

126th OHIO GENERAL ASSEMBLY



2005-2006

Legislative Schedules	About Ohio's State Government	Laws, Acts, and Legislation
The Ohio House of Representatives	Search for Legislative Information	The Ohio Senate
Ohio's Legislative Agencies	Session Video	Executive & Judicial Branches

[Return to Laws Page](#)

HB 269

As Enrolled

[View PDF Format](#)

(.pdf format)

[View Publications Associated with this Bill](#)

[Bill Analyses](#)

[Synopsis of Committee Amendments](#)

[Conference Committee Synopsis](#)

[Fiscal Notes](#)

[Status Report of Legislation](#)

[Other Versions of Bill and Associated Reports](#)

[As Passed by Senate](#)

[As Reported by Senate Committee](#)

[As Passed by House](#)

[As Reported by House Committee](#)

[As Introduced](#)

[HELP - Field Definitions for this Page](#)

The online versions of legislation provided on this website are **NOT** official. The official version of bills are available from the LSC Bill Room located at the north end of the Ground Floor of the Statehouse. Enrolled bills are the final version passed by the Ohio General Assembly and presented to the Governor for signature. The official version of acts signed by the Governor are available from the Secretary of State's Office in the Borden Building, 180 East Broad St., Columbus.

(125th General Assembly) (Substitute House Bill Number 269)

AN ACT

To authorize the conveyance of state-owned real estate located in Warren County to the city of Mason, the conveyance of state-owned real estate located in Williams County to Filling Memorial Home of Mercy, Inc., the conveyance of state-owned real estate located in Williams County to the city of Bryan, the conveyance of state-owned real estate located in Delaware County to Delaware County, and the conveyance of state-owned real estate located in Pike County to the Western Local School District.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. (A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to the city of Mason in Warren County, and its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Parcel Number 1:

Situated in Section 5, Town 3, Range 2, City of Mason, Warren County, Ohio and being a 22.929 acre parcel further described as follows:

Begin at a found 1" iron pin on the southeast corner of lot 9 of Glenmeadow Subdivision, as recorded in Plat Book 26, page 42-43 of the Warren County Recorder's Office, said pin also on a northerly line of Charlie and Bonnie Lawson, as recorded in Official Record 437, page 355; thence, departing said Lawson, and with said Glenmeadow, North 04°27'50" East, 1366.92 feet, to a found 1" iron pin on a southerly line of Everybody's Farm, as recorded in Official Record 1607, Page 525; thence, departing said Glenmeadow, and with said Everybody's Farm, the following two courses: North 78°16'54" East, 621.07 feet, to a set 5/8" iron pin; thence, South 85°32'10" East, 220.00 feet, to a point being referenced by a found 5/8" iron pin, North 04°56'30" West, 0.20 feet, said point being the true point of beginning:

thence from the true point of beginning thus found, continuing with said Everybody's Farm, the following four courses: South 40°47'57" East, 343.34 feet, to a point being referenced by a found 5/8" iron pin, South 74°37'43" East, 0.28 feet;

thence South 11°18'42" West, 497.25 feet, to a point being referenced by a found disturbed 5/8" iron pin, South 05°42'25" West, 0.14 feet;

thence South 24°39'00" West, 280.00 feet, to a point being referenced by a found 5/8" iron pin, North 68°34'00" East, 0.39 feet;

thence South 40°21'00" East, passing a point being referenced by a found 5/8" iron pin, South 49°39'00" West, 0.11 feet, at 150.37 feet, and a point being referenced by a found 5/8" iron pin, North 49°39'00" West, 0.25 feet at 159.82 feet, a total distance of 200.00 feet, to the centerline of Reading Road;

thence departing said Everybody's Farm, and with said centerline, South 49°39'00" West, 1071.83 feet;

thence departing said centerline, and with the new division line, the following five courses: North 04°24'30" East, 402.77 feet, to a set 5/8" iron pin;

thence South 89°00'18" West, 265.86 feet, to a set 5/8" iron pin;

thence North 04°27'50" East, 820.00 feet, to a set 5/8" iron pin;

thence South 85°32'28" East, 598.58 feet, to a set 5/8" iron pin;

thence North 20°17'34" East, 725.46 feet, to the true point of beginning, containing 22.929 acres of land subject to all easements and rights of way of record.

