

As Passed by the House

126th General Assembly

Regular Session

2005-2006

Am. Sub. S. B. No. 147

**Senators Austria, Schuring, Armbruster, Grendell, Schuler
Representatives Wolpert, Bubp, Combs, Daniels, Uecker, Hagan, Kearns,
Oelslager**

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A B I L L

To amend section 1901.34 of the Revised Code to 1
authorize the Greene County prosecuting attorney 2
to prosecute state law violation cases arising in 3
specified townships within the jurisdiction of the 4
Fairborn and Xenia Municipal Courts, to amend 5
section 3506.19 of the Revised Code to permit the 6
use of a marking device that is accessible for 7
individuals with disabilities instead of a direct 8
recording electronic voting machine required for 9
such individuals at each polling location, to 10
authorize the conveyance of state-owned real 11
estate in Stark County to the City of Massillon, 12
in Warren County to Cincinnati Gas and Electric 13
Company, in Brown County to a purchaser to be 14
determined, in Franklin County to the Columbus 15
Board of Education, and in Clark County to a 16
purchaser to be determined, and to declare an 17
emergency. 18

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

Section 1. That sections 1901.34 and 3506.19 of the Revised 19

Code be amended to read as follows: 20

Sec. 1901.34. (A) Except as provided in divisions (B) and (D) 21
of this section, the village solicitor, city director of law, or 22
similar chief legal officer for each municipal corporation within 23
the territory of a municipal court shall prosecute all cases 24
brought before the municipal court for criminal offenses occurring 25
within the municipal corporation for which that person is the 26
solicitor, director of law, or similar chief legal officer. Except 27
as provided in division (B) of this section, the village 28
solicitor, city director of law, or similar chief legal officer of 29
the municipal corporation in which a municipal court is located 30
shall prosecute all criminal cases brought before the court 31
arising in the unincorporated areas within the territory of the 32
municipal court. 33

(B) The Auglaize county, Brown county, Clermont county, 34
Hocking county, Jackson county, Morrow county, Ottawa county, and 35
Portage county prosecuting attorneys shall prosecute in municipal 36
court all violations of state law arising in their respective 37
counties. The Crawford county, Hamilton county, Madison county, 38
and Wayne county prosecuting attorneys shall prosecute all 39
violations of state law arising within the unincorporated areas of 40
their respective counties. The Columbiana county prosecuting 41
attorney shall prosecute in the Columbiana county municipal court 42
all violations of state law arising in the county, except for 43
violations arising in the municipal corporation of East Liverpool, 44
Liverpool township, or St. Clair township. The Darke county 45
prosecuting attorney shall prosecute in the Darke county municipal 46
court all violations of state law arising in the county, except 47
for violations of state law arising in the municipal corporation 48
of Greenville and violations of state law arising in the village 49
of Versailles. The Greene county prosecuting attorney may, with 50
the concurrence of the Greene county board of county 51

commissioners, prosecute in the Fairborn municipal court all 52
violations of state law arising within the unincorporated areas of 53
Bath and Beavercreek townships in Greene county and prosecute in 54
the Xenia municipal court all violations of state law arising 55
within the unincorporated areas of Ceasarcreek, Cedarville, 56
Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, 57
Sugarcreek, and Xenia townships in Greene county. 58

The prosecuting attorney of any county given the duty of 59
prosecuting in municipal court violations of state law shall 60
receive no additional compensation for assuming these additional 61
duties, except that the prosecuting attorney of Hamilton, Portage, 62
and Wayne counties shall receive compensation at the rate of four 63
thousand eight hundred dollars per year, and the prosecuting 64
attorney of Auglaize county shall receive compensation at the rate 65
of one thousand eight hundred dollars per year, each payable from 66
the county treasury of the respective counties in semimonthly 67
installments. 68

(C) The village solicitor, city director of law, or similar 69
chief legal officer shall perform the same duties, insofar as they 70
are applicable to the village solicitor, city director of law, or 71
similar chief legal officer, as are required of the prosecuting 72
attorney of the county. The village solicitor, city director of 73
law, similar chief legal officer or any assistants who may be 74
appointed shall receive for such services additional compensation 75
to be paid from the treasury of the county as the board of county 76
commissioners prescribes. 77

