

AN ACT

To authorize the sale of state-owned real estate controlled by the Ohio Schools for the Deaf and Blind and located in Franklin County to the City of Columbus (Division of Water), to authorize the conveyance of three easements over state-owned real estate controlled by the Ohio Schools for the Deaf and Blind and located in Franklin County to the City of Columbus (Division of Water), to authorize the conveyance of a conservation easement over state-owned real estate controlled by the Ohio Schools for the Deaf and Blind and located in Franklin County to the Franklin Soil and Water Conservation District, and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. The Governor is hereby authorized to execute a deed in the name of the state conveying to the City of Columbus and its successors and assigns all of the state's right, title, and interest in the following described real estate:

Being a 1.3774 acre tract of land and being part of a 236.26 acre tract more or less conveyed to the State of Ohio in Deed Volume 1238, Pages 468-470, of the Franklin County Recorder's Office; said 1.3774 acre tract also being out of a 99.10 acre tract denoted as parcel 110291 on Tax Map 0-99-G of the Franklin County Auditor's Office, said 1.3774 acre tract being situated in Section 3, Township 2, Range 18, United States Military Lands, Township of Sharon, City of Columbus, County of Franklin, State of Ohio and said 1.3774 acre tract being more particularly described as follows:

Commencing for reference at the southeast corner of Glen Burn Subdivision as the same is delineated in Plat Book 17, Page 170 and 171, said southeast corner also being on the north right-of-way line of Morse Road, 35.00 feet north of the centerline of Morse Road, Thence with the east line of said Glen Burn Subdivision and the west line of a 94.4713 acre tract

denoted as parcel 110285 on Tax Map 0-99-G North 4° 04' 55" East (Plat N 4° 06' E, 690.25 feet) a distance of 690.27 feet to a brass screw in a concrete monument found;

Thence North 85° 32' 35" West (Plat N 85° 30' W, 60.00 feet) a distance of 59.96 feet to a brass screw in a concrete monument found;

Thence North 4° 04' 35" East (Plat N 4° 06' E, 477.36 feet) a distance of 477.48 feet to an iron pipe found at the northeast corner of said Glen Burn Subdivision;

Thence continuing North 4° 04' 35" East a distance of 365.04 feet to a point;

Thence North 85° 55' 25" West a distance of 70.00 feet to an iron pin set at the southeast corner of the herein-described 1.3774 acre tract and the true place of beginning for this description.

Thence continuing North 85° 55' 25" West a distance of 300.00 feet to an iron pin set;

Thence North 4° 04' 35" East a distance of 200.00 feet to an iron pin set;

Thence South 85° 55' 25" East a distance of 300.00 feet to an iron pin set;

Thence South 4° 04' 35" West a distance of 200.00 feet to an iron pin and the true place of beginning for this description.

The above described tract contains 1.3774 acres of land more or less and is subject to all easements and rights-of-way of previous record.

Basis of bearings is the north right-of-way line of Morse Road, North 85° 30' West as delineated upon said plat of Glen Burn Subdivision.

The foregoing description was prepared by the City of Columbus, Division of Water, James B. Uhlenhake, Registered Surveyor No. 5622, from an actual survey made in March, 1994.

SECTION 2. The Governor is hereby authorized to execute a deed of easement in the name of the state conveying to the City of Columbus and its successors and assigns a permanent ingress and egress easement described as follows:

Being a 40.00 feet wide permanent ingress and egress easement and a 1.6277 acre tract of land and being part of a 236.26 acre tract more or less conveyed to the State of Ohio in Deed Volume 1238, Pages 468-470 of the Franklin County Recorder's Office, said 1.6277 acre tract also being out of a 94.4713 acre tract denoted as parcel 110285, and also being out of a 99.10 acre tract denoted as parcel 110291 on Tax Map 0-99-G of the Franklin County Auditor's Office, said 1.6277 acre tract being situated in Section 3, Township 2, Range 18, United States Military Lands, Township of Sharon,

