present. They asked whether the site for TP-3 was ready. Mr. Casey, a representative of the Consulting Engineer, said that the site could be ready that day. Mr. Shilling said that the Company was ready to expedite the contract to the satisfaction of all concerned.

The Executive Director presented to the Commission for its consideration the contract documents for Contract Section C-23A. He said that the section was located partially in the City of Elyria and that it extended from the westerly end of Contract C-22 to a point within about eight hundred feet east of the Black River. He said that the contract documents had been approved by the Contracting Engineer, the Consulting Engineer, and the Chief Engineer and that he recommended their approval.

Resolution No. 88-1954, approving, adopting, and ratifying the plans and other contract documents for Contract C-23A, was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

"WHEREAS there are before this meeting the plans and forms of other contract documents, to-wit: forms of notice to bidders, proposal, special provisions, and contract, for Contract C-23A; and

WHEREAS the commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of a portion of Construction Section 23 of Ohio Turnpike Project No. 1; and

FURTHER RESOLVED that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and the same hereby is, ratified, approved, and confirmed; and that the executive director is directed to take and open bids for the same and report the results thereof to the commission."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director presented to the Commission for its consideration the contract documents for Contract M-7B which consisted of furnishing the fabricated structural steel and other appurtenant steel items for twin bridges over the Black River in the City of Elyria. He said the documents had been approved and signed by the Contracting Engineer, and Consulting Engineer, and the Chief Engineer. He said that he recommended approval by the Commission. He said that the members of the Commission had been polled about the matter by telephone.

Resolution No. 89-1954, approving, adopting, and ratifying the plans and other contract documents for Contract M-7B, was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

"WHEREAS there are before this meeting the plans and forms of other contract documents, to-wit: forms of notice to bidders, proposal, special provisions, and contract, for

Contract M-7B for the furnishing of fabricated structural steel for a twin bridge carrying the turnpike over the Black River in Construction Section 23 in Design Section D-7 of Ohio Turnpike Project No. 1; and

WHEREAS the commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with a contract for the furnishing of fabricated structural steel for a twin bridge carrying the turnpike over the Black River in Construction Section 23 in Design Section D-7 of Ohio Turnpike Project No. 1; provided that any changes which are the nature of adding or changing headings, captions, tables of contents, and style of writing, or the nature of filling in blank spaces, or correcting typographical, clerical, or arithmetical errors may be made upon the authorization of either the executive director, chief engineer, or general counsel; and

FURTHER RESOLVED that the executive director and general counsel shall cause to be published advertisements of notices for the taking of bids for said contract, and that the executive director shall take and open the bids for same and report the results thereof to the commission."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director presented a resolution authorizing a supplemental agreement with the firm of Bellman, Gillett



& Richards, architects, of Toledo, Ohio, which had the architectural contract for service areas. He said that the architect had prepared a part of the plans and contract documents which were in three phases - one, two, and three. He said that the architect had completed phases one and two when the Commission decided that it wanted a different design for the buildings. He said that consequently the architect had had to do over in its entirety the building design and detailed plans for phase two and that the resolution covered payment for the additional work. He said that in phase three the contracting engineers would do a certain portion of the work including painting, curbs, fine grading, and seeding and that work would be eliminated from the contract with Bellman, Gillett & Richards.

Resolution No. 90-1954, authorizing the execution of a supplemental contract on behalf of the Commission with Bellman, Gillett & Richards, architects, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

"WHEREAS the Commission has heretofore, namely, on May 20, 1953, entered into a contract for the performance of certain architectural services with Bellman, Gillett & Richards, architects; and

WHEREAS the Commission desires to enter into a supplemental contract with said architects supplementing the aforesaid contract not only with respect to the performance of certain extraordinary services and payment therefor, as has heretofore been authorized by and in the Commission's resolution No. 79-1954, but also for the purpose of eliminating certain work from the contract for architectural services executed on May 20, 1953, and of providing for the amount of compensation to be paid under said original agreement and said supplemental contract in the light of the changes made;

NOW, THEREFORE, BE IT

RESOLVED that the Commission authorizes each of its executive director and chief engineer to execute an agreement supplementing its contract with Bellman, Gillett & Richards,

which agreement shall provide for the accomplishment of the aforesaid purposes and shall be subject to approval, before execution, by the Commission's general counsel and consulting engineer."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director said that the members of the Commission had given approval by telephone for entering into an agreement with the accounting partnership of Peat, Marwick, Mitchell & Company, auditor to the Commission, to prepare performance specifications for certain office tabulating equipment. He said that the Commission's Comptroller and Chief Contract Attorney would do a large part of the work insofar as preparation of performance bonds, card requirements, charge accounts, etc., would be concerned and that Peat, Marwick, Mitchell & Company would prepare mainly the performance specifications.