(D) The prosecuting attorney of any county, other than 78
Auglaize, Brown, Clermont, Hocking, Jackson, Morrow, Ottawa, or 79
Portage county, may enter into an agreement with any municipal 80
corporation in the county in which the prosecuting attorney serves 81
pursuant to which the prosecuting attorney prosecutes all criminal 82
cases brought before the municipal court that has territorial 83

jurisdiction over that municipal corporation for criminal offenses 84
occurring within the municipal corporation. The prosecuting 85
attorney of Auglaize, Brown, Clermont, Hocking, Jackson, Morrow, 86
Ottawa, or Portage county may enter into an agreement with any 87
municipal corporation in the county in which the prosecuting 88
attorney serves pursuant to which the respective prosecuting 89
attorney prosecutes all cases brought before the Auglaize county, 90
Brown county, Clermont county, Hocking county, Jackson county, 91
Morrow county, Ottawa county, or Portage county municipal court 92
for violations of the ordinances of the municipal corporation or 93
for criminal offenses other than violations of state law occurring 94
within the municipal corporation. For prosecuting these cases, the 95
prosecuting attorney and the municipal corporation may agree upon 96
a fee to be paid by the municipal corporation, which fee shall be 97
paid into the county treasury, to be used to cover expenses of the 98
office of the prosecuting attorney. 99

Sec. 3506.19. On and after the first federal election that 100
occurs after January 1, 2006, unless required sooner by the Help 101
America Vote Act of 2002, each polling location shall have 102
available for use at all elections at least one direct recording 103
electronic voting machine or marking device that is accessible for 104
individuals with disabilities, including nonvisual accessibility 105
for the blind and visually impaired, in a manner that provides the 106
same opportunity for access and participation, including privacy 107
and independence, as for other voters. 108

Section 2. That existing sections 1901.34 and 3506.19 of the 109
Revised Code are hereby repealed. 110

Section 3. (A) The Governor is hereby authorized to execute a 111
deed in the name of the state conveying to the City of Massillon, 112
and its successors and assigns, all of the state's right, title, 113

and interest in the following described real estate: 114

Situated in the State of Ohio, County of Stark and City of 115
Massillon and being part of Out Lot 560 and part of Out Lot 566 of 116
said City of Massillon now or formerly owned by the State of Ohio 117
(293:81) and being further described as follows: 118

Commencing for reference at a County Monument found at the 119
southwest corner of Out Lot 704 of said City of Massillon, 120
formerly known as the northeast corner of the Southeast Quarter of 121
Section 20 of Perry Township; 122

Thence S01°47'25"W along the east line of said Southeast 123
Quarter Section 20, a distance of 1299.65 feet to the True Place 124
of Beginning of the parcel herein described: 125

1. Thence N51°30'13"E, a distance of 16.21 feet to a "+" with 126
drill hole set; 127
2. Thence S66°46'01"E, a distance of 248.35 feet to a 5/8" 128
bar found; 129
3. Thence S53°12'31"E, a distance of 265.96 feet to a 5/8" 130
bar set; 131
4. Thence S73°18'57"E, a distance of 201.68 feet to a 5/8" 132
bar set; 133
5. Thence S03°10'50"W, a distance of 201.84 feet to a 5/8" 134
bar found; 135
6. Thence S21°23'33"W, a distance of 814.43 feet to a 5/8" 136
bar found; 137
7. Thence S00°09'28"W, a distance of 154.99 feet (passing 138
over a 5/8" bar found at a distance of 87.22 feet); 139
8. Thence along the arc of a curve to the right having a 140
radius of 2889.79 feet, a central angle of 00°23'05", a tangent of 141
9.70 feet, a chord of 19.40 bearing S89°50'09"W, a distance of 142
19.40 feet; 143

9. Thence N89°26'49"W along the south line of said State of Ohio parcel, a distance of 343.31 feet;	144 145
10. Thence N02°01'19"E, a distance of 29.57 feet;	146
11. Thence N88°33'07"W along the south line of said State of Ohio parcel, a distance of 20.00 feet;	147 148
12. Thence N88°33'07"W along the south line of said State of Ohio parcel, a distance of 312.62 feet;	149 150
13. Thence N24°04'58"E, a distance of 428.05 feet (passing over a 5/8" bar set at a distance of 32.50 feet) to a 5/8" bar set;	151 152 153
14. Thence along the arc of a curve to the left having a radius of 622.00 feet, a central angle of 25°00'00", a tangent of 137.89 feet, a chord of 269.25 feet bearing N 11°34'56"E, a distance of 271.40 to a 5/8" bar set;	154 155 156 157
15. Thence N06°53'39"E, a distance of 161.40 feet to a 5/8" bar set;	158 159
16. Thence N02°14'37"E, a distance of 171.99 feet to a mag nail set;	160 161
17. Thence N08°50'56"W, a distance of 185.42 feet to a 5/8" bar set;	162 163
18. Thence N25°26'32"E, a distance of 188.34 feet to a 5/8" bar set;	164 165
19. Thence N51°30'13"E, a distance of 62.06 feet to the <u>True Place of Beginning</u> and containing 19.962 acres of which 0.767 of an acre is in said Out Lot 566 and 19.205 acres are in said Out Lot 560 as surveyed by Ronald C. Hinton, S-6270 in November, 2000.	166 167 168 169
Subject to the right of way of Nave Street containing 0.767 of an acre. Basis of Bearings from State Plane Coordinate System.	170 171
(B) Consideration for the conveyance of the real estate	172

described in division (A) of this section is the purchase price of 173
\$579,000.00. The purchase price shall be paid to the state 174
according to the following schedule as derived by mutual agreement 175
between the state and the City of Massillon through an executed 176
Offer to Purchase: 177

(1) \$300,000.00 at closing and transfer of title in 178
accordance with this section. 179

(2) \$69,750.00 due and payable on December 1, 2005. 180

(3) \$69,750.00 due and payable on December 1, 2006. 181

(4) \$69,750.00 due and payable on December 1, 2007. 182

(5) \$69,750.00 due and payable on December 1, 2008. 183

(C) The real estate described in division (A) of this section 184
shall be sold as an entire tract and not in parcels. 185

(D) Prior to the execution of the Governor's deed under 186
division (F) of this section, possession of the real estate 187
described in division (A) of this section shall be governed by an 188
existing interim lease between the Ohio Department of 189
Administrative Services and the City of Massillon. 190

(E) The conveyance of the real estate described in division 191
(A) of this section is subject to the following conditions and 192
restrictions: 193

(1) The City of Massillon shall receive written approval from 194
the Ohio Department of Mental Health to use or develop the real 195
estate described in division (A) of this section for any purpose 196
other than a municipal park, a municipal office space, or an 197
educational or recreational use. 198

(2) The City of Massillon covenants that, during any period 199
that any bonds issued by the state to finance or refinance all or 200
any portion of the real estate described in division (A) of this 201
section are outstanding, no portion of the real estate will be 202

used for a private business use without the prior written consent 203
of the state. 204

(3) The City of Massillon shall not sell, convey, or transfer 205
ownership of the real estate described in division (A) of this 206
section before January 1, 2010, or before receiving written 207
confirmation from the state that all of the state's bonded capital 208
indebtedness associated with any of the buildings located on the 209
real estate described in division (A) of this section has been 210
fully retired. 211

(4) The City of Massillon agrees to execute at or before the 212
execution of the Governor's deed described in division (F) of this 213
section ingress/egress easements prepared by the Department of 214
Administrative Services to permit continued use of existing 215
driveways along the eastern boundary of the real estate described 216
in division (A) of this section and to permit secondary access 217
from adjacent state-owned property to Nave Road, a public, 218
dedicated street. 219

(F) Upon the City of Massillon's payment of \$300,000.00 220
pursuant to division (B) of this section, the Auditor of State, 221
with the assistance of the Attorney General, shall prepare a deed 222
to the real estate described in division (A) of this section. The 223
deed shall state the consideration, conditions, and restrictions 224
specified in this section. The deed shall be executed by the 225
Governor in the name of the state, countersigned by the Secretary 226
of State, sealed with the Great Seal of the State, presented in 227
the Office of the Auditor of State for recording, and delivered to 228
the City of Massillon. The City of Massillon shall present the 229
deed for recording in the Office of the Stark County Recorder. 230

