

**As Reported by the House State Government Committee**

**124th General Assembly**

**Regular Session**

**2001-2002**

**Sub. S. B. No. 219**

**SENATORS Oelslager, Roberts**

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**A B I L L**

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

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

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

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

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

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Beginning at the southwesterly corner of said Lot No. 1411  
and the southeasterly corner of Lot No. 1410 where an iron pin

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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  
Auditor of State for recording, and delivered to the purchaser at

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closing. The purchaser shall present the deed for recording in the  
Office of the Athens County Recorder.

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(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).

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**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:

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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:

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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.

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Containing 3.068 acres more or less. There being 0.693 acres  
in Outlot 182, 0.814 acres in Outlot 183, 1.291 acres in Outlot

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191 and 0.270 acres in the abandoned portion of Congress Street.	83
A survey of this parcel was made by William D. Lacey, No. 5116.	84 85
(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.	86 87 88
(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.	89 90 91 92
(D) The purchaser shall pay the costs of the conveyance.	93
(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.	94 95 96 97 98 99 100 101 102 103
(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).	104 105 106 107
<b>Section 3.</b> (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:	108 109 110 111 112

Situated in the County of Summit, in the State of Ohio, and 113  
in the Township of Northampton and bounded and described as 114  
follows: 115

Beginning at the southeast corner of Lot 23 at a point of 116  
intersection of the centerline of State Route 8 and the centerline 117  
of County Road No. 100, which point is also the southeast corner 118  
of the E. J. Sapp property. Thence N. 2 degrees 47'-30" east, 119  
along the east line of Lot 23, a distance of 1227.67' to a hinge 120  
nail in the brick pavement at the true place of beginning for the 121  
tract herein described. 122

Thence N. 87 degrees 12'-30" West, passing over an iron pin 123  
set at 34.1' in the west line of Route 8, a distance of 230' to an 124  
iron pin; thence north 2 degrees 47'-30" east, a distance of 200 125  
feet to an iron pin; thence south 87 degrees 12'-30' east, passing 126  
over an iron pin set at 200 feet in the west right of way line of 127  
State Route 8, a distance of 230 feet to a point in the east line 128  
of Lot 23, thence south 2 degrees 47'-30' west along said Lot 129  
line, a distance of 200 feet, to the point of beginning and 130  
containing 1.06 acres, more or less. 131

Last instrument of record upon which Grantors rely for title 132  
is an Affidavit for Transfer from Cyrus L. Norton to Mary Ruth 133  
Sapp, recorded Vol. 860, Page 26 and a Deed of Ruth Mary Sapp to 134  
Elmer J. Sapp, Trustee, of record in Vol. 1605, Page 83 of the 135  
Deed Records of Summit County, Ohio. 136

(B) The Superintendent of the State Highway Patrol shall have 137  
the real estate described in division (A) of this section 138  
appraised by two disinterested persons. 139

(C) Consideration for the conveyance of the real estate 140  
described in division (A) of this section shall be the purchase 141  
price acceptable to the Superintendent of the State Highway 142  
Patrol. 143

(D) The purchaser shall pay the costs of the conveyance. 144

(E) At the request of the Superintendent of the State Highway 145  
Patrol, the Auditor of State, with the assistance of the Attorney 146  
General, shall prepare a deed to the real estate described in 147  
division (A) of this section. The deed shall state the 148  
consideration. The deed shall be executed by the Governor in the 149  
name of the state, countersigned by the Secretary of State, sealed 150  
with the Great Seal of the State, presented in the Office of the 151  
Auditor of State for recording, and delivered to the purchaser at 152  
closing. The purchaser shall present the deed for recording in the 153  
Office of the Summit County Recorder. 154

(F) The net proceeds of the sale of the real estate described 155  
in division (A) of this section shall be deposited in the state 156  
treasury to the credit of the State Highway Patrol's operating 157  
expense account in the State Highway Safety Fund Group (Fund 036). 158

**Section 4.** (A) The Governor is hereby authorized to execute a 159  
deed in the name of the state conveying to the purchaser, and the 160  
purchaser's successors and assigns or heirs and assigns, all of 161  
the state's right, title, and interest in the following described 162  
real estate: 163

Situated in the southwest corner of Section 26, Town 9-N., 164  
Range 2-E, Monroe Township, Preble County, Ohio. 165

