

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 reconstruction of an interchange with S. R. 57 and the Ohio Turnpike in the vicinity of Milepost 145.5 in Lorain County, Ohio;

BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the necessary easements on the following described property from the owners and persons having an interest therein, to wit:

<u>Owners</u>	<u>Location</u>
West River Road Properties #2 Ltd.	Lorain County Auditor Permanent Parcel No. 06-24-029-101-092
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 145-2S - Slope Easement
Parcel 145-2SS - Sanitary Sewer Easement
Parcel 145-2T - Temporary Construction Easement

Legal descriptions of each parcel are attached as Exhibits "A", "B" and "C" 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. 15-2003 adopted March 17, 2003)

PARCEL 145-2S

Situated in the City of Elyria, County of Lorain, State of Ohio, and being known as part of Original Lot 29, West of the River, in Elyria Township, bounded and described as follows:

Commencing at an angle point in the northerly right-of-way line of the Ohio Turnpike at a point identified as 590 feet left of Station 683+04 as depicted by Ohio Turnpike Drawing Contract C-23, Sheet 13, said point being at 589.75 feet left of Station 683+04.74 of the centerline of the Ohio Turnpike as based on monuments found at Station 693+98.97 and 687+00.00, both located 5 feet right of said centerline as depicted on Sheet A3 of 222 of the Survey Control Plan as prepared by Engineering Associates, Inc. in January of 1996.

Thence North 54 Degrees 24 Minutes 34 Seconds West along the northerly line of the Ohio Turnpike 143.19 feet to a capped rebar set at the southwesterly corner of lands as described in the deed to West River Road Properties #2 LTD, as recorded in Instrument Number 20020713212 of Lorain County Deed Records, said point being the **Principal Point of Beginning of this description;**

Thence along the northerly line of the Ohio Turnpike for the following six courses:

Thence North 54 Degrees 24 Minutes 34 Seconds West 279.88 feet to a 5/8" rebar found with a "KS Assoc." cap;

Thence North 89 Degrees 54 Minutes 40 Seconds East 17.15 feet to a 5/8" rebar found with a "KS Assoc." cap;

Thence North 54 Degrees 24 Minutes 34 Seconds West 438.93 feet to a 5/8" rebar found with a "KS Assoc." cap;

Thence South 35 Degrees 35 Minutes 26 Seconds West 10.00 feet to a 5/8" rebar found with a "KS Assoc." cap;

Thence North 54 Degrees 24 Minutes 34 Seconds West 391.00 feet to a 5/8" rebar found with a "KS Assoc." cap;

Thence North 35 Degrees 43 Minutes 16 Seconds West 121.02 feet to a capped rebar set;

Thence, departing the northerly line of the Ohio Turnpike, South 53 Degrees 49 Minutes 11 Seconds East 1,232.95 feet to a capped rebar set on the southerly line of said West River Road Properties;

Thence along the southerly line of said West River Road Properties, South 76 Degrees 11 Minutes 11 Seconds West 34.37 feet to the Principal Point of Beginning;

Said bounds enclose a parcel containing 0.7611 acres to be the same more or less, subject to all legal highways and easements of record.

This legal description prepared by Michael Straub, Professional Surveyor #7055, in the State of Ohio, of R.E. Warner & Associates, Inc. on January 8, 2003. The basis of bearings is the centerline of The Ohio Turnpike.

Note: "Capped rebar set" indicates a 5/8" x 30" rebar set with a yellow "R.E. Warner & Associates, Inc." cap.

EXHIBIT "A"

PARCEL 145-2SS

Situated in the City of Elyria, County of Lorain, State of Ohio, and being known as part of Original Lot 29, West of the River, in Elyria Township, bounded and described as follows:

Commencing at an angle point in the northerly right-of-way line of the Ohio Turnpike at a point identified as 590 feet left of Station 683+04 as depicted by Ohio Turnpike Drawing Contract C-23, Sheet 13, said point being at 589.75 feet left of Station 683+04.74 of the centerline of the Ohio Turnpike as based on monuments found at Station 693+98.97 and 687+00.00, both located 5 feet right of said centerline as depicted on Sheet A3 of 222 of the Survey Control Plan as prepared by Engineering Associates, Inc. in January of 1996.