Parcel Number 2:

Situated in Section 5, Town 3, Range 2, City of Mason, Warren County, Ohio and being a 11.000 acre parcel further described as follows:

Begin at found 1" iron pin on the southeast corner of lot 9 of Glenmeadow Subdivision, as recorded in Plat Book 26, page 42-43 of the Warren County Recorder's Office, said pin also on a northerly line of Charlie and Bonnie Lawson, as recorded in Official Record 437, page 355, and the true point of beginning;

thence from the true point of beginning, departing said Lawson, and continuing with said Glenmeadow, North 04°27'50" East, passing a found 1/2" iron pin at 1205.44 feet, a total distance of 1366.92 feet, to a found 1" iron pin on the southerly line of Everybody's Farm, as recorded in Official Record 1607, page 525;

thence departing said Glenmeadow Subdivision, and with said Everybody's Farm, the following 2 courses:

thence North 78°16'54" East, 621.07 feet, to a set 5/8" iron pin;

thence South 85°32'10" East, 220.00 feet, to a point being referenced by a found 5/8" iron pin, North 04°56'30" West, 0.20 feet;

thence departing said Everybody's Farm, and with the new division line, the following five courses: South 20°17'34" West, 725.46 feet, to a set 5/8" iron pin;

thence North 85°32'28" West, 598.58 feet, to a set 5/8" iron pin;

thence South 04°27'50" West, 820.00 feet, to a set 5/8" iron pin;

thence North 89°00'18" East, 265.86 feet, to a set 5/8" iron pin;

thence South 04°24'30" West, 402.77 feet, to the centerline of Reading Road;

thence departing said division line, and with said centerline, South 49°39'00" West, 28.17 feet, to a point on a westerly line of said Lawson;

thence departing said centerline, and with said Lawson, the following two courses: North 04°24'30" East, passing a set 5/8" iron pin at 70.40 feet, a total distance of 400.62 feet, to a found stone;

thence South 89°00'18" West, 265.88 feet, to the true point of beginning, containing 11.000 acres of land subject to all easements and rights of way of record.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$105,000.00. Upon receipt, these moneys shall be deposited into the state treasury to the credit of the Mental Health Facilities Improvement Fund.

(C) The conveyance of the real estate described in division (A) of this section as Parcel Number 1 is subject to the condition that the city of

Mason is not to use the parcel for any type of residential or commercial facility. If the city of Mason uses the parcel for any type of residential or commercial facility, all right, title, and interest in the parcel shall revert to the state without the need for any further action by the state.

Further, the conveyance of the real estate described in division (A) of this section as Parcel Number 1 is subject to the condition that the city of Mason is not to convey any or all of the parcel to any non-state entity for a period of fifteen years from the effective date of this act. If the city of Mason attempts to convey any or all of the parcel contrary to this provision, all right, title, and interest in the parcel shall immediately revert to the state without the need for any further action by the state.

(D) The conveyance of the real estate described in division (A) of this section as Parcel Number 2 is subject to the condition that the city of Mason convey the parcel to the Board of County Commissioners of Warren County on behalf of the Warren County Board of Mental Retardation and Developmental Disabilities within six months from the effective date of this act. If the city of Mason does not convey the parcel to the Board of County Commissioners of Warren County on behalf of the Warren County Board of Mental Retardation and Developmental Disabilities within that six-month period, all right, title, and interest in the parcel shall revert to the state without the need for any further action by the state.

