

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>
Ed Mullinax Ford, Inc.	Lorain County Auditor Permanent Parcel Nos. 05-00-046-000-009 05-00-046-000-010 05-00-046-000-011 05-00-046-000-013 05-00-046-000-018 05-00-047-000-010
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 140-4WD – Fee Simple**
- Parcel 140-4WL – Fee Simple**
- Parcel 140-4WL-2 – Fee Simple**
- Parcel 140-4WL-3 – Fee Simple**

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. 13-2003 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.

Gary C. Suhadolnik
Assistant Secretary-Treasurer

PARCEL NO. 4WD

Being a parcel of land lying on the right 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 N 01°44'34" W a distance of 39.25 feet to a point on the grantor's west line; said point being at S.R. 58 station 1157+30.48, and being the TRUE PLACE OF BEGINNING of this description;

Thence along said line with a curve to the right, having an arc length of 506.59 feet, and radius of 28647.89 feet, chord bearing of N 01°13'45" W and a chord distance of 506.58 feet to a point, said point being at station 1162+37.07; thence N 88°44'04" E a distance of 81.68 feet to an iron pin set on the existing easterly right of way line of SR 58, said iron pin being 81.68 feet right of station 1162+37.07; thence S 22°41'00" E along said right of way line a distance of 48.93 feet to an iron pin set, said iron pin being 100.00 feet right of station 1161+92.30; thence along said line with a curve to the left, having an arc length of 460.19 feet, and radius of 28547.89 feet, chord bearing of S 01°16'52" E and a chord distance of 460.19 feet to an iron pin set, said iron pin being 100.00 feet right of station 1157+30.48; thence along said right of way line S 01°44'34" E a distance of 55.48 feet to an iron pin set, said iron pin being 100.00 feet right of station 1156+75.00; thence S 88°15'26" W a distance of 100.00 feet to a point on the grantor's west line, and the centerline of S.R. 58, said point being at station 1156+75.00; thence along said line N 01°44'34" W a distance of 55.48 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 758 at Page 801 (film 445525 frame 1167) in the Records of Lorain County, Ohio.

The above parcel contains 1.277 acres, more or less, of which the present road occupies 1.277 acres, more or less, leaving a net take of 0.000 acres.

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

0.036 acres more or less of which the present road occupies .036 acres, more or less, leaving a net take of 0.000 acres to be taken from Auditor's Parcel 05-00-047-000-010 which contains 9.600 acres.

0.940 acres more or less of which the present road occupies 0.940 acres, more or less, leaving a net take of 0.000 acres to be taken from Auditor's Parcel 05-00-046-000-009 which contains 2.400 acres.

0.195 acres more or less of which the present road occupies 0.195 acres, more or less, leaving a net take of 0.000 acres to be taken from Auditor's Parcel 05-00-046-000-010 which contains 1.500 acres.

0.103 acres more or less of which the present road occupies 0.103 acres, more or less, leaving a net take of 0.000 acres to be taken from Auditor's Parcel 05-00-046-000-011 which contains 0.500 acres.

0.003 acres more or less of which the present road occupies 0.003 acres, more or less, leaving a net take of 0.000 acres to be taken from Auditor's Parcel 05-00-046-000-013 which contains 15.850 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. 4WL

Being a parcel of land lying on the right 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 a distance of 936.79 feet to a point on the grantor's west line; said point being at S.R. 58 station 1147+54.44, and being the TRUE PLACE OF BEGINNING of this description;

Thence N 01°44'34" W along said line a distance of 920.56 feet to an iron pin set, said iron pin being station 1156+75.00; thence N 88°15'26" E a distance of 100.00 feet to an iron pin set, said iron pin being 100.00 feet right of station 1156+75.00; thence S 01°44'34" E along the existing right of way line of S.R. 58 a distance of 581.14 feet to an iron pin set, said iron pin being 128.65 feet left of station 89+91.07; thence S 51°43'48" E a distance of 43.00 feet to an iron pin set, said iron pin being 101.00 feet left of station 90+24.00; thence N 86°36'18" E a distance of 167.10 feet to an iron pin set, said iron pin being 105.85 feet left of station 91+92.15; thence S 41°42'46" W a distance of 436.13 feet along the grantor's south line to the True Place of Beginning.

Stationing for the above description is based on the centerline of S.R. 58 and 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 758 at Page 801 (film 445525 frame 1167) in the Records of Lorain County, Ohio.