Resolution No. 91-1954, authorizing the employment of Peat, Marwick, Mitchell & Company as consultant on central-office tabulating equipment, was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

"WHEREAS the Commission has considered the desirability of employing the services of specialists to advise and consult with representatives of the Commission in connection with the preparation of specifications for tabulating equipment for the Ohio Turnpike Project No. 1 central office;

WHEREAS the Commission has considered the employment of Peat, Marwick, Mitchell & Co. (a partnership), accountants and auditors, for the rendition of the services aforesaid; and

WHEREAS the Commission's executive director, comptroller, and consulting engineer have recommended to the Commission the employment of Peat, Marwick, Mitchell & Co. for the rendition of such services, and the Commission has fully considered the same and is satisfied as to the professional competence of said firm and its ability to perform said services; and is also satisfied that the Commission should enter into a contract with said firm for the performance of said services, provided terms thereof can be negotiated which will be approved by the Commission's executive director, its consulting engineer, and its general counsel;

NOW, THEREFORE, BE IT

RESOLVED that the Commission's executive director be, and he hereby is, authorized to enter into a contract on behalf of the Commission with Peat, Marwick, Mitchell & Co. (a partnership), accountants and auditors, for its services in connection with the preparation of specifications for the tabulating equipment for the Ohio Turnpike Project No. 1 central office; provided, however, that prior to entering into such contract, the terms and form thereof shall have first been approved by the Commission's consulting engineer and its general counsel."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director recommended that the mileage allowance for the use of privately owned automobiles by the members and the employees of the Commission be increased from 6-1/2¢ per mile to 7¢ per mile. He said that he had found upon investigation that about fifty percent of industrial concerns were paying 7¢ a mile or more. He said that the Commission did not have very many automobiles of its own

and that sometimes employees had had to use their own cars on Commission business.

Resolution No. 92-1954, amending resolution No. 76-1952 fixing the rate of reimbursement for automobile mileage, was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

"WHEREAS the Commission by Resolution No. 76-1952 fixed at 6-1/2 cents per mile the allowance to be paid for the use of automobiles, not owned or rented by the Commission, by its members, employees, and other persons serving it under contracts providing for their reimbursement for traveling expenses; and

WHEREAS the Commission finds said allowance is now inadequate;

NOW, THEREFORE, BE IT

RESOLVED that seven cents per mile is hereby fixed as the allowance to be paid hereafter for the use of such automobiles. Reimbursement shall also be made for necessary tolls and parking charges."

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

Ayes: McKay, Teagarden, Allen, Shocknessy.

Nays: None.

Not Voting: Linzell.

The Chairman declared the resolution adopted.

Mr. Linzell explained that because of his official position as Director of the Department of Highways of Ohio where the mileage allowance was limited to 6-1/2 ¢ a mile he believed that he should not vote on the resolution and thus be required to take an inconsistent position.

Resolution No. 93-1954, directing the closing of the Commission's principal office on certain Saturdays in 1954, was moved for adoption by Mr. Teagarden, seconded by Mr. McKay, as follows:

"RESOLVED that the principal office of the Commission shall be closed on Saturday, May 29, 1954, on Saturday, July 3, 1954, and on Saturday, September 4, 1954."

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

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

Nays: None.

The Chairman declared the resolution adopted.

The Executive Director presented a construction chart which showed the scheduled progress and the actual progress of construction of the total of all the contracts on Ohio Turnpike Project No. 1 and said that as of May 1, 1954, 16.9 percent of the total turnpike construction had been completed as compared with the scheduled percentage of 19.1. He said that the lag was not enough to give any great concern because heavy rains had retarded progress somewhat.

