

# AN ACT

To authorize the conveyance of the state's interest in the restrictions and reversions imposed by specified instruments to Behavioral Connections of Wood County, Inc., an Ohio nonprofit corporation, to amend Section 5 of Am. H.B. 166 of the 115th General Assembly, as amended by Am. Sub. H.B. 636 of the 118th General Assembly, and Section 6 of Am. H.B. 166 of the 115th General Assembly to specify permissible research uses for land previously conveyed by the state to the City of Cincinnati and to limit the application of the reversion clause in the legislation that conveyed that land, and to declare an emergency.

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

SECTION 1. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to Behavioral Connections of Wood County, Inc., an Ohio nonprofit corporation, and its successors and assigns, all of the state's right, title, and interest obtained from, imposed by, or reserved on the following parcels of land by instruments recorded in Volume 557, Page 178 and Volume 585, Page 230, Deed Records, Wood County, Ohio, and to release such parcels of land from all restrictions and reversions imposed by such instruments:

Parcel Number 1. On which the State of Ohio reserved certain interests in, and imposed certain restrictions on, the land described as follows by instrument dated July 11, 1979, received for record on July 19, 1979 at 2:47 p.m. and recorded in Volume 557, Page 178, Deed Records, Wood County, Ohio:

Situated in the City of Bowling Green, Wood County, Ohio, and further described as follows:

Lot numbers 1754 N1/2; 1755 N1/2; 1756 N1/2 and E 43' of S1/2; 1757; 1758; 1759; and 1760; 1761; 1766 and E 50' of 1767 in the City of

Bowling Green, Wood County, State of Ohio; said parcel containing 1.496 acres more or less and subject to all legal highways, right of ways, easements, and appurtenances thereunto included.

Parcel Number 2. For which the Wood County Mental Health Clinic, Inc., an Ohio nonprofit corporation, which merged with and into Behavioral Connections of Wood County, Inc., an Ohio nonprofit corporation, granted the State of Ohio a reversionary interest in the following described land by instrument dated December 15, 1982, received for record on March 29, 1983, at 2:46 p.m. and recorded in Volume 585, Page 230, Deed Records, Wood County, Ohio:

Situated in the County of Wood, in the State of Ohio, and City of Bowling Green, and bounded and described as follows: South 1/2 of lots, 1754 and 1755 and the West 14' of the South one-half of lot 1756.

(B) Consideration for conveyance of the rights to the parcels described in division (A) of Section 1 of this act is one dollar.

(C) The conveyance authorized by Section 1 of this act is conditioned upon the receipt by Behavioral Connections of Wood County, Inc., of a grant from the federal Department of Housing and Urban Development to construct a residential facility for chronically mentally ill persons. If, within one year after the effective date of this act, Behavioral Connections of Wood County, Inc., has not executed an agreement with the Department of Housing and Urban Development under which Behavioral Connections of Wood County, Inc., will receive the grant to construct the facility, the interests conveyed by Section 1 of this act shall immediately revert to the State without the need for any further action by the State.

(D) All costs of the conveyance authorized by Section 1 of this act shall be paid by Behavioral Connections of Wood County, Inc.

(E) Upon receipt of the consideration described in division (B) of Section 1 of this act, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of Section 1 of this act. The deed shall state the consideration and the condition described in division (C) of Section 1 of this act. The deed 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, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the County Recorder of Wood County.

SECTION 2. That Section 5 of Am. H.B. 166 of the 115th General Assembly, as amended by Am. Sub. H.B. 636 of the 118th General

Assembly, be amended to read as follows:

"Sec. 5. Consideration for the conveyance of the real estate described in Section 4 of ~~this act~~ Am. H.B. 166 of the 115th General Assembly shall be the mutual benefit to the City of Cincinnati and the state from the use of the real estate for research ~~and will include the application of high technology processes to product service and light manufacturing activities and related business offices, prototype manufacturing related to research activities, general business offices, and general services which are intended to provide support and service to tenants within the park.~~

As used in this section, "research" means any use that serves the public purposes of developing new knowledge, advancing technology, or enhancing economic growth within this state, including all of the following uses:

- (A) Laboratories and testing or analyzing facilities;
- (B) General business office space;
- (C) Medical office, clinical, and medical treatment facilities;
- (D) Light manufacturing and distribution facilities;
- (E) Assembly of equipment of components;
- (F) Retail use, including any restaurant that is incidental to and in support of the permitted uses;
- (G) support and maintenance shops for facilities within the park;
- (H) Parking and driveways incidental to building use;
- (I) Utilities and waste disposal or treatment facilities associated with the permitted uses;
- (J) Convention, conference, lecture, and meeting facilities, overnight guest accommodations, or library or other educational support facilities;
- (K) General services that are intended to provide support and service to owners, tenants, and other occupants of the real estate and their invitees, including conference centers, day-care centers, restaurants, automated teller machines, and similar uses if such uses are conducted primarily for the convenience of owners, tenants, and other occupants of the real estate and their invitees;
- (L) Development of packaging and marketing concepts, DESIGN and development of packaging equipment and processes and packaging and distribution facilities, and telemarketing and market research."

SECTION 3. That existing Section 5 of Am. H.B. 166 of the 115th General Assembly, as amended by Am. Sub. H.B. 636 of the 118th General Assembly, is hereby repealed.

SECTION 4. That Section 6 of Am. H.B. 166 of the 115th General Assembly be amended to read as follows:

"Sec. 6. The real estate conveyed by Sections 4 to 8 of ~~this act~~ Am. H.B. 166 of the 115th General Assembly shall be used exclusively for the purpose of ~~high technology~~ research as defined in Section 5 of Am. H.B. 166 of the 115th General Assembly, as amended by Am. Sub. H.B. 636 of the 118th General Assembly and by Sub. H.B. 55 of the 122nd General Assembly, and upon the termination of the use of the real estate for this purpose, all right, title, and interest in the real estate described in Section 4 of ~~this act~~ Am. H.B. 166 of the 115th General Assembly shall revert to the state.

With respect to the real estate described in Section 4 of Am. H.B. 166 of the 115th General Assembly, to the extent that any subdivided lot that is a part of the real estate is used for a purpose other than the permitted uses defined in Section 5 of am. H.B. 166 of the 115th General Assembly, as amended by Am. Sub. H.B. 636 of the 118th General Assembly and by Sub. H.B. 55 of the 122nd General Assembly, all right, title, and interest in that subdivided lot shall revert to the state. Such reversions, however, shall not affect any other subdivided lot forming a part of the real estate, so long as that other subdivided lot is used in a manner consistent with the permitted uses. Further, no easements appurtenant to any subdivided lot forming a part of the real estate, which easements appurtenant are in, on, under, or across any part of the real estate, shall be disturbed by the right of reversion unto the state, so long as the subdivided lot to which those easements are appurtenant is used in a manner consistent with the permitted uses. In any event, this section does not apply to the real estate described in Section 4 of Am. H.B. 166 of the 115th General Assembly on or after December 31, 1999."

SECTION 5. That existing Section 6 of Am. H.B. 166 of the 115th General Assembly is hereby repealed.

SECTION 6. Within 30 days after the effective date of this act, the Auditor of State shall, with the assistance of the Attorney General, prepare a Quit Claim Deed to the Institute of Advanced Manufacturing Sciences, Inc., reflecting the revised use restrictions as provided in Sections 2 through 5 of this act. The deed shall be executed by the Governor, countersigned by the

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Secretary of State, recorded in the Office of the Auditor of State, and delivered to the Institute of Advanced Manufacturing Sciences, Inc., which shall present the deed for recording in the Office of the Hamilton County Recorder.

SECTION 7. This act expires one year after its effective date.

SECTION 8. 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 such necessity is that its enactment into law at the earliest possible time will enable Behavioral Connections of Wood County, Inc., to proceed with construction by March 1997, which is necessary to avoid rebidding the project and to enable Behavioral Connections of Wood County, Inc., to receive a grant of approximately one million dollars from the federal Department of Housing and Urban Development to construct and operate a residential facility for chronically mentally ill persons and will enable the City of Cincinnati to receive a grant from the United States Food and Drug Administration. Therefore, this act shall go into immediate effect.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

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

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_