

H. B. No. 481
As Introduced

_____ moved to amend as follows:

After line 3251, insert:

"Section 25. (A) The Governor may execute a Governor's Deed in the name of the State conveying to 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:

Being all of that property conveyed to the State of Ohio by James Flynn as Trustee as described in a Warranty Deed dated June 4, 1889 and recorded on July 16, 1889 in Deed Volume 53, Page 336 in the Offices of the Erie County Recorder and being more particularly described as follows:

Situated in the Township of Perkins, County of Erie and State of Ohio:

Beginning South Fifty Four degrees Forty minutes West, Twelve and Twenty Two chains from the center of Sandusky and Milan Road and on the north line of the Twenty Eight acre tract to Mary J. Beatty from Estate of Jamis Beatty Dec'd. then south

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Forty Four degrees and Forty two minutes East, Six and Eighty 19
one hundredths chains (6 81/100) chs. to within Twenty Five feet 20
of the soldiers home grounds then south Fifty Four Degrees and 21
Forty minutes West and Twenty Five feet North of the Soldiers 22
Home Grounds, Five and Ninety Five and one half hundredths chs. 23
(5 95.5/100) chs. then North Forty Four degrees and Forty Two 24
minutes West Six and Eighty one Hundredth chs. (6 81/100) chs. 25
to North line of said 28 acres tract then North Fifty Four 26
degrees and Forty minutes East as North line of 28 acre tract. 5 27
95.5/100 chs. to place of beginning making Four acres of land be 28
the same more or less, but subject to all legal highways. 29

Prior Instrument Record Vol 53 Page 336 30

All of Erie County Parcel No. 32-61033.000 31

The foregoing legal description may be corrected or 32
modified by the Department of Administrative Services to a final 33
form if such corrections or modifications are needed to 34
facilitate recordation of the deed. 35

(B) (1) The conveyance includes improvements and chattels 36
situated on the real estate, and is subject to all leases, 37
easements, covenants, conditions, and restrictions of record; 38
all legal highways and public rights-of-way; zoning, building, 39
and other laws, ordinances, restrictions, and regulations; and 40
real estate taxes and assessments not yet due and payable. The 41
real estate shall be conveyed in an "as-is, where-is, with all 42
faults" condition. 43

(2) The deed may contain restrictions, exceptions, 44
reservations, reversionary interests, and other terms and 45
conditions the Director of Administrative Services determines to 46
be in the best interest of the State. 47

(3) Subsequent to the conveyance, any restrictions, 48
exceptions, reservations, reversionary interests, or other terms 49
and conditions contained in the deed may be released by the 50
State or the Department of Veterans Services without the 51
necessity of further legislation. 52

(4) The deed or deeds may contain restrictions prohibiting 53
the grantee or grantees from occupying, using, or developing, or 54
from selling, the real estate such that the use or alienation 55
will interfere with the quiet enjoyment of neighboring state- 56
owned land. 57

(5) The real estate described above shall be conveyed only 58
if the Director of Administrative Services and the Director of 59
the Department of Veterans Services first have determined that 60
the real estate is surplus real property no longer needed by the 61
state and that the conveyance is in the best interest of the 62
state. 63

(C) The Director of Administrative Services shall conduct 64
a sale of the real estate by sealed bid auction or public 65
auction, and the real estate shall be sold to the highest bidder 66
at a price acceptable to the Director of Administrative Services 67
and the Department of Veterans Services. The Director of 68
Administrative Services shall advertise the sealed bid auction 69
or public auction by publication in a newspaper of general 70
circulation in Erie County, once a week for three consecutive 71
weeks before the date on which the sealed bids are to be opened. 72
The Director of Administrative Services shall notify the 73
successful bidder in writing. The Director of Administrative 74
Services may reject any or all bids. 75

The purchaser shall pay a deposit of ten per cent of the 76
purchase price to the Department of Administrative Services 77

within five business days after receiving the notice the bid has 78
been accepted. When the deposit has been received by the 79
Department of Administrative Services, the purchaser shall enter 80
into a real estate purchase agreement, in the form prescribed by 81
the Department of Administrative Services. The purchaser shall 82
pay the balance of the purchase price to the Department of 83
Administrative Services within sixty days after receiving notice 84
the bid has been accepted. Payment of the deposit and the 85
balance of the purchase price shall be made by bank draft or 86
certified check made payable to the Treasurer of State. A 87
purchaser who does not complete the conditions of the sale as 88
prescribed in this division shall forfeit the ten per cent of 89
the purchase price paid to the state as liquidated damages. 90
Should a purchaser not complete the conditions of the sale as 91
described in this division, the Director of Administrative 92
Services is authorized to accept the next highest bid, subject 93
to the foregoing conditions. If the Director of Administrative 94
Services rejects all bids from the sealed bid auction, the 95
Director may repeat the sealed bid auction process described in 96
this section or public auction, or may use an alternative sale 97
process that is acceptable to the Department of Veterans 98
Services. 99

The Department of Veterans Services shall pay advertising 100
and costs incident to the sale of the real estate. 101

(D) The real estate described in division (A) of this 102
section may be conveyed as an entire tract or as multiple 103
parcels. 104

(E) Purchaser shall pay all costs, other than those 105
specified above, associated with the purchase, closing and 106
conveyance, including surveys, title evidence, title insurance, 107

transfer costs and fees, recording costs and fees, taxes, and 108
any other fees, assessments, and costs that may be imposed. 109

The net proceeds of the sale shall be deposited into the 110
state treasury to the credit of the Department of Veterans 111
Services General Fund. 112

(F) Upon receiving written request from the Department of 113
Administrative Services, the Auditor of State, with the 114
assistance of the Attorney General, shall prepare a Governor's 115
Deed to the real estate described in division (A) of this 116
section. The Governor's Deed shall state the consideration and 117
shall be executed by the Governor in the name of the State, 118
countersigned by the Secretary of State, sealed with the Great 119
Seal of the State, presented in the Office of the Auditor of 120
State for recording, and delivered to the Grantee. The Grantee 121
shall present the Governor's Deed for recording in the Office of 122
the Erie County Recorder. 123

(G) This section shall expire three years after its 124
effective date." 125

The motion was _____ agreed to.

SYNOPSIS 126

Additional conveyance 127

Section 25 128

Authorizes the Director of Administrative Services to sell 129
four acres of state-owned real estate, located on Dewitt Avenue 130
in Sandusky, that is currently under the Department of Veterans 131

Services's jurisdiction.	132
Requires the property to be offered for sale at sealed-bid	133
public auction but allows an alternative sales process	134
acceptable to the Department of Veterans Services if all bids	135
are rejected.	136
Directs that net proceeds of the sale be deposited into	137
the State Treasury, credit of the Department of Veterans	138
Services General Fund.	139