The Executive Director said that he had recently sent a letter to each member giving the current status of the cost of construction in excess of the contract figures and that the letter showed an excess cost of \$758,000 approximately, as compared to the previously reported figure of \$1,334,000. He said that the reduction was appreciable and took into consideration certain sizeable savings which had been effected during the previous month. He said that there would certainly be additional costs as situations should develop during construction

which would have to be corrected. He said that one item on which money had been saved was that of erosion control and seeding. He said that there was a short supply of Kentucky blue-grass seed which had been specified and that as a result of a conference between representatives of the Commission, representatives of the Greiner Company, Mr. Garmhausen, Landscape Architect of the Highway Department of Ohio, and Dr. Willard of Ohio State University, a number of changes had been prepared which would make for a very considerable reduction in costs if the change should be employed upon all the contract sections.

The Executive Director said that the Commission had already been advised that the General Counsel had ruled that it could not carry out the plan which had been concurred in by the Commission to establish a single toll rate for automobiles and a single toll rate for trucks on the expedited section and which would have made for simplicity in operating that section. He said that consequently it would be necessary to establish the rates as set up in the Trust Indenture and that that course of action would, unfortunately, increase total costs of operation of the expedited section by an estimated sixty thousand dollars for the ten-months' period that the expedited section would be in operation before the opening of the balance of the turnpike to traffic. He recommended that the Commission defer any action on the establishment of toll rates for the balance of the turnpike until it should have had some experience with the operation of the expedited section.

The Executive Director reported that plans were being made for the personnel and equipment requirements for the operation of the expedited section. He said that Mr. Metcalf of the Chief Engineer's staff, who had been a former chief engineer of maintenance of the Highway Departments of Ohio and Kentucky, was working with a representative of the Consulting Engineer on the maintenance requirements for equipment. He said that purchases would be kept to a minimum and added to as required. He said that the Executive Assistant, the Comptroller, and Mr. V. O. Robertson of the Commission's staff, and representatives

of the Consulting Engineer were working on the matter of personnel and equipment for toll booths and uniforms for toll collectors, police officers and maintenance workers.

The Executive Director said that pursuant to the authority that had been invested in him by the Commission on April 20, 1954 to consult with and contract for the employment of a restaurant consultant four firms or individuals had been contacted. He said that one individual stated that he would not be interested and that the other individual, Mr. J. A. Bullock of Summit, New Jersey, had not been accepted because he was associated with Hot Shoppes, Incorporated, a concern which was quite interested in obtaining concessions on Ohio Turnpike Project No. 1. He said that the firms of Harris, Kerr, Forster & Company of New York and Horwath & Horwath of New York, both of which were highly recognized in their field as restaurant consultants and accountants, had been contacted. He said that a contract had been offered to and had been agreed to by one of the partners of Harris, Kerr, Forster & Company to employ the firm in a consultant capacity on a daily basis with the agreement that the total cost would not exceed \$7,500 in the first year. He said that he anticipated that the Commission's requirements for services in the first year would not total anything like that amount. He said that the firm had been retained by the New York Thruway Authority for a period of more than a year and that that contract had just been renewed and that it involved services as restaurant consultant on turnpike construction in New York State.

The Executive Director reported that Grover Powers of West Portsmouth, Ohio, had been employed as a field engineer. He said that Mr. Powers' experience included sixteen years of highway engineering and construction, principally in the fields of excavation, embankment, drainage and paving and that Mr. Powers currently was employed by Peter Kiewit & Sons Company in the vicinity of Portsmouth, Ohio. He said that Mr. Powers would join the Commission staff on May 24, 1954.

The Executive Director said that the assignment of liaison engineers for field work was working out excellently. He said that by this arrangement the Commission was able to keep in much closer touch with the actual construction work than would otherwise be the case. He said that he and the Chief Engineer held a conference each Monday morning with all of the field engineers to go over the status of construction from one end of the turnpike to the other. He said that at each such conference there were considered what had been constructed during the previous week, what problems had arisen, and what problems had been resolved. He said that the Commission had found that several of the contracting engineering firms had been found wanting to some extent providing adequate supervision and inspection and that the Consulting Engineer and the Commission's engineers had contacted those firms to let them know that they must take corrective action immediately. He said that results had been splendid so far as the field engineers' activities were concerned.

The Executive Director reported that he had prepared a preliminary report concerning the provision of a retirement or pension plan for employees of the Commission. He said that the report was being studied by the Commission's staff and that recommendations might be made later for consideration by the Commission. He said that there was no provision in existence for retirement or social security for any of the employees of the Commission and that it was his opinion that at some time the Commission would have to make some provision for at least the operating employees on the turnpike proper.

