

As Reported by the Senate Judiciary--Civil Justice Committee

126th General Assembly

Regular Session

2005-2006

Sub. H. B. No. 139

**Representatives Harwood, Carano, Patton, S., Law, Williams, Domenick,
Chandler, Wolpert, Mitchell, Beatty, Boccieri, Book, Cassell, Distel, Evans, C.,
Fende, Flowers, Hughes, Miller, Oelslager, Otterman, Patton, T., Skindell,
Stewart, J., Wagoner, Yuko
Senator Dann**

—

A B I L L

To enact section 3356.10 and to repeal section 1
3356.10 of the Revised Code five years after the 2
effective date of this act to authorize 3
conveyances during a five-year period of certain 4
parcels of real estate held for the use and 5
benefit of Youngstown State University, to 6
authorize the conveyance to Liberty Township of 7
all of the state's right, title, and interest in 8
certain real estate located in Trumbull County, to 9
authorize the conveyance of state-owned real 10
estate in Wayne County to a purchaser to be 11
determined, to authorize the conveyance of 12
state-owned real estate in Wayne County to the 13
Wayne County Fire Rescue Association, to amend 14
Section 6 of Am. Sub. S.B. 147 of the 126th 15
General Assembly to authorize the conveyance of 16
state-owned real estate in Franklin County to the 17
Columbus Board of Education, and to declare an 18
emergency. 19

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

Section 1. That section 3356.10 of the Revised Code be 20
enacted to read as follows: 21

Sec. 3356.10. For five years from the effective date of this 22
section, the governor may execute deeds in the name of the state 23
conveying to one or more purchasers and the purchasers' heirs and 24
assigns or successors and assigns all of the state's right, title, 25
and interest in any or all parcels of real estate held for the use 26
and benefit of Youngstown state university and located in the city 27
of Youngstown, Mahoning county, in an area known as "smokey 28
hollow" and bounded on the north by the east-bound service road of 29
the Madison avenue expressway, on the east by Andrews avenue, on 30
the south by Rayen avenue, and on the west by Wick avenue. The 31
parcels of real estate may be transferred individually or as a 32
group or multiple groups to a single purchaser or to multiple 33
purchasers. 34

The consideration for conveyance of the real estate described 35
in this section shall be a purchase price and any terms and 36
conditions acceptable to the board of trustees of Youngstown state 37
university. The consideration may include in whole or in part the 38
benefit that will inure to the university and the students 39
attending the university from development of a mixed-use urban 40
neighborhood that will provide convenient housing, retail outlets, 41
parks, and employment opportunities on a site adjacent to the 42
university's core campus. 43

All costs of the conveyance of the real estate described in 44
this section shall be paid by the board of trustees of the 45
university unless otherwise specified in the agreement for 46

transfer of the property.

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Upon adoption of a resolution by the board of trustees
specifically identifying the parcel or parcels of real estate to
be conveyed, the purchaser or purchasers of the real estate, and
identifying the consideration paid or to be paid, the auditor of
state, with the assistance of the attorney general, shall prepare
a deed or deeds to the real estate described in this section and
identified in the resolution. The deed or deeds shall state the
consideration specified in the resolution. The deed or deeds shall
be executed by the governor in the name of the state,
countersigned by the secretary of state, sealed with the great
seal of the state, presented in the office of the auditor of state
for recording, and delivered to the purchaser or purchasers. The
purchaser or purchasers shall present the deed or deeds for
recording in the office of the Mahoning county recorder.

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Each deed to any property described in this section shall
contain any exceptions, reservations, or conditions and any right
of reentry or reverter clause specified in the resolution adopted
by the board of trustees. Any exceptions, reservations, or
conditions or any right of reentry or reverter clause contained in
any deed authorized by this section may be released by the
university without the necessity of further legislation, provided
such release is specifically authorized by the board of trustees.

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The net proceeds of the sale of the real estate described in
this section shall be paid to Youngstown state university and
deposited in university accounts for purposes to be determined by
the board of trustees.

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Section 2. Section 3356.10 of the Revised Code is hereby
repealed, effective five years after the effective date of this
act.

