

# 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 Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “B” and Temporary Easements 2 and 3**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to DGL Consultant Engineers, LLC for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (“the Project”) under Resolution 7-2022; and

WHEREAS, in furtherance of the Project as it relates to the Removal of the Mainline Bridge over the North Coast Inland Trail, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 2.508 acre parcel near the Turnpike bridge in Washington Township, Sandusky County (near Milepost 83.3), which said approximate 2.508 acre parcel (as legally described as Parcel “B” on Exhibit A attached hereto and incorporated herein, “Parcel “B”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and recorded by Official Record 399, Page 001 of the Sandusky 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 desires to acquire an approximately 0.101 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel C and the Ohio Turnpike in Washington Township, Sandusky County, which 0.101 acre parcel (as legally described on Exhibit B attached hereto and incorporated herein, “Temporary Easement #2”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and recorded by Official Record 399, Page 001 of the Sandusky County Records in the official Sandusky 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 desires to acquire an approximately 0.114 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel B and the Ohio Turnpike in Washington Township, Sandusky County, which 0.114 acre parcel (as legally described on Exhibit C attached hereto and incorporated herein, “Temporary Easement #3”) (Parcel “B”, Temporary Easement #2, and Temporary Easement #3 are collectively referred to herein as the “Properties”) of which .006 acres is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and .108 acres is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-28-00-0016-00, and recorded Official Record 399, Page 001 of the Sandusky County Records in the official Sandusky County Records.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel “B” is necessary for the removal of the existing structure, placement of the embankment/fill to support the mainline roadway of the Ohio Turnpike, provide a new alignment for the North Coast Inland Trail, and to provide access to Permanent Parcel No. 21-29-00-0013-00, as well as for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that the Commission hereby declares that said acquisition of Temporary Easement #2 and Temporary Easement #3 is necessary to provide access during construction, and for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; 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 both Properties:

Sandusky County Park District  
c/o Director Andrew Brown  
1329 Tiffin Street  
Fremont, Ohio 43420

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 Parcel "B", Temporary Easement #2, and Temporary Easement #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 Parcel "B", Temporary Easement #2, and Temporary Easement #3 described herein may be commenced and completed.

**(Resolution No. 92-2023 adopted October 16, 2023)**

## EXHIBIT A



### LEGAL DESCRIPTION For: North Coast Island Trail

Parcel "B" – 2.508 acres

A parcel of land located in the Southeast Quarter of Section 29 and the Southwest Quarter of Section 28, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

**Commencing** from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29 and the Northwest Corner of the Southwest Quarter of said Section 28;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1094.62 feet to a mag nail set on the Northerly limited access Right of Way line of the Ohio Turnpike (Parcel No. 21-28-00-0015-00) and the **True Point of Beginning** of the Parcel herein described;

1. Thence Southeasterly along the Southerly limited access right of way line of said Ohio Turnpike, South 44 degrees 54 minutes 57 seconds East, a distance of 74.08 feet to an iron pin set marking on the Southerly limited access right of way line of said Ohio Turnpike;
2. Thence Northwesterly along the Northerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records, North 63 degrees 06 minutes 45 seconds West, a distance of 58.57 feet to a mag nail set marking a Northwesterly corner of said Sandusky County Park District lands, also being on the East line of the Southeast Quarter of said Section 29;
3. Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 45.02 feet to a mag nail set;
4. Thence Northwesterly along a line, North 44 degrees 54 minutes 11 seconds West, a distance of 32.32 feet to an iron pin set;
5. Thence Northwesterly along a line, North 63 degrees 06 minutes 45 seconds West, a distance of 160.00 feet to an iron pin set on the Southerly limited access Right of Way line of the Ohio Turnpike (Parcel No. 21-29-00-0009-00);
6. Thence Northwesterly along the Easterly limited access Right of Way line of said State of Ohio Turnpike lands and the Easterly line of lands now or formerly owned by Tavacska, LLC

through Official Record 249, Page 076 of the Sandusky County Records, North 44 degrees 54 minutes 11 seconds West, a distance of 1120.03 feet to an iron pin set;

7. Thence Southeasterly along a line parallel with the Northerly limited access right of way line of the Ohio Turnpike, South 63 degrees 06 minutes 45 seconds East, a distance of 320.01 feet to an iron pin set on the Westerly line of lands now or formerly owned by Netcher Family Rentals, LLC through Official Record 113, Page 2672 of the Sandusky County Records;
8. Thence Southeasterly along the Westerly line of said Netcher Family Rentals, LLC lands and the Westerly limited access Right of Way line of said Ohio Turnpike (Parcel No. 21-28-00-0015-00), South 44 degrees 54 minutes 11 seconds East, a distance of 949.94 feet to the **True Point of Beginning**, containing in all 2.508 acres of land more or less, subject however to all legal highways and prior easements of record.

