

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – R Farm and Ranch LLC

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to Glaus, Pyle, Schomer, Burns, DeHaven, Inc. dba GPD Group for Engineering and Construction Administration and Inspection Services for Design Project No. 71-20-01 relating to the beam strengthening of the Township Road 22 Bridge over the Mainline at Milepost 27.3 and the deck replacements of the Township Road 17 Bridge over the Mainline at Milepost 32.2, the Township Road 12-1 Bridge over the Mainline at Milepost 37.1, and the Brailey Road Bridge over the Mainline at Milepost 46.4, all in Fulton County, Ohio (the “Project”) under Resolution 57-2020; and

WHEREAS, in furtherance of the Project as it relates to the Township Road 22 Bridge over the Mainline at Milepost 27.3, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an easement of an approximately 0.060 acre parcel near the Turnpike bridge in Franklin Township, Fulton County (near Milepost 27.3), which said approximately 0.060 acre parcel (as legally described as Standard Highway Easement 0.060 Acres on Exhibit A attached hereto and incorporated herein, “Parcel 1”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.000, and recorded as instrument 202100004672 in the official Fulton County Records; and

WHEREAS, in furtherance of the Project, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission additionally desires to acquire an approximately 0.018 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel 1 in Franklin Township, Fulton County, which 0.018 acre parcel (as legally described as Temporary Easement 0.018 Acres on Exhibit B attached hereto and incorporated herein, “Parcel 2”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.000, and recorded as instrument 202100004672 in the official Fulton County Records; and

WHEREAS, in furtherance of the Project, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission additionally desires to acquire an approximately 0.175 acre parcel for a temporary easement necessary to construct the Project adjacent to the Ohio Turnpike in Franklin Township, Fulton County, which 0.175 acre parcel (as legally described as Temporary Easement 0.175 Acres on Exhibit C attached hereto and incorporated herein, “Parcel 3”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.001, and recorded as instrument 202100004672 in the official Fulton County Records.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel 1 is necessary to accommodate the grade change in the embankment slope to support Township Road 22 after Bridge MP 27.3 is raised to a minimum vertical clearance of 15’-6” over the Ohio Turnpike Mainline, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-20-01; and

FURTHER RESOLVED, that the Commission hereby declares that said acquisition of Parcel 2 and Parcel 3 are necessary to provide the contractor access to the area for construction and the placement of the embankment/fill for the new embankment slope grade, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-20-01; and

FURTHER RESOLVED, that in compliance with Ohio Revised Code Chapters 5537 and 163, the General Counsel is authorized and directed to negotiate for a reasonable time, and if possible, enter into an agreement for the purchase of the Properties with the following entity identified to be the current owner of each of the above referenced Parcels:

R FARM AND RANCH, LLC
c/o DOUGLAS A. RUPP
05561 COUNTY ROAD 19-50
STRYKER OH 43557

and such other persons or entities that have or may have an interest in said Properties, or are otherwise required to be named in the proceedings for appropriation under Ohio Revised Code Chapter 163; and

FURTHER RESOLVED, that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title, or any such lesser real estate interest as recommended by both Chief Engineer and General Counsel, to Parcels 1, 2, and 3 and any necessary easements on and over the properties described herein or neighboring parcels; and

FURTHER RESOLVED, that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that proceedings for the appropriation of Parcels 1, 2, and 3 described herein may be commenced and completed.

(Resolution No. 75-2023 adopted September 18, 2023)

EXHIBIT A

Ver. Date: 05/05/2023

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**STANDARD HIGHWAY EASEMENT
0.060 ACRES**

Situated in the State of Ohio, County of Fulton, Franklin Township, Section 4, Township 7 North, Range 5 East and being part of a tract conveyed to R Farm and Ranch, LLC, an Ohio Limited Liability Company, as recorded in Instrument Number 202100004672, bounded and described as follows:

COMMENCING at the Grantor’s northeast corner, being the intersection of the centerline of right of way of Spies-Handy Corners Road (T.R. 22) and the south existing right of way of the Ohio Turnpike;

Thence on the Grantor’s east line, the west line of lands conveyed to Samuel H. Lauber, Trustee, as recorded in Official Record 30, Page 727 and the centerline of right of way of Spies-Handy Corners Road (T.R. 22), **South 01 degrees 01 minutes 23 seconds West**, a distance of **609.50 feet** to a point;

Thence through the Grantor’s lands, **North 88 degrees 56 minutes 03 seconds West**, a distance of **20.00 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”, on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22) and the **POINT OF BEGINNING**;

Thence through the Grantor’s lands, the following five (5) courses:

1. **North 88 degrees 58 minutes 37 seconds West**, a distance of **8.00 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”;
2. **North 01 degrees 01 minutes 23 seconds East**, a distance of **24.46 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”;
3. **North 03 degrees 52 minutes 17 seconds West**, a distance of **150.89 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”;
4. **North 01 degrees 27 minutes 10 seconds East**, a distance of **49.98 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”;
5. **North 85 degrees 18 minutes 18 seconds East**, a distance of **7.97 feet** to a 5/8 inch rebar (set), with cap stamped “GPD”, on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22);

Thence on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22), **South 04 degrees 41 minutes 42 seconds East**, a distance of **126.19 feet** to a point;

Thence continuing on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22), **South 01 degrees 01 minutes 23 seconds West**, a distance of **100.01 feet** to the **Point of Beginning**, containing 0.060 acres, of which the present road occupies 0.000 acres, and being part of Fulton County Auditor’s Parcel Number 09-019340-02.000.