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Section 3. (A) The purpose of the General Assembly in 77
enacting this act is to convey to Liberty Township, Trumbull 78
County, all of the state's right, title, and interest in certain 79
real estate that the state originally conveyed to Liberty Township 80
on August 29, 1978, under the authority of Sub. S.B. 324 of the 81
112th General Assembly. Section 3 of Sub. S.B. 324 of the 112th 82
General Assembly and the deed authorized by it required that the 83
property in question be used solely for public purposes and 84
specified that, upon termination of the property being used solely 85
for public purposes, all right, title, and interest in the 86
property must revert to the state. The conveyance authorized by 87
this act does not contain that condition or possibility of 88
reverter. 89

(B) The Governor is hereby authorized to execute a deed in 90
the name of the state, conveying to Liberty Township, Trumbull 91
County, and its successors and assigns, all right, title, and 92
interest of the state in the following described real estate: 93

Beginning at a Concrete Monument marking the County Lines 94
between Trumbull and Mahoning Counties, said monument being 95
located eighteen hundred fifty-seven and no hundredths (1,857.00) 96
feet, more or less, West of Belmont Avenue, measured along the 97
County Line, said monument being further defined as the Southeast 98
corner of Athletic Field Property (known as Thomas Park), which 99
was deeded to the Brier Hill Steel Company by the David Tod Land 100
Company by deed dated October 25, 1916, recorded in Volume 234, 101
Page 424, of Mahoning County Deed Records; thence North eighty-six 102
degrees forty-two minutes no seconds (86°-42'-00") West, from 103
aforesaid monument along the Trumbull-Mahoning County Lines, two 104
hundred six and fifty hundredths (206.50) feet to an iron pin 105
marking the southwest corner of a parcel of land deeded by the 106
Youngstown Sheet and Tube Company to the state of Ohio by 107

Quit-Claim Deed dated June 10, 1949; thence continuing North 108
eighty-six degrees forty-two minutes no seconds (86°-42'-00") 109
West, one hundred and no hundredths (100.00) feet; thence North 110
two degrees thirty-nine minutes no seconds (02°-39'-00") East, and 111
parallel to the west line of said above referred to parcel deeded 112
to the State of Ohio a distance of two hundred ninety and 113
forty-seven hundredths (290.47) feet to a point; thence South 114
eighty-six degrees forty-two minutes no seconds (86°-42'-00") 115
East, one hundred and no hundredths (100.00) feet to an iron pin 116
marking the northwest corner of said parcel of land deeded to the 117
State of Ohio; thence continuing South eighty-six degrees 118
forty-two minutes no seconds (86°-42'-00") East, two hundred six 119
and fifty hundredths (206.50) feet to an iron pin; thence South 120
two degrees thirty-nine minutes no seconds (02°-39'-00") West, two 121
hundred ninety and forty-seven hundredths (290.47) feet, to the 122
place of beginning, containing two and forty-five thousandths 123
(2.045) acres, more or less, but subject to all legal highways. 124

The conveyance shall be subject to existing easements, 125
rights-of-way, and public roads and highways. 126

Excepting from said parcel: 127

Situated in the State of Ohio, County of Trumbull, City of 128
Girard, and known as being part of northeast quarter of Liberty 129
Township Section #2, Township 3 North, Range 2 West, also being 130
known as part of Lot No. 2 in the original survey of said 131
Township, and further being bounded and described as follows: 132

Commencing at a monument located on Centerline Construction 133
and Right-of-Way Gypsy Lane Station 41+75.00, thence N 00E49' 44" 134
W a distance of 11.00 feet to a point on the Trumbull 135
County/Mahoning County Line, said point being the True Place of 136
Beginning of the parcel of land hereinafter described, thence 137
clockwise along the following four (4) courses and distances; 138

thence S 89E10' 16" W along Trumbull County/Mahoning County Line 139
for a distance of 96.78 feet to a point; thence N 01E30' 18" W 140
along the westerly property line of said property and the Girard 141
City/Liberty Township Section line for a distance of 30.00 feet to 142
a point; thence N89E10' 16" E along the proposed Limited Access 143
line for a distance of 97.14 feet to a point; thence S 00 49' 44" 144
E for distance of 30.00 feet to a point, the True Place of 145
Beginning and containing 2909 square feet or .067 acres of land, 146
more or less, of which .067 acres of land, which is located in 147
Trumbull County Auditors Parcel No. 13-000500 are in the Present 148
Road Occupied, leaving a net take of 0.00 acres of land which is 149
subject to all easements, restrictions and covenants of record. 150

