

As Reported by the Senate Judiciary--Civil Justice Committee

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 507

**REPRESENTATIVES Metzger, Hollister, Carey, Schmidt, R. Miller, Cates,
Wilson, Redfern, Flannery**

A B I L L

To authorize the conveyance of two parcels of 1
state-owned real estate located in Guernsey County, 2
one parcel to Cambridge Township and the other 3
parcel jointly to Cambridge Township, the City of 4
Cambridge, Guernsey County, the Guernsey County 5
Port Authority, and the Cambridge-Guernsey County 6
Improvement Corporation; and to authorize the 7
conveyance of two parcels of state-owned real 8
estate located in Summit County to the Nordonia 9
Hills City School District. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) The Governor is hereby authorized to execute 11
two deeds in the name of the state as follows: (1) the first 12
conveying jointly to Cambridge Township, the City of Cambridge, 13
Guernsey County, the Guernsey County Port Authority, and the 14
Cambridge-Guernsey County Improvement Corporation, and their 15
successors and assigns, all of the state's right, title, and 16
interest in the real estate described in division (A) of Section 1 17
of this act as Parcel One, and (2) the second conveying to 18
Cambridge Township and its successors and assigns all of the 19
state's right, title, and interest in the real estate described in 20

division (A) of Section 1 of this act as Parcel Two: 21

Parcel One 22

Situated in the Township of Cambridge, County of Guernsey, 23
State of Ohio and being 62.554 acres in the northwest and 24
southwest quarters of section 3 of Township 2 north Range 3 west 25
of the United States Military District and being more particularly 26
described as follows, 27

BEGINNING at a magnail/flasher set in County road 35 at the 28
northeast corner of the southwest quarter of said section 3 thence 29
with said County road and with the lands of James H and Mary E 30
Thorn as recorded in deed volume 365 page 930 and the lands of 31
William J Craft as recorded in official records volume 49 page 906 32
the next two calls, 33

1) S 01° 40' 04" W a distance of 536.21 feet to a point, said 34
point being referenced by an iron pin set which bears N 88° 53' 35
11" W a distance of 20.00 feet. 36

2) thence with a curve to the right having the following 37
properties, Delta = 32° 12' 34", Radius = 572.96 feet and a chord 38
that bears S 17° 13' 06" W a distance of 317.87 feet to a point, 39
said point being referenced by an iron pin set which bears N 56° 40
40' 37" W a distance of 40.00 feet thence continuing with said 41
county road and with the lands of James A. and Laurie J Endly as 42
recorded in Official Records Volume 107 page 857 S 35° 58' 38" W a 43
distance of 221.14 feet to a point, said point being referenced by 44
an iron pin set which bears N 59° 19' 42" W a distance of 40.00 45
feet thence continuing with said county road and with the lands of 46
Larry J. Sr. and Thelma Burt as recorded in Deed Volume 372 page 47
884 and with the lands of Robert S. and Violet J. Goddard as 48
recorded in official records volume 93 page 404 the next two 49
calls, 50

1) thence with a curve to the left having the following 51

properties, Delta = $86^{\circ} 40' 41''$, Radius = 197.00 feet and a chord
that bears S $12^{\circ} 40' 03''$ E a distance of 270.41 feet to a point,
said point being referenced by an iron pin set which bears S 33°
59' 37" W a distance of 20.00 feet

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2) S $51^{\circ} 30' 23''$ E a distance of 182.13 feet to a point
thence leaving said road and with the lands of Warren D. and
Janesa M. High as recorded in Official Records Volume 31 page 218
the next two calls.

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1) S $01^{\circ} 37' 08''$ W a distance of 902.56 feet to a 5/8 inch
capped rebar found having passed through a 5/8 inch capped rebar
found at 40.60 feet.

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2) S $01^{\circ} 37' 08''$ W a distance of 400.00 feet to a point on
the north bank of Wills Creek thence with the north bank of said
Wills Creek and with the lands of Luetta Mae and Joseph T. Goggin
as recorded in Official Records Volume 85 page 199 the next three
calls,

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1) N $35^{\circ} 18' 52''$ W a distance of 678.76 feet to a point.

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2) N $18^{\circ} 55' 52''$ W a distance of 307.51 feet to a point.

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3) N $04^{\circ} 21' 52''$ W a distance of 478.84 feet to a point
thence continuing with the lands of said Goggin and with a line in
said Wills Creek N $59^{\circ} 55' 02''$ W a distance of 1382.71 feet to a
point thence leaving said creek and with a line through the lands
of The State of Ohio as recorded in deed volume 215 page 522 the
next seven calls,

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1) N $27^{\circ} 22' 08''$ E a distance of 100.00 feet to a 5/8 inch
rebar found capped "USA781WR"

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2) N $38^{\circ} 42' 39''$ E a distance of 447.15 feet to an iron pin
set.