The Executive Director said that the form of contract for the concession for fuel-servicing facilities had been prepared and had been transmitted to Mr. Allen on May 13, 1954 by the General Counsel. He said that it was the recommendation of the staff that advertising for those concessions be started at a very early date. He said that



work had started on the contract documents for restaurant concessions.

The Executive Director said that the plans and contract documents for maintenance building No. 1 had been received in the office of the Consulting Engineer for review on May 14, 1954, and that specifications were to be submitted not later than May 18, 1954 and that it was expected that it would take about another week to process the plans and documents through the Consulting Engineer's office. He said that the Commission should then be ready to advertise that maintenance building, which was to be located on the expedited section, so that that building would be completed or at least be in useable form by the time the expedited section should be opened. He said that the plans and specifications for the other maintenance buildings were reported to be ready for submission to the Consulting Engineer.

The Executive Director said that thirteen of a total of seventeen sets of plans for lighting had been submitted to the Consulting Engineer and were being checked, and that good progress was being made.

The Executive Director said that a report from Bellman, Gillett & Richards, architect for the service building, indicated that good progress was being made on the redesigning of the service building and particularly on phase two of the revised plans. He said that even at the very best, however, it would take about three months before the service area contracts would be ready for advertising. He said that the so-called children's playground which would consist mainly of a low brick wall, a perimeter wall, seeding between the walls, a grass interior and some shrubbery was estimated to cost about \$10,000 or less, and that it would provide attractiveness for the whole service area layout and would also permit the handling of overflow

during clement weather in the summertime. He said that the playground would also lend itself to future expansion of the building's seating capacity and that he thought that the playground was well worth the minor investment.

The Executive Director stated that the Consulting Engineer and the Chief Engineer of the Commission had jointly recommended that a dual truck station be located at the intersection of State Route 4 and the Turnpike, a location which is about 8 miles southwest of Sandusky. He said also that the Commission's Service Facilities Committee under the chairmanship of Mr. Allen was considering the recommendation.

The Executive Director reported that Stickle & Associates, architect for the administration building, was proceeding with preparation of the plans and specifications and that the building would be faced with stone as per the approval by the Commission at its last previous meeting.

The Executive Director reported that there were still in negotiation two mainline parcels and nineteen supplemental parcels. He said that the mainline parcels were the one at the Plum Brook Ordnance Works on which word had not yet been received from the General Services Administration and a portion of a nondedicated street in Construction Section 23. He said that his report did not include service area right-of-way requirements.

The Chairman recognized County Engineer Samuel Gould of Mahoning County who welcomed the Commission to Mahoning County.

The General Counsel reported that a total of three hundred and thirty-eight appropriation cases had been started in some degree and that one hundred and thirty of those had been concluded by jury trial. He said that

He said that a large number of the cases had been otherwise concluded to bring the total number of cases concluded to two hundred and sixty-eight. He said that in Mahoning County there had been more such cases than in any other county - a total of fifty-one altogether, of which twenty had been concluded by jury trial. He said that in Trumbull County the Commission had had fewer such cases than in any other county in the State of Ohio. He said that in that county twelve cases had been commenced in one fashion or another but that only three had gone to jury trials. He said that the total number of parcels involved in all pending condemnation cases stood at forty-four of which eleven were mainline parcels. He said that five of those eleven mainline parcels were in Lorain County and that two of them were owned by the City of Elyria.

The General Counsel reported that one week previously there had been filed by the City of Elyria in the Common Pleas Court of Lorain County a suit to enjoin the Commission from the further prosecution of those two appropriation cases which were pending in that court involving the two parcels owned, in part at least, by the City of Elyria. He said that the judge, Judge Tudor from Kenton, Ohio, who was handling those cases had set the injunction case for an early trial and that the trial was set to commence on June 2, 1954, so that it could be hoped that the delay in the conclusion of the condemnation cases might be relatively slight.

Governor Lausche entered the room at that point and was recognized by the Chairman, who said that the Commission was honored that he had come into the meeting.

Resolution No. 94-1954, amending resolution No. 11-1954 regarding the description of property to be appropriated, was moved for adoption by Mr. Linzell, seconded by Mr. McKay, as follows:

Resolution No. 94-1954

"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-22 it has been determined that land needed for a temporary detour may be secured from Kenneth A. Buck et al. under a right-of-entry agreement in lieu of the land originally described in Resolution No. 11-1954, which resolution directed the appropriation, among other things, of different land from Kenneth A. Buck et al. for said detour road; and

WHEREAS the land over which the owners propose to grant a right of entry will adequately serve the needs of the public; and

WHEREAS, it is a matter of urgent necessity that the commission's contractor be able to construct said detour road immediately.

