

AN ACT

To amend sections 145.01, 742.01, 1751.54, 3307.01, 3309.01, 5505.01, and 5923.05 and to enact section 5923.051 of the Revised Code to provide for the payment of specified compensation to certain public employees called to active duty for more than 31 days; to require public employers, under group policies, contracts, and plans, to continue the health benefit coverage of employees called to active duty; to authorize, in accordance with the act, the conveyance of specified state-owned real estate located in the counties of Butler, Cuyahoga, Delaware, Franklin, Hamilton, Lorain, Madison, Medina, and Ross; and to declare an emergency.

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

SECTION 1. That sections 145.01, 742.01, 1751.54, 3307.01, 3309.01, 5505.01, and 5923.05 be amended and section 5923.051 of the Revised Code be enacted to read as follows:

Sec. 145.01. As used in this chapter:

(A) "Public employee" means:

(1) Any person holding an office, not elective, under the state or any county, township, municipal corporation, park district, conservancy district, sanitary district, health district, metropolitan housing authority, state retirement board, Ohio historical society, public library, county law library, union cemetery, joint hospital, institutional commissary, state university, or board, bureau, commission, council, committee, authority, or administrative body as the same are, or have been, created by action of the general assembly or by the legislative authority of any of the units of local government named in division (A)(1) of this section, or employed and paid in whole or in part by the state or any of the authorities named in division (A)(1) of this section in any capacity not covered by section 742.01,

3307.01, 3309.01, or 5505.01 of the Revised Code.

(2) A person who is a member of the public employees retirement system and who continues to perform the same or similar duties under the direction of a contractor who has contracted to take over what before the date of the contract was a publicly operated function. The governmental unit with which the contract has been made shall be deemed the employer for the purposes of administering this chapter.

(3) Any person who is an employee of a public employer, notwithstanding that the person's compensation for that employment is derived from funds of a person or entity other than the employer. Credit for such service shall be included as total service credit, provided that the employee makes the payments required by this chapter, and the employer makes the payments required by sections 145.48 and 145.51 of the Revised Code.

(4) A person who elects in accordance with section 145.015 of the Revised Code to remain a contributing member of the public employees retirement system.

In all cases of doubt, the public employees retirement board shall determine whether any person is a public employee, and its decision is final.

(B) "Member" means any public employee, other than a public employee excluded or exempted from membership in the retirement system by section 145.03, 145.031, 145.032, 145.033, 145.034, 145.035, or 145.38 of the Revised Code. "Member" includes a PERS retirant who becomes a member under division (C) of section 145.38 of the Revised Code. "Member" also includes a disability benefit recipient.

(C) "Head of the department" means the elective or appointive head of the several executive, judicial, and administrative departments, institutions, boards, and commissions of the state and local government as the same are created and defined by the laws of this state or, in case of a charter government, by that charter.

(D) "Employer" or "public employer" means the state or any county, township, municipal corporation, park district, conservancy district, sanitary district, health district, metropolitan housing authority, state retirement board, Ohio historical society, public library, county law library, union cemetery, joint hospital, institutional commissary, state medical college, state university, or board, bureau, commission, council, committee, authority, or administrative body as the same are, or have been, created by action of the general assembly or by the legislative authority of any of the units of local government named in this division not covered by section 742.01, 3307.01, 3309.01, or 5505.01 of the Revised Code. In addition,

"employer" means the employer of any public employee.

(E) "Prior service" means all service as a public employee rendered before January 1, 1935, and all service as an employee of any employer who comes within the state teachers retirement system or of the school employees retirement system or of any other retirement system established under the laws of this state rendered prior to January 1, 1935, provided that if the employee claiming the service was employed in any capacity covered by that other system after that other system was established, credit for the service may be allowed by the public employees retirement system only when the employee has made payment, to be computed on the salary earned from the date of appointment to the date membership was established in the public employees retirement system, at the rate in effect at the time of payment, and the employer has made payment of the corresponding full liability as provided by section 145.44 of the Revised Code. "Prior service" also means all service credited for active duty with the armed forces of the United States as provided in section 145.30 of the Revised Code.

If an employee who has been granted prior service credit by the public employees retirement system for service rendered prior to January 1, 1935, as an employee of a board of education establishes, before retirement, one year or more of contributing service in the state teachers retirement system or school employees retirement system, then the prior service ceases to be the liability of this system.

If the board determines that a position of any member in any calendar year prior to January 1, 1935, was a part-time position, the board shall determine what fractional part of a year's credit shall be allowed by the following formula:

(1) When the member has been either elected or appointed to an office the term of which was two or more years and for which an annual salary is established, the fractional part of the year's credit shall be computed as follows:

First, when the member's annual salary is one thousand dollars or less, the service credit for each such calendar year shall be forty per cent of a year.

Second, for each full one hundred dollars of annual salary above one thousand dollars, the member's service credit for each such calendar year shall be increased by two and one-half per cent.

(2) When the member is paid on a per diem basis, the service credit for any single year of the service shall be determined by using the number of days of service for which the compensation was received in any such year as a numerator and using two hundred fifty days as a denominator.

(3) When the member is paid on an hourly basis, the service credit for any single year of the service shall be determined by using the number of hours of service for which the compensation was received in any such year as a numerator and using two thousand hours as a denominator.

(F) "Contributor" means any person who has an account in the employees' savings fund created by section 145.23 of the Revised Code. When used in the sections listed in division (B) of section 145.82 of the Revised Code, "contributor" includes any person participating in a plan established under section 145.81 of the Revised Code.

(G) "Beneficiary" or "beneficiaries" means the estate or a person or persons who, as the result of the death of a member, contributor, or retiree, qualify for or are receiving some right or benefit under this chapter.

(H)(1) "Total service credit," except as provided in section 145.37 of the Revised Code, means all service credited to a member of the retirement system since last becoming a member, including restored service credit as provided by section 145.31 of the Revised Code; credit purchased under sections 145.293 and 145.299 of the Revised Code; all the member's prior service credit; all the member's military service credit computed as provided in this chapter; all service credit established pursuant to section 145.297 of the Revised Code; and any other service credited under this chapter. In addition, "total service credit" includes any period, not in excess of three years, during which a member was out of service and receiving benefits under Chapters 4121. and 4123. of the Revised Code. For the exclusive purpose of satisfying the service credit requirement and of determining eligibility for benefits under sections 145.32, 145.33, 145.331, 145.35, 145.36, and 145.361 of the Revised Code, "five or more years of total service credit" means sixty or more calendar months of contributing service in this system.

(2) "One and one-half years of contributing service credit," as used in division (B) of section 145.45 of the Revised Code, also means eighteen or more calendar months of employment by a municipal corporation that formerly operated its own retirement plan for its employees or a part of its employees, provided that all employees of that municipal retirement plan who have eighteen or more months of such employment, upon establishing membership in the public employees retirement system, shall make a payment of the contributions they would have paid had they been members of this system for the eighteen months of employment preceding the date membership was established. When that payment has been made by all such employee members, a corresponding payment shall be paid into the employees' accumulation fund by that municipal corporation as the

employer of the employees.

(3) Where a member also is a member of the state teachers retirement system or the school employees retirement system, or both, except in cases of retirement on a combined basis pursuant to section 145.37 of the Revised Code or as provided in section 145.383 of the Revised Code, service credit for any period shall be credited on the basis of the ratio that contributions to the public employees retirement system bear to total contributions in all state retirement systems.

(4) Not more than one year of credit may be given for any period of twelve months.

(5) "Ohio service credit" means credit for service that was rendered to the state or any of its political subdivisions or any employer.

(I) "Regular interest" means interest at any rates for the respective funds and accounts as the public employees retirement board may determine from time to time.

(J) "Accumulated contributions" means the sum of all amounts credited to a contributor's individual account in the employees' savings fund together with any interest credited to the contributor's account under section 145.471 or 145.472 of the Revised Code.

(K)(1) "Final average salary" means the quotient obtained by dividing by three the sum of the three full calendar years of contributing service in which the member's earnable salary was highest, except that if the member has a partial year of contributing service in the year the member's employment terminates and the member's earnable salary for the partial year is higher than for any comparable period in the three years, the member's earnable salary for the partial year shall be substituted for the member's earnable salary for the comparable period during the three years in which the member's earnable salary was lowest.

(2) If a member has less than three years of contributing service, the member's final average salary shall be the member's total earnable salary divided by the total number of years, including any fraction of a year, of the member's contributing service.

(3) For the purpose of calculating benefits payable to a member qualifying for service credit under division (Z) of this section, "final average salary" means the total earnable salary on which contributions were made divided by the total number of years during which contributions were made, including any fraction of a year. If contributions were made for less than twelve months, "final average salary" means the member's total earnable salary.

(L) "Annuity" means payments for life derived from contributions made

by a contributor and paid from the annuity and pension reserve fund as provided in this chapter. All annuities shall be paid in twelve equal monthly installments.

(M) "Annuity reserve" means the present value, computed upon the basis of the mortality and other tables adopted by the board, of all payments to be made on account of any annuity, or benefit in lieu of any annuity, granted to a retirant as provided in this chapter.

(N)(1) "Disability retirement" means retirement as provided in section 145.36 of the Revised Code.

(2) "Disability allowance" means an allowance paid on account of disability under section 145.361 of the Revised Code.

(3) "Disability benefit" means a benefit paid as disability retirement under section 145.36 of the Revised Code, as a disability allowance under section 145.361 of the Revised Code, or as a disability benefit under section 145.37 of the Revised Code.

(4) "Disability benefit recipient" means a member who is receiving a disability benefit.

(O) "Age and service retirement" means retirement as provided in sections 145.32, 145.33, 145.331, 145.34, 145.37, and 145.46 of the Revised Code.

(P) "Pensions" means annual payments for life derived from contributions made by the employer that at the time of retirement are credited into the annuity and pension reserve fund from the employers' accumulation fund and paid from the annuity and pension reserve fund as provided in this chapter. All pensions shall be paid in twelve equal monthly installments.

(Q) "Retirement allowance" means the pension plus that portion of the benefit derived from contributions made by the member.

(R)(1) Except as otherwise provided in division (R) of this section, "earnable salary" means all salary, wages, and other earnings paid to a contributor by reason of employment in a position covered by the retirement system. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the employees' savings fund under section 145.47 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes. "Earnable salary" includes the following:

- (a) Payments made by the employer in lieu of salary, wages, or other earnings for sick leave, personal leave, or vacation used by the contributor;
- (b) Payments made by the employer for the conversion of sick leave,

personal leave, and vacation leave accrued, but not used if the payment is made during the year in which the leave is accrued, except that payments made pursuant to section 124.383 or 124.386 of the Revised Code are not earnable salary;

(c) Allowances paid by the employer for full maintenance, consisting of housing, laundry, and meals, as certified to the retirement board by the employer or the head of the department that employs the contributor;

(d) Fees and commissions paid under section 507.09 of the Revised Code;

(e) Payments that are made under a disability leave program sponsored by the employer and for which the employer is required by section 145.296 of the Revised Code to make periodic employer and employee contributions;

(f) Amounts included pursuant to divisions (K)(3) and (Y) of this section.

(2) "Earnable salary" does not include any of the following:

(a) Fees and commissions, other than those paid under section 507.09 of the Revised Code, paid as sole compensation for personal services and fees and commissions for special services over and above services for which the contributor receives a salary;

(b) Amounts paid by the employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the contributor or the contributor's family, or amounts paid by the employer to the contributor in lieu of providing the insurance;

(c) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the employer, or use of the employer's property or equipment, or amounts paid by the employer to the contributor in lieu of providing the incidental benefits;

(d) Reimbursement for job-related expenses authorized by the employer, including moving and travel expenses and expenses related to professional development;

(e) Payments for accrued but unused sick leave, personal leave, or vacation that are made at any time other than in the year in which the sick leave, personal leave, or vacation was accrued;

(f) Payments made to or on behalf of a contributor that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended;

(g) Payments made under division (B), ~~(C)~~, or ~~(D)~~(E) of section 5923.05 of the Revised Code ~~or~~, Section 4 of Substitute Senate Bill No. 3 of the

119th general assembly, or Section 3 of Senate Bill No. 173 of the 124th general assembly;

(h) Anything of value received by the contributor that is based on or attributable to retirement or an agreement to retire, except that payments made on or before January 1, 1989, that are based on or attributable to an agreement to retire shall be included in earnable salary if both of the following apply:

(i) The payments are made in accordance with contract provisions that were in effect prior to January 1, 1986;

(ii) The employer pays the retirement system an amount specified by the retirement board equal to the additional liability resulting from the payments.

(3) The retirement board shall determine by rule whether any compensation not enumerated in division (R) of this section is earnable salary, and its decision shall be final.

(S) "Pension reserve" means the present value, computed upon the basis of the mortality and other tables adopted by the board, of all payments to be made on account of any retirement allowance or benefit in lieu of any retirement allowance, granted to a member or beneficiary under this chapter.

(T)(1) "Contributing service" means all service credited to a member of the system since January 1, 1935, for which contributions are made as required by sections 145.47, 145.48, and 145.483 of the Revised Code. In any year subsequent to 1934, credit for any service shall be allowed by the following formula:

(a) For each month for which the member's earnable salary is two hundred fifty dollars or more, allow one month's credit.

(b) For each month for which the member's earnable salary is less than two hundred fifty dollars, allow a fraction of a month's credit. The numerator of this fraction shall be the earnable salary during the month, and the denominator shall be two hundred fifty dollars, except that if the member's annual earnable salary is less than six hundred dollars, the member's credit shall not be reduced below twenty per cent of a year for a calendar year of employment during which the member worked each month. Division (T)(1)(b) of this section shall not reduce any credit earned before January 1, 1985.

(2) Notwithstanding division (T)(1) of this section, an elected official who prior to January 1, 1980, was granted a full year of credit for each year of service as an elected official shall be considered to have earned a full year of credit for each year of service regardless of whether the service was full-time or part-time. The public employees retirement board has no

riety to reduce the credit.

(U) "State retirement board" means the public employees retirement board, the school employees retirement board, or the state teachers retirement board.

(V) "Retirant" means any former member who retires and is receiving a monthly allowance as provided in sections 145.32, 145.33, 145.331, 145.34, and 145.46 of the Revised Code.

(W) "Employer contribution" means the amount paid by an employer as determined under section 145.48 of the Revised Code.

(X) "Public service terminates" means the last day for which a public employee is compensated for services performed for an employer or the date of the employee's death, whichever occurs first.

(Y) When a member has been elected or appointed to an office, the term of which is two or more years, for which an annual salary is established, and in the event that the salary of the office is increased and the member is denied the additional salary by reason of any constitutional provision prohibiting an increase in salary during a term of office, the member may elect to have the amount of the member's contributions calculated upon the basis of the increased salary for the office. At the member's request, the board shall compute the total additional amount the member would have contributed, or the amount by which each of the member's contributions would have increased, had the member received the increased salary for the office the member holds. If the member elects to have the amount by which the member's contribution would have increased withheld from the member's salary, the member shall notify the employer, and the employer shall make the withholding and transmit it to the retirement system. A member who has not elected to have that amount withheld may elect at any time to make a payment to the retirement system equal to the additional amount the member's contribution would have increased, plus interest on that contribution, compounded annually at a rate established by the board and computed from the date on which the last contribution would have been withheld from the member's salary to the date of payment. A member may make a payment for part of the period for which the increased contribution was not withheld, in which case the interest shall be computed from the date the last contribution would have been withheld for the period for which the payment is made. Upon the payment of the increased contributions as provided in this division, the increased annual salary as provided by law for the office for the period for which the member paid increased contributions thereon shall be used in determining the member's earnable salary for the purpose of computing the member's final average salary.

(Z) "Five years of service credit," for the exclusive purpose of satisfying the service credit requirements and of determining eligibility for benefits under section 145.33 of the Revised Code, means employment covered under this chapter or under a former retirement plan operated, recognized, or endorsed by the employer prior to coverage under this chapter or under a combination of the coverage.

(AA) "Deputy sheriff" means any person who is commissioned and employed as a full-time peace officer by the sheriff of any county, and has been so employed since on or before December 31, 1965, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state; any person who is or has been commissioned and employed as a peace officer by the sheriff of any county since January 1, 1966, and who has received a certificate attesting to the person's satisfactory completion of the peace officer training school as required by section 109.77 of the Revised Code and whose primary duties are to preserve the peace, protect life and property, and enforce the laws of this state; or any person deputized by the sheriff of any county and employed pursuant to section 2301.12 of the Revised Code as a criminal bailiff or court constable who has received a certificate attesting to the person's satisfactory completion of the peace officer training school as required by section 109.77 of the Revised Code and whose primary duties are to preserve the peace, protect life and property, and enforce the laws of this state.

(BB) "Township constable or police officer in a township police department or district" means any person who is commissioned and employed as a full-time peace officer pursuant to Chapter 505. or 509. of the Revised Code, who has received a certificate attesting to the person's satisfactory completion of the peace officer training school as required by section 109.77 of the Revised Code, and whose primary duties are to preserve the peace, protect life and property, and enforce the laws of this state.

(CC) "Drug agent" means any person who is either of the following:

(1) Employed full-time as a narcotics agent by a county narcotics agency created pursuant to section 307.15 of the Revised Code and has received a certificate attesting to the satisfactory completion of the peace officer training school as required by section 109.77 of the Revised Code;

(2) Employed full-time as an undercover drug agent as defined in section 109.79 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(DD) "Department of public safety enforcement agent" means a

full-time employee of the department of public safety who is designated under section 5502.14 of the Revised Code as an enforcement agent and who is in compliance with section 109.77 of the Revised Code.

(EE) "Natural resources law enforcement staff officer" means a full-time employee of the department of natural resources who is designated a natural resources law enforcement staff officer under section 1501.013 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(FF) "Park officer" means a full-time employee of the department of natural resources who is designated a park officer under section 1541.10 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(GG) "Forest officer" means a full-time employee of the department of natural resources who is designated a forest officer under section 1503.29 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(HH) "Preserve officer" means a full-time employee of the department of natural resources who is designated a preserve officer under section 1517.10 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(II) "Wildlife officer" means a full-time employee of the department of natural resources who is designated a wildlife officer under section 1531.13 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(JJ) "State watercraft officer" means a full-time employee of the department of natural resources who is designated a state watercraft officer under section 1547.521 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(KK) "Park district police officer" means a full-time employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(LL) "Conservancy district officer" means a full-time employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(MM) "Municipal police officer" means a member of the organized police department of a municipal corporation who is employed full-time, is in compliance with section 109.77 of the Revised Code, and is not a member of the Ohio police and fire pension fund.