(G) The City of Massillon shall pay the costs of the 231
conveyance of the real estate described in division (A) of this 232
section. 233

(H) This section shall expire one year after its effective 234
date. 235

Section 4. (A) The Governor is hereby authorized to execute a 236
deed in the name of the state conveying to Cincinnati Gas and 237
Electric Company, and its successors and assigns, all of the 238
state's right, title, and interest in the following described real 239
estate: 240

Situate in Section 30, Township 4, Range 3 between the Miami 241
Rivers, Warren County, Ohio and being more particularly described 242
as follows: 243

Commencing at the southwest corner of Section 30, Township 4, 244
Range 3 in the centerline of Ohio State Route 63; thence along the 245
south line of said section and said centerline, S89°49'30"E, 246
1931.13 feet to a set Mag nail, the Point of Beginning of this 247
description; thence along new lines of division the following 248
three (3) courses: 1). N00°10'30"E, 560.61 feet to a set Cinergy 249
concrete monument, passing a set Cinergy concrete monument in the 250
north right-of-way line of Ohio State Route 63 @ 30.00 feet, 2). 251
S55°13'30"E, 403.34 feet to a set Cinergy concrete monument, 3). 252
S00°10'30"W, 331.58 feet to a set Mag nail in the centerline of 253
Ohio State Route 63, passing a set Cinergy concrete monument in 254
the north right-of-way line of Ohio State Route 63 @ 301.58 feet; 255
thence along south line of Section 30 and the centerline of Ohio 256
State Route 63, N89°49'30"W, 332.00 feet to the point of 257
beginning, containing 3.400 acres, more or less. 258

The above described 3.400 acre tract of land is a portion of 259
the 1001.93 acre tract of land owned by the State of Ohio and 260
recorded in Deed Book 124, Page 109, Second Parcel, of the Deed 261
Records of Warren County, Ohio. The above description is the 262
result of a field survey performed in February 2005 under the 263
direct supervision of Edward J. Schwegman, Registered Land 264

Surveyor No. 6868, State of Ohio. 265

(B) Consideration for the conveyance of the real estate 266
described in division (A) of this section is the purchase price of 267
\$70,000.00. 268

(C) Prior to the execution of the Governor's deed under 269
division (E) of this section, possession of the real estate 270
described in division (A) of this section shall be governed by an 271
existing interim lease between the Ohio Department of 272
Administrative Services and Cincinnati Gas and Electric Company. 273

(D) The conveyance of the real estate described in division 274
(A) of this section shall be subject to the following conditions, 275
restrictions, and possibility of reverter: 276

(1) Cincinnati Gas and Electric Company shall construct and 277
operate an electrical substation on the real estate described in 278
division (A) of this section within five years after the execution 279
of the Governor's deed described in division (E) of this section, 280
and, if that construction is not completed within that five-year 281
period, all right, title, and interest in the real estate shall 282
revert to the state, for the use and benefit of the Ohio 283
Department of Rehabilitation and Correction, without the need for 284
any further action by the state. 285

(2) If Cincinnati Gas and Electric Company ceases to use the 286
real estate described in division (A) of this section for 287
substation purposes or if Cincinnati Gas and Electric Company 288
conveys or transfers the real estate described in division (A) of 289
this section to any non-utility owner, Cincinnati Gas and Electric 290
Company shall pay \$200,000.00 to the Ohio Department of 291
Rehabilitation and Correction, provided that the state has 292
continuously owned and maintained an uninterrupted property 293
interest in real estate contiguous to the real estate described in 294
division (A) of this section at the time of the subsequent 295

conveyance or transfer. 296

(E) Upon payment of the purchase price, the Auditor of State, 297
with the assistance of the Attorney General, shall prepare a deed 298
to the real estate described in division (A) of this section. The 299
deed shall state the consideration, conditions, restrictions, and 300
possibility of reverter specified in this section. The deed shall 301
be executed by the Governor in the name of the state, 302
countersigned by the Secretary of State, sealed with the Great 303
Seal of the State, presented in the Office of the Auditor of State 304
for recording, and delivered to Cincinnati Gas and Electric 305
Company. Cincinnati Gas and Electric Company shall present the 306
deed for recording in the Office of the Warren County Recorder. 307

