

As Passed by the House

124th General Assembly

Regular Session

2001-2002

Am. Sub. S. B. No. 219

SENATORS Oelslager, Roberts

REPRESENTATIVES Schuring, Webster, Schmidt, Coates, Schneider, Ogg,

Rhine, Hagan

A B I L L

To authorize the conveyance of state-owned real estate 1
located in the counties of Athens, Preble, Stark, 2
and Summit, and no longer needed by the State 3
Highway Patrol; to authorize the conveyance of 4
state-owned real estate in Scioto County by Shawnee 5
State University; and to declare an emergency. 6

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

Section 1. (A) The Governor is hereby authorized to execute a 7
deed in the name of the state conveying to the purchaser, and the 8
purchaser's successors and assigns or heirs and assigns, all of 9
the state's right, title, and interest in the following described 10
real estate: 11

Situated in the City of Athens, County of Athens, and State 12
of Ohio, to-wit: 13

Being the south half of Lot No. 1411 in Earich's Subdivision 14
of Out Lots Nos. 153 and 154 in the City of Athens, Ohio, as 15
recorded in Plat Book 4, Page 48 and being more particularly 16
described as follows: 17

Beginning at the southwesterly corner of said Lot No. 1411 18

and the southeasterly corner of Lot No. 1410 where an iron pin
bears N 7°20' E a distance of two (2) feet; thence N 7°20' E a
distance of forty (40) feet to a concrete monument; thence S
82°40' E a distance of ninety-four and nine tenths (94.9) feet to
a concrete monument; thence along the west side of North Lancaster
Street two (2) courses S 21°42'14" E a distance of thirty-two and
fourteen hundredths (32.14) feet to an iron pin and S 7°20' W a
distance of eleven and nine tenths (11.9) feet to an iron pin;
thence N 82°40' W a distance of one hundred ten and five tenths
(110.5) feet and passing an iron pin at fifty-eight and five
tenths (58.5) feet to the place of beginning. Containing 0.096
acre, more or less. A survey of this property was made by the Ohio
Department of Transportation, District Ten, June 21, 1973, William
D. Lacey, P.S. No. 5116.

REF: Vol. 180, Page 233; Vol. 179, Page 192, Athens County
Deed Records.

(B) The Superintendent of the State Highway Patrol shall have
the real estate described in division (A) of this section
appraised by two disinterested persons.

(C) Consideration for the conveyance of the real estate
described in division (A) of this section shall be the purchase
price acceptable to the Superintendent of the State Highway
Patrol.

(D) The purchaser shall pay the costs of the conveyance.

(E) At the request of the Superintendent of the State Highway
Patrol, 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

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

Auditor of State for recording, and delivered to the purchaser at
closing. The purchaser shall present the deed for recording in the
Office of the Athens County Recorder.

50
51
52

(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 State Highway Patrol's operating
expense account in the State Highway Safety Fund Group (Fund 036).

53
54
55
56

Section 2. (A) The Governor is hereby authorized to execute a
deed in the name of the state conveying to the purchaser, and
purchaser's successors and assigns or heirs and assigns, all of
the state's right, title, and interest in the following described
real estate:

57
58
59
60
61

Being a part of Out Lots 182, 183 and 191, Section 10, T-9-N,
R-14-W, Athens City, Athens Township, Athens County, Ohio, and
being more particularly described as follows:

62
63
64

Beginning at an old pipe on the Southwest corner of Henry
Boska Subdivision; thence N 81°51'41" W a distance of 410.43 feet
along an old fence on the South line of Outlots 182 and 183 to a
point in the State of Ohio right of way line; thence N 48°38'37" E
a distance of 5.24 feet along said right of way line to a concrete
monument; thence continuing along said right of way line the
following three courses N 60°39'37" E a distance of 461.98 feet to
a concrete monument, N 75°59'37" E a distance of 241.65 feet to a
concrete monument and N 60°18'37" E a distance of 160.81 feet to a
point in the Southerly line of the Lewis Coss property; thence
along the said Coss line S 42°52'40" E a distance of 93.17 feet to
a point in the West line of the Henry Boska Subdivision; thence
along said West line S 50°45' W a distance of 565.5 feet to the
place of beginning and passing iron pipes at 417.85 feet and
557.85 feet.

65
66
67
68
69
70
71
72
73
74
75
76
77
78
79

Containing 3.068 acres more or less. There being 0.693 acres

80

in Outlot 182, 0.814 acres in Outlot 183, 1.291 acres in Outlot
191 and 0.270 acres in the abandoned portion of Congress Street.

A survey of this parcel was made by William D. Lacey, No.
5116.

(B) The Superintendent of the State Highway Patrol shall have
the real estate described in division (A) of this section
appraised by two disinterested persons.

(C) Consideration for the conveyance of the real estate
described in division (A) of this section shall be the purchase
price acceptable to the Superintendent of the State Highway
Patrol.

(D) The purchaser shall pay the costs of the conveyance.

(E) At the request of the Superintendent of the State Highway
Patrol, 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 purchaser at
closing. The purchaser shall present the deed for recording in the
Office of the Athens 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 State Highway Patrol's operating
expense account in the State Highway Safety Fund Group (Fund 036).

Section 3. (A) The Governor is hereby authorized to execute a
deed in the name of the state conveying to the purchaser, and
purchaser's successors and assigns or heirs and assigns, all of
the state's right, title, and interest in the following described

81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110

real estate: 111

Situated in the County of Summit, in the State of Ohio, and 112
in the Township of Northampton and bounded and described as 113
follows: 114

Beginning at the southeast corner of Lot 23 at a point of 115
intersection of the centerline of State Route 8 and the centerline 116
of County Road No. 100, which point is also the southeast corner 117
of the E. J. Sapp property. Thence N. 2 degrees 47'-30" east, 118
along the east line of Lot 23, a distance of 1227.67' to a hinge 119
nail in the brick pavement at the true place of beginning for the 120
tract herein described. 121

Thence N. 87 degrees 12'-30" West, passing over an iron pin 122
set at 34.1' in the west line of Route 8, a distance of 230' to an 123
iron pin; thence north 2 degrees 47'-30" east, a distance of 200 124
feet to an iron pin; thence south 87 degrees 12'-30' east, passing 125
over an iron pin set at 200 feet in the west right of way line of 126
State Route 8, a distance of 230 feet to a point in the east line 127
of Lot 23, thence south 2 degrees 47'-30' west along said Lot 128
line, a distance of 200 feet, to the point of beginning and 129
containing 1.06 acres, more or less. 130

Last instrument of record upon which Grantors rely for title 131
is an Affidavit for Transfer from Cyrus L. Norton to Mary Ruth 132
Sapp, recorded Vol. 860, Page 26 and a Deed of Ruth Mary Sapp to 133
Elmer J. Sapp, Trustee, of record in Vol. 1605, Page 83 of the 134
Deed Records of Summit County, Ohio. 135

(B) The Superintendent of the State Highway Patrol shall have 136
the real estate described in division (A) of this section 137
appraised by two disinterested persons. 138

(C) Consideration for the conveyance of the real estate 139
described in division (A) of this section shall be the purchase 140
price acceptable to the Superintendent of the State Highway 141

Patrol. 142

(D) The purchaser shall pay the costs of the conveyance. 143

(E) At the request of the Superintendent of the State Highway 144
Patrol, the Auditor of State, with the assistance of the Attorney 145
General, shall prepare a deed to the real estate described in 146
division (A) of this section. The deed shall state the 147
consideration. The deed shall be executed by the Governor in the 148
name of the state, countersigned by the Secretary of State, sealed 149
with the Great Seal of the State, presented in the Office of the 150
Auditor of State for recording, and delivered to the purchaser at 151
closing. The purchaser shall present the deed for recording in the 152
Office of the Summit County Recorder. 153

(F) The net proceeds of the sale of the real estate described 154
in division (A) of this section shall be deposited in the state 155
treasury to the credit of the State Highway Patrol's operating 156
expense account in the State Highway Safety Fund Group (Fund 036). 157

Section 4. (A) The Governor is hereby authorized to execute a 158
deed in the name of the state conveying to the purchaser, and the 159
purchaser's successors and assigns or heirs and assigns, all of 160
the state's right, title, and interest in the following described 161
real estate: 162

Situated in the southwest corner of Section 26, Town 9-N., 163
Range 2-E, Monroe Township, Preble County, Ohio. 164

And being more particularly described as follows: 165

Beginning at the intersection of the south line of Section 26 166
and the center line of State Route No. U.S. 127, said point of 167
intersection being South 89°-16'-23" east, along the south line of 168
Section 26, a distance of 1099.09 feet from a stone at the 169
southwest corner of Section 26; thence from the said point of 170
beginning, south 89°-16'-23" east, along the south line of Section 171

26, a distance of 530.00 feet; thence north 5°-05'-37" east a
distance of 10.03 feet; thence north 89°-16'-23" west a distance
of 288.32 feet; thence north 3°-13'-37" east a distance of 180.99
feet; thence north 89°-16'-23" west a distance of 242.00 feet to
the center line of State Route No. U.S. 127; thence south
3°-13'-37" west, along the center line of State Route No. U.S.
127, a distance of 191.00 feet to the place of beginning and
containing 1.127 acres, more or less, of which the present Highway
127 easement occupies .133 acres, more or less.

Prior deed reference, Vol. 189, page 79, Preble County, Ohio,
Deed Records.

A survey of this property made by State of Ohio Department of
Highways.

(B) The Superintendent of the State Highway Patrol shall have
the real estate described in division (A) of this section
appraised by two disinterested persons.

(C) Consideration for the conveyance of the real estate
described in division (A) of this section shall be the purchase
price acceptable to the Superintendent of the State Highway
Patrol.

(D) The purchaser shall pay the costs of the conveyance.

(E) At the request of the Superintendent of the State Highway
Patrol, 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 purchaser at
closing. The purchaser shall present the deed for recording in the
Office of the Preble County Recorder.

(F) The net proceeds of the sale of the real estate described 203
in division (A) of this section shall be deposited in the state 204
treasury to the credit of the State Highway Patrol's operating 205
expense account in the State Highway Safety Fund Group (Fund 036). 206

Section 5. (A) The Governor is hereby authorized to execute a 207
deed in the name of the state conveying to the purchaser, and the 208
purchaser's successors and assigns or heirs and assigns, all of 209
the state's right, title, and interest in the following described 210
real estate: 211

Parcel 11WD 212

Grantor - State of Ohio, Department of Public Safety, 213
Division of State Highway Patrol 214

Situated in the Township of Jackson, County of Stark and 215
State of Ohio and being a part of the northwest Quarter of Section 216
1, T11N, R9W and being more fully described as follows: 217

Beginning at a monument found at the southwest corner of the 218
northwest Quarter of Section 1 said point being 11.52 feet left of 219
station 9+99.16 on the centerline of relocated Frank Avenue and 220
the true place of beginning of the parcel herein described; 221

Thence, North 1°25'12" East on Grantor's westerly property 222
line and the Quarter Section line a distance of 661.66 feet to a 223
point; 224

Thence, South 88°34'48" East on Grantor's northerly property 225
line a distance of 177.32 feet to a point; 226

Thence, South 13°54'45" West on the proposed right-of-way 227
line of relocated Frank Avenue a distance of 453.23 feet to a 228
point; 229

Thence, Southwesterly on the proposed right-of-way line of 230
relocated Frank Avenue along the arc of a curve to the left with a 231

radius of 1879.86 feet, a central angle of 3°40'16", a tangent of 60.24 feet and whose chord bears south 9°45'08" West 120.43 feet, an arc distance of 120.45 feet to a point on Grantor's southerly property line and the Quarter Section line;

Thence North 88°24'30" West on Grantor's southerly property line and the Quarter Section line a distance of 41.76 feet to the true place of beginning containing 69,608 square feet (1.598 acres) including 19,850 square feet (0.456 acres) in the present road.

The above described area is a part of Auditor's Parcel No. 1621611.

The bearings used in this description are based on the Ohio State Plan Coordinate Grid System, North Zone, NAD 83.

Grantor claims title by instrument recorded in Official Record Imaging No. 2000017728 of the Stark County Record.

This description is based on a survey made by URS Corporation in April, 2000 under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

Parcel 11CH

Grantor - State of Ohio, Department of Public Safety,
Division of State Highway Patrol

Situated in the Township of Jackson, County of Stark and State of Ohio and being a part of the northwest Quarter of Section 1, T11N, R9W and being more fully described as follows:

Beginning at a monument found at the southwest corner of the northwest Quarter of Section 1;

Thence, South 88°24'30" East on the Quarter Section line a distance of 41.76 feet to a point on the proposed right-of-way line of relocated Frank Avenue said point being 30.00 feet right of Station 10+03.74 on the centerline of relocated Frank Avenue

and the true place of beginning of the parcel herein described; 262

Thence, Northeasterly on the proposed right-of-way line of 263
relocated Frank Avenue along the arc of a curve to the right with 264
a radius of 1879.86 feet, a central angle of 3°40'14", a tangent 265
of 60.24 feet and whose chord bears North 9°45'08" East 120.41 266
feet, an arc distance of 120.43 feet to a point; 267

Thence, Northeasterly on the proposed right-of-way line of 268
relocated Frank Avenue along the arc of a curve to the right with 269
a radius of 2516.75 feet, a central angle of 2°19'30", a tangent 270
of 51.07 feet and whose chord bears North 12°45'00" East 102.12 271
feet, an arc distance of 102.13 feet to a point; 272

Thence, North 13°54'45" East on the proposed right-of-way 273
line of relocated Frank Avenue a distance of 453.23 feet to a 274
point on Grantor's northerly property line; 275

Thence, South 88°34'48" East on Grantor's northerly property 276
line a distance of 10.24 feet to a point; 277

Thence, South 13°54'45" West a distance of 455.44 feet to a 278
point; 279

Thence, Southwesterly along the arc of a curve to the left 280
with a radius of 2506.75 feet, a central angle of 2°19'30", a 281
tangent of 50.87 feet and whose chord bears South 12°45'00" West 282
101.71 feet, an arc distance of 101.72 feet to a point; 283

Thence, Southwesterly along the arc of a curve to the left 284
with a radius of 2506.75 feet, a central angle of 3°35'05", a 285
tangent of 59.34 feet to a point on Grantor's southerly property 286
line and the Quarter Section line; 287

Thence, North 88°24'30" West on Grantor's southerly property 288
and the Quarter Section line a distance of 10.06 feet to the true 289
place of beginning containing 6,758 square feet (0.155 acres). 290