City of Columbus, County of Franklin, State of Ohio and said 1.6277 acre tract being more particularly described as follows:

Commencing for reference at the southeast corner of Glen Burn Subdivision as same is delineated in Plat Book 17, Page 170 and 171, said southeast corner also being on the north right-of-way line of Morse Road, 35.00 feet north of the centerline of Morse Road, said southeast corner also being on the west line of said 94.4713 acre tract denoted on Tax Map 0-99-G, Thence South 4° 04' 55" West a distance of 5.00 feet to a point on the north right-of-way line of Morse Road, 30.00 feet north of the centerline of Morse Road, said point being the southwest corner of said 94.4713 acre tract;

Thence with the north right-of-way line of Morse Road, 30.00 feet north of the centerline of Morse Road South 85° 30' East a distance of 357.57 feet to the southwest corner of the herein-described 1.6277 acre ingress and egress easement and the true place of beginning for this description.

Thence along the westerly side of said 1.6277 acre ingress and egress easement with the following 24 courses:

1. North 4° 30' East, 57.50'
2. North 6° 00' West, 46.79'
3. North 13° 50' West, 46.73'
4. North 24° 40' West, 46.56'
5. North 33° 30' West, 48.14'
6. North 35° 20' West, 51.64'
7. North 24° 10' West, 54.33'
8. North 10° 37' West, 54.77'
9. North 3° 03' East, 54.23'
10. North 13° 33' East, 52.00'
11. North 14° 28' East, 99.17'
12. North 8° 49' East, 98.14'
13. North 3° 49' East, 98.43'
14. North 0° 11' West, 98.05'
15. North 7° 21' West, 97.48'
16. North 14° 36' West, 97.42'
17. North 22° 06' West, 97.38'
18. North 29° 36' West, 97.41'
19. North 36° 56' West, 98.64'
20. North 37° 24' West, 81.59'
21. North 27° 51' West, 54.19'
22. North 13° 31' West, 53.99'
23. North 5° 05' West, 52.34'

24. North 0° 09' West, 52.08'

25. Thence North 81° 52' 53" West a distance of 43.85 feet to a point on the east line of a 1.3774 acre tract;

26. Thence with the east line of said 1.3774 acre tract North 4° 04' 35" East a distance of 40.10 feet;

27. Thence South 81° 52' 53" East a distance of 85.76 feet to a point on the easterly side of said 1.6277 acre ingress and egress easement;

Thence with the easterly side of said easement the following 25 courses:

28. South 6° 50' West, 36.67'

29. South 0° 09' East, 47.92'

30. South 5° 05' East, 47.66'

31. South 13° 31' East, 46.01'

32. South 27° 51' East, 45.81'

33. South 37° 24' East, 78.41'

34. South 36° 56' East, 101.36'

35. South 29° 36' East, 102.59'

36. South 22° 06' East, 102.62'

37. South 14° 36' East, 102.58'

38. South 7° 21' East, 102.52'

39. South 0° 11' East, 101.95'

40. South 3° 49' West, 101.57'

41. South 8° 49' West, 101.86'

42. South 14° 28' West, 100.83'

43. South 13° 33' West, 48.00'

44. South 3° 03' West, 45.77'

45. South 10° 37' East, 45.23'

46. South 24° 10' East, 45.67'

47. South 35° 20' East, 48.36'

48. South 33° 30' East, 51.86'

49. South 24° 10' East, 53.44'

50. South 13° 50' East, 53.27'

51. South 6° 00' East, 53.21'

52. South 4° 30' West a distance of 61.18 feet to a point on the north right-of-way of Morse Road;

53. Thence with the north right-of-way of Morse Road North 85° 30' West a distance of 40.00 feet to the place of beginning for this description.

