

**As Reported by the Senate Judiciary--Civil Justice Committee**

**124th General Assembly**

**Regular Session**

**2001-2002**

**S. B. No. 219**

**SENATOR Oelslager**

---

**A B I L L**

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

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

**Section 1.** (A) The Governor is hereby authorized to execute a 6  
deed in the name of the state conveying to the purchaser, and the 7  
purchaser's successors and assigns or heirs and assigns, all of 8  
the state's right, title, and interest in the following described 9  
real estate: 10

Situated in the City of Athens, County of Athens, and State 11  
of Ohio, to-wit: 12

Being the south half of Lot No. 1411 in Earich's Subdivision 13  
of Out Lots Nos. 153 and 154 in the City of Athens, Ohio, as 14  
recorded in Plat Book 4, Page 48 and being more particularly 15  
described as follows: 16

Beginning at the southwesterly corner of said Lot No. 1411 17  
and the southeasterly corner of Lot No. 1410 where an iron pin 18  
bears N 7°20' E a distance of two (2) feet; thence N 7°20' E a 19  
distance of forty (40) feet to a concrete monument; thence S 20

As Reported by the Senate Judiciary--Civil Justice Committee

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  
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 52  
in division (A) of this section shall be deposited in the state 53  
treasury to the credit of the State Highway Patrol's operating 54  
expense account in the State Highway Safety Fund Group (Fund 036). 55

**Section 2.** (A) The Governor is hereby authorized to execute a 56  
deed in the name of the state conveying to the purchaser, and 57  
purchaser's successors and assigns or heirs and assigns, all of 58  
the state's right, title, and interest in the following described 59  
real estate: 60

Being a part of Out Lots 182, 183 and 191, Section 10, T-9-N, 61  
R-14-W, Athens City, Athens Township, Athens County, Ohio, and 62  
being more particularly described as follows: 63

Beginning at an old pipe on the Southwest corner of Henry 64  
Boska Subdivision; thence N 81°51'41" W a distance of 410.43 feet 65  
along an old fence on the South line of Outlots 182 and 183 to a 66  
point in the State of Ohio right of way line; thence N 48##37" E a 67  
distance of 5.24 feet along said right of way line to a concrete 68  
monument; thence continuing along said right of way line the 69  
following three courses N 60##37" E a distance of 461.98 feet to a 70  
concrete monument, N 75##37" E a distance of 241.65 feet to a 71  
concrete monument and N 60##37" E a distance of 160.81 feet to a 72  
point in the Southerly line of the Lewis Coss property; thence 73  
along the said Coss line S 42##40" E a distance of 93.17 feet to a 74  
point in the West line of the Henry Boska Subdivision; thence 75  
along said West line S 50## W a distance of 565.5 feet to the 76  
place of beginning and passing iron pipes at 417.85 feet and 77  
557.85 feet. 78

Containing 3.068 acres more or less. There being 0.693 acres 79  
in Outlot 182, 0.814 acres in Outlot 183, 1.291 acres in Outlot 80  
191 and 0.270 acres in the abandoned portion of Congress Street. 81

A survey of this parcel was made by William D. Lacey, No. 82

5116.	83
(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.	84 85 86
(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.	87 88 89 90
(D) The purchaser shall pay the costs of the conveyance.	91
(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.	92 93 94 95 96 97 98 99 100 101
(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).	102 103 104 105
<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:	106 107 108 109 110
Situated in the County of Summit, in the State of Ohio, and in the Township of Northampton and bounded and described as	111 112

follows:

113

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

114  
115  
116  
117  
118  
119  
120

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

121  
122  
123  
124  
125  
126  
127  
128  
129

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

130  
131  
132  
133  
134

(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.

135  
136  
137

(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.

138  
139  
140  
141

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

142

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

143

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 Summit 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 4.** (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:

Situate in the Township of Harrison, County of Montgomery and  
State of Ohio, and being a part of the 31.08 acre tract in the  
northeast quarter of Section 3, Town 2, Range 6 East, described in  
the deed from Henrietta Schoettlendrier to Sophia Hahn, dated  
March 14, 1903, and recorded in Deed Book 253, page 151,  
Montgomery County records, bounded and described as follows:  
Beginning at a point in the north line of said Section 3 and  
eleven and 0/10 (11.0) feet east of the northwest corner of said  
northeast quarter, being also one hundred (100) feet measured at  
right angles east of the centerline of State Route 25; thence  
south 1## east with the east line of a .554 acre tract conveyed to  
the State of Ohio by deed dated June 17, 1941, and recorded in  
Deed Book 966, page 207, Montgomery County records, two hundred

and forty-two (242) feet to an iron pin; thence north 88## east 175  
one hundred and eighty (180) feet to an iron pin; thence north 1## 176  
west two hundred and forty-two (242) feet to an iron pin in the 177  
north line of said Section 3 and in the center of the Stop Light 178  
Road; thence with the north line of said Section 3, south 88## 179  
west one hundred and eighty (180) feet to the place of beginning, 180  
containing one (1) acre; 181

(B) The Superintendent of the State Highway Patrol shall have 182  
the real estate described in division (A) of this section 183  
appraised by two disinterested persons. 184

(C) Consideration for the conveyance of the real estate 185  
described in division (A) of this section shall be the purchase 186  
price acceptable to the Superintendent of the State Highway 187  
Patrol. 188

(D) The purchaser shall pay the costs of the conveyance. 189

(E) At the request of the Superintendent of the State Highway 190  
Patrol, the Auditor of State, with the assistance of the Attorney 191  
General, shall prepare a deed to the real estate described in 192  
division (A) of this section. The deed shall state the 193  
consideration. The deed shall be executed by the Governor in the 194  
name of the state, countersigned by the Secretary of State, sealed 195  
with the Great Seal of the State, presented in the Office of the 196  
Auditor of State for recording, and delivered to the purchaser at 197  
closing. The purchaser shall present the deed for recording in the 198  
Office of the Montgomery County Recorder. 199

(F) The net proceeds of the sale of the real estate described 200  
in division (A) of this section shall be deposited in the state 201  
treasury to the credit of the State Highway Patrol's operating 202  
expense account in the State Highway Safety Fund Group (Fund 036). 203

**Section 5.** (A) The Governor is hereby authorized to execute a 204

deed in the name of the state conveying to the purchaser, and the 205  
purchaser's successors and assigns or heirs and assigns, all of 206  
the state's right, title, and interest in the following described 207  
real estate: 208

Situated in the southwest corner of Section 26, Town 9-N., 209  
Range 2-E, Monroe Township, Preble County, Ohio. 210

And being more particularly described as follows: 211

Beginning at the intersection of the south line of Section 26 212  
and the center line of State Route No. U.S. 127, said point of 213  
intersection being South 89##'-23" east, along the south line of 214  
Section 26, a distance of 1099.09 feet from a stone at the 215  
southwest corner of Section 26; thence from the said point of 216  
beginning, south 89##'-23" east, along the south line of Section 217  
26, a distance of 530.00 feet; thence north 5##'-37" east a 218  
distance of 10.03 feet; thence north 89##'-23" west a distance of 219  
288.32 feet; thence north 3##'-37" east a distance of 180.99 feet; 220  
thence north 89##'-23" west a distance of 242.00 feet to the 221  
center line of State Route No. U.S. 127; thence south 3##'-37" 222  
west, along the center line of State Route No. U.S. 127, a 223  
distance of 191.00 feet to the place of beginning and containing 224  
1.127 acres, more or less, of which the present Highway 127 225  
easement occupies .133 acres, more or less. 226

Prior deed reference, Vol. 189, page 79, Preble County, Ohio, 227  
Deed Records. 228

A survey of this property made by State of Ohio Department of 229  
Highways. 230

(B) The Superintendent of the State Highway Patrol shall have 231  
the real estate described in division (A) of this section 232  
appraised by two disinterested persons. 233

(C) Consideration for the conveyance of the real estate 234



described in division (A) of this section shall be the purchase price acceptable to the Superintendent of the State Highway Patrol. 235  
236  
237

(D) The purchaser shall pay the costs of the conveyance. 238

(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. 239  
240  
241  
242  
243  
244  
245  
246  
247  
248

(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). 249  
250  
251  
252

**Section 6.** (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: 253  
254  
255  
256  
257

Parcel 11WD 258

Grantor - State of Ohio, Department of Public Safety,  
Division of State Highway Patrol 259  
260

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: 261  
262  
263

Beginning at a monument found at the southwest corner of the 264

northwest Quarter of Section 1 said point being 11.52 feet left of station 9+99.16 on the centerline of relocated Frank Avenue and the true place of beginning of the parcel herein described;

