

OHIO TURNPIKE COMMISSION

Resolution Authorizing Lease of Certain Real Property
Including the Utility Building Comprising a Part of the
Former Toll Plaza at Old Interchange 10 to the Board of
Park Commissioners of the Cleveland Metropolitan Park
District for a Term of Four Years and Thereafter Renewable
for Successive One-Year Terms

WHEREAS the Commission heretofore by Resolution No. 21-1967 determined that certain real property, including the building formerly used as a toll plaza at old Interchange 10 was no longer needed or useful to the Commission for the construction, operation or maintenance of the Ohio Turnpike, and the Commission's consulting engineer approved in writing a Commission resolution declaring that said real property was no longer needed or useful as aforesaid;

WHEREAS the Commission entered into a lease of the aforesaid real property to the Board of Park Commissioners of the Cleveland Metropolitan Park District for a period of ten years and said lease has now expired but the Board of Park Commissioners of the Cleveland Metropolitan Park District has remained in possession of said premises and is holding over as tenant in possession following the expiration of said lease and paying rent as therein provided; and

WHEREAS the Ohio Turnpike Commission and the Board of Park Commissioners of the Cleveland Metropolitan Park District now desire to reinstate their relationship as lessor and lessee upon terms substantially similar to those set forth in said expired lease, and a proposed form of lease to be executed by the parties is before the Commission;

NOW, THEREFORE, BE IT

RESOLVED that the Commission, having duly and fully considered the matter and having heretofore determined that the real property, including the building thereon which is described in Exhibit I attached hereto and made a part hereof, and shown as an area of 1.6278 acres on the accompanying plat marked Exhibit II, which is also attached hereto, was no longer needed or useful and served no useful purpose in connection with the construction, maintenance or operation of the Ohio Turnpike and the Commission remains satisfied with said determination and continues to be of same opinion;

FURTHER RESOLVED that the Commission hereby authorizes the chairman and the executive director, or either of them, acting on behalf of the Commission, to execute a lease substantially in the form of the draft of lease before the Commission for a four-year term to the Board of Park Commissioners of the Cleveland Metropolitan Park District of the Commission's interest in the real estate, including the utility building, described in Exhibit I attached hereto and shown on Exhibit II attached hereto, being 1.6278 acres, more or less; provided, however, that the consulting engineer shall first give its written approval of the declaration contained herein that the property, subject of said lease, is not needed and serves no useful purpose in connection with the maintenance and operation of the Turnpike;

FURTHER RESOLVED that the proceeds derived from the monthly rentals received shall be paid by the comptroller to The Ohio National Bank of Columbus, as Trustee under the Trust Agreement, and credited by the Trustee to the Reserve Maintenance Fund created by Section 507 of the Trust Agreement, and thereafter

expended in accordance with the authorization conferred by Section 509 of the said Trust Agreement; and

FURTHER RESOLVED that the comptroller is hereby directed immediately upon execution of the lease to give notice thereof to The Ohio National Bank of Columbus, in its capacity as Trustee under the Trust Agreement, and of the amount and times provided for payment by the terms of the lease entered into by and between the Commission and the Board of Park Commissioners of the Cleveland Metropolitan Park District.

(Resolution No. 6-1978 adopted May 9, 1978

Copies hereof distributed 5/10/78 to:

Commission Members
Executive Director
Deputy Executive Director-Chief Engineer
Director of Administrative Services
Purchasing Agent
J. E. Greiner Co. -Ohio (2)
Director of Operations
Director of Information & Research (25)
Chief Engineer-Deputy Executive Director
Comptroller
Squire, Sanders & Dempsey

EXHIBIT 1
(Accompanying Resolution No. 21-1967)

Situated in the City of Strongsville, County of Cuyahoga and State of Ohio and known as being part of Original Strongsville Township Lot No. 49 and bounded and described as follows:

Beginning at a point in the southeasterly line of Wooster Pike (100 feet wide) which point is the place of beginning of the description for Parcel No. 132P-3 described in Exhibit A of the consent decree in the case of City of Strongsville vs. the Department of Highways (Court of Common Pleas, Franklin County, Ohio, No. 221567), which parcel reverted to the Park Board under said decree; thence North $82^{\circ} - 33' - 29''$ East along the northerly line of said Parcel 132P-3 a distance of 171.71 feet; thence continuing along the northerly line of said Parcel 132P-3 South $69^{\circ} - 36' - 17''$ East a distance of 27.51 feet to a point; thence leaving the northerly line of parcel 132P-3 and along the southerly boundary of the lands conveyed to the City of Strongsville and described in Exhibit A of said consent decree North $61^{\circ} - 28'$ East a distance of 4.08 feet; thence continuing along said southerly line South $89^{\circ} - 31' - 41''$ East a distance of 176.92 feet; thence continuing along said southerly line South $67^{\circ} - 47' - 15''$ East a distance of 318.94 feet to the place of beginning of the herein described parcel; thence continuing along said southerly line South $67^{\circ} - 47' - 15''$ East a distance of 105.24 feet; thence continuing along said southerly line the following courses and distances:

North $22^{\circ} - 12' - 45''$ East 12.04 feet;
South $73^{\circ} - 03' - 36''$ East 69.92 feet;
South $56^{\circ} - 26' - 22''$ East 233.30 feet;
South $39^{\circ} - 49' - 07''$ East 69.92 feet;
South $56^{\circ} - 26' - 22''$ East 20.32 feet;

thence along the arc of a circle deflecting to the left an arc distance of 67.50 feet, said arc having a radius of 1885 feet and a chord that bears South $57^{\circ} - 27' - 55''$ East 67.48 feet;

thence leaving said southerly line South $32^{\circ} - 32' - 05''$ West 39.73 feet to a point in the southerly property line of the Ohio Turnpike; thence continuing along the southerly property line the following courses and distances:

South $88^{\circ} - 50' - 22''$ West 219.07 feet;
North $52^{\circ} - 49' - 20''$ West 227.55 feet;
North $18^{\circ} - 34' - 37''$ West 189.49 feet to the place

of beginning and containing 1.6278 acres, more or less.