(NN) "Ohio veterans' home police officer" means any person who is employed at the Ohio veterans' home as a police officer pursuant to section 5907.02 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(OO) "Special police officer for a mental health institution" means any person who is designated as such pursuant to section 5119.14 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(PP) "Special police officer for an institution for the mentally retarded and developmentally disabled" means any person who is designated as such pursuant to section 5123.13 of the Revised Code and is in compliance with section 109.77 of the Revised Code.

(QQ) "State university law enforcement officer" means any person who is employed full-time as a state university law enforcement officer pursuant to section 3345.04 of the Revised Code and who is in compliance with section 109.77 of the Revised Code.

(RR) "Hamilton county municipal court bailiff" means a person appointed by the clerk of courts of the Hamilton county municipal court under division (A)(3) of section 1901.32 of the Revised Code who is employed full-time as a bailiff or deputy bailiff, who has received a certificate attesting to the person's satisfactory completion of the peace officer training school as required by division (C) of section 109.77 of the Revised Code, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state.

(SS) "House sergeant at arms" means any person appointed by the speaker of the house of representatives under division (B)(1) of section 101.311 of the Revised Code who has arrest authority under division (E)(1) of that section.

(TT) "Assistant house sergeant at arms" means any person appointed by the house sergeant at arms under division (C)(1) of section 101.311 of the Revised Code.

(UU) Notwithstanding section 2901.01 of the Revised Code, "law enforcement officer" means a sheriff, deputy sheriff, township constable or police officer in a township police department or district, drug agent, department of public safety enforcement agent, natural resources law enforcement staff officer, park officer, forest officer, preserve officer, wildlife officer, state watercraft officer, park district police officer, conservancy district officer, Ohio veterans' home police officer, special police officer for a mental health institution, special police officer for an institution for the mentally retarded and developmentally disabled, state university law enforcement officer, Hamilton county municipal court bailiff,

municipal police officer, house sergeant at arms, or assistant house sergeant at arms.

(VV) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(WW) "Actuary" means an individual who satisfies all of the following requirements:

(1) Is a member of the American academy of actuaries;

(2) Is an associate or fellow of the society of actuaries;

(3) Has a minimum of five years' experience in providing actuarial services to public retirement plans.

Sec. 742.01. As used in this chapter:

(A)(1) "Police department" means the police department of a municipal corporation.

(2) "Member of a police department" means any of the following:

(a) Any person who receives an original appointment as a full-time regular police officer in a police department from a duly established civil service eligible list or pursuant to section 124.411 of the Revised Code, or who is described in section 742.511 of the Revised Code, or who transfers from the public employees retirement system to the Ohio police and fire pension fund pursuant to section 742.513 of the Revised Code, or who is appointed pursuant to section 737.15 or 737.16 of the Revised Code as a full-time regular police officer and is paid solely out of public funds of the employing municipal corporation;

(b) Any person who, on October 1, 1965, was contributing four per cent of the person's annual salary to a police relief and pension fund established under former section 741.32 of the Revised Code;

(c) Any person who commences employment on or after September 16, 1998, as a full-time police officer with a police department in a position in which the person is required to satisfactorily complete a peace officer training course in compliance with section 109.77 of the Revised Code.

(B)(1) "Fire department" means a fire department of the state or an instrumentality of the state or of a municipal corporation, township, joint fire district, or other political subdivision.

(2) "Member of a fire department" means all of the following:

(a) Any person who commences employment after November 8, 1990, as a full-time firefighter with a fire department, in a position in which the person is required to satisfactorily complete or have satisfactorily completed a firefighter training course approved under former section 3303.07 or section 4765.55 or conducted under section 3737.33 of the Revised Code;

(b) Any person who has elected under section 742.515 of the Revised Code to be transferred from the public employees retirement system to the Ohio police and fire pension fund;

(c) Any full-time firefighter who, on November 8, 1990, is a member of the Ohio police and fire pension fund.

(C) "Employee" means any person who is a member of a police department or a member of a fire department.

(D) "Employer" means the government entity by which an employee is employed and paid.

(E) "Member of the fund" means any person, except an other system retirant as defined in section 742.26 of the Revised Code, who is contributing a percentage of the person's annual salary to the Ohio police and fire pension fund or who is receiving a disability benefit or pension from the fund as a result of service in a police or fire department. A person, other than an other system retirant, who is contributing a percentage of the person's annual salary to the fund and is dismissed, resigns, or is granted a leave of absence from a police or fire department shall be considered a "member of the fund" for a period of twelve months after the first day of the dismissal, resignation, or leave of absence, provided the sum deducted from the person's salary and credited to the person's account in the fund remains on deposit in the fund.

(F) "Year," for the purpose of determining benefits, means any twelve consecutive calendar months of active service as a member of the fund, or, in the case of a member whose salary is paid weekly or biweekly, fifty-two consecutive weeks of active service as a member.

(G) "Average annual salary" means the highest average annual salary of a member of the fund during any three years of contributions determined by dividing the member's total salary as an employee during the years by three.

(H) "Normal service pension benefit" means the pension benefit payable to a member of the fund under division (C)(1) of section 742.37 of the Revised Code upon attaining age forty-eight.

(I) "Retirement allowance" means the total pension benefit or disability benefit to which a member of the fund may be entitled under division (C) of section 742.37 or section 742.39 of the Revised Code.

(J) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(K) "Terminal pay" means the following payments made by an employer to an employee on termination of employment:

(1) Payments for accrued but unused leave, including sick leave, vacation, personal leave, and compensatory time;

(2) Payments deferred more than one year compensating the employee for holidays worked or for longevity;

(3) Payments for overtime worked that are not included either in the payroll for the period in which the overtime is worked or for the next subsequent payroll period;

(4) Other payments that are not compensation for services rendered in the last pay period in which services were rendered and are designated as terminal pay by rule of the board of trustees of the Ohio police and fire pension fund. The board shall not designate as terminal pay payments deferred one year or less compensating an employee for holidays worked or for longevity.

(L)(1) Except as otherwise provided in this division, "salary" means all compensation, wages, and other earnings paid to an employee by reason of employment, but without regard to whether compensation, wages, or other earnings are treated as deferred income for federal income tax purposes. "Salary" includes payments for overtime that are made not later than the payroll following the payroll period in which the overtime is worked.

(2) "Salary" does not include any of the following:

(a) Compensation for services outside the scope of an employee's regular employment;

(b) Reimbursement of expenses;

(c) Terminal pay;

(d) Payments for accrued but unused sick leave or personal leave, or vacation pay covering periods for which salary, compensation, or benefits are paid;

(e) Payments made under division (B), ~~(C)~~, or ~~(D)~~(E) of section 5923.05 of the Revised Code ~~or~~, Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, or Section 3 of Senate Bill No. 173 of the 124th general assembly;

(f) Payments made to or on behalf of an employee that are in excess of the annual compensation that may be taken into account by the fund under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended.

(3) The board shall determine by rule whether any compensation, wages, or earnings not enumerated in this division is salary, and its decision shall be final.

(M) "Actuary" means an individual who satisfies all of the following requirements:

- (1) Is a member of the American academy of actuaries;
- (2) Is an associate or fellow of the society of actuaries;
- (3) Has a minimum of five years' experience in providing actuarial services to public retirement plans.

Sec. 1751.54. (A) As used in this section:

(1) "Eligible person" means any person who, at the time a reservist is called or ordered to active duty, is covered under a group contract and is either of the following:

- (a) An employee who is a reservist called or ordered to active duty;
- (b) The spouse or a dependent child of an employee described in division (A)(1)(a) of this section.

(2) "Group contract" includes any group health insuring corporation contract that satisfies all of the following:

- (a) The contract is delivered, issued for delivery, or renewed in this state on or after ~~the effective date of this section~~ June 4, 1997.
- (b) The contract covers employees for health care services, including basic health care services.
- (c) The contract is in effect and covers an eligible person at the time a reservist is called or ordered to active duty.

(3) "Reservist" means a member of a reserve component of the armed forces of the United States. "Reservist" includes a member of the Ohio national guard.

(B) Every group contract shall provide that any eligible person may continue the coverage under the contract for a period of eighteen months after the date on which the coverage would otherwise terminate because the reservist is called or ordered to active duty.

(C)(1) An eligible person may extend the eighteen-month period of continuation of coverage to a thirty-six-month period of continuation of coverage, if any of the following occurs during the eighteen-month period:

- (a) The death of the reservist;
- (b) The divorce or separation of a reservist from the reservist's spouse;

(c) The cessation of dependency of a child pursuant to the terms of the contract.

(2) The thirty-six-month period of continuation of coverage is deemed to begin on the date on which the coverage would otherwise terminate because the reservist is called or ordered to active duty.

(3) The employer may begin the thirty-six-month period on the date of any occurrence described in division (C)(1) of this section.

(D) All of the following apply to any continuation of coverage, or the extension of any continuation of coverage, provided under division (B) or (C) of this section:

(1) The continuation of coverage shall provide the same benefits as those provided to any similarly situated eligible person who is covered under the same group contract and an employee who has not been called or ordered to active duty.

(2) An employer shall notify each employee of the right of continuation of coverage at the time of employment. At the time the reservist is called or ordered to active duty, the employer shall notify each eligible person of the requirements for the continuation of coverage.

(3) Each certificate of coverage issued by a health insuring corporation to an employee under the group contract shall include a notice of the eligible person's right of continuation of coverage.

(4) An eligible person shall file a written election of continuation of coverage with the employer and pay the employer the first contribution required under division (D)(5) of this section. The written election and payment must be received by the employer no later than thirty-one days after the date on which the eligible person's coverage would otherwise terminate. If the employer notifies the eligible person of the right of continuation of coverage after the date on which the eligible person's coverage would otherwise terminate, the written election and payment must be received by the employer no later than thirty-one days after the date of the notification.

(5)(a) Except as provided in division (D)(5)(b) or (c) of this section, the eligible person shall pay to the employer, on a monthly basis and in advance, the amount of contribution required by the employer. The amount shall not exceed one hundred two per cent of the group rate for the coverage being continued under the group contract on the due date of each payment.

(b) The employer may pay a portion or all of the eligible person's contribution.

(c) A reservist called or ordered to active duty for less than thirty-one days shall not be required to pay more than the eligible person's

contribution, if any, for the coverage.

(E) The eligible person's right to any continuation of coverage, or the extension of any continuation of coverage, provided under division (B) or (C) of this section ceases on the date on which any of the following occurs:

(1) The eligible person, whether as an employee or otherwise, becomes covered by another group contract or other group health plan or arrangement that does not contain any exclusion or limitation with respect to any preexisting condition of that eligible person. For purposes of division (E)(1) of this section, a group contract or other group health plan or arrangement does not include the civilian health and medical program of the uniformed services as defined in Public Law 99-661, 100 Stat. 3898 (1986), 10 U.S.C.A. 1072.

(2) The period of either eighteen months provided under division (B) of this section or thirty-six months provided under division (C) of this section expires.

(3) The eligible person fails to make a timely payment of a required contribution, in which case the coverage ceases at the end of the period of coverage for which contributions were made.

(4) The group contract, or participation under the group contract, is terminated, unless the employer, in accordance with division (F) of this section, replaces the coverage with similar coverage under another group contract or other group health plan or arrangement.

(F) If the employer replaces the group contract with similar coverage as described in division (E)(4) of this section, both of the following apply:

(1) The eligible person is covered under the replacement coverage for the balance of the period that the person would have remained covered under the terminated coverage if it had not been terminated.

(2) The level of benefits under the replacement coverage is the same as the level of benefits provided to any similarly situated eligible person who is covered under the group contract and an employee who has not been called or ordered to active duty.

(G) Upon the reservist's release from active duty and the reservist's return to employment for the employer by whom the reservist was employed at the time the reservist was called or ordered to active duty, both of the following apply:

(1) Every eligible person is entitled, without any waiting period, to coverage under the employer's group contract that is in effect at the time of the reservist's return to employment.

(2) Every eligible person is entitled to all benefits under the group contract described in division (G)(1) of this section from the date of the

original coverage under the contract.

(H)(1) No health insuring corporation shall fail to provide for a continuation of coverage, or an extension of a continuation of coverage, in a group contract as required by and in accordance with the terms and conditions set forth under this section.

(2) No health insuring corporation shall fail to issue a certificate of coverage in compliance with division (D)(3) of this section.

(3) No employer shall fail to provide an employee or eligible person with notice of the right to a continuation of coverage under a group contract in accordance with division (D)(2) of this section.

(I) Whoever violates division (H)(1), (2), or (3) of this section is deemed to have engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.

~~(J) This section does not apply to any group contract that is subject to section 5923.051 of the Revised Code.~~

~~(K)~~ This section does not apply to any group contract offering only supplemental health care services or specialty health care services.

Sec. 3307.01. As used in this chapter:

(A) "Employer" means the board of education, school district, governing authority of any community school established under Chapter 3314. of the Revised Code, college, university, institution, or other agency within the state by which a teacher is employed and paid.

(B) "Teacher" means all of the following:

(1) Any person paid from public funds and employed in the public schools of the state under any type of contract described in section 3319.08 of the Revised Code in a position for which the person is required to have a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code;

(2) Any person employed as a teacher by a community school pursuant to Chapter 3314. of the Revised Code;

(3) Any person holding an internship certificate issued under section 3319.28 of the Revised Code and employed in a public school in this state;

(4) Any person having a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code and employed in a public school in this state in an educational position, as determined by the state board of education, under programs provided for by federal acts or regulations and financed in whole or in part from federal funds, but for which no licensure requirements for the position can be made under the provisions of such federal acts or regulations;

(5) Any other teacher or faculty member employed in any school,

college, university, institution, or other agency wholly controlled and managed, and supported in whole or in part, by the state or any political subdivision thereof, including Central state university, Cleveland state university, the university of Toledo, and the medical college of Ohio at Toledo;

(6) The educational employees of the department of education, as determined by the state superintendent of public instruction.

In all cases of doubt, the state teachers retirement board shall determine whether any person is a teacher, and its decision shall be final.

"Teacher" does not include any academic or administrative employee of a public institution of higher education, as defined in section 3305.01 of the Revised Code, who participates in an alternative retirement plan established under Chapter 3305. of the Revised Code.

(C) "Member" means any person included in the membership of the state teachers retirement system, which shall consist of all teachers and contributors as defined in divisions (B) and (D) of this section and all disability benefit recipients, as defined in section 3307.50 of the Revised Code. However, for purposes of this chapter, the following persons shall not be considered members:

(1) A student, intern, or resident who is not a member while employed part-time by a school, college, or university at which the student, intern, or resident is regularly attending classes;

(2) A person denied membership pursuant to section 3307.24 of the Revised Code;

(3) An other system retirant, as defined in section 3307.35 of the Revised Code, or a superannuate;

(4) An individual employed in a program established pursuant to the "Job Training Partnership Act," 96 Stat. 1322 (1982), 29 U.S.C.A. 1501.

(D) "Contributor" means any person who has an account in the teachers' savings fund or defined contribution fund.

(E) "Beneficiary" means any person eligible to receive, or in receipt of, a retirement allowance or other benefit provided by this chapter.

(F) "Year" means the year beginning the first day of July and ending with the thirtieth day of June next following, except that for the purpose of determining final average salary under the plan described in sections 3307.50 to 3307.79 of the Revised Code, "year" may mean the contract year.

(G) "Local district pension system" means any school teachers pension fund created in any school district of the state in accordance with the laws of the state prior to September 1, 1920.

(H) "Employer contribution" means the amount paid by an employer, as determined by the employer rate, including the normal and deficiency rates, contributions, and funds wherever used in this chapter.

(I) "Five years of service credit" means employment covered under this chapter and employment covered under a former retirement plan operated, recognized, or endorsed by a college, institute, university, or political subdivision of this state prior to coverage under this chapter.

(J) "Actuary" means the actuarial consultant to the state teachers retirement board, who shall be either of the following:

(1) A member of the American academy of actuaries;

(2) A firm, partnership, or corporation of which at least one person is a member of the American academy of actuaries.

(K) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(L)(1) Except as provided in this division, "compensation" means all salary, wages, and other earnings paid to a teacher by reason of the teacher's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the teachers' savings fund or defined contribution fund under section 3307.26 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(2) Compensation does not include any of the following:

(a) Payments for accrued but unused sick leave or personal leave, including payments made under a plan established pursuant to section 124.39 of the Revised Code or any other plan established by the employer;

(b) Payments made for accrued but unused vacation leave, including payments made pursuant to section 124.13 of the Revised Code or a plan established by the employer;

(c) Payments made for vacation pay covering concurrent periods for which other salary, compensation, or benefits under this chapter are paid;

(d) Amounts paid by the employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage,

or other insurance for the teacher or the teacher's family, or amounts paid by the employer to the teacher in lieu of providing the insurance;

(e) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the employer, use of the employer's property or equipment, and reimbursement for job-related expenses authorized by the employer, including moving and travel expenses and expenses related to professional development;

(f) Payments made by the employer in exchange for a member's waiver of a right to receive any payment, amount, or benefit described in division (L)(2) of this section;

(g) Payments by the employer for services not actually rendered;

(h) Any amount paid by the employer as a retroactive increase in salary, wages, or other earnings, unless the increase is one of the following:

(i) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for teaching and not designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;

(ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;

(iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L)(2)(h)(i) of this section;

(iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer.

(i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended. For a teacher who first establishes membership before July 1, 1996, the annual compensation that may be taken into account by the retirement system shall be determined under division (d)(3) of section 13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub. L. No. 103-66, 107 Stat. 472.

(j) Payments made under division (B), ~~(C)~~, or ~~(D)~~(E) of section 5923.05 of the Revised Code ~~or~~, Section 4 of Substitute Senate Bill No. 3 of the

9th general assembly, or Section 3 of Senate Bill No. 173 of the 124th general assembly;

(k) Anything of value received by the teacher that is based on or attributable to retirement or an agreement to retire.

(3) The retirement board shall determine by rule both of the following:

(a) Whether particular forms of earnings are included in any of the categories enumerated in this division;

(b) Whether any form of earnings not enumerated in this division is to be included in compensation.

Decisions of the board made under this division shall be final.