The above parcel contains 2.474 acres, more or less, of which the present road occupies 1.992 acres, more or less, leaving a net take of 0.480 acres, to be taken from Auditor's Parcel 05-00-047-000-010, which contains 9.600 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 "B"

PARCEL NO. 4WL-2

Being a parcel of land lying on the right 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 N 88°38'51" E along Lots 46 and 47, a distance of 882.93 feet to a iron pin set, said iron pin being on the grantor's east line and being 271.89 feet left of station 101+80.81; thence N 41°42'46" E along said line a distance of 758.78 feet to a point, said point being 84.42 feet right of Proposed Ramp C station 117+91.60, and being the TRUE PLACE OF BEGINNING of this description;

Thence N 01°51'49" W a distance of 62.88 feet to an iron pin set, said iron pin being 69.00 feet right of station 117+18.00; thence N 39°55'20" W a distance of 113.43 feet to an iron pin set, said iron pin being 90.00 feet right of station 115+82.00; thence N 57°17'46" W a distance of 145.74 feet to an iron pin set, said iron pin being 109.00 feet right of station 113+95.00; thence N 77°28'16" W a distance of 177.30 feet to an iron pin set, said iron pin being 111.00 feet right of station 111+61.00; thence N 64°04'19" W a distance of 32.20 feet to an iron pin set on the existing southerly right of way line (and grantor's north line), said iron pin being 96.00 feet right of station 111+27.62 (195.59 feet right of Ohio Turnpike Station 410+90.00); thence N 89°13'03" E along said right of way line a distance of 658.16 feet to an ¾" iron pipe found (2.29°N, 0.00°W), said point being 196.49 feet left of station 113+70.88 (352.68 feet right of Ohio Turnpike Station 417+51.94); thence S 41°42'46" W a distance of 388.62 feet to the True Place of Beginning.

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

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 1416 at Page 1 (film 445525 at frame 1167) in the Records of Lorain County, Ohio.

The above parcel contains 1.575 acres, more or less, of which the present road occupies 0.000 acres, more or less, leaving a net take of 1.575 acres, to be taken from Lorain County Auditor's Permanent Parcel 05-00-046-000-013, which contains 15.850 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 "C"

PARCEL NO. 4WL-3

Being a parcel of land lying on the right 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 N 88°38'51" E along Lots 46 and 47, a distance of 882.93 feet to a iron pin set, said iron pin being on the grantor's east line and being 271.89 feet left of station 101+80.81; thence N 41°42'46" E along the grantors east line a distance of 1147.40 feet to an iron pin found, said iron pin being 196.49 feet left of Proposed Ramp C station 113+70.88, thence S 89°13'03" W along the southerly right of way line of the Ohio Turnpike (grantors north line) a distance of 808.24 feet to a point, said point being 81.04 feet right of Ramp C station 109+70.15; thence S 75°52'03" W along said right of way line a distance of 632.16 feet to an iron pin set, said iron pin being on the existing southerly right of way line of the Ohio Turnpike (grantor's north line), said point being 165.00 feet right of station 403+28.93 and being the TRUE PLACE OF BEGINNING of this description;

Thence N 75°52'03" E along said right of way line a distance of 601.48 feet to an iron pin set, said iron pin being 84.08 feet right of station 109+38.95; thence S 23°22'00" W a distance of 16.43 feet to an iron pin set, said iron pin being 98.00 feet right of station 109+30.00; thence S 65°35'49" W a distance of 97.45 feet to an iron pin set, said iron pin being 123.00 feet right of Ramp C station 108+33.00 and 195.41 feet right of the Ohio Turnpike station 408+24.52; thence S 81°09'21" W a distance of 275.69 feet to an iron pin set, said iron pin being 170.00 feet right of the Ohio Turnpike station 405+50.00; thence S 77°09'48" W a distance of 221.13 feet to the True Place of Beginning.

Stationing for the above description is based on the centerline of Ramp C and The Ohio Turnpike.

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 1416 at Page 1 (film 445525, frame 1167) in the Records of Lorain County, Ohio.

The above parcel contains 0.174 acres, more or less, of which the present road occupies 0.000 acres, more or less, leaving a net take of 0.174 acres.

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

0.066 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 0.066 acres to be taken from Auditor's Parcel 05-00-046-000-010 which contains 1.500 acres.

0.005 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 0.005 acres to be taken from Auditor's Parcel 05-00-046-000-013 which contains 15.850 acres.

0.103 acres more or less of which the present road occupies 0.000 acres, more or less, leaving a net take of 0.103 acres to be taken from Auditor's Parcel 05-00-046-000-018 which contains 1.520 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 "D"