(C) The consideration for the conveyance of the real estate 151
described in division (B) of Section 3 of this act is the mutual 152
benefit accruing to the state and Liberty Township by the use of 153
the real estate for economic development by Liberty Township. 154

(D) Within thirty days after the effective date of this act, 155
the Auditor of State, with the assistance of the Attorney General, 156
shall prepare a deed to the real estate described in division (B) 157
of Section 3 of this act. The deed shall state the consideration. 158
The deed shall be executed by the Governor in the name of the 159
state, countersigned by the Secretary of State, sealed with the 160
Great Seal of the State, presented in the Office of the Auditor of 161
State for recording, and delivered to Liberty Township. Liberty 162
Township shall present the deed for recording in the Office of the 163
Trumbull County Recorder. 164

(E) Liberty Township shall pay the costs of the conveyance of 165
the real estate described in division (B) of Section 3 of this 166
act. 167

(F) This section expires one year after its effective date. 168

Section 4. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to a buyer or buyers to be determined in the manner provided in division (B) of this section, all of the state's right, title, and interest in the following described real estate that the Director of Administrative Services has determined is no longer required for state of Ohio purposes:

Situated in the Township of East Union, County of Wayne, State of Ohio and known as being a part of the Southeast and Southwest Quarters of Section 16 and the Northeast and Northwest Quarters of Section 21, T-16N; R-12W, also known as being part of lands conveyed to the State of Ohio in Volume 207; Page 223, Volume 207; Page 224, and Volume 207; Page 228 of Wayne County Deed Records and further bounded and described as follows:

Beginning at a 1" pipe found at the northwest corner of the Northwest Quarter of Section 21:

1. Thence N 89° 19' 38" E along the section line and the southerly line of lands conveyed to Oris Earl and Dorothy Ellen Steiner in Volume 545; Page 386 of Wayne County Deed Records a distance of 1363.52 feet to a 1 1/2" pipe found at the southeast corner of Steiner;

2. Thence N 00° 20' 53" E along the easterly line of said Steiner a distance of 70.00 feet to a 1" pipe found;

3. Thence S 89° 49' 28" E, 809.75 feet to a 5/8" rebar with I.D. cap marked "S.J.L., INC." set on the westerly line of lands conveyed to Wayne County in Volume 720; Page 772 of Wayne County Deed Records;

4. Thence S 00° 40' 22" E along the westerly line of said Wayne County a distance of 58.00 feet to a rebar over a stone found on the section line;

5. Thence S 00° 40' 21" E along the westerly line of said

Wayne County a distance of 240.00 feet to a 5/8" rebar found at the southwest corner thereof;	199 200
6. Thence N 89° 18' 59" E along the southerly line of said Wayne County a distance of 550.13 feet to a 5/8" rebar found at the southeast corner;	201 202 203
7. Thence N 00° 59' 39" E along the easterly line of said Wayne County a distance of 240.00 feet to a rebar over a stone found on the section line;	204 205 206
8. Thence N 00° 23' 47" W along the easterly line of said Wayne County a distance of 113.44 feet to a 1" pipe found;	207 208
9. Thence N 89° 18' 10" E along the southerly line of said Wayne County a distance of 521.12 feet to a 1" pipe found at the southeasterly corner thereof;	209 210 211
10. Thence N 00° 36' 26" E along the easterly line of said Wayne County a distance of 150.61 feet to a 1" pipe found;	212 213
11. Thence S 89° 00' 00" E along the southerly line of said Wayne County a distance of 291.03 feet to a 1" pipe found on the westerly line of lands conveyed to the Wayne County Fire Rescue Association in Volume 663; Page 123 of Wayne County Records;	214 215 216 217
12. Thence S 17° 31' 23" W along the westerly line of said Wayne County Fire Rescue Association and passing through a 5/8" rebar found at 268.87 feet on the section line a total distance of 662.32 feet to a 5/8" rebar found;	218 219 220 221
13. Thence S 62° 13' 08" E, 51-88 feet to a 5/8" rebar found;	222
14. Thence S 05° 53' 22" W along the westerly line of said Wayne County Fire Rescue Association a distance of 466.73 feet to a 5/8" rebar found at a southwesterly corner thereof;	223 224 225
15. Thence S 88° 16' 54" E along the southerly line of said Wayne County Fire Rescue Association a distance of 327.10 feet to a 5/8" rebar found;	226 227 228