(F) Cincinnati Gas and Electric shall pay the costs of the 308
conveyance of the real estate described in division (A) of this 309
section. 310

(G) The net proceeds of the sale of the real estate described 311
in division (A) of this section shall be deposited in the state 312
treasury to the credit of the Department of Rehabilitation and 313
Correction Fund 148 Services and Agricultural Fund (Appropriation 314
Item 501-602) and shall be used to offset the loss of the 315
Department's agricultural croplands. 316

(H) This section shall expire one year after its effective 317
date. 318

Section 5. (A) The Governor is hereby authorized to execute a 319
deed in the name of the state conveying to the purchaser, and the 320
purchaser's heirs and assigns or successors and assigns, all of 321
the state's right, title, and interest in the following described 322
real estate: 323

Situated in the Village of Saint Martin, in the Township of 324
Perry, in the County of Brown, and the State of Ohio; and known as 325

being part of W. Hooper's Military Survey No. 1415, bounded and 326
described as follows: 327

Beginning at a reference point at a spike found at the 328
intersection of State Route No. 251 and Park Road; 329

Thence with the centerline of said Park Road, N. 84 degrees 330
32' 00" W. a distance of 198.06 feet to a spike found at the 331
northeast corner of the original 3.84 acres; 332

Thence with said centerline N. 84 degrees 32' 00" W. a 333
distance of 188.69 feet to spike set in said centerline and being 334
the real point of beginning; 335

Thence with a division line through the original 3.84 acres, 336
S. 4 degrees 53' 00" W. passing an iron pin set at 20.00 feet, a 337
distance of 250.01 feet to an iron pin set in the line of Raymond 338
Maher as recorded in Volume 101, page 57; 339

Thence with said Maher's line, N. 84 degrees 32' 00" W. a 340
distance of 175.00 feet to an iron pin set in said Maher's line; 341

Thence with a division line through the original 3.84 acres, 342
N. 4 degrees 53' 00" E. passing an iron pin set at 230.01 feet, a 343
distance of 250.01 feet to a spike set in the centerline of the 344
aforementioned Park Road; 345

Thence with said centerline, S. 84 degrees 32' 00" E. a 346
distance of 175.00 feet to the beginning, containing 1.004 Acres 347
more or less, being a part of the original 3.84 acres of the 348
premises transferred to Richard E. Rankin and Mary M. Rankin in 349
Volume 200, page 618, and subject to all legal highways and 350
easements. Bearings are magnetic and based upon the S. 84 degrees 351
32' 00" E. line as surveyed Robert E. Satterfield in November 352
1983. 353

(B) Consideration for the conveyance of the real estate 354
described in division (A) of this section shall be a purchase 355

price acceptable to the State Library of Ohio, following an 356
appraisal by one or more disinterested persons. 357

(C) Upon payment of the purchase price by the purchaser, the 358
Auditor of State, with the assistance of the Attorney General, 359
shall prepare a deed to the real estate described in division (A) 360
of this section. The deed shall state the consideration. The deed 361
shall be executed by the Governor in the name of the state, 362
countersigned by the Secretary of State, sealed with the Great 363
Seal of the State, presented in the Office of the Auditor of State 364
for recording, and delivered to the purchaser. The purchaser shall 365
present the deed for recording in the Office of the Brown County 366
Recorder. 367

(D) Advertising costs, appraisal fees, and all other costs of 368
the sale of the real estate described in division (A) of this 369
section shall be paid by the purchaser. 370

(E) This section shall expire three years after its effective 371
date. 372

Section 6. (A) The Governor is hereby authorized to execute a 373
deed in the name of the state conveying to the Columbus Board of 374
Education, and its successors and assigns, all of the state's 375
right, title, and interest in the following described real estate: 376

Situated in the County of Franklin, in the State of Ohio, and 377
in the City of Columbus. 378

Parcel I: 379

Being Lot Numbers One (1), Two (2), Three (3), Four (4), Five 380
(5), and Six (6) of Leo Lesquereux' Subdivision of Lots Numbers 11 381
and 12 in William M. Awl's Addition to said City, as the same are 382
numbered and delineated upon the recorded plat thereof, of record 383
in Plat Book 2, Page 302, Recorder's Office, Franklin County, Ohio 384
and: 385