NOW, THEREFORE, BE IT

RESOLVED that the description of the parcel needed for temporary detour purposes, and known as parcel No. 123-A - 124-L(3) as described in Resolution No. 11-1954, and adopted by the commission on January 4, 1954, be, and hereby is amended to read as follows:

Parcel No. 123 - 124-L(3) -- Temporary Easement for Detour Purposes

Situated in the Township of Ridgeville, County of Lorain and State of Ohio, and known as being part of Original Ridgeville Township Lots Nos. 15 and 22, and being all that part of the lands described in the deed to Kenneth A. Buck, dated September 14, 1947, and recorded in Volume 360, Page 459 of Lorain County Deed Records, and bounded and described as follows:

Beginning at a point distant 340 feet Easterly, measured at right angles from the centerline of Root Road, at its intersection with a line drawn parallel to and distant 130 feet Northerly, measured on a line normal

to the centerline of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 15, Pages 44 and 45 of Lorain County Map Records; thence Northerly and parallel with the centerline of Root Road to a point distant 435 feet Easterly, measured at right angles from a point on the centerline of Root Road, distant 848.76 feet Northwesterly, measured along said centerline from its intersection with the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Northwesterly in a direct line to a point distant 70 feet Easterly, measured at right angles from a point on the centerline of Root Road, distant 1,123.76 feet Northwesterly, measured along said centerline from its intersection with the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Northwesterly in a direct line to a point distant 30 feet Easterly, measured at right angles from a point on the centerline of Root Road, distant 1,188.76 feet Northwesterly, measured along said centerline from its intersection with the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Southeasterly and parallel with the centerline of Root Road, 85 feet; thence Southeasterly in a direct line to a point distant 355 feet Easterly, measured at right angles from a point on the centerline of Root Road, distant 858.76 feet Northwesterly, measured along said centerline from its intersection with the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Southeasterly in a direct line to a point distant 395 feet Easterly, measured at right angles from a point on the centerline of Root Road, distant 773.76 feet Northwesterly, measured along said centerline from its intersection with the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Southerly and parallel with the centerline of Root Road to its intersection with a line drawn parallel to and distant 130 feet Northerly, measured on a line normal to the centerline of said Ohio Turnpike Project No. 1 as aforesaid; thence Southeasterly along said parallel line to the place of beginning.

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, together with the other property described in Resolution No. 11-1954, which resolution is in nowise abrogated or amended except as hereinabove specifically set forth."

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

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

Nays: None.

The Chairman declared the resolution adopted.

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

Resolutions Nos. 95-1954, and 96-1954, declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and prosecuted, were moved for adoption respectively, by Mr. Linzell, seconded respectively by Mr. Teagarden,

as follows:

Resolution No. 95-1954

"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>
Esther H. Rankin, nee Esther Keller	R.F.D. Perrysburg, Ohio
Esther H. Rankin, Guardian of Dale Allen, A Minor	R.F.D. Perrysburg, Ohio
Esther H. Rankin, Guardian of Barbara Keller, An Incompetent	R.F.D., Perrysburg, Ohio
Barbara Keller, An Incompetent	R.F.D., Perrysburg, Ohio
Dale Allen, A Minor	R. F. D., Perrysburg, Ohio
John Keller, Also Known As John T. Keller, Jr.	R.F.D., Perrysburg, Ohio
James Rankin	R. F. D., Perrysburg, Ohio
Matilda Mandell, nee Matilda Woodring	North Baltimore, Ohio

<u>Owner(s)</u>	<u>Place of Residence</u>
Howard Mandell	North Baltimore, Ohio
Helen Winklea	LaCarne, Ohio
Gilbert Winklea	LaCarne, Ohio
Robert Nuzum	Worthington, Ohio
Allison Nuzum	Worthington, Ohio
The Unknown Heirs, Devisees and Assigns of Carrie Woodring, Deceased	Addresses Unknown
County Auditor of Wood County	Wood County Court House, Bowling Green, Ohio
County Treasurer of Wood County	Wood County Court House Bowling Green, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 53-D -- Permanent Easement for Highway Purposes.