(M) "Superannuate" means both of the following:

(1) A former teacher receiving from the system a retirement allowance under section 3307.58 or 3307.59 of the Revised Code;

(2) A former teacher receiving any benefit from the system under a plan established under section 3307.81 of the Revised Code.

For purposes of section 3307.35 of the Revised Code, "superannuate" also means a former teacher receiving from the system a combined service retirement benefit paid in accordance with section 3307.57 of the Revised Code, regardless of which retirement system is paying the benefit.

Sec. 3309.01. As used in this chapter:

(A) "Employer" or "public employer" means boards of education, school districts, joint vocational districts, governing authorities of community schools established under Chapter 3314. of the Revised Code, educational institutions, technical colleges, state, municipal, and community colleges, community college branches, universities, university branches, other educational institutions, or other agencies within the state by which an employee is employed and paid, including any organization using federal funds, provided the federal funds are disbursed by an employer as determined by the above. In all cases of doubt, the school employees retirement board shall determine whether any employer is an employer as defined in this chapter, and its decision shall be final.

(B) "Employee" means all of the following:

(1) Any person employed by a public employer in a position for which the person is not required to have a certificate or license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code;

(2) Any person who performs a service common to the normal daily operation of an educational unit even though the person is employed and paid by one who has contracted with an employer to perform the service, and the contracting board or educational unit shall be the employer for the purposes of administering the provisions of this chapter;

(3) Any person, not a faculty member, employed in any school or college or other institution wholly controlled and managed, and wholly or partly supported by the state or any political subdivision thereof, the board of trustees, or other managing body of which shall accept the requirements and obligations of this chapter.

In all cases of doubt, the school employees retirement board shall determine whether any person is an employee, as defined in this division, and its decision is final.

(C) "Prior service" means all service rendered prior to September 1, 1937:

(1) As an employee as defined in division (B) of this section;

(2) As an employee in a capacity covered by the public employees retirement system or the state teachers retirement system;

(3) As an employee of an institution in another state, service credit for which was procured by a member under the provisions of section 3309.31 of the Revised Code.

Prior service, for service as an employee in a capacity covered by the public employees retirement system or the state teachers retirement system, shall be granted a member under qualifications identical to the laws and rules applicable to service credit in those systems.

Prior service shall not be granted any member for service rendered in a capacity covered by the public employees retirement system, the state teachers retirement system, and this system in the event the service credit has, in the respective systems, been received, waived by exemption, or forfeited by withdrawal of contributions, except as provided in this chapter.

If a member who has been granted prior service should, subsequent to September 16, 1957, and before retirement, establish three years of contributing service in the public employees retirement system, or one year in the state teachers retirement system, then the prior service granted shall become, at retirement, the liability of the other system, if the prior service or employment was in a capacity that is covered by that system.

The provisions of this division shall not cancel any prior service granted a member by the school employees retirement board prior to August 1, 1959.

(D) "Total service," "total service credit," or "Ohio service credit" means all contributing service of a member of the school employees retirement system, and all prior service, computed as provided in this chapter, and all service established pursuant to sections 3309.31, 3309.311, and 3309.33 of the Revised Code. In addition, "total service" includes any period, not in excess of three years, during which a member was out of

ice and receiving benefits from the state insurance fund, provided the injury or incapacitation was the direct result of school employment.

(E) "Member" means any employee, except an SERS retirant or other system retirant as defined in section 3309.341 of the Revised Code, who has established membership in the school employees retirement system. "Member" includes a disability benefit recipient.

(F) "Contributor" means any person who has an account in the employees' savings fund. When used in the sections listed in division (B) of section 3309.82 of the Revised Code, "contributor" includes any person participating in a plan established under section 3309.81 of the Revised Code.

(G) "Retirant" means any former member who retired and is receiving a service retirement allowance or commuted service retirement allowance as provided in this chapter.

(H) "Beneficiary" or "beneficiaries" means the estate or a person or persons who, as the result of the death of a contributor or retirant, qualifies for or is receiving some right or benefit under this chapter.

(I) "Interest," as specified in division (E) of section 3309.60 of the Revised Code, means interest at the rates for the respective funds and accounts as the school employees retirement board may determine from time to time, except as follows:

(1) The rate of interest credited on employee contributions at retirement shall be four per cent per annum, compounded annually, to and including June 30, 1955; three per cent per annum, compounded annually, from July 1, 1955, to and including June 30, 1963; three and one-quarter per cent per annum, compounded annually, from July 1, 1963, through June 30, 1966; and thereafter, four per cent per annum compounded annually until a change in the amount is recommended by the system's actuary and approved by the retirement board. Subsequent to June 30, 1959, the retirement board shall discontinue the annual crediting of current interest on a contributor's accumulated contributions. Noncrediting of current interest shall not affect the rate of interest at retirement guaranteed under this division.

(2) In determining the reserve value for purposes of computing the amount of the contributor's annuity, the rate of interest used in the annuity values shall be four per cent per annum through September 30, 1956; three per cent per annum compounded annually from October 1, 1956, through June 30, 1963; three and one-quarter per cent per annum compounded annually from July 1, 1963, through June 30, 1966; and, thereafter, four per cent per annum compounded annually until a change in the amount is recommended by the system's actuary and approved by the retirement board.

In the purchase of out-of-state service credit as provided in section 3309.31 of the Revised Code, and in the purchase of an additional annuity, as provided in section 3309.47 of the Revised Code, interest shall be computed and credited to reserves therefor at the rate the school employees retirement board shall fix as regular interest thereon.

(J) "Accumulated contributions" means the sum of all amounts credited to a contributor's account in the employees' savings fund together with any regular interest credited thereon at the rates approved by the retirement board prior to retirement.

(K) "Final average salary" means the sum of the annual compensation for the three highest years of compensation for which contributions were made by the member, divided by three. If the member has a partial year of contributing service in the year in which the member terminates employment and the partial year is at a rate of compensation that is higher than the rate of compensation for any one of the highest three years of annual earnings, the board shall substitute the compensation earned for the partial year for the compensation earned for a similar fractional portion in the lowest of the three high years of annual compensation before dividing by three. If a member has less than three years of contributing membership, the final average salary shall be the total compensation divided by the total number of years, including any fraction of a year, of contributing service.

(L) "Annuity" means payments for life derived from contributions made by a contributor and paid from the annuity and pension reserve fund as provided in this chapter. All annuities shall be paid in twelve equal monthly installments.

(M)(1) "Pension" means annual payments for life derived from appropriations made by an employer and paid from the employers' trust fund or the annuity and pension reserve fund. All pensions shall be paid in twelve equal monthly installments.

(2) "Disability retirement" means retirement as provided in section 3309.40 of the Revised Code.

(N) "Retirement allowance" means the pension plus the annuity.

(O)(1) "Benefit" means a payment, other than a retirement allowance or the annuity paid under section 3309.341 of the Revised Code, payable from the accumulated contributions of the member or the employer, or both, under this chapter and includes a disability allowance or disability benefit.

(2) "Disability allowance" means an allowance paid on account of disability under section 3309.401 of the Revised Code.

(3) "Disability benefit" means a benefit paid as disability retirement under section 3309.40 of the Revised Code, as a disability allowance under

section 3309.401 of the Revised Code, or as a disability benefit under section 3309.35 of the Revised Code.

(P) "Annuity reserve" means the present value, computed upon the basis of mortality tables adopted by the school employees retirement board, of all payments to be made on account of any annuity, or benefit in lieu of any annuity, granted to a retirant.

(Q) "Pension reserve" means the present value, computed upon the basis of mortality tables adopted by the school employees retirement board, of all payments to be made on account of any pension, or benefit in lieu of any pension, granted to a retirant or a beneficiary.

(R) "Year" means the year beginning the first day of July and ending with the thirtieth day of June next following.

(S) "Local district pension system" means any school employees' pension fund created in any school district of the state prior to September 1, 1937.

(T) "Employer contribution" means the amount paid by an employer as determined under section 3309.49 of the Revised Code.

(U) "Fiduciary" means a person who does any of the following:

(1) Exercises any discretionary authority or control with respect to the management of the system, or with respect to the management or disposition of its assets;

(2) Renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) Has any discretionary authority or responsibility in the administration of the system.

(V)(1) Except as otherwise provided in this division, "compensation" means all salary, wages, and other earnings paid to a contributor by reason of employment. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the employees' savings fund under section 3309.47 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(2) Compensation does not include any of the following:

(a) Payments for accrued but unused sick leave or personal leave, including payments made under a plan established pursuant to section 124.39 of the Revised Code or any other plan established by the employer;

(b) Payments made for accrued but unused vacation leave, including payments made pursuant to section 124.13 of the Revised Code or a plan established by the employer;

(c) Payments made for vacation pay covering concurrent periods for

which other salary or compensation is also paid or during which benefits are paid under this chapter;

(d) Amounts paid by the employer to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the contributor or the contributor's family, or amounts paid by the employer to the contributor in lieu of providing the insurance;

(e) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the employer, use of the employer's property or equipment, and reimbursement for job-related expenses authorized by the employer, including moving and travel expenses and expenses related to professional development;

(f) Payments made to or on behalf of a contributor that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a)(17), as amended. For a contributor who first establishes membership before July 1, 1996, the annual compensation that may be taken into account by the retirement system shall be determined under division (d)(3) of section 13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub. L. 103-66, 107 Stat. 472;

(g) Payments made under division (B), ~~(C)~~, or ~~(D)~~(E) of section 5923.05 of the Revised Code ~~or~~, Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, or Section 3 of Senate Bill No. 173 of the 124th general assembly;

(h) Anything of value received by the contributor that is based on or attributable to retirement or an agreement to retire, except that payments made on or before January 1, 1989, that are based on or attributable to an agreement to retire shall be included in compensation if both of the following apply:

(i) The payments are made in accordance with contract provisions that were in effect prior to January 1, 1986.

(ii) The employer pays the retirement system an amount specified by the retirement board equal to the additional liability from the payments.

(3) The retirement board shall determine by rule whether any form of earnings not enumerated in this division is to be included in compensation, and its decision shall be final.

(W) "Disability benefit recipient" means a member who is receiving a disability benefit.

(X) "Actuary" means an individual who satisfies all of the following requirements:

(1) Is a member of the American academy of actuaries;

(2) Is an associate or fellow of the society of actuaries;

(3) Has a minimum of five years' experience in providing actuarial services to public retirement plans.

Sec. 5505.01. As used in this chapter:

(A) "Employee" means any qualified employee in the uniform division of the state highway patrol, any qualified employee in the radio division hired prior to November 2, 1989, and any state highway patrol cadet attending training school pursuant to section 5503.05 of the Revised Code whose attendance at the school begins on or after June 30, 1991. "Employee" includes the superintendent of the state highway patrol. In all cases of doubt, the state highway patrol retirement board shall determine whether any person is an employee as defined in this division, and the decision of the board is final.

(B) "Prior service" means all service rendered as an employee of the state highway patrol prior to September 5, 1941, to the extent credited by the board, provided that in no case shall prior service include service rendered prior to November 15, 1933.

(C) "Total service" means all service rendered by an employee to the extent credited by the board. Total service includes all of the following:

(1) Contributing service rendered by the employee since last becoming a member of the state highway patrol retirement system;

(2) All prior service credit;

(3) Restored service credit as provided in this chapter;

(4) Military service credit purchased under division (D) of section 5505.16 or section 5505.25 of the Revised Code;

(5) Credit granted under division (C) of section 5505.17 or section 5505.201, 5505.40, or 5505.402 of the Revised Code;

(6) Credit for any period, not to exceed three years, during which the member was out of service and receiving benefits under Chapters 4121. and 4123. of the Revised Code.

(D) "Beneficiary" means any person, except a retirant, who is in receipt of a pension or other benefit payable from funds of the retirement system.

(E) "Regular interest" means interest compounded at rates designated from time to time by the retirement board.

(F) "Plan" means the provisions of this chapter.

(G) "Retirement system" or "system" means the state highway patrol retirement system created and established in the plan.

(H) "Contributing service" means all service rendered by a member since September 4, 1941, for which deductions were made from the member's salary under the plan.

(I) "Retirement board" or "board" means the state highway patrol retirement board provided for in the plan.

(J) Except as provided in section 5505.18 of the Revised Code, "member" means any employee included in the membership of the retirement system, whether or not rendering contributing service.

(K) "Retirant" means any member who retires with a pension payable from the retirement system.

(L) "Accumulated contributions" means the sum of all amounts deducted from the salary of a member and credited to the member's individual account in the employees' savings fund.

(M)(1) Except as provided in division (M)(2) of this section, "final average salary" means the average of the highest salary paid a member during any three consecutive or nonconsecutive years.

If a member has less than three years of contributing service, the member's final average salary shall be the average of the annual rates of salary paid to the member during the member's total years of contributing service.

(2) If a member is credited with service under division (C)(6) of this section or division (D) of section 5505.16 of the Revised Code, the member's final average salary shall be the average of the highest salary that was paid to the member or would have been paid to the member, had the member been rendering contributing service, during any three consecutive or nonconsecutive years. If that member has less than three years of total service, the member's final average salary shall be the average of the annual rates of salary that were paid to the member or would have been paid to the member during the member's years of total service.

(N) "Pension" means an annual amount payable by the retirement system throughout the life of a person or as otherwise provided in the plan. All pensions shall be paid in equal monthly installments.

(O) "Pension reserve" means the present value of any pension, or benefit in lieu of any pension, computed upon the basis of mortality and other tables of experience and interest the board shall from time to time adopt.

(P) "Deferred pension" means a pension for which an eligible member of the system has made application and which is payable as provided in division (A) or (B) of section 5505.16 of the Revised Code.

(Q) "Retirement" means termination as an employee of the state highway patrol, with application having been made to the system for a pension or a deferred pension.

(R) "Fiduciary" means any of the following:

(1) A person who exercises any discretionary authority or control with

respect to the management of the system, or with respect to the management or disposition of its assets;

(2) A person who renders investment advice for a fee, direct or indirect, with respect to money or property of the system;

(3) A person who has any discretionary authority or responsibility in the administration of the system.

(S)(1) Except as otherwise provided in this division, "salary" means all compensation, wages, and other earnings paid to a member by reason of employment but without regard to whether any of the compensation, wages, or other earnings are treated as deferred income for federal income tax purposes. Salary includes all of the following:

(a) Payments for shift differential, hazard duty, professional achievement, and longevity;

(b) Payments for occupational injury leave, personal leave, sick leave, bereavement leave, administrative leave, and vacation leave used by the member;

(c) Payments made under a disability leave program sponsored by the state for which the state is required by section 5505.151 of the Revised Code to make periodic employer and employee contributions to the retirement system.

(2) "Salary" does not include any of the following:

(a) Payments resulting from the conversion of accrued but unused sick leave, personal leave, compensatory time, and vacation leave;

(b) Payments made by the state to provide life insurance, sickness, accident, endowment, health, medical, hospital, dental, or surgical coverage, or other insurance for the member or the member's family, or amounts paid by the state to the member in lieu of providing that insurance;

(c) Payments for overtime work;

(d) Incidental benefits, including lodging, food, laundry, parking, or services furnished by the state, use of property or equipment of the state, and reimbursement for job-related expenses authorized by the state including moving and travel expenses and expenses related to professional development;

(e) Payments made to or on behalf of a member that are in excess of the annual compensation that may be taken into account by the retirement system under division (a)(17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401 (a)(17), as amended;

(f) Payments made under division (B), (C), or ~~(D)~~(E) of section 5923.05 of the Revised Code ~~or~~ Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, or Section 3 of Senate Bill No. 173 of the 124th

general assembly.

(3) The retirement board shall determine by rule whether any compensation, wages, or earnings not enumerated in this division are salary, and its decision shall be final.

(T) "Actuary" means an individual who satisfies all of the following requirements:

(1) Is a member of the American academy of actuaries;

(2) Is an associate or fellow of the society of actuaries;

(3) Has a minimum of five years' experience in providing actuarial services to public retirement plans.

Sec. 5923.05. (A)(1) Permanent public employees, ~~as defined in section 5903.01 of the Revised Code~~, who are members of the Ohio organized militia; or members of other reserve components of the armed forces of the United States, including the Ohio national guard, are entitled to leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, ~~as defined in section 5903.01 of the Revised Code~~ for periods of up to one month, for each calendar year in which they are performing service in the uniformed services.

(2) As used in this section;

(a) "~~calendar~~ Calendar year" means the year beginning on the first day of January and ending on the last day of December, ~~and~~.

(b) "~~month~~ Month" means twenty-two eight-hour work days or one hundred seventy-six hours within one calendar year.

(c) "Permanent public employees" and "uniformed services" have the same meanings as in section 5903.01 of the Revised Code.

(d) "State agency" means any department, bureau, board, commission, office, or other organized body established by the constitution or laws of this state for the exercise of any function of state government, the general assembly, all legislative agencies, the supreme court, the court of claims, and the state-supported institutions of higher education.

(B) Except as otherwise provided in division ~~(C)~~(D) of this section, any permanent public employee who is employed by a political subdivision and who is entitled to the leave provided under division (A) of this section and who is called or ordered to the uniformed services for longer than a month, for each calendar year in which the employee performed service in the uniformed services, because of an executive order issued by the president of the United States or an act of congress is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence, the lesser of the

following:

(1) The difference between the permanent public employee's gross monthly wage or salary as ~~an officer or~~ a permanent public employee and the sum of the permanent public employee's gross uniformed pay and allowances received that month;

(2) Five hundred dollars.

(C) Except as otherwise provided in division (D) of this section, any permanent public employee who is employed by a state agency and who is entitled to the leave provided under division (A) of this section and who is called or ordered to the uniformed services for longer than a month, for each calendar year in which the employee performed service in the uniformed services, because of an executive order issued by the president of the United States or an act of congress is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence, the difference between the permanent public employee's gross monthly wage or salary as a permanent public employee and the sum of the permanent public employee's gross uniformed pay and allowances received that month.

(D) No permanent public employee shall receive payments under division (B) or (C) of this section if the sum of the permanent public employee's gross uniformed pay and allowances received in a pay period exceeds the employee's gross wage or salary as a permanent public employee for that period or if the permanent public employee is receiving pay under division (A) of this section.

~~(D)~~(E) Any political subdivision of the state, as defined in section 2744.01 of the Revised Code, may elect to pay any of its permanent public employees who are entitled to the leave provided under division (A) of this section and who are called or ordered to the uniformed services for longer than one month, for each calendar year in which the employee performed service in the uniformed services, because of an executive order issued by the president or an act of congress, such payments, in addition to those payments required by division (B) of this section, as may be authorized by the legislative authority of the political subdivision.