And being more particularly described as follows: 166

Beginning at the intersection of the south line of Section 26 167  
and the center line of State Route No. U.S. 127, said point of 168  
intersection being South 89°-16'-23" east, along the south line of 169  
Section 26, a distance of 1099.09 feet from a stone at the 170  
southwest corner of Section 26; thence from the said point of 171  
beginning, south 89°-16'-23" east, along the south line of Section 172  
26, a distance of 530.00 feet; thence north 5°-05'-37" east a 173

distance of 10.03 feet; thence north 89°-16'-23" west a distance 174  
of 288.32 feet; thence north 3°-13'-37" east a distance of 180.99 175  
feet; thence north 89°-16'-23" west a distance of 242.00 feet to 176  
the center line of State Route No. U.S. 127; thence south 177  
3°-13'-37" west, along the center line of State Route No. U.S. 178  
127, a distance of 191.00 feet to the place of beginning and 179  
containing 1.127 acres, more or less, of which the present Highway 180  
127 easement occupies .133 acres, more or less. 181

Prior deed reference, Vol. 189, page 79, Preble County, Ohio, 182  
Deed Records. 183

A survey of this property made by State of Ohio Department of 184  
Highways. 185

(B) The Superintendent of the State Highway Patrol shall have 186  
the real estate described in division (A) of this section 187  
appraised by two disinterested persons. 188

(C) Consideration for the conveyance of the real estate 189  
described in division (A) of this section shall be the purchase 190  
price acceptable to the Superintendent of the State Highway 191  
Patrol. 192

(D) The purchaser shall pay the costs of the conveyance. 193

(E) At the request of the Superintendent of the State Highway 194  
Patrol, the Auditor of State, with the assistance of the Attorney 195  
General, shall prepare a deed to the real estate described in 196  
division (A) of this section. The deed shall state the 197  
consideration. The deed shall be executed by the Governor in the 198  
name of the state, countersigned by the Secretary of State, sealed 199  
with the Great Seal of the State, presented in the Office of the 200  
Auditor of State for recording, and delivered to the purchaser at 201  
closing. The purchaser shall present the deed for recording in the 202  
Office of the Preble County Recorder. 203

(F) The net proceeds of the sale of the real estate described 204

in division (A) of this section shall be deposited in the state 205  
treasury to the credit of the State Highway Patrol's operating 206  
expense account in the State Highway Safety Fund Group (Fund 036). 207

**Section 5.** (A) The Governor is hereby authorized to execute a 208  
deed in the name of the state conveying to the purchaser, and the 209  
purchaser's successors and assigns or heirs and assigns, all of 210  
the state's right, title, and interest in the following described 211  
real estate: 212

Parcel 11WD 213

Grantor - State of Ohio, Department of Public Safety, 214  
Division of State Highway Patrol 215

Situated in the Township of Jackson, County of Stark and 216  
State of Ohio and being a part of the northwest Quarter of Section 217  
1, T11N, R9W and being more fully described as follows: 218

Beginning at a monument found at the southwest corner of the 219  
northwest Quarter of Section 1 said point being 11.52 feet left of 220  
station 9+99.16 on the centerline of relocated Frank Avenue and 221  
the true place of beginning of the parcel herein described; 222

Thence, North 1°25'12" East on Grantor's westerly property 223  
line and the Quarter Section line a distance of 661.66 feet to a 224  
point; 225

Thence, South 88°34'48" East on Grantor's northerly property 226  
line a distance of 177.32 feet to a point; 227

Thence, South 13°54'45" West on the proposed right-of-way 228  
line of relocated Frank Avenue a distance of 453.23 feet to a 229  
point; 230

Thence, Southwesterly on the proposed right-of-way line of 231  
relocated Frank Avenue along the arc of a curve to the left with a 232  
radius of 1879.86 feet, a central angle of 3°40'16", a tangent of 233



60.24 feet and whose chord bears south 9°45'08" West 120.43 feet, 234  
an arc distance of 120.45 feet to a point on Grantor's southerly 235  
property line and the Quarter Section line; 236

Thence North 88°24'30" West on Grantor's southerly property 237  
line and the Quarter Section line a distance of 41.76 feet to the 238  
true place of beginning containing 69,608 square feet (1.598 239  
acres) including 19,850 square feet (0.456 acres) in the present 240  
road. 241

The above described area is a part of Auditor's Parcel No. 242  
1621611. 243

The bearings used in this description are based on the Ohio 244  
State Plan Coordinate Grid System, North Zone, NAD 83. 245

Grantor claims title by instrument recorded in Official 246  
Record Imaging No. 2000017728 of the Stark County Record. 247

This description is based on a survey made by URS Corporation 248  
in April, 2000 under the direction and supervision of Richard E. 249  
Rockich, Registered Surveyor No. 5680. 250

Parcel 11CH 251

Grantor - State of Ohio, Department of Public Safety, 252  
Division of State Highway Patrol 253

Situated in the Township of Jackson, County of Stark and 254  
State of Ohio and being a part of the northwest Quarter of Section 255  
1, T11N, R9W and being more fully described as follows: 256

Beginning at a monument found at the southwest corner of the 257  
northwest Quarter of Section 1; 258

