

03/14/94

OHIO TURNPIKE COMMISSION

Resolution Declaring the Necessity of Appropriating
Property and Directing that Proceedings to Effect
Such Appropriation be Begun and Prosecuted

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.

(Resolution No. 24-1994 adopted March 14, 1994)

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 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.

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.

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 Records Office.

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

Exhibit "D"