Further, in the conveyance of the real estate described in division (A) of this section as Parcel Number 2 to the Board of County Commissioners of Warren County on behalf of the Warren County Board of Mental Retardation and Developmental Disabilities, the city of Mason shall include a condition that the parcel is not to be used for any residential or commercial facilities. If the city of Mason does not include that condition in that conveyance, all right, title, and interest in the parcel shall revert to the state without the need for any further action by the state.

And, further, in the conveyance of the real estate described in division (A) of this section as Parcel Number 2 to the Board of County Commissioners of Warren County on behalf of the Warren County Board of Mental Retardation and Developmental Disabilities, the city of Mason shall include a condition that the county is not to convey any or all of the parcel to any non-state entity for a period of fifteen years from the date of the conveyance. If the city of Mason does not include that condition in the conveyance to the Board of County Commissioners of Warren County, all right, title, and interest in the parcel shall immediately revert to the state without the need for any further action by the state.

(E) The conveyance of the real estate described in division (A) of this section is subject to the condition that the city of Mason shall provide reasonable access to Parcel Number 2 over and through Parcel Number 1.

(F) Upon payment of the purchase price, the Auditor of State, with the

assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration, conditions, and possibilities of reverter described in divisions (B), (C), (D), and (E) of this section. The deed shall be 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 Office of the Auditor of State for recording, and delivered to the city of Mason. The city of Mason shall present the deed for recording in the Office of the Warren County Recorder.

(G) The city of Mason shall pay the costs of the conveyance of the real estate described in division (A) of this section.

SECTION 2. (A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to Filling Memorial Home of Mercy, Inc., and its successors and assigns, all of the state's right, title and interest in the following described real estate consisting of two parcels located in Williams County:

Parcel Number One

Situate in the state of Ohio, Williams County and City of Bryan and being those same lands conveyed to the state of Ohio by Deed of Record in Deed Book 257, Page 771, Recorder's Office, William's County, Ohio and being more particularly described as follows:

Being Lot No. 24 in the First Addition of Sidecar Subdivision in the City of Bryan as the same is numbered and delineated upon the Recorded Plat thereof, of Record in Plat Book 9, pages 90 and 91, Recorder's Office, William's county, Ohio.

Together with the residential structure erected thereon, containing approximately 5,295 square feet and otherwise known as 1211 Cardinal Road, State Route No. 2, Bryan, Ohio 43506.

Subject however to all legal rights of way and easements.

Parcel Number Two

A tract of land located in the Northeast Quarter of Section Seven (7), Town Seven (7) North, Range Four (4) East, Brady Township, Village of West Unity, Williams County, Ohio and more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 7, said point being the true place of beginning, thence along the North line of the Northeast Quarter of Section 7, South 87 degrees 23 minutes 00 seconds East a distance of 150.00 feet to a point; thence South 02 degrees 03 minutes 56 seconds West a distance of 240.00 feet to a point; thence North 87 degrees 23 minutes 00 seconds West a distance of 150.00 feet to a point; thence along the West line of the Northeast Quarter of Section 7 North 02 degrees 03 minutes 56

seconds East a distance of 240.00 feet to a point; said point being the true place of beginning, containing 0.826 acres of land and subject to all easements and highways.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$76,800.00.

(C) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be 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 Office of the Auditor of State for recording, and delivered to Filling Memorial Home of Mercy, Inc. Filling Memorial Home of Mercy, Inc. shall present the deed for recording in the Office of the Williams County Recorder.

(D) Filling Memorial Home of Mercy, Inc. shall pay the costs of the conveyance of the real estate described in division (A) of this section.

SECTION 3. (A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to the city of Bryan in Williams County, and its successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the City of Bryan, County of Williams and State of Ohio and known as and being Lots Numbered One (1) and Two (2) in STARK'S MEADOWSBROOK ADDITION as the same in replatted and recorded in Volume 9, Pages 101 and 102 of the Plat Records of Williams County, Ohio, subject however, to all easements and restrictions of record.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$23,000.

