



Sub. S.B. 164*

124th General Assembly
(As Reported by S. Judiciary on Civil Justice)

Sen. Jacobson

BILL SUMMARY

- Authorizes the conveyance of separate parcels of state-owned real estate to the Village of Grafton, the City of Columbus, the Medina County Joint Vocational School, the Hamilton County Alcohol and Drug Addiction Services Board, Forest City Enterprises, Inc., the Board of Ross County Commissioners, the Union Scioto School District, the City of London and for one conveyance a purchaser to be determined pursuant to the bill.
- Declares an emergency

CONTENT AND OPERATION

Village of Grafton

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Village of Grafton, and its successors and assigns or heirs, all of the state's right, title, and interest in two separate parcels of land. The first parcel of land is a part of Original Grafton Township Lot 5, is located in Lorain County, and contains 1.0032 acres. The second parcel of land is part of the Original Eaton Township Lot 58, is located in Lorain County, and contains 1.8839 acres. The real estate must be sold as an entire tract and not in parcels. (Sections 1(A) and (C) and 2(A).)

The consideration for the conveyance of the first parcel of land (Original Grafton Township Lot 5) is \$4,500. The consideration for the conveyance of the second parcel of land (Original Eaton Township Lot 58) is \$13,100. (Sections 1(B) and 2(B).)

* *This analysis was prepared before the report of the Senate Judiciary on Civil Justice Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

The above provisions expire one year after their effective date (Sections 1(G) and 2(H)).

City of Columbus

The bill authorizes the Governor to execute a deed in the name of the state conveying to the City of Columbus, and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in real estate located in Franklin County. The real estate to be conveyed contains 5.825 acres. (Section 3(A).)

The consideration for the conveyance is the mutual benefit and exchange of services provided under a Real Estate Purchase Agreement executed by Crewville, Ltd., on November 24, 1999, by the City of Columbus on December 1, 1999, and by the State of Ohio through its Director of Administrative Services on December 30, 1999, with the concurrence of the General Manager of the Ohio Expositions Commission and the Director of the Ohio Historical Society. The terms and conditions expressly provided for Crewville, Ltd., upon conveyance of approximately 32.5 acres of land to the state to construct a three-lane roadway connecting Velma Avenue and Silver Drive in Columbus. Once the roadway is completed, the state will seek to transfer the roadway to Columbus and dedicate the roadway to the public's use. Columbus agrees to accept the Governor's deed and accept responsibility for all maintenance and upkeep of the roadway following transfer from the state. (Section 3(B).)

The bill specifically states that the General Assembly finds that the mutual benefit and exchange of services accruing to the state from the conveyance of the real estate is in the best interest of the state and specifically beneficial to the Ohio Expositions Commission and the Ohio Historical Center (Section 3(C)).

The City of Columbus must pay the costs of the conveyance of the real estate described in Section 3(A) (Section 3(E)).

The provisions of the bill conveying real estate to the City of Columbus expires two years after its effective date (Section 3(F)).

Medina County Joint Vocational School

The bill states that the Adjutant General has determined that property described in Section 4 of the bill is no longer needed by the Ohio National Guard for armory or military purposes and has requested the Department of Administrative Services to assist in transferring this parcel. The reversionary language contained in the deed whereby the Adjutant General acquired this real estate requires that the property revert back to the Medina County Joint Vocational School if the property ceases to be used for military purposes. The bill authorizes

the Department of Administrative Services to give proper effect to the reversionary language in the original deed. The bill authorizes the Governor to execute the deed in the name of the state, granting all of the state's right, title, and interest in the parcel located in Medina County. The parcel contains 10.8154 acres. (Section 4(A).)

The above provisions of the bill expire one year after its effective date (Section 4(C)).

Hamilton County Alcohol and Drug Addiction Services Board

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Hamilton County Alcohol and Drug Addiction Services Board and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in real estate located in Hamilton County. This real estate must be sold as an entire tract and not in parcels. (Section 5(A) and (C).)

The bill states that the state stipulates that the offer to purchase has been made pursuant to Section 21.01 of Am. Sub. H.B. 640 of the 123rd General Assembly. Possession of the premises prior to transfer is governed by an existing lease between the state and the Hamilton County Alcohol and Drug Addiction Services Board. (Section 5(D).)

The consideration for the conveyance of the real estate is \$600,000 and must be paid to the state according to the following schedule as derived by mutual agreement reached between the state and the Hamilton County Alcohol and Drug Addiction Services Board through an executed Offer to Purchase (Section 5(B)):

- (1) \$60,000 deposit upon full execution of the Offer to Purchase;
- (2) \$135,000 at closing and transfer of title in accordance with this act;
- (3) \$135,000 upon the first anniversary of the closing date;
- (4) \$135,000 upon the second anniversary of the closing date;
- (5) \$135,000 upon the third anniversary of the closing date.