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Situated in the Township of Perrysburg, County of Wood and State of Ohio, and known as being part of Original Perrysburg Township Section No. 34, Town 3, - United States Reserve, and being all that part of the lands described as Parcel No. 1 in the Certificate of Transfer in the matter of the Estate of John T. Keller, deceased, dated August 9, 1951, and recorded in Volume 317, Page 505 of Wood County Deed Records, bounded and described as follows:

Beginning on the center line of Bates Road, at the Northeasterly corner of land described as Parcel



No. 1 in the Certificate of Transfer as aforesaid; thence Southerly along said center line of Bates Road, which center line is also the Easterly line of land described as Parcel No. 1 in the Certificate of Transfer as aforesaid, to the Southeasterly corner thereof; thence Westerly along the Southerly line of land described as Parcel No. 1 in said Certificate of Transfer as aforesaid, to its intersection with a straight line, which straight line is drawn from a point distant 80 feet Westerly, measured at right angles from a point on the center line of Bates Road, distant 150 feet Southerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by the recorded plat in Volume 10, Page 65 of Wood County Map Records, to a point distant 45 feet Westerly, measured at right angles from a point on the center line of Bates Road, distant 800 feet Southerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Northerly along said straight line to its intersection with the Northerly line of land described as Parcel No. 1 in the Certificate of Transfer as aforesaid; thence Easterly along said Northerly line of land described as Parcel No. 1 in the Certificate of Transfer as aforesaid, to the place of beginning.

Parcel No. 53-V -- Permanent Easement for Highway Purposes.

Situated in the Township of Perrysburg, County of Wood and State of Ohio, and known as being part of Original Perrysburg Township Section No. 34, Town 3 - United States Reserve, and being all that part of the lands described in the deed to Dale Allen dated August 1, 1951, and recorded in Volume 317, Page 507 of Wood County Deed Records, bounded and described as follows:

Beginning on the center line of Bates Road, at the Northeasterly corner of land described in the deed to Dale Allen as aforesaid; thence Southerly along said center line

of Bates Road which is also the Easterly line described in the deed to Dale Allen as aforesaid, to the Southeasterly corner thereof; thence Westerly along the Southerly line of land described in said deed, which is also the center line of State Route No. 795, 419.41 feet to a point; thence Northerly at right angles to the center line of State Route No. 795, 45 feet; thence Easterly parallel with the center line of State Route No. 795 to a point, measured 45 feet Westerly at right angle measurement from the center line of Bates Road; thence Northerly parallel to the center line of Bates Road to its intersection with a line drawn Westerly, measured at right angles from a point on the center line of Bates Road and distant 800 feet Southerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1, as shown by the recorded plat in Volume 10, Page 65 of Wood County Map Records; thence Northwesterly in a straight line to the Northerly line of land described in deed to Dale Allen as aforesaid; which said straight line if prolonged would intersect a point distant 80 feet Westerly, measured at right angles from a point on the center line of Bates Road; distant 150 feet Southerly, measured along said center line from its intersection with the center line of Ohio Turnpike Project No. 1 as aforesaid; thence Easterly along the Northerly line of land described in deed to Dale Allen as aforesaid, to the place of beginning. The center line of State Route No. 795, hereinabove referred to, is a line drawn Westerly from Station 110+91.46 on the center line of Ohio Turnpike Parcel No. 1 as aforesaid, and forming an angle of 36° 57' 55" in the Northwest quadrant with said center line."

Resolution No. 96-1954

"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 W. Flanigan	Route #64 Waterville, Ohio
Rosa Flanigan	Route #64 Waterville, Ohio

The aforementioned property to be appropriated is described as follows:

Parcel No. 49-J -- 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. 26, Town 2 of 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 lands described in the Certificate of Transfer to Charles W. Flanigan and Minnie Flanigan, dated March 21, 1936, and recorded in Volume 901, Page 540 of Lucas County Deed Records, bounded and described as follows:

Beginning on the Northerly line of land described in the Certificate of Transfer, as aforesaid, at its intersection with the center line of U. S. Route No. 20; thence Westerly along said Northerly line to its intersection with a straight line drawn from a point distant 330 feet Westerly, measured at right angles from a point on the center line of U. S. Route No. 20, distant 920 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 50

of Maps, Page 14 of Lucas County Records, to a point distant 220 feet Westerly, measured at right angles, from a point on the center line of U.S. Route No. 20, distant 1040 feet Southerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southeasterly along said straight line to said point distant 220 feet Westerly from the center line of U. S. Route No. 20, as last aforesaid; thence Southeasterly to a point distant 152 feet Westerly, measured at right angles, from a point on the center line of U. S. Route No. 20, distant 1200 feet Southerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southerly to a point distant 130 feet Westerly, measured at right angles, from a point on the center line of U. S. Route No. 20, distant 1279.25 feet Southerly, measured along said center line, from the center line of Ohio Turnpike Project No. 1; thence Southerly to a point on the Southerly line of land described in the Certificate of Transfer, as aforesaid, distant 90 feet Westerly, measured at right angles, from the center line of U. S. Route No. 20; thence Easterly along the Southerly line of land so described, to the center line of U. S. Route No. 20; thence Northerly along said center line to the place of beginning.

