

MINUTES OF THE 396th MEETING OF THE OHIO TURNPIKE COMMISSION

March 14, 1994

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:12 a.m., on March 14, 1994, with members of the staff, Allan V. Johnson, Executive Director; Alan Plain, Deputy Executive Director-Chief Engineer; James C. McGrath, General Counsel; Robert P. Barnett, Director of Information and Research; James H. Brennan, Development Coordinator; one member of the media, David Patch, The (Toledo) Blade; and others in attendance.

Present: Ronald V. Gerberry, Ruth Ann Leever,  
Edwin M. Bergsmark, Umberto P. Fedeli

Absent: M. Ben Gaeth, Jerry Wray

A motion was made by Mr. Bergsmark, seconded by Mrs. Leever, that the minutes of the meeting of February 14, 1994, which had been examined by the Members, be approved without reading.

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

Ayes: Mr. Bergsmark, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the minutes stood approved with all Members present voting in the affirmative.

The Chairman said there were a number of guests at the meeting and he would ask them to identify themselves as follows: David Patch, The (Toledo) Blade; Michelle Wintering, Toll Collector; Jim Conroy, Porter, Wright; Heidi Jedel, Information and Research; Craig Rudolphy, Comptroller; Frank Lamb, Huntington Bank; Lou Disantis, Director of Administrative Services; Patrick Patton, Government Liaison Officer; Mark Hill, Gilbane; Paul Sciria, Sciria and Associates; Ed Presley, Society Bank; Jim Graff, Star Bank; Captain Paul Ash, Ohio State Highway Patrol; Steve Wood, Paine Webber; Michael Anderton, Staff Counsel; Sharon Isaac, Staff Counsel; Dale Bush, Toll Collector; Don Sharp, Director of Operations; Gordon Reis, Seasongood and Mayer; Barbara Lesko, Executive Director's Secretary; Leah Fox, ODOT; Nancy Gold, Legal Department Secretary.

The Chairman said the meeting was the 396th of the Ohio Turnpike Commission and it was being held at the Commission's headquarters as provided for by the bylaws. He said Jerry Wray

and Senator Gaeth were both unable to attend the day's meeting. He said he wanted to note that Carmen Parise had resigned from the Commission and the Members wished him well in his future endeavors.

The Chairman said committee and staff reports would be received and the Members would act on a number of resolutions, draft copies of which had already been sent to the Members, and were in their folders. He said the resolutions would be explained during the appropriate staff reports.

The Chairman said that if there were no further questions the report of the Secretary-Treasurer, Mr. Bergsmark, would be received.

Mr. Bergsmark said that the following listed items had been sent to the Members since the last regular meeting of the Commission, February 14, 1994:

- (1) Weekly Traffic Statistics
- (2) Investment Transactions which occurred during February 1994
- (3) Draft of the Commission Meeting Minutes of February 14, 1994
- (4) Financial Statement for February 1994
- (5) Traffic Accident Summary Report for January 1994
- (6) Traffic and Revenue Report - February 1994
- (7) News Release #3 - Award of contract for Interchange at SR 44 to Great Lakes Construction  
News Release #4 - Sale of bonds

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He said the report of the Committee on Budget and Finance would be received.

The chairman of the Committee on Budget and Finance, Mr. Bergsmark, said that on February 23 the Commission's bond issue in the face amount of \$125 million was sold by the underwriting team at what he thought were excellent interest rates based on the strong ratings the Commission obtained from the three rating agencies. He said that, in fact, the Commission's bond ratings of AA- by Standard and Poor's and A1 by Moody's were the best among current toll road issues. He said there were only two other toll roads in the United States that were equal. He said the Commission's bond issue closed on March 10 and the proceeds of the sale were then placed in the Commission's accounts.

Mr. Bergsmark said he would like Gordon Reis, the Commission's Financial Advisor, to comment, as well as Steve Wood, the Commission's lead underwriter. He said they both did an outstanding job in getting the lowest interest rates they could get on behalf of the Commission.

Mr. Wood said the Members had before them a packet called the Final Pricing Information. He said he would direct the Members attention to a chart entitled Thirty Year Treasury Bonds. He said the chart showed that the trend in the market at the time the Commission was selling its bonds was not a good one. He said the interest rates were going up. He said those were the taxable rates, but the chart showed the overall market trends.

Mr. Wood said further that the next page showed the Blue List which were bonds on the secondary market. He said the Members could see that through February the list was getting higher and higher. He said that meant that there were a lot of bonds for sale, which resulted in a sluggish market.

Mr. Wood said further that on the first page after Tab B showed the interest rates the Commission ultimately ended up selling the bonds: serial bonds beginning in 1995 at 3.1 percent and increasing through 2014 to 5.6 percent. He said the remaining were term bonds at 5.75 percent maturing in 2024. He said he had hoped to do a little better since they started out the day with about 5.65 percent on the long end. He said that, however, the market was deteriorating and they ended up with the 5.75 percent. He said they were somewhat chagrined, but looking back he thought it was a great sale and they were happy about how it worked out.

Mr. Wood said further that the final page in Tab B with a date of February 23 showed that for an AA rating under the 96 index in 2024 the index was for 5.70 percent on the day of the Commission's bond sale. He said that, therefore, the Commission was a shade below an AA kind of interest rate.

Mr. Wood said further that in comparison the Commission's interest rate was actually better than the double AA interest rate on some of the serial bonds in the earlier years. He said that on the same scale the week before the meeting the 5.70 was 6.15 and the 5.85 for the 94 scale was 6.25. He said there was a loss of 35 basis points since the Turnpike bonds were sold at the closing date. He said he was feeling very good that the Commission's bonds were sold when they were and placed when they were placed.

Mr. Wood said further that there were newspaper articles and detailed data concerning the bond sale further on in the information packet. He said it served as a handy guide later when people asked about why certain decisions were made and what was the market environment at the time. He said he would ask Mr. Reis to comment.

Mr. Reis said that, first of all, he wanted to thank the Chairman, Members, Executive Director and the staff for their efforts which lead to the success of the bond sale. He said he

thought the meetings with the bond rating services and the follow through was the key to the superb effort. He said that, as the Members knew, the Commission's bonds received the highest ratings from two of the three rating services, which was the highest rating assigned to any toll road. He said the rating from the third service, Fitch Investors Service, Inc., was their highest, with the exception of one other Turnpike issue.

Mr. Reis said further that he wanted to thank, not only on behalf of himself, but also from all those associated with the financing to Paine Webber for the way their group extended themselves in developing what he thought was one of the most contemporary bond indentures he had ever had the opportunity to be exposed to. He said that, of course, was the Turnpike bond issue.

Mr. Reis said further that he also wanted to thank Paine Webber for the marketing process that they were able to provide. He said the market climate was not very good when the bonds were sold. He said the market had been declining since early January and continued to go down, including a very difficult time during the day of the sale. He said he suspected that one would ask why the Turnpike bonds were sold on that day. He said the reasoning was that the bonds were sold on that day because they thought it was going to get worse the next day. He said there had been an eight tenths of a percent change in the last six weeks in the government long bond, which was a kind of index that many used as a guide to what markets were doing.

Mr. Reis said further that the Turnpike issue was composed of serials and one term bond. He said a term bond had a life of almost 26 years. He said the Commission borrowed 26 year money at 5.75 percent with an A1 rating.

Mr. Reis said he distributed to the Members at the meeting copies of a chart showing a comparison of the Turnpike issue with the Delphis Hanover Curve scale for A1 bonds. He said the chart showed the level of pricing on the Turnpike bonds the day they were sold. He said that on February 23 the scale indicated that Paine Webber sold those bonds in a very difficult market at a price comparable to what would be normal expectations. He said he should point out that the index tended to lag. He said that when the market went up the index moved up more slowly. He said that when the market went down the index moved down more slowly. He said that the index moved slowly in one direction or another because it was kind of a moving average. He said that, therefore, Paine Webber should be given a lot more credit for what they delivered. He said that the benefit in Paine Webber marketing process was about a million and a half dollars to the plus side, which was above what had been anticipated.

Mr. Reis said further that he brought the savings to the attention of the Members because there had been a lot of discussion about fees, selecting people for one reason or another and demanding the price be lower. He said the success of the bond issue indicated why the selection of Paine Webber took place. He said that not only did the Commission get a benefit of Paine Webber's expertise, but the Commission also was able to secure their services at the lowest possible cost. He said the savings on the date of the sale was equal to twice the fees the Commission was going to end up paying.

Mr. Reis said further that, by using the Delphis Hanover Curve scales, he calculated the difference between the market conditions between the day the Turnpike bonds were sold and the day of the meeting amounted to about four million plus dollars. He said the differential between the bond sale by Paine Webber and the market conditions was well over five and a half million dollars in the way of change and benefit.

Mr. Reis said further that he had a great time working with the staff, the Chairman, Mr. Bergsmark and Mrs. Leever. He said he didn't think he had the opportunity to work with a more dedicated group of people. He said Steve Wood and the others at Paine Webber really made a commitment to the Turnpike. He said he felt it was a privilege to work on the issue with everyone.

Mr. Bergsmark said he thought Mr. Reis did an outstanding job and Mr. Wood and his Paine Webber folks did another outstanding job for the Commission. He said that Mr. McGrath, Mr. Rudolphy and their staff's also did an outstanding job. He said that Peck Schafer also should be commended for their actions in battling snow storms to get from Cincinnati to Cleveland for the bond closing.

Mr. Bergsmark said further that it had been an outstanding transaction and he had been involved in a lot of them.

Mr. Bergsmark said further that with the bond sale it would be necessary for the Commission to amend and adjust certain of its budget accounts, which would be done by resolution at the next Commission meeting.

Mr. Bergsmark said further that there was a small house-keeping item that had to be taken care of regarding the Commission's investment policy. He said the Commission had been able to reinvest its money quickly. He said the Commission had been receiving interest rates in excess of 3.65 percent. He said the Commission would be only paying 3.10 percent in 1995 in debt service, so the yield curve was the right way. He said that, however, he thought Section 3.130 of the Commission's investment policy should be amended to allow the Commission the flexibility to invest time deposits with banks that had a capital size in

excess of \$25 million rather than \$50 million. He said there were an awful large group of very strong, smaller banks in Ohio that fit that category.

A resolution amending the Ohio Turnpike Commission's Investment Policy was moved for adoption by Mrs. Leever and seconded by Mr. Bergsmark as follows:

RESOLUTION NO. 25-1994

"WHEREAS, on February 14, 1994, the Commission adopted an investment policy, entitled Ohio Turnpike Commission Investment Policy, ('Policy') by the passage of Resolution No. 6-1994;

"WHEREAS, the Commission has determined that a certain provision of the policy is unduly restrictive as it relates to the combined capital and surplus of commercial banks and savings and loan associations; and the Commission has determined that it is in its best interest to amend such provision;

"NOW, THEREFORE, BE IT

"RESOLVED that the Ohio Turnpike Commission hereby amends Section 3.130 of the Policy, as follows:

"'Bankers acceptances and fully insured and/or fully collateralized Certificates of Deposit or time deposits issued by designated commercial banks and savings and loan associations located within the State of Ohio which are members of the FDIC and have a combined capital and surplus of at least \$25 million in dollars of the United States of America (including any investment in pools of those bankers acceptances and certificates of deposit or time deposits owned by the bank or savings and loan association).'

"FURTHER RESOLVED that a copy of the Policy, as amended by this resolution, is attached hereto and incorporated herein by reference as if fully rewritten. All other terms and provisions of Resolution No. 6-1994 shall remain in full force and effect."

OHIO TURNPIKE COMMISSION  
INVESTMENT POLICY  
MARCH, 1994

Section #

Description

**1.000**

**INTRODUCTION**

1.100 Purpose

This investment policy applies to all funds of the Ohio Turnpike Commission except funds held by a Trustee pursuant to a Master Trust Agreement (including Supplemental Trust Agreements) securing State of Ohio Turnpike Revenue Bonds. These funds are accounted for in the Commission's Comprehensive Annual Financial Report. The purpose of this document is to increase the opportunity for the prudent and systematic investment of funds of the Ohio Turnpike Commission while ensuring the safety of principal.

1.200 Investment Policy Organization

This investment policy is divided into seven sections. These are:

Section 1:	Introduction
Section 2:	Objectives
Section 3:	Eligible Investments
Section 4:	Relationship with Depository Banks and Broker Dealers
Section 5:	Safekeeping of Deposits and Custody of Securities
Section 6:	Diversification and Risk Tolerance
Section 7:	Investment Reporting - Interim and Annual

1.300 Scope

This investment policy applies to the investments made of Commission moneys in all funds, unless specifically excluded. The following funds are specifically included:

- Revenue Fund
- Capital Improvement Fund
- Fuel Tax Fund
- Debt Service Fund

#### 1.400 Investment Authority

All investments shall be made in compliance with the applicable laws of the State of Ohio including Chapter 5537 of the Ohio Revised Code. Any conflict between this policy and the statutory laws of Ohio shall be resolved in favor of the statutory laws.

Implementation of the Commission's investment policy shall be the responsibility of the Secretary-Treasurer of the Commission and/or the Assistant Secretary-Treasurer of the Commission. The day to day management, operation, and implementation of the policy shall be the responsibility of the Comptroller or Assistant Comptroller of the Commission. All of the above shall be collectively referred to as "Authorized Parties".

#### 1.500 Prudence

The standard of prudence to be applied by the Authorized Parties shall be the "prudent person" rule and shall be applied in the context of managing the overall portfolio. All action by Authorized Parties under this policy shall be in compliance with applicable ethics and interest in contract legislation of the State of Ohio. None of the Authorized Parties nor members of the Commission acting in accordance with written procedures and exercising due diligence shall be held accountable for any loss occasioned by sales or liquidations of investments at prices lower than their costs.

#### 1.600 Internal Controls

A system of internal controls that safeguard assets and provides reasonable assurance of proper recording of all financial transactions has been established and will be followed in the implementation of the investment policy. The internal control procedures relevant to the investment transactions have been designed to prevent losses arising from fraud, collusion, employee error, misrepresentation by third parties, or imprudent actions by employees and officers of the Commission.