The above described area is a part of Auditor's Parcel No. 291

1621611.	292
The bearings used in this description are based on the Ohio	293
State Plan Coordinate Grid System, North Zone, NAD 83.	294
Grantor claims by title instrument recorded in Official	295
Record Imaging No. 2000017728 of the Stark County Records.	296
This description is based on a survey made by URS Corporation	297
in April, 2000 under the direction and supervision of Richard E.	298
Rockich, Registered Surveyor No. 5680.	299
Parcel 11SL	300
Grantor - State of Ohio, Department of Public Safety,	301
Division of State Highway Patrol	302
Situated in the Township of Jackson, County of Stark and	303
State of Ohio and being a part of the northwest Quarter of Section	304
1, T11N, R9W and being more fully described as follows:	305
Beginning at a monument found at the southwest corner of the	306
northwest Quarter of Section 1;	307
Thence, South 88°24'30" East on the Quarter Section line a	308
distance of 51.82 feet to a point said point being 40.00 feet	309
right of Station 10+04.87 on the centerline of relocated Frank	310
Avenue and the true place of beginning of the parcel herein	311
described;	312
Thence, Northeasterly along the arc of a curve to the right	313
with a radius of 1869.86 feet, a central angle of 3°35'05", a	314
tangent of 59.36 feet and whose chord bears North 9°46'09" East	315
118.66 feet, an arc distance of 118.68 feet to a point;	316
Thence, Northeasterly along the arc of a curve to the right	317
with a radius of 2506.75 feet, a central angle of 2°19'30", a	318
tangent of 50.87 feet and whose chord bears North 12°45'00" East	319
101.71 feet, an arc distance of 101.72 feet to a point;	320

Thence, North 13°54'45" East a distance of 307.57 feet to a point; 321
322

Thence South 2°36'09" West a distance of 305.94 feet to a point; 323
324

Thence, South 13°44'26" West a distance of 100.00 feet to a point; 325
326

Thence, South 22°01'35" West a distance of 187.42 feet to a point on Grantor's southerly property line and the Quarter Section line; 327
328
329

Thence, North 88°24'30" West on Grantor's southerly property line and the Quarter Section line a distance of 23.76 feet to the true place of beginning containing 23.114 square feet (0.531 acres). 330
331
332
333

The above described area is a part of Auditor's Parcel No. 1621611. 334
335

The bearings used in this description are based on the Ohio State Plan Coordinate Grid System, North Zone, NAD 83. 336
337

Grantor claims title by instrument recorded in Official Record Imaging No. 2000017728 of the Stark County Records. 338
339

This description is based on a survey made by URS Corporation in April, 2000 under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680. 340
341
342

Parcel 11T 343

Grantor - State of Ohio, Department of Public Safety, Division of State Highway Patrol 344
345

Situated in the Township of Jackson, County of Stark and State of Ohio and being a part of the northwest Quarter of Section 1, T11N, R9W and being more fully described as follows: 346
347
348

Beginning at a monument found at the southwest corner of the 349

northwest Quarter of Section 1; 350

Thence, North 1°25'12" East on the Quarter Section line a 351
distance of 661.64 feet to Grantor's northwesterly property 352
corner; 353

Thence, South 88°34'48" East on Grantor's northerly property 354
line a distance of 187.56 feet to a point said point being 40.00 355
feet right of Station 16+84.87 on the centerline of relocated 356
Frank Avenue and the true place of beginning of the parcel herein 357
described; 358

Thence, South 88°34'48" East on Grantor's northerly property 359
line a distance of 10.24 feet to a point; 360

Thence, South 2°38'03" West a distance of 51.13 feet to a 361
point; 362

Thence, South 42°20'29" West a distance of 42.01 feet to a 363
point; 364

Thence, North 13°54'45" East a distance of 84.87 feet to the 365
true place of beginning containing 1,100 square feet (0.026 366
acres). 367

The above described area is a part of Auditor's Parcel No. 368
1621611. 369

The bearings used in this description are based on the Ohio 370
State Plan Coordinate Grid System, North Zone, NAD 83. 371

Grantor claims title by instrument recorded in Official 372
Record Imaging No. 2000017728 of the Stark County Records. 373

This description is based on a survey made by URS Corporation 374
in April, 2000 under the direction and supervision of Richard E. 375
Rockich, Registered Surveyor No. 5680. 376

(B) The Superintendent of the State Highway Patrol shall have 377
the real estate described in division (A) of this section 378

appraised by two disinterested persons. 379

(C) Consideration for the conveyance of the real estate 380
described in division (A) of this section shall be the purchase 381
price acceptable to the Superintendent of the State Highway 382
Patrol. 383