16. Thence S 01° 39' 27" W along the westerly line of said	229
Wayne County Fire Rescue Association a distance of 442.22 feet to	230
a 5/8" rebar found at the southwesterly corner thereof;	231
17. Thence S 89° 04' 05" W, 137.09 feet to a 5/8" rebar with	232
I.D. cap marked "S.J.L., INC." set;	233
18. Thence S 00° 0' 05" W, 655.89 feet to a 5/8" rebar with	234
I.D. cap marked "S.J.L., INC." set;	235
19. Thence N 89° 58' 55" W, 1039.31 feet to a 5/8" rebar with	236
I.D. cap marked "S.J.L., INC." set;	237
20. Thence N 00° 01' 05" E, 274.73 feet to a 5/8" rebar with	238
I.D. cap marked "S.J.L., INC." set;	239
21. Thence S 86° 58' 55" W, 695.35 feet to a 5/8" rebar with	240
I.D. cap marked "S.J.L., INC." set at a point of curvature;	241
22. Thence northwesterly 166.81 feet along the arc of a curve	242
deflecting to the right, said curve having a radius of 257.00	243
feet, a central angle of 37° 11' 20" and a chord which bears N 75°	244
25' 25" W, 163.90 feet to a 5/8" rebar with I.D. cap marked	245
"S.J.L., INC." set at a point of reverse curve;	246
23. Thence northwesterly 60.37 feet along the arc of a curve	247
deflecting to the left, said curve having a radius of 515.54 feet,	248
a central angle of 06° 42' 35" and a chord which bears N 59° 11'	249
02" W, 60.34 feet to a 5/8" rebar with I.D. cap marked "S.J.L.,	250
INC." set;	251
24. Thence N 62° 32' 20" W, 267.57 feet to a 5/8" rebar with	252
I.D. cap marked "S.J.L., INC." set;	253
25. Thence northwesterly 129.18 feet along the arc of a curve	254
deflecting to the right, said curve having a radius of 219.70	255
feet, a central angle of 33° 41' 22" and a chord which bears N 45°	256
41' 38" W, 127.33 feet to a 5/8" rebar with I.D. cap marked	257
"S.J.L., INC." set at a point of reverse curve;	258

26. Thence northwesterly 225.18 feet along the arc of a curve 259
deflecting to the left, said curve having a radius of 932.78 feet, 260
a central angle of 13° 49' 53" and a chord which bears N 35° 45' 261
54" W, 224.63 feet to a 5/8" rebar with I.D. cap marked "S.J.L., 262
INC." set at a point of compound curve; 263

27. Thence northwesterly 375.09 feet along the arc of a curve 264
deflecting to the left, said curve having a radius of 267.00 feet, 265
a central angle of 80° 29' 25" and a chord which bears N 82° 55' 266
33" W, 345.00 feet to a 5/8" rebar with I.D. cap marked "S.J.L., 267
INC." set at a point of reverse curve; 268

28. Thence southwesterly 306.27 feet along the arc of a curve 269
deflecting to the right, said curve having a radius of 1179.00 270
feet, a central angle of 14° 53' 02" and a chord which bears S 64° 271
16' 16" W, 305.41 feet to a 5/8" rebar with I.D. cap marked 272
"S.J.L., INC." set; 273

29. Thence S 71° 42' 47" W, 525.58 feet to a monument spike 274
set on the section line and centerline of Apple Creek Road (C.R. 275
44); 276

30. Thence N 00° 00' 03" W along the section line and 277
centerline of Apple Creek Road a distance of 1479.67 feet to the 278
place of beginning and containing within said bounds 130.821 acres 279
of land of which 1.190 acres are in the Southwest Quarter of 280
Section 16, 2.861 acres are in the Southeast Quarter of Section 281
16, 35.159 acres are in the Northeast Quarter of Section 21 and 282
91.611 acres are in the Northwest Quarter of Section 21, more or 283
less, and subject to all legal highways and easements of record. 284

This description was prepared by Virgil D. Landis, P.S. #6551 285
from a survey made in April of 2000 by Shaffer, Johnston, 286
Lichtenwalter & Associations, Inc. Bearings are based on the 287
Section line between Sections 16 and 21, bearing N 89° 19' 38" E 288
according to record survey "EE"-429. 289