~~(E)~~(F) Each permanent public employee who is entitled to leave provided under division (A) of this section shall submit to the permanent public employee's appointing authority the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service, prior to being credited with ~~such~~ that leave.

~~(F)~~(G) Any permanent public employee of a political subdivision whose

employment is governed by a collective bargaining agreement with provision for the performance of service in the uniformed services shall abide by the terms of that collective bargaining agreement with respect to the performance of ~~such~~ that service, except that no collective bargaining agreement may afford fewer rights and benefits than are conferred under this section.

Sec. 5923.051. Notwithstanding sections 1751.54, 3923.381, and 3923.382 of the Revised Code, the state and any agency, authority, commission, or board of the state, at the request of any person who is employed by the state or any of those entities who is called to active duty as described in division (B) of section 5923.05 of the Revised Code, or at the request of the spouse or dependent of such a person, shall continue or reactivate the health, medical, hospital, dental, vision, and surgical benefits coverage of the person, whether provided by an insurance company, health insuring corporation, or other health plan or entity, for the duration of the time the person is on active duty as described in that division. The person, or the spouse or dependent of the person, who requests the continuation or reactivation of the coverage and the employing state or state entity are each liable for payment of the same costs for the coverage as if the person were not on a leave of absence.

SECTION 2. That existing sections 145.01, 742.01, 1751.54, 3307.01, 3309.01, 5505.01, and 5923.05 of the Revised Code are hereby repealed.

SECTION 3. Any person who is entitled to additional payments provided under division (B) or (C) of section 5923.05 of the Revised Code, as amended by this act, shall receive the payments based upon the later of October 1, 2001, or the date the person's leave of absence began due to being called to active duty as specified in that division. If the person was called to active duty before the effective date of this act and that person is entitled to additional benefits under that division, as amended by this act, the person's employing entity shall pay, in a lump sum, the person the additional amount due.

SECTION 4. Beginning October 1, 2003, and continuing as long as section 5923.05 of the Revised Code is in effect, a joint committee consisting of the standing committees of the House of Representatives and Senate to which matters concerning veterans affairs are normally referred shall biennially review the provisions of that section. Upon completion of each biennial review, the joint committee shall issue a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate. The report shall make recommendations for changes to that

section that the joint committee determines to be necessary.

SECTION 5. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Village of Grafton (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Village of Grafton, County of Lorain, State of Ohio and known as being a part of Original Grafton Township Lot 5, also known as being a portion of a parcel of land conveyed to State of Ohio and being further bounded and described as follows:

Commencing at the intersection of the centerline of Wooster Avon Lake Road (S.R. 83) and the southeast corner of said Lot 5, thence along the said centerline of Wooster Avon Lake Road (S.R. 83) and the east line of said Lot 5, N 1° 11' 22" E for a distance of 1969.35 feet to a point, said point being the True Place of Beginning of the parcel of land hereinafter described, thence clockwise along the following four (4) courses and distances:

1) Thence N 88° 48' 38" W for a distance of 230.00 feet to a 5/8 inch rebar with cap GPD set, passing over a 5/8 inch rebar with cap GPD set at a distance of 30.00 feet;

2) Thence N 1° 11' 22" E for a distance of 190.00 feet to a 5/8 inch rebar with cap GPD set;

3) Thence S 88° 48' 38" E for a distance of 230.00 feet to a point on the east line of said Lot 5, passing over a 5/8-inch rebar with cap GPD set at a distance of 200.00 feet;

4) Thence S 1° 11' 22" W for a distance of 190.00 feet to the True Place of Beginning and containing 1.0032 acres (43,700 square feet) of land, more or less, and subject to all easements, restrictions and covenants of record as surveyed under the supervision of James E. Karing, P.S. Number 7539, for GPD Associates, in September of 2000.

The Basis of Bearing is to an assumed meridian and is used to delineate angles only.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$4,500.00 (the appraised value) and shall be paid to the state at closing and transfer of title in accordance with this section.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described, in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(E) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Lorain County Recorder.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(G) This section expires one year after its effective date.

SECTION 6. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Village of Grafton (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Village of Grafton, County of Lorain, State of Ohio and known as being a part of the Original Eaton Township Lot 58, also known as being a portion of a parcel of land conveyed to State of Ohio as recorded in Deed Book 186, Page 369 of said County's records, and being further bounded and described as follows:

Commencing at the intersection of the centerline of Wooster Avon Lake Road (S.R. 83, Variable Width) and the south right of way line of C.C.C. and ST. L. Railroad (100 feet wide), said intersection is also the northeast corner of a parcel of land conveyed to the Ohio Edison Company as recorded in Deed Book 865, Page 66, thence along said centerline and the east line of said Ohio Edison Company, S 0° 46' 17" W for a distance of 360.30 feet to a southeast corner of said Ohio Edison, said corner being the True Place of Beginning of the parcel of land hereinafter described, thence clockwise along the following six (6) courses and distances:

1) Thence continuing along said centerline, S 0° 46' 17" W for a distance of 208.47 feet to a point;

2) Thence N 89° 10' 43" W for a distance of 373.54 feet to a 5/8 inch rebar with cap "GPD" set, passing over a 5/8 inch rebar with cap "GPD" set, passing over a 5/8 inch rebar with cap "GPD" set at a distance of 40.44 feet;

3) Thence N 0° 57' 22" E for a distance of 200.00 feet to a 5/8 inch rebar with cap "GPD" set;

4) Thence N 55° 33' 29" E for a distance of 150.00 feet to a 5/8 inch rebar with cap "GPD" set on the west line of said Ohio Edison;

5) Thence along said west line, S 0° 57' 22" W for a distance of 78.13 feet to a 1 inch pipe found at the southwest corner of said Ohio Edison;

6) Thence along the south line of said Ohio Edison, S 89° 10' 43" E for a distance of 250.60 feet, passing over a 1 inch pipe found at a distance of 210.60 feet, to the True Place of Beginning and containing 1.8839 acres (872,062 sq. ft.) of land, more or less, and subject to all easements, restrictions and covenants of record as surveyed under the supervision of James E. Karing, P.S. Number 7539 for GPD Associates in August of 2000.

The Basis of Bearing is to an assumed meridian and is used to delineate angles only.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$13,100.00 (the appraised value) and shall be paid to the state at closing and transfer of title in accordance with this section.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) Possession of the premises prior to transfer shall be governed by an existing lease between the state and the grantee.

(E) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(F) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Lorain County Recorder.

(G) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(H) This section expires one year after its effective date.

SECTION 7. (A) 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 or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 1, Range 18, United States Military Lands

and being 5.334 acres out of those tracts as conveyed to the State of Ohio (Ohio Expositions Commission) of record in Instrument Number 200004250079990, Official Record 3205B12 and Deed Book 1751, Page 119 and being 0.491 acre out of the right-of-way and limited access right-of-way of I-71, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning at concrete monument found marking the intersection of the southerly right-of-way line of Hudson Street, as shown in the deed to the City of Columbus of record in Deed Book 2237, Page 270, with the westerly right-of-way line of I-71, as shown in Franklin County Common Pleas Court Entry 20381, Parcel No. 11, witness a concrete monument found North $86^{\circ} 23' 18''$ West, with said southerly right-of-way line, a distance of 104.92 feet;

thence South $35^{\circ} 01' 51''$ East, with said westerly right-of-way line, a distance of 469.79 feet to an iron pin set;

thence across said State of Ohio tract (Instrument Number 200004250079990), the following courses:

South $67^{\circ} 08' 17''$ West, a distance of 42.70 feet to an iron pin set at a point of curvature;

with a curve to the left, having a central angle of $47^{\circ} 02' 26''$ and a radius of 25.00 feet, a chord bearing and distance of South $43^{\circ} 37' 04''$ West, 19.95 feet to an iron pin set at a point of tangency;

South $20^{\circ} 05' 51''$ West, a distance of 32.60 feet to an iron pin set at a point of curvature;

with a curve to the left, having a central angle of $80' 17' 27''$ and a radius of 57.00 feet, a chord bearing and distance South $20^{\circ} 02' 51''$ East, 73.68 feet to an iron pin set at a point of reverse curvature;

with a curve to the right, having a central angle of $09^{\circ} 54' 01''$ and a radius of 1042.86 feet, a chord bearing and distance of South $55^{\circ} 14' 34''$ East, 179.97 feet to a railroad spike found in the westerly limited access right-of-way of said I-71;

thence with said westerly limited access right-of-way line of said I-71, the following courses:

South $41^{\circ} 15' 29''$ East, a distance of 466.29 feet to a point 0.09 feet north and 0.23 feet east of the center of a concrete monument found;

South $49^{\circ} 35' 24''$ East, a distance of 354.24 feet to an iron pin set on a curve;

thence leaving said westerly limited access right-of-way line and across said I-71, the following courses:

with a curve to the left, having a central angle of $05^{\circ} 43' 52''$ and a

radius of 976.00 feet, a chord bearing and distance of South 52° 29' 24" East, 97.59 feet to an iron pin set;

South 55° 21' 20" East, a distance of 302.07 feet to an iron pin set in said westerly limited access right-of-way line;

thence with said westerly limited access right-of-way line, the following courses:

South 86° 24' 12" East, a distance of 33.07 feet to an iron pin set;

South 66° 04' 07" East, a distance of 144.40 feet to an iron pin set;

South 03° 23' 18" West, a distance of 56.62 feet to an iron pin set;

thence across said I-71, the following courses:

South 55° 21' 20" East, a distance of 80.81 feet to an iron pin set on a curve;

with a curve to the right, having a central angle of 09° 42' 09" and a radius of 520.50 feet, a chord bearing and distance of South 50° 26' 07" East, 88.04 feet to an iron pin set in said westerly limited access right-of-way line;

thence South 86° 24' 12" East, with said westerly limited access right-of-way line, a distance of 22.95 feet to an iron pin set on a curve;

thence partly across the right-of-way of said I-71 and partly across said State of Ohio tract (Deed Book 1751, Page 119) with a curve to the right, having a central angle of 29° 49' 20" and a radius of 535.79 feet, a chord bearing and distance of South 29 48' 54" East, 257.62 feet to an iron pin set;

thence across said State of Ohio tract (Deed Book 1751, Page 119), the following courses:

South 15° 54' 14" East, a distance of 72.16 feet to an iron pin set at a point of curvature;

with a curve to the left, having a central angle of 96° 59' 48" and a radius of 33.04 feet, a chord bearing and distance of South 64° 24' 08" East, 49.49 feet to an iron pin set at a point of compound curvature;

with a curve to the left, having a central angle of 27° 56' 32" and a radius of 200.61 feet, a chord bearing and distance of North 53° 07' 42" East, 96.87 feet to an iron pin set at a point of tangency;

North 39° 09' 26" East, a distance of 36.90 feet to an iron pin set in the westerly limited access right-of-way of said I-71;

thence with said westerly limited access right-of-way line, the following courses:

North 03° 23' 18" East, a distance of 60.00 feet to an iron pin set;

South 43° 40' 38" East, a distance of 137.65 feet to an iron pin set;

thence across said State of Ohio tracts, (Deed Book 1751, Page 199 and Official Record 32051B12) the following courses:

South 38° 57' 54" West, a distance of 397.43 feet to an iron pin set;

South 89° 04' 45" West, a distance of 69.68 feet to an iron pin set;

North 00° 55' 15" West, a distance of 74.38 feet to an iron pin set;

North 03° 12' 38" East, a distance of 107.34 feet to an iron pin set on a curve;

with a curve to the left, having a central angle of 58° 25' 41" and a radius of 465.00 feet, a chord bearing and distance of North 26° 04' 22" West, 453.91 feet to an iron pin set at a point of tangency;

North 55° 21' 20" West, a distance of 582.40 feet to an iron pin set on a curve;

with a curve to the right, having a central angle of 05° 43' 53" and a radius of 1036.00 feet, a chord bearing and distance of North 52° 29' 24" West, 103.59 feet to an iron pin set at a point of tangency;

thence North 49° 37' 28" West, partly across said State of Ohio tract partly with an easterly line of that tract as conveyed to Lowe's Home Centers, Inc. of record in Instrument Number 200103280062954, a distance of 343.68 feet to an iron pin set at a point of curvature in an easterly line of said Lowe's Home Centers tract;

thence partly with an easterly line of said Lowe's Home Centers tract and partly with an easterly line of the remainder of that tract as conveyed to Crewville, Ltd. of record in Instrument Number 199906070144361, being a curve to the right, having a central angle of 07° 52' 17" and a radius of 536.00 feet, a chord bearing and distance of North 45° 41' 20" West, 73.58 feet to an iron pin set at a point of tangency;

thence with the easterly perimeter of said Crewville tract, the following courses:

North 41° 45' 11" West, a distance of 256.72 feet to an iron pin set at a point of curvature in an easterly line of said Crewville tract;

with a curve to the left, having a central angle of 18° 26' 24" and a radius of 964.00 feet, a chord bearing and distance of North 50° 58' 23" West, 308.92 feet to an iron pin set at a point of reverse curvature;

with a curve to the right, having a central angle of 80° 17' 27" and a radius of 136.00 feet, a chord bearing and distance of North 20° 02' 52" West, 175.37 feet to an iron pin set at a point of tangency;

North 20° 05' 51" East, a distance of 71.16 feet to an iron pin set at a point of curvature;

with a curve to the left, having a central angle of 75° 00' 00" and a radius of 57.00 feet, a chord bearing and distance of North 17° 24' 09" West, 69.40 feet to an iron pin set at a point of tangency;

North 54° 54' 09" West, a distance of 132.43 feet to an iron pin set at a

point of curvature;

with a curve to the right, having a central angle of 52° 14' 44" and a radius of 228.00 feet, a chord bearing and distance of North 28° 46' 48" West, 200.78 feet to an iron pin set at a point of tangency;

North 02° 39' 34" West, a distance of 38.64 feet to an iron pin set in said southerly right-of-way line of Hudson Street;

thence South 86° 23' 18" East, with said southerly right-of-way line, a distance of 71.95 feet to the Point of Beginning and containing 5.825 acres, more or less, excepting therefrom those lands now owned by the City of Columbus.

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record. Iron pins set, where indicated, are iron pipes, thirteen-sixteenth (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMH&T, INC.

Bearings herein are based on North 03° 58' 15" West, as determined between monuments FRANK 62 and FRANK 62AZ.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be the mutual benefit and exchange of services provided under a Real Estate Purchase Agreement executed by Crewville, Ltd., on November 24, 1999, by the City of Columbus on December 1, 1999, and by the State of Ohio through its Director of Administrative Services on December 30, 1999, with the concurrence of the General Manager of the Ohio Expositions Commission and the Director of the Ohio Historical Society. Such terms and conditions expressly provided for Crewville, Ltd., upon conveyance of approximately 32.5 acres of land to the state of Ohio, to construct a three-lane roadway connecting Velma Avenue and Silver Drive in Columbus. Once the roadway is completed, the state of Ohio will seek to transfer said roadway to the City of Columbus and dedicate the roadway to the public's use. The City of Columbus, as provided in the Real Estate Purchase Agreement, agrees to accept the Governor's Deed and assume responsibility for all maintenance and upkeep of the roadway, following transfer from the state.

(C) The General Assembly finds that the mutual benefit and exchange of services accruing to the State of Ohio from the conveyance of the real estate under this section is in the best interests of the State of Ohio and specifically beneficial to the Ohio Expositions Commission and the Ohio Historical Society.

(D) Within one year of the date the roadway described in division (A) of this section has been completed to the sole satisfaction of the Director of Administrative Services, the Auditor of State, with the assistance of the

torney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration as mutual benefit and exchange of services. 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 City of Columbus. The City of Columbus shall present the deed for recording in the Office of the Franklin County Recorder.

(E) The City of Columbus shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(F) This section expires two years after its effective date.

SECTION 8. (A) The Adjutant General has determined that the following described property is no longer needed by the Ohio National Guard for armory or military purposes and has requested the Department of Administrative Services to assist in transferring this parcel. The reversionary language contained in the deed whereby the Adjutant General acquired this property requires that the property revert back to the Medina County Joint Vocational School if the property ceases to be used for military purposes. The Director of Administrative Services is hereby authorized to give proper effect to the reversionary language in the original deed. A Governor's Deed shall be prepared by the Auditor of State with the assistance of the Attorney General, to be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the State, and presented for recording in the Office of the Auditor of State. The deed shall be delivered to the original grantor of the property for recording in the Office of the Medina County Recorder. The Governor is hereby authorized to execute the deed in the name of the state, granting all of the state's right, title, and interest in the parcel described as follows:

Situated in the City of Medina, County of Medina and State of Ohio: and known as being a part of City Lot 3553, bounded and described as follows:

Beginning at a point in the Southeast corner of Lot 3553, the centerline of Norwalk Road (State Route 18 & 57) and the Southwest corner of lands now or formerly owned by Jack R. & Patricia Ruby as recorded in Deed Vol. 493, Pg. 573 of the Medina County Records;

Thence North 45° 25' 36" West along the Centerline of Norwalk Road and the South line of Lot 3553 a distance of 71.77 feet to a break point;

Thence North 44° 27' 36" West along the centerline of Norwalk Road and the South line of Lot 3553 a distance of 213.69 feet to a point at the

TRUE PLACE OF BEGINNING of the parcel herein described;

Thence continuing North 44° 27' 36" West along the centerline of Norwalk Road and the South line of Lot 3553 a distance of 511.67 feet to a point;

Thence North 15° 49' 20" East a distance of 1104.66 feet to an iron pin set, said line passing through an iron pin set 73.61 feet from the centerline of Norwalk Road;

Thence North 24° 39' 38" East a distance of 163.56 feet to an iron pin set;

Thence South 59° 51' 11" East a distance of 212.58 feet to an iron pin set in the West line of lands now or formerly owned by L.J. & M.H. Bosak as recorded in Deed Vol. 396, Pg. 346 of the Medina County Records, the West line of Lot 22, Tract 2, of York Township;

Thence South 00° 30' 32" West along the West line of Lot 22, Tract 2, York Township and along the West line of said Bosak property a distance of 49.52 feet to an iron pin found in the Southwest corner of Lot 22, and the Northwest corner of Lot 3, now or formerly owned by Signey H. & Esther W. Lance as recorded in Deed Vol. 423, Pg. 444 and Vol. 192, Pg. 476 of the Medina County Records;

Thence South 00° 13' 28" East along the West line of Lot 3, Tract 2, York Township and along the West line of said Lance property a distance of 823.27 feet to an iron pin set;

Thence South 89° 46' 32" West a distance of 200.00 feet to an iron pin set;

Thence South 00° 13' 28" East a distance of 596.33 feet to the TRUE PLACE OF BEGINNING, said line passing through an iron pin set 121.82 feet from the centerline of Norwalk Road, and containing within said bounds 10.8154 Acres of Land, more or less, but subject to all easements, restrictions, and rights-of-way of record as surveyed by JAMES R. BOCK, Registered Surveyor No. 6051 and CARL M. CLARK, Registered Surveyor No. 6358 of BOCK & CLARK, INC., in August, 1981.

