



# Ohio Legislative Service Commission

## 122nd House Bill Analysis

### Sub. H.B. 552

122nd General Assembly

(As Reported by H. Housing & Public Lands)

**Reps. Thomas, Britton, Mead, Garcia, Myers**

- Authorizes the conveyance of state-owned real estate controlled by the Ohio Schools for the Deaf and Blind and located in Franklin County to the City of Columbus for the Columbus Water Tower Project.
- Authorizes the conveyance of three easements over state-owned real estate controlled by the Ohio Schools for the Deaf and Blind for the construction and maintenance of the Columbus Water Tower Project.
- Authorizes the conveyance of a conservation easement over state-owned real estate controlled by the Ohio Schools for the Deaf and Blind in Franklin County to the Franklin Soil and Water Conservation District for the preservation of the Adena Brook North Ravine.
- Declares an emergency.

## CONTENT AND OPERATION

### Overview

The bill authorizes the conveyance of a parcel of state-owned real estate and three easements over state-owned property to the City of Columbus for the construction and maintenance of the Columbus Water Tower Project, which involves the construction of two water towers. The conveyances related to the Water Tower Project are on property controlled by the Ohio Schools for the Deaf and Blind.

The bill also authorizes the conveyance of a conservation easement to the Franklin Soil and Water Conservation District for the preservation of the Adena Brook North Ravine located on the property of the Ohio Schools for the Deaf and Blind.

### Conveyances to the City of Columbus

#### The "Water Towers" parcel

The bill authorizes the Governor to execute a deed in the name of the state conveying to the City of Columbus and its successors and assigns all of the state's right, title, and interest in a parcel of state-owned real estate consisting of about 1.3774 acres, located in Franklin County on the property of the Ohio Schools for the Deaf and Blind, to the City of Columbus (Section 1).

#### Ingress and egress easement

The bill authorizes the Governor to execute a deed of easement to convey a permanent ingress and egress easement, to the "Water Towers" parcel, over a 40-foot wide strip of property described in the bill, located on the property of the Ohio Schools for the Deaf and Blind (Section 2).

#### Permanent water line easement

The bill authorizes the Governor to execute a deed of easement conveying a 30-foot wide permanent water line easement, to the "Water Towers" parcel, through the property of the Ohio Schools for the Deaf and Blind (Section 3).

#### Temporary construction easement

The bill authorizes the Governor to execute a temporary construction easement, for three years, over property described in the bill and located on the property of the Ohio Schools for the Deaf and Blind (Section 4).

### **Consideration**

The consideration for the conveyance of the property and the three easements to the City of Columbus is \$129,800. One-half of the net proceeds of the conveyances described in sections 1 to 4 of the bill will be paid to the Ohio School for the Blind to use for technology assistance and one-half of the net proceeds will be paid to the Ohio School for the deaf to use for technology assistance. (Section 6.)

### **Costs**

The bill directs the City of Columbus to pay the costs of the conveyances described in Sections 1, 2, 3, and 4 of this bill (Section 7).

### **Conservation easement**

#### **The ravine**

The bill authorizes the Governor to execute a deed of easement conveying to the Franklin Soil and Water Conservation District an easement over an area of state-owned real estate, commonly known as "the ravine," on the property controlled by the Ohio Schools for the Deaf and Blind. The purpose of the conservation easement is to maintain the area of the easement predominantly in its natural, scenic, open, or wooded condition as provided by the Conservation Easements Law (secs. 5301.67 to 5301.70). The bill directs the Ohio Schools for the Deaf and Blind to have a survey of the ravine property prepared, with the boundaries of the conservation easement area to be consistent with the boundaries that the Franklin Soil and Water Conservation District and the Superintendent of Public Instruction agree upon, based on an aerial photograph of the ravine area. The bill specifies that the real estate subject to the conservation easement cannot be the same real estate that is subject to the easements made by this bill to the City of Columbus. (Section 5.)

### **Consideration**

The consideration for the conveyance of the conservation easement is the mutual benefit accruing to the state and the Franklin Soil and Water Conservation District by having the ravine area maintained as a conversation area (Section 6).

### **Costs**

The costs of conveyance of the conservation easement, including the cost of the survey and preparation of the legal description, is to be paid by the Franklin Soil and Water Conservation District (Section 7).

### **Conditions**

The conveyance of the conservation easement is subject to the following conditions.

The Franklin Soil and Water Conservation District is to administer the easement pursuant to the Conservation Easements Law (secs. 5301.67 to 5301.70) and pursuant to an agreement between the Franklin Soil and Water Conservation District and the Superintendent of Public Instruction. The agreement is to include a provision that will enable the Ohio Schools for the Deaf and Blind to retain reasonable access to the easement area for educational and recreational purposes. (Section 8.)

The Franklin Soil and Water Conservation District will be permitted to post signs that identify the area as a conservation easement and signs that specify any restrictions on public access to the area if the Conservation District and the Superintendent of Public Instruction have agreed upon the wording and format of the signs. The Ohio Schools for the Deaf and Blind may post "no trespassing" signs on school property to control the general public's access to the conservation easement and to control the general public's access to the adjoining school property that is not part of the conservation easement. (Section 9.)

The City of Columbus, Division of Sewers and Drains, will be permitted reasonable access to the property, including access during emergency situations, to carry out its responsibilities to maintain drainage in the area and to maintain and repair sewers on the property. The Franklin Soil and Water Conservation District and the Division of Sewers and Drains must develop and enter into a written agreement that sets forth the conditions under which the Division of Sewers and Drains shall have access to the property. (Section 10.)

### **Other provisions of the bill**

The bill provides for following the procedures in permanent law for the preparation, execution, and recording of a deed to the real estate and to the easements (Section 11).

The bill expires one year after its effective date (Section 12).

The bill declares an emergency to enable the City of Columbus at the earliest possible time "to begin construction of water tanks and to avoid the substantial costs that would be incurred by delaying this project." (Section 13.)

## **HISTORY**

### **ACTION DATE JOURNAL ