

OHIO TURNPIKE COMMISSION

Resolution Ratifying and Amending Resolution No. 10-1989
and Declaring the Necessity of Appropriating
Property and Directing that Proceedings to Effect
such Appropriation be Begun and Prosecuted

WHEREAS, Resolution No. 10-1989, adopted on July 31, 1989, which resolution is hereby incorporated by reference as if fully rewritten herein, dealt with the appropriation of a parcel of real estate (Parcel No. 8-WL) owned by Seaway Sand & Stone, Inc. and needed for the construction of Toll Interchange 3-A;

WHEREAS, additional real estate owned by Seaway Sand & Stone, Inc. is needed for the construction of Toll Interchange 3-A;

NOW, THEREFORE, BE IT

RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement with said owner and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of a toll interchange with S.R. 2 (Airport Highway) and the Ohio Turnpike in the vicinity of Milepost 52.9 in Lucas County, Ohio;

BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary easements on the following described property from the owners and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Seaway Sand & Stone, Inc.	2190 Whitehouse-Spencer Rd. Swanton, Ohio 43558
County Auditor of Lucas County	One Government Center Toledo, Ohio
County Treasurer of Lucas County	One Government Center Toledo, Ohio

Parcel No. 8 WL

All right, title and interest in fee simple, including limitation of access, in the following described property:

Situated in Lucas County, Swanton Township, Town 7 North, Range 9 East, in Section Three (3) and in the State of Ohio, bounded and described as follows:

Commencing at the East quarter (1/4) corner of Section Three (3) and the Centerline of Whitehouse Spencer Road (60' R/W); thence North 89° 41'28" West, along the East and West centerline of Section Three (3), 661.12 feet to a point in the Proposed South Limited Access Line of Ramp A and a point in the Grantor's corner, said Grantor's property is

recorded in Volume 1935, Page 227, the principal place of beginning, said point being at Station 88+78.05, 374.45 feet right of the Baseline of Ramp A; thence North 89°41'28" West, along said East and West centerline of Section Three (3) and the Grantor's property line and Limited Access Line, 475.94 feet to a point in the Proposed West Limited access Line of Ramp A, said point being at Station 87+36.65, 80.00 feet left of the Baseline of Ramp A; thence along the following courses of said Limited Access Line; North 20°48'41" East, 213.69 feet, being at Station 89+50.00, 68.00 feet left; North 23°45'57" East, 92.99 feet, being at Station 90+42.45, 58.00 feet left to a point of curvature in said Line; thence on a curve to the Right having a Radius of 774.20 feet, an Arc Length of 537.84 feet, a Chord Length of 527.09 feet which Bears North 37°29'39" East and a Delta Angle of 39°48'14", to a point of Tangency in said Line, being at Station 95+40.00, 58.00 feet left; North 58°03'00" East, 72.25 feet to a point in the Grantor's Easterly property line, said point being at Station 96+06.71, 60.54 feet left of the Baseline of Ramp A; thence South 01°30'32" West, along the Grantor's Easterly property line and the Proposed East Limited Access Line of Ramp A, 744.11 feet to the principal place of beginning, containing 229,128.691 Sq. Ft., 5.260 Acres, more or less, subject to all legal highways. The bearings referred to herein are based upon a Recorded Centerline Plat recorded in Volume 50, Pages 41 and 42, for the Ohio Turnpike dated October 17, 1952 and used for the determination of angular measurements.

Description prepared by HNTB based on a Survey made by Thomas G. Gergich, Registered Surveyor No. S-7146.

Together with all rights or easements of access to or from the Ohio Turnpike (limited access highway) from or to the land of said person or persons abutting upon that portion of the Ohio Turnpike (limited access highway) as shown by the plans for the construction of the toll interchange with S.R. 2 in Lucas County, Ohio.

Parcel No. 8-T and 8 T-1

Construction easement for the construction of an access drive over the following described property:

(Parcel No. 8-T)

Situated in Lucas County, Swanton Township, Town 7 North, Range 9 East, in Section Three (3) and in the State of Ohio, bounded and described as follows:

Commencing at the East quarter (1/4) corner of Section Three (3) and the Centerline of Whitehouse Spencer Road (60' R/W); thence North 89° 41' 28" West, along the East and West centerline of Section Three (3), 661.12 feet to a point in the Proposed South Limited Access Line of Ramp A and a point in the Grantor's corner, said Grantor's property is recorded in Volume 1935, Page 227; thence North 01° 30' 32" East, along the Grantor's Easterly property line and Limited Access Line, 744.11 feet to a point in the Proposed West Limited Access Line of Ramp A, said point being at Station 96+06.71, 60.43 feet

left of the Baseline of Ramp A, the principal place of beginning; thence South 58° 03' 00" West, along the Proposed West Limited Access Line of Ramp A, 72.25 feet to a point in the Proposed West Slope Easement Line of Ramp A, said point being at Station 95+40.00, 58.00 feet left of the Baseline of Ramp A; thence North 32° 36' 13" West, along said Easement Line, 42.00 feet to a point in the Proposed North Temporary Right of Way Line of Ramp A said point being at Station 95+40.00, 100.00 feet left of the Baseline of Ramp A; thence along the following courses of said Temporary Line; North 18° 19' 25" East, 72.16 feet, being at Station 95+86.50, 147.30 feet left; North 04° 47' 37" West, 150.29 feet, being at Station 96+30.35, 286.38 feet left; North 01° 30' 32" West, 200.00 feet, being at Station 96+79.16, 472.03 feet left; North 43° 54' 29" East, 126.30 feet, being at Station 97+45.24, 529.95 feet left; North 81° 03' 39" East, 286.35 feet, being at Station 99+65.00, 520.00 feet left; South 08° 56' 21" East, 50.00 feet, being at Station 99+65.00, 470.00 feet left; South 81° 03' 39" West, 225.00 feet, being at Station 97+78.09, 473.86 feet left; thence South 51° 57' 23" West, 83.76 feet, to a point in the Proposed North Limited Access Line of Ramp A and the Grantor's Corner, said point being at Station 97+31.01, 441.90 feet left of the Baseline of Ramp A; thence South 01° 30' 32" West, along the Grantor's Easterly property line and the Limited Access Line, 415.00 feet to the principal place of beginning, containing 53,993.880 Sq. Ft., 1.240 Acres, more or less, subject to all legal highways. The bearings referred to herein are based upon a Recorded Centerline Plat recorded in Volume 50, Pages 41 and 42, for the Ohio Turnpike dated October 17, 1952 and used for the determination of angular measurements.

Description prepared by HNTB based on a Survey made by Thomas G. Gergich, Registered Surveyor No. S-7146.

(Parcel No. 8 T-1)

Situated in Lucas County, Swanton Township, Town 7 North, Range 9 East, in Section Three (3) and in the State of Ohio, bounded and described as follows:

Commencing at the East quarter (1/4) corner of Section Three (3) and the Centerline of Whitehouse Spencer Road (60' R/W); thence North 89° 41' 28" West, along the East and West centerline of Section Three (3), 661.12 feet to a point in the Proposed South Limited Access Line of Ramp A and a point in the Grantor's corner, said Grantor's property is recorded in Volume 1935, Page 227, said point being at Station 88+78.05, 374.45 feet right of the Baseline of Ramp A; thence North 89° 41' 28" West, along said East and West centerline of Section Three (3) and the Grantor's property line and Limited Access Line, 475.94 feet to a point in the Proposed West Limited Access Line of Ramp A, said point being at Station 87+36.65, 80.00 feet left of the Baseline of Ramp A, the principal place of beginning; thence North 89° 41' 28" West, along the Grantor's property line, 973.40 feet, to a point in the Proposed East Temporary Right of Way Line of Ramp A; said point being at Station 84+51.22, 1009.46 feet Left of the

Baseline of Ramp A; thence South 00° 47' 23" West, along said Temporary Line, 1307.63 feet to a point in the Existing North Right of Way Line of State Route Two (2), said point being at Station 79+41.56, 1218.05 feet left of the Baseline Ramp A; thence South 64° 25' 08" West, along said Line, 66.97 feet to a point in the Proposed West Temporary Line of Ramp A, said being at Station 79+41.56, 1285.02 feet left of the Baseline of Ramp A; thence along the following courses of said Temporary Line; North 00° 47' 23" East, 1386.88 feet, being at Station 84+77.49, 1081.20 feet left; South 89° 41' 28" East, 807.99 feet, being at Station 87+17.54, 309.70 feet left; North 73° 01' 46" East, 145.35 feet being at Station 88+00.00, 190.00 feet left; North 44° 09' 29" East, 111.80 feet, being at Station 89+00.00, 140.00 feet left; North 17° 35' 32" East, 100.00 feet, to a point in the Proposed Slope Easement Line of Ramp A, said point being at Station 90+00.00, 140.00 feet left of the Baseline of Ramp A; thence South 37° 37' 48" East, along said Slope Line, 87.66 feet to a point in the Proposed West Limited Access Line of Ramp A; thence South 20° 48' 42" West, along said Line, 213.69 feet to the principal place of beginning, containing 151,761.452 Sq. Ft., 3.374 Acres, more or less, subject to all legal highways. The Bearings referred to herein are based upon a Recorded Centerline Plat recorded in Volume 50, Pages 41 and 42, for the Ohio Turnpike dated October 17, 1952 and used for the determination of angular measurements.

Description prepared by HNTB based on a Survey made by Thomas G. Gergich, Registered Surveyor No. S-7146.