The above described parcel being known as new City Lot 4903.

(B) The grantee shall pay all costs associated with the transfer and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(C) This section expires one year after its effective date.

SECTION 9. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Hamilton County Alcohol and Drug Addiction Services Board (the "grantee"), and its successors and assigns or

heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situate in the State of Ohio, Hamilton County and City of Cincinnati, being parcel out of those lands conveyed to the State of Ohio by Deed of Record in Deed Book 2553, Page 10, Recorder's Office, Hamilton County, Ohio and being more particularly described as follows:

Bound by Martin Luther King Jr. Drive (formerly Melish Avenue) on the North; Donahue Avenue on the South; Burnet Avenue on the East; and Highland Avenue on the West, to include the grounds and buildings.

The description for the aforescribed parcel was taken from the Description appearing in the Deed of Record to the State of Ohio, and recorded in Deed Book 2553, Page 10, Hamilton County Recorder's Office, Hamilton County, Ohio, subject to all easements, restrictions, and rights-of-way of record.

Further reference is made to Plat 1, Pages 4 through 6, Burnet and Reeders Subdivision, Hamilton County Recorder's Office and to File No. 5838, File No. 4912, File No. 1304, and to File No. 4495 on file in the offices of the Ohio Department of Administrative Services, General Services Division, Office of Properties and Facilities, 4200 Surface Road, Columbus, Ohio 43228-1395.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$600,000.00 and shall be paid to the state according to the following schedule as derived by mutual agreement reached between the state and the grantee through an executed Offer to Purchase:

- (1) \$60,000.00 deposit upon full execution of the Offer to Purchase.
- (2) \$135,000.00 at closing and transfer of title in accordance with this act.
- (3) \$135,000.00 upon the first anniversary of the closing date.
- (4) \$135,000.00 upon the second anniversary of the closing date.
- (5) \$135,000.00 upon the third anniversary of the closing date.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The state stipulates that the Offer to Purchase has been made pursuant to Section 21.01 of Am. Sub. H.B. 640 of the 123rd General Assembly. Possession of the premises prior to transfer shall be governed by an existing lease between the state and the grantee.

(E) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(F) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Hamilton County Recorder.

(G) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(H) This section expires one year after its effective date.

SECTION 10. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to Forest City Enterprises, Inc. (the "grantee"), and its successors and assigns or heirs and assigns, the State's Lessor's remainder interest pursuant to a certain lease dated March 16, 2001, between the state and grantee affecting the following described real estate:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Blocks 9, 22, 23, and 24 in Burton Adams Halle and West's Subdivision of a part of Original 100 Acre Lots Nos. 354, 358, and 359 as shown by the recorded plat in Volume 8, Page 32 of Cuyahoga County Map Records. Being all of Sublots Nos. 61 to 86, both inclusive, 136 to 173, both inclusive, 183 to 285, both inclusive, in H.C. McDowell, Brayton et al. Subdivision, of part of Original 100 Acre Lot No. 354 as shown by the recorded plat in Volume 10, Page 23 of Cuyahoga County Map Records, together with that portion of East 136th Street, Maxwell Avenue, N.E., East 137th Place as shown by the vacation plat in Volume 207, Page 14 of Cuyahoga County Map Records, together with that portion of East 136th Street, East 137th Place, East 138th Place, East 139th Street and East 140th Place, as shown by the vacation plat in Volume 181, Page 33 of Cuyahoga County Records Map Records, together with that portion of East 137th Street and Topeka Avenue, N.E. as shown by the vacation plat in Volume 182, Page 42 of Cuyahoga County Map Records, together with that portion of East 136th Street, East 137th Place, East 137th Street, East 138th Place, East 139th Street, East 140th Place, Appleton Avenue, N.E., and Topeka Avenue, N.E., as recorded by the Council of the City of Cleveland by Ordinance No. 50967, together with other land in Original 100 Acre Lot. No. 354, collectively forming a parcel of land bounded and described as follows: Beginning in the center line of Coit

Road, N.E., 60 feet in width at its intersection with the center line of East 140th Street, 60 feet in width; Course No. 1: Thence North 64 degrees 10 minutes 17 seconds West along the center line of said Coit Road, N.E., 1519.71 feet to a point in the Southwesterly corner of Block 9 in Burton, Adams, Halle and West's Subdivision as aforementioned; Course No. 2: Thence North 62 degrees 26 minutes 50 seconds West along the center line of said Coit Road, N.E., 178.98 feet to its intersection with the Easterly line of Consolidated Rail Corporation right-of-way, being also the Easterly line of "Parcel I" of land so conveyed to the Cleveland Short Line Railway Company by deed dated March 6, 1907, and recorded in Volume 1053, Page 47 of Cuyahoga County Records; Course No. 3: Thence North 0 degrees 45 minutes 10 seconds East along the Easterly line of said Consolidated Rail Corporation right-of-way 207.32 feet to a point of curvature therein; Course No. 4: Thence Northeasterly along the Easterly line of said Consolidated Rail Corporation right-of-way being also the Easterly line of land conveyed to the Cleveland Short Line Railway Company by deed dated March 4, 1907, and recorded in Volume 1050, Page 322 of Cuyahoga County Records, being along the arc of a curve deflecting to the right, 1,170.74 feet to its intersection with the Southerly line of land conveyed to the City of Cleveland by deed dated September 19, 1932, and recorded in Volume 4312, Page 688 of Cuyahoga County Records, being also the Southerly line of the Cleveland Painesville and Eastern Railroad Company, said curved line having a radius of 1,835.08 feet and chord which bears North 19 degrees 16 minutes 17 seconds East a distance of 1,150.96 feet; Course No. 5: Thence Easterly along the Southerly line of land so conveyed to the City of Cleveland, and along the arc of a curve deflecting to the left 36.70 feet to its intersection with the Westerly line of H.C. McDowell, Brayton et al. Subdivision as aforementioned, said curved line having a radius of 440 feet and a chord which bears North 78 degrees 24 minutes 36 seconds East a distance of 36.70 feet; Course No. 6: Thence due South along the Westerly line of said subdivision, 37.00 feet to its intersection with the Southerly line of Aspinwall Avenue, N.E., 60 feet in width; Course No. 7: Thence North 59 degrees 55 minutes 10 seconds East along the Southerly line of said Aspinwall Avenue, N.E., 525.11 feet to its intersection with the Westerly line of East 137th Street, 50 feet in width; Course No. 8: Thence South 0 degrees 14 minutes 25 seconds West along the Westerly line of said East 137th Street 364.09 feet to a point in the Southerly line of Maxwell Avenue, N.E., 50 feet in width; Course No. 9: Thence South 89 degrees 43 minutes 00 seconds East along the Southerly line of said Maxwell Avenue N.E., 179.91 feet to a point in the Westerly line of East 138th Place, 12 feet in

width; Course No. 10: Thence South 0 degrees 14 minutes 38 seconds West along the Westerly line of said East 138th Place 530.20 feet to a point in the Southerly line of Topeka Avenue, N.E., 50 feet in width; Course No. 11: Thence South 89 degrees 44 minutes 22 seconds East along the Southerly line of Topeka Avenue N.E., 479.00 feet to a point in the Westerly line of East 140th Street as aforementioned; Course No. 12: Thence South 0 degrees 14 minutes 38 seconds West along the Westerly line of said East 140th Street, 240.00 feet to the Southeasterly corner of Sublot No. 66 in H.C. McDowell, Brayton et al. Subdivision, as aforementioned; Course No. 13: Thence South 89 degrees 45 minutes 22 seconds East at right angles to last described course, 30.00 feet to a point in the center line of said East 140th Street; Course No. 14: Thence South 0 degrees 14 minutes 38 seconds West along the center line of said East 140th Street, 492.59 feet to an angle therein; Course No. 15: Thence South 2 degrees 31 minutes 43 seconds West along the center line of East 140th Street, 642.82 feet to the place of beginning, including the Northerly one-half of Coit Road, N.E. and the Westerly one-half of East 140th Street, according to a survey by Garrett and Associates, Inc., Registered Engineers and Surveyors, made in December, 1983, be the same more or less, but subject to all legal highways.

Further Reference is made to a Deed dated November 26, 1985 of Record in Official Record, Volume 85-6659, Pages 28 through 33, Cuyahoga County Recorder's Office, Cuyahoga County, Ohio, and to a Plat of Survey, Map No. 2088-D, dated December 1983, on file in the Offices of said Garrett and Associates, Inc., 2030 West 19th Street, Cleveland, Ohio.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$630,000.00 and shall be paid to the state at closing and transfer of title in accordance with this section.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The deed shall state that upon transfer at closing, the Lessor's interest to the premises, pursuant to a lease between the state and grantee dated March 16, 2001, (as provided in Section 68 of Am. Sub. S.B. 230 of the 122nd General Assembly) shall merge with the Lessee's interest. The deed shall further state the restrictions regarding maintenance of an existing water tower as provided in said lease shall be forthwith removed.

(E) The obligation of the Department of Administrative Services to convey the premises to grantee is also subject to and contingent upon (1) the grantee obtaining a binding unconditional executed contract with the United States Department of Labor (the "Job Corps Contract") for the construction of a Federal Job Corps Center thereon on or before the closing of the

es and (2) occurrence of simultaneous closings of this conveyance and the closing of the Job Corps Contract. Possession of the premises prior to transfer shall be governed by an existing lease between the state and the grantee.

(F) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(G) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Cuyahoga County Recorder.

(H) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(I) This section expires one year after its effective date.

SECTION 11. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Board of Ross County Commissioners (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Township of Union, County of Ross, State of Ohio, and being a part of the premises (Par. 9-15-151) conveyed to The Ohio Building Authority by Quit Claim Deed dated September 3, 1982 and recorded in Volume 456, Page 451 of the Ross County Deed Records, and being more precisely described as follows:

Beginning at a point in the centerline of S.R. 104, said point bears S 14° 06' 27" E, 30.00 feet from the existing centerline intersection of S.R. 104 and Transformer Road (Pvt.);

Thence, with a new division line through the tract of which this is a part S 75° 41' 47" W, 66.55 feet to a point in the east line of AEP Substation Facility (Vol. 344, Pg. 673);

Thence, along three (3) lines of the said AEP Substation Facility:

- N 13° 55' 07" W, 7.20 feet to a point,
- S 76° 14' 53" W, 99.96 feet to a point,
- S 13° 47' 08" E, 8.17 feet to a point;

Thence, with (2) new division lines through the tract of which this is a part:

S 75° 41' 47" W, 1546.61 feet to a point,

S 14° 18' 13" E, 1.13 feet to an iron pin (found) at the northeast corner of Union-Scioto Schools (Vol. 371, Pg. 325);

Thence, along the north line of said Union-Scioto Schools with the following three (3) courses:

S 70° 09' 53" W, 791.23 feet to an iron pin (found),

S 69° 55' 36" W, 244.87 feet to an iron pin (found),

S 48° 22' 52" W, 341.00 feet to a point in the centerline of Egypt Pike C-127;

Thence, along the centerline of Egypt Pike N 51° 18' 52" W, 66.44 feet to a point;

Thence, along the south line of Union-Scioto Schools (Vol. 290, Pg. 50) with the following three (3) courses:

N 47° 10' 37" E, 25.52 feet to an iron pin (found),

N 49° 20' 16" E, 338.55 feet to a point,

N 70° 01' 15" E, 254.99 feet to an iron pin (found);

Thence, along the south line of Union Scioto Schools (Vol. 346, Pg. 645) N 69° 55' 57" E, 100.37 feet to an iron pin (found);

Thence, along the south line of Union Scioto Schools (Vol. 371, Pg. 324) N 69° 42' 23" E, 699.69 feet to an iron pin (found);

Thence, with two (2) new division lines through the tract of which this is a part;

S 14° 18' 13" E, 5.36 feet to a point,

N 75° 41' 47" E, 1712.24 feet to a point in the centerline of S.R. 104;

Thence, along the centerline of S.R. 104 S 14° 06' 27" E, 60.00 feet to the point of beginning. Containing 4.349 acres. Bearings are based upon magnetic north. All iron pins found are 5/8" dia. Re-bar.

Being part of Auditor's Parcel Numbered 37-0915151.600

New Auditor's Parcel Number _____

Subject to the existing road right-of-way of Egypt Pike C-127 and S.R. 104. Also being subject to all existing rights-of-way, easements, and encroachments, recorded or unrecorded.

The foregoing description was based upon a survey made April 6, 1998 by Ernest L. Pritchard, Ohio Registered Professional surveyor #6837.

Further reference is made to File No. 5764-B on file in the offices of the Ohio Department of Administrative Services, General Services Division, Office of Properties and Facilities, Real Estate Services Section, 4200 Surface Road, Columbus, Ohio 43228-1395.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$1.00 and other valuable consideration including improvements to the roadway previously completed by the Ross County Board of County Commissioners.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(E) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Ross County Recorder.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(G) This section expires one year after its effective date.

SECTION 12. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Union Scioto School District (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate as shown in Parcel A and Parcel B:

Parcel A

14.409 Acres Tract

Situated in the Townships of Union and Scioto, County of Ross, State of Ohio, being a part of V.M.S. No. 1418, and being further bounded and described as follows:

Beginning at a 5/8" iron pin (found) in the southerly right-of-way line of Moundsville Road, said iron pin being the northeasterly corner of a 27.88 acres tract as conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 371, Page 325);

thence with the southerly right-of-way line of Moundsville Road N 75 deg. 58 min. 43 sec. E, a distance of 358.02 ft. to a 5/8" iron pin (set);

thence with a new division line S 13 deg. 51 min. 32 sec. E, a distance of 1673.91 ft. to a 5/8" iron pin (set);

thence with another new division line S 45 deg. 02 min. 17 sec. W, a distance of 343.49 ft. to a 5/8" iron pin (set) in the northeasterly right-of-way line of Egypt Pike;

thence with the northeasterly right-of-way line of Egypt Pike N 53 deg. 57 min. 27 sec. W, a distance of 139.50 ft. to a 5/8" iron pin (found), said iron pin being a corner to the aforementioned 27.88 acres tract as conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 371, Page 325);

thence with the line of the Board of Education of the Union-Scioto Local School District N 40 deg. 44 min. 33 sec. E, a distance of 41.95 ft. to a 5/8" iron pin (found);

thence continuing with the line of the Board of Education of the Union-Scioto Local School District N 14 deg. 08 min. 01 sec. W, a distance of 1719.35 ft. to the beginning, containing 14.409 acres of land of which 12.822 acres are contained in Scioto Township and 1.587 acres are contained in Union Township.

Subject to all legal easements, restrictions, and rights-of-way of record. Further, grantee shall not restrict or obstruct the flow of water in the drainage ditch crossing the above-described property.

Bearings are based upon the record bearing (S 04 deg. 40 min. 17 sec. W) of the easterly line of the 10.636 acres tract as found in Deed Book 451, Page 207.

The above description is a part of the 1288.60 acres tract as conveyed to Ohio Building Authority and recorded in Deed Book 456, Page 541 of the Ross County Recorder's Office and being Parcel No. 9-15-151.

Land surveyed in August 2001, under the direction of Eric N. Lutz, Registered Professional Surveyor No. 7232, the survey plat of which is referred to as Drawing No. S00-127A on file in the office of McCarty Associates, Hillsboro, Ohio.

Parcel B

5.046 Acres Tract

Situated in the Township of Union, County of Ross, State of Ohio, being a part of V.M.S. No. 542, and being further bounded and described as follows:

Beginning at a point in the easterly right-of-way line of Sandusky Boulevard, said point being a corner to a 20.50 acres tract as conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 346, Page 645) from which a 1/2" pin (found) and a 1" iron pipe (found) bears N 78 deg. 55 min. 03 sec. E, a distance of 0.60 ft.;

thence with a new division line S 78 deg. 55 min. 03 sec. W, a distance

of 51.95 ft. to a 5/8" iron pin (set) in the westerly right-of-way line of Sandusky Boulevard, said iron pin being in the line of a 10.636 acres tract as conveyed to Phoebe H. McKell and David R. McMillen (D.B. 541, page 207);

thence with McKell's line and the right-of-way line of Sandusky Boulevard for the next three calls:

(1) N 04 deg. 40 min. 17 sec. E, a distance of 33.86 ft. to a concrete monument (found);

(2) N 15 deg. 13 min. 17 sec. E, a distance of 252.92 ft. to a concrete monument (found);

(3) N 03 deg. 07 min. 44 sec. W, a distance of 41.07 ft. to a 5/8" iron pin (set);

thence with a new division line N 78 deg. 55 min. 03 sec. E, passing a 5/8" iron pin (set) at 46.40 ft., a total distance of 649.51 ft. to a 5/8" iron pin (set);

thence with another new division line S 19 deg. 45 min. 59 sec. E, a distance of 303.48 ft. to a 5/8" iron pin (set), said iron pin being the northerly most corner of the aforementioned 20.50 acres tract conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 346, page 645);

thence with the northwesterly line of the Board of Education of the Union-Scioto Local School District S 78 deg. 55 min. 03 sec. W, a distance of 770.33 ft. to the beginning, containing 5.046 acres of land.

Subject to all legal easements, restrictions, and rights-of-way of record.

Bearings are based upon the record bearing (S 04 deg. 40 min. 17 sec. W) of the easterly line of the 10.636 acres tract as found in Deed Book 541, Page 207.

The above description is a part of the 1288.60 acres tract as conveyed to Ohio Building Authority and recorded in Deed Book 456, Page 451 of the Ross County Recorder's Office and being Parcel No. 9-15-151.