Parcel No. 49-J(1) -- Permanent Easement for Drainage 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. 26, Township 2, of the United States Reserve of 12 Miles Square at the foot of the rapids of the Maimi of Lake Erie, and bounded and described as follows:

Beginning at the Southwesterly corner of land described in the Certificate for Transfer recorded in Volume 901, Page 540 of Lucas County Deed Records; thence Northerly along the Westerly line of land described in said Certificate for Transfer to its intersection with a line drawn parallel to and distant 40 feet Northwesterly of, measured at right angles to, the hereinafter described

Line "B"; thence Northeasterly along said parallel line to a point distant 40 feet Northwesterly of, measured on a line normal to said Line "B", from a point therein distant 1315.96 feet Southwesterly, measured along said Line "B" from its intersection with the center line of Ohio Turnpike Project No. 1; thence Northeasterly in a straight line to the Northerly line of land described in said Certificate for Transfer, which straight line if prolonged would intersect a point distant 40 feet Northwesterly of, measured on a line normal to, the hereinafter described Line "B" from a point therein distant 1054 feet Southwesterly measured along said Line "B" from its intersection with the said Turnpike center line; thence Easterly along the Northerly line of land described in said Certificate for Transfer to its intersection with a straight line drawn from a point distant 50 feet Southeasterly, measured on a line normal to the hereinafter described Line "B" from a point therein distant 1004 feet Southwesterly measured along said Line "B" from its intersection with the Turnpike center line to a point distant 50 feet Southeasterly, measured on a line normal to the hereinafter described Line "B" from a point therein distant 1194 feet Southwesterly measured along said Line "B" from its intersection with the Turnpike center line; thence Southwesterly along said last described line to said last described point; thence Southwesterly in a straight line to the Southerly line of land described in the aforesaid Certificate for Transfer, which straight line if prolonged would intersect a point distant 40 feet Southeasterly measured at right angles from the terminal point on the hereinafter described Line "B"; thence Westerly along the Southerly line of land described in said Certificate for Transfer to the place of beginning.

Line "B". The center line of Graham Ditch Relocation is described as follows:

Beginning on the center line of Ohio Turnpike Project No.1, as shown by plat recorded in Volume 50, Page 14 of Lucas County Map Records at Station 599+82; thence Southwesterly on a straight line forming an angle

of 76° with a tangent to said center line at said point of beginning, measured from West to South, a distance of 377.40 feet to a point of curve; thence Southwesterly on a curved line deflecting to the left an arc distance of 39.27 feet to a point of tangency, said curve having a radius of 505.62 feet and a central angle of 4° 27'; thence Southwesterly on a line tangent to said curve 427.15 feet to a point of curve; thence Southwesterly on a curved line deflecting to the right an arc distance of 472.14 feet to a point of tangency, said curve having a radius of 818.51 feet and a central angle of 33° 03'; thence Southwesterly on a line tangent to said curve 738.04 feet to the end of the relocation.

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. 49-J, including such rights to any turnpike constructed thereon.

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

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

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

Nays: None.

The Chairman declared the resolutions adopted.

Resolution No. 97-1954, ratifying actions of administrative officers, was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

"WHEREAS the executive director, executive assistant, chief engineer, general counsel, assistant 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, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT

RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on April 20, 1954, are hereby ratified, approved, and confirmed."

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

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

Nays: None.

The Chairman declared the resolution adopted.

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

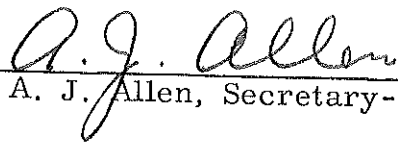
A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time  
of adjournment was 10:13 o'clock A. M. Eastern Standard  
Time.

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

  
A. J. Allen, Secretary-Treasurer