

As Passed by the Senate

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 201

Senator Bacon

**Cosponsors: Senators Balderson, Brown, Burke, Coley, Eklund, Hite,
Hughes, Kearney, Lehner, Sawyer, Schiavoni, Seitz, Smith, Tavares, Turner**

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A B I L L

To authorize the conveyance of state-owned real 1
estate in Franklin County to Step by Step Academy, 2
Inc., and to declare an emergency. 3

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

Section 1. (A) The Governor is authorized to execute a deed 4
in the name of the state conveying to Step by Step Academy, Inc. 5
(hereinafter the "grantee"), its successors and assigns, or to an 6
alternate grantee under division (F) of this section, all of the 7
state's right, title, and interest in the following described real 8
estate: 9

Tract 1 10

Situated in the State of Ohio, County of Franklin, City of 11
Worthington, being part of Quarter Township 3, Township 2, Range 12
18, United States Military Lands, being parts of those two parcels 13
of land (First Parcel and Second Parcel) as described in a deed to 14
The Columbus Sanitarium Company (n.k.a. Harding Sanitarium, Inc.), 15
of record in Deed Volume 874, Page 274, all references herein 16
being to the records of the Recorder's Office, Franklin County, 17
Ohio, and being more particularly described as follows: 18

Beginning at the northwesterly corner of the Second Parcel, 19
at the northeasterly corner of that 2.25 acre tract as described 20
in a deed to Harding Sanitarium, Inc., of record in Deed Volume 21
1885, Page 81 and in the centerline of Dublin-Granville Road 22
(State Route 161); 23

Thence South $85^{\circ}15'00''$ East, along said centerline, a 24
distance of 70.12 feet to the intersection of the centerline of 25
Proprietors Road, 50 feet in width, being also a corner common to 26
First Parcel and Second Parcel; 27

Thence South $85^{\circ}21'30''$ East, continuing along said 28
centerline, a distance of 403.54 feet to the northeasterly corner 29
of First Parcel and in the westerly right-of-way line of the 30
Norfolk & Western Railway Co.; 31

Thence South $1^{\circ}47'15''$ East, along said right-of-way line, a 32
distance of 300.00 feet to a point in the easterly line of that 40 33
foot wide (+/-) strip of land (originally out of said First 34
Parcel) as described in a deed to Ohio Railway Museum, Inc., of 35
record in Official Record Volume 29706, Page E09; 36

Thence northerly along said easterly line the following two 37
courses: 38

1. North $11^{\circ}44'58''$ West, a distance of 24.09 feet to a point 39
of curvature; 40

2. With the arc of a curve to the right, having a radius of 41
1753.18 feet, a central angle of $8^{\circ}31'54''$, the chord of which 42
bears North $7^{\circ}29'01''$ West, a chord distance of 260.82 feet to a 43
point in the original southerly right-of-way line of 44
Dublin-Granville Road (20.00 feet south of centerline); 45

Thence North $85^{\circ}21'30''$ West, along said right-of-way line, a 46
distance of 44.77 feet to a point at the intersection of the 47
westerly line of said 40 foot wide (+/-) strip; 48

Thence southerly along said westerly line the following 49
courses: 50

1. South 5°16'57" East, passing an iron pin set in the 51
southerly right-of-way line of Dublin-Granville Road at 35.53 feet 52
(55 feet right of station 30+91.5), a total distance of 169.02 53
feet to a point in the center of Rush Run; 54

2. South 11°36'57" East, a distance of 819.40 feet to an iron 55
pin set at a point of curvature; 56

3. With the arc of a curve to the right, having a radius of 57
5699.00 feet, a central angle of 10°00'12", the chord of which 58
bears South 6°36'51" East, a chord distance of 993.74 feet to an 59
iron pin found at the northeasterly corner of the subdivision 60
"Colonial Hills No. 2", of record in Plat Book 20, Page 10, in the 61
easterly right-of-way line of a vacated alley; 62

Thence North 84°38'48" West, along the northerly line of 63
Colonial Hills No. 2, passing the northeasterly corner of Lot 619 64
at 20.22 feet and the northwesterly corner at 140.13 feet, a total 65
distance of 180.52 feet to a P.K. nail found at the centerline 66
intersection of Indianola Avenue, 80.00 feet in width, and Park 67
Overlook, 60.00 feet in width; 68

Thence North 84°47'15" West, along the centerline of Park 69
Overlook, a distance of 39.60 feet to a P.K. nail set at the 70
southeasterly corner of that 0.402 acre tract as described in a 71
deed to The Board of Commissioners of Franklin County, Ohio (for 72
right-of-way purposes), of record in Deed Volume 1688, Page 284; 73

Thence North 1°16'15" West, along the easterly line of said 74
0.402 acre tract, a distance of 30.19 feet to an iron pin set at 75
the northeasterly corner of same; 76