Internal accounting control procedures shall be reviewed and updated, when necessary, by the Comptroller's office, as well as the Commission's independent auditors.



**2.000**

**OBJECTIVES**

**2.100 Safety**

Investments shall be undertaken to ensure preservation and safety of capital in the overall portfolio. Each investment transaction shall seek to ensure that capital losses are avoided, whether from defaults or erosion of market value.

**2.200 Liquidity**

Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments. Securities shall be purchased with the expectation that the security may be held to final maturity.

**2.300 Yield**

The investment portfolio of the Commission shall be designed to achieve a market average rate of return throughout the budgetary and economic cycles, taking into account the Commission's risk constraints and the cash flow characteristics of the Commission. Market average rate of return is defined as the simple average of the 91 day U.S. Treasury Bill discount rates based upon the number of weekly auctions during the month. The number of auctions for any given month is determined by the settlement date.

3.000

## ELIGIBLE INVESTMENTS

3.100

Assets of all funds of the Commission shall be invested in the following securities:

3.110

Direct obligations of the United States Government including such obligations as Treasury Bills, Treasury Notes, Treasury Bonds, Farmers Home Administration Insured Notes (FHA's), and securities issued by the Government National Mortgage Association (GNMA). Long term zero coupon (stripped Treasury) U.S. Government obligations are excluded from the list of eligible investments of the Commission.

• 3.120

Obligations of certain United States Government agencies which are not guaranteed by the full faith and credit of the United States government, but which enjoy sufficiently broad and orderly markets to ensure easy and cost effective liquidation. Such obligations include but are not limited to Federal Home Loan Bank debt (FHLB), and Federal National Mortgage Association Debt (FNMA).

3.130

Bankers acceptances and fully insured and/or fully collateralized Certificates of Deposit or time deposits issued by designated commercial banks and savings and loan associations located within the State of Ohio which are members of the FDIC and have a combined capital and surplus of at least \$25 million in dollars of the United States of America (including any investment in pools of those bankers acceptances and certificates of deposit or time deposits owned by the bank or savings and loan association).

3.140

Investments in the State treasurer's investment pool, State Treasurer's Asset Reserve (STAR), pursuant to Chapter 135.45 of the Ohio Revised Code.

3.150

Investments in a designated depository's overnight sweep account. The sweep account will provide for automatic daily transfer of available cash balances from a demand deposit account to an investment earnings vehicle. The rate bid will be based on the number of basis points below the current Federal Funds Rate.

3.155

Investment in a designated depository's government money market mutual fund which is rated in the highest rating category and registered with the SEC.

3.160

A repurchase agreement with any bank and its affiliates which is secured by purchased securities of the type specified in Section 3.110 and 3.120 above. Investments in repurchase agreements shall be made only pursuant to a properly executed master repurchase agreement in the form of the Master Repurchase Agreement prepared by the Commission. Pursuant to the master repurchase agreement purchase securities shall 1) be in the possession of the Commission, or

third party custodian pursuant to the custodian agreement between the Commission, its depository bank and the custodian; 2) not be subject to any third party claims; and 3) have a market value (determined at least once every 14 days) at least equal to the following minimum ratios of market value of purchased securities, under the terms of a specific repurchase agreement, to the principal dollar amount of such investments:

- U.S. Treasury Bills, Notes, and Bonds which mature in 1 year or less: 101%
- U.S. Treasury Notes and Bonds which mature in 1 to 10 years: 102%
- U.S. Government Agency securities which mature in 1 year or less: 102%
- U.S. Government Agency securities which mature in 1 to 10 years: 103%
- U.S. Treasury Bonds and Agency securities that mature in more than 10 years: 105% or more at the discretion of the Commission

3.170            General obligations of the State, provided that such general obligations are rated as "AA" or higher by a rating service.

3.180            Obligations of any state of the United States or any subdivision of any state which are rated "AAA" by a rating service.

3.200            All purchased securities with the exception of investments in the State Treasurers Asset Reserve Fund, a designated depository's overnight repurchase account ("sweep account"), and a designated depository's government money market mutual fund shall be held in accordance with the master custodian agreement between the Commission, the Commission's depository bank and the custodian.

4.000

**RELATIONSHIP WITH DEPOSITORY BANKS  
AND BROKER DEALERS**

4.100

Depository banks and broker dealers shall be selected through the Commission's banking services and broker dealer selection process. In the selection of banking and investment services, the credit worthiness of institutions shall be considered and the Comptroller shall conduct a review of the prospective depositories and broker dealer's financial history.

4.200

Before accepting funds or engaging in investment transactions with the Commission, an authorized officer of each depository and broker dealer shall submit an affidavit (See Exhibit A). The affidavit will certify that the officer has reviewed the investment policies and objectives and agrees to disclose potential conflicts or risks to public funds that may arise out of business transactions between the depository/broker dealer and the Commission. All depositories and broker dealers shall agree to undertake reasonable efforts to preclude imprudent transactions regarding the Commission's funds.

4.300

The supervising officer shall agree to exercise due diligence in monitoring the activities of other officers and subordinate staff members engaged in transactions with the Commission. Employees of any broker dealer offering securities or investments to the Commission shall be trained in the precautions appropriate to public sector investments and to adhere to the Commission's investment objectives, policies and constraints.

4.400

The depository bank or broker dealer shall agree to provide audited financial statements to the Commission for each fiscal year.

## **5.000 SAFEKEEPING OF DEPOSITS AND CUSTODY OF SECURITIES**

**5.100** Before the Comptroller will initially deposit or continue to maintain a deposit in a designated depository, the designated depository shall be required to pledge and deposit with the Commission, as security for the repayment of all monies so deposited, eligible securities which have an aggregate market value equal to or greater than the aggregate amount of Commission moneys which at anytime shall be so deposited. Further, the Commission may require that additional securities be deposited to provide for any depreciation which may occur in the market value of any securities so deposited.

**5.200** The Federal Reserve Bank of Cleveland may act as the safekeeping agent of both the Commission and the designated depository which is pledging the collateral to secure the Commission's deposits. Upon proper transfer by the pledging bank into a "joint custody account", the Federal Reserve Bank will issue a joint custody receipt to both the pledging bank and the Commission. Thereafter, the Federal Reserve will not release the securities prior to their maturity (for purposes of reassignment or liquidation) without the express consent of both parties.

**5.300** Certificates of deposit will be purchased through designated depositories that have pledged collateral to secure the certificates of deposit. When purchasing a certificate of deposit from the Commission's designated depository, the amount of collateral held in the Commission's name must secure all uninvested moneys in all the Commission's funds, in addition to all investments in certificates of deposit purchased from the designated depository.

**5.400** All investments shall be made only through a member of the National Association of Securities Dealers, Inc. (NASD) or through an institution regulated by the Superintendent of Banks, Superintendent of Savings and Loan Association, Comptroller of the Currency, Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System, or Federal Home Loan Bank Board. Payment for securities purchased shall be made only upon delivery to the Commission of securities represented by such investments. If the securities purchased are not represented by a certificate, payment shall be made by the Commission only upon receipt of confirmation of transfer from the custodian.

**5.500** The Commission has entered into a master custodian agreement with its depository bank and a third party custodian. The agreement establishes specific procedures to be followed in investment purchases and sales and established a custodian account at a third party custodian bank. When securities are purchased, they are purchased on a delivery vs. payment basis and are delivered to the third party custodian account registered in the name of the Commission as owner.

5.600

All securities and certificates of deposit purchased from designated depositories/broker dealers and repurchase agreements will be held so that the deposits and investment will be categorized in risk category 1 of the Governmental Accounting Standards Board (GASB) Statement No. 3 - Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements.

5.700

All purchases of securities will be made through an informal quotation process, whereby the Commission will obtain offerings from at least three eligible banks or broker dealers. Investment transactions will be executed with the bank or broker dealer offering the highest bond equivalent yield to the Commission after consideration of the fees to be charged for wiring of funds, if needed.

6.000

## **DIVERSIFICATION AND RISK TOLERANCE**

6.100

It is the policy of the Commission to diversify the investment portfolio. Investments in all funds shall be diversified to reduce the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Maturities selected shall provide for stability of revenue and liquidity as needed based on the specific fund type.

6.200

### **Revenue Fund**

Liquidity for the Revenue Fund shall be assured through practices ensuring that sufficient funds are available for current expenditures including payroll.

6.300

### **Capital Improvement Fund and Fuel Tax Fund**

Liquidity in both the Capital Improvement Fund and the Fuel Tax Fund shall be assured through practices ensuring that moneys for the acquisition or construction of major capital facilities, for major repairs and replacements and for engineering expenses are available when due through maturing investments or through the sale of marketable government obligations.

Through coordination with the Engineering Department an estimate of the date invoices will be submitted for payment shall be obtained. Historically, the largest dollar amounts needed for payment for Capital Improvement and Fuel Tax projects has been during the months of June, July, October and November. With consideration of the payment requirements, investments from the Capital Improvement Fund and the Fuel Tax Fund may be made in eligible securities with the average maturity of the portfolio not to exceed five years. The Comptroller will purchase securities which are scheduled to mature in amounts sufficient to meet historical cash disbursements for capital improvement and fuel tax projects. At least 10 percent of the funds in the Capital Improvement Fund and Fuel Tax Revenue Fund shall be invested in highly liquid securities with maturities of one year or less.

6.400

### **Debt Service Fund**

Liquidity in the Debt Service Fund shall be assured through practices ensuring that moneys are available for the payment of debt service on the long term debt of the Commission when due. Eligible securities shall be purchased which mature on, or the business day prior to, the debt service payment dates.

7.000

## INVESTMENT REPORTING - INTERIM AND ANNUAL

7.100

The Comptroller shall submit a monthly report, by fund, of all investment transactions, including purchases, early sales, maturities, and swaps to the Commission members, and Assistant Secretary Treasurer.

7.200

For new securities purchased, the report will contain the type of security purchased, the amount purchased, the purchase date, the maturity date, the cost, and yield to maturity.

7.300

For securities sold prior to maturity date, the report will list the type of security sold, the face amount sold, the purchase date, the maturity date, the actual sale date, the proceeds received, the gain or loss realized on the sale, and the yield to maturity.

7.400

For securities that matured during the month, the report will list the type of security that matured, the face amount, the purchase date, the maturity date, the total proceeds received, the interest received, if applicable, and the yield earned.

7.500

For securities swapped (securities sold prior to maturity in order to purchase another security that earns a higher yield) the report will list the type of security sold, the amount sold, the purchase date, the maturity date, the sale date, the proceeds received, the gain or loss realized, and the yield to maturity. For the new security purchased, the report will list the type of security purchased, the amount purchased, the cost, the purchase date, the maturity date, and the yield to maturity.

7.600

In addition, the Comptroller's monthly report will contain a summary of investment revenue earned by fund for the month reported and investment revenue earned year to date by fund.

The Commission's monthly financial statements contain schedules of outstanding investments by fund as of month end. The schedules list the type of security purchased, the interest rate, the maturity date, the principal amount purchased, the cost, the amortization of the discount or premium and the current book value of the security. Also, a schedule of investment revenue is included for each fund.



7.700

Comprehensive Annual Financial Report

With the publication of the Commission's Comprehensive Annual Financial Report, the Comptroller will present an annual report on the investment program and activity in the previous fiscal year. The annual report shall describe the portfolio in terms of investment strategies, securities, maturities, risk characteristics, and other features.

**EXHIBIT A  
AFFIDAVIT**

**TO:** THE OHIO TURNPIKE COMMISSION

**FROM:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**TELEPHONE:** \_\_\_\_\_

**FAX:** \_\_\_\_\_

The undersigned bidder acknowledges having reviewed the Ohio Turnpike Commission's Investment Policy and agrees to disclose any potential conflicts or risks to public funds which may arise from securities recommended to the Commission or that may arise out of business transactions between the depository/broker dealer and the Commission.

The undersigned signatory for the depository/broker dealer represents and warrants that he has full and complete authority to submit this affidavit to the Commission and to provide the investment services enumerated in the Commission's Investment Policy.

Dated: \_\_\_\_\_, 1994

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Title)

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

Ayes: Mrs. Leever, Mr. Bergsmark, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 25-1994.

The Executive Director said that he wished to make further comments on the bond sale on behalf of the staff. He said it was certainly an experience for all the staff who worked with the advisors, underwriters and the rating agencies. He said he had asked Paine Webber to give him a run-down of what the interest cost would have been if the Commission's bonds had been one notch lower in the ratings. He said that summary showed that the high ratings of the bonds saved the Commission additional millions and millions of dollars over the term of the bond issue. He said representatives of the three bond rating services had come to the Commission's administration building to visit and representatives of the Commission had met with them several times in New York City. He said he thought the representatives of the bond rating services had been impressed with the Commission's operations, the history, its record and the management team.

The Executive Director said he would take a little bit of the credit for what he thought was an outstanding job the staff did in dealing not only with the advisors and underwriting team, but also with the rating services. He said it made a big difference in the final cost of the issue.

The Chairman asked Mr. McGrath to prepare some certificates of appreciation for Mr. Reis and the representatives of Paine Webber which would express the Commission's gratitude.

Mr. McGrath said he would prepare the certificates.

The Chairman said that when the bond issue was looked at there might be some reservations or apologies for not achieving a tenth of a point better in the interest rate. He said he thought that anytime someone tried to squeeze on the way down or squeeze on the way up they got into trouble. He said he thought the economic environment the Commission went into for its bond issue was very, very good, overall. He said he did not know if everyone had a chance to read the reports from S & P, Fitch or Moody's, but they gave the Commission glowing reports. He said there were some available for distribution. He said the reports praised the financial condition and management of the Turnpike.

The Chairman said further that he thought a lot of the decisions made on the bond issue were, in retrospect, good decisions because millions and millions of dollars were saved due to the high bond ratings. He said that the Commission was happy with all the decisions relative to the financial advisor, Paine Webber, Peck Shafer and the assembled secondary underwriters.

The Chairman said the report of the Committee on Budget and Finance was accepted as offered. He said the report of the Committee on Audit and Legal would be received.