Being Lot Number Thirteen (13) in William M. Awl's Addition 386
to the City of Columbus, as the same is numbered and delineated 387
upon the recorded plat thereof, of record in Deed Book 26, Page 388
187, Recorder's Office, Franklin County, Ohio. 389

And together with all right, title and interest in and to 390
Zettler Alley between Mound and Engler Streets, vacated by City of 391
Columbus Ordinance No. 306-49, passed May 3, 1949. 392

Source of Title: D.B. 1261, Page 173, D.B. 1029, Page 672, 393
D.B. 756, page 294, D.B. 1286, page 179, and D.B. 3705, page 697. 394

Parcel No. 21302 395

Parcel II: 396

Being Lot Numbers Fourteen (14) and Fifteen (15) in William 397
M. Awl's Addition to the City of Columbus, as the same are 398
numbered and delineated upon the recorded plat thereof, of record 399
in Deed Book 26, Page 187, Recorder's Office, Franklin County, 400
Ohio. 401

Together with all right, title and interest in and to Fieser 402
Alley between Mound and Engler Streets, vacated by City of 403
Columbus Ordinance No. 1410-66, passed October 10, 1966. 404

Source of Title: D.B. 1926, Page 264, D.B. 2945, Page 12, 405
D.B. 2830, page 97, and D.B. 3705, page 697. 406

Parcel No. 13937 Parcel No. 14004 407

Parcel No. 14384 Parcel No. 41202 408

Parcel No. 13938 Parcel No. 14156 409

Parcel III: 410

Being Inlots Numbers Eight Hundred Thirty-five (835), Eight 411
Hundred Thirty-six (836), Eight Hundred Sixty-one (861) and the 412
easterly one-half of Inlot Number Eight Hundred Sixty-two (862) in 413
Crosby's Inlots, as the same are numbered and delineated upon the 414
recorded plat thereof, of record in Deed Book 11, Page 97, 415

Recorder's Office, Franklin County, Ohio.	416
Source of Title: D.B. 2830, Page 97, D.B. 2314, page 60, D.B.	417
2945, Page 12, and D.B. 3705, Page 697.	418
Parcel No. 41203 Parcel No. 41199 Parcel No. 46643	419
Parcel No. 16481 Parcel No. 21390 Parcel No. 45539	420
Parcel No. 5341 Parcel No. 4909 Parcel No. 49336	421
Parcel No. 3863	422
(B) Consideration for the conveyance of the real estate	423
described in division (A) of this section is the purchase price of	424
\$2,200,000.00.	425
(C) Prior to the execution of the Governor's deed described	426
in division (D) of this section, possession of the real estate	427
described in division (A) of this section shall be governed by an	428
existing lease between the Ohio Department of Administrative	429
Services and Franklin County.	430
(D) Upon payment of the purchase price, the Auditor of State,	431
with the assistance of the Attorney General, shall prepare a deed	432
to the real estate described in division (A) of this section. The	433
deed shall state the consideration. The deed shall be executed by	434
the Governor in the name of the state, countersigned by the	435
Secretary of State, sealed with the Great Seal of the State,	436
presented in the Office of the Auditor of State for recording, and	437
delivered to the Columbus Board of Education. The Columbus Board	438
of Education shall present the deed for recording in the Office of	439
the Franklin County Recorder.	440
(E) The Columbus Board of Education shall pay the costs of	441
the conveyance of the real estate described in division (A) of	442
this section.	443
(F) This section shall expire three years after its effective	444
date.	445

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

Situated in the State of Ohio, County of Clark and the Township of Springfield, City of Springfield.

Being a part of the Southwest quarter of Section twenty-three, Township five, Range nine and a part of the west half of Section seventeen, Township five, Range nine, B.M.R.S.