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3) N $01^{\circ} 22' 17''$ E a distance of 280.00 feet to a magnail set
in the center of a private paved road having passed through an

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iron pin set at 260.00 feet.	82
4) N 88° 37' 43" W a distance of 55.00 feet to a magnail set in the center of a private paved road.	83 84
5) N 01° 30' 00" E a distance of 266.59 feet to a magnail set in the center of a private paved road.	85 86
6) S 88° 38' 06" E a distance of 620.16 feet to a magnail set in the center of a private paved road.	87 88
7) S 88° 38' 06" E a distance of 905.48 feet to a point in county road 35 having passed through iron pins set at 300.00 feet and 855.48 feet thence with a line in said county road and with the lands of Jack D. McWilliams as recorded in Deed Volume 277 page 633 S 02° 07' 52" W a distance of 266.78 feet to the BEGINNING and containing 62.554 acres and being a part of the property conveyed to the State of Ohio in Deed Volume 215 page 522. 9.331 acres being in said northwest quarter and 53.223 acres being in said southwest quarter.	89 90 91 92 93 94 95 96 97
Subject to all leases or easements of record. Iron pins set are 5/8 inch rebar, 30 inches long capped "GARDNER PS-6884". Bearings are true and are based on a solar observation. A survey of the above described property was made on October 19, 1998 by Steven L. Gardner, registered surveyor #6884.	98 99 100 101 102
<u>Parcel Two</u>	103
Situated in the Township of Cambridge, County of Guernsey, State of Ohio and being 15.842 acres in the southwest quarter of section 3 of Township 2 north Range 3 west of the United States Military District and being more particularly described as follows,	104 105 106 107 108
Commencing at a magnail/flasher set in County road 35 at the northeast corner of the southwest quarter of said section 3 thence N 88° 37' 43" W a distance of 1467.70 feet to a magnail set in a	109 110 111

private road the BEGINNING thence with a line through the lands of
The State of Ohio as recorded in Deed Volume 215 page 522 the next
three calls,

1) S 01° 22' 17" W a distance of 280.00 feet to an iron pin
set having passed through an iron pin set at 20.00 feet.

2) S 38° 42' 39" W a distance of 447.15 feet to a 5/8 inch
rebar found capped "USA781WR"

3) S 27° 22' 08" W a distance of 100.00 feet to a point in
Wills Creek thence with a line in said Wills Creek and with the
lands of Luetta Mae and Joseph T. Goggin as recorded in Official
Records Volume 85 page 199 the next two calls,

1) N 69° 11' 17" W a distance of 573.29 feet to a point said
point being referenced by an iron pin set which bears N 16° 13'
06" E a distance of 59.52 feet.

2) N 78° 10' 52" W a distance of 402.96 feet to a point
thence leaving said creek and with the west line of said southwest
quarter N 02° 21' 33" E a distance of 461.58 feet to a magnail set
in the center of a private road having passed through iron pins
set at 31.58 feet and 441.58 feet thence with the center of said
private road the next two calls,

1) S 88° 37' 43" E a distance of 1188.97 feet to a magnail
set.

2) S 88° 37' 43" E a distance of 55.00 feet to the BEGINNING
and containing 15.842 acres and being a part of the property
conveyed to the State of Ohio in Deed Volume 215 page 522.

Subject to all leases or easements of record. Iron pins set
are 5/8 inch rebar, 30 inches long capped "GARDNER PS-6884".
Bearings are true and are based on a solar observation. A survey
of the above described property was made on October 19, 1998 by
Steven L. Gardner, registered surveyor #6884.

(B) Consideration for the conveyance of the real estate 142
described in division (A) of Section 1 of this act is a 143
combination of cash and services, the value of which is 144
\$105,175.00, in accordance with the Memorandum of Understanding 145
entered into by the Cambridge Township Trustees, City of 146
Cambridge, Guernsey County Commissioners, Guernsey County Port 147
Authority, and Cambridge-Guernsey County Community Improvement 148
Corporation, and in accordance with the offer extended by the 149
parties to the Memorandum of Understanding to the State of Ohio in 150
the letter, dated September 27, 2001, from Samuel A. Salupo, 151
Mayor, City of Cambridge, Ohio, to Mr. Paul Morganski, Chief of 152
Capital Development, 30 East Broad Street, Room 1160, Columbus, 153
Ohio. 154

(C) Cambridge Township shall pay the costs of the conveyance 155
of the real estate described in division (A) of Section 1 of this 156
act. 157