Mr. Rudolphy said the Commission's independent auditors had finished their audit and their work papers had been reviewed by the Auditor of State. He said there were no audit adjustments that were made. He said he expected to receive the audit report in time for inclusion with the Commission's 1993 annual report.

Mr. Rudolphy said further that the morning after the Commission meeting there would be a pre-proposal meeting for the selection of a new independent auditing firm. He said the old contract expired and the meeting would be the first step in acquiring the services of a new public accounting firm for the next contract.

The Chairman said he thought the current firm had been with the Commission for four or five years.

Mr. Rudolphy said he believed it was for four or four and a half years, but not five. He said he had no disputes with them, but the contract expired and the Commission was required to go out and find a new firm.

Mr. Rudolphy said also that he needed to discuss something about designating the Commission's projects which were in effect prior to the new bond issue. He said they were capital improvement projects that the Commission authorized to enhance and rehabilitate the Turnpike. He said that, under the Master Trust Agreement, the capital improvement fund projects needed to be redesignated and redistributed into the terminology used in that agreement. He said some of those projects were going to become normal operating budget projects. He said some were going to go into a fund called the renewal and replacement fund. He said the majority were going into the system project fund.

Mr. Rudolphy said the Members had in their folders a resolution entitled a resolution designating current capital improvement fund projects to appropriate categories in accordance with the Master Trust Agreement. He said that attached to that resolution was a tabulation that he made of all the Commission's current projects and notations designating whether they were going into OM & A, which was the Commission's operating budget, the renewal and replacement or systems projects. He said the

dollars shown there were the dollars that were remaining to be spent under the Commission's current budget. He said he recommended that the Commission adopt the resolution to move those projects into the appropriate new fund for implementation of the Master Trust Agreement.

The Chairman asked if the tabulation assigning projects to new categories had been shown to Jerry Wray because he had some questions at the last Commission meeting relative to what categories some of those expenses could be put into.

Mr. Rudolphy said he had not.

Mr. Johnson said Mr. Wray had been sent a copy of the draft resolution, but he had not had a chance to talk to Mr. Wray about it.

The Chairman said he wanted to make sure that Mr. Wray agreed with the designation of the individual projects in the various categories. He said that what he and the other Commission representatives discovered when they went to New York City to meet with the bond rating services was that a lot of turnpikes and toll roads across the country were actually borrowing money to basically do maintenance on the existing facilities. He said that was not true for the Ohio Turnpike which was re-investing in new projects. He said the Ohio Turnpike had been very prudent in completing its various projects over the last ten years. He said the current economic condition of the Ohio Turnpike was very good and the management of the toll road could be thanked for that. He said he thought it was a good idea to have dollars put aside because the road was going to have to be continually improved.

The Chairman said he wanted to make sure that if there would be objection from Mr. Wray regarding placement of specific projects in a certain category there remained the option to make a change.

Mr. McGrath said the resolution could be amended at a later date.

A resolution designating current capital improvement fund projects to appropriate categories in accordance with the Master Trust Agreement was moved for adoption by Mr. Bergsmark, seconded by Mrs. Leever as follows:

RESOLUTION NO. 14-1994

"WHEREAS, on February 15, 1994, the Ohio Turnpike Commission adopted the Master Trust Agreement with Huntington National Bank, as trustee, securing State of Ohio, Turnpike Revenue Bonds;

"WHEREAS, the Master Trust Agreement establishes the Operations, Maintenance and Administrative Expenses Account (OM&A); the Renewal and Replacement (R&R) Fund; the System Projects Fund; and establishes certain criteria for such projects and such projects were, prior to the execution of the Master Trust Agreement, commonly referred to as Capital Improvement Fund Projects;

"WHEREAS, it is necessary for the Commission to formally designate projects in accordance with the Master Trust Agreement, and the Commission's comptroller and other members of the Commission's staff have analyzed the present Capital Improvement Fund Projects and have recommended to the Commission certain designations and such recommendations are set forth in a document entitled, 'Analysis of Current CIF Projects' and attached as Exhibit 'A' to this resolution;

"WHEREAS, the Commission has reviewed the recommendations of its comptroller and concurs therein;

"NOW, THEREFORE BE IT

"RESOLVED that the Commission hereby adopts and approves the recommendations of the Comptroller for designation of certain Capital Improvement Fund Projects to the Operations, Maintenance and Administrative Expenses Account (OM&A); the Renewal and Replacement (R&R) Fund; and, the System Projects Fund, all as set forth in Exhibit 'A'."

Analysis of Current CIF Projects  
As Of 2/28/94

				SYSTEM	REMAINING
		OM&A	R&R	PROJECTS	COSTS
24-94-01	GUARDRAIL ADD & REPLACE		X		245,397.16
26-94-01	INCREASE PARKING AREA LIGHTING		X		50,000.00
31-93-07	2 ROUGH TERRAIN FORKLIFTS		X		51,471.37
31-93-08	8 EQUIP TRANS TRAILERS - 12 TON		X		85,000.00
31-93-09	4 SETS PORTABLE SCAFFOLD		X		14,500.00
31-94-01	3 BRUSH CHIPPERS - PORTABLE		X		40,000.00
31-94-02	1 ASPHALT PAVER, SELF-PROPELLED		X		175,000.00
31-94-03	8 HOT WATER PRESSURE CLEANING EQUIP		X		30,000.00
31-94-04	2 CRAWLER TRACTORS W/ DOZER & WINCH		X		120,000.00
31-94-05	2 TRACTORS & TRAILERS		X		118,000.00
31-94-06	2 PINTLE HITCH TRAILERS		X		80,000.00
31-94-07	8 UTILITY TRUCKS & 2 DUMP TRUCKS		X		160,000.00
32-92-05	2 1993 TRUCK CABS & CHASSIS		X		15,026.07
32-93-02	9 HALF-TON PICKUP TRUCKS		X		13,406.11
32-94-01	31 3/4 TON PICKUP TRUCKS		X		420,000.00
38-92-02	WESTGATE - COMMUNICATION EQUIP			X	7,740.10
38-92-03	LORDSTOWN - COMMUNICATION EQUIP			X	6,286.91
38-92-04	161 PAGERS	X			2,638.00
38-93-01	COMPUTER AIDED DISPATCH SYSTEM			X	640,935.28
38-93-02	OSHP & OTC RADIO CONSOLES		X		169,000.00
38-93-04	MICROWAVE CONVERSION TO DIGITAL			X	2,972,000.00
38-93-06	RELOCATE RADIO INTERCOM		X		6,058.87
38-93-07	MOTORIST AID CALL BOX TP 6-8			X	992,731.24
38-93-09	2 UHF TELEMETRY RADIOS & 2 ANTENNA		X		22,080.00
39-94-01	PAVEMENT REPAIRS & REPLACEMENT	X			274,656.25
40-94-01	REPAINTING BRIDGES & TOWERS	X			399,388.72
40-94-02	CONTRACT PAINTING - OLD SR 8 BRIDGE			X	600,000.00
41-94-01	RESEAL SHOULDERS, PARKING LOTS	X			80,000.00
43-87-12	BRIDGE MP 169.6 - 171.6			X	31,814.87
43-91-04	BRIDGE MP 43.9 - 49.4			X	4,191.12
43-94-01	BRIDGE REPAIRS & REPLACEMENTS	X			75,000.00
45-94-02	REFURBISHMENT OF SIGNS	X			68,481.58
45-94-03	TRAFFIC CONTROL SIGNS - CONSTRUCT	X			22,047.56
48-93-01	OFFICE FURNITURE FOR MAINT BLDG		X		18,632.00
48-93-02	COMPUTER ROOM AIR CONDITIONING		X		4,856.30
48-93-04	1 OFFSET DUPLICATOR		X		30,000.00
48-93-05	5 COPY MACH, 1 AUTO FEED, 1 SORTER		X		437.50
48-93-06	IBTTA TOLL COLLECTOR CUST SERV PROG	X			487.26
53-93-02	WATER LINE/SAN SEWER - VV & MR SP'S			X	14,786.19
53-94-01	SERVICE PLAZA EQUIPMENT	X			75,000.00
56-93-04	STORAGE BLDG & SALT SHED - HUMM RD		X		447.82
56-93-06	STORAGE UNITS-BOSTON & CASTALIA MB		X		15,000.00
58-94-01	INSTALL GAS, WATER, SEWER		X		60,000.00
59-94-01	RESURFACE 5.7 - 14.8			X	4,700,000.00
59-94-02	RESURFACE 80.8 - 91.2			X	5,000,000.00
59-94-03	RESURFACE 214.2 - 223.3			X	5,499,940.91
61-94-01	GENERAL LANDSCAPING	X			25,000.00
64-93-01	PROTOTYPE HIGH-LOW ATIM			X	11,110.95
64-93-04	100 AUTO TICKET ISSUING MACHINES			X	2,499,820.00
64-93-05	80 LCA2 MODULES FOR LPU2 & DATIM		X		50,000.00
67-90-02	FINANCIAL REPORTING SYSTEM		X		30,183.31

Analysis of Current CIF Projects  
As Of 2/28/94

				SYSTEM PROJECTS	REMAINING COSTS
		OM&A	R&R		
67-93-01	GENERAL COMPUTER REQUIREMENTS		X		383,858.26
68-94-01	GENERAL RIGHT OF WAY FENCE		X		398,293.59
71-90-01	PIPE STRUCTURE MP 41.9		X		1,031.72
71-90-05	WETLAND INVESTIGATION			X	23,774.70
71-90-11	ANALYSIS - CUY RIVER BRIDGE			X	10,908.93
71-92-03	FUTURE INTERCHANGES			X	119,382.26
71-92-04	TOLL PLAZA REHABILITATION			X	31,755.49
71-92-06	WETLAND MITIGATION - 3A			X	40,088.93
71-92-07	ENGIN SERV FOR FEAS. ALTERN SEGMENT			X	109,184.00
71-93-06	PHASE II - VAPOR RECOVERY SYSTEM			X	53,190.67
71-93-07	PARKING LOT EXPANSION- MV,VV,CP,EI			X	49,177.20
71-93-08	STUDY/MONITOR MOTORIST AID CALL BOX			X	140,492.00
71-93-09	PREPARE TOLL AUDIT SYSTEM FOR ETTM			X	101,342.71
71-93-13	STUDY TOLL AUDIT SYSTEM-LEV 6 PH 2			X	196,770.36
71-93-16	STANDARD DRAWING - T.P. RENOVATION			X	19,297.80
71-93-18	AIR QUALITY TESTING - TP 1,4A,5,15	X			3,947.67
71-93-19	BRIDGE MP 62.8 - 71.7			X	7,602.93
71-93-20	FRAC - CRIT INSP HURON RV BRDG			X	15,865.85
71-93-21	MICROWV PATH SURVEY MP 195.2-228.1	X			3,111.00
71-93-22	DECK/RAMP REPLACEMENT MP 161.8			X	14,906.82
71-93-24	COMPUTER NEEDS- ENGIN, MAINT, CONST		X		23,791.00
71-94-03	BRIDGES MP 94.1, 104.2 & 104.3			X	40,000.00
73-93-01	18 4-DOOR 6-PASSENGER SEDANS		X		200,000.00
74-88-01	RIGHT-OF-WAY SR 2			X	71,482.16
74-88-02	RIGHT-OF-WAY I-75			X	4,186.78
74-93-02	BOSTON MB OSBORNE ACQUISITION			X	30,572.00
75-90-01	CONTAMINATED SOIL DISPOSAL AMHERST		X		156,727.74
75-90-03	CONTAMINATED SOIL - SWANTON MB		X		15,567.45
75-90-04	FUEL CONTAMINATION-OAK OPENING SP		X		7,644.93
75-90-05	RESIDUAL FUEL - GLACIER HILLS SP		X		15,336.61
75-91-01	FUEL CONTAMINATION-ERIE ISLAND SP		X		3,439.11
75-91-02	RESIDUAL FUEL - TIFFIN RIVER SP		X		5,091.39
75-91-03	RESIDUAL FUEL - PORTAGE SP		X		3,984.02
75-91-06	UNDERGROUND LEAK - WYANDOT SP		X		5,790.89
75-93-01	SITE ASSESSMENT - CANFIELD MB		X		132,511.15
76-XX-XX	SAFETY UPGRADING			X	
<b>TOTAL</b>		1,029,758.04	3,377,564.37	24,061,339.16	28,468,661.57
<b>PROJECTS DESIGNATED AS SYSTEM PROJECTS - BY BOND RESOLUTION</b>					
40-93-01	HURON RIVER BRIDGE PAINTING	N/A	N/A	X	1,126,793.22
43-92-01	BRIDGE MP 22.0 - 24.4	N/A	N/A	X	55,704.40
43-92-02	BRIDGE MP 35.2 - 42.9	N/A	N/A	X	41,657.65
43-92-03	BRIDGE MP 76.3 - 81.5	N/A	N/A	X	37,393.53
43-92-06	BRIDGE MP 120.1 - 129.0	N/A	N/A	X	14,237.64
43-92-07	BRIDGE MP 182.1 - 197.8	N/A	N/A	X	43,541.87
43-92-09	BRIDGE MP 199.2 - 209.6	N/A	N/A	X	3,652.14
45-93-01	OVERHEAD SIGNS & SUPPORTS	N/A	N/A	X	484,375.35
55-92-03	TOLL PLAZAS 14A & 14B	N/A	N/A	X	216.65
55-92-04	NEW INTERCHANGE - 14A & 14B	N/A	N/A	X	85,483.35
55-94-02	NEW INTERCHANGE 6A / SR44			X	8,100,000.00