Beginning at the intersection of the centerline of the Old National Road (now the west bound lane of the New National Road) with the East line of Section twenty-three;

thence with the centerline of said road S 86°30'W 20.0 feet;

thence parallel to the section line N 2°0'W 1000.0 feet to a point;

thence N 86°30' E 20.0 feet to a point on the section line;

thence with the section line N 2°0' W 94.63 feet to a bar;

thence N 86°30' E 683.10 feet to a stake in the Ogden Road right of way;

thence with said road S 2°0' E 525.05 feet to a point in the road;

thence S 86°30' W 20.0 feet to a point;

thence parallel to the road S 2°0' E 569.58 feet to the centerline of the Old National Road;

thence with said road S 86°30' W 663.10 feet to the place of beginning, and containing seventeen and thirty-six hundredths (17.36) Acres of land

Being a part of the same premises conveyed to said Board of 474
county commissioners of Clark County, Ohio, by the following: 475

Deed from Mary E. Kinnane dated August 20, 1920, and recorded 476
in Volume 170, page 464; Deed from the Board of County 477
Commissioners of Champaign County, Ohio dated January 30, 1925, 478
and recorded in Volume 239, Page 155; Deed from Board of 479
Commissioners of Greene County, Ohio dated January 30, 1925, and 480
recorded in Volume 239, Page 160; Deed from Board of County 481
Commissioners of Madison County, Ohio, dated January 30, 1925, and 482
recorded in Volume 239, page 153; all in the Deed Records of Clark 483
County, Prior Deed reference: Volume 568, Page 61. 484

(B) The Ohio Department of Mental Retardation and 485
Developmental Disabilities shall appraise the real estate 486
described in division (A) of this section or have it appraised by 487
one or more disinterested persons for a fee to be determined by 488
the Department. 489

(C) The Director of Administrative Services shall offer the 490
real estate described in division (A) of this section for sale as 491
follows: 492

(1) The Director shall review the appraisal, establish an 493
appraised value for the real estate, and provide notice to the 494
Ohio Department of Mental Retardation and Developmental 495
Disabilities of any interest expressed by any state entity in 496
acquiring the real estate at the appraised value. The Director 497
shall first offer the real estate at the appraised value to any 498
state entity that has expressed an interest in so acquiring the 499
real estate. 500

(2) If no state entity expresses an interest in acquiring the 501
real estate at the appraised value, or if a state entity accepts 502
the offer mentioned in division (C)(1) of this section but fails 503
to timely complete the purchase, the Director shall offer the real 504

estate to the Board of County Commissioners of Clark County at a 505
purchase price agreed upon by the Director and the Board of County 506
Commissioners. 507

(D) The real estate described in division (A) of this section 508
shall be sold as an entire parcel and not subdivided. 509

(E) Advertising costs, appraisal fees, and all other costs of 510
the sale of the real estate described in division (A) of this 511
section shall be paid by the Ohio Department of Mental Retardation 512
and Developmental Disabilities. 513

(F) Upon notice from the Director of Administrative Services 514
that the real estate described in division (A) of this section has 515
been sold in accordance with division (C) of this section, the 516
Auditor of State, with the assistance of the Attorney General, 517
shall prepare a deed to the real estate described in division (A) 518
of this section. The deed shall state the consideration. The deed 519
shall be executed by the Governor in the name of the state, 520
countersigned by the Secretary of State, sealed with the Great 521
Seal of the State, presented in the Office of the Auditor of State 522
for recording, and delivered to the purchaser. The purchaser shall 523
present the deed for recording in the Office of the Clark County 524
Recorder. 525

(G) The net proceeds of the sale of the real estate described 526
in division (A) of this section shall be deposited in the state 527
treasury to the credit of the Mental Health Facilities Improvement 528
Fund created in section 154.20 of the Revised Code and shall be 529
used to offset bond indebtedness for Springview Developmental 530
Center capital projects. 531

(H) This section shall expire two years after its effective 532
date. 533

Section 8. Sections 1, 2, 3, 4, 5, and 6 of this act shall 534

take effect on the ninety-first day after the effective date of 535
this act. 536

Section 9. This act is hereby declared to be an emergency 537
measure necessary for the immediate preservation of the public 538
peace, health, and safety. The reason for the necessity is that 539
immediate action is required to ensure the continued preservation 540
of the Springview Developmental Center real estate in Springfield 541
that is covered by one of the act's authorized conveyances. 542
Therefore, this act shall go into immediate effect. 543