

-OHIO TURNPIKE COMMISSION

Resolution Determining Certain Real Estate is no Longer  
Needed in Connection With the Operation and Maintenance of  
Ohio Turnpike Project No. 1 and Authorizing the Executive  
Director to Sell the Same to the Department of Highways

WHEREAS the Department of Highways as a part of its detailed plans for the relocation of State Route 57 has approached the Commission with a request that the Commission permit the Department to purchase three separate small parcels of real estate presently included within the right of way of the Ohio Turnpike Project No. 1 originally acquired by the Commission in the name of the State of Ohio for turnpike purposes, which parcels the Department urgently desires to use as a part of its plans submitted to the Commission for the relocation of State Route 57;

WHEREAS study of the Department's plans by the Commission, particularly the amount and nature of use of the land intended by the Department in connection with the relocation of State Route 57 and presently a part of the Ohio Turnpike project, indicates that the real property sought by the Department of Highways is no longer needed by the Commission on the basis of the nature of the use contemplated by the Department of Highways involving the cutting back of certain back slopes which would eliminate the necessity of the Commission maintaining the same right-of-way width required under its original construction plans;

WHEREAS the Department of Highways has had an appraisal made of the real property it desires to acquire from the Commission and the Commission's own separate appraisal reveals that the intended price to be offered therefor is fair; and

WHEREAS the Commission, by §713 of the Trust Agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, trustee, and The National City Bank of New York (now The First National City Bank of New York), as co-trustee, has authority to dispose of real estate on the basis therein provided and the Department of Highways has indicated its willingness to enter into a contract with the Commission for the purchase of said real estate desired at a fair price as indicated by the appraisals of the Department and of the Commission, and is willing to agree that its use of the real estate to be purchased and the construction plans generally will be in accordance with the plans heretofore submitted to the Commission and will be executed without injury to the turnpike, without hazard to users of the turnpike, and without interruption of use;

NOW, THEREFORE, BE IT

RESOLVED that the Commission, having duly and fully considered the matter, hereby determines that from and after September 15, 1959 the following three parcels of real estate situated in Lorain County, Ohio, and bounded and described as follows:

PARCEL A

Beginning at the point of intersection of the Southerly line of the right of way of the Ohio Turnpike with the Westerly line of Abbe Road said point being 130 feet Southerly of and radially to the centerline of the Ohio Turnpike at Station 781+71.56 said point also being 108.78 feet Northerly of and radially to Station 899+92.56 in the centerline of survey made by the Ohio

Parcel A - continued.

Department of Highways for SR 57; thence Northerly along the Westerly line of Abbe Road to a point 113.53 feet Northerly of and radially to Station 899+94.14 in the centerline of survey for SR 57 said point also being 125 feet Southerly of and radially to Station 781+70.74 in the centerline of Ohio Turnpike; thence Westerly on a curve to the left having a radius of 2739.79 feet to a point 125 feet Southerly of and radially to Station 774+00 in the centerline of Ohio Turnpike said point also being 81.21 feet Northerly of and radially to Station 906+86 in the centerline of survey for SR 57; thence Westerly to a point 130 feet Southerly of and radially to Station 773+00 in the centerline of Ohio Turnpike said point also being 82.58 feet Northerly of and radially to Station 907+79.33 in the centerline of survey for SR 57; thence Westerly to a point 140 feet Southerly of and radially to Station 771+00 in the centerline of Ohio Turnpike said point also being 76.81 feet Northerly of and radially to Station 909+66.06 in the centerline of SR 57; thence Westerly to a point 140 feet Southerly of and at right angles to Station 767+66.12 in the centerline of Ohio Turnpike said point also being 80 feet Northerly of and at right angles to Station 912+89.87 in the centerline of SR 57; thence Westerly to a point same being 140 feet Southerly of and at right angles to Station 766+00 in the centerline of Ohio Turnpike said point also being 80 feet Northerly of and at right angles to Station 914+55.99 in the centerline of SR 57; thence Southerly to a point of same being 150 feet Southerly of and at right angles to Station 766+00 in the centerline of Ohio Turnpike said point also being 70 feet Northerly of and at right angles to Station 914+55.99 in the centerline of SR 57; thence Easterly along the Southerly right of way line of the Ohio Turnpike to a point 150 feet Southerly of and at right angles to Station 767+66.12 in the centerline of Ohio Turnpike said point also being 70 feet Northerly of and at right angles to Station 912+89.87 in the centerline of SR 57; thence continuing Easterly along the Southerly line of the right of way of the Ohio Turnpike to a point 150 feet Southerly of and radially to Station 771+66.12 in the centerline of Ohio Turnpike said point also being 65.31 feet Northerly of and radially to Station 909+03.84 in the centerline of SR 57; thence continuing Easterly along the Southerly right of way line of the Ohio Turnpike to a corner said point being 150 feet Southerly of and radially to Station 773+00 in the centerline of Ohio Turnpike said point also being 62.59 feet Northerly of and radially to Station 907+79.67 in the centerline of SR 57; thence Northerly along said right of way line of the Ohio Turnpike to a corner the same being 130 feet Southerly of and radially to Station 773+00 in centerline of Ohio Turnpike said point also being 82.58 feet Northerly of and radially to Station 907+79.33 in the centerline of SR 57; thence continuing Easterly along the Southerly right of way line of the Ohio Turnpike to the place of beginning and containing .255 acres more or less.