Analysis of Current CIF Projects  
As Of 2/28/94

				SYSTEM	REMAINING
		OM&A	R&R	PROJECTS	COSTS
56-92-01	ADDITION & RENOVATION - KUNKLE MB	N/A	N/A	X	9,195.66
56-92-02	ADDITION & RENOVATION - AMHERST MB	N/A	N/A	X	4,838.10
56-92-03	ADDITION & RENOVATION - CANFIELD	N/A	N/A	X	13,322.49
56-93-01	IMPROVE, REPAIRS - CASTALIA	N/A	N/A	X	48,027.60
56-93-03	EXPAND BOSTON MAINT. BUILDING	N/A	N/A	X	258.15
59-92-02	RESURFACE MP 101.4 - 111.7	N/A	N/A	X	63,318.42
59-93-01	RESURFACE 0.0 - 5.7	N/A	N/A	X	120,345.19
59-93-02	RESURFACE 91.2 - 101.4	N/A	N/A	X	45,887.86
59-93-03	RESURFACE 161.6 - 172.95	N/A	N/A	X	1,515,771.99
67-92-01	REPLACE DEC COMPUTER EQUIPMENT	N/A	N/A	X	192,159.65
71-93-01	PROPOSED INTERCHANGE - S.R. 4	N/A	N/A	X	58,450.73
71-93-02	PROPOSED INTERCHANGE - S.R. 44	N/A	N/A	X	23,259.33
71-93-03	PROPOSED INTERCHANGE - C.R./T.R. 24	N/A	N/A	X	328,026.40
71-93-04	SR 58 INTERCHANGE - MP 140.2	N/A	N/A	X	379,503.03
71-93-10	PLANS FOR S.R. 4 TOLL PLAZA	N/A	N/A	X	22,476.07
71-93-11	PLANS FOR S.R. 44 TOLL PLAZA	N/A	N/A	X	43,395.27
71-93-15	SUBSURFACE INVESTIGATION - S.R. 58	N/A	N/A	X	55,823.94
71-93-17	PROPOSED INTERCHANGE - S.R. 58	N/A	N/A	X	80,000.00
74-91-01	RIGHT-OF-WAY SR49	N/A	N/A	X	42.65
74-92-01	RIGHT-OF-WAY 14A & 14B	N/A	N/A	X	56,476.75
74-93-03	RIGHT OF WAY SR 4	N/A	N/A	X	192,345.00
74-94-01	RIGHT OF WAY SR 58	N/A	N/A	X	398,826.00
NEW	STATE ROUTE 4	N/A	N/A	X	7,500,000.00
NEW	BAUMHART ROAD	N/A	N/A	X	8,000,000.00
NEW	COUNTY ROAD 24	N/A	N/A	X	8,500,000.00
NEW	STATE ROUTE 58	N/A	N/A	X	11,000,000.00
NEW	COUNTY ROAD 18	N/A	N/A	X	5,000,000.00
NEW	STATE ROUTE 51	N/A	N/A	X	6,500,000.00
<b>TOTAL</b>				60,144,806.08	60,144,806.08
<b>TOTAL - ALL PROJECTS</b>		1,029,758.04	3,377,564.37	84,206,145.24	88,613,467.65

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

Ayes: Mr. Bergsmark, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 14-1994.

The Chairman said the report of Audit/Legal was accepted as offered. He said the report of the Committee on Service Plazas would be received.

Mr. Johnson said that of course, the committee chairman, Senator Gaeth was not at the meeting. He said that, on behalf of Senator Gaeth, he wanted to report that the staff was completing new bidding documents for operation of the Turnpike's service stations. He said the current contract ran out at the end of May or the first of June. He said the bids should be ready for advertisements by the end of that week. He said that once the bids were received and analyzed they would be brought to the Commission for action.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He said the report of the Committee on Employee Relations would be received.

Mr. Disantis said SERB conducted their election on March 1st and 2nd to see whether or not the part-time toll collectors would be represented by the UE. He said the vote was in favor of the union and, as far as he knew, no objections were filed prior to March 12, which was the deadline. He said that, consequently, and effective the day of the Commission meeting, the results would be sent to SERB. He said the earliest that SERB would be certifying the part-time employees as having union representation would be at its March 16th regular meeting.

The Chairman said the report of the Committee on Employee Relations was accepted as offered. He said he wanted to welcome Captain Paul Ash, the new Commander of District 10 of the Ohio State Highway Patrol, to his first meeting as the new Commander.

Captain Ash thanked the Chairman and said he had a certificate of recognition from the Patrol's Superintendent, Colonel Warren Davies, to present to Dale Bush, a toll collector at the Stony Ridge-Toledo (No. 5) Interchange.

Captain Ash said further that he would read from the certificate to Mr. Bush as follows: "to Dale Bush for his efforts on January 31, 1994, in helping to apprehend two escapees from a federal correctional facility in Michigan. Mr. Bush, an

Ohio Turnpike toll collector at Toledo Gate 5, received word of the escape and diligently checked traffic flowing through his gate for five hours. As a result of his determination and keen sense of appreciation, he spotted the car and immediately notified Berea Patrol headquarters. Troopers were able to locate the vehicle and apprehend two wanted felons, along with three accomplices who helped them escape. Mr. Bush's assistance helped put the escapees who were serving sentences for distribution of cocaine back behind bars."

The Chairman ascertained there was no report from Captain Ash for the Committee on Safety. He said the report of the Executive Director would be received.

The Executive Director said his report would consist of explaining and introducing several resolutions that were before the Commission for action.

The Executive Director said further that the first one was a resolution entitled resolution awarding contract CIP 55-94-01. He said the resolution to award the contract for the construction of the interchange between the Turnpike and State Route 4 in Erie County. He said the Members had a copy of that resolution in their folders and attached to it was a summary tabulation of the seven bids received. He said low bid was submitted by the E.S. Wagner Company of Oregon, Ohio, in the amount of \$6,131,379.60. He said he recommended the resolution be adopted.

A resolution to award contract CIP 55-94-01 was moved for adoption by Mr. Bergsmark, seconded by Mrs. Leever as follows:

RESOLUTION NO. 15-1994

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for construction of Interchange 6A ramps between the Ohio Turnpike and State Route 4, located in Erie County, and the replacement of the State Route 4 bridge over the Ohio Turnpike, which contract has been designated CIP 55-94-01, and is commonly referred to as the S.R. 4 interchange;

"WHEREAS, seven bids for the performance of said contract were received;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's deputy executive director-chief engineer and our contracting engineers and they have submitted reports concerning such analyses and their reports are before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analyses;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of E. S. Wagner Company of Oregon, Ohio, in the amount of \$6,131,379.60, for the performance of Contract CIP 55-94-01 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by the E. S. Wagner Company of Oregon, Ohio;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the E. S. Wagner Company of Oregon, Ohio in the amount of \$6,131,379.60, for the performance of Contract CIP 55-94-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, 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 present responded to roll call. The vote was as follows:

Ayes: Mr. Bergsmark, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 15-1994.

The Executive Director said the next resolution was a resolution awarding CIP 43-94-05. He said it was a contract to rehabilitate a ramp connector bridge located in the Strongsville-Cleveland (No. 10) Interchange area. He said the

bridge carried the plaza lanes over a ramp to U.S. Route 42. He said the contract also included a deck replacement for a bridge carrying a ramp over the Turnpike in that interchange area.

The Executive Director said further that there were three bids received on the contract. He said the low bidder was the S.E. Johnson Companies, Inc. of Maumee, Ohio. He said the amount was \$796,185.55. He said the bid was well under the staff's estimate. He said the bid had been analyzed and recommended by the staff. He said he recommended that the resolution be adopted.

A resolution awarding contract CIP 43-94-05 was moved for adoption by Mrs. Leever, seconded by Mr. Bergsmark as follow:

RESOLUTION NO. 16-1994

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for renovation of the bridge carrying Exit 10 plaza lanes over the U. S. Route 42 connector ramp and for replacing the deck of the connector ramp bridge over the Ohio Turnpike at Milepost 162.0 in Cuyahoga County, Ohio which contract has been designated CIP 43-94-05;

"WHEREAS, three bids for the performance of said contract were received;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's deputy executive director-chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission, and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of the S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$796,185.55, for the performance of Contract CIP 43-94-05 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and

sufficient surety has been submitted by the S. E. Johnson Companies, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$796,185.55, for the performance of Contract CIP 43-94-05 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairman and executive director, or either of them, hereby is authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract, and

"FURTHER RESOLVED that Contract CIP 43-94-05 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Leever, Mr. Bergsmark, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 16-1994.

The Executive Director said the final resolution he had was a resolution expressing appreciation to Captain Henry E. Williams. He said Captain Williams was the former Commander of District 10 of the Ohio State Highway Patrol, who had retired. He said he would not read the resolved, but, upon its adoption, the resolution would be retyped on parchment paper, framed and presented to Captain Williams.

A resolution expressing appreciation to Captain Henry E. Williams, Ohio State Highway Patrol was moved for adoption by Mr. Bergsmark, seconded by Mrs. Leever as follows:

RESOLUTION NO. 17-1994

"WHEREAS, Henry E. Williams began his employ with the Ohio State Highway Patrol as a dispatcher on September 1, 1961, and graduated from the Patrol's Training Academy on February 16, 1962;

"WHEREAS, during the next twenty-three years Henry E. Williams served as a patrolman, corporal, sergeant and lieutenant for the Ohio State Highway Patrol;

"WHEREAS, on January 28, 1985, Lieutenant Henry E. Williams was transferred to Turnpike District 10 headquarters located at the Commission's Administration Building in Berea, Ohio;

"WHEREAS, Henry E. Williams served with distinction in the Ohio State Highway Patrol and was promoted to Captain on November 2, 1987, and supervised a staff of approximately one hundred employees including district staff officers; officers and troopers stationed at Turnpike Posts 89, 90 and 91; and radio room dispatchers;

"WHEREAS, Captain Henry E. Williams retired as a member of the Ohio State Highway Patrol effective February 28, 1994, and the members of the Commission wish to give formal and public recognition for his thirty-two years of honorable and exceptionally dedicated and effective service;

"NOW, THEREFORE, BE IT

"RESOLVED, that the Commission hereby acknowledges the services rendered by Captain Henry E. Williams to the Ohio State Highway Patrol and to the Commission during his thirty-two years of service and in particular to the years he was associated with the Ohio Turnpike, District 10, and expresses its appreciation for the diligent, active and valuable service rendered by Captain Henry E. Williams to the Ohio State Highway Patrol;

"RESOLVED that the Commission extends to Captain Henry E. Williams, his wife, Joan, and his family, its best wishes for his success and well-being in all matters and activities which he shall undertake in the future; and

"FURTHER RESOLVED that the assistant secretary-treasurer be, and hereby he is, directed to send a certified copy of this resolution to Captain Williams."

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

Ayes: Mr. Bergsmark, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 17-1994.

The Executive Director said that the final item he had was to report that the staff had scheduled interviews with the four firms that had submitted proposals for the Commission to perform the project management consulting services on the Great Lakes/Mid-Atlantic Corridor project. He said those interviews would be held in the Commission meeting room on March 25 starting at 9:00 a.m. He said he expected the meetings to be open to the public, as had been done with certain past proposal sessions. He said that, after those interviews, he hoped the review committee could prepare a report for the Commission and make a recommendation for award. He said the review committee consisted of Representative Gerberry, Director Wray, himself, Alan Plain, Jim McGrath, and Jim Brennan. He said he hoped the committee could make its recommendation so the Commission could make its selection at the April Commission meeting.

The Executive Director said that at the last Commission meeting there was a resolution before the Commission to award a contract for new automatic ticket issuing machines. He said that at that time the staff had not completed the evaluation and analysis of those bids. He said the Commission did adopt a resolution authorizing the Chairman or Executive Director to make that award and it had been awarded. He said he would ask Mr. Plain to give the members a brief summary of that process.

Mr. Plain said the equipment had been evaluated by the staff, along with its consultants, Syntonic Technology and Mayfield Engineering. He said a demonstration had been set up in the conference room at the administration building by the manufacturer, Trindel America of Norcross, Georgia. He said the representatives of the company were very responsive to all the questions directed to them. He said the staff made a recommendation to Mr. Johnson for the award.

Mr. Plain said further that, subsequent to that, on March 10 and 11, the staff, again assisted by Syntonic Technology and Mayfield Engineering, met in Berea with representatives of the company and its parent organization, based in Paris, France, to discuss the technical aspects of the equipment and the materials to be furnished under the contract.

Mr. Plain said further that various aspects regarding positioning of key components of the equipment were discussed. He said they also discussed certain design modifications, as well as software and the roll ticket the staff was to be supplied for testing under the contract.

Mr. Plain said further that the staff and consultants found the company to be very cooperative and responsive. He said most of the technical details had been resolved and he issued a notice to proceed with phase one of the contract.



Mr. Plain said further that within 90 days after issuance of the notice to proceed the company was to deliver two prototype models for testing and evaluation by the staff, Syntonic Technology and Mayfield Engineering.

Mr. Plain said further that the staff and consultants had 30 days in which to test and evaluate the equipment. He said that then a notice to proceed with phase two would be issued. He said the manufacturer then had 105 days after the issuance of the notice to proceed with phase two to deliver 12 new ticket issuing machines. He said those machines would eventually be installed in the new interchanges and also all the existing interchanges to free up the entering terminals, which would be used as exit terminals.

Mr. Plain said further that he was very pleased the Commission moved so quickly in the matter and that the company had cooperated in an excellent manner. He said the staff had developed a good relationship with the representatives of the company and he expected everything to go in accordance with specifications.

The Chairman asked if Trindel America was the lowest bidder.

The Executive Director said they were the low bidder by far.

Mr. Plain said the Commission could probably double the quantity of its order and still be under the second bidder. He said the staff was very pleased with the bid and thought it would have a significant impact on the toll industry. He said he liked to see that type of competition and he thought it was going to have a dramatic effect in getting the price down on some of the same type of equipment.

The Chairman said the report of the Executive Director was accepted as offered. He said the report of the Development Coordinator would be received.

The Development Coordinator, Mr. Brennan, said he would start at the west end of the Turnpike and work east as he reported the progress on the new interchanges. He said that at the interchange with State Route 66 (County Road 24) in Fulton County the staff continued to work with ODOT on the design plans. He said those plans might be delayed by as much as a month, but the staff would continue to work with ODOT on them.

Mr. Brennan said further that an RFP for engineering design was being prepared for the interchange with State Route 51 in Ottawa and Sandusky County.