Land surveyed in August 2001, under the direction of Eric N. Lutz, Registered Professional Surveyor No. 7232, the survey plat of which is referred to as Drawing No. S00-127A on file in the office of McCarty Associates, Hillsboro, Ohio.

(B) Consideration for the conveyance of the real estate described in division (A) of this section shall be \$16,536.75.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section,

including, but not limited to, recordation costs of the Governor's Deed.

(E) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Ross County Recorder.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(G) This section expires one year after its effective date.

SECTION 13. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the City of London (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

The following described 50.0000 acre tract is situated in the State of Ohio, Madison County, Union Township, V.M.S. 8371, 5670, 6169, 8886, 6246, and 8881, and being part of a 90.00 acre tract conveyed to the State of Ohio Prison Farm by Deed Book 134 Page 349 also being part of 489.77 acre tract also conveyed to the State of Ohio Prison Farm by Deed Book 134 Page 347 and being more particularly described as follows:

Beginning at a point in the centerline of State Route 38 (Elm Street) (60 foot right-of-way) said point being the northeast corner of a 0.7739 acre tract conveyed to Joan M. Brill by Official Record 97 Page 1151 also being corner to said 90.00 acre tract and corner to the corporation line

Thence, with said corporation line, the north line of said 0.7739 and a 5.0196 acre tract conveyed to Maurice E. and Nancy D. Beathard by Official Record 23 Page 169 South 61 deg. 45 min. 26 sec. West passing a 1/2" diameter iron pin at 30.00 feet also passing a 5/8" rebar and yellow plastic cap stamped "Cottrill 6858" previously set at the northern corner common to said 0.7739 and 5.0196 acre tracts at 260.05 feet a total distance of 732.70 feet to a 5/8" diameter rebar and yellow plastic cap stamped "Cottrill 6858" previously set corner to a 16.1140 acre tract conveyed to London First Presbyterian Church by Volume 161 Page 91

Thence, with the northwest line of said 16.1140 acre tract and said corporation line South 57 deg. 06 min. 31 sec. West distance of 452.96 feet to a 5/8" diameter rebar and yellow plastic cap stamped "Cottrill 6858"

previously set corner to a 67.4838 acre tract conveyed to D.C. Engineering and Development by Official Record 105 Page 1518

Thence, with said northeast line of said 67.4838 acre tract and continuing with said corporation line North 39 deg. 58 min. 29 sec. West a distance of 1123.48 feet to a 5/8" diameter rebar and yellow plastic cap stamped "Cottrill 6858" previously set at the northern most corner of said 67.4838 acre tract

Thence, across said 90.00 and 489.77 acre tract North 25 deg. 58 min. 05 sec. East passing the line between said tracts at 1194.27 feet also passing an iron pin and cap set at 1845.65 feet a total distance of 1886.41 feet to a mag nail set in the centerline of State Route 38

Thence, with said centerline the following two courses:

1.) South 21 deg. 25 min. 52 sec. East passing the eastern corner common to said 90.00 and 489.77 acre tracts at 672.77 feet a total distance of 809.94 feet to an angle point in said centerline

2.) South 27 deg. 20 min. 15 sec. East a distance of 1.362.43 feet returning to the point of beginning containing 50.0000 more or less acres of which 3.9343 acres is part of said 489.77 acre tract and 46.0657 acres is part of said 90.00 acre tract

Bearings are based on the northeast line of D.C. Engineering and Development's 67.4838 acre tract as described in Official Record 105 Page 1518 (South 39 deg. 58 min. 29 sec. East).

This deed is subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any. All iron pins set are 5/8 inch diameter rebar with yellow plastic caps stamped "Cottrill 6858." This description is based on a field survey performed May 17, 2000 by James R. Cottrill registration #6858.

(B) Consideration for the conveyance described in division (A) of this section shall be the conveyance by the grantee to the state of the following described real estate:

The following described 63.9355 +/- acre tract is situated in the State of Ohio, Madison County, Union Township VMS 8864 & 13567 being part of a 86.41 original acre tract (First Tract) conveyed to Kennison A. Sims by Official Record 10 Page 1084 and being more particularly described as follows:

Beginning at a point in the centerline of State Route 56 (60 foot right-of-way) said point being the southeastern corner of a 1.619 acre tract conveyed to Roger D. & Vicky Windland by Deed Book 281 Page 229.

Thence with said centerline South 34 deg. 34 min. 00 sec. East a

distance of 739.34 feet to the northern most corner of a 0.586 acre tract conveyed to Amanda V. Murray by Volume 286 Page 558.

Thence with the northwest line of said 0.586 acre tract, also the northwest line of 22.255 acre tract conveyed to Lamar Gossard by Volume 234 Page 506, South 44 deg. 09 min. 04 sec. West passing the northern corner common to said tracts at 191.00 feet a total distance of 2039.59 feet to an iron pin and cap set in the east line of a 1411.721 acre tract conveyed to the State of Ohio (Prison Farm) by Deed Book 88 Page 554 said pin is also in the line between VMS 13567 and VMS 5429/8744.

Thence with said line North 39 deg. 00 min. 14 sec. West a distance of 908.49 feet to an iron pin and cap set.

Thence with the east line of said 1411.721 acre tract North 04 deg. 33 min. 31 sec. West a distance of 1787.63 feet to a 6" railroad rail used as a fence post corner to a 30.466 acre tract conveyed to the State of Ohio, Prison Farm-Ohio Peace Officer Training Council by Deed Book 88 Page 554.

Thence with the southeast line of said 30.466 acre tract North 54 deg. 13 min. 35 sec. East a distance of 274.41 feet to a 5/8" rebar & yellow plastic cap stamped "Elliott PS-7759" found at the northwest corner of 4.8679 acre tract conveyed to Philip B. & Nancy C. Wall by Official Record 44 Page 408.

Thence with the southwest line of said 4.8679 acre tract South 35 deg. 45 min. 54 sec. East passing a 5/8" rebar & yellow plastic cap stamped "Elliott PS-7759" found at the northwest corner of 4.8281 +/- acre tract conveyed the Consolidated Construction Products by Official 106 Page 2105, also passing a iron pin and cap previously set at 469.70 feet found at the northwest corner of 4.8016 +/- acre tract conveyed to Madison County Tire Realty Co. by Official Record 100 Page 2611, a total distance of 704.70 feet to an iron and cap set at the southern most corner of said 4.8016 +/- acre tract.

Thence across said 86.41 acre tract the following two new courses:

1) South 35 deg. 45 min. 54 sec. East a distance of 633.74 feet to an iron pin and cap set

2) North 53 deg. 50 min. 45 sec. East a distance of 672.62 feet to a iron pipe & aluminum cap stamped "5969 NCB" found at the southern most corner of said Windland's 1.619 acre tract.

Thence with the southeast line of said 1.619 acre tract North 55 deg. 54 min. 20 sec. East passing an iron pipe & aluminum cap stamped "5969 NCB" found at 171.51 feet a total distance of 201.73 feet returning to the point of beginning containing 63.9355 +/- acres.

Bearings are based on the centerline of State Route 56 (South 34 deg. 34 min. East) as described in Official Record 10 Page 1085.

This deed is subject to and with the benefit of all legal highways, restrictions, easements, limitations, and reservations, of record, if any and to zoning restrictions which have been imposed thereon, if any.

All iron pins set are 5/8 inch diameter rebar with yellow plastic caps stamped "Cottrill 6858."

This description is based on a field survey performed May 3, 2001 by James R. Cottrill registration #6858. (S010417 A)

(C) The real estate described in divisions (A) and (B) of this section shall be transferred as entire tracts and not in parcels.

(D) The grantee shall pay all costs associated with the transfer and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(E) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Madison County Recorder.

(F) This section expires one year after its effective date.

SECTION 14. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to a purchaser and the purchaser's successors and assigns, or the purchaser's heirs and assigns, all of the state's right, title, and interest in the following described real estate:

The subject is known as being Sublot No. 27 in The Van Sweringen Company's Subdivision No. 14 or part of Original Warrensville Township Lots Nos. 34 and 35, as shown by the recorded Plat in Volume 50 of Maps Page 219 of Cuyahoga County Records, and being 129.91 feet front on the Southerly side of Shaker Boulevard, 31.57 feet on the turnout between the Southerly line of Shaker Boulevard, and the Westerly line of Torrington Road, 184.55 feet on the Westerly line, and 150 feet wide in the rear, as appears by said Plat, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

(B) Consideration for the real estate described in division (A) of this section, which was purchased for \$380,000 in 1993, shall be a purchase price acceptable to the Board of Trustees of Cleveland State University.

(C) Upon payment of the purchase price by the purchaser, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and shall be executed by the Governor in the name of the state. The deed shall be 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 purchaser shall present the deed for recording in the Office of the Cuyahoga County Recorder.

(D) The net proceeds of the sale of the real estate described in division (A) of this section shall be held in a restricted reserve fund of Cleveland State University and shall be used only for housing and housing allowances of future Presidents of Cleveland State University.

(E) This section shall expire one year after its effective date.

SECTION 15. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to Oxford Bible Fellowship, and its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situate in the City of Oxford, Butler County, Ohio, being part of Out Lot 55 of said City and being more particularly described as follows: Beginning at a point in the south line of said Out Lot 55, located North 89°42'45" West 89.00 feet from the southwest corner of said Out Lot; thence continuing with the south line of said Out Lot and with the north line of Chestnut Street, North 89°42'45" West 162.93 feet to a steel rod set; thence North 00°07'40" West 167.93 feet to an existing corner, witness a steel rod found; thence with the Grantor's north line, South 89°48' East 162.93 feet to the Grantor's northeast corner, witness a steel rod found at South 89°48' East 0.30 feet; thence with the Grantor's east line, South 00°07'40" East 168.18 feet to the point of beginning, containing 27,380 square feet of land, more or less, and being subject to any easements or restrictions of record.

A plat of this survey is filed in Book ... Page ... of the Butler County Engineer's Record of Land Surveys.

This description prepared by N. Randolph Bueche, Registered Surveyor #6782 in Ohio.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$80,000.00.

(C) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration. 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 Oxford Bible Fellowship. Oxford Bible Fellowship shall present the deed for recording in the Office of the Butler County Recorder.

(D) Oxford Bible Fellowship shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(E) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the Miami University General Fund.

(F) This section shall expire one year after its effective date.

SECTION 16. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to Concord Township, and its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Delaware, Township of Concord, located in Farm Lot 2 in C. Baldwin's Virginia Military Survey No. 1421, and being part of a 120.0 acre tract conveyed to State of Ohio as conveyed in Deed Book 60, Page 469, Delaware County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a railroad spike found in the centerline of Dublin Road (State Route 745) marking the southeast corner of said 120.0 acre tract and northeast corner of a 86.0 acre tract conveyed to Mary Janet Held in Deed Book 453, Page 776 and in the south line of Farm Lot 2;

thence South 80°27'12" West 1410.00 feet, along the south line of Farm Lot 2 and said 120.0 acre tract and of a 0.918 acre lease tract conveyed to Del-Co Water in Lease Volume 48, Page 218, and north line of said 86.0 acre tract, to an iron pin found marking the southwest corner of said 0.918 acre tract and being the principal place of beginning of the herein described tract:

thence continuing South 80°27'12" West 999.61 feet, along the south line of Farm Lot 2 and said 120.0 acre tract and north line of said 86.0 acre tract, to a steel post found marking the southwest corner of said 120.0 acre tract and the northwest corner of said 86.0 acre tract and southeast corner of a 16.050 acre tract conveyed to Richard A. Petke and Carol L. Bennington in Deed Book 551, Page 538 and being the southwest corner of Farm Lot 2 and The southeast corner of Farm Lot 1;

thence North 03°10'43" West 995.43 feet, along the west line of Farm Lot 2 said 120.0 acre tract and the east line of Farm Lots 1 and 4 and said 16.050 acre tract, to an iron pin found marking the northwest corner of said 120.0 acre tract and the southwest corner of a 26.481 acre tract conveyed to

Concord Township Trustees in Deed Book 578, Page 832;

thence North 80°13'16" East 951.14 feet, along the north line of said 120.0 acre tract and south line of said 26.481 acre tract, to an iron pin set;

thence South 07°58'55" East 793.44 feet, across said 120.0 acre tract, to the north line of said 0.918 acre lease tract, to an iron pin set;

thence South 80°27'12" West 40.26 feet, along the north line of said 0.918 acre lease tract, to an iron pin found marking the northwest corner of said 0.918 acre lease tract;

thence South 09°32'48" East 200.00 feet, along the west line of said 0.918 acre tract, to the principal place of beginning, containing an area of 22.415 acres, more or less.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$47,100.00.

(C) Concord Township shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(D) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration. 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 Concord Township. Concord Township shall present the deed for recording in the Office of the Delaware County Recorder.

(E) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the Department of Youth Services Building Demolition Fund.

(F) This section shall expire one year after its effective date.

SECTION 17. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the Board of Ross County Mental Retardation and Developmental Disabilities (the "grantee"), and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Township of Scioto, County of Ross, State of Ohio, and being a part of the premises (Par. 16-3-375) conveyed to the Ohio Building Authority by Quit Claim Deed dated September 3, 1982, and recorded in Volume 456, Page 451 of the Ross County Deed Records, and being more precisely described as follows:

Beginning at a 1" dia. iron pipe (found) in the west line of Barbara Mason (Vol. 507, Pg. 724), said iron pin bears S 28°48'58" W, 43.40 feet

from the most northerly corner of said Barbara Mason;

Thence, along two (2) lines of said Barbara Mason: S 28°48'58" W, 72.10 feet to a 3/4" dia. iron pipe (found), S 30°56'41" W, 56.23 feet to an iron pin (set);

Thence, S 55°53'27" W, 70.58 feet to an iron pin (set);

Thence, S50°36'23" W, 121.50 feet to a U.S.A. Monument #70 (found);

Thence S 29°58'59" E, passing another U.S.A. Monument #71 (found) at 423.85 feet, 440.12 feet to a point;

Thence, along the centerline of Adena Road T-1070 S 57°09'45" W, 313.40 feet to a point;

Thence, along the north L/A right-of-way line of U.S.R. 35 with the following three (3) courses:

N 61°21'57" W, 84.44 feet to an iron pin (set),

N 54°14'22" W, 496.23 feet to a point,

N 16°54'48" W, 2.59 feet to an iron pin (set);

Thence, along the east line of the STY Company (Vol. 514, Pg. 30) and then Ronald Cuckler (Vol. 546, Pg. 968) N 56°48'13" E, 870.95 feet to a 5/8" dia. iron pin (found) with I.D. cap SLAGLE 6699;

Thence, S 14°51'51" E, 31.61 feet to the place of beginning. Containing 6.064 acres. Bearings are based upon magnetic north. Subject to the existing road right-of-way of Adena Road T-1070.

All iron pins set are 5/8" dia. re-bar with I.D. cap stamped "PRITCHARD P.S. 6837."

The foregoing description was based upon a survey made March 27, 1998, by Ernest L. Pritchard, Ohio Registered Professional Surveyor #6837. The property is subject to all easements, restrictions, and rights of way of record.

Further reference is made to File No. 5764-A on file in the offices of the Ohio Department of Administrative Services, General Services Division, Office of Properties and Facilities, Real Estate Services Section, 4200 Surface Road, Columbus, Ohio 43228-1395.

(B) The deed shall state that the consideration for the conveyance of the real estate described in division (A) of this section shall be \$5,154.40.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) The grantee shall pay all costs associated with the purchase and conveyance of the real estate described in division (A) of this section, including, but not limited to, recordation costs of the Governor's Deed.

(E) Within ninety days of the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to

the real estate described in division (A) of this section. The deed shall state the consideration. 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 at closing. The grantee shall present the deed for recording in the Office of the Ross County Recorder.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury to the credit of the General Revenue Fund.

(G) This section expires one year after its effective date.