(B) Excepting therefrom the following described parcel:	290
Situated in the Township of East Union, County of Wayne,	291
State of Ohio and being known as being part of the Northeast	292
Quarter of Section 21, T-16N, R-12W and also a part of lands of	293
the State Of Ohio as recorded in Official Record 207, Page 224 and	294
being further bounded and described as follows:	295
Commencing at an iron pin & stone found marking the northeast	296
corner of the Northeast Quarter of Section 21;	297
Thence S 86°05'34" W, 855.22 feet with the north line of said	298
Quarter Section to a 5/8" rebar found on the east line of lands of	299
The Wayne County Fire Rescue Assoc. as recorded in Volume 663,	300
Page 123;	301
Thence continuing S 86°05'34"W, 1147.11 feet to a 5/8" rebar	302
found on the easterly line of the Grantor;	303
Thence S 14°18'47"W, 388.24 feet with the west line of the	304
Grantor to a 5/8" rebar found and being the principal place of	305
beginning of the parcel herein described;	306
1. Thence S 65°08'56"E with a northerly line of the Grantor a	307
distance of 50.85 feet to a 5/8" rebar found;	308
2. Thence S 02°40'46"W with an easterly line of the Grantor a	309
distance of 471.99 feet to a 5/8" rebar found;	310
3. Thence N 88°30'30"E, 327.08 feet with a northerly line of	311
the Grantor a 5/8" rebar found;	312
4. Thence S 01°32'02"E, 442.22 feet with an easterly line of	313
the Grantor to a 5/8" rebar found;	314
5. Thence N 84°59'37"W, 40.00 feet to a 5/8" rebar and cap	315
set;	316
6. Thence S 85°51'29"W, 205.84 feet to a 5/8" rebar and cap	317
set;	318

7. Thence N 07°14'47"W, 112.61 feet to a 5/8" rebar and cap set;	319 320
8. Thence N 85°10'27"W, 150.74 feet to a 5/8" rebar and cap set;	321 322
9. Thence N 02°28'35"E, 773.07 feet to a 5/8" rebar and cap set;	323 324
10. Thence N 30°49'40"W, 51.84 feet to the place of beginning and containing within said bounds 3.472 acres be the same more or less.	325 326 327
Subject to all legal highways and easements of record. Basis of Bearings: Survey "JJ"-276. This description was prepared by Mark E. Purdy P.S. #7307 from a survey completed in July of 2005.	328 329 330
(C) The Director of Administrative Services shall offer the real estate, improvements and chattels located on the parcel described in division (A) of this section, for sale, "as is," in its present condition according to the following process:	331 332 333 334
(1) The real estate described in division (A) of this section shall be sold as an entire parcel and not subdivided.	335 336
(2) The Director of Administrative Services shall offer the real estate described in division (A) of this section to any state entity expressing an interest in obtaining said real estate. Any state entity expressing said interest in the real estate described in division (A) of this section shall obtain occupancy and possession through execution of a Transfer of Jurisdictional Control Affecting State Owned Lands document and thereafter assume operational control and financial responsibility for said real estate.	337 338 339 340 341 342 343 344 345
(3) Should the Director of Administrative Services provide notice to the Department of Mental Retardation and Developmental Disabilities that no state entity has expressed an interest in	346 347 348

acquiring the real estate, the Ohio Department of Mental 349
Retardation and Developmental Disabilities, with the assistance of 350
the Ohio Department of Administrative Services, shall have the 351
parcel described in division (A) of this section appraised by one 352
or more disinterested persons for a fee to be determined by and 353
paid by the Department of Mental Retardation and Developmental 354
Disabilities. The Director of Administrative Services shall then 355
offer the real estate at the appraised value to the Board of 356
Commissioners of Wayne County. 357

(4) If, after thirty days, the Board of Commissioners of 358
Wayne County has declined the offer to purchase (by executing a 359
document entitled an "Offer to Purchase Real Estate" with the 360
Director of Administrative Services that shall establish the terms 361
of the conveyance) the real estate at the appraised value, or if 362
the Board of County Commissioners of Wayne County has accepted the 363
offer but has failed to complete the purchase, the Director of 364
Administrative Services shall offer the real estate at the 365
appraised value to the Board of Trustees of East Union Township. 366

(5) If, after thirty days, the Board of Trustees of East 367
Union Township has declined the offer to purchase (by executing a 368
document entitled an "Offer to Purchase Real Estate" with the 369
Director of Administrative Services that shall establish the terms 370
of the conveyance) the real estate at the appraised value, or if 371
the Board of Trustees of East Union Township has accepted the 372
offer but has failed to complete the purchase, the Director of 373
Administrative Services shall offer the real estate at the 374
appraised value to the Village of Apple Creek. 375

(6) If, after thirty days, the Village of Apple Creek has 376
declined the offer to purchase (by executing a document entitled 377
an "Offer to Purchase Real Estate" with the Director of 378
Administrative Services that shall establish the terms of the 379
conveyance) the real estate at the appraised value, or if the 380

Village of Apple Creek has accepted the offer but has failed to
complete the purchase, the Director of Administrative Services
shall offer the real estate at the appraised value to the Board of
Education of the Southeastern Local School District.