Mr. Brennan said that, as the Members knew, the Commission awarded a contract at that meeting to construct an interchange

with State Route 4 in Erie County. He said he had a meeting scheduled with the Bellevue Safety and Service Director to review whatever plans they had for water and sewage lines for the area. He said the city would like to have the Commission become involved with them in extending water and sewage lines to the interchange, but he would have to find out what they had in mind before a commitment could be made.

Mr. Brennan said further that engineering proposals were being reviewed and an award for those services should be made soon for the interchange with Baumhart Road.

Mr. Brennan said further that at the interchange with State Route 58 in Lorain County there was still the railroad question. He said the Commission's plans for that interchange could not be completed until the disagreement regarding use of the surrounding land had been resolved. He said a final decision had to be made on that issue as soon as possible.

Mr. Brennan said further that the construction contract for the interchange at State Route 44 in Portage County was awarded at the February Commission meeting. He said the staff was optimistic that the interchange could be opened to traffic in the fall of 1994.

Mr. Brennan said further that the staff continued to work with ODOT to develop an RFP for the access point study for the interchange with Interstate Route 77 in Summit and Cuyahoga County.

Mr. Brennan said a public meeting was recently held at the Jackson-Milton High School to solicit opinions on the County Road 18 interchange in Mahoning County. He said the meeting was set up by Representative Gerberry and it was kind of embarrassing because everybody was supportive. He said everybody said to build the interchange as soon as possible. He said that, however, the Executive Director explained that there would be somewhat of a delay because Federal Highway Administration approval was needed due to its connection with Interstate Route 80. He said the Commission would know more about that approval process within a short time. He said he thought that problem would also probably impact a proposed interchange at State Route 11 in Mahoning County.

Mr. Brennan said further that meetings continued to be held on the Great Lakes/Mid-Atlantic Corridor. He said the umbrella group had meetings set in Washington, D.C. on March 15 and 16 with the Public Works and Transportation Committee, chaired by Congressman Rahall. He said Congressman Rahall was strongly supportive of the entire project. He said he would not be participating in that meeting. He said a seven-state meeting would be held on June 21 and 22 in Toledo. He said the group was

very pleased with the Commission's progress regarding the project management consultant services team which the Executive Director mentioned earlier in the meeting.

Mr. Brennan said further that there were two public open houses held on March 9 and 10 in Toledo to discuss the proposed Maumee River crossing in Toledo. He said the open houses were hosted by ODOT to show the public what was being planned, what had been done, and to solicit comments. He said about 500 people attended the open houses and he believed there were many positive comments.

The Executive Director said he had one thing to add to Mr. Brennan's report, which he didn't have a chance to tell him, and that was that the engineering consultant had been selected the Friday before the meeting for the Baumhart Road Interchange.

The Chairman said the report of the Development Coordinator was accepted as offered. He said the report of General Counsel would be received.

Mr. McGrath said that in connection with constructing the new interchange with State Route 4 and State Route 44 it was necessary to acquire right-of-way. He said that through negotiations the Legal Department was in a good position on a number of needed parcels. He said that, on occasion, some problems were encountered and, in that case, it might be necessary to appropriate property under Chapter 163 of the Ohio Revised Code. He said that prior to appropriation it was necessary for the Commission to adopt resolutions of appropriation.

Mr. McGrath said further that the Members had in their folders seven resolutions of appropriation, two dealing with State Route 4 and five covering State Route 44. He said that all the resolutions, with the exception of the particular parties involved and the legal descriptions, were identical. He said he recommended to the Commission that it adopt those resolutions at the meeting, with the understanding that it didn't mean that appropriation actions would be filled. He said the resolutions put the Commission in position to commence those actions, if need be. He said that the Commission needed to be in that position in the event it couldn't settle or reach agreement with the property owners. He said that, if that occurred, the amount of the fair market value of the property would be deposited and the Commission would have possession of the property. He said that, in other words, the Commission could go forward with the project, pending the outcome of litigation.

Mrs. Leever asked if General Counsel anticipated litigation from any of the property owners.

Mr. McGrath said that with seven separate parcels there might be litigation over one or two. He said that two of them appeared to be settled at that time, but he was not sure. He said the paperwork had not been done on them as yet.

Mrs. Leever asked if litigation on any of the parcels might cause delays in the projects.

Mr. McGrath said that was the reason for adopting the resolutions so that the Commission could file petitions of appropriation, if that action was necessary. He said the fair market value of the parcels could then be deposited and the property owners could then withdraw those funds. He said the matter then eventually moved to trial or settlement.

General Counsel said that all seven resolutions could be adopted with one vote.

Seven resolutions declaring the necessity of appropriating property and directing that proceedings to effect such appropriation be begun and presented were moved for adoption by Mrs. Leever, seconded by Mr. Bergsmark as follows:

RESOLUTION NO. 18-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 4 and the Ohio Turnpike in the vicinity of Milepost 110.7 in Erie 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>
Emerson B. Keller	163 Arlington Drive Bellevue, OH 44811
Marjorie B. Miller	120 Greenwood Heights Bellevue, OH 44811
Marion E. Didion	3907 Columbus Road Sandusky, OH 44870
James W. McKean Auditor, Erie County	Courthouse 523 Columbus Avenue Sandusky, OH 44870

Beverly Pressler  
Treasurer, Erie County

Courthouse  
523 Columbus Avenue  
Sandusky, OH 44870

"The aforementioned property to be appropriated is described as follows:

Parcel No. 6A-3WL - Fee Simple  
Parcel No. 6A-3X - Fee Simple  
Parcel No. 6A-3T - Temporary Construction Easement

"Legal descriptions are attached as Exhibits "A", "B" and "C";

"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."

Parcel 6A-3WL

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lots 9 and 15 and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey, made by the Ohio Turnpike Commission and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof:

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways of State Route 4 and Portland Road being 6.76 feet right of S.R. 4 centerline survey Station 57 + 84.43;

Thence S20°-04'-08"W along the existing centerline of S.R. 4 for a distance of 3193.85 feet to a point being the intersection of the OHIO TURNPIKE Station 237 + 00.90 and S.R. 4 centerline survey Station 25 + 90.58;

Thence S19°-56'-51"W continuing along the centerline of survey of S.R. 4 for a distance of 116.98 feet to a point on the existing southerly limited access line of the OHIO TURNPIKE being S.R. 4 centerline survey Station 24 + 73.60 and being 115.00 feet right of OHIO TURNPIKE centerline Station 236 + 79.48; the true place of beginning;

Thence S19°-56'51"W continuing along the centerline of survey of S.R. 4 also being the Grantor's easterly property line and being the westerly property line of CHARLES F. and FLORENCE M. CLARK as recorded in the records of Erie County Book 260, Pages 276-278 for a distance of 30.52 feet to a point being S.R. 4 centerline survey Station 24 + 43.09 and being 145.00 feet right of OHIO TURNPIKE centerline Station 236 + 73.90;

Thence along the proposed southerly limited access right-of-way line of the OHIO TURNPIKE for the following eight courses:

- 1) N80°-36'-07"W for a distance of 573.90 feet to a point being 145.00 feet right of the OHIO TURNPIKE centerline Station 231 + 00.00;
- 2) S79°-15'-42"W for a distance of 319.53 feet to a point being 255.00 feet right of the OHIO TURNPIKE centerline Station 228 + 00.00;
- 3) S54°-02'-32"W for a distance of 569.23 feet to a point being 660.00 feet right of the OHIO TURNPIKE centerline Station 224 + 00.00;
- 4) S77°-35'-48"W for a distance of 161.56 feet to a point being 720.00 feet right of the OHIO TURNPIKE centerline Station 222 + 50.00;
- 5) N72°-04'-16"W for a distance of 202.24 feet to a point being 690.00 feet right of the OHIO TURNPIKE centerline Station 220 + 50.00;
- 6) N40°-17'-16"W for a distance of 216.39 feet to a point being 550.00 feet right of the OHIO TURNPIKE centerline Station 218 + 85.00;
- 7) N07°-18'-04"W for a distance of 156.60 feet to a point being 400.00 feet right of the OHIO TURNPIKE centerline Station 218 + 40.00;

Exhibit "A"

Parcel 6A-3WL (Con'd.)

- 8) N05°-36'-33"E for a distance of 227.00 feet to a point on the Grantor's northerly property line and the southerly property line of CHARLES and FLORENCE CLARK as recorded in the records of Erie County in Vol. 260 Page 276 and being 173.50 feet right of the OHIO TURNPIKE centerline Station 218 + 25.00;

Thence S88°-19'-43"E along said Grantor's northerly property line for a distance of 435.09 feet to a point on the existing southerly limited access right-of-way line of the OHIO TURNPIKE being 115.00 feet right of the OHIO TURNPIKE centerline station 222 + 56.14;

Thence S80°-36'-07"E along said existing southerly limited access right-of-way line of the OHIO TURNPIKE for a distance of 1423.35 feet to the place of beginning containing 10.871 acres, more or less, of which the present right-of-way occupies 0.051 acres, more or less.

The above description contains 0.151 acres in Lot 9 and 10.720 acres in Lot 15.

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.

Parcel 6A-3X

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lots 9 and 15 and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey, made by the Ohio Turnpike Commission, and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof:

Beginning at the intersection of the proposed southerly limited access right-of-way line of the OHIO TURNPIKE and the existing westerly right-of-way line of S.R. 4, said point being 145.00 feet right of the OHIO TURNPIKE centerline Station 235 + 99.64 and 73.00 feet left of S.R. 4 centerline Station 24 + 29.49;

Thence along the existing westerly right-of-way line of S.R. 4 for the following three courses:

- 1) S19°-56'-51"W for a distance of 138.91 feet to a point being 73.00 feet left of S.R. 4 centerline survey Station 22 + 90.58;
- 2) S18°-13'-45"W for a distance of 200.09 feet to a point being 67.00 feet left of S.R. 4 centerline survey Station 20+ 90.58;
- 3) S17°-39'-25"W for a distance of 45.16 feet to a point on the proposal channel easement line being 65.20 feet left of the S.R. 4 centerline survey Station 20 + 45.46;

Thence along the proposed channel easement line for the following two courses:

- 1) N68°-03'-09"W for a distance of 27.58 feet to a point being 92.76 feet left of S.R. 4 centerline survey Station 20 + 46.42;
- 2) N17°-19'-22"E for a distance of 376.58 feet to a point on the proposed southerly limited access right-of-way line of the OHIO TURNPIKE being 110.00 feet left of S.R. 4 centerline survey Station 24 + 22.60 and also being 145.00 feet right of the OHIO TURNPIKE centerline Station 235 + 62.01;

Thence S80°-36'-07"E along said limited access right-of-way line for a distance of 37.64 feet to the place of beginning containing 0.269 acres, more or less.

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio written by Robert O. Brenner, Registered Surveyor No. 5987.

Exhibit "B"



Parcel 6A-3T

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lots 9 and 15 and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey, made by the Ohio Turnpike Commission and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof:

Beginning at a point on the proposed southerly OHIO TURNPIKE limited access right-of-way line being 165.00 feet right of the OHIO TURNPIKE centerline Station 230 + 45.46;

Thence along said southerly limited access right-of-way line of the OHIO TURNPIKE the following two courses:

- 1) N79°-15'-42"E for a distance of 58.10 feet to a point being 145.00 feet right of the OHIO TURNPIKE centerline Station 231 + 00.00;
- 2) S80°-36'-07"E for a distance of 462.00 feet to a point being 145.00 feet right of the OHIO TURNPIKE centerline Station 235 + 62.01 and also being 110.00 feet left of S.R. 4 centerline survey Station 24 + 22.60;

Thence S17°-19'-22"W along the proposed westerly channel easement line of S.R. 4 for a distance of 376.58 feet to a point being 92.76 feet left of S.R. 4 centerline survey Station 20 + 46.42;

Thence S6 °-03'-09"E along the easement line for a distance of 27.58 feet to a point on the existing westerly right-of-way being 65.20 feet left of S.R. 4 of centerline Station 20 + 45.46;

Thence along the existing westerly right-of-way line of S.R. 4 for the following two courses:

- 1) S17°-39'-25"W for a distance of 54.92 feet to a point being 63.00 feet left of S.R. 4 centerline survey Station 19 + 90.58;
- 2) S18°-13'-45"W for a distance of 5.21 feet to a point on the Grantor's southerly property line being 62.84 feet left of S.R. 4 centerline survey Station 19 + 85.37;

Thence N6 °-03'-09"W along said southerly property line for a distance of 37.18 feet to a point on the proposed temporary right-of-way line being 100.00 feet left of S.R. 4 centerline survey Station 19 + 86.67;

Thence along the proposed temporary right-of-way line the following two courses:

- 1) N15°-46'-53"E for a distance of 412.95 feet to a point being 130.00 feet left of S.R. 4 centerline survey Station 23 + 98.53, and also being 165.00 feet right of the OHIO TURNPIKE centerline Station 235 + 37.94;
- 2) N80°-36'-07"W for a distance of 492.48 feet to the place of beginning containing 0.410 acres, more or less.

Exhibit "C"

Parcel 6A-3T (Con'd.)

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio written by Robert O. Brenner, Registered Surveyor No. 5987.

RESOLUTION NO. 19-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 4 and the Ohio Turnpike in the vicinity of Milepost 110.7 in Erie 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>
Charles F. Clark Florence M. Clark	9512 Hayes Avenue Sandusky, OH 44870
James W. McKean Auditor, Erie County	Courthouse 323 Columbus Avenue Sandusky, OH 44870
Beverly Pressler Treasurer, Erie County	Courthouse 523 Columbus Avenue Sandusky, OH 44870

"The aforementioned property to be appropriated is described as follows:

Parcel No. 6A-2WL - Fee Simple  
Parcel No. 6A-2WL-1 - Fee Simple  
Parcel No. 6A-2WL-2 - Fee Simple  
Parcel No. 6A-2EL - Fee Simple  
Parcel No. 6A-2EL-1 - Fee Simple

"Legal descriptions are attached as Exhibits "A", "B", "C", "D" and "E";

"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."

