



Am. H.B. 615
123rd General Assembly
(As Reported by S. Judiciary)

Reps. Amstutz, O'Brien

BILL SUMMARY

- Authorizes the conveyance of state-owned real estate located in Wayne County to the Village of Apple Creek.
- Corrects an error in the description of the Portsmouth Armory in Am. H.B. 479 of the 123rd General Assembly.
- Declares an emergency.

CONTENT AND OPERATION

Conveyance of state-owned real estate in Wayne County

Authorization

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Village of Apple Creek, and its successors and assigns, all of the state's right, title, and interest in state-owned real estate located in Wayne county. The conveyance involves real estate consisting of approximately 6.863 acres. (Section 1.)

Consideration

The consideration for the conveyance is the exchange of services and cash as provided under a sanitary sewer use agreement to be executed by the Village of Apple Creek and the state (Section 2(A)).

The agreement

The sanitary sewer use agreement to be executed by the Village of Apple Creek and the state must provide for an exchange of services and cash in accordance with all terms and conditions set forth in Article 1 of the Offer to

Purchase Real Estate that was made by the Village of Apple Creek on February 22, 2000, and that was accepted by the Director of Administrative Services on February 28, 2000, and concurred in by the Director of Mental Retardation and Developmental Disabilities. Such terms and conditions must be expressly stated in the sanitary sewer use agreement, including the term of 20 years as described in Article 1(a) of the Offer to Purchase Real Estate and the capital investment by the Village of Apple Creek of \$100,000 into a separate sewer maintenance fund as described in Article 1(i) of the Offer to Purchase Real Estate. (Section 2(B).)

The General Assembly finds that the estimated value accruing to the state from the conveyance of the real estate under this act and the terms and conditions of the Offer to Purchase Real Estate is between \$1.5 and \$1.6 million. The General Assembly also finds that the appraised value of the real estate is 1.595 million dollars. (Section 2(B).)

Preparation of the deed

The bill provides for following the procedures in codified law (sec. 5301.13) for the preparation, execution, and recording of a deed to the real estate upon the execution of the sanitary sewer use agreement (Section 3).

Costs of the conveyance

The Village of Apple Creek must pay the costs of the conveyance (Section 4).

Expiration date

The provisions of the bill dealing with the conveyance of the state-owned real estate in Wayne County expires one year after the effective date of the bill (Section 5).

Correction of error in Am. H.B. 479

The bill corrects an error in the description of the Portsmouth Armory in Section 2 of Am. H.B. 479 of the 123rd General Assembly. Am. H.B. 479 approved the conveyance of a number of armories located throughout the state that the Adjutant General had determined were no longer required for armory or military purposes. The description of the Portsmouth Armory, located in Scioto County, in that act was inadequate as it included a description of an easement to the parcel that was not owned by the National Guard. The City of Portsmouth owns the easement. (Section 6(A).)

The amendment to Section 2 of Am. H.B. 479 of the 123rd General Assembly is contingent upon that act becoming law (Section 8).

Emergency clause

The bill declares an emergency. It states that the "conveyance of real estate, as authorized by this act, must be completed at the earliest possible time to enable the Village of Apple Creek to comply with the Environmental Protection Agency's mandate regarding the provisions of waste water treatment service for the village." As a result of its declaration of an emergency, the bill takes immediate effect. (Section 9.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-21-00	p. 1700
Reported, H. Housing & Public Lands	04-18-00	pp. 1835-1836
Passed House (96-0)	05-03-00	pp. 1878-1887
Reported, S. Judiciary	05-18-00	p. 1759

H0615-RS.123/bc