(7) If, after thirty days, the Board of Education of the
Southeastern Local School District has declined the offer to
purchase (by executing a document entitled an "Offer to Purchase
Real Estate" with the Director of Administrative Services that
shall establish the terms of the conveyance) the real estate at
the appraised value, or if the Board of Education of the
Southeastern Local School District has accepted the offer but has
failed to complete the purchase, the Director of Administrative
Services shall conduct a public auction with a required sale price
of not less than two-thirds of the established appraised value.

(8) If, after the public auction provided for in division
(C)(7) of this section, no bids for at least two-thirds of the
appraised value are received, a second public auction shall be
held, and the real estate shall be sold to the highest bidder at a
price acceptable to both the Director of Administrative Services
and the Director of the Department of Mental Retardation and
Developmental Disabilities.

The Director of Administrative Services may reject any and
all bids. The Director of Administrative Services shall advertise
each auction in a newspaper of general circulation within the
county in which the real estate is located, once a week for three
consecutive weeks prior to the date of each auction. The terms of
sale shall be ten per cent of the purchase price in cash, bank
draft, or certified check on the date of sale, with the balance
payable within sixty days after the date of sale. A purchaser who
does not complete the conditions of the sale as prescribed in this
division shall forfeit the ten per cent of the purchase price
presented at the time of sale to the state as liquidated damages.

Should a purchaser not complete the conditions of sale as 413
described in this division, the Director of Administrative 414
Services is authorized to accept the next highest bid by 415
collecting ten per cent of the purchase price from that bidder and 416
proceed to close the sale, providing the secondary bid meets all 417
other criteria provided for in this act. 418

(9) Advertising costs, appraisal fees, and other costs 419
incident to the sale of real estate described in division (A) of 420
this section shall be paid by the Ohio Department of Mental 421
Retardation and Developmental Disabilities. 422

(10) The net proceeds of the sale of the parcel described in 423
division (A) of this section shall be deposited in the state 424
treasury to the credit of the Fund 33 Mental Health Improvement 425
Fund and shall be used to offset bond indebtedness for Apple Creek 426
Developmental Center capital projects. 427

(11) Upon notice from the Director of Administrative Services 428
that the parcel of real estate described in division (A) of this 429
section has been sold, the Auditor of State, with the assistance 430
of the Attorney General, shall prepare a deed to the real estate 431
to the purchaser identified by the Director of Administrative 432
Services. The deed shall be executed by the Governor, 433
countersigned by the Secretary of State, presented in the Office 434
of the Auditor of State for recording, and delivered to the 435
grantee at closing and upon the grantee's payment of the balance 436
of the purchase price. The grantee shall present the deed for 437
recording in the Wayne County Recorder's Office. 438

(D) This section expires three years after its effective 439
date. 440

Section 5. The Governor is hereby authorized to execute a 441
deed in the name of the state conveying to the Wayne County Fire 442

Rescue Association, their successors and assigns or heirs and 443
assigns, all of the state's right, title, and interest in the 444
following described real estate: 445

Situated in the Township of East Union, County of Wayne, 446
State of Ohio and being known as being a part of the Northeast 447
Quarter of Section 21, T-16N, R-12W and also a part of lands of 448
the State Of Ohio as recorded in Official Record 207, Page 224 and 449
being further bounded and described as follows: 450

Commencing at an iron pin & stone found marking the northeast 451
corner of the Northeast Quarter of Section 21; 452

Thence S 86°05'34"W, 855.22 feet with the north line of said 453
Quarter Section to a 5/8" rebar found on the east line of lands of 454
The Wayne County Fire Rescue Association as recorded in Volume 455
663, Page 123; 456

Thence continuing S 86°05'34"W, 1147.11 feet to a 5/8" rebar 457
found on the easterly line of the Grantor; 458