Parcel 6A-2WL

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lots 9, 10, + 15 and 16 and bounded and described as follows:

Being a parcel of land lying on the left side of the centerline of a survey, made by the OHIO TURNPIKE COMMISSION and recorded in Book Page , of the records of Erie County and being located within the following described points in the boundary thereof:

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways of State Route 4 and Portland Road and being 6.76 feet right of S.R. 4 centerline survey Station 57 + 84.43;

Thence S20°-04'-08"W along the centerline of right-of-way of S.R. 4 for a distance of 1889.93 feet to a point on the Grantor's easterly property line being 2.76 feet right of S.R. 4 centerline survey Station 38 + 94.50; the true place of beginning;

Thence S20°-04'-08"W continuing along said Grantor's easterly property line for a distance of 205.73 feet to a point being 2.33 feet right of S.R. 4 centerline Station 36 + 88.77;

Thence S88°-19'-38"E along the Grantor's northerly property line also being the southerly property line of HENRY BRISKER as recorded in the records of Erie County in Book 113 Page 896 for a distance of 55.41 feet to a point in the proposed easterly limited access right-of-way line of S.R. 4 being 54.94 feet right of S.R. 4 centerline station 37 + 06.14;

Thence along said easterly limited access right-of-way line of S.R. 4 for the following two courses:

- 1) S17°-13'-16"W for a distance of 106.26 feet to a point being 60.00 feet right of S.R. 4 centerline Station 36 + 00.00;
- 2) S16°-25'-09"W for a distance of 812.47 feet to a point on the existing northerly limited access right-of-way line of the OHIO TURNPIKE being 175.00 feet left of the OHIO TURNPIKE centerline station 238 + 45.38 and being 110.00 feet right of S.R. 4 centerline survey Station 27 + 89.07;

Thence along said northerly limited access line for the following eight courses:

- 1) N80°-36'-07"W for a distance of 111.89 feet to a point being S.R. 4 centerline survey Station 27 + 68.60;
- 2) S19°-56'-51"W along S.R. 4 survey centerline for a distance of 10.17 feet to a point being S.R. 4 centerline survey station 27 + 58.42;
- 3) N80°-36'-07"W for a distance of 341.63 feet to a point being 165.00 feet left of the OHIO TURNPIKE centerline Station 233 + 90.00;
- 4) S03°-41'-15"W for a distance of 30.15 feet to a point being 135.00 feet left of the OHIO TURNPIKE centerline Station 233 + 93.00;

Exhibit "A"

Parcel 6A-2WL (Con'd.)

- 5) N80°-36'-07"W for a distance of 1068.00 feet to a point being 135.00 feet left of the OHIO TURNPIKE centerline Station 223 + 25.00;
- 6) S09°-23'53"W for a distance of 20.00 feet to a point being 115.00 feet left of the OHIO TURNPIKE centerline station 223 + 25.00;
- 7) N80°-36'-07"W for a distance of 598.09 feet to a point being 115.00 feet left of the OHIO TURNPIKE centerline Station 217 + 26.91;
- 8) On a curve to the right for an arc length of 613.19 feet having a radius of 17073.74 feet and a chord bearing N79°-34'-22"W for a distance of 613.15 feet to a point on the Grantor's westerly property line also being the easterly property line of MARY CULLEN ET. AL as recorded in the records of Erie County in Book 500 Page 560 and being 115.00 feet left of and radially from the OHIO TURNPIKE centerline Station 211 + 09.59;

Thence N00°-36'-00"W along said Grantor's westerly property line also being the west line of Lot 15 for a distance of 35.79 feet to a point in the proposed northerly limited access right-of-way of the OHIO TURNPIKE being 150.00 feet left of and radially from the OHIO TURNPIKE centerline Station 211 + 02.05;

Thence along the proposed northerly limited access right-of-way line of the OHIO TURNPIKE for the following seven courses:

- 1) N82°-30'-49"E for a distance of 413.90 feet to a point being 280.00 feet left of and radially from the OHIO TURNPIKE centerline Station 215 + 00.00;
- 2) N57°-12'-49"E for a distance of 265.89 feet to a point being 460.00 feet left of and radially from the OHIO TURNPIKE centerline Station 217 + 00.00;
- 3) N45°-56'-56"E for a distance of 460.56 feet to a point being 830.00 feet left of the OHIO TURNPIKE centerline Station 219 + 75.00;
- 4) N82°-07'-00"E for a distance of 235.64 feet to a point being 900.00 feet left of the OHIO TURNPIKE centerline Station 222 + 00.00;
- 5) S77°-15'-49"E for a distance of 1202.04 feet to a point being 830.00 feet left of the OHIO TURNPIKE centerline Station 234 + 00.00;
- 6) S74°-53'-29"E for a distance of 201.00 feet to a point being 810.00 feet left of the OHIO TURNPIKE centerline Station 236 + 00.00;
- 7) N55°-00'-11"E for a distance of 282.90 feet to a point being 1007.92 feet left of the OHIO TURNPIKE centerline Station 238 + 02.14 and also being 85.00 feet left of S.R. 4 centerline survey Station 36 + 00.00;

Thence N23°-39'29"E along the westerly limited access right-of-way line of S.R. 4 for a distance of 271.97 feet to a point in the Grantor's northerly property line also being the southerly property line of MARY LOU HANSON TRUSTEE as recorded in

Parcel 6A-2WL (Con'd.)

the record of Erie County in Books 93 and 405 and Pages 88 and 372 respectively and being 67.40 feet left of S.R. 4 centerline survey Station 38 + 71.40;

Thence S88°-16'-37"E along said Grantor's northerly property line for a distance of 73.87 feet to the place of beginning containing 38.281 acres more or less, of which the present right-of-way occupies 2.763 acres, more or less.

The above description contains 9.310 acres in Lot 9; 0.362 acres in Lot 10; 28.281 acres in Lot 15 and 0.328 Ac acres in Lot 16.

The bearings for this description were based upon the original OHIO TURNPIKE survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.

Parcel 6A-2WL-1

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lot 15 and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey, made by the Ohio Turnpike Commission, and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof;

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways on State Route 4 and Portland Road, being 6.76 feet right of S.R. 4 centerline survey station 57 + 84.43;

Thence S20°-04'-08"W along the existing centerline of S.R. 4 for a distance of 3193.85 feet to a point being the intersection of the OHIO TURNPIKE Station 237 + 00.90 and S.R. 4 centerline survey Station 25 + 90.58;

Thence S 19°-56'-51"W continuing along the existing centerline of survey of S.R. 4 for a distance of 116.98 feet to a point being S.R. 4 centerline Station 24 + 73.60, also being the existing southerly limited access line of the OHIO TURNPIKE being 115.00 feet right of the OHIO TURNPIKE centerline Station 236 + 79.48;

Thence N80°-36'-07"W along said southerly limited access right-of-way line of the OHIO TURNPIKE for a distance of 1423.35 feet to a point on the Grantor's southerly property line being 115.00 feet right of the OHIO TURNPIKE centerline Station 222 + 56.14; the true place of beginning;

Thence N88°-19'-43"W along said Grantor's southerly property line also being the northerly property line of EMERSON KELLER ET. AL as recorded in the records of Erie County in Book 500, Page 1093 and the proposed southerly limited access right-of-way for a distance of 1083.95 feet to a point on the Grantor's westerly property line also being the westerly line of Lot 15 and being 269.24 feet right of and radially from the OHIO TURNPIKE centerline station 211 + 90.35;

Thence N00°-36'-00"W along said Grantor's westerly property line and the proposed southerly limited access right-of-way line for a distance of 157.60 feet to a point in the Grantor's northerly property line also being the existing southerly limited access right-of-way line of the OHIO TURNPIKE and being 115.00 feet right of and radially to the OHIO TURNPIKE centerline Station 211 + 58.37;

Thence, along said Grantor's northerly property line and the existing southerly limited access right-of-way line of the OHIO TURNPIKE for the following two courses:

- 1) On a curve to the left having an arc length of 572.34 feet a radius of 17303.73 feet and a chord bearing S79° 39'-14"E for a distance of 572.31 feet to a point being 115.00 feet right of the OHIO TURNPIKE centerline Station 217 + 26.91;
- 2) S80°-36'07"E for a distance of 529.23 feet to the place of beginning containing 1.881 acres, more or less, of which the present right-of-way occupies 0.000 acres.

Exhibit "B"

Parcel 6A-2WL-1 (Con'd.)

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.



Parcel 6A-2WL-2

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lot 9 and bounded and described as follows:

Being a parcel of land lying on the right side of the centerline of a survey, made by the Ohio Turnpike Commission, and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof;

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways of State Route 4 and Portland Road, being 6.76 feet right of S.R. 4 centerline survey station 57 + 84.43;

Thence S20°-04'-08"W along the existing centerline of S.R. 4 for a distance of 3193.85 feet to a point being the intersection of the OHIO TURNPIKE Station 237 + 00.90 and S.R. 4 centerline survey Station 25 + 90.58;

Thence S 19°-56'-51"W continuing along the centerline of survey of S.R. 4 for a distance of 127.15 feet to a point on the existing southerly limited access line of the OHIO TURNPIKE being S.R.4 centerline survey Station 24 + 63.43 and being 125.00 feet right of OHIO TURNPIKE centerline Station 236 + 77.62, the true place of beginning;

Thence S80°-36'-07"E along said existing southerly limited access right-of-way line for a distance of 722.38 feet to a point being 125.00 feet right of OHIO TURNPIKE centerline Station 244 + 00.00;

Thence along the proposed southerly limited access right-of-way line of the OHIO TURNPIKE for the following two courses:

- 1) S09°-23'-53"W for a distance of 10.00 feet to a point being 135.00 feet right of OHIO TURNPIKE centerline Station 244 + 00.00;
- 2) N80°-36'-07"W for a distance of 724.24 feet to a point being 135.00 feet right of OHIO TURNPIKE centerline station 236 + 75.76 and also being S.R. 4 centerline survey Station 24 + 53.26;

Thence N19°-56'-51"E along the centerline of S.R. 4 also being the Grantor's westerly property line for a distance of 10.17 feet to the place of beginning containing 0.166 acres more or less, of which the present right-of-way occupies 0.017 acres, more or less.

The bearings for this description were based upon the original Ohio Turnpike survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.

Exhibit "C"

Parcel 6A-2EL

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lots 9, 10, 15 and 16 and bounded and described as follows:

Being a parcel of land lying on the left side of the centerline of a survey, made by the OHIO TURNPIKE COMMISSION, and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof;

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways on State Route 4 and Portland Road and being 6.76 feet right of S.R. 4 centerline survey station 57 + 84.43;

Thence S20°-04'-08"W along the centerline of right-of-way of S.R. 4 for a distance of 1889.93 feet to a point on the Grantor's easterly property line being 2.76 feet right of S.R. 4 centerline survey Station 38 + 94.50;

Thence N 88°-16'-37"W along the Grantor's northerly property line for a distance of 73.87 feet to a point on the proposed westerly limited access right-of-way line of S.R. 4 being 67.40 feet left of S.R. 4 centerline survey Station 38 + 71.40; the true place of beginning;

Thence S23°-39'-29"W along said westerly limited access right-of-way of S.R. 4 for a distance of 271.97 feet to a point being 85.00 feet left of S.R. 4 centerline survey Station 36 + 00.00 also being 1007.92 feet left of the OHIO TURNPIKE centerline Station 238 + 02.14;

Thence along the proposed northerly limited access right-of-way line the following six courses:

- 1) S55°-00'-11"W for a distance of 282.90 feet to a point being 810.00 feet left of the OHIO TURNPIKE centerline Station 236 + 00.00;
- 2) N74°-53'-29"W for a distance of 201.00 feet to a point being 830.00 feet left of the OHIO TURNPIKE centerline Station 234 + 00.00;
- 3) N77°-15'-49"W for a distance of 1202.04 feet to a point being 900.00 feet left of the OHIO TURNPIKE centerline Station 222 + 00.00;
- 4) S82°-07'-00"W for a distance of 235.64 feet to a point being 830.00 feet left of the OHIO TURNPIKE centerline Station 219 + 75.00;
- 5) S45°-56'-56"W for a distance of 460.56 feet to a point being 460.00 feet left of and radially from the OHIO TURNPIKE centerline Station 217 + 00.00;
- 6) S57°-12'-149"W for a distance of 265.89 feet to a point being 280.00 feet left of and radially from the OHIO TURNPIKE centerline Station 215 + 00.00;
- 7) S82°-30'-49"W for a distance of 413.90 feet to a point on the Grantor's westerly property line being 150.00 feet left of and radially from the OHIO TURNPIKE centerline Station 211 + 02.05;

Exhibit "D"

Parcel 6A-2EL (Con'd.)

Thence along said Grantor's westerly property line also being the west line of Lot 15 and the easterly property line of MARY CULLEN ET AL as recorded in the records of Erie County in Book 500 Page 560 for a distance of 732.10 feet to a point in the Grantor's northerly property line being 865.17 feet left of the OHIO TURNPIKE centerline Station 209 + 40.71;

Thence S88°-16'-37"E along said Grantor's northerly property line also being the southerly line of MARY LOU HANSON as recorded in the records of Erie County in Books 93 and 405, Pages 88 and 372-373 for a distance of 2914.71 feet to the place of beginning containing 24.104 acres, more or less.

The above description contains 2.106 acres in Lot 9; 2.728 acres in Lot 10; 9.368 acres in Lot 15 and 9.902 acres in Lot 16.

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.

