

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 toll plaza renovation of the Commission's Exit 238 (formerly TP-17) commonly referred to as the "Eastgate" terminal located in the vicinity of Milepost 238.7 of the Ohio Turnpike in Mahoning 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>
Charles Barth, et al.	RD #1, Box 166A, Hope Road Enon Valley, PA 16120
George J. Tablack Auditor, Mahoning County	120 Market Street Youngstown, OH 44503
John Reardon Treasurer, Mahoning County	120 Market Street Youngstown, OH 44503

The aforementioned property to be appropriated is described as follows:

**Parcel Eastgate, C & D -- Fee Simple**

Legal description 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.

**(Resolution No. 23-1999 adopted June 14, 1999)**

**Parcel Eastgate "C"**

Situated in the State of Ohio, County of Mahoning, Township of Springfield, part of Section 26, and being more fully described as follows:

Commencing at a monument found at the southwest corner of Section 26 of Springfield Township, said monument being on the centerline of East Garfield Rd.;

Thence N 01°40'12" W along the line dividing said Section 26 with Section 27 a distance of 2653.66 ft. to a point;

Thence N 01°28'08" W along the line dividing Section 26 with Section 27 a distance of 569.71 ft. to a point on the proposed southerly limited access line of the Ohio Turnpike, 260.00 ft. right of Sta. 1175 + 22.82 of the centerline the Ohio Turnpike as recorded in Plat Book 33, Page 28 of the Mahoning County Record of Plats, and the TRUE PLACE OF BEGINNING of the parcel herein described;

Thence, from said TRUE PLACE OF BEGINNING, N 01°28'08" W along said line dividing Section 26 with Section 27 and said proposed southerly limited access line a distance of 86.00 ft. to a point on the existing southerly limited access line of the Ohio Turnpike, 185.00 ft. right of Sta. 1174 + 81.53;

Thence along said existing southerly limited access line parallel to and 185.00 ft. southerly from said centerline of the Ohio Turnpike, by a curve to the left having a radius of 11644.16 ft. and an arc length of 730.07 ft., said curve also being defined by a chord having a bearing and distance of S 63°50'04" E, 729.95 ft., to a point on the proposed southerly limited access line of the Ohio Turnpike, 185.00 ft. right of Sta. 1182 + 00.00;

Thence S 24°20'42" W along said proposed southerly limited access line a distance of 40.00 ft. to a point, 225.00 ft. right of Sta 1182 + 00.00;

Thence along said proposed southerly limited access line, parallel to and 225.00 ft. southerly from said centerline of the Ohio Turnpike, by a curve to the right having a radius of 11684.16 ft. and an arc length of 443.54 ft., said curve also being defined by a chord having a bearing and distance of N 64°32'36"W, 443.51 ft. to a point, 225.00 ft. right of Sta. 1177 + 65.00;

Thence S 72°13'54" W along said proposed southerly limited access line a distance of 50.02 ft. to a point, 260.00 ft. right of Sta. 1177 + 30.00;

Thence along said proposed southerly limited access line, parallel to and 260.00 ft. southerly from said centerline of the Ohio Turnpike, by a curve to the right having a radius of 11719.16 ft. and an arc length of 211.88 ft., said curve also being defined by a chord having a bearing and distance N 62°45'46" W, 211.88 ft., to a point on the line dividing Section 26 with Section 27, 260.00 ft. right of Sta. 1175 + 22.82, and the TRUE PLACE OF BEGINNING.

The above parcel of land contains within said bounds 0.8533 acres of land, more or less, which is contained within Mahoning County Permanent Parcel Number 01-060-0-006.

Basis of Bearing: North is based on the Ohio State Plane Coordinate System North Zone NAD 83/1986.

The above description was prepared under the direct supervision of Richard John Swan, Registered Professional Surveyor No. 6574, and is based on a survey made by ms consultants, inc. in December 1998.

Grantor claims title by instrument(s) of record in Deed Book OR 389, Page 269 of the Mahoning County Recorder's Office.

Grantor, for himself, successors and assigns does hereby release to the Ohio Turnpike Commission, its successors and assigns any and all abutter's rights, including access rights, in, over and to the above described real estate including such rights with respect to any highway facility constructed thereon.

**EXHIBIT "A"**

**Parcel Eastgate "D"**

The Grantor does hereby grant, bargain, sell, convey and release to the Grantee, its successors and assigns forever, an easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility in, upon and over the lands hereinafter described. The Grantor herein retains the right to use said lands for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted.

Situated in the State of Ohio, County of Mahoning, Township of Springfield, part of Section 27 and being more fully described as follows:

Commencing at a monument found at the southeast corner of Section 27 of Springfield Township, said monument being on the centerline of East Garfield Rd.;

Thence N 01°40'12" W along the line dividing said Section 27 with Section 26 a distance of 2653.66 ft. to a point;

Thence N 01°28'08" W along the line dividing Section 27 with Section 26 a distance of 868.62 ft. to a point on the existing centerline of the Ohio Turnpike, at Sta. 1173 + 77.00 as recorded in Plat Book 33, Page 28 of the Mahoning County Record of Plats;

Thence along said existing centerline by a curve to the right having a radius of 11459.16 ft. and an arc length of 497.00 ft., to a point on said centerline at Sta. 1168 + 80.00;

Thence S 30°56'42" W, radial to said centerline, a distance of 200.00 ft. to a point on the existing southerly limited access line of the Ohio Turnpike, 200.00 ft. right of Sta. 1168 + 80.00, and the TRUE PLACE OF BEGINNING of the parcel herein described;

Thence, from said TRUE PLACE OF BEGINNING, S 68°21'11" W along a proposed channel easement line a distance of 25.17 ft. to a point, 220.00 ft. right of Sta. 1168 + 65.00;

Thence S 23°42'36" W along said proposed channel easement line a distance of 80.65 ft. to a point, 300.00 ft right of Sta. 1168 + 75.00;

Thence N 58°58'03" W along said proposed channel easement line a distance of 25.65 ft. to a point, 300.00 ft. right of Sta. 1168 + 50.00;

Thence N 19°34'13" E along said proposed channel easement line a distance of 76.55 ft. to a point, 225.00 ft. right of Sta. 1168 + 35.00;

Thence N 42°30'39" W along said proposed channel easement line a distance of 90.11 ft. to a point on the existing southerly limited access line of the Ohio Turnpike, 200.00 ft. right of Sta. 1167 + 50.00;

Thence, along said existing southerly limited access line, parallel to and 200.00 ft. southerly from the centerline of the Ohio Turnpike, by a curve to the left having a radius of 11659.16 ft. and an arc length of 132.27 ft., said curve also being defined by a chord having a bearing and distance of S 58°43'48" E, 132.27 ft., to a point, 200.00 ft. right of Sta. 1168 + 80.00, and the TRUE PLACE OF BEGINNING.

The above parcel of land contains within said bounds 0.0948 acres of land, more or less, more or less, which is contained within Mahoning County Permanent Parcel Number 01-087-0-003.01

Basis of Bearing: North is based on the Ohio State Plane Coordinate System North Zone NAD 83/1986.

The above description was prepared under the direct supervision of Richard John Swan, Registered Professional Surveyor No. 6574, and is based on a survey made by ms consultants, inc. in December 1998.

Grantor claims title by instrument(s) of record in Deed Book \_\_\_\_, Page \_\_\_\_ of the Mahoning County Recorder's Office.

**EXHIBIT "B"**