Thence S 14°18'47"W, 388.24 feet with the west line of the 459
Grantor to a 5/8" rebar found and being the principal place of 460
beginning of the parcel herein described; 461

1. Thence S 65°08'56"E with a northerly line of the Grantor a 462
distance of 50.85 feet to a 5/8" rebar found; 463

2. Thence S 02°40'46"W with an easterly line of the Grantor a 464
distance of 471.99 feet to a 5/8" rebar found; 465

3. Thence N 88°30'30"E, 327.08 feet with a northerly line of 466
the Grantor a 5/8" rebar found; 467

4. Thence S 01°32'02"E, 442.22 feet with an easterly line of 468
the Grantor to a 5/8" rebar found; 469

5. Thence N 84°59'37"W, 40.00 feet to a 5/8" rebar and cap 470
set; 471

6. Thence S 85°51'29"W, 205.84 feet to a 5/8" rebar and cap set;	472 473
7. Thence N 07°14'47"W, 112.61 feet to a 5/8" rebar and cap set;	474 475
8. Thence N 85°10'27"W, 150.74 feet to a 5/8" rebar and cap set;	476 477
9. Thence N 02°28'35"E, 773.07 feet to a 5/8" rebar and cap set;	478 479
10. Thence N 30°49'40"W, 51.84 feet to the place of beginning and containing within said bounds 3.472 acres be the same more or less.	480 481 482
Subject to all legal highways and easements of record. Basis of Bearings: Survey "JJ"-276. This description was prepared by Mark E. Purdy P.S. 7307 from a survey completed in July of 2005.	483 484 485
(B) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.	486 487
(C) The Governor's deed shall state that consideration for the conveyance of the real estate described in division (A) of this section shall be a price acceptable to both the Director of the Department of Administrative Services and the Director of the Department of Mental Retardation and Developmental Disabilities. The consideration shall be paid to the state at closing.	488 489 490 491 492 493
(D) Once this bill becomes effective, the Auditor of State, with the assistance of the Attorney General, shall prepare a Governor's deed to the real estate described in division (A) of this section. The Governor's deed shall state the consideration and 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 Wayne County Fire Rescue	494 495 496 497 498 499 500 501

Association. The Wayne County Fire Rescue Association shall 502
present the Governor's deed for recording in the Office of the 503
Wayne County Recorder. 504

(E) Any title evidence desired by Wayne County Fire Rescue 505
Association shall be at Wayne County Fire Rescue Association's 506
cost. 507

(F) The risk of loss or damage to the real estate described 508
in division (A) of this section shall remain with and is expressly 509
assumed by the State until title passes at the time of the 510
delivery of the Governor's deed. 511

(G) The Wayne County Fire Rescue Association shall pay the 512
costs of the conveyance of the real estate described in division 513
(A) of this section, including recordation costs of the Governor's 514
deed. 515

(H) The Wayne County Fire Rescue Association has the right to 516
examine the subject premises, but the Association must agree to 517
accept the real property, in its present condition, as is, where 518
is and both parties agree that the condition of said property and 519
improvements will not be changed, altered, or modified between the 520
time of executing this agreement and the date of closing. 521

(I) This section expires one year after its effective date. 522

Section 6. That Section 6 of Am. Sub. S.B. 147 of the 126th 523
General Assembly be amended to read as follows: 524

Sec. 6. (A) The Governor is hereby authorized to execute a 525
deed in the name of the state conveying to the Columbus Board of 526
Education, and its successors and assigns, all of the state's 527
right, title, and interest in the following described real estate: 528

Situated in the County of Franklin, in the State of Ohio, and 529
in the City of Columbus. 530

