



**S.B. 234**

125th General Assembly  
(As Introduced)

**Sen. Mumper**

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**BILL SUMMARY**

- Authorizes the conveyance of a parcel of state-owned real estate that is located in the City of Bellefontaine and is no longer needed for armory or military purposes to the Board of County Commissioners of Logan County pursuant to the reversionary clause in the parcel's deed.
- Authorizes the conveyance of ten parcels of state-owned real estate that the Adjutant General has determined are no longer required for armory or military purposes to a buyer or buyers to be determined at a later date.

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**CONTENT AND OPERATION**

**Conveyance of state-owned land in the City of Bellefontaine used by the Ohio National Guard for armory or military purposes**

The Adjutant General has determined that a parcel of land in the City of Bellefontaine is no longer needed by the Ohio National Guard for armory or military purposes and requests the Department of Administrative Services to assist in transferring the property. The reversionary language in the deed requires the property to revert to the Board of County Commissioners of Logan County if the property ceases to be used for armory or military purposes. The bill authorizes the Adjutant General to give proper effect to that language. The Auditor of State, with the assistance of the Attorney General, must prepare a deed to the parcel owned by the state. The deed must be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented for recording in the Office of the Auditor of State, and delivered to the original grantor of the property for recording in the Logan County Recorder's office. The bill authorizes the Governor to execute a deed in the name of the state, conveying to the Board of County Commissioners of Logan County all of the state's right, title, and interest in the two parcels of land. The Board of County Commissioners of Logan County is required to pay all costs associated with the transfer and conveyance of the

parcels, including, but not limited to, recordation costs of the Governor's Deed. (Section 1(A) and (B).)

**Conveyance of ten parcels of state-owned land used by the Ohio National Guard for armory or military purposes**

The bill authorizes the Governor to execute a deed in the name of the state, conveying to a buyer or buyers to be determined by the Adjutant General, as described below, and the buyer's or buyers' successors and assigns or heirs and assigns, all of the state's right, title, and interest in ten parcels of real estate in the following counties that the Adjutant General has determined are no longer needed by the Ohio National Guard for armory or military purposes: (1) one parcel in Henry County, (2) one parcel in Wood County, (3) one parcel in Hancock County, (4) two parcels in Highland County, (5) one parcel in Summit County, (6) one parcel in Coshocton County, (7) two parcels in Hamilton County, and (8) one parcel in Ross County. (Section 2(A).)

**Determination of the buyer**

The Adjutant General's Department is required to appraise the parcels of real estate or have them appraised by one or more disinterested persons for a fee to be determined by the Adjutant General. The Adjutant General is required to offer the parcels for sale as follows (Section 2(C)):

(1) The Adjutant General first must offer a parcel for sale at its appraised value to the municipal corporation or township in which it is located.

(2) If, after 60 days, the municipal corporation or township has not accepted the Adjutant General's offer to sell the parcel at its appraised value or has accepted the offer but has failed to complete the purchase, the Adjutant General must offer the parcel at its appraised value to the county in which it is located.

(3) If, after 60 days, the county has not accepted the Adjutant General's offer to sell the parcel at its appraised value or has accepted the offer but has failed to complete the purchase, a public auction must be held, and the parcel must be sold to the highest bidder at a price acceptable to the Adjutant General. The Adjutant General may reject any and all bids.

**Notice of public auction**

The Adjutant General is required to advertise each public auction in a newspaper of general circulation within the county in which the parcel is located, once a week for two consecutive weeks prior to the date of the auction (Section 2(C)).

### **Terms of sale of the parcel pursuant to the public auction**

The terms of sale of the parcel pursuant to the public auction is 10% of the purchase price in cash, bank draft, or certified check on the date of sale, with the balance payable within 60 days after the date of sale. A purchaser who does not timely complete the conditions of the sale must forfeit to the state the 10% of the purchase price paid on that date of sale as liquidated damages. (Section 2(C).)

### **Costs**

The Adjutant General's Department is required to pay advertising costs, appraisal fees, and other costs of the sale of the parcels (Section 2(D)).

### **Procedure for the conveyance**

Upon the payment of 10% of the purchase price of a parcel described in "**Conveyance of ten parcels of state-owned land used by the Ohio National Guard for armory or military purposes**" above, or upon notice from the Adjutant General's Department that a parcel of land has been sold to a municipal corporation, township, or county, the Auditor of State, with the assistance of the Attorney General, must prepare a deed for that parcel owned by the state. The deed must be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the State, and presented in the Office of the Auditor of State for recording. Upon the grantee's payment of the balance of the purchase price, the deed must be delivered to the grantee. The grantee is required to present the deed for recording in the county recorder's office of the county in which the parcel is located. (Section 2(E).)

### **Net proceeds**

The net proceeds of the sales of the parcels described in "**Conveyance of ten parcels of state-owned land used by the Ohio National Guard for armory or military purposes**" above must be deposited in the state treasury to the credit of the Armory Improvements Fund (Section 2(F)).

### **Subsequent sale of parcel by municipal corporation, township, or county**

If a parcel described in "**Conveyance of ten parcels of state-owned land used by the Ohio National Guard for armory or military purposes**" above is sold to a municipal corporation, township, or county and that political subdivision sells the parcel within two years after its purchase, the political subdivision is required to pay the state, for deposit in the state treasury to the credit of the Armory Improvements Fund, an amount representing one-half of any net profit derived from that subsequent sale. The net profit is computed by first subtracting the price at which the political subdivision bought the parcel from the price at which the

political subdivision sold the parcel, and then subtracting from that remainder the amount of any expenditures the political subdivision made for improvements to the parcel. (Section 2(G).)

**Duration of the provisions**

The provisions of the bill expire five years after its effective date (Sections 1(C) and 2(H)).

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**HISTORY**

| ACTION     | DATE     | JOURNAL ENTRY |
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| Introduced | 04-29-04 | p. 1827       |

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