(C) The city of Bryan shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(D) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration stated in division (B) of this section. The deed shall be 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 Office of the Auditor of State for recording, and delivered to the city of Bryan. The city of Bryan shall present the deed for recording in the office of the Williams County Recorder.

SECTION 4. (A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to Delaware County, and its successors and assigns, all of the state's right, title and interest in the following described real estate located in Delaware County:

PARCEL 124-10-SH
DEL-CR-124-1.60
HIGHWAY EASEMENT TO REPLACE
A BRIDGE AND WIDEN ROADWAY ON HOME ROAD

Situated in the State of Ohio, County of Delaware, Township of Concord, being a part of a 180.26 acre tract of land conveyed to the State of Ohio, as described in Deed Book 60, Page 469, Delaware County Recorder's Office, and being more particularly described as follows:

Being on the south side of County Road 124 (Home Road) and being located within the following described points in the boundary thereof:

Commencing, for reference, at an iron pin found in the intersection of State Route 745 and County Road 124 (Home Road);

thence with the centerline of Right-of-Way of County Road 124, North 80°02'37" East a distance of 30.82 feet to a point,

thence leaving said centerline South 08°42'51" East a distance of 30.00 feet to a point in the existing southerly right-of-way of County Road 124, said point also being the TRUE POINT OF BEGINNING for the easement described herein;

thence North 80°02'37" East, a distance of 1537.91 feet to a point at Roadway Station 25+70.35, 11.58' Right;

thence South 16°06'08" East, a distance of 88.94 feet to a point at Roadway Station 25+80.23, 100.00' Right;

thence South 80°02'11" West, a distance of 664.86 feet to a point at Roadway Station 19+15.00, 100.00' Right;

thence North 65°05'45" West, a distance of 80.67 feet to a point at Roadway Station 18+50.00, 55.00' Right;

thence South 81°17'09" West, a distance of 93.00 feet to a point at Roadway Station 17+57.00, 55.00' Right;

thence South 08°42'51" East, a distance of 25.00 feet to a point at Roadway Station 17+57.00, 80.00' Right;

thence South 81°17'09" West, a distance of 57.00 feet to a point at Roadway Station 17+00.00, 80.00' Right;

thence North 08°42'51" West, a distance of 20.00 feet to a point at Roadway Station 17+00.00, 60.00' Right;

thence South 81°17'09" West, a distance of 140.00 feet to a point at Roadway Station 15+60.00, 60.00' Right;

thence North 08°42'51" West, a distance of 5.00 feet to a point at Roadway Station 15+60.00, 55.00' Right;

thence south 81°17'09" West, a distance of 525.86 feet to a point at Roadway Station 10+34.46, 55.00' Right;

thence North 11°30'28" West, a distance of 24.72 feet to the TRUE POINT OF BEGINNING at Roadway Station 10+32.94, 30.31' Right.

The above described area is a pan of Auditors Permanent Parcel Number 60024003007000. Within said bounds of Parcel 124-10-SH is 2.117 acres, more or less, and subject to all other easements of record.

This description was prepared by Burgess & Niple, under the direction of S. Patrick Mills, Registered Professional Surveyor Number 7158.

The basis of bearings in this description are based on the Ohio State Plane Coordinate System, North Zone.

The stations referred to herein are based on construction plans for replacement of structure number 2130998.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of \$20,074.00. Upon receipt, these moneys shall be deposited into the state treasury to the credit of the Department of Youth Services Building Demolition Fund.

(C) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be 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 Office of the Auditor of State for recording, and delivered to Delaware County. Delaware County shall present the deed for recording in the Office of the Delaware County Recorder.

(D) Delaware County shall pay the costs of the conveyance of the real estate described in division (A) of this section.