Thence North 54 Degrees 24 Minutes 34 Seconds West along the northerly line of the Ohio Turnpike 143.19 feet to the southwesterly corner of lands as described in the deed to West River Road Properties #2 LTD, as recorded in Instrument Number 20020713212 of Lorain County Deed Records.

Thence North 76 Degrees 11 Minutes 11 Seconds East along the southerly line of said West River Road Properties, 68.92 feet;

Thence North 13 Degrees 48 Minutes 49 Seconds West along the easterly line of said West River Road Properties 63.52 feet to the **Principal Point of Beginning of this description**;

Thence South 84 Degrees 36 Minutes 48 Seconds West 101.44 feet;

Thence North 53 Degrees 49 Minutes 11 Seconds West 30.14 feet;

Thence North 84 Degrees 36 Minutes 48 Seconds East 121.03 feet to the easterly line of said West River Road Properties;

Thence South 13 Degrees 48 Minutes 49 Seconds East along said West River Road Properties easterly line 20.22 feet to the Principal Point of Beginning;

Said bounds enclose a parcel containing 0.0511 acres, (2225 Square Feet), subject to all legal highways and easements of record.

This legal description prepared by Michael Straub, Professional Surveyor #7055, in the State of Ohio, of R.E. Warner & Associates, Inc. on January 8, 2003. The basis of bearings is the centerline of The Ohio Turnpike.

EXHIBIT "B"

PARCEL 145-2T

Situated in the City of Elyria, County of Lorain, State of Ohio, and being known as part of Original Lot 29, West of the River, in Elyria Township, bounded and described as follows:

Commencing at an angle point in the northerly right-of-way line of the Ohio Turnpike at a point identified as 590 feet left of Station 683+04 as depicted by Ohio Turnpike Drawing Contract C-23, Sheet 13, said point being at 589.75 feet left of Station 683+04.74 of the centerline of the Ohio Turnpike as based on monuments found at Station 693+98.97 and 687+00.00, both located 5 feet right of said centerline as depicted on Sheet A3 of 222 of the Survey Control Plan as prepared by Engineering Associates, Inc. in January of 1996.

Thence North 54 Degrees 24 Minutes 34 Seconds West along the northerly line of the Ohio Turnpike 143.19 feet to the southwesterly corner of lands as described in the deed to West River Road Properties #2 LTD, as recorded in Instrument Number 20020713212 of Lorain County Deed Records.

Thence North 76 Degrees 11 Minutes 11 Seconds East along the southerly line of said West River Road Properties, 68.92 feet;

Thence North 13 Degrees 48 Minutes 49 Seconds West along the easterly line of said West River Road Properties 48.36 feet to the **Principal Point of Beginning of this description**;

Thence South 84 Degrees 36 Minutes 48 Seconds West 86.75 feet;

Thence North 53 Degrees 49 Minutes 11 Seconds West 75.36 feet;

Thence North 84 Degrees 36 Minutes 48 Seconds East 135.73 feet to the easterly line of said West River Road Properties;

Thence South 13 Degrees 48 Minutes 49 Seconds East along said West River Road Properties easterly line 50.55 feet to the Principal Point of Beginning;

Said bounds enclose a parcel containing 0.1277 acres, (5562 Square Feet), subject to all legal highways and easements of record.

This legal description prepared by Michael Straub, Professional Surveyor #7055, in the State of Ohio, of R.E. Warner & Associates, Inc. on January 8, 2003. The basis of bearings is the centerline of The Ohio Turnpike.

EXHIBIT "C"

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 18th day of March, 2003.

Gary C. Suhadolnik
Assistant Secretary-Treasurer