SECTION 18. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to the United States of America (the "grantee"), and its successors and assigns, all of the state's right, title, and interest in the following described real estate:

A Description of a 1244.02 Acres (net)
under the Jurisdiction of the Ohio Department of
Rehabilitation and Corrections
Chillicothe, Ross County, Ohio,
and being more particularly described as follows:

(Parcel No. 1)

Situated in the Townships of Union and Scioto, County of Ross, State of Ohio and bounded and described as follows:

Beginning at a point in the center of State Route 104 at the centerline intersection of County Road 550, said point is southeasterly corner of a tract conveyed to Ross County, Ohio (Vol. 377, p. 289, Ross County Deed Records); thence with the centerline and curvature of S.R. 104 and the northeasterly lines of said Ross County, Ohio, tract

N 19°44'40" W 646.11 feet to a point,

N 20°21'27" W 221.41 feet to a point,

N 25°57'23" W 266.29 feet to a point,

N 32°13'36" W 200.05 feet to a point and

N 32°39'16" W 426.26 feet to a point at the intersection of the centerline of Roberts Road; thence with the center of said road

S 60°16'31" W 60.0 feet to a point; thence continuing with curvature of the centerline of said road having chords bearing

S 36°25'30" W 117.17 feet to a point and

S 17°56'13" W 133.46 feet to a railroad spike in the center of Roberts Road; thence with the easterly line of several small lots

N 11°51'48" W 999.48 feet to a USA Monument #54; thence

N 11°45'27" W 11.45 feet to a point (formerly USA Monument #55) at a corner to Uhrig (Vol. 373, p. 595, R.C.D.R.); thence

S 50°45'58" W 228.33 feet to a railroad spike set at a corner to McCalla et al. (Vol. 438, p. 325, R.C.D.R.); thence with the centerline of Co. Rd. 550 and said McCalla's northeasterly line

N 53°13'33" W 1296.52 feet to a point; thence with three lines of said McCalla

S 37°38'34" W 1302.65 feet to an iron pin in the Limited Access R/W line of the State of Ohio (U.S. Route 35, R/W Book 5, p. 609), thence with three lines of said limited access R/W

S 49°44'50" E 982.38 feet to an iron pin and

S 52°20'03" E 694.0 feet to a point at a steel fence corner post at a corner to Fields (Vol. 440, p. 587, R.C.D.R.), passing an iron pin at 423.41 feet, and

S 16°51'44" E 87.33 feet to a point at a steel fence corner post at another corner to said Fields, thence continuing with said Fields and Breakfield's (Vol. 439, p. 672, R.C.D.R.) lines

N 56°51'46" E 871.88 feet to an iron pin in the southwesterly right-of-way line of Co. Rd. 550; thence

S 16°03'42" E 31.5 feet to an iron pin at a corner to Mason (Vol. 340, p. 492, R.C.D.R.); thence with said Mason's lines

S 26°28'12" W 71.97 feet to a point, and

S 34°28'12" W 56.10 feet to a point; thence across a large ditch

S 55°53'27" W 70.58 feet to a point at a corner to Miller (Vol. 423, pg. 349, Tract 3, R.C.D.R.); thence with said Miller's lines

S 50°36'28" W 121.50 feet to USA Monument #70 and

S 29°58'59" E 423.99 feet to USA Monument #71; thence across Adena Road

S 27°23'32" E 33.60 feet to an iron pin set at a corner to a tract conveyed to Ross County, Ohio (Vol. 395, p. 566, R.C.D.R.); thence with three lines of said Ross County, Ohio, tract

S 42°32'17" W 88.69 feet to an iron pin set in a fence line

S 56°38'38" W 204.26 feet to an iron pin set in the Limited Access R/W line (U.S. Route 35) and with said R/W line

S 54°43'46" E 713.45 feet to a point that bears S 31°00'23" E 15 feet from USA Monument #76; thence

S 31°00'23" E 290.80 feet to a point (former USA Monument #77); thence

N 58°45'39" E 50.87 feet to a point (former USA Monument #78) at a corner to Zander (Vol. 206, p. 73, R.C.D.R.); thence with said Zander's lines

S 30°07'09" E 465.91 feet to a point and
S 49°54'34" E 299.30 feet to a point in a line of the Zander Subdivision (P.B. 3, p. 135, R.C.P.B.); thence with said subdivision line
S 15°12'30" W 183.16 feet to an iron pin set in a northeasterly R/W line of the Chessie System Railroad; thence with said railroad line
N 49°48'16" W 1980.70 feet to an iron pin set on the northwesterly side of Adena Road, thence continuing with said railroad lines
N 49°33'11" W 2513.17 feet to a USA Monument and
N 49°31'36" W 2560.53 feet to an iron pin set at a corner to a tract conveyed to the State of Ohio (Vol. 350, p. 206, R.C.D.R.); thence with five lines of said State of Ohio Tract
N 30°56'42" W 589.73 feet to a point, N 56°40'44" E 18 feet to an iron pin set at a R/W fence,
N 33°19'19" W 650.00 feet to an iron pin set at a fence.
S 56°40'41" W 68.0 feet to a point in a ditch and
N 27°44'13" W 572.21 feet to an iron pin in a south line of Betsch (Vol. 250, p. 516, R.C.D.R.); thence with said line of Betsch and crossing U.S. Route 35
N 72°39'43" E 356.0 feet to an iron pin set in Co. Rd. 550 at a corner to a tract conveyed to the Board of Education, Union-Scioto Local School District (Vol. 304, p. 81, R.C.D.R.); thence with the lines of said school tract and the northeasterly right-of-way lines of Co. Rd. 550
S 67°00'58" E 440.56 feet to a point,
S 72°47'04" E 707.16 feet to a point and
S 74°04'31" E 333.39 feet to an iron pin set at a corner to another Union-Scioto School tract (Vol. 290, P. 50, R.C.D.R.) and in the southwesterly line of Egypt Pike Road; thence crossing said road and with said school tract lines
N 49°22'09" E 42.00 feet to an iron pin set;
N 51°26'10" E 338.55 feet to an iron pin set at a fence and along said fence
N 72°08'11" E 255.0 feet to an iron pin at a corner to another Union-Scioto School tract (Vol. 346, p. 645, R.C.D.R.); thence
N 72°08'09" E 100.00 feet to an iron pin at a corner to another Union-Scioto School tract (Vol. 371, p. 324, R.C.D.R.); thence with the lines of said school tract
N 71°45'36" E 699.70 feet to an iron pin,
N 11°03'10" W 524.54 feet to an iron pin set and
S 77°29'13" W 766.58 feet to an iron pin at a corner to the above mentioned school tract of (Vol. 346, p. 645, R.C.D.R.); thence with those

school tract lines

N 17°59'35" W 849.57 feet to a point at a fence corner post, S 80°46'52" W 770.33 feet to an iron pin set on the east side of Sandusky Blvd. and

S 6°35'41" W 975.74 feet to an iron pin set; thence crossing the right-of-way of Sandusky Blvd. (Vol. 341, p. 328, R.C.D.R.) and with a school tract line

S 73°28'50" W 51.33 feet to a railroad spike set in Egypt Pike Road at a corner to Betsch (Vol. 430, p. 608, R.C.D.R.); thence with the lines of said Betsch

N 6°27'32" E 1015.25 feet to USA Monument #113,

N 17°00'32" E 252.92 feet to USA Monument #114, and

N 1°25'52" W 600.68 feet to USA Monument #116 at a corner to Currier (Vol. 440, p. 133, R.C.D.R.); thence with a line of said Currier and McKell (Vol. 269, p. 175, R.C.D.R.)

N 8°22'50" W 610.92 feet to an iron pin set, passing an iron pin at 314.88 feet; thence continuing with the lines of said McKell

N 03°24'38" E 255.64 feet to USA Monument #119, crossing the right-of-way to reservoir site

N 3°36'43" E 66.08 feet to USA Monument #131 and

N 3°23'34" E 741.02 feet to USA Monument 133 in a south line of Conaway (Vol. 422, p. 34, R.C.D.R.) thence with said line of Conaway and crossing Sandusky Blvd.

N 80°29'10" E 156.09 feet to USA Monument #135 at a corner to Roseboom (Vol. 393, p. 140, R.C.D.R.); thence with lines of said Roseboom

N 80°36'40" E 894.76 feet to USA Monument #136 and

N 10°23'34" W 1447.16 feet to an iron pin set at a corner to the Veterans Administration land, said pin bears S 10°23'33" E 101.51 feet from USA Monument #138; thence with the lines of the Veterans Administration (per V.A. file #332, 1967 transfer to Bureau of Prisons of 47 acres)

N 80°21'46" E 320.35 feet to a steel fence corner post,

S 12°06'14" E 613.80 feet to a steel fence corner post,

N 77°59'33" E 278.65 feet to a steel fence corner post,

N 12°06'14" W 453.45 feet to a steel fence corner post and

N 80°35'48" E 1034.61 feet to a point in the center of State Route 104; passing a steel fence post at 810.4 feet; thence with the center of said State Route 104

S 17°48'03" E 369.22 feet to a point in the center State Route 104, with the curvature of State Route 104 having a chord

S 15°44'32" E 631.34 feet to a point in the center of S.R. 104, with S.R. 104

S 12°36'01" E 226.76 feet to an iron pin set in the center of S.R. 104 with S.R. 104

S 12°17'19" E 1913.10 feet to a point in the center of S.R. 104 with S.R. 104

S 12°04'20" E 196.07 feet to an iron pin set in the center of S.R. 104 and with the South line of Mound City Group National Monument

N 77°53'41" E 2503.00 feet to low water level on the Scioto River's westerly bank, passing iron pins at 1394.2 feet and 2400 feet; thence down the Scioto River along the westerly bank at low water level having the chords

- S 65°40'24" E 826.30 feet,
- S 74°18'50" E 1077.88 feet,
- S 85°35'58" E 776.57 feet,
- S 87°50'44" E 526.29 feet,
- S 87°51'00" E 550.00 feet,
- S 74°56'15" E 564.53 feet,
- S 40°00'00" E 500.00 feet,
- S 26°00'00" E 400.00 feet,
- S 16°00'00" E 600.00 feet,
- S 23°13'10" W 541.56 feet,
- S 51°42'30" W 526.04 feet,
- S 82°26'58" W 374.82 feet,
- S 61°08'21" W 1150.53 feet,
- S 63°31'00" W 1618.62 feet,
- S 55°12'30" W 176.75 feet,
- S 40°00'53" W 570.15 feet,
- S 22°26'43" W 498.51,
- S 23°00'00" W 670.00 feet,
- S 8°05'54" W 715.60 feet,
- S 20°00'00" E 950.00 feet,
- S 38°12'04" E 806.37 feet and

S 49°59'44" E 398.0 feet to a corner to Brewer and Brewer Sons, Inc. (Vol. 355, p. 219, R.C.D.R.); thence with a line of said Brewer's

N 83°50'34" W 64.02 feet to a point in the westerly bank of the Scioto River; thence continuing with a curve to the left of said Brewer's and Chapin (Vol. 352, p. 413, R.C.D.R.) having a radius of 552 feet that bears S 6°09'25" W from the last mentioned point and having an arc length of 1383.31 feet and chords

- S 65°04'16" W 570.02 feet to an iron pin set,
- S 9°16'20" W 461.53 feet to an iron pin set at a steel fence post on the

northeasterly right-of-way of the limited access easement for U.S. Route 35 (R/W Book 5, p. 609, Ross County R/W Book Records) and

S 31°25'52" E 304.19 feet to a point at the end of the curve and corner to said Chapin; thence continuing with the lines of said Chapin (also Vol. 391, p. 265, R.C.D.R.)

S 47°25'36" E 125.0 feet to a point,

S 20°24'35" E 130.16 feet to a point,

N 52°20'47" W 601.64 feet to a point,

S 69°41'15" W 257.97 feet to an iron pin set,

S 24°10'12" E 140.22 feet to an iron pin set and

S 4°28'57" E 179.61 feet to an iron pin set in the northeasterly right-of-way line of the Chessie System Railroad; thence with said line

N 49°47'45" W 323.94 feet to a point at the northeasterly right-of-way line of S.R. 104; thence along the northeasterly lines of the Zander Subdivision (P.B. 3, p. 135, R.C.P.B.) and Adamsville Subdivision (P.B. 2, p. 36, R.C.P.B.)

N 35°20'03" W 358.60 feet to a point on the former right-of-way line of S.R. 104,

N 29°38'04" W 604.36 feet to a point,

N 28°37'54" W 382.05 feet to a point and N 29°32'02" W 337.49 feet to an iron pin in the center of Co. Rd. 550 at a corner to a tract conveyed to Ross County, Ohio (mentioned above Vol. 377, p. 289, R.C.D.R.); thence with the center of Co. Rd. 550 having a curve to the left having a chord

N 73°11'57" E 65.45 feet to an iron pin; thence with the centerline of Co. Rd. 550

N 70°19'20" E 237.58 feet to the point of beginning, containing a total of 1316.29 acres, more or less

Being parts of Virginia Military Surveys #542, #3036, #1418, #1445, #1850, and 4920--6721--6722.

Bearings are magnetic. Surveyed by Thomas F. Stark, P.S. 6450, November 18, 1980.

Auditor's Parcel Number: 37-0915151.600

Property Address: Land on S.R. 104

Description of an additional 65 Acre Tract

Part of S.R. 104, North of Mound City National Monument

West of Scioto River and South of Ackley (V. 114, p. 66, R.C.D.R.)

Union Township, Ross County Ohio

(Parcel No. 2)

Beginning at a USA concrete monument #241 at a corner to Ackley (Vol. 114, p. 66, Ross County Deed Records and on the east side of State

ute 104; thence with five lines of said Ackley

N 80°05'17" E 239.0 feet to USA monument #242,

N 81°05'45" E 461.65 feet to a point at a concrete fence corner post,

S 7°11'50" E 668.82 feet to an iron pin set, N 80°27'02" E 1086.14 feet to an iron pin set and

S 9°36'34" E 433.1 feet to the low water level on the Scioto River westerly bank, passing an iron pin set at 340.0 feet; thence down the Scioto River along the westerly bank at low water level having the chords

S 21°00'01" W 820.0 feet and

S 7°41'33" W 1012.0 feet to a corner to Mound City Group National Monument land; thence with the lines of said National Monument tract

N 79°29'40" W 194.0 feet to a point, passing pins set at 40 feet and 179 feet,

N 24°57'37" W 1057.32 feet to an iron pin set in the easterly bank of a large ditch, thence crossing said ditch

S 81°30'41" W 153.71 feet to an iron pin set, thence

S 24°43'16" W 116.66 feet to an iron pin set,

S 39°30'44" W 125.11 feet to an iron pin set,

N 86°32'09" W 350.18 feet to an iron pin set in the center of State Route 104, thence with the center of State Route 104

N 13°46'45" W 210.83 feet to a point in the center of said State Route 104, thence

N 6°51'13" W 1583.77 feet to a point in the center of said State Route 104; thence N 80°55'15" E 16.34 feet to the point of beginning, containing 65.0 acres.

Auditor's Parcel Number: 37-0915090.600

Property Address: Land on S.R. 104

Being a part of VMS #3036. Bearings are magnetic. Surveyed by Tom Stark, P.S. #6450.

Being those lands as described in Deed Volume 456, Page 451 et seq.

Description of an additional 5.00 Acre Reservoir Parcel

and Easement Thereto

(Parcel No. 3)

Situated in the Township of Union, County of Ross, State of Ohio and bounded and described as follows:

Beginning at an iron pin at the southwest corner of the tract herein described and at the southeast corner of Lot 113, Sherman Oaks Subdivision (P.B. 9, p. 31, Ross County Plat Records); thence with an east line of said subdivision

N 8°18'32" W 365.22 feet to USA Monument #124; thence with another

line of said Subdivision

N 80°44'34" E 210.54 feet to USA Monument #125; thence with a line of Conaway (Vol. 422, p. 34, Ross County Deed Records)

N 80°47'43" E 379.33 feet to USA Monument #126; thence with another line of said Conaway

S 9°47'26" E 366.59 feet to USA Monument #127 in the north line of McKell (Vol. 269, p. 175, R.C.D.R.); thence with said line of McKell

S 80°53'36" W 200.29 feet to USA Monument #128; thence continuing with said McKell's lines

S 81°02'40" W 68.28 feet to USA Monument #122 and

S 80°53'34" W 330.76 feet to the point of beginning, containing 5.0 acres more or less and including an easement across said McKell as follows:

Beginning at USA Monument #131 on the west side of Sandusky Blvd., said Monument bears S 3°23'34" W 741 feet from USA Monument #133 in said Conaway's south line; thence with the east line of said McKell

S 3°36'43" W 66.08 feet to USA Monument #119; thence through said McKell along a curve to the right having a chord

N 58°24'01" W 245.44 feet to USA Monument #120; thence along another curve to the right having a chord

N 47°06'36" W 254.24 feet to USA Monument #121; thence

N 37°36'49" W 485.48 feet to USA Monument #122 in the south line of the above described 5 acre tract; thence with said line

N 81°02'40" E 68.28 feet to USA Monument #128; thence through said McKell

S 37°39'22" E 452.82 feet to USA Monument #129; thence with a curve to the left having a chord

S 46°27'15" E 235.34 feet to USA Monument #130; thence with another curve to the left having a chord

S 58°40'09" E 212.04 feet to the point of beginning.

Being a part of Virginia Military Survey #542.

Auditor's Parcel Number: 37-0915304.000

Property Address: Land between Egypt Pike and Sandusky Boulevard.

Additional Parcel

Federal Reformatory Cemetery

(Parcel No. 4)

Beginning at a point on the southerly existing Limited Access Right-of-Way line of USR-35, said point being located 104.31 feet right from Station 948+30.49 in the centerline of a survey made by the Ohio Department of Highways on USR-35 Section 15.82, Ross County, Ohio and recorded in the Ross County Record of Plats in Platbook 5 at Page 50;

ce

South 29°26'48" East along said existing right-of-way line 91.50 feet to a point 113.22 feet right from Station 949+21.56 in said survey of USR-35; thence

South 70°57'07" West 292.62 feet to a point 394.52 feet right from Station 948+40.98 in said survey of USR-35; thence

North 19°02'53" West 90 feet to a point on the east boundary of Larrick Lane, said point being 369.74 feet right from Station 947+54.46 in said survey of USR-35; thence

North 70°57'07" East along the east boundary of Larrick Lane 276.10 feet to the place of beginning, containing 0.588 Acre.

Auditor's Parcel Number: 37-0915305.000

Property Address: Land on Larrick Lane

Additional Parcel
Ohio Building Authority
6.640 ACRES
(Parcel No. 5)

Situated in the Township of Union, County of Ross, State of Ohio, being all of the tract conveyed to the Ohio Building Authority and delineated as 'Exhibit D' (Deed Vol. 456 Page 451 Ross County Deed Records), bounded A described as follows:

Beginning at a Mag-Nail set in the center of State Route 104 at the northeast corner of the 1288.60 acre tract conveyed to the Ohio Building Authority (Deed Vol. 456 Page 451, 1288.60 acre tract conveyed to the Ohio Building Authority (Deed Vol. 456 Page 451, Exhibit 'A' and being the easternmost corner of the tract herein described;

thence with the south lines of the tract herein described and with the north lines of the 1288.60 acre tract conveyed to the Ohio Building Authority the following (3) courses,

1. S. 80 deg. 35'48" W. 1034.45 ft. to a 4-inch diameter steel fence corner post, passing an iron pin set at 30.32 ft.,

2. S. 12 deg. 06'14" E. 453.13 ft. to a 4-inch diameter steel fence corner post and

3. S. 77 deg. 55'36" W. 120.00 ft. to an iron pin set, said iron pin bears N. 77 deg. 55'36" E. 159.90 ft. from a 4-inch diameter steel fence corner post;

thence with the west line of the tract herein described and with a line of the Veteran's Administration Hospital, (Deed Vol. 185 Page 239),

N. 12 deg. 06'14" W. 660.00 ft. to an iron pin set on the south side of Hines Boulevard (a private V.A. road);

thence along the south side of Hines Boulevard and being 48.71 ft. south of and parallel to the centerline of pavement,

N. 80 deg. 12'12" E. 1133.51 ft. to a Mag-Nail set in the center of State Route 104, passing an iron pin set at 1083.03 ft.;

thence along the center of State Route 104,

S. 17 deg. 44'11" E. 211.06 ft. to the point of beginning, containing 6.640 acres subject to all easements and rights-of-way of record pertinent to this tract, including the Right-of-Way for State Route 104.

Being part of Virginia Military Survey No. 2036.

This legal description is based on a field survey performed April 26, 2000, under the direction and supervision of Michael T. Slagle, Ohio Professional Surveyor No. 6699.

The magnetic bearings in this legal description are based on a southerly line of the unrecorded 308.02 acre survey of the Veteran's Administration Medical Center (Reference Bearing & Distance - S. 12 deg. 06'14" E. 453.13 ft.) and are used solely for the purpose of denoting angles.

