

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 owner, 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 109 and the Ohio Turnpike in the vicinity of Milepost 40.3 in Fulton 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 owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Louise McDonnall, Trustee of Scott B. McDonnall Trust	8820 County Road J Delta, OH 43515
Louise McDonnall and James M. McDonnall, Co-Trustees	8820 County Road J Delta, OH 43515
John Trudel Auditor, Fulton County	210 S. Fulton Street Wauseon, OH 43567
Dennis Hales Treasurer, Fulton County	210 S. Fulton Street Wauseon, OH 43567

The aforementioned property to be appropriated is described as follows:

Parcel No. 3B-3WL - Fee Simple
Parcel No. 3B-3WL-1 - Fee Simple
Parcel No. 3B-3WD - Fee Simple
Parcel No. 3B-3T - Temporary Construction Easement
Parcel No. 3B-3T-1 - Temporary Construction Easement
Parcel No. 3B-3T-2 - Temporary Construction Easement

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

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. 31-1996 adopted April 10, 1996)

Parcel No. 3B-3-WL

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 954+64.48 on the centerline of the Ohio Turnpike;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 2621.44 feet along the centerline of the Ohio Turnpike to a point designated as Station 928+43.04;

Thence North 00 Degrees 25 Minutes 44 Seconds West a distance of 130.00 feet to a point on the existing northerly right-of-way line of the Ohio Turnpike and the Grantor's westerly property line, 130.00 feet left of Station 928+43.04, also being the true place of beginning;

Thence North 00 Degrees 53 Minutes 39 Seconds East a distance of 870.78 feet along said property line to a point on the proposed right-of-way line, 153.86 feet left of Station 36+70.28 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 732.72 feet along said right-of-way line to a point, 110.00 feet left of Station 43+50.00 on the centerline of the proposed Connector Road;

Thence North 01 Degrees 23 Minutes 51 Seconds East a distance of 90.00 feet along said right-of-way line to a point, 200.00 feet left of Station 43+50.00 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 579.84 feet along said right-of-way line to a point, 200.00 feet left of Station 49+29.84 on the centerline of the proposed Connector Road;

Thence South 00 Degrees 58 Minutes 23 Seconds West a distance of 90.00 feet along said right-of-way line to a point, 110.00 feet left of Station 49+30.51 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 1233.15 feet along said right-of-way line to a point on the proposed westerly right-of-way line of State Route 109, 80.00 feet left of Station 76+00.41 on the centerline of State Route 109;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 326.99 feet along said right-of-way line to a point on the centerline of Township Road HJ, 81.25 feet left of Station 79+25.73 on the centerline of State Route 109;

Parcel No. 3B-3-WL (Con'd.)

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 80.01 feet along said centerline to a point at the intersection of the centerline of Township Road HJ and the centerline of State Route 109, said point designated as Station 79+28.66 on the centerline of State Route 109, also being the point of intersection of a proposed curve on the centerline of State Route 109;

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 815.82 feet along said centerline of State Route 109 to a point on the northerly property line of land currently owned by Jerry and Alvina Meyer, designated as Station 71+12.84;

Thence North 89 Degrees 48 Minutes 48 Seconds West a distance of 253.99 feet along said property line to a point on the westerly property line of land currently owned by Jerry and Alvina Meyer, 253.97 feet left of Station 71+09.00;

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 302.73 feet along said property line to a point on the existing northerly right-of-way line of the Ohio Turnpike, 130.00 feet left of Station 952+13.79 on the centerline of the Ohio Turnpike;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 2370.75 feet along said right-of-way line to the true place of beginning and containing 50.000 acres of land, more or less, including the present road which occupies 0.585 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The above described area and the area described in Parcel 3-WL-1 (0.762 acres) and in Parcel 3-WD (0.501 acres) is to be deleted from the Auditor's Tax Duplicate No. 20-41116-00 of the Fulton County Record of Deeds and carried as 33.917 acres in the Tax Map Department.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Grantor claims title by instrument(s) of record in Book 257 Page 615 County Recorder's Office.