The above described tract contains 1.6277 acres of land more or less, with 1.5076 acres being out of said 94.4713 acre tract and 0.1201 acres being out of said 99.10 acre tract and is subject to all easements and rights-of-way of previous record.

Said 1.6277 acre ingress and egress easement encompasses an existing asphalt drive and is parallel and 20' distant both left and right of the centerline of said drive.

Basis of bearings is the north right-of-way line of Morse Road, North 85° 30' West as delineated upon said plat of Glen Burn Subdivision.

The foregoing description was prepared by the City of Columbus, Division of Water, James B. Uhlenhake, Registered Surveyor No. 5622, from an actual survey made in March, 1994.

SECTION 3. The Governor is hereby authorized to execute a deed of easement in the name of the state conveying to the City of Columbus and its successors and assigns a permanent water line easement described as follows:

Being a 30.00 feet wide permanent water line easement and a 1.0951 acre tract of land and being part of a 236.26 acre tract more or less conveyed to the State of Ohio in Deed Volume 1238, Pages 468-470 of the Franklin County Recorder's Office, said 1.0951 acre tract also being out of a 94.4713 acre tract denoted as parcel 110285, and also being out of a 99.10 acre tract denoted as parcel 110291 on Tax Map 0-99-G of the Franklin County Auditor's Office, said 1.0951 acre tract being situated in Section 3, Township 2, Range 18, United States Military Lands, Township of Sharon, City of Columbus, County of Franklin, State of Ohio and said 1.0951 acre tract being more particularly described as follows:

Commencing for reference at the southeast corner of Glen Burn Subdivision as the same is delineated in Plat Book 17, Page 170 and 171, said southeast corner also being on the north right-of-way line of Morse Road, 35.00 feet north of the centerline of Morse Road, said southeast corner also being on the west line of said 94.4713 acre tract denoted on Tax Map 0-99-G, Thence South 4° 04' 55" West a distance of 5.00 feet to a point on the north right-of-way line of Morse Road, 30.00 feet north of the centerline of Morse Road, said point being the southwest corner of said 94.4713 acre tract;

Thence with the north right-of-way line of Morse Road, 30.00 feet north of the centerline of Morse Road South 85° 30' East a distance of 30.00 feet to an iron pin set at the southwest corner of the herein-described 1.0951 acre permanent water line easement and the true place of beginning for this description.

Thence parallel with the east line of said Glen Burn Subdivision North 4° 04' 55" East (Plat N 4° 06' E) a distance of 694.45 feet to an iron pin set;

Thence North 3° 04' 30" West a distance of 627.27 feet to an iron pin

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Thence North 48° 04' 30" West a distance of 118.37 feet to an iron pin set;

Thence North 3° 04' 30" West a distance of 150.10 feet to an iron pin set on the south line of a 1.3774 acre tract;

Thence South 85° 55' 25" East a distance of 30.23 feet to an iron pin set at the southeast corner of said 1.3774 acre tract;

Thence South 3° 04' 30" East a distance of 133.91 feet to an iron pin;

Thence South 48° 04' 30" East a distance of 118.37 feet to an iron pin set;

Thence South 3° 04' 30" East a distance of 641.57 feet to an iron pin set;

Thence South 4° 04' 55" West a distance of 696.54 feet to an iron pin set on the north right-of-way line of Morse Road;

Thence with said right-of-way line North 85° 30' West a distance of 30.00 feet to an iron pin and the true place of beginning for this description.

The above described tract contains 1.0951 acres of land more or less, with 0.9388 acres being out of said 94.4713 acre tract and 0.1563 acres being out of said 99.10 acre tract and is subject to all easements and rights-of-way of previous record.

Basis of bearings is the north right-of-way line of Morse Road, North 85° 30' West as delineated upon said plat of Glen Burn Subdivision.

The foregoing description was prepared by the City of Columbus, Division of Water, James B. Uhlenhake, Registered Surveyor No. 5622, from an actual survey made in March, 1994.