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

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

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

Thence, Southwesterly on the proposed right-of-way line of relocated Frank Avenue along the arc of a curve to the left with a 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.	295
Parcel 11CH	296
Grantor - State of Ohio, Department of Public Safety,	297
Division of State Highway Patrol	298
Situated in the Township of Jackson, County of Stark and	299
State of Ohio and being a part of the northwest Quarter of Section	300
1, T11N, R9W and being more fully described as follows:	301
Beginning at a monument found at the southwest corner of the	302
northwest Quarter of Section 1;	303
Thence, South 88°24'30" East on the Quarter Section line a	304
distance of 41.76 feet to a point on the proposed right-of-way	305
line of relocated Frank Avenue said point being 30.00 feet right	306
of Station 10+03.74 on the centerline of relocated Frank Avenue	307
and the true place of beginning of the parcel herein described;	308
Thence, Northeasterly on the proposed right-of-way line of	309
relocated Frank Avenue along the arc of a curve to the right with	310
a radius of 1879.86 feet, a central angle of 3°40'14", a tangent	311
of 60.24 feet and whose chord bears North 9°45'08" East 120.41	312
feet, an arc distance of 120.43 feet to a point;	313
Thence, Northeasterly on the proposed right-of-way line of	314
relocated Frank Avenue along the arc of a curve to the right with	315
a radius of 2516.75 feet, a central angle of 2°19'30", a tangent	316
of 51.07 feet and whose chord bears North 12°45'00" East 102.12	317
feet, an arc distance of 102.13 feet to a point;	318
Thence, North 13°54'45" East on the proposed right-of-way	319
line of relocated Frank Avenue a distance of 453.23 feet to a	320
point on Grantor's northerly property line;	321
Thence, South 88°34'48" East on Grantor's northerly property	322
line a distance of 10.24 feet to a point;	323
Thence, South 13°54'45" West a distance of 455.44 feet to a	324

point; 325

Thence, Southwesterly along the arc of a curve to the left 326  
with a radius of 2506.75 feet, a central angle of 2°19'30", a 327  
tangent of 50.87 feet and whose chord bears South 12°45'00" West 328  
101.71 feet, an arc distance of 101.72 feet to a point; 329

Thence, Southwesterly along the arc of a curve to the left 330  
with a radius of 2506.75 feet, a central angle of 3°35'05", a 331  
tangent of 59.34 feet to a point on Grantor's southerly property 332  
line and the Quarter Section line; 333

Thence, North 88°24'30" West on Grantor's southerly property 334  
and the Quarter Section line a distance of 10.06 feet to the true 335  
place of beginning containing 6,758 square feet (0.155 acres). 336

The above described area is a part of Auditor's Parcel No. 337  
1621611. 338

The bearings used in this description are based on the Ohio 339  
State Plan Coordinate Grid System, North Zone, NAD 83. 340

Grantor claims by title instrument recorded in Official 341  
Record Imaging No. 2000017728 of the Stark County Records. 342

This description is based on a survey made by URS Corporation 343  
in April, 2000 under the direction and supervision of Richard E. 344  
Rockich, Registered Surveyor No. 5680. 345

Parcel 11SL 346

Grantor - State of Ohio, Department of Public Safety, 347  
Division of State Highway Patrol 348

Situated in the Township of Jackson, County of Stark and 349  
State of Ohio and being a part of the northwest Quarter of Section 350  
1, T11N, R9W and being more fully described as follows: 351

Beginning at a monument found at the southwest corner of the 352  
northwest Quarter of Section 1; 353

Thence, South 88°24'30" East on the Quarter Section line a 354  
distance of 51.82 feet to a point said point being 40.00 feet 355  
right of Station 10+04.87 on the centerline of relocated Frank 356  
Avenue and the true place of beginning of the parcel herein 357  
described; 358

Thence, Northeasterly along the arc of a curve to the right 359  
with a radius of 1869.86 feet, a central angle of 3°35'05", a 360  
tangent of 59.36 feet and whose chord bears North 9°46'09" East 361  
118.66 feet, an arc distance of 118.68 feet to a point; 362

Thence, Northeasterly along the arc of a curve to the right 363  
with a radius of 2506.75 feet, a central angle of 2°19'30", a 364  
tangent of 50.87 feet and whose chord bears North 12°45'00" East 365  
101.71 feet, an arc distance of 101.72 feet to a point; 366