Exhibit "A"

Parcel No. 3B-3WL-1

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 954+64.48 on the centerline of the Ohio Turnpike;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 2627.56 feet along the centerline of the Ohio Turnpike to a point designated as Station 928+36.92;

Thence South 00 Degrees 25 Minutes 44 Seconds East a distance of 135.00 feet to a point on the existing southerly right-of-way line of the Ohio Turnpike and the Grantor's westerly property line, 135.00 feet right of Station 928+36.92, also being the true place of beginning;

Thence North 89 Degrees 34 Minutes 16 Seconds East a distance of 663.08 feet along said right-of-way line to a point, 135.00 feet right of Station 935+00.00;

Thence South 00 Degrees 25 Minutes 44 Seconds East a distance of 50.00 feet to a point on the proposed right-of-way line, 185.00 feet right of Station 935+00.00;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 664.24 feet along said right-of-way line to a point on the Grantor's westerly property line, 185.00 feet right of Station 928+35.76;

Thence North 00 Degrees 53 Minutes 39 Seconds East a distance of 50.01 feet along said property line to the true place of beginning and containing 0.762 acres of land, more or less, including the present road which occupies 0.000 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The above described area and the area described in Parcel 3-WL (50.000 acres) and Parcel 3-WD (0.501 acres) is to be deleted from the Auditor's Tax Duplicate No. 20-41116-00 of the Fulton County Record of Deeds and carried as 33.917 acres in the Tax Map Department.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Grantor claims title by instrument(s) of record in Book 257 Page 615 County Recorder's Office.

Exhibit "B"

Parcel No. 3B- 3-WD

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 66+82.80 on the centerline of State Route 109;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1245.86 feet continuing along said centerline to a point at the intersection of Township Road HJ, designated as Station 52+65.47 on the centerline of Township Road HJ;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 1175.47 feet along the centerline of Township Road HJ to a point, designated as Station 40+90.00 on the centerline of Relocated Township Road HJ, also being the true place of beginning;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 625.07 feet along said centerline to a point on a curve on the proposed southerly right-of-way line of Relocated Township Road HJ, 50.00 feet right of Station 47+04.53;

Thence along said right-of-way line and a curve to the right with a delta of 05 Degrees 01 Minutes 42 Seconds, a radius of 1004.93 feet and a length of 88.20 feet to point, 50.00 feet right of Station 46+20.72;

Thence North 12 Degrees 58 Minutes 01 Seconds West a distance of 5.00 feet along said right-of-way line to a point on a curve, 45.00 feet right of Station 46+20.72;

Thence along said right-of-way line and a curve to the right with a delta of 13 Degrees 07 Minutes 17 Seconds, a radius of 999.93 feet and a length of 229.00 feet to a point, 45.00 feet right of Station 44+02.03;

Thence North 00 Degrees 09 Minutes 16 Seconds East a distance of 5.00 feet along said right-of-way line to a point, 40.00 feet right of Station 44+02.03;

Thence North 89 Degrees 50 Minutes 44 Seconds West a distance of 312.03 feet along said right-of-way line to a point, 40.00 feet right of Station 40+90.00;

Thence North 00 Degrees 09 Minutes 16 Seconds East a distance of 40.00 feet to the true place of beginning and containing 0.501 acres of land, more or less, including the present road which occupies 0.272 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

Parcel No. 3B-3WD (Con'd.)

The above described area and the area described in Parcel 3-WL (50.000 acres) and Parcel 3-WL-1 (0.762 acres) is to be deleted from the Auditor's Tax Duplicate No. 20-41116-00 of the Fulton County Record of Deeds and carried as 33.917 acres in the Tax Map Department.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Grantor claims title by instrument(s) of record in Book 257 Page 615 County Recorder's Office.

Exhibit "C"

Parcel No. 3B-3-T

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 954+64.48 on the centerline of the Ohio Turnpike;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 1964.48 feet along the centerline of the Ohio Turnpike to a point designated as Station 935+00.00;

Thence South 00 Degrees 25 Minutes 44 Seconds East a distance of 135.00 feet to a point on the existing southerly right-of-way line of the Ohio Turnpike, 135.00 feet right of Station 935+00.00, also being the true place of beginning;

Thence North 89 Degrees 34 Minutes 16 Seconds East a distance of 1930.98 feet along said right-of-way line to a point on the westerly right-of-way line of State Route 109, 135.00 feet right of Station 954+30.98;

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 40.01 feet along said right-of-way line to a point, 175.00 feet right of Station 954+29.94;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 1929.94 feet to a point, 175.00 feet right of Station 935+00.00;

Thence North 00 Degrees 25 Minutes 44 Seconds West a distance of 40.00 feet to the true place of beginning and containing 1.773 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Exhibit "D"

Parcel No. 3B-3-T-1

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 66+82.80 on the centerline of the State Route 109;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1077.20 feet continuing along said centerline to a point designated as Station 77+60.00;

Thence North 88 Degrees 56 Minutes 51 Seconds West a distance of 80.00 feet to a point on the proposed westerly right-of-way line of State Route 109, 80.00 feet left of Station 77+60.00, also being the true place of beginning;