Thence North 84°47'15" West, along the northerly line of said 77
0.402 acre tract (the northerly right-of-way line of Park 78
Overlook), a distance of 153.84 feet to an iron pin found at the 79

southeasterly corner of the property of Karen S. and Shawn E. 80
Miller, of record in Instrument No. 200103090048575; 81

Thence North 4°35'22" East, along the easterly line of said 82
Miller property, a distance of 150.00 feet to an iron pin found at 83
the northeasterly corner of same; 84

Thence North 84°47'15" West, along the northerly line of a 85
series of eight tracts (all originally out of First Parcel), a 86
distance of 442.15 feet to an iron pin set in the center of the 87
vacated half of Forest Avenue, 25 feet in width, as established by 88
the plat "Subdivision of Reserve "B", Colonial Hills Plat No. 2", 89
of record in Plat Book 21, Page 11, and vacated by City of 90
Worthington Ordinance No. 96-94; 91

Thence North 4°30'40" East, along the center of said vacated 92
half of Forest Avenue, a distance of 154.72 feet to an iron pin 93
set at the terminus of same; 94

Thence North 85°27'11" West, along the northerly line of said 95
Subdivision of Reserve "B", Colonial Hills Plat No. 2 and along 96
the northerly line of "Rush Creek Subdivision" (a re-plat of a 97
portion of Subdivision of Reserve "B", Colonial Hills Plat No. 2) 98
of record in Plat Book 28, Pages 38 and 39, a distance of 674.11 99
feet to an iron pin found at the southwesterly corner of Second 100
Parcel and at the terminus of South Street; 101

Thence North 4°32'51" East, along the easterly line of said 102
Rush Creek Subdivision, being also the easterly right-of-way line 103
of vacated Andover Street (vacated by City of Worthington 104
Ordinance No. 15-56), passing an iron pin found in the northerly 105
right-of-way line of South Street at 25.00 feet, a total distance 106
of 859.66 feet to an iron pin set at the southwesterly corner of 107
that 0.69 acre tract as described in a deed to George T. and Joan 108
L. Harding, of record in Deed Volume 2318, Page 198; 109

Thence South 85°22'28" East, along the southerly line of said 110

0.69 acre tract, a distance of 200.07 feet to an iron pin set at 111
the southeasterly corner of same and at a southwesterly corner of 112
that 2.323 acre tract as described in a deed to Harding Hospital, 113
Inc., of record in Deed Volume 3790, Page 425; 114

Thence North 59°53'33" East, along the southeasterly line of 115
said 2.323 acre tract, a distance of 536.55 feet to an iron pin 116
set at the most easterly corner of same and at the southeasterly 117
corner of that aforementioned 2.25 acre tract; 118

Thence North 4°45'00" East, along the easterly line of said 119
2.25 acre tract, a distance of 440.21 feet to the place of 120
beginning and containing 40.934 acres of land, which is comprised 121
of all of tax parcels 100-001234 and 100-000398. 122

Bearings herein are based on South 85°15'00" East for the 123
centerline of Dublin-Granville Road west of Proprietors Road as 124
indicated in the referenced deed of record in Deed Volume 1885, 125
Page 81. 126

Iron pins set consist of a 1" (O.D.) iron pipe, 30" long with 127
a plastic cap inscribed "M-E Companies/S-6872". 128

This description was prepared by M-E Companies, Inc., Civil 129
Engineering Group, based on information obtained from an actual 130
field survey of the premises in April, 2003. 131

Robert S. Wynd, Registered Surveyor No. 6872 132

Tract 2 133

Situate in the State of Ohio, County of Franklin and Township 134
of Sharon, and being part of Quarter Township 3, Township 2, Range 135
18, U.S. Military Lands and being part of a tract of 19.65 Acres, 136
designated as Second Parcel in the deed from the Sanitarium Realty 137
Company to the Columbus Sanitarium Company, as the same is shown 138
of record in Deed Book 874, page 274, Recorder's Office, Franklin 139
County, Ohio and being more particularly described as follows: 140

Beginning at an iron pin in the east line of Foster Street 141
(now Andover Street) at the northwest corner of the above 142
mentioned 19.65 Acre Tract; thence with the north line of said 143
tract, S. 85°15' E. 640.9 ft. to an iron pin; thence S. 59°30' W. 144
540.9 ft. to an iron pin at the southeast corner of a 0.69 Acre 145
Tract conveyed to Harrison and Ruth Evans, as the same is shown of 146
record in Deed Book 1117, page 633, Franklin Country records; 147
thence with the east line of said 0.69 Acre Tract, N. 4°35' E. 150 148
ft. to an iron pin at the northeast corner of said tract; thence 149
with the north line of said 0.69 Acre Tract, N. 85°16' W. 200 ft. 150
to an iron pin at the northwest corner of said tract and in the 151
east line of Foster Street (now Andover Street) the same being the 152
west line of the above mentioned 19.65 Acre Tract; thence with 153
said west line along the east line of Foster Street (now Andover 154
Street), N. 4°35' E. 162 ft. to the place of beginning, containing 155
2.323 Acres more or less. 156