SECTION 5. (A) The Governor is hereby authorized to execute a deed in the name of the state, conveying to the Western Local School District in Pike County, and its successors and assigns, all of the state's right, title, and interest in the following described real estate located in Pike County:

Situated in the Twp. Mifflin, County of Pike, State of Ohio, being last recorded in Vol. 210, Pg. 620, Vol. 219, Pg. 770 and Vol. 125, Pg. 571, V.M.S. Number 2740 and being more clearly described as follows:

Beginning at a railroad spike set in the intersection of Shoemaker Road (T-224) and State Route 124, also being the southeast corner of the

Wanda P. Gudorf property recorded in Vol. 189, Pg. 253, this being the true beginning of this survey;

Thence with six calls with the centerline of Shoemaker Road (T-224), N. 14 deg. 49'02" E. 608.71 feet to a railroad spike set;

Thence N. 20 Deg. 11'40" E 202.96 feet to a railroad spike set;

Thence N. 16 Deg. 19'43" E 55.35 feet to a railroad spike set;

Thence N. 07 Deg. 05'57" E 77.33 feet to a railroad spike set;

Thence N. 09 Deg. 30'32" E 133.08 feet to a railroad spike set;

Thence N. 14 Deg. 29'51" E. 337.28 feet to a railroad spike set, also being the northeast corner of the Wanda F. Gudorf property recorded in Vol. 109, Pg. 717;

Thence with two new calls through the James B. Lawless property recorded in Vol. 210, Pg. 620 and Vol. 219, Pg. 770, S. 87 deg. 48'18" E. 477.95 feet to an iron pin set in said line, passing through an iron pin set at 17.95 feet;

Thence S. 72 Deg. 29'24" E. 1402.06 feet to an iron pin set in the West line of the Cecil, David and Cathy D. Brewster property recorded in Vol. 203, Pg. 461;

Thence with said West line, S. 10 deg. 53'57" W. 1013.12 feet to an iron pin set in the Southwest corner of the Janice M. Alderman property recorded in Vo 186, Pg. 576, also being the east line of the James B. Lawless property, 5th parcel recorded in Vol. 219, Pg. 770;

Thence with the South line of the Janice M. Alderman property, S. 75 Deg. 10'06" E. 45.24 feet to an iron pin set in the northwest corner of the Dwight Long, Jr. property recorded in Vol. 171, Pg. 57;

Thence with the west line of the Dwight Long, Jr. property, S. 09 Deg. 48'58" W. 357.41 feet to a railroad spike set in the centerline of State Route 124, passing through an iron pin set at 26.59 feet;

Thence with two calls with the centerline of State Route 124, N. 77 Deg. 30'15" W., 1144.18 feet to a railroad spike set;

Thence N. 77 Deg. 41'17" W. 865.54 feet to the beginning and containing 63.329 acres more or less and being 39.953 acres out of the James S. Lawless property recorded in the 5th tract Vol. 219, Pg. 770, calling for 52.500 acre, 22.376 acres out of the James B. Lawless property recorded in Tract 1, Vol. 210, Pg. 620, calling for 47.78 acres and being all of the James Lawless property recorded in Vol. 126, Pg. 671

Being subject to all legal Highways and Easements before the date of the recording of this instrument. Russell D. Montgomery, surveyor, June 1, 1995, P.S. No. 5899.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of ten dollars.

(C) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(D) Prior to the execution of the deed described in division (E) of this section, possession of the real estate described in division (A) of this section shall be governed by an existing interim lease between the state and the Western Local School District.

(E) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be 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 Office of the Auditor of State for recording, and delivered to the Western Local School District. The Western Local School District shall present the deed for recording in the Office of the Pike County Recorder.

(F) The Western Local School District shall pay the costs of the conveyance of the real estate described in division (A) of this section.

SECTION 6. This act shall expire one year after its effective date.

Please send questions and comments to the [Webmaster](#).

© 2005 Legislative Information Systems | [Disclaimer](#)

[Index of Legislative Web Sites](#)