(D) Within one year after the effective date of this section, 158
and upon payment of any cash portion of the purchase price, the 159
Auditor of State, with the assistance of the Attorney General, 160
shall prepare the deeds to the real estate described in division 161
(A) of Section 1 of this act. One deed shall be for the joint 162
conveyance to Cambridge Township, the City of Cambridge, Guernsey 163
County, the Guernsey County Port Authority, and the 164
Cambridge-Guernsey County Improvement Corporation of the real 165
estate described in division (A) of Section 1 of this act as 166
Parcel One, and the other deed shall be for the conveyance to 167
Cambridge Township of the real estate described in division (A) of 168
Section 1 of this act as Parcel Two. The deeds shall state the 169
consideration. The deeds shall be executed by the Governor in the 170
name of the state, countersigned by the Secretary of State, sealed 171
with the Great Seal of the State, presented in the Office of the 172
Auditor of State for recording, and delivered to the grantees. The 173

grantees shall present the deeds for recording in the Office of
the Guernsey County Recorder.

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Section 2. (A) The Governor is hereby authorized to execute
two deeds in the name of the state as follows: (1) the first
conveying to the Nordonia Hills City School District and its
successors and assigns, all of the state's right, title, and
interest in the real estate described in division (A) of Section 2
of this act as Parcel Three, and (2) the second conveying to the
Nordonia Hills City School District and its successors and
assigns, all of the state's right, title, and interest in the real
estate described in division (A) of Section 2 of this act as
Parcel Four:

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Parcel Three

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Situated in the State of Ohio, County of Summit, Township of
Sagamore Hills, being part of original Northfield Township Lot 71
further bounded and described as follows:

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Beginning at an iron pin, found in a monument box in the
centerline intersection of Dunham Road (C.H. 150, 50' R/W) with
the centerline of Sagamore Road (C.H. 1 60' R/W);

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Thence, S 20°00'17" W, along the centerline of Dunham Road,
421.55 feet to a 5/8" capped rebar found;

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Thence, S 07°18'35" E, continuing along the centerline of
Dunham Road, 680.00 feet to the True Place of Beginning for the
parcel being described herein;

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Thence, S 07°18'35" E, continuing along said centerline,
196.62 feet to a 5/8" capped rebar found;

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Thence, S 16°48'29" E, continuing along said centerline,
387.42 feet to the northeast corner of land described in deed to
A.L. and H.L. Heiser by Deed Volume 5219, Page 356 of Summit
county Records of Deeds;

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Thence, S 88°02'42" W, leaving said centerline, along the north line of said Heiser lands, passing thru a 5/8" capped rebar found at 25.65 feet, a total distance of 725.71 feet to a 2" pipe found;

Thence, S 89°24'12" W, 255.92 feet to a 5/8" capped rebar set;

Thence, N 00°13'54" W, 594.57 feet to a 5/8" capped rebar set in the south line of Sagamore Sites allotment as recorded in Plat Book 47, Page 128 of Summit County Records of Plats;

Thence, S 89°57'29" E, along the south line of the platted lands and the south line of lands deeded to J.A. Haffner, S.R., passing thru a 1" pinch pipe found at 823.53 feet. A total distance of 848.68 feet to the True Place of Beginning and containing 12.126 acres of land but subject to all legal highways, easements, and restrictions as surveyed by Robert J. Warner, P.S., Number 6931 for Environmental Design Group, Inc. in July 1996.

The Basis of Bearings for the above described parcel is grid north, Ohio State Plane Coordinate System, North Zone.

Parcel Four

Situated in the State of Ohio, County of Summit, Township of Sagamore Hills, being part of original Northfield Township Lots 71 and 81, further bounded and described as follows:

Commencing for reference at an iron pin in a monument box found in the centerline intersection of Dunham Road (C.H. 150, 50'R/W) with the centerline of Sagamore Road (C.H. 1 60' R/W), said iron pin being on the north line of said Lot 71;

Thence, S 89°59'03" W, along the centerline of Sagamore Road and the North line of said Lot 71, 969.08 feet to an iron pin in a monument box found;

Thence, S 89°59'20" W, continuing along said centerline and

lot line, 728.61 feet to a point at the northwest corner of land 234
described in deed to Ernice A Bardoun by Deed Volume 6855, Page 235
766 of Summit County Records of Deeds and the True Place of 236
Beginning for the parcel being described herein; 237