Sandusky County Park District R/T claims title by Official Record 399, Page 001 of the Sandusky County Records.

All 2.508 acres lie within Sandusky County Parcel No. 21-29-00-0019-00.

2.493 acres in Section 29

0.015 acres in Section 28

The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

**NOTE:** The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

All references to "an iron pin set" are 5/8" diameter x 30" long iron pins with cap "DGL – RJL 8029"



Date: October 4, 2023

Ronald J. Lumbrezer, P.S.  
Ohio Professional Surveyor #8029  
DGL Consulting Engineers, LLC  
3455 Briarfield Blvd, Suite E  
Maumee, Ohio 43537  
Phone: (419)535-1015, Ext 232  
Parcel "B"



## **EXHIBIT B**



### **LEGAL DESCRIPTION**

For: North Coast Island Trail

Temporary Easement #2 – 0.101 acres

A parcel of land located in the Southeast Quarter of Section 29, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

**Commencing** from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1236.64 feet to the intersection of the Southerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records (Station 76+84.89 feet 233.35 feet right centerline turnpike);

Thence Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 28.40 feet to a point of the Westerly right of way of said County Road 82 and the **True Point of Beginning** of the Easement herein described (Station 76+57.91 feet 224.48 feet right centerline turnpike);

1. Thence continuing Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 206.33 feet to a point on the Southerly limited access right of way line of the Ohio Turnpike (Station 74+61.92 feet 160.00 feet right centerline turnpike);
2. Thence Southeasterly along the Southerly limited access right of way line of the Ohio Turnpike, South 63 degrees 06 minutes 45 seconds East, a distance of 163.10 feet to a point on the Westerly right of way line of said County Road 82 (Station 76+25.02 feet 160.00 feet right centerline turnpike);
3. Thence Southerly along Westerly right of way line of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 72.38 feet to the **True Point of Beginning**, containing in all 0.101 acres of land more or less, subject however to all legal highways and prior easements of record.

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Date: October 3, 2023

Ronald J. Lumbrezer, P.S.  
Ohio Professional Surveyor #8029  
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3455 Briarfield Blvd, Suite E  
Maumee, Ohio 43537  
Phone: (419)535-1015, Ext 232  
Temporary Easement #2



# EXHIBIT C



**LEGAL DESCRIPTION**  
For: North Coast Island Trail

Temporary Easement #3 – 0.114 acres

A parcel of land located in the Southwest Quarter of Section 28, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

**Commencing** from a spike found marking the Northwest Corner of the Southwest Quarter of said Section 28;

Thence Southerly along the West line of the Southwest Quarter of said Section 28, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1236.64 feet to the intersection of the Southerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records (Station 76+84.89 feet 233.35 feet right centerline turnpike);

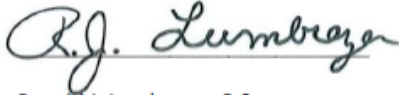
Thence Southeasterly along the Southerly line of said Park District lands, South 44 degrees 54 minutes 11 seconds East, a distance of 28.40 feet to a point of the Easterly right of way line of said County Road 82 and the **True Point of Beginning** of the Easement herein described (Station 77+11.87, 242.23 feet right centerline turnpike);

1. Thence Northerly along the Easterly right of way line of said County Road 82, North 00 degrees 08 minutes 37 seconds West, a distance of 142.02 feet to the intersection of the Southerly limited right of way line of the Ohio Turnpike (Parcel No. 21-28-00-0015-00) (Station 76+47.33, 115.72 feet right centerline turnpike);
2. Thence Southeasterly along the Southerly limited right of way line of said Ohio Turnpike, South 63 degrees 01 minutes 19 seconds East, a distance of 49.71 feet to a point (Station 76+94.55, 131.26 feet right centerline turnpike);
3. Thence Southerly along a line parallel with the Easterly right of way line of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 142.02 feet to a point on the Southerly line of said Park District lands (Station 77+59.09, 257.76 feet right centerline turnpike);
4. Thence Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 49.71 feet to the **True Point of Beginning**, containing in all 0.114 acres of land more or less, subject however to all legal highways and prior easements of record.

0.006 acres in Parcel Number 21-29-00-0019-00  
0.108 acres in Parcel Number 21-28-00-0016-00

The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

**NOTE:** The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.



Date: October 4, 2023

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