Thence, South 88°24'30" East on the Quarter Section line a 259  
distance of 41.76 feet to a point on the proposed right-of-way 260  
line of relocated Frank Avenue said point being 30.00 feet right 261  
of Station 10+03.74 on the centerline of relocated Frank Avenue 262  
and the true place of beginning of the parcel herein described; 263

Thence, Northeasterly on the proposed right-of-way line of 264  
relocated Frank Avenue along the arc of a curve to the right with 265  
a radius of 1879.86 feet, a central angle of  $3^{\circ}40'14''$ , a tangent 266  
of 60.24 feet and whose chord bears North  $9^{\circ}45'08''$  East 120.41 267  
feet, an arc distance of 120.43 feet to a point; 268

Thence, Northeasterly on the proposed right-of-way line of 269  
relocated Frank Avenue along the arc of a curve to the right with 270  
a radius of 2516.75 feet, a central angle of  $2^{\circ}19'30''$ , a tangent 271  
of 51.07 feet and whose chord bears North  $12^{\circ}45'00''$  East 102.12 272  
feet, an arc distance of 102.13 feet to a point; 273

Thence, North  $13^{\circ}54'45''$  East on the proposed right-of-way 274  
line of relocated Frank Avenue a distance of 453.23 feet to a 275  
point on Grantor's northerly property line; 276

Thence, South  $88^{\circ}34'48''$  East on Grantor's northerly property 277  
line a distance of 10.24 feet to a point; 278

Thence, South  $13^{\circ}54'45''$  West a distance of 455.44 feet to a 279  
point; 280

Thence, Southwesterly along the arc of a curve to the left 281  
with a radius of 2506.75 feet, a central angle of  $2^{\circ}19'30''$ , a 282  
tangent of 50.87 feet and whose chord bears South  $12^{\circ}45'00''$  West 283  
101.71 feet, an arc distance of 101.72 feet to a point; 284

Thence, Southwesterly along the arc of a curve to the left 285  
with a radius of 2506.75 feet, a central angle of  $3^{\circ}35'05''$ , a 286  
tangent of 59.34 feet to a point on Grantor's southerly property 287  
line and the Quarter Section line; 288

Thence, North  $88^{\circ}24'30''$  West on Grantor's southerly property 289  
and the Quarter Section line a distance of 10.06 feet to the true 290  
place of beginning containing 6,758 square feet (0.155 acres). 291

The above described area is a part of Auditor's Parcel No. 292  
1621611. 293

The bearings used in this description are based on the Ohio	294
State Plan Coordinate Grid System, North Zone, NAD 83.	295
Grantor claims by title instrument recorded in Official	296
Record Imaging No. 2000017728 of the Stark County Records.	297
This description is based on a survey made by URS Corporation	298
in April, 2000 under the direction and supervision of Richard E.	299
Rockich, Registered Surveyor No. 5680.	300
Parcel 11SL	301
Grantor - State of Ohio, Department of Public Safety,	302
Division of State Highway Patrol	303
Situated in the Township of Jackson, County of Stark and	304
State of Ohio and being a part of the northwest Quarter of Section	305
1, T11N, R9W and being more fully described as follows:	306
Beginning at a monument found at the southwest corner of the	307
northwest Quarter of Section 1;	308
Thence, South 88°24'30" East on the Quarter Section line a	309
distance of 51.82 feet to a point said point being 40.00 feet	310
right of Station 10+04.87 on the centerline of relocated Frank	311
Avenue and the true place of beginning of the parcel herein	312
described;	313
Thence, Northeasterly along the arc of a curve to the right	314
with a radius of 1869.86 feet, a central angle of 3°35'05", a	315
tangent of 59.36 feet and whose chord bears North 9°46'09" East	316
118.66 feet, an arc distance of 118.68 feet to a point;	317
Thence, Northeasterly along the arc of a curve to the right	318
with a radius of 2506.75 feet, a central angle of 2°19'30", a	319
tangent of 50.87 feet and whose chord bears North 12°45'00" East	320
101.71 feet, an arc distance of 101.72 feet to a point;	321
Thence, North 13°54'45" East a distance of 307.57 feet to a	322
point;	323

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

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

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;

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).

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 Records.