Tract 3 157

Situated in the State of Ohio, County of Franklin, City of 158
Worthington, and being in Township No. 2, Quarter Township No. 3, 159
Range 18, U.S. Military Lands, and being part of the 5.35 Acre 160
tract conveyed to Frances K. Harding by deed of record in Deed 161
Record 1174 at page 615, Recorder's Office, Franklin County, Ohio, 162
and more particularly described as follows: 163

Beginning at a point in the center line of the Worthington 164
and Granville Road (also known as State Route 161) at the 165
northeast corner of the land conveyed to the Harding Sanitarium, 166
Inc. by deed of record in Deed Book 1885, page 81, Recorder's 167
Office, Franklin County, Ohio, and at the northwest corner of land 168
owned by Harding Sanitarium, Inc.; thence N. 85°15' W. along the 169
center line of the Worthington and Granville Road a distance of 170
Two Hundred Twenty Five (225) feet to a point; thence S. 4°45' W. 171
a distance of Four Hundred and Thirty Eight (438) feet to a point; 172

thence S. 85°15' E. a distance of Two Hundred Twenty Five (225) 173
feet to a point; thence N. 4°45' E. Four Hundred Thirty Eight 174
(438) feet to the place of beginning, containing 2.25 acres, more 175
or less. 176

The foregoing legal descriptions may be adjusted to 177
accommodate any corrections necessary to facilitate recordation of 178
the deed. 179

The above referenced Tract 1, Tract 2, and Tract 3 are known 180
as Franklin County Parcel Numbers 100-000398, 100-000780, 181
100-001234, 100-000696, and 100-001368. 182

(B) The conveyance of the real estate described in division 183
(A) of this section shall include the buildings, parking areas, 184
improvements, and fixtures now situated on the real estate, and 185
shall be conveyed in "as-is, where-is, with all faults" condition. 186

(C) Consideration for the conveyance of the real estate 187
described in division (A) of this section shall be four million 188
five hundred thousand dollars. 189

(D) The real estate described in division (A) of this section 190
shall be conveyed subject to all easements, covenants, conditions, 191
and restrictions of record; all legal highways and public 192
rights-of-way; zoning, building, and other laws, ordinances, 193
restrictions, and regulations; and real estate taxes and 194
assessments not yet due and payable. 195

(E) The deed or deeds to the real estate described in 196
division (A) of this section may contain restrictions, exceptions, 197
reservations, reversionary interests, and any other terms and 198
conditions the state or The Ohio State University may determine to 199
be in the best interest of the state, including restrictions that 200
are reasonably necessary to protect the state's interest in 201
neighboring state-owned land. Subsequent to the conveyance, the 202
state or The Ohio State University may release any restrictions, 203

exceptions, reservations, reversionary interests, or other terms 204
and conditions contained in the deed or deeds. 205

(F) The Ohio State University is authorized to use any 206
reasonable method of sale, including, but not limited to, a 207
negotiated purchase agreement, to determine an alternate grantee 208
and consideration in the event Step By Step Academy, Inc., does 209
not complete the purchase of the real estate described in division 210
(A) within one year after the effective date of this section. 211

(G) The grantee and The Ohio State University shall pay all 212
costs associated with the conveyance of the real estate, pursuant 213
to a negotiated purchase contract. 214

(H) The net proceeds of the sale of the real estate shall be 215
paid to The Ohio State University and deposited in the appropriate 216
university accounts to the benefit of The Ohio State University 217
Wexner Medical Center. 218

(I) Upon payment of the purchase price, the Auditor of State, 219
with the assistance of the Attorney General, shall prepare a deed 220
to the real estate. The deed shall state the consideration and the 221
conditions. The deed shall be executed by the Governor in the name 222
of the state, countersigned by the Secretary of State, sealed with 223
the Great Seal of the State, presented in the Office of the 224
Auditor of State for recording, and delivered to the grantee. The 225
grantee shall present the deed for recording in the Office of the 226
Franklin County Recorder. 227

(J) This section expires three years after its effective 228
date. 229

Section 2. This act is declared to be an emergency measure 230
necessary for the immediate preservation of the public peace, 231
health, and safety. The reason for the emergency is that immediate 232
action is necessary to put the real estate to productive use for 233
the economic benefit of all Ohioans. Therefore, this act shall go 234

into immediate effect.