<u>Parcel I:</u>	531
Being Lot Numbers One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) of Leo Lesquereux' Subdivision of Lots Numbers 11 and 12 in William M. Awl's Addition to said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 302, Recorder's Office, Franklin County, Ohio and:	532 533 534 535 536 537
Being Lot Number Thirteen (13) in William M. Awl's Addition to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Deed Book 26, Page 187, Recorder's Office, Franklin County, Ohio.	538 539 540 541
And together with all right, title and interest in and to Zettler Alley between Mound and Engler Streets, vacated by City of Columbus Ordinance No. 306-49, passed May 3, 1949.	542 543 544
Source of Title: D.B. 1261, Page 173, D.B. 1029, Page 672, D.B. 756, page 294, D.B. 1286, page 179, and D.B. 3705, page 697.	545 546
Parcel No. 21302	547
<u>Parcel II:</u>	548
Being Lot Numbers Fourteen (14) and Fifteen (15) in William M. Awl's Addition to the City of Columbus, as the same are numbered and delineated upon the recorded plat thereof, of record in Deed Book 26, Page 187, Recorder's Office, Franklin County, Ohio.	549 550 551 552 553
Together with all right, title and interest in and to Fieser Alley between Mound and Engler Streets, vacated by City of Columbus Ordinance No. 1410-66, passed October 10, 1966.	554 555 556
Source of Title: D.B. 1926, Page 264, D.B. 2945, Page 12, D.B. 2830, page 97, and D.B. 3705, page 697.	557 558
Parcel No. 13937	Parcel No. 14004 559
Parcel No. 14384	Parcel No. 41202 560

Parcel No. 13938	Parcel No. 14156	561	
<u>Parcel III:</u>		562	
Being Inlots Numbers Eight Hundred Thirty-five (835), Eight		563	
Hundred Thirty-six (836), Eight Hundred Sixty-one (861) and the		564	
easterly one-half of Inlot Number Eight Hundred Sixty-two (862) in		565	
Crosby's Inlots, as the same are numbered and delineated upon the		566	
recorded plat thereof, of record in Deed Book 11, Page 97,		567	
Recorder's Office, Franklin County, Ohio.		568	
Source of Title: D.B. 2830, Page 97, D.B. 2314, page 60, D.B.		569	
2945, Page 12, and D.B. 3705, Page 697.		570	
Parcel No. 41203	Parcel No. 41199	Parcel No. 46643	571
Parcel No. 16481	Parcel No. 21390	Parcel No. 45539	572
Parcel No. 5341	Parcel No. 4909	Parcel No. 49336	573
Parcel No. 3863			574
<u>Parcel IV:</u>			575
<u>Being Lot Numbers Nineteen (19) and Twenty (20) of William M.</u>			576
<u>Awl's ADDITION to the City of Columbus, as the same are numbered</u>			577
<u>and delineated upon the recorded plat thereof, of record in Deed</u>			578
<u>Book 26, Page 187, Recorder's Office, Franklin County, Ohio.</u>			579
<u>Together with all right title and interest in Zettler Alley,</u>			580
<u>vacated in the City of Columbus Ordinance No. 1410-66, passed</u>			581
<u>October 10, 1966.</u>			582
<u>Deed Volume 3705, Page 696, 697, and 698. Parcel No. 66681</u>			583
(B) Consideration for the conveyance of the real estate			584
described in division (A) of this section is the purchase price of			585
\$2,200,000.00.			586
(C) Prior to the execution of the Governor's deed described			587
in division (D) of this section, possession of the real estate			588
described in division (A) of this section shall be governed by an			589
existing lease between the Ohio Department of Administrative			590

Services and Franklin County. 591

(D) Upon payment of the purchase price, the Auditor of State, 592
with the assistance of the Attorney General, shall prepare a deed 593
to the real estate described in division (A) of this section. The 594
deed shall state the consideration. The deed shall be executed by 595
the Governor in the name of the state, countersigned by the 596
Secretary of State, sealed with the Great Seal of the State, 597
presented in the Office of the Auditor of State for recording, and 598
delivered to the Columbus Board of Education. The Columbus Board 599
of Education shall present the deed for recording in the Office of 600
the Franklin County Recorder. 601

(E) The Columbus Board of Education shall pay the costs of 602
the conveyance of the real estate described in division (A) of 603
this section. 604

(F) This section shall expire three years after its effective 605
date. 606

Section 7. That existing Section 6 of Am. Sub. S.B. 147 of 607
the 126th General Assembly is hereby repealed. 608

Section 8. Sections 1, 2, 3, and 5 of this act shall take 609
effect on the ninety-first day after the effective date of this 610
act. 611

Section 9. This act is hereby declared to be an emergency 612
measure necessary for the immediate preservation of the public 613
peace, health, and safety. The reason for the necessity is that 614
immediate action is required to ensure the continued preservation 615
of the Apple Creek Developmental Center real estate in East Union 616
Township and to ensure that the sale of the property from the 617
state to the Columbus Board of Education can be completed. 618
Therefore, this act shall go into immediate effect. 619