

## 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 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 S. R. 58 and the Ohio Turnpike in the vicinity of Milepost 140.2 in Lorain 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>Location</u>
Consolidated Investors Group	Lorain County Auditor Permanent Parcel Nos. 05-00-046-000-012 05-00-046-000-021 05-00-047-000-002 05-00-047-000-008 05-00-047-000-009
David J. Talarek Lorain County Treasurer	226 Middle Avenue Elyria, Ohio 44035
Mark R. Stewart Lorain County Auditor	226 Middle Avenue Elyria, Ohio 44035

The aforementioned property to be appropriated is described as follows:

**Parcel 2WL – Fee Simple  
Parcel 2WL-1 – Fee Simple  
Parcel 2T – Temporary Construction Easement  
Parcel 2T-1 – Temporary Construction Easement**

Legal descriptions of each parcel are attached as Exhibits "A", "B", "C", and "D" respectively;

FURTHER RESOLVED that the general counsel be, and she is hereby 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. 12-2003 adopted March 17, 2003)**

I, Gary C. Suhadolnik, Assistant Secretary-Treasurer of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on March 17, 2003, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 17th day of March, 2003.

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Gary C. Suhadolnik  
Assistant Secretary-Treasurer

**PARCEL NO. 2WL**

Being a parcel of land lying on the left side of the centerline of a survey, made for the Department of Transportation, and recorded in Plat File\_\_\_\_\_, Slot\_\_\_\_\_, of the records of Lorain County and being located within the following described points in the boundary thereof:

Commencing at the intersection of the north line of Lots 34 and 47 and the centerline of S.R. 58 (railroad spike set), said point being located at station 1156+91.23 in the centerline of a survey of S.R. 58 made for the State of Ohio, Ohio Turnpike Commission in 1994; thence S 01°44'34" E along said centerline a distance of 1219.12 feet to a point, said point being located at S.R. 58 station 1144+72.11, and being the TRUE PLACE OF BEGINNING of this description;

Thence N 01°44'34" W along the centerline of S.R. 58 a distance of 28.06 feet to a point, said point being station 1145+00.17; thence N 41°42'46" E along the Grantor's north line a distance of 124.08 feet to an iron pin set, said iron pin being 85.34 feet right of station 1145+90.24; thence S 02°57'36" W along the existing easterly right of way line of S.R. 58 a distance of 308.98 feet to an iron pin set, said iron pin being 60.00 feet right of station 1142+82.30; thence S 01°44' 34" E a distance of 32.30 to an iron pin set, said iron pin being 60.00 right of station 1142+50.00; thence S 88°15'26" W a distance of 60.00 feet to a point, said point located at the centerline of S.R. 58 station 1142+50.00; thence N 01°44'34" W along the centerline of S.R. 58 a distance of 222.11 feet to the True Place of Beginning.

Stationing for the above description is based on the centerline of S.R. 58.

Bearings for the above description were based on the centerline bearing of S.R. 58 shown on the State of Ohio, Department of Transportation plan "LOR-58-21.06" made in 1958.

The above description was prepared by Joseph Wilin Jr., Registered Surveyor No. 7638, on October 26, 2000.

Property owner claims title through instrument recorded in Volume 1256 at Page 678 in the Records of Lorain County, Ohio.

The above parcel contains 0.470 acres, more or less, of which the present road occupies 0.470 acres, more or less, leaving a net take of 0.000 acres, to be taken from Lorain County Auditor's Permanent Parcel 05-00-047-000-008, which contains 65.360 acres.

All iron pins set shall be a ¾" by 30" rebar with a 1-1/2" diameter aluminum cap marked "ODOT R/W and RII".

