

H. B. No. 481
As Introduced

_____ moved to amend as follows:

After line 2378, insert:

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"Section 19. (A) The Governor may execute one or more
Governor's Deeds in the name of the state conveying to the
selected grantee or grantees, their heirs, successors, and
assigns, to be determined in the manner provided in division (C)
of this section all of the State's right, title, and interest in
the following described real estate:

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Situated in the City of Athens, Athens County, Ohio, to-
wit:

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Beginning at a point 94 feet East of the Southwest corner
of Inlot No. 26 in the City of Athens on the South line of said
Inlot; thence East 43 feet on the said South line; thence North
to the line running East and West between the North and South
halves of the North half of said Inlot; thence West 43 feet;
thence South to the place of beginning, also the right of way
for the purposes of a private alley over and along ten feet East
of and adjoining said tract above described

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EXCEPTING the following described real estate: Beginning

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at a point 94 feet East of the West line of Inlot No. 26, which 19
point is on the line dividing the North and South halves of the 20
North half of said Inlot No. 26 and is also the Northwest corner 21
of that part of said Inlot No. 26 now owned by the said Martha 22
B. Pilcher; thence East on said dividing line 43 feet; thence 23
South 20 feet; thence West 43 feet to a line parallel with the 24
said North line; thence North 20 feet to the place of beginning. 25

The above tract is subject to all easements or leases of 26
public record. 27

Subject to all legal highways, restrictions, and 28
reservations of record. 29

Auditor's Parcel Nos.: A027080007000 30

Prior Instrument Reference: Volume 281 Page 328 Official 31
Records of Athens County, Ohio. 32

The foregoing legal description may be corrected or 33
modified by the Department of Administrative Services to a final 34
form if such corrections or modifications are needed to 35
facilitate the sale of the subject property. 36

(B) (1) The conveyance includes improvements and chattels 37
situated on the real estate, and is subject to all easements, 38
covenants, conditions, and restrictions of record; all legal 39
highways and public rights-of-way; zoning, building, and other 40
laws, ordinances, restrictions, and regulations; and real estate 41
taxes and assessments not yet due and payable. The real estate 42
shall be conveyed in an "as-is, where-is, with all faults" 43
condition. 44

(2) The deed for the conveyance of the real property may 45
contain restrictions, exceptions, reservations, reversionary 46

interests, and other terms and conditions the Director of 47
Administrative Services and the President and Board of Trustees 48
of Ohio University determine to be in the best interest of the 49
State. 50

(3) Subsequent to the conveyance, any restrictions, 51
exceptions, reservations, reversionary interests, or other terms 52
and conditions contained in the deed may be released by the 53
State and the President and Board of Trustees of Ohio University 54
without the necessity of further legislation. 55

(4) The deed or deeds shall contain restrictions 56
prohibiting the grantee or grantees from occupying, using, or 57
developing, or from selling, the real estate such that the use 58
or alienation will interfere with the quiet enjoyment of 59
neighboring state-owned land. 60

(5) The real estate described above shall be conveyed only 61
if the Director of Administrative Services and the President and 62
Board of Trustees of Ohio University first have determined that 63
the real estate is surplus real property no longer needed by the 64
state and that the conveyance is in the best interest of the 65
state. 66

(C) The Director of Administrative Services, in 67
consultation with Ohio University shall conduct a sale of the 68
real estate by sealed bid auction and the real estate shall be 69
sold to the highest bidder at a price acceptable to the Director 70
of Administrative Services and the President and Board of 71
Trustees of Ohio University. The Director of Administrative 72
Services shall advertise the sealed bid auction by publication 73
in a newspaper of general circulation in Athens County, once a 74
week for three consecutive weeks before the date on which the 75
sealed bids are to be opened. The Director of Administrative 76

Services shall notify the successful bidder in writing. The 77
Director of Administrative Services may reject any or all bids. 78

The purchaser shall pay a deposit of ten percent of the 79
purchase price to the Department of Administrative Services 80
within five business days after receiving notice the bid has 81
been accepted. When the deposit has been received by the 82
Department of Administrative Services, the purchaser shall enter 83
into a real estate purchase agreement in the form prescribed by 84
the Department of Administrative Services. The purchaser shall 85
pay the balance of the purchase price to the Department of 86
Administrative Services within sixty days after receiving notice 87
the bid has been accepted. Payment of the deposit and the 88
balance of the purchase price shall be made by bank draft or 89
certified check made payable to the Treasurer of State. A 90
purchaser who does not complete the conditions of the sale as 91
prescribed in this division or in the real estate purchase 92
agreement shall forfeit the ten percent of the purchase price 93
paid to the State as liquidated damages. Should a purchaser not 94
complete the conditions of sale as described in this division or 95
in the real estate purchase agreement, the Director of 96
Administrative Services is authorized to accept the next highest 97
bid, by collecting ten percent of the revised purchase price 98
from the next bidder and proceed to close the sale, provided 99
that the secondary bid meets all other criteria provided for in 100
this section. If the Director of Administrative Services rejects 101
all bids from the sealed bid auction, the Director may repeat 102
the sealed bid auction process described in this section or may 103
use an alternate sale process that is acceptable to Ohio 104
University. 105

Ohio University shall pay advertising costs incident to 106
the sale of the real estate. 107

(D) The real estate described in division (A) of this section may be conveyed as an entire tract or as multiple parcels.

(E) The purchaser shall pay all costs, other than those specified above, associated with the purchase, closing, and conveyance of the subject property, including surveys, lot split fees, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

The net proceeds of the sale shall be deposited into Ohio University accounts for purposes to be determined by the President and Board of Trustees of Ohio University.

(F) Upon receiving written request from the Department of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a Governor's Deed to the real estate described in division (A) of this section. The Governor's Deed shall state the consideration and 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 grantee. The grantee shall present the Governor's Deed for recording in the Office of the Athens County Recorder.

(G) This section shall expire three years after its effective date."

In line 2379, delete "19" and insert "20"

In line 2479, delete "20" and insert "21"

In line 2598, delete "21" and insert "22"

In line 2757, delete "22" and insert "23"	136
In line 2888, delete "23" and insert "24"	137
In line 2969, delete "24" and insert "25"	138

The motion was _____ agreed to.

<u>SYNOPSIS</u>	139
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Additional conveyance	140
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Section 19	141
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Authorizes the Director of Administrative Services to sell	143
at auction property owned by Ohio University and located at 10	144
East Union Street, in Athens.	145

Requires the property to be sold to the highest bidder at	146
a price acceptable to the Director.	147

Directs that the net proceeds of the sale be deposited	148
into Ohio University accounts for purposes to be determined by	149
the university.	150

Establishes procedures governing the auction and the	151
conveyance of the property.	152