Parcel 6A-2EL-1

Situated in the Township of Groton, County of Erie, State of Ohio and in Section 2, Lot 9 and bounded and described as follows:

Being a parcel of land lying on the left side of the centerline of a survey, made by the OHIO TURNPIKE COMMISSION, and recorded in Book Page of the records of Erie County and being located within the following described points in the boundary thereof;

Commencing at an existing railroad spike found in the intersection of the centerline of right-of-ways of State Route 4 and Portland Road and being 6.76 feet right of S.R. 4 centerline survey station 57 + 84.43;

Thence S20°-04'-08"W along the centerline of right-of-way of S.R. 4 for a distance of 2095.66 feet to a point on the Grantor's northerly property line being 2.33 feet right of S.R. 4 centerline survey Station 36 + 88.77;

Thence S88°-19'-38"E along the Grantor's northerly property line for a distance of 55.41 feet to a point on the proposed easterly limited access right-of-way line of S.R. 4 being 54.94 feet right of S.R. 4 centerline survey Station 37 + 06.14; the true place of beginning;

Thence S88°-19'-38"E along said northerly property line also being the southerly line of HENRY BRISKER as recorded in the records of Erie County in Book 113 Page 896 for a distance of 392.07 feet to a point being 427.24 feet right of S.R. 4 centerline survey Station 38 + 29.09, also being 1139.35 feet left of the OHIO TURNPIKE centerline Station 243 + 47.67;

Thence along the Grantor's property line and the property line of WAYNE R. and RUTH D. MILLER, TRUSTEES as recorded in the records of Erie County in Book 46, Page 522 for the following three courses:

- 1) S02°-05'-40"E for a distance of 733.06 feet to an iron pin found being 420.99 feet left of the OHIO TURNPIKE centerline Station 244 + 93.72;
- 2) S88°-01'-11"E for a distance of 1101.78 feet to a broken steel fence post found 0.5 feet deep being 563.23 feet left of the Ohio Turnpike centerline Station 255 + 86.28;
- 3) S01°-13'-02"E for a distance of 394.99 feet to the existing northerly limited access right-of-way line of the OHIO TURNPIKE being 175.00 feet left of the OHIO TURNPIKE centerline Station 256 + 59.04;

Thence N80°-36'-07"W along the existing northerly limited access right-of-way line for a distance of 1815.50 feet to a point on the proposed easterly limited access right-of-way line of S.R. 4 being 175.00 feet left of the OHIO TURNPIKE centerline Station 238 + 45.38 and being 110.00 feet right of S.R. 4 centerline survey Station 27 + 89.07;

Thence along the easterly limited access right-of-way line of S.R. 4 for the following two courses:

Exhibit "E"

Parcel 6A-2EL-1 (Con'd.)

- 1) N16°-25'-09"E for a distance of 812.47 feet to a point being 60.00 feet right of S.R. 4 centerline survey Station 36 + 00.00;
- 2) N17°-13'-16"E for a distance of 106.26 feet to the place of beginning containing 19.877 acres, more or less.

The bearings for this description were based upon the original Ohio Turnpike Survey.

The description for this parcel is based upon a survey made for the Ohio Turnpike Commission in 1993 by Central Engineering Inc. of Strongsville, Ohio and CT Consultants, Inc. of Willoughby, Ohio and written by Robert O. Brenner, Registered Surveyor No. 5987.

RESOLUTION NO. 20-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 44 and the Ohio Turnpike in the vicinity of Milepost 194.2 in Portage 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>
John McFarland Margaret A. McFarland	9432 State Route 44 Shalersville, OH 44255
John D. Thomas Auditor, Portage County	449 South Meridian Ravenna, OH 44266
Maureen Fredericks Treasurer, Portage County	449 South Meridian Ravenna, OH 44266

"The aforementioned property to be appropriated is described as follows:

Parcel No. 13A-5WL - Fee Simple

"A legal description is attached as Exhibit "A";

"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."

Parcel No. 13A-5WL

Situated in the Township of Shalersville, County of Portage, State of Ohio and being part of Lot No. 34 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46, and 47, thence N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 659.14 feet to a point, said point being on centerline survey sta 964+99.12 SR 44 and also being the True Place of Beginning for the parcel described hereon;

Thence continuing N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 115.50 feet to a point, said point being on centerline survey sta 966+14.62 SR 44;

Thence S. 88 degrees 56 minutes 21 seconds E. a distance of 348.96 feet to a point, said point being 348.92 feet right of centerline survey sta 966+09.85 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 115.50 feet to a point, said point being 348.92 feet right of centerline survey sta. 964+94.35 SR 44;

Thence N. 88 degrees 56 minutes 21 seconds W. a distance of 348.96 feet to a point and the True Place of Beginning and containing within 0.925 acres of land, more or less, of which the road previously occupies 0.080 acres of land, more or less, as surveyed by Thomas Fok, registered surveyor No. 4896 in September 1993.

Grantor claims title by instrument of record in Deed Book 886, Page 39, Portage County Recorders Office. Auditors Parcel No. 33-033-00-017.000.

Basis of Bearing is centerline Ohio Turnpike original construction, Section C-11.

Exhibit "A"

RESOLUTION NO. 21-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 44 and the Ohio Turnpike in the vicinity of Milepost 194.2 in Portage 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>
Mildred E. Hollenbeck	9289 State Route 44 Shalersville, OH 44255
John D. Thomas Auditor, Portage County	449 South Meridian Ravenna, OH 44266
Maureen Fredericks Treasurer, Portage County	449 South Meridian Ravenna, OH 44266

"The aforementioned property to be appropriated is described as follows:

Parcel No. 13A-LWL - Fee Simple  
Parcel No. 13A-lT - Temporary Construction Easement

"Legal descriptions are attached as Exhibits "A" and "B";

"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."



Parcel 13A-1WL

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot Nos. 46 and 55 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47; thence S. 0 degrees 31 minutes 41 seconds E along said centerline a distance of 532.81 feet to a point on the southerly L/A line of The Ohio Turnpike.

Thence N. 86 degrees 53 minutes 19 seconds W. along said L/A line a distance of 1493.77 feet to a point; said point being 145.00 feet right of centerline survey sta. 432+00.00 OTP and also being the True Place of Beginning for the parcel described hereon;

Thence S. 3 degrees, 06 minutes 41 seconds W. a distance of 329.83 feet to a point, said point being 474.83 feet right of centerline survey sta 432+00.00 OTP;

Thence S. 44 degrees 21 minutes 43 seconds W. a distance of 328.76 feet to a point; said point being 722.00 feet right of centerline survey sta 429+83.23 OTP;

Thence N. 86 degrees 53 minutes 19 seconds W. a distance of 313.49 feet to a point, said point being 722.00 feet right of centerline survey sta 426+69.74 OTP;

Thence N. 40 degrees 43 minutes 52 seconds W. a distance of 640.97 feet to a point, said point being 259.70 feet right of centerline survey sta 422+25.75 OTP;

Thence N. 66 degrees 15 minutes 06 seconds W. a distance of 209.78 feet to a point, said point being 185.77 feet right of centerline survey sta. 420+29.43 OTP;

Thence N. 79 degrees 50 minutes 00 seconds W. a distance of 331.94 feet to a point on the southerly L/A line of The Ohio Turnpike, said point being 145.00 feet right of centerline survey sta 417+00.00 OTP;

Thence S. 86 degrees 53 minutes 19 seconds E. along said L/A line a distance of 1500.00 feet to a point and the True Place of Beginning and containing with 10.439 acres of land, more or less, as surveyed by Thomas Fok, registered surveyor No. 4896 in September 1993.

The above described area is part of the following 2 Auditors Parcel Numbers: 10.351 acres is out of Auditors Parcel No. 33-046-00-00-049.000 which contains a total of 60.647 acres, 0.088 acres is out of Auditors Parcel No. 33-055-00-00-012.000 which contains a total of 22.910 acres.

Grantor claims title by instrument of record in Deed Book 829, Page 153, Portage County Recorders Office.

Basis of Bearing is centerline Ohio Turnpike original construction, Section C-11.

Exhibit "A"

Parcel 13A-1T

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 46 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47, thence S. 0 degrees 31 minutes 41 seconds E along said centerline a distance of 532.81 feet to a point on the southerly L/A line of The Ohio Turnpike.

Thence N. 86 degrees 53 minutes 19 seconds W. along said L/A line a distance of 60.12 feet to a point where said L/A line intersects with the westerly R/W line of SR 44 (a 120.00 feet R/W), said point being 60.00 feet left of centerline survey sta 953+10.99 SR 44 and 145.00 feet right of centerline survey sta 446+33.65 OTP and also being the True Place of Beginning for the parcel described hereon;

Thence S. 0 degrees, 31 minutes 41 seconds E. along said R/W line a distance of 110.99 feet to a point, said point being 60.00 feet left of centerline survey sta 952+00.00 SR 44 and also being 255.76 feet right of centerline survey sta 446+38.65 OTP;

Thence N 48 degrees 40 minutes 38 seconds W. a distance of 179.06 feet to a point on the southerly L/A line of the Ohio Turnpike, said point being 145.00 feet right of centerline survey sta 445+00.00 OTP and also being 193.38 feet left of centerline survey sta 953+19.47 SR 44;

Thence S. 86 degrees 53 minutes 19 seconds E. along said L/A line a distance of 133.65 feet to a point and the True Place of Beginning and containing within 0.170 acres of land more or less, as surveyed by Thomas Fok registered surveyor No. 4896 in September 1993.

Grantor claims title by instrument of record in Deed Book 829, Page 153, Portage County Recorders Office.

Basis of Bearing is centerline Ohio Turnpike original construction, Section C-11.

Exhibit "B"

RESOLUTION NO. 22-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 44 and the Ohio Turnpike in the vicinity of Milepost 194.2 in Portage 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>
Crawford Fitting Company, Inc.	9500 Solon Road Solon, OH 44139
John D. Thomas Auditor, Portage County	449 South Meridian Ravenna, OH 44266
Maureen Fredericks Treasurer, Portage County	449 South Meridian Ravenna, OH 44266

"The aforementioned property to be appropriated is described as follows:

Parcel No. 13A-2WL - Fee Simple  
Parcel No. 13A-2T - Temporary Construction Easement

"Legal descriptions are attached as Exhibit "A" and "B";

"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."

Parcel 13A-2WL

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot Nos. 46 and 47 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46, and 47 and the True Place of Beginning for the parcel described hereon;

Thence S. 0 degrees, 31 minutes, 41 seconds E. along said centerline a distance of 217.17 feet to a point on the northerly L/A line of The Ohio Turnpike, said point being on centerline survey sta 956+22.81 SR 44 and also being 170.00 feet left of centerline survey sta 446+73.74 OTP;

Thence N. 86 degrees 53 minutes 19 seconds W. along said L/A line a distance of 2033.74 feet to a point, said point being 170.00 feet left of centerline survey sta 426+40.00 OTP;

Thence N. 62 degrees 51 minutes 18 seconds E a distance of 208.39 feet to a point, said point being 275.00 feet left of centerline survey sta 428+20.00 OTP;

Thence N. 29 degrees 01 minutes 21 seconds E. a distance of 241.06 feet to a point, said point being 491.83 feet left of centerline survey sta 429+25.34 OTP;

Thence N. 33 degrees 06 minutes 41 seconds E. a distance of 401.82 feet to a point, said point being 839.82 feet left of centerline survey sta 431+26.25 OTP;

Thence N. 51 degrees 41 minutes 23 seconds E. a distance of 308.39 feet to a point, said point being 1043.85 feet left of centerline survey sta 433+57.50 OTP;

Thence S. 86 degrees 53 minutes 19 seconds E. a distance of 1191.93 feet to a point, said point being 1043.84 feet left of centerline survey sta 445+49.93 OTP and also being 70.00 feet left of centerline survey sta 965+02.63 SR 44;

Thence N. 0 degrees 24 minutes 21 seconds W. a distance of 97.37 feet to a point, said point being 70.00 feet left of centerline survey sta. 966+00.00 SR 44;

Thence N. 2 degrees 27 minutes 24 seconds E. a distance of 300.37 feet to a point, said point being 55.00 feet left of centerline survey sta 969+00.00 SR 44;

Thence N. 9 degrees 03 minutes 23 seconds E. a distance of 152.07 feet to a point on the westerly R/W line of SR 44 (a 60.00 feet R/W), said point being 30.00 feet left of centerline survey sta. 970+50.00 SR 44;

Thence N. 89 degrees 35 minutes 39 seconds E. a distance of 30.00 feet to a point on the centerline of SR 44; said point being on centerline survey sta 970+50.00 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. along said centerline a distance of 1210.02 feet to an iron pin, said pin being on centerline sta 958+39.98 SR 44 and also being 386.77 feet left of centerline survey sta 446+60.47 OTP and the True Place of Beginning and containing within 33.712 acres of land, more or less, in which the road previously occupies 1.172 acres of land, more or less as surveyed by Thomas Fok, registered surveyor No. 4896 in September 1993.

The above described area is part of the following 2 Auditors Parcel Numbers: 6.418 acres is out of Auditors Parcel No. 33-046-00-00-051.00 which contains a total of 7.076 acres, 27.294 acres is out of Auditors Parcel No. 33-048-00-00-001.000 which contains a total of 169.535 acres.

Grantor claims title by instrument of record in Deed Book 1022; Page 1010, Portage County Records Office.

Basis of Bearing is centerline Ohio Turnpike original construction, Section C-11.

Parcel No. 13A-2T

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 47 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46, and 47, thence N 0 degrees 24 minutes 21 seconds W along said centerline a distance of 960.02 feet to a point, said point being on centerline survey Sta. 968+00.00 SR 44.

Thence S 89 degrees 35 minutes 39 seconds W a distance of 60.00 feet to a point, said point being 60.00 feet left of centerline survey Sta 968+00.00 SR 44 and also being THE TRUE PLACE OF BEGINNING for the parcel described hereon;

Thence continuing S 89 degrees 35 minutes 39 seconds W a distance of 54.00 feet to a point, said point being 114.00 feet left of centerline survey Sta 968.00.00 SR 44;

Thence N 0 degrees 24 minutes 21 seconds W a distance of 325.00 feet to a point, said point being 114.00 feet left of centerline survey Sta 971+25.00 SR 44;

Thence N 89 degrees 35 minutes 39 seconds E a distance of 84.00 feet to a point on the existing westerly R/W of SR 44, said point being 30.00 feet left of centerline survey Sta. 971+25.00 SR 44;

Thence S 0 degrees 24 minutes 21 seconds E along said R/W a distance of 75.00 feet to a point, said point being 30.00 feet left of centerline survey Sta 970+50.00 SR 44.

Thence S 9 degrees 03 minutes 23 seconds W a distance of 152.07 feet to a point, said point being 55.00 feet left of centerline survey Sta. 969+00.00 SR 44;

Thence S 2 degrees 27 minutes 24 seconds W a distance of 100.12 feet to a point and the TRUE PLACE OF BEGINNING and containing within 0.521 acres of land, more or less, as surveyed by Thomas Fok, Registered Surveyor No. 4896 in December 1993.