Parcel No. 8 SL

A perpetual easement for highway purposes (slope easement,) including limitation of access in the following described property:

Situated in Lucas County, Swanton Township, Town 7 North, Range 9 East, in Section Three (3) and in the State of Ohio, bounded and described as follows:

Commencing at the East quarter (1/4) corner of Section Three (3) and the Centerline of Whitehouse Spencer Road (60' R/W); thence North 89°41'28" West, along the East and West centerline of Section Three (3), 661.12 feet to a point in the Proposed South Limited Access Line of Ramp A and a point in the Grantor's corner, said Grantor's property is recorded in Volume 1935, Page 227, thence North 01°30'32" East, along the Grantor's Easterly property line and Limited Access Line, 744.11 feet to a point in the Proposed North Limited Access Line of Ramp A, said point being at Station 96+06.71, 60.54 feet left of the Baseline of Ramp A; thence South 58°03'00" West, along the Proposed West Limited Access Line, 72.25 feet to a point of curvature in said Line and a point in the Proposed West Slope Easement Line of Ramp A, the principal place of beginning, said place of beginning being at Station 95+40.00, 58.00 feet left of the Baseline of Ramp A; thence on a curve to the left having a Radius of 774.20 feet, an Arc Length of 537.84 feet, a Chord Length of 527.09 feet which Bears, South

37°29'39" West, and a Delta Angle of 39°48'14", to a point of Tangency in said Line said point being at Station 90+42.45, 58.00 feet left of the Baseline of Ramp A; thence South 23°45'57" West, along said Line, 92.99 feet to a point in the Proposed West Slope Easement Line of Ramp A said point being at Station 89+50.00, 68.00 feet left of the Baseline of Ramp A; thence along the following courses of said Easement Line; North 37°37'48" West, 87.66 feet, being at Station 90+00.00, 140.00 feet left; North 17°35'32" East, 42.45 feet, being at Station 90+42.45, 140.00 feet left; North 15°45'03" East, 69.16 feet, being at Station 91+00.00, 145.00 feet left; North 26°11'47" East, 120.15 feet, being at Station 92+00.00, 145 feet left; North 36°34'40" East, 119.90 feet, being at Station 93+00.00, 140.00 feet left; North 44°35'40" East, 119.21 feet, being at Station 94+00.00, 135.00 feet left; North 66°54'19" East, 121.44 feet, being at Station 95+00.00, 100.00 feet left, North 55°47'47" East, 45.58 feet, being at Station 95+40.00, 100.00 feet; South 32°36'13" East, 42.00 feet to the principal place of beginning, containing 47,286.013 Sq. Ft., 1.086 Acres, more or less, subject to all legal highways. The bearings referred to herein are based upon a Recorded Centerline Plat recorded in Volume 50, Pages 41 and 42, for the Ohio Turnpike dated October 17, 1952 and used for the determination of angular measurements.

Description prepared by HNTB based on a Survey made by Thomas G. Gergich, Registered Surveyor No. S-7146.

Rights including the owners' easement rights, including rights of access to any highway construction therein and the loss of service of any utilities affected by highway construction to the land remaining under its ownership and everything incidental thereto.

Parcel No. 8

Perpetual easement for highway purposes, including limitation of access, in the following described property:

Situated in Lucas County, Swanton Township, Town 7 North, Range 9 East, in Section Three (3) and in the State of Ohio, bounded and described as follows:

Commencing at the intersection of East Line of Section Three (3) and the West Line of Section Two (2) and the Centerline of Whitehouse Spencer Road (60' R/W), said point also being the East (1/4) Corner of Section Two (2) and the West (1/4) Corner of Section Three (3) and having a Railroad Spike with a Cross Cut on top of Pavement; thence North 01°30'08" East, along said centerline and section lines, 749.11 feet to a point in the Proposed Southerly Limited Access Line of Ramp A; thence North 89°38'38" West, along said Limited Access Line, 30.00 feet to a point in the Existing Westerly Right of Way Line of Whitehouse Spencer, thence North 01°30'08" East, along said Line, 834.69 feet to a point in the Existing Southerly Limited Access of Line of the Ohio Turnpike the principal place of beginning; thence South 68°02'12" East, along said Line, 32.02 feet to a point in the Centerline of

Whitehouse Spencer Road and a point in the East Line of Section Three (3) and a point in the Proposed North Limited Access Line of Ramp A, said point being at Station 212+23.29, 145.00 feet right of the Centerline of the Ohio Turnpike; thence South 01°30'08" west, along said Line, 412.90 feet to a point in the Grantor's Corner, said point being at Station 103+19.24, 323.23 feet left of the Baseline of Ramp A; thence North 89°41'28" West, along the Grantor's property line and the Proposed North Limited Access Line, 30.00 feet to a point in the Existing West Right of Way Line of Whitehouse Spencer Road; thence North 01°30'08" East, along said Line, 424.72 feet to the principal place of beginning, containing 0.288 Acres, 12564.375 Sq. Ft. more or less, subject to all legal highways. The bearings referred to herein are based on a recorded Centerline Plat recorded in Volume 60, Pages 41 and 42, for the Ohio Turnpike, dated October 17, 1952 and used for the determination of angular measurements.

Description prepared by HNTB is based on a Survey made by Thomas G. Gergich, Registered Surveyor No. S-7146.

Rights include the owners' easement rights, including rights of access to Whitehouse-Spencer Road and the loss of service of any utilities affected by highway construction to the land remaining under its ownership and everything incidental thereto.

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 proceedings for the appropriation of the property described above may be commenced, and Resolution No. 10-1989 is hereby ratified and amended in accordance with this resolution.

(Resolution No. 6-1990 adopted March 22, 1990)