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 11T

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, North 1°25'12" East on the Quarter Section line a

distance of 661.64 feet to Grantor's northwesterly property 353  
corner; 354

Thence, South 88°34'48" East on Grantor's northerly property 355  
line a distance of 187.56 feet to a point said point being 40.00 356  
feet right of Station 16+84.87 on the centerline of relocated 357  
Frank Avenue and the true place of beginning of the parcel herein 358  
described; 359

Thence, South 88°34'48" East on Grantor's northerly property 360  
line a distance of 10.24 feet to a point; 361

Thence, South 2°38'03" West a distance of 51.13 feet to a 362  
point; 363

Thence, South 42°20'29" West a distance of 42.01 feet to a 364  
point; 365

Thence, North 13°54'45" East a distance of 84.87 feet to the 366  
true place of beginning containing 1,100 square feet (0.026 367  
acres). 368

The above described area is a part of Auditor's Parcel No. 369  
1621611. 370

The bearings used in this description are based on the Ohio 371  
State Plan Coordinate Grid System, North Zone, NAD 83. 372

Grantor claims title by instrument recorded in Official 373  
Record Imaging No. 2000017728 of the Stark County Records. 374

This description is based on a survey made by URS Corporation 375  
in April, 2000 under the direction and supervision of Richard E. 376  
Rockich, Registered Surveyor No. 5680. 377

(B) The Superintendent of the State Highway Patrol shall have 378  
the real estate described in division (A) of this section 379  
appraised by two disinterested persons. 380

(C) Consideration for the conveyance of the real estate 381

described in division (A) of this section shall be the purchase 382  
price acceptable to the Superintendent of the State Highway 383  
Patrol. 384

(D) The purchaser shall pay the costs of the conveyance. 385

(E) At the request of the Superintendent of the State Highway 386  
Patrol, the Auditor of State, with the assistance of the Attorney 387  
General, shall prepare a deed to the real estate described in 388  
division (A) of this section. The deed shall state the 389  
consideration. The deed shall be executed by the Governor in the 390  
name of the state, countersigned by the Secretary of State, sealed 391  
with the Great Seal of the State, presented in the Office of the 392  
Auditor of State for recording, and delivered to the purchaser at 393  
closing. The purchaser shall present the deed for recording in the 394  
Office of the Stark County Recorder. 395

(F) The net proceeds of the sale of the real estate described 396  
in division (A) of this section shall be deposited in the state 397  
treasury to the credit of the State Highway Patrol's operating 398  
expense account in the State Highway Safety Fund Group (Fund 036). 399

**Section 6.** (A) The Governor is hereby authorized to execute a 400  
deed in the name of the state conveying to the purchaser, and the 401  
purchaser's successors and assigns or heirs and assigns, all of 402  
the state's right, title, and interest in the following described 403  
real estate. 404

The subject is known as being the whole of Lot #83 and the 405  
north 10 feet of Lot #84 of the Timmonds Second Allotment Addition 406  
in the City of Portsmouth, Ohio, and generally known as 1828 407  
Franklin Avenue of said City, subject to the conditions and 408  
restrictions contained in a deed from Samuel B. Timmonds and 409  
Jessie Lynn Timmonds to Clinton M. Searl dated September 3, 1919, 410  
and recorded in Vol. 133, Page 4, Scioto County, Ohio, Record of 411  
Deeds, Auditor's Parcel No. 33-2353, and prior title: legal 412

description is the same as that of record for the most recent 413  
conveyance as recorded in Volume 934, Page 121, Scioto County, 414  
Ohio, Record of Deeds. 415

(B) Consideration for the real estate described in division 416  
(A) of this section, which was purchased for \$230,000 in 1999, 417  
shall be a purchase price acceptable to the Board of Trustees of 418  
Shawnee State University. 419

(C) If no acceptable offers are received by Shawnee State 420  
University by May 30, 2002, the real estate described in division 421  
(A) of this section then may be sold at public auction, that is 422  
advertised at least once a week for four consecutive weeks in a 423  
newspaper of general circulation within Scioto County, at a 424  
minimum price established by the Board of Trustees of Shawnee 425  
State University. 426

(D) Advertising costs, appraisal fees, survey costs, and 427  
other costs incurred in connection with the sale of the real 428  
estate described in division (A) of this section shall be paid by 429  
Shawnee State University. 430

(E) Upon the purchaser's payment of at least ten per cent of 431  
the purchase price for the real estate described in division (A) 432  
of this section, the Auditor of State, with the assistance of the 433  
Attorney General, shall prepare a deed to the real estate. The 434  
deed shall state the consideration. The deed shall be executed by 435  
the Governor in the name of the state, countersigned by the 436  
Secretary of State, sealed with the Great Seal of the State, 437  
presented in the Office of the Auditor of State for recording, 438  
and, upon payment by the purchaser of the balance of the purchase 439  
price, delivered to the purchaser. The purchaser shall present the 440  
deed for recording in the Office of the Scioto County Recorder. 441

(F) The net proceeds of the sale of the real estate described 442  
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in division (A) of this section shall be paid to Shawnee State University. 444  
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**Section 7.** (A) Sections 1, 2, 3, 4, and 5 of this act shall expire three years after their effective date. 446  
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(B) Section 6 of this act shall expire one year after its effective date. 448  
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**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. 450  
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