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Bill Analysis
Legislative Service Commission

Sub. S.B. 219

124th General Assembly
 (As Reported by H. State Government)

Sens. Oelslager, Roberts

BILL SUMMARY

- Authorizes the conveyance of state-owned real estate that is located in the counties of Athens, Preble, Stark, and Summit and that is no longer needed by the State Highway Patrol.
- Authorizes the conveyance of state-owned real estate located in Scioto County by Shawnee State University.
- Declares an emergency.

CONTENT AND OPERATION

Conveyance of real estate no longer needed by State Highway Patrol

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 heirs and assigns, all of the state's right, title, and interest in particularly described real estate situated in the City of Athens, Athens County (Section 1(A)); in Athens City, Athens Township, Athens County (Section 2(A)); in Northampton Township, Summit County (Section 3(A)); in Monroe Township, Preble County (Section 4(A)); and in Jackson Township, Stark County (Section 5(A)).

The Superintendent of the State Highway Patrol must have the real estate appraised by two disinterested persons, with the consideration for the conveyance of the real estate being a purchase price acceptable to the Superintendent. At the request of the Superintendent, the Auditor of State, with the assistance of the Attorney General, must prepare a deed to the real estate that states the consideration and is executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Auditor of State's Office for recording, and delivered to the

purchaser at closing. (Sections 1(B), (C), and (E), 2(B), (C), and (E), 3(B), (C), and (E), 4(B), (C), and (E), and 5(B), (C), and (E).)

The purchaser is required to pay the costs of the conveyance and to present the deed for recording in the office of the proper county recorder (Sections 1(D) and (E), 2(D) and (E), 3(D) and (E), 4(D) and (E), and 5(D) and (E)).

The net proceeds of the sale of the real estate are required to be deposited in the state treasury to the credit of the State Highway Patrol's operating expense account in the State Highway Safety Fund Group (Fund 036) (Section 1(F), 2(F), 3(F), 4(F), and 5(F)).

Conveyance by Shawnee State University

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 heirs and assigns, all of the state's right, title, and interest in certain real estate located in the City of Portsmouth in Scioto County (Section 6(A)). The consideration for the conveyance is a purchase price acceptable to the Board of Trustees of Shawnee State University. If no acceptable offers are received by the University by May 30, 2002, the real estate may be sold at public auction at a minimum price established by the Board of Trustees. The public auction must be advertised at least once a week for four consecutive weeks in a newspaper of general circulation within Scioto County. (Section 6(B) and (C).)

The University must pay all advertising costs, appraisal fees, survey costs, and other costs incurred in connection with the sale of the real estate (Section 6(D)).

The bill specifies procedures for the preparation, execution, and recording of a deed to the real estate that are similar to those described under "**Conveyance of real estate no longer needed by State Highway Patrol,**" above. Two differences in the procedures are (1) that the preparation of the deed is contingent on the purchaser paying at least 10% of the purchase price and (2) that delivery of the deed to the purchaser is contingent upon the purchaser paying the balance of the purchase price. (Section 6(E).)

The net proceeds of the sale of the real estate must be paid to the University (Section 6(F)).

Expiration dates

The bill's State Highway Patrol/real estate-related provisions expire three years after their effective date and its Shawnee State University/real estate-related provisions expire one year after their effective date (Section 7(A) and (B)).



HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-23-02	p. 1353
Reported, S. Judiciary on Civil Justice	02-21-02	p. 1495
Passed Senate (33-0)	02-26-02	pp. 1508-1509
Reported, H. State Gov't	04-24-02	pp. 1715-1716

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