#### PARCEL B

Beginning at a point in a jog in the Southerly right of way line of the Ohio Turnpike said point being 150 feet Southerly of and at right angles to Station 748+24.72 in the centerline of Ohio Turnpike said point also being 70 feet Northerly of and at right angles to

Parcel B - continued.

Station 932+31.27 in the centerline of survey made by the Ohio Department of Highways for SR 57; thence Northerly along said right of way line of Ohio Turnpike to a point 140 feet Southerly of and at right angles to Station 748+27.48 in the centerline of Ohio Turnpike said point also being 80 feet Northerly of and at right angles to Station 932+28.51 in the centerline of survey for SR 57; thence Westerly to a point 140 feet Southerly of and at right angles to Station 745+00 in the centerline of Ohio Turnpike said point also being 80 feet Northerly of and at right angles to Station 935+55.99 in the centerline of SR 57; thence Westerly to a point 125 feet Southerly of and at right angles to Station 743+50 in the centerline of Ohio Turnpike said point also being 95 feet Northerly of and at right angles to Station 937+05.99 in the centerline of SR 57; thence Westerly to a point in the Southerly right of way line of the Ohio Turnpike said point being 150 feet Southerly of and at right angles to Station 742+00 in the centerline of Ohio Turnpike said point also being 70 feet Northerly of and at right angles to Station 938+55.99 in the centerline of SR57; thence Easterly along the Southerly right of way line of the Ohio Turnpike to the place of beginning and containing .162 acres more or less.

PARCEL C

Beginning at a point in the Southerly right of way line of the Ohio Turnpike said point being 175 feet Southerly of and radially to Station 731+00 in the centerline of Ohio Turnpike said point also being 82.49 feet Northerly of and radially to Station 949+99.59 in the centerline of survey made by the Ohio Department of Highways for SR 57; thence Westerly to a point 135 feet Southerly of and radially to Station 726+00 in the centerline of Ohio Turnpike said point also being 92.44 feet Northerly of and radially to Station 955+31.25 in the centerline of SR 57; thence Westerly to a point 110 feet Southerly of and radially to Station 722+00 in the centerline of Ohio Turnpike said point also being 76.77 feet Northerly of and at right angles to Station 959+45.41 in the centerline of SR 57; thence Westerly with a curve to the right having a radius of 5839.58 feet concentric with and 110 feet distant from the centerline of the Ohio Turnpike to a point 110 feet Southerly of and radially to Station 716+50 in the centerline of Ohio Turnpike said point also being 90.42 feet Northerly of and radially to Station 964+90.21 in the centerline of SR 57; thence Westerly to a jog in the Southerly right of way line of Ohio Turnpike said point being 165 feet Southerly of and radially to Station 714+40 in the centerline of Ohio Turnpike said point also being 91.94 feet Northerly of and radially to Station 967+04.65 in the centerline of SR 57; thence Southerly along said right of way line of Ohio Turnpike to a jog said point being 175 feet Southerly of and radially to Station 714+40 in centerline of Ohio Turnpike said point also being 82.23 feet Northerly of and radially to Station 967+07.43 in the centerline of SR 57; thence Easterly along the Southerly right of way line of the Ohio Turnpike to the place of beginning and containing 1.758 acres more or less.

will not be needed in connection with the operation and maintenance of Ohio Turnpike Project No. 1;

FURTHER RESOLVED that the Commission deems it in its best interest to sell said three parcels of real estate hereinabove described and adopts this resolution pursuant to §713 of the Trust Agreement dated June 1, 1952, entered into between the Ohio Turnpike Commission and The Ohio National Bank of Columbus, trustee, and The National City Bank of New York (now The First National City Bank of New York), as co-trustee;

FURTHER RESOLVED that the Commission's executive director is hereby authorized and empowered to negotiate with the Department of Highways for the sale of said real estate hereinabove described and to consummate said sale on behalf of the Commission at a price to be agreed upon by the executive director and the Director of Highways; and thereupon the Commission's executive director is empowered to execute a quit claim deed in behalf of the Commission to the Department of Highways; provided, however, that the consulting engineer shall first approve this resolution;

FURTHER RESOLVED that in connection with said sale to the Department of Highways by and on behalf of the Commission the Department of Highways by contract with the Commission shall specify the manner in which the Department's construction plans, upon acquisition of the parcels aforesaid, shall be carried out, without injury to the turnpike, without hazard to users of the turnpike, and without interruption of use, and further containing such terms as may be approved by the executive director and general counsel;

FURTHER RESOLVED that the proceeds of said sale shall be paid to the trustee to be held for the credit of the construction fund pursuant to said §713 of the Trust Agreement; and

FURTHER RESOLVED that the comptroller is hereby directed, immediately upon the consummation of said contract of sale, to notify the trustee thereof and of the amount and disposition of the proceeds therefrom as hereinabove directed.

(Resolution No. 15 -1959 adopted September 15, 1959)

Copies hereof distributed 9/15/59 to:

Trustee  
Co-trustee  
Executive Director  
Deputy Executive Director  
Director of Information & Research  
Chief Engineer  
Comptroller  
Squire, Sanders & Dempsey  
Consulting Engineer