Thence North 88 Degrees 56 Minutes 51 Seconds West a distance of 10.00 feet to a point, 90.00 feet left of Station 77+60.00;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 147.25 feet to a point on the existing southerly right-of-way line of Township Road HJ, 90.86 feet left of Station 79+05.69;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 10.00 feet along said right-of-way line to a point on the proposed westerly right-of-way line of State Route 109, 80.87 feet left of Station 79+06.01;

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 147.40 feet along said right-of-way line to the true place of beginning and containing 0.034 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Exhibit "E"

Parcel No. 3B-3-T-2

Being a parcel of land situated in Fulton County, Ohio, Pike Township, Section 3, Town 7N, Range 7E, and 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 Fulton County and being located within the following described points in the boundary thereof:

Commencing at a P.K. nail found at the southeast corner of Section 3;

Thence North 01 Degrees 03 Minutes 09 Seconds East a distance of 1393.09 feet along the centerline of State Route 109 to the intersection of the centerline of State Route 109 and the centerline of the Ohio Turnpike, designated as Station 954+64.48 on the centerline of the Ohio Turnpike;

Thence South 89 Degrees 34 Minutes 16 Seconds West a distance of 2621.44 feet along said centerline of the Ohio Turnpike to a point designated as Station 928+43.04;

Thence North 00 Degrees 25 Minutes 44 Seconds West a distance of 130.00 feet to a point on the existing northerly right-of-way line of the Ohio Turnpike and the Grantor's westerly property line, 130.00 feet left of Station 928+43.04;

Thence North 00 Degrees 53 Minutes 39 Seconds East a distance of 870.78 feet along said property line to a point on the proposed right-of-way line, 153.86 feet left of Station 36+70.28 on the centerline of the proposed Connector Road, also being the true place of beginning;

Thence North 00 Degrees 53 Minutes 39 Seconds East a distance of 10.00 feet along said property line to a point, 163.19 feet left of Station 36+72.96 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 722.81 feet to a point, 120.00 feet left of Station 43+40.00 on the centerline of the proposed Connector Road;

Thence North 01 Degrees 23 Minutes 51 Seconds East a distance of 90.00 feet to a point, 210.00 feet left of Station 43+40.00 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 599.77 feet to a point, 210.00 feet left of Station 49+39.77 on the centerline of the proposed Connector Road;

Thence South 00 Degrees 58 Minutes 23 Seconds West a distance of 90.00 feet to a point, 120.00 feet left of Station 49+40.43 on the centerline of the proposed Connector Road;

Thence South 88 Degrees 36 Minutes 09 Seconds East a distance of 1223.15 feet to a point on the proposed westerly right-of-way line of State Route 109, 120.00 feet left of Station 61+63.60 on the centerline of the proposed Connector Road and 80.00 feet left of Station 76+10.41 on the centerline of State Route 109;

Parcel No. 3B- 3-T-2 (Con'd.)

Thence South 01 Degrees 03 Minutes 09 Seconds West a distance of 10.00 feet along said right-of-way line to a point on the proposed northerly right-of-way line of the proposed Connector Road, 110.00 feet left of Station 61+63.66 on the centerline of the proposed Connector Road and 80.00 feet left of Station 76+00.41 on the centerline of State Route 109;

Thence North 88 Degrees 36 Minutes 09 Seconds West a distance of 1233.15 feet along said right-of-way line to a point, 110.00 feet left of Station 49+30.51 on the centerline of the proposed Connector Road;

Thence North 00 Degrees 58 Minutes 23 Seconds East a distance of 90.00 feet along said right-of-way line to a point, 200.00 feet left of Station 49+29.84 on the centerline of the proposed Connector Road;

Thence North 88 Degrees 36 Minutes 09 Seconds West a distance of 579.84 feet along said right-of-way line to a point, 200.00 feet left of Station 43+50.00 on the centerline of the proposed Connector Road;

Thence South 01 Degrees 23 Minutes 51 Seconds West a distance of 90.00 feet along said right-of-way line to a point, 110.00 feet left of Station 43+50.00 on the centerline of the proposed Connector Road;

Thence North 88 Degrees 36 Minutes 09 Seconds West a distance of 732.72 feet along said right-of-way line to the true place of beginning and containing 0.626 acres of land, more or less, as determined by Finkbeiner, Pettis and Strout, Inc. under the direction of James M. Loch, P.S. No. 6468 in 1995.

The basis of bearing for this description is based on the centerline of the Ohio Turnpike being North 89 Degrees 34 Minutes 16 Seconds East from Station 884+47.00 to Station 966+98.37.

Exhibit "F"