The Hamilton County Alcohol and Drug Addiction Services Board must pay all costs associated with the purchase and conveyance of the above real estate, including, but not limited to, recordation costs of the Governor's Deed (Section 5(E)).

The above provisions of the bill expire one year after its effective date (Section 5(H)).

Forest City Enterprises, Inc.

The bill authorizes the Governor to execute a deed in the name of the state conveying to Forest City Enterprises, Inc., and its successors and assigns or heirs and assigns, the State's Lessor's remaining interest pursuant to a certain lease dated March 16, 2001, between the state and Forest City Enterprises, Inc. affecting real estate located in Cuyahoga County (Section 6(A)).

The consideration for the conveyance is \$630,000 (Section 6(B)).

The deed must state that upon transfer at closing, the Lessor's interest to the premises, pursuant to a lease between the state and Forest City Enterprises, Inc. dated March 16, 2001, must merge with the Lessee's interest. The deed must further state the restrictions regarding maintenance of an existing water tower as provided in the lease must be removed. (Section 6(D).)

The bill also provides that the obligation of the Department of Administrative Services to convey the premises to Forest City Enterprises, Inc. is also subject to and contingent upon (1) Forest City Enterprises, Inc. obtaining a binding unconditional executed contract with the United States Department of Labor (the "Job Corps Contract") for the construction of a Federal Job Corps Center on or before the closing of the premises and (2) occurrence of simultaneous closings of this conveyance and the closing of the Job Corps Contract. Possession of the premises prior to transfer is governed by an existing lease between the state and Forest City Enterprises, Inc. (Section 6(E).)

The above provisions of the bill expire one year after its effective date (Section 6(I)).

Board of Ross County Commissioners

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Board of Ross County Commissioners, and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in real estate located in Ross County. The real estate contains 4.349 acres. The real estate must be sold as an entire tract and not in parcels. (Section 7(A).)

The consideration for the conveyance is \$1 and other valuable consideration including improvements to the roadway previously completed by the Ross County Board of County Commissioners (Section 7(B)).

The above provisions of the bill expire one year after its effective date (Section 7(G)).

Union Scioto School District

The bill authorizes the Governor to execute a deed in the name of the state conveying to the Union Scioto School District, and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in real estate located in Ross County. The real estate contains two parcels containing 14.409 and 5.046 acres. The real estate must be sold as an entire tract and not in parcels. (Section 8(A) and (C).)

The consideration for the conveyance is \$16,536.75 (Section 8(B)).

The above provisions of the bill expire one year after its effective date (Section 8(G)).

City of London

The bill authorizes the Governor to execute a deed in the name of the state conveying to the City of London, and its successors and assigns or heirs and assigns, all of the state's right, title, and interest in real estate located in Madison County. The real estate contains 50 acres. (Section 9(A).)

Consideration for the conveyance is the conveyance by the City of London of a parcel of real estate located in Madison County and containing 63.9355 acres. The real estate must be transferred as entire tracts and not in parcels. (Section 9(B) and (C).)

The above provisions of the bill expire one year after its effective date (Section 9(F)).

Purchaser to be determined pursuant to the bill

The bill authorizes the Governor to execute a deed in the name of the state conveying to a purchaser and the purchaser's successors and assigns, or the purchaser's heirs and assigns, all of the state's right, title, and interest in real estate located in Cuyahoga County, known as Subplot 27 in The Van Sweringen Company's Subdivision No. 14 or part of Original Warrensville Township Lots Nos. 34 and 35 (Section 10(A)).

Consideration for the conveyance of the real estate, which was purchased for \$380,000 in 1993, is a purchase price acceptable to the Board of Trustees of Cleveland State University. The net proceeds of the sale of the real estate must be held in a restricted reserve fund of Cleveland State University and must be used only for housing and housing allowances of future Presidents of Cleveland State University. (Section 10(B) and (D).)

The above provisions expire one year after their effective date (Section 10(E)).

Preparation, execution, and recording of deed

The bill provides for following the procedure in codified law (R.C. 5301.13) for the preparation, execution, and recording of a deed to the real estate upon the payment of the purchase price by the purchaser (Sections 1(E), 2(F), 3(D), 5(F), 6(G), 7(E), 8(E), 9(E), and 10(C)).

Proceeds of sales of real estate

The net proceeds of the sales to the Village of Grafton, the Hamilton County Alcohol and Drug Addiction Services Board, Forest City Enterprises, Inc., the Board of Ross County Commissioners, and the Union Scioto School District must be deposited in the state treasury to the credit of the General Revenue Fund (Sections 1(F), 2(G), 5(G), 6(H), 7(F), and 8(F)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	09-25-01	p. 902
Reported, S. Judiciary on Civil Justice	---	---

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