Thence, North 13°54'45" East a distance of 307.57 feet to a 367  
point; 368

Thence South 2°36'09" West a distance of 305.94 feet to a 369  
point; 370

Thence, South 13°44'26" West a distance of 100.00 feet to a 371  
point; 372

Thence, South 22°01'35" West a distance of 187.42 feet to a 373  
point on Grantor's southerly property line and the Quarter Section 374  
line; 375

Thence, North 88°24'30" West on Grantor's southerly property 376  
line and the Quarter Section line a distance of 23.76 feet to the 377  
true place of beginning containing 23.114 square feet (0.531 378  
acres). 379

The above described area is a part of Auditor's Parcel No. 380  
1621611. 381

The bearings used in this description are based on the Ohio 382  
State Plan Coordinate Grid System, North Zone, NAD 83. 383

Grantor claims title by instrument recorded in Official 384  
Record Imaging No. 2000017728 of the Stark County Records. 385

This description is based on a survey made by URS Corporation 386  
in April, 2000 under the direction and supervision of Richard E. 387  
Rockich, Registered Surveyor No. 5680. 388

Parcel 11T 389

Grantor - State of Ohio, Department of Public Safety, 390  
Division of State Highway Patrol 391

Situated in the Township of Jackson, County of Stark and 392  
State of Ohio and being a part of the northwest Quarter of Section 393  
1, T11N, R9W and being more fully described as follows: 394

Beginning at a monument found at the southwest corner of the 395  
northwest Quarter of Section 1; 396

Thence, North 1°25'12" East on the Quarter Section line a 397  
distance of 661.64 feet to Grantor's northwesterly property 398  
corner; 399

Thence, South 88°34'48" East on Grantor's northerly property 400  
line a distance of 187.56 feet to a point said point being 40.00 401  
feet right of Station 16+84.87 on the centerline of relocated 402  
Frank Avenue and the true place of beginning of the parcel herein 403  
described; 404

Thence, South 88°34'48" East on Grantor's northerly property 405  
line a distance of 10.24 feet to a point; 406

Thence, South 2°38'03" West a distance of 51.13 feet to a 407  
point; 408

Thence, South 42°20'29" West a distance of 42.01 feet to a 409  
point; 410

Thence, North 13°54'45" East a distance of 84.87 feet to the 411  
true place of beginning containing 1,100 square feet (0.026 412

acres). 413

The above described area is a part of Auditor's Parcel No. 414  
1621611. 415

The bearings used in this description are based on the Ohio 416  
State Plan Coordinate Grid System, North Zone, NAD 83. 417

Grantor claims title by instrument recorded in Official 418  
Record Imaging No. 2000017728 of the Stark County Records. 419

This description is based on a survey made by URS Corporation 420  
in April, 2000 under the direction and supervision of Richard E. 421  
Rockich, Registered Surveyor No. 5680. 422

(B) The Superintendent of the State Highway Patrol shall have 423  
the real estate described in division (A) of this section 424  
appraised by two disinterested persons. 425

(C) Consideration for the conveyance of the real estate 426  
described in division (A) of this section shall be the purchase 427  
price acceptable to the Superintendent of the State Highway 428  
Patrol. 429

(D) The purchaser shall pay the costs of the conveyance. 430

(E) At the request of the Superintendent of the State Highway 431  
Patrol, the Auditor of State, with the assistance of the Attorney 432  
General, shall prepare a deed to the real estate described in 433  
division (A) of this section. The deed shall state the 434  
consideration. The deed shall be executed by the Governor in the 435  
name of the state, countersigned by the Secretary of State, sealed 436  
with the Great Seal of the State, presented in the Office of the 437  
Auditor of State for recording, and delivered to the purchaser at 438  
closing. The purchaser shall present the deed for recording in the 439  
Office of the Stark County Recorder. 440

(F) The net proceeds of the sale of the real estate described 441  
in division (A) of this section shall be deposited in the state 442

As Reported by the Senate Judiciary--Civil Justice Committee

treasury to the credit of the State Highway Patrol's operating 443  
expense account in the State Highway Safety Fund Group (Fund 036). 444

**Section 7.** This act shall expire three years after its 445  
effective date. 446

**Section 8.** This act is hereby declared to be an emergency 447  
measure necessary for the immediate preservation of the public 448  
peace, health, and safety. The reason for such necessity is that 449  
immediate action is necessary to ensure the continued preservation 450  
of the real estate specified in this act. Therefore, this act 451  
shall go into immediate effect. 452