(D) The purchaser shall pay the costs of the conveyance. 384

(E) At the request of the Superintendent of the State Highway 385
Patrol, the Auditor of State, with the assistance of the Attorney 386
General, shall prepare a deed to the real estate described in 387
division (A) of this section. The deed shall state the 388
consideration. The deed shall be executed by the Governor in the 389
name of the state, countersigned by the Secretary of State, sealed 390
with the Great Seal of the State, presented in the Office of the 391
Auditor of State for recording, and delivered to the purchaser at 392
closing. The purchaser shall present the deed for recording in the 393
Office of the Stark County Recorder. 394

(F) The net proceeds of the sale of the real estate described 395
in division (A) of this section shall be deposited in the state 396
treasury to the credit of the State Highway Patrol's operating 397
expense account in the State Highway Safety Fund Group (Fund 036). 398

Section 6. (A) The Governor is hereby authorized to execute a 399
deed in the name of the state conveying to the purchaser, and the 400
purchaser's successors and assigns or heirs and assigns, all of 401
the state's right, title, and interest in the following described 402
real estate. 403

The subject is known as being the whole of Lot #83 and the 404
north 10 feet of Lot #84 of the Timmonds Second Allotment Addition 405
in the City of Portsmouth, Ohio, and generally known as 1828 406
Franklin Avenue of said City, subject to the conditions and 407
restrictions contained in a deed from Samuel B. Timmonds and 408

Jessie Lynn Timmonds to Clinton M. Searl dated September 3, 1919, 409
and recorded in Vol. 133, Page 4, Scioto County, Ohio, Record of 410
Deeds, Auditor's Parcel No. 33-2353, and prior title: legal 411
description is the same as that of record for the most recent 412
conveyance as recorded in Volume 934, Page 121, Scioto County, 413
Ohio, Record of Deeds. 414

(B) Consideration for the real estate described in division 415
(A) of this section, which was purchased for \$230,000 in 1999, 416
shall be a purchase price acceptable to the Board of Trustees of 417
Shawnee State University. 418

(C) If no acceptable offers are received by Shawnee State 419
University by May 30, 2002, the real estate described in division 420
(A) of this section then may be sold at public auction, that is 421
advertised at least once a week for four consecutive weeks in a 422
newspaper of general circulation within Scioto County, at a 423
minimum price established by the Board of Trustees of Shawnee 424
State University. 425

(D) Advertising costs, appraisal fees, survey costs, and 426
other costs incurred in connection with the sale of the real 427
estate described in division (A) of this section shall be paid by 428
Shawnee State University. 429

(E) Upon the purchaser's payment of at least ten per cent of 430
the purchase price for the real estate described in division (A) 431
of this section, the Auditor of State, with the assistance of the 432
Attorney General, shall prepare a deed to the real estate. The 433
deed shall state the consideration. The deed shall be executed by 434
the Governor in the name of the state, countersigned by the 435
Secretary of State, sealed with the Great Seal of the State, 436
presented in the Office of the Auditor of State for recording, 437
and, upon payment by the purchaser of the balance of the purchase 438
price, delivered to the purchaser. The purchaser shall present the 439
deed for recording in the Office of the Scioto County Recorder. 440

441

(F) The net proceeds of the sale of the real estate described
in division (A) of this section shall be paid to Shawnee State
University.

442

443

444

Section 7. (A) Sections 1, 2, 3, 4, and 5 of this act shall
expire three years after their effective date.

445

446

(B) Section 6 of this act shall expire one year after its
effective date.

447

448

Section 8. This act is hereby declared to be an emergency
measure necessary for the immediate preservation of the public
peace, health, and safety. The reason for such necessity is that
immediate action is necessary to ensure the continued preservation
of the real estate specified in Sections 1, 2, 3, 4, and 5 of this
act. Therefore, this act shall go into immediate effect.

449

450

451

452

453

454