SECTION 4. The Governor is hereby authorized to execute a deed of easement in the name of the state conveying to the City of Columbus and its successors and assigns a temporary construction easement, for a period of three years, described as follows:

Being a 0.6887 acre tract of land and being part of a 236.26 acre tract more or less conveyed to the State of Ohio in Deed Volume 1238, Pages 468-470, of the Franklin County Recorder's Office; said 0.6887 acre tract also being out of a 99.10 acre tract denoted as parcel 110291 on Tax Map 0-99-G of the Franklin County Auditor's Office, said 0.6887 acre tract being situated in Section 3, Township 2, Range 18, United States Military Lands, Township of Sharon, City of Columbus, County of Franklin, State of Ohio and said 0.6887 acre tract being more particularly described as follows:

Commencing for reference at the southeast corner of Glen Burn Subdivision as the same is delineated in Plat Book 17, Page 170 and 171, said southeast corner also being on the north right-of-way line of Morse

Road, 35.00 feet north of the centerline of Morse Road; Thence with the east line of said Glen Burn Subdivision and the west line of a 94.4713 acre tract denoted as parcel 110285 on Tax Map 0-99-G North 4° 04' 55" East (Plat N 4° 06' E, 690.25 feet) a distance of 690.27 feet to a brass screw in a concrete monument found;

Thence North 85° 32' 35" West (Plat N 85° 30' W, 60.00 feet) a distance of 59.96 feet to a brass screw in a concrete monument found;

Thence North 4° 04' 35" East (Plat N 4° 06' E, 477.36 feet) a distance of 477.48 feet to an iron pipe found at the northeast corner of said Glen Burn Subdivision;

Thence continuing North 4° 04' 35" East a distance of 365.04 feet to a point;

Thence North 85° 55' 25" West a distance of 70.00 feet to an iron pin set at the northeast corner of the herein-described 0.6887 acre tract and the true place of beginning for this description.

Thence South 4° 04' 35" West a distance of 100.00 feet to a point;

Thence North 85° 55' 25" West a distance of 300.00 feet to a point;

Thence North 4° 04' 35" East a distance of 100.00 feet to an iron pin set;

Thence with the south line of a 1.3774 acre tract South 85° 55' 25" East a distance of 300.00 feet to an iron pin and the true place of beginning for this description.

The above-described tract contains 0.6887 acres of land more or less and is subject to all easements and rights-of-way of previous record.

Basis of bearings is the north right-of-way line of Morse Road, North 85° 30' West as delineated upon said plat of Glen Burn Subdivision.

The foregoing description was prepared by the City of Columbus, Division of Water, James B. Uhlenhake, Registered Surveyor No. 5622, from an actual survey made in March, 1994.

SECTION 5. The Governor is hereby authorized to execute a deed of easement in the name of the state conveying to the Franklin Soil and Water Conservation District and its successors and assigns a permanent conservation easement over state-owned real estate, commonly known as "the ravine," on the property controlled by the Ohio Schools for the Deaf and Blind, located in Franklin County in the City of Columbus. The purpose of the conservation easement shall be to maintain the area of the easement predominantly in its natural, scenic, open, or wooded condition as provided by sections 5301.67 to 5301.70 of the Revised Code. The Ohio Schools for the Deaf and Blind shall have a survey prepared of the property to be subject to the conservation easement, and shall ensure that the real estate subject to

the conservation easement shall not be the same real estate that is subject to the easements conveyed by Sections 2, 3, and 4 of this act and that the boundaries are consistent with the boundaries that the Chairperson and Vice-chairperson of the Board of Directors of the Franklin Soil and Water Conservation District, or their designees, and the Superintendent of Public Instruction agree upon, based on an aerial photograph of the ravine area. The Director of Administrative Services shall review the legal description and verify its accuracy. When the Director is satisfied as to the description's accuracy, the description shall be delivered to the Auditor of State for the preparation of the deed.

