



Sub. H.B. 235

123rd General Assembly
(As Passed by the House)

Reps. Perz, Cates, Carey, Evans, Damschroder, Perry, Mead, Olman, Gardner, Winkler, O'Brien, Mottley, Terwilleger, Padgett, Opfer, Schuler, Logan

BILL SUMMARY

- Authorizes the sale at public auction of state-owned real estate located in Lucas County.

CONTENT AND OPERATION

The conveyance

The bill authorizes the Governor to execute a deed in the name of the state conveying to the purchaser determined under the bill's public auction provisions, and the purchasers successors and assigns or heirs and assigns, all of the state's right, title, and interest in state-owned real estate located in the City of Toledo in Lucas County. The real estate is located at 5109 Tractor Road. (Section 1.)

The public auction

Procedures

Within 90 days after the bill's effective date, the Director of Administrative Services must offer the real estate at public auction as follows:

(1) The Director must advertise the auction in a newspaper of general circulation in Lucas County at least once a week for three consecutive weeks immediately prior to the date of the auction. The public auction must be held on the real estate that is being offered at the auction. The real estate is subject to the minimum bid of not less than \$70,000. The real estate must be sold at the auction to the highest bidder. The Director may reject all bids for any reason. (Section 2(A).)

(2) The successful bidder must pay at least 10% of the purchase price in cash, by bank draft, or by certified check at the time of sale, and must pay the balance of the purchase price within 60 days of the date of the sale. If the purchaser does not complete the conditions of the sale as specified in the bill's public auction provisions, the Director may void the sale by giving the defaulting purchaser written notice to that effect by certified mail. If the Director voids the sale, the part of the purchase price paid at the time of the sale is forfeited to the state as liquidated damages. (Section 2(B).)

(3) If the purchase is not completed and the sale is voided, the Director may sell the real estate to the second highest bidder at the public auction conducted as provided in the bill. (Section 2(C).)

Conditions of the sale at public auction

The real estate is to be sold at the public auction as an entire tract and not in parcels (Section 3).

Costs of the public auction

The Department of Commerce must pay all advertising costs, appraisal fees, and other costs incident to the sale of the real estate at the public auction (Section 4).

Net proceeds from the public auction

The net proceeds of the sale of the real estate at public auction must be deposited in the State Treasury to the credit of the State Fire Marshal's Fund (Section 6).

Preparation of the deed

The bill provides for following the procedure in codified law (sec. 5301.13) for preparation, execution, and recording of a deed to the real estate upon the payment of the purchase price by the purchaser (Section 5).

Expiration

This bill expires one year after its effective date (Section 7).

HISTORY

ACTION	DATE	JOURNAL ENTRY
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Introduced	03-09-99	p.	276
Reported, H. Housing & Public Lands	06-16-99	p.	847
Passed House (95-0)	06-17-99	pp.	887-888

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