The bearings for this description are based on Grid North, of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Travis D. McCarty, Professional Surveyor No. 8347 from an actual field survey conducted for the Ohio Turnpike Commission, in March, 2021.



Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group


 05/05/2023
Travis D. McCarty, P.S.
Ohio Professional Surveyor No. 8347

EXHIBIT B

**TEMPORARY EASEMENT
0.018 ACRES**

Situated in the State of Ohio, County of Fulton, Franklin Township, Section 4, Township 7 North, Range 5 East and being part of a tract conveyed to R Farm and Ranch, LLC, an Ohio Limited Liability Company, as recorded in Instrument Number 202100004672, bounded and described as follows:

COMMENCING at the Grantor's northeast corner, being the intersection of the centerline of right of way of Spies-Handy Corners Road (T.R. 22) and the south existing right of way of the Ohio Turnpike;

Thence on the Grantor's east line, the west line of lands conveyed to Samuel H. Lauber, Trustee, as recorded in Official Record 30, Page 727 and the centerline of right of way of Spies-Handy Corners Road (T.R. 22), South 01 degrees 01 minutes 23 seconds West, a distance of 709.51 feet to a point;

Thence through the Grantor's lands, North 88 degrees 56 minutes 03 seconds West, a distance of 20.00 feet to a point on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22) and the **POINT OF BEGINNING**;

Thence through the Grantor's lands, the following three (3) courses:

1. North 88 degrees 56 minutes 03 seconds West, a distance of 8.00 feet to a point;
2. North 01 degrees 01 minutes 23 seconds East, a distance of 100.00 feet to a 5/8 inch rebar (set), with cap stamped "GPD";
3. South 88 degrees 58 minutes 37 seconds East, a distance of 8.00 feet to a 5/8 inch rebar (set), with cap stamped "GPD", on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22);

Thence on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22), South 01 degrees 01 minutes 23 seconds West, a distance of 100.00 feet to the **Point of Beginning**, containing 0.018 acres, of which the present road occupies 0.000 acres, and being part of Fulton County Auditor's Parcel Number 09-019340-02.000.

The bearings for this description are based on Grid North, of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Travis D. McCarty, Professional Surveyor No. 8347 from an actual field survey conducted for the Ohio Turnpike Commission, in March, 2021.



Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group

A handwritten signature in blue ink that reads "Travis D. McCarty".

05/05/2023

Travis D. McCarty, P.S.
Ohio Professional Surveyor No. 8347

EXHIBIT C

Ver. Date: 05/05/2023

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**TEMPORARY EASEMENT
0.175 ACRES**

Situated in the State of Ohio, County of Fulton, Franklin Township, Section 4, Township 7 North, Range 5 East and being part of a tract conveyed to R Farm and Ranch, LLC, an Ohio Limited Liability Company, as recorded in Instrument Number 202100004672, bounded and described as follows:

COMMENCING at the Grantor's northeast corner and the southeast corner of lands conveyed to Austin J. Marihugh and Jennifer M. Marihugh, as recorded in Official Record 318, Page 1018, being on the centerline of right of way of Spies-Handy Corners Road (T.R. 22);

Thence on the Grantor's north line and the south line of said Marihugh lands, **South 88 degrees 53 minutes 27 seconds West**, a distance of **20.01 feet** to the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22) and the **POINT OF BEGINNING**;

Thence on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22), **South 01 degrees 01 minutes 23 seconds West**, a distance of **94.82 feet** to a point;

Thence continuing on the west existing standard highway easement of Spies-Handy Corners Road (T.R. 22), **South 05 degrees 44 minutes 49 seconds West**, a distance of **667.84 feet** to the Grantor's south line and the north existing right of way of the Ohio Turnpike;

Thence on the Grantor's south line and the north existing right of way of the Ohio Turnpike, **North 88 degrees 57 minutes 19 seconds West**, a distance of **10.03 feet** to a point;

Thence through the Grantor's lands, **North 05 degrees 44 minutes 49 seconds East**, a distance of **668.25 feet** to a point;

Thence continuing through the Grantor's lands, **North 01 degrees 01 minutes 23 seconds East**, a distance of **94.04 feet** to a point on the Grantor's north line and the south line of said Marihugh lands;


Thence on the Grantor's north line and the south line of said Marihugh lands, **North 88 degrees 53 minutes 27 seconds East**, a distance of **10.01 feet** to the **Point of Beginning**, containing **0.175 acres**, of which the present road occupies **0.000 acres**, and being part of Fulton County Auditor's Parcel Number **09-019340-02.001**.

The bearings for this description are based on Grid North, of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Travis D. McCarty, Professional Surveyor No. 8347 from an actual field survey conducted for the Ohio Turnpike Commission, in March, 2021.



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 05/05/2023
Travis D. McCarty, P.S.
Ohio Professional Surveyor No. 8347