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08/19/96

**OHIO TURNPIKE COMMISSION**

**Resolution Amending Resolution No. 53-1996**  
**Regarding the Description of Property**  
**to be Appropriated**

WHEREAS, it has come to the attention of the Commission that under the detailed construction/engineering plans for the construction of an interchange with State Route 109 and the Ohio Turnpike, it is necessary to acquire additional land for the temporary construction easement owned by Patrick R. Kennedy and Tammy L. Kennedy, his wife, as was described in Resolution No. 53-1996; and

WHEREAS, the Commission has been unable to agree with the owners of said property as to the compensation to be paid for said property, either as described in Resolution No. 53-1996, or as hereinafter described and amended.

NOW, THEREFORE, BE IT

RESOLVED that the Commission has negotiated for a reasonable time for the purchase of the real estate described herein with the owner, but has been unable to enter into an agreement and has complied with the provisions of sections 163.04 and 929.05 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;

RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the fee title and necessary temporary construction easement on Parcel No. 3B-6T from the owner and persons having an interest therein, to-wit:

<u>Owners</u>	<u>Place of Residence</u>
Patrick R. Kennedy	9130 Township Road HJ Delta, OH 43515
Tammy L. Kennedy	9130 Township Road HJ 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-6T - Temporary Construction Easement**

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

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 the proceedings already commenced in the Common Pleas Court of Fulton County in connection with Parcel No. 3B-6WD, as described in Resolution No. 45-1996 (adopted May 23, 1996), and Parcel No. 3B-6T, as described in Resolution No. 53-1996 (adopted June 24, 1996) to provide for the appropriation of those parcels;

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 as Parcel No. 3B-6T may be commenced.

**(Resolution No. 61-1996 adopted August 19, 1996)**

**Parcel No. 3B-6T**

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 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 830.50 feet along the centerline of Township Road HJ to a point on the Grantor's westerly property line, 0.57 feet right of Station 44+34.96 on the centerline of Relocated Township Road HJ;

Thence North 01 Degrees 02 Minutes 09 Seconds East a distance of 45.63 feet along said property line to a point on a curve on the proposed northerly right-of-way line of Relocated Township Road HJ, 45.00 feet left of Station 44+37.34; also being the point of beginning;

Thence North 01 Degrees 02 Minutes 09 Seconds East a distance of 267.24 feet along said property line, 311.73 feet left of Station 44+58.05;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 90.01 feet, 300.25 feet left of Station 45+89.53;

Thence South 01 Degrees 02 Minutes 09 Seconds West a distance of 175.02 feet, 128.32 feet left of Station 45+47.05;

Thence South 89 Degrees 50 Minutes 44 Seconds East a distance of 130.01 feet to a point on the Grantor's easterly property line, 98.95 feet left of Station 46+90.97;

Thence South 01 Degrees 02 Minutes 09 Seconds West along said property line a distance of 56.62 feet, 45.00 feet left of Station 46+72.39;

Thence along said right-of-way line and a curve to the right with a delta of 14 Degrees 06 Minutes 10 Seconds, a radius of 909.93 feet and a length of 223.97 feet to a point on the Grantor's westerly property line, 45.00 feet left of Station 44+37.34, place of beginning and containing 0.324 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.