

LUC-25-7.01, PID 96344
Anthony Wayne Trail Project

Chronology of Communications Pertaining to the Clearance of RW across the Norfolk Southern Properties

(Parcel Series 2, 5 & 10)

Feb 11, 2015	John Maynard emailed a ROE signed by the RR but not yet signed by ODOT. John requested D2 review and comment before he signed on behalf of the Director. Item H of the ROE had been modified by the RR to include language through which ODOT would agree to provide the RR with a right to install, use and maintain a curb cut at a location of the RR's choosing along Anthony Wayne Trail (AWT). The area contemplated for the curb cut was identified as across from the Toledo Zoo and was not within the limits of the project for which the ROE applied.
Feb 12, 2015	Mike Gramza emailed John advising that the District and City of Toledo were reviewing the special ROE language and would respond asap. The approval for drive cuts to AWT is under the jurisdiction of the City of Toledo.
Feb 13, 2015	Alana Donley, Central Office Railroad Acquisitions, emailed D2 the fully signed and notarized ROE which included the special language inserted by the RR.
Feb 13, 2015	Mike Gramza emailed John proposed language to incorporate into a new ROE.
Feb 17, 2015	D2 emailed Central Office asking them to not send the fully signed ROE to the RR, and explained that ODOT is not able to agree to the special language, but that we were working with the City to resolve.
Feb 18, 2015	Conference call held with Mike Gramza, Dave Seasley, John Maynard, Doug Stephens (City of Toledo), and Solomon Jackson (Norfolk & Southern Railroad). ODOT does not have the authority to approve drive access to Anthony Wayne Trail (AWT) in this area since it is owned and under the control of the City of Toledo. Drives to AWT are under the jurisdiction of the City. Also, because the AWT was originally the Miami & Erie Canal, the adjoining properties do not enjoy the same access rights as on a typical City street. Doug Stephens advised the City is eager to work with the RR but that the City needs to see typical design details and that City Council action would be required to grant the drive opening. Solomon insisted that a document (ROE) had been signed indicating commitments by the ODOT and it is a serious problem for ODOT to break a promise with the RR. The City and ODOT agreed to work together after the call to propose new wording for the ROE that may meet the RR's requirements.
Feb 25, 2015	Mike Gramza email John Maynard new ROE language as proposed by the City.