Thence, S 00°00'40" E, leaving said centerline, along the 238
west line of said Bardoun lands and passing through a ½" pin found 239
at 29.88 feet, a total distance of 350.00 feet to a 5/8" capped 240
rebar set at the southwesterly corner thereof and northerly line 241
of Sagamore Sites as recorded in Plat Book 47, Page 128 of Summit 242
County Records; Thence, S 89°59'20" W, along the north line of 243
said platted lands, 133.21 feet to a point at the northwesterly 244
corner thereof. Said point being witnessed by a ¾" iron pipe found 245
S 05°09'19" E, 0.33 feet; 246

Thence, S 02°43'29" E, along the west line of said platted 247
lands, 719.70 feet to a 5/8" capped rebar set the southwest corner 248
thereof; 249

Thence, S 89°57'29" E, along the south line of said platted 250
lands, 890.24 feet to a 5/8" capped rebar set; 251

Thence, S 00°13'54" E, leaving the south line of the platted 252
lands, 594.57 feet to a 5/8" capped rebar set; 253

Thence, N 89°24'12" E, 255.92 feet to a 2" iron pipe found at 254
the northwest corner of land described in deed to A.L. Hieser by 255
Deed Volume 5219, Page 356 of Summit County Records of deeds; 256

Thence, S 01°30'59" E, along the west line of said Hieser 257
lands described in deed to V.R. Lalli by Deed Volume 7233, Page 258
422 of Summit County Records of Deeds, and the west line of 259
Highview Acres Subdivision as recorded in Plat Book 60, Page 5 of 260
Summit County Records of Plats, 925.15 feet to a 2" lead filled 261
pipe found at the southwest corner of said subdivision and the 262
northerly line of land described in deed to Janet S. Casto by 263
Official Record 113, Page 705 of Summit County Records; 264

Thence, S 89°39'16" W, along the north line of said Casto 265
lands and the north line of Towpath Park as recorded in Plat 266
Cabinet K, Page 650 of Summit County Records of Plats 1151.67 feet 267
to a 5/8" rebar found at the northwest corner thereof and the 268
southwest corner of said Lot 71; 269

Thence, S 89°23'57" W, along the south line of original Lot 270
81 and the north line of lands described in deed to H.J. and I. 271
Donzalski by Deed Volume 3304, Page 142 of Summit County Records 272
of Deeds; 804.06 feet to a 5/8" capped rebar set on the easterly 273
line of land described in deed to The Cleveland Electric 274
Illuminating Company by Deed Volume 4957, Page 235 of Summit 275
County Records of Deeds; 276

Thence, N 01°11'42" W, leaving the south line of lot 81, 277
continuing along the easterly line of said C.E.I. lands, 1407.14 278
feet to a point; 279

Thence, N 11°09'15" E, continuing along said C.E.I. lands, 280
1217.70 feet to the centerline of Sagamore Road and the north line 281
of said Lot 81; 282

Thence, N 89°59'20" E, along said centerline 675.34 feet to 283
the True Place of Beginning and containing 82.081 acres of land 284
but subject to all legal highways easements and restrictions if 285
any as surveyed by Robert J. Warner, P.S., Number 6931 for 286
Environmental Design Group, Inc. in August of 1996. 287

The Basis of Bearings for the above described parcel is grid 288
north of the Ohio State plane coordinate system, north zone. 289

(B) Consideration for the conveyance of the real estate 290
described in division (A) of Section 2 of this act is 291
\$1,100,000.00, payable in accordance with the Memorandum of 292
Agreement entered into by and between the Nordonia Hills City 293
School District, 9370 Olde Eight Road, Northfield, Ohio 44067, and 294
the State of Ohio, Department of Mental Health, 30 East Broad 295

Street, Suite 800, Columbus, Ohio 43215-3430.

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(C) The Nordonia Hills City School District shall pay the costs of the conveyance of the real estate described in division (A) of Section 2 of this act that are payable in accordance with the Memorandum of Agreement.

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(D) Upon the receipt of the initial cash payment pursuant to the Memorandum of Agreement, the Auditor of State, with the assistance of the Attorney General, shall prepare the deeds to the real estate described in division (A) of Section 2 of this act. One deed shall be for the conveyance to the Nordonia Hills City School District of the real estate described in division (A) of Section 2 of this act as Parcel Three, and the other deed shall be for the conveyance to the Nordonia Hills City School District of the real estate described in division (A) of Section 2 of this act as Parcel Four. The deeds shall state the consideration. 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, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deeds for recording in the Office of the Summit County Recorder.

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(E) There shall be reserved to the State of Ohio a vendor's lien in and to both parcels of real estate being conveyed by the section and described in division (A) of Section 2 of this act. If the State of Ohio so elects, both parcels of real estate shall automatically revert back to the State of Ohio if the Nordonia Hills City School District fails to make scheduled payments to the Treasurer of State as required by the Memorandum of Agreement.

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Section 3. This act shall expire one year after its effective date.

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