

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Property and Directing that Proceedings to Effect Such Appropriation be Begun and Prosecuted

WHEREAS, for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.3348 acre parcel under the Turnpike bridge over the abandoned railroad in Amherst Township, in Lorain County, (near milepost 138.2) which 0.3348 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein, the "Property") is a portion of the real estate listed in the Lorain County Auditor's Records as Parcel No. 05-00-007-000-025.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby declares that said acquisition of Property is necessary for the removal of the main line bridge and the filling in under it with soil embankment, 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. 71-15-06; and

FURTHER RESOLVED that in compliance with Ohio Revised Code Chapter 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 Property with the following persons identified to be the current owners of the Property:

<u>Owners:</u>	<u>Address:</u>
Timothy W. Abraham, Trustee of the Abraham Family Living Trust	11382 Pyle Road Oberlin, Ohio 44074
Joseph G. Abraham	11382 Pyle Road Oberlin, Ohio 44074
Donita J. Abraham	11382 Pyle Road Oberlin, Ohio 44074
Dennis L. Abraham	11382 Pyle Road Oberlin, Ohio 44074
Joseph J. Abraham	11382 Pyle Road Oberlin, Ohio 44074
Estate of Marge Abraham	11382 Pyle Road Oberlin, Ohio 44074
Lorain County Auditor	Lorain County Admin. Building 226 Middle Avenue, 2 nd Floor Elyria, Ohio 44035
Lorain County Treasurer	Lorain County Admin. Building 226 Middle Avenue, 2 nd Floor Elyria, Ohio 44035

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

FURTHER RESOLVED that the General Counsel begin proceedings to appropriate and prosecute the appropriation of the fee title to the Property and necessary easements on and over Parcel No. 05-00-007-000-025 or neighboring parcels; and

FURTHER RESOLVED that the General Counsel be, and 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 the Property described herein may be commenced and completed; and

FURTHER RESOLVED that Design Project No. 71-15-06 is designated a System Project under the Commission's 2013 Master Trust Agreement.

(Resolution No. 59-2015 adopted December 14, 2015)

EXHIBIT A

**FEE SIMPLE PORTION OF
PARCEL NO. 05-00-007-000-025**

Situated in the Township of Amherst, County of Lorain and State of Ohio, and known as being a part of Lot 7, Township 6 North, Range 18 West, described as follows:

Beginning at a point in the westerly line of the land conveyed to said The Lake Shore and Michigan Southern Railway Company, by Deed from Henry Merthe and Eliza Merthe, dated August 7, 1873, and recorded in Volume 36, Page 613 of the Deed Records of said County, said point being distant 145 feet by rectangular measurement southerly from the center line of Ohio Turnpike Project No. 1, as shown on a map thereof recorded in Plat Book 15, Page 1-B of the Map Records of said County;

Course 1

Thence North 3 degrees 24' 03" East along the westerly line of the land conveyed as aforesaid, said line being parallel with and distant 25 feet by rectangular measurement westerly from the center line of the railroad of the Grantor, a distance of 291.69 feet to a point in a line drawn parallel with and distant 145 feet by rectangular measurement northerly from said center line of turnpike;

Course 2

Thence North 87 degrees 13' 48" East along said last mentioned parallel line, a distance of 50.29 feet to a point in the easterly line of the land conveyed as aforesaid;

Course 3

Thence South 3 degrees 24' 03" West along the easterly line of the land conveyed as aforesaid, said line being parallel with and distant 25 feet by rectangular measurement easterly from said center line of railroad, a distance of 291.69 feet to a point in a line drawn parallel with and distant 145 feet by rectangular measurement southerly from said center line of turnpike;

Course 4

Thence South 87 degrees 13' 48" West along said last mentioned parallel line, a distance of 50.29 feet to the place of beginning, and containing 0.3348 of an acre, more or less, according to Survey made January 23, 1953 by Albert B. Birdsall, Ohio Registered Surveyor No. 2798.

Said center line of turnpike intersects said center line of railroad at Railroad Station 93+97.8 and at Turnpike Station 295+54.26.