Grantor claims title by instrument of record in Deed Book 1022, Page 1010, Portage County Recorder's Office.

Basis of bearing is centerline Ohio Turnpike Original Construction Section C-11.

Exhibit "B"

RESOLUTION NO. 23-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 44 and the Ohio Turnpike in the vicinity of Milepost 194.2 in Portage 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>
Mickey Braden and Pamela Sue Braden	9334 State Route 44 Shalersville, OH 44255
John D. Thomas Auditor, Portage County	449 South Meridian Ravenna, OH 44266
Maureen Fredericks Treasurer, Portage County	449 South Meridian Ravenna, OH 44266

"The aforementioned property to be appropriated is described as follows:

Parcel No. 13A-3WL - Fee Simple

"A legal description is attached as Exhibit "A";

"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."

Parcel 13A-3WL

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot Nos. 34 and 35 and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46, and 47 and the True Place of Beginning for the parcel described hereon;

Thence N. 0 degrees, 24 minutes, 21 seconds W. along said centerline a distance of 64.15 feet to a point, said point being on centerline survey sta 959+04.13 SR 44;

Thence N. 89 degrees 58 minutes 37 seconds E. a distance of 210.22 feet to a point, said point being 210.22 feet right of centerline survey sta 959+02.73 SR 44;

Thence S. 86 degrees 49 minutes 46 seconds E a distance of 414.15 feet to a point, said point being 623.55 right of centerline survey sta 958+76.79 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 27.14 feet to a point on the common line between Lot Nos. 34 and 35, said point being 623.55 feet right of centerline survey sta 958+49.65 SR 44;

Thence S. 0 degrees 31 minutes 41 seconds E. a distance of 112.59 feet to a point, said point being 623.55 feet right of centerline survey sta 957+37.06 SR 44;

Thence N. 86 degrees 49 minutes 46 seconds W. a distance of 414.15 feet to a point, said point being 210.22 feet right of centerline survey sta 957+62.58 SR 44;

Thence S. 89 degrees 58 minutes 37 seconds W. a distance of 210.22 feet to a point on the centerline of SR 44, said point being on centerline survey sta. 957+64.40 SR 44;

Thence N. 0 degrees 31 minutes 41 seconds W. along said centerline a distance of 75.58 feet to an iron pin, said pin being on centerline survey sta 958+39.98 SR 44, and also being 386.77 feet left of centerline survey sta 446+60.47 OTP and the True Place of Beginning and containing within 2.000 acres of land, more or less of which the road previously occupies 0.137 acres of land, more or less as surveyed by Thomas Fok, registered surveyor No. 4896 in September 1993.

Grantor claims title by instrument of record in Deed Book 963; Page 27, Portage County Recorders Office. Auditors Parcel No. 33-035-00-00-001.001.

Basis of Bearing is centerline Ohio Turnpike original construction, Section C-11.

Exhibit "A"



RESOLUTION NO. 24-1994

"RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owners, but has been unable to enter into an agreement and has complied with the provisions of section 163.04 of the Revised Code; and said property is necessary for the construction of an interchange with State Route 44 and the Ohio Turnpike in the vicinity of Milepost 194.2 in Portage 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>
John F. Fant, Jr. and	29500 Solon Road Solon, OH 44139
Eva B. Bandrosky	3559 Lynn Road Ravenna, OH 44266
<u>Trustees for:</u> Gertrude L. Dezort	9459 State Route 44 Shalersville, OH 44255
John D. Thomas Auditor, Portage County	449 South Meridian Ravenna, OH 44266
Maureen Fredericks Treasurer, Portage County	449 South Meridian Ravenna, OH 44266

"The aforementioned property to be appropriated is described as follows:

Parcel No. 13A-4WL - Fee Simple  
Parcel No. 13A-4WL-1 - Fee Simple  
Parcel No. 13A-4WL-2 - Fee Simple  
Parcel No. 13A-4T - Temporary Construction Easement

"Legal descriptions are attached as Exhibit "A", "B", "C" and "D";

"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."

Parcel 13A-4WL

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 35 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47; thence S. 0 degrees 31 minutes 41 seconds E. along said centerline a distance of 75.58 feet to a point, said point being on centerline survey sta 957+64.40 SR 44 and also being 311.30 feet left of centerline survey sta 446+64.68 OTP and the TRUE PLACE OF BEGINNING for the parcel described hereon;

Thence N. 89 degrees 58 minutes 37 seconds E. a distance of 210.22 feet to a point, said point being 322.79 feet left of centerline survey sta 448+74.59 OTP and also being 210.22 feet right of centerline survey sta 957+62.58 SR 44;

Thence S. 86 degrees 49 minutes 46 seconds E. a distance of 414.15 feet to a point, said point being 322.37 feet left of centerline survey sta 453+48.88 OTP and also being 623.55 feet right of centerline survey sta 957+37.06 SR 44;

Thence S. 0 degrees 31 minutes 41 seconds E. a distance of 52.48 feet to a point, said point being 270.00 feet left of centerline survey sta. 453+52.28 OTP and also being 623.55 feet right of centerline survey sta 956+84.58 SR 44;

Thence S. 86 degrees 53 minutes 19 seconds E. a distance of 2060.35 feet to a point, said point being 270.00 feet left of centerline survey sta 474+12.63 OTP and also being 2679.74 feet right of centerline survey sta 955+53.72 SR 44;

Thence S. 0 degrees 35 minutes 16 seconds E. a distance of 77.24 feet to a point on the existing northerly L/A line of the Ohio Turnpike, said point being 192.92 feet left of centerline survey sta 474+17.61 OTP and also being 2679.66 feet right of centerline survey sta 954+76.48 SR 44;

Thence N 89 degrees 08 minutes 10 seconds W. along said L/A line a distance of 584.45 feet to a point, said point being 170.00 feet left of centerline survey sta 468+33.61 OTP and also being 2095.58 feet right of centerline survey sta 954+89.52 SR 44;

Thence continuing along said L/A line N 86 degrees 53 minutes 19 seconds W a distance of 2099.81 feet to a point on the centerline of SR 44, said point being 170.00 feet left of centerline survey sta 446+73.74 OTP and also being on centerline survey sta 956+22.81 SR 44;

Thence N. 0 degrees 31 minutes, 41 seconds W along said centerline a distance of 141.59 feet to a point and the TRUE PLACE OF BEGINNING and containing within 6.738 acres of land, more or less, of which the road previously occupies 0.197 acres of land, more or less, as surveyed by Thomas Fok, Registered Surveyor No. 4896 in September 1993.

Grantor claims title by instrument of record in Deed Book 1015; Page 751, Portage County Recorders Office, and is part of Auditors Parcel No. 33-035-00-00-001.000.

Basis of Bearing is centerline Ohio Turnpike original construction Section C-11.

Exhibit "A"

Parcel 13A-4WL-1

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 34 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47; thence N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 64.15 feet to a point, said point being on centerline survey sta 959+04.13 SR 44; and the True Place of Beginning for the parcel described hereon; thence continuing N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 594.99 feet to a point, said point being on centerline survey sta 964+99.12 SR 44;

Thence S. 88 degrees 56 minutes 21 seconds E. a distance of 55.02 feet to a point, said point being 55.00 feet right of centerline survey sta 964+97.71 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 97.71 feet to a point, said point being 55.00 feet right of centerline survey sta 964+00.00 SR 44;

Thence S. 1 degrees 50 minutes 17 seconds E. a distance of 200.06 feet to a point, said point being 60.00 feet right of centerline survey sta. 962+00.00;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 296.27 feet to a point, said point being 60.00 feet right of centerline survey sta 959+03.73 SR 44;

Thence S. 89 degrees 58 minutes 37 seconds W. a distance of 60.00 feet to a point and the True Place of Beginning and containing within 0.797 acres of land, more or less, of which the road previously occupies 0.410 acres of land, more or less, as surveyed by Thomas Fok, Registered Surveyor No. 4896 in September 1993.

The above described area is part of the following 2 Auditors Parcel No. 0.152 acres is out of Auditors Parcel No. 33-033-00-00-019.000 which contains a total of 5.261 acres. 0.645 acres is out of Auditors Parcel No. 33-033-00-00-018.000 which contains 52.874 acres.

Grantor claims title by instrument of record in Deed Book 1015; Page 751, and Deed Book 990; Page 300, Portage County Recorders Office.

Basis of Bearing is centerline Ohio Turnpike original construction Section C-11.

Exhibit "B"

Parcel 13A-4WL-2

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 34 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47; thence N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 774.64 feet to a point, said point being on centerline survey sta 966+14.62 SR 44 and the True Place of Beginning for the parcel described hereon;

Thence continuing N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 435.38 feet to a point, said point being on centerline survey sta 970+50.00 SR 44;

Thence N. 89 degrees 35 minutes 39 seconds E. a distance of 30.00 feet to a point on the existing easterly R/W line of SR 44 (a 60.00 feet R/W), said point being 30.00 feet right of centerline survey sta 970+50.00 SR 44;

Thence S. 11 degrees 42 minutes 57 seconds E. a distance of 50.99 feet to a point, said point being 40.00 feet right of centerline survey sta. 970+00.00 SR 44;

Thence S. 3 degrees 49 minutes 24 seconds E. a distance of 167.75 feet to a point, said point being 50.00 feet right of centerline survey sta 968+32.55 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 219.21 feet to a point, said point being 50.00 feet right of centerline survey sta 966+13.34 SR 44;

Thence N 88 degrees 56 minutes 21 seconds W. a distance of 50.02 feet to a point and the True Place of Beginning and containing within 0.464 acres of land, more or less, of which the road previously occupies 0.300 acres of land, more or less, as surveyed by Thomas Fok, Registered Surveyor No. 4896 in September 1993.

The above described area is part of the following 2 Auditors Parcel Numbers: 0.252 acres is out of Auditors Parcel No. 33-033-00-00-015.000 which contains a total of 1.000 acres, 0.212 acres is out of Auditors Parcel No. 33-033-00-00-014.000 which contains a total of 90.978 acres.

Grantor claims title by instrument of record in Deed Book 810; Page 600, and Deed Book 1023, Page 160, Portage County Recorders Office.

Basis of Bearing is centerline Ohio Turnpike original construction Section C-11.

Exhibit "C"

Parcel 13A-4T

Situated in the Township of Shalersville, County of Portage, State of Ohio, and being known as part of Lot No. 34 in said township and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of SR 44, said pin also being the common corner of Lot Nos. 34, 35, 46 and 47; thence N. 0 degrees 24 minutes 21 seconds W. along said centerline a distance of 1285.02 feet to a point, said point being on centerline survey sta 971+25.00 SR 44;

Thence N. 89 degrees 35 minutes 39 seconds E. a distance of 30.00 feet to a point on the existing easterly R/W line of SR 44 (a 60.00 feet R/W), said point being 30.00 feet right of centerline survey sta 971+25.00 SR 44 and the True Place of Beginning for the parcel described hereon;

Thence continuing N. 89 degrees 35 minutes 39 seconds E. a distance of 60.00 feet to a point, said point being 90.00 feet right of centerline survey sta 971+25.00 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 315.00 feet to a point, said point being 90.00 feet right of centerline survey sta. 968+10.00 SR 44;

Thence N. 89 degrees 35 minutes 39 seconds E. a distance of 40.00 feet to a point, said point being 130.00 feet right of centerline survey sta 968+10.00 SR 44;

Thence S. 0 degrees 24 minutes 21 seconds E. a distance of 60.00 feet to a point, said point being 130.00 feet right of centerline survey sta 967+50.00 SR 44;

Thence S. 89 degrees 35 minutes 39 seconds W. a distance of 80.00 feet to a point, said point being 50.00 feet right of centerline survey sta 967+50.00 SR 44;

Thence N. 0 degrees 24 minutes 21 seconds E. a distance of 82.55 feet to a point, said point being 50.00 feet right of centerline survey sta 968+32.55 SR 44;

Thence N. 3 degrees 49 minutes, 24 seconds W a distance of 167.75 feet to a point, said point being 40.00 feet right of centerline survey sta 970+00.00 SR 44;

Thence N. 11 degrees 42 minutes 57 seconds W. a distance of 50.99 feet to a point on the said R/W line, said point being 30.00 feet right of centerline survey sta 970+50.00 SR 44;

Thence N. 0 degrees 24 minutes 21 seconds W along said R/W line a distance of 75.00 feet to a point and the True Place of Beginning and containing within 0.470 acres of land, more or less, as surveyed by Thomas Fok, registered surveyor No. 4896 in September 1993.

Grantor claims title by instrument of record in Deed Book 810; Page 600 and Deed Book 1023; Page 160, Portage County Recorders Office.

Basis of Bearing is centerline Ohio Turnpike original construction Section C-11.

Exhibit "D"

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

Ayes: Mrs. Leever, Mr. Bergsmark, Mr. Fedeli

Nays: None

The Chairman declared the resolutions stood adopted with all Members present voting in the affirmative. The resolutions were identified as No. 18-1994, No. 19-1994, No. 20-1994, No. 21-1994, No. 22-1994, No. 23-1994 and No. 24-1994.

The Executive Director said that several members of the staff had a conflict if the June Commission meeting were held on the second Monday of that month. He said those staff members were scheduled to attend another function on that day, so he proposed possibly holding the Commission meeting on the preceding Friday. He said a decision need not be made at that moment, but possibly at the April Commission meeting.

The Chairman said he had a conflict with the April Commission meeting. He said he would confer with the other Members to possibly reschedule those meeting dates.

There being no further business before the Commission, a motion was made by Mr. Bergsmark, seconded by Mrs. Leever that the meeting adjourn until the next meeting in April, to be determined after consultation with the Members.

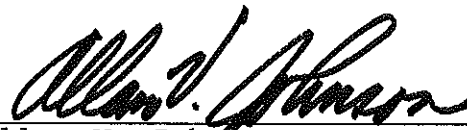
A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Mr. Bergsmark, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 10:55 a.m.

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



Allan V. Johnson  
Assistant Secretary-Treasurer