SECTION 6. Consideration for the conveyance of the real estate described in Section 1 of this act and for the conveyance of the easements described in Sections 2, 3, and 4 of this act is one hundred twenty-nine thousand eight hundred dollars and no cents. The consideration for the conveyance of the easement described in Section 5 of this act is the mutual benefit accruing to the state and the Franklin Soil and Water Conservation District by having the ravine area maintained as a conservation area. One-half of the net proceeds of the conveyances described in Sections 1, 2, 3, 4, and 5 of this act shall be paid to the Ohio School for the Blind to use for technology assistance and one-half of such net proceeds shall be paid to the Ohio School for the Deaf to use for technology assistance.

SECTION 7. The costs of the conveyances described in Sections 1, 2, 3, and 4 of this act shall be paid by the City of Columbus. The costs of the conveyance described in Section 5 of this act, including the cost of the survey and preparation of the legal description, shall be paid by the Franklin Soil and Water Conservation District.

SECTION 8. The conveyance described in Section 5 of this act is subject to the condition that the Franklin Soil and Water Conservation District administer the easement pursuant to sections 5301.67 to 5301.70 of the Revised Code and pursuant to an agreement between the Franklin Soil and Water Conservation District and the Superintendent of Public Instruction. The agreement shall provide that the Ohio Schools for the Deaf and Blind shall retain reasonable access to the easement area for educational and recreational purposes.

SECTION 9. The conveyance described in Section 5 of this act is subject to the condition that the Franklin Soil and Water Conservation District be permitted to post signs that identify the area as a conservation easement and signs that specify any restrictions on public access to the area if the Chairperson and the Vice-chairperson of the Board of Directors of the Franklin Soil and Water Conservation District, or their designees, and the Superintendent of Public Instruction have agreed upon the wording and format of those signs. The posting of signs identifying the area as a conservation easement shall in no way restrict the Ohio Schools for the Deaf and Blind from posting "no trespassing" signs on school property to control the general public's access to the conservation easement and to control the general public's access to the adjoining school property that is not part of the conservation easement.

SECTION 10. The conveyance described in Section 5 of this act is subject to the condition that the City of Columbus, Division of Sewers and Drains, be permitted reasonable access to the property, including access during emergency situations, to carry out its responsibilities to maintain drainage in the area and to maintain and repair sewers on the property. The Franklin Soil and Water Conservation District and the City of Columbus, Division of Sewers and Drains, shall develop and enter into a written agreement that sets forth the conditions under which the City of Columbus, Division of Sewers and Drains, shall have access to the property. The agreement may be amended as necessary upon approval of both parties.

SECTION 11. Upon payment of the consideration by the City of Columbus, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in Section 1 of this act and deeds to the easements described in Sections 2, 3, and 4 of this act. Upon presentation of the legal description described in Section 5 of this act, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the conservation easement described in Section 5 of this act. The deeds shall state the consideration and the deed for the conveyance described in Section 5 of this act shall state the conditions set forth in Sections 8, 9, and 10 of this act. The deeds shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the great seal of the state, and presented in the Office of the

Auditor of State for recording. The deeds for the conveyances described in Sections 1, 2, 3, and 4 of this act shall be delivered to the City of Columbus, and the City of Columbus shall present the deeds for recording in the Office of the Franklin County Recorder. The deed for the conveyance described in Section 5 of this act shall be delivered to the Franklin Soil and Water Conservation District, and the Franklin Soil and Water Conservation District shall present the deed for recording in the Office of the Franklin County Recorder.

SECTION 12. This act shall expire one year after its effective date.

SECTION 13. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the emergency is that the conveyance of the real estate and the easements under this act at the earliest possible time is crucial for the City of Columbus to begin construction of water tanks and to avoid the substantial costs that would be incurred by delaying this project. Therefore, this act shall go into immediate effect.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____