All iron pins set by this surveyor are 5/8 inch diameter, 30 inches long with an identification cap labeled SLAGLE, S-6699.

Being part of Auditor's Parcel Number: 37-0915151.600

Property Address: Land on S.R. 104, adjacent to Veteran's Administration.

The afore described Five (5) Parcels contain a total of 1393.52 Acres, more or less, subject to all legal rights of way and easements.

Excepting therefrom the following described Parcels:

(EXCEPTION PARCEL "A")

27.69 ACRES

Tract Conveyed to Board of Education of the
Union-Scioto Local School District

Situated in the Townships of Union and Scioto, County of Ross, State of Ohio and bounded and described as follows:

Beginning at an iron pin set in a driveway entrance on the southerly side of a private road, said pin bears S 41°32'48" E 1747.60 feet from USA Monument #113 (west side of Sandusky Blvd. and corner to Betsch, Vol. 430, p. 609, Ross County Deed Records) to an iron pin and thence across said private road S 17°51'50" E 60 feet; thence with a northerly line of the tract herein described and a fence line

N 72°20'05" E 791.11 feet to a point at a steel fence corner post; thence continuing with a fence line

S 12°21'18" E 1717.30 feet to a point at a steel fence corner post; thence continuing with a fence line

S 42°00'12" W 41.6 feet to a point at a steel fence corner post thence along the northeasterly side of County Road 550

N 52°08'12" W 1963.72 feet to a point at a steel fence corner post; thence continuing with a fence line

N 50°17'53" E 292.5 feet to a steel fence corner post; thence continuing with a fence line and a northerly line of the tract herein described

N 71°47'57" E 244.06 feet to the point of beginning, containing 27.69 acres more or less and being a part of Virginia Military Survey #1418 and a part of those tracts conveyed to the Board of Education of the Union-Scioto Local School District (Vol. 317, p. 326, Ross County Deed Records).

(EXCEPTION PARCEL "B")

91.940 ACRES

Situated in the Township of Scioto, County of Ross, State of Ohio, being part of the 1288.60 acre tract conveyed to the Ohio Building Authority (Deed Vol. 4S6 Page 451 Ross County Deed Records), bounded and described as follows:

Beginning for reference at a P.K. nail set at the intersection of the center of Pleasant Valley Road (County Road 550) and the center of State Route 104 and being the same beginning point called for in the legal description of the tract of which this is a part;

thence along the center of State Route 104, N. 19 deg. 44'40" W. 27.61 ft. to a P.K. nail set and being the actual point of beginning of the tract herein described;

thence continuing along the center of State Route 104 and the curvature thereof the following (5) courses,

1. N. 19 deg. 44'40" W. 618.50 ft. to a P.K. nail set,

2. N. 20 deg. 21'27" W. 221.41 ft. to a P.K. nail set,

3. N. 25 deg. 57'23" W. 266.29 ft. to a P.K. nail set,

4. N. 32 deg. 13'36" W. 200.05 ft. to a P.K. nail set and

5. N. 32 deg. 39'16" W. 426.26 ft. to a P.K. nail set at the intersection of the center of Roberts Road;

thence with new lines through the tract of which this is a part and continuing along the center of State Route 104 and the curvature and tangents thereof the following (4) courses,

1. N. 23 deg. 58'28" W. 409.15 ft. to a P.K. nail set,

2. N. 15 deg. 20'33" W. 177.10 ft. to a P.K. nail set,

3. N. 11 deg. 43'19" W. 108.88 ft. to a P.K. nail set and

4. N. 12 deg. 11'50" W. 1613.57 ft. to a Mag-Nail set south of the intersection of State Route 104 and a prison service road;

thence with another new line and being along the south side of said

service road, passing a railroad spike set at 30.00 ft. N. 78 deg. 02'21" E. 891.63 ft. to an iron pin set;

thence with another new line and crossing a field, S. 56 deg. 57'39" E. 594.50 ft. to an iron pin set on the west side of another Prison service road;

thence along the west side of said road and continuing with new lines the following (9) courses,

1. S. 12 deg. 06'04" E. 842.85 ft. to an iron pin set,
2. with a curve to the right having a radius of 861.65 ft., an arc length of 334.85 ft. and a chord of S. 02 deg. 25'17" E. 332.75 ft. to an iron pin set,
3. S. 15 deg. 02'27" W. 380.18 ft. to an iron pin set,
4. with a curve to the left having a radius of 988.10 ft., an arc length of 462.14 ft. and a chord of
S. 00 deg. 58'23" W. 457.94 ft. to an iron pin set,
5. S. 11 deg. 03'46" E. 273.31 ft. to an iron pin set.
6. with a curve to the left having a radius of 455.80 ft., an arc length of 135.12 ft. and a chord of
S. 19 deg. 01'00" E. 134.62 ft. to a railroad spike set,
7. S. 29 deg. 41'37" E. 128.37 ft. to an iron pin set,
8. with a curve to the right having a radius of 733.04 ft., an arc length of 244.06 ft. and a chord of

S. 20 deg. 32'26" E. 242.94 ft. to an iron pin set and
thence with another new line and crossing a field, S. 78 deg. 24'08" W. 368.08 ft. to an iron pin set in the east line of a 25.00 ft. wide right-of-way easement leading to the former Brewer and Brewer Co. gravel pit (Deed Vol. 369 Page 157), now in the name of the Melvin Stone Co.

thence with the east lines of said 25.00 ft. wide right-of-way the following (2) courses,

1. N. 31 deg. 54'01" W. 219.95 ft. to an iron pin set and
 2. N. 19 deg. 43'14" W. 75.00 ft. to an iron pin set;
- thence in part with the north terminus of said easement and in part with a new line, passing an iron pin set at 25.00 ft., S. 70 deg. 16'46" W. 110.02 ft. to the point of beginning, containing 91.940 acres, subject to all easements and rights-of-way of record pertinent to the above described tract, including the right-of-way for State Route 104, said right-of-way contains 4.801 acres. Being part of Virginia Military Surveys No. 1418 and 1850.

This legal description is based upon field surveys performed January 4, 1993, August 9, 1995, and July 8, 1996, under the direction and supervision Michael T. Slagle, Ohio P.S. No. 6699.

The magnetic bearings in this survey are based on the record bearings of the 1288.60 acre tract of which this is a part and are used solely for the

purpose of denoting angles.

All iron pins set by this surveyor are 5/8 inch diameter, 30 inches long with an identification cap labeled SLAGLE S-6699, unless otherwise indicated.

(EXCEPTION PARCEL "C")

6.064 ACRES

for The Ross County Board of M.R.D.D.

Situated in the Township of Scioto, County of Ross, State of Ohio, and being a part of the premises (Par. 16-3-375) conveyed to the Ohio Building Authority by Quit Claim Deed dated September 3, 1982, and recorded in Volume 456, Page 451 of the Ross County Deed Records, and being more precisely described as follows:

Beginning at a 11" dia. iron pipe (found) in the west line of Barbara Mason (Vol. 507, Pg. 724), said iron pin bears S 28°48'58" W, 43.40 feet from the most northerly corner of said Barbara Mason;

Thence, along two (2) lines of said Barbara Mason: S 28°48'58" W, 72.10 feet to a 3/4" dia. iron pipe (found), S 30°56'41" WW, 56.23 feet to an iron pin (set);

Thence, S 55°53'27" W, 70.58 feet to an iron pin (set);

Thence, S 50°36'23" W, 121.50 feet to a U.S.A. Monument #70 (found);

Thence, S 29°58'59" E, passing another U.S.A. Monument #71 (found) at 423.85 feet, 4, 10.12 feet to a point;

Thence, along the centerline of Adena Road T-1070 S 57°09'45" W, 313.40 feet to a point;

Thence, along the north L/A right-of-way line of U.S.R. 35 with the following three (3) courses:

N 61°21'51" W, 84.44 feet to an iron pin (set),

N 54°14'22" W, 496.23 feet to a point,

N 16°54'48" W, 2.59 feet to an iron pin (set);

Thence, along the east line of the STY Company (Vol. 514, Pg. 30) and then Ronald Cuckler (Vol. 546, Pg. 968) N 56°48'13" E, 870.95 feet to a 5/8" dia. iron pin (found) with I.D. cap SLAGLE 6699;

Thence, S 14°51'51" E, 31.61 feet to the place of beginning.

Containing 6.064 acres.

Bearings are based upon magnetic north.

Subject to the existing road right-of-way of Adena Road T-1070.

All iron pins set are 5/8" dia. re-bar with I.D. cap stamped "PRITCHARD P.S. 6837".

The foregoing description was based upon a survey made March 1998 by Ernest L. Pritchard, Ohio Registered Professional Surveyor #6837.

(EXEPTION PARCEL "D")

Description of a 4.349 Acre R/W, Ross County Commissioners
Moundsville Road, AKA Transformer Road

Situated in the Township of Union, County of Ross, State of Ohio, and being a part of the premises (Par. 9-15-151) conveyed to The Ohio Building Authority by Quit Claim Deed dated September 3, 1982, and recorded in Volume 456, Page 451 of the Ross County Deed Records, and being more precisely described as follows:

Beginning at a point in the centerline of S.R. 104, said point bears S 14°06'27" E, 30.00 feet from the existing centerline intersection of S.R. 104 and Transformer Road (Pvt.);

Thence, with a new division line through the tract of which this is a part S 75°41'47" W, 66.55 feet to a point in the east line of AEP Substation Facility (Vol. 344, Pg. 673);

Thence, along three (3) lines of the said AEP Substation Facility:

S 13°55'07" W, 7.20 feet to a point,

S 76°14'53" W, 99.96 feet to a point,

S 13°47'08" E, 8.17 feet to a point;

Thence, with (2) new division lines through the tract of which this is a part:

S 75°41'47" W, 1546.61 feet to a point,

S 14°18'13" E, 1.13 feet to an iron pin (found) at the northeast corner of Union-Scioto Schools (Vol. 371, Pg. 325);

Thence, along the north line of said Union-Scioto Schools with the following three (3) courses:

S 70°09'53" W, 791.23 feet to an iron pin (found),

S 69°55'36" W, 244.87 feet to an iron pin (found),

S 48°22'52" W, 341.00 feet to a point in the centerline of Egypt Pike C-127;

Thence, along the centerline of Egypt Pike N 51°18'52" W, 66.44 feet to a point;

Thence, along the south line of Union-Scioto Schools (Vol. 290, Pg. 50) with the following three (3) courses:

N 47°10'37" E, 25.52 feet to an iron pin (found),

N 49°20'16" E, 338.55 feet to a point,

N 70°01'15" E, 254.99 feet to an iron pin (found);

Thence, along the south line of Union Scioto Schools (Vol. 346, Pg. 645) N 69°55'57" E, 100.37 feet to an iron pin (found);

Thence, along the south line of Union Scioto Schools (Vol. 371, Pg. 324) N 69°42'23" E, 699.69 feet to an iron pin (found);

Thence, with two (2) new division lines through the tract of which this is a part;

S 14°18'13" E, 5.36 feet to a point,

N 75°41'47" E, 1712.24 feet to a point in the centerline of S.R. 104;

Thence, along the centerline of S.R. 104 S 14°06'27" E, 60.00 feet to the point of beginning.

Containing 4.349 acres.

Bearings are based upon magnetic north.

All iron pins found are 5/8" dia. re-bar.

Subject to the existing road right-of-way of Egypt Pike C-127 and S.R. 104. Also being subject to all existing rights of way and easements, recorded or unrecorded.

The foregoing description was based upon a survey made April 6, 1998, by Ernest L. Pritchard, Ohio Registered Professional surveyor #6837.

(EXCEPTION PARCEL "E")

Description of a 14.409 Acre Parcel

Scioto-Union School District

Situated in the Townships of Union and Scioto, County of Ross, State of Ohio, being a part of V.M.S. No. 1418, and being further bounded and described as follows:

Beginning at a 5/8" iron pin (found) in the southerly right-of-way line of Moundsville Road, said iron pin being the northeasterly corner of a 27.88 acres tract as conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 371, Page 325);

thence with the southerly right-of-way line of Moundsville Road N 75 deg. 58 min. 43 sec. E, a distance of 358.02 ft. to a 5/8" iron pin (set);

thence with a new division line S 13 deg. 51 min. 32 sec. E, a distance of 1673.91 ft. to a 5/8" iron pin (set);

thence with another new division line S 45 deg. 02 min. 17 sec. W, a distance of 343.49 ft. to a 5/8" iron pin (set) in the northeasterly right-of-way line of Egypt Pike;

thence with the northeasterly right-of-way line of Egypt Pike N 53 deg. 57 min. 27 sec. W, a distance of 139.50 ft. to a 5/8" iron pin (found), said iron pin being a corner to the aforementioned 27.88 acres tract as conveyed to the Board of Education of the Union-Scioto. Local School District (D.B. 371, Page 325);

thence with the line of the Board of Education of the Union-Scioto Local School District N 40 deg. 44 min. 33 sec. E, a distance of 41.95 ft. to a 5/8" iron pin (found);

thence continuing with the line of the Board of Education of the

Union-Scioto Local School District N 14 deg. 08 min. 01 sec. W, a distance of 1719.35 ft. to the beginning, containing 14.409 acres of land of which 12.822 acres are contained in Scioto Township and 1.587 acres are contained in Union Township.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the record bearing (S 04 deg. 40 min. 17 sec. W) of the easterly line of the 10.636 acres tract as found in Deed Book 451, Page 207.

The above description is a part of the 1288.60 acres tract as conveyed to Ohio Building Authority and recorded in Deed Book 456, Page 541 of the Ross County Recorder's Office and being Parcel No. 9-15-151.

Land surveyed in August 2001, under the direction of Eric N. Lutz, Registered Professional Surveyor No. 7232, the survey plat of which is referred to as Drawing No. S00-127A on file in the office of McCarty Associates, Hillsboro, Ohio.

(EXCEPTION PARCEL "F")

Description of a 5.046 Acres Parcel

Scioto-Union School District

Situated in the Township of Union, County of Ross, State of Ohio, being a part of V.M.S. No. 542, and being further bounded and described as follows:

Beginning at a point in the easterly right-of-way line of Sandusky Boulevard, said point being a corner to a 20.50 acres tract as conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 346, Page 645) from which a 1/2" pin (found) and a 1" iron pipe (found) bears N 78 deg. 55 min. 03 sec. E, a distance of 0.60 ft.;

thence with a new division line S 78 deg. 55 min. 03 sec. W, a distance of 51.95 ft. to a 5/8" iron pin (set) in the westerly right-of-way line of Sandusky Boulevard, said iron pin being in the line of a 10.636 acres tract as conveyed to Phoebe H. McKell and David R. McMillen (D.B. 541, page 207);

thence with McKell's line and the right-of-way line of Sandusky Boulevard for the next three calls:

(1) N 04 deg. 40 min. 17 sec. E, a distance of 33.86 ft. to a concrete monument (found);

(2) N 15 deg. 13 min. 17 sec. E, a distance of 252.92 ft. to a concrete monument (found);

(3) N 03 deg. 07 min. 44 sec. W, a distance of 41.07 ft. to a 5/8" iron pin (set);

thence with a new division line N 78 deg. 55 min. 03 sec. E, passing a

5/8" iron pin (set) at 46.40 ft., a total distance of 649.51 ft. to a 5/8" iron pin (set);

thence with another new division line S 19 deg. 45 min. 59 sec. E, a distance of 303.48 ft. to a 5/8" iron pin (set), said iron pin being the northerly most corner of the aforementioned 20.50 acres tract conveyed to the Board of Education of the Union-Scioto Local School District (D.B. 346, page 645);

thence with the northwesterly line of the Board of Education of the Union-Scioto Local School District S 78 deg, 55 min, 03 sec, W, a distance of 770.33 ft. to the beginning, containing 5.046 acres of land.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the record bearing (S 04 deg. 40 min. 17 sec. W) of the easterly line of the 10.636 acres tract as found in Deed Book 541, Page 207.

The above description is a part of the 1288.60 acres tract as conveyed to Ohio Building Authority and recorded in Deed Book 456, Page 451 of the Ross County Recorder's Office and being Parcel No. 9-15-151.

Land surveyed in August 2001, under the direction of Eric N. Lutz, Registered Professional Surveyor No. 7232, the survey plat of which is referred to as Drawing No. S00-127A on file in the office of McCarty Associates, Hillsboro, Ohio.

The aforescribed Parcels 1 through 5 contain a total of 1393.52 Acres and said Exceptions "A" through "F" containing 149.50 Acres, leaving a net of 1244.02 Acres, more or less, subject to all legal rights-of-way and easements.

(B) Within one year after the effective date of this section, upon the request of the Department of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration as good and valuable consideration. 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 United States of America, acting by and through, the Administrator of General Services pursuant to the "Federal Property and Administrative Services Act of 1949," 63 Stat. 377, as amended, and regulations and orders promulgated under that act. The Department of Rehabilitation and Correction shall present the deed for recording in the Office of the Ross County Recorder.

The Department of Rehabilitation and Correction shall pay the cost of conveyance of the real estate described in division (A) of this section.

(C) The obligation of the Department of Administrative Services to convey the real estate described in division (A) of this section to the grantee is subject to and contingent upon the occurrence of a simultaneous closing with the grantee to re-convey the real estate described in division (A) of this section to the State of Ohio, for the use and benefit of the Ohio Department of Rehabilitation and Correction. The contemporaneous transfers of the real estate described in division (A) of this section shall be conducted according to the regulations, guidelines, and reimbursement of funds as established under the Federal Surplus Real Property Transfer Program authorized by 40 U.S.C. 484 (P), as amended.

(D) Upon receipt of the net proceeds from the transaction described in this section, the Department shall convey the proceeds to the Ohio Building Authority for deposit into the appropriate bond service account created pursuant to the trust agreement securing the state facilities bonds issued in connection with the land conveyances.

(E) This section expires one year after its effective date.

SECTION 19. Sections 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, and 18 of this act take effect on the ninety-first day after the effective date of this act.

SECTION 20. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. One reason for the necessity is that the recent activation of military reserve units based in this state requires an immediate change in the law to provide for payment of additional compensation to certain public employees who are members of these units and on active duty for more than 31 days. Another reason for such necessity is that immediate action is necessary to ensure the continued preservation of the real estate specified in this act and to ensure the continued beneficial public use of the real estate in furtherance of economic redevelopment in Ohio. 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 _____