**EXHIBIT "A"**

**PARCEL NO. 2WL-1**

Being a parcel of land lying on the left side of the centerline of a survey, made for the Department of Transportation, and recorded in Plat File \_\_\_\_\_, Slot \_\_\_\_\_, of the records of Lorain County and being located within the following described points in the boundary thereof:

Commencing at the intersection of the north line of Lots 34 and 47 and the centerline of S.R. 58 (railroad spike set), said point being located at station 1156+91.23 in the centerline of a survey of S.R. 58 made for the State of Ohio, Ohio Turnpike Commission in 1994; thence S 01°44'34" E along said centerline a distance of 1191.06 feet to a point, said point being located at S.R. 58 station 1145+00.17, thence N 41°42'46" E a distance of 447.49 feet to a point, said point being 140.21 feet right of Proposed Ramp A station 91+98.85 and being the TRUE PLACE OF BEGINNING of this description;

Thence N 41°42'46" E a distance of 1182.78 feet to an iron pin set, said iron pin being 97.22 feet left of station 103+44.50; thence N 88°38'51" E a distance of 37.57 feet to an iron pin set, said iron pin being 69.81 feet left of station 103+70.19; thence N 41°42'46" E 1597.83 feet to an iron pin set, said iron pin being 80.02 feet right of station 119+80.55; thence N 75°52'03" E a distance of 523.54 feet along the existing right of way to an iron pin set on the east line of O.L. 46, said iron pin being 373.42 feet right of station 124+14.16; thence S 0°07'57" W, along the east line of O.L. 46, a distance of 71.30 feet to an iron pin set, said iron pin being 421.05 feet right of station 123+61.10; thence S 68°20'56" W a distance of 255.02 feet to an iron pin set, said iron pin being 307.00 feet right of station 121+33.00; thence S 63°52'59" W a distance of 357.87 feet to an iron pin set, said iron pin being 169.00 feet right of station 117+89.00; thence S 44°55'49" W a distance of 277.82 feet to an iron pin set, said iron pin being 111.00 feet right of station 115+00.00; thence S 32°06'01" W a distance of 394.04 feet to an iron pin set, said iron pin being 105.00 feet right of station 111+06.00; thence S 34°23'47" W a distance of 195.32 feet to an iron pin set, said iron pin being 102.00 feet right of station 109+21.00; thence S 41°09'02" W a distance of 300.38 feet to an iron pin set, said iron pin being 100.00 feet right of station 106+29.00; thence S 33°18'46" W a distance of 305.33 feet to an iron pin set, said iron pin being 145.00 feet right of station 103+27.000; thence S 09°40'11" W a distance of 161.76 feet to an iron pin set, said iron pin being 231.00 feet right of station 101+90.00; thence S 43°17'23" W a distance of 267.09 feet to an iron pin set, said iron pin being 224.00 feet right of station 99+23.00; thence S 87°25'03" W a distance of 128.70 feet to an iron pin set, said iron pin being 132.00 feet right of station 98+33.00; thence S 44°03'51" W a distance of 281.02 feet to an iron pin set, said iron pin being 124.00 feet right of station 95+66.00; thence S 40°41'39" W a distance of 58.72 feet to an iron pin set, said iron pin being 135.00 right of station 95+23.00; thence S 65°49'02" W a distance of 74.44 feet to an iron pin set, said iron pin being 126.00 right of station 94+68.00; thence S 76°40'01" W a distance of 62.87 feet to an iron pin set, said iron pin being 115.00 right of station 94+21.00; thence S 77°01'17" W a distance of 260.66 feet to the True Place of Beginning.

Stationing for the above description is based on the centerline of Proposed Ramp A.

Bearings for the above description were based on the centerline bearing of S.R. 58 shown on the State of Ohio, Department of Transportation plan "LOR-58-21.06" made in 1958. The above description was prepared by Joseph Wilin Jr., Registered Surveyor No. 7638, on October 26, 2000.

Property owner claims title through instrument recorded in Volume 1256 at Page 678 in the Records of Lorain County, Ohio.

The above parcel contains 12.414 acres, more or less, of which the present road occupies 0.000 acres, more or less, leaving a net take of 12.414 acres.

The following is a breakdown according to Lorain County Auditor's Permanent Parcel number:

0.778 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 0.778 acres to be taken from Auditor's Parcel 05-00-047-000-008 which contains 65.360 acres.

2.117 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 2.117 acres to be taken from Auditor's Parcel 05-00-047-000-002 which contains 28.000 acres.

3.812 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 3.812 acres to be taken from Auditor's Parcel 05-00-047-000-009 which contains 4.000 acres.

3.611 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 3.611 acres to be taken from Auditor's Parcel 05-00-046-000-012 which contains 22.800 acres.

2.096 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 2.096 acres to be taken from Auditor's Parcel 05-00-046-000-021 which contains 5.556 acres.

All iron pins set shall be a  $\frac{3}{4}$ " by 30" rebar with a 1-1/2" diameter aluminum cap marked "ODOT R/W and RII".

**EXHIBIT "B"**

**PARCEL NO. 2T**

Being a parcel of land situated in Lorain County, Ohio, Amherst Township, Town 6-N, Range 18-W, Lot 47, and lying on the left side of a survey, made for the Department of Transportation, and recorded in Plat File \_\_\_\_\_, Slot \_\_\_\_\_, of the records of Lorain County, and located within the following described points in the boundary thereof:

Beginning at a point, said point being on the existing easterly Right of Way line of S.R. 58, and being 60.00 feet right of station 1140+30.00; thence N 01°44'34" W a distance of 252.38 feet along the existing easterly Right of Way line of S.R. 58 to a point, said point being 60.00 feet right of station 1142+82.30; thence N 02°57'36" E a distance of 102.99 feet along said Right of Way line to a point, said point being 68.45 feet right of station 1143+85.00; thence S 02°21'00" E a distance of 334.97 feet to a point, said point being 72.00 feet right of station 1140+50.00; thence S 29°07'07" W a distance of 23.32 feet, to the True Point of Beginning.

The above stationing refers to the centerline of S.R. 58.

Bearings for the above description were based on the centerline bearing of S.R. 58 shown on the State of Ohio, Department of Transportation plan "LOR-58-21.06" made in 1958. The above description was prepared by Joseph Wilin Jr., Registered Surveyor No. 7638, on October 26, 2000.

Property owner claims title through instrument recorded in Volume 573 at Page 236 and Volume 1256 at Page 678 in the Records of Lorain County, Ohio.

It is understood the area of the land above described contains 0.071 Acres, more or less.

The above parcel is recorded as Lorain County Auditor's Permanent Parcel 05-00-047-000-008, which contains 65.360 acres.

**EXHIBIT "C"**

**PARCEL NO. 2T-1**

Being a parcel of land situated in Lorain County, Ohio, Amherst Township, Town 6-N, Range 18-W, Lot 47, and lying on the left side of a survey, made for the Department of Transportation, and recorded in Plat File \_\_\_\_\_, Slot \_\_\_\_\_, of the records of Lorain County, and located within the following described points in the boundary thereof:

Beginning at a point, said point being on the proposed Right of Way line of Ramp A, and being 106.68 feet right of station 112+00.00; thence N 32°06'01" E a distance of 182.72 feet along the proposed Right of Way line of Ramp A to a point, said point being 109.21 feet right of station 113+82.71; thence S 00°05'15" W a distance of 196.50 feet to a point, said point being 210.83 feet right of station 112+14.52; thence S 88°31'41" W a distance of 26.86 feet to a point, said point being 188.23 feet right of station 112+00.00; thence N 58°46'20" W a distance of 81.80 feet, to the True Point of Beginning.

The above stationing refers to the centerline of Proposed Ramp A.

Bearings for the above description were based on the centerline bearing of S.R. 58 shown on the State of Ohio, Department of Transportation plan "LOR-58-21.06" made in 1958. The above description was prepared by Joseph Wilin Jr., Registered Surveyor No. 7638, on October 26, 2000.

Property owner claims title through instrument recorded in Volume 573 at Page 236 and Volume 1256 at Page 678 in the Records of Lorain County, Ohio.

It is understood the area of the land above described contains 0.232 Acres, more or less.

The above parcel is recorded as Lorain County Auditor's Permanent Parcel 05-00-046-000-012, which contains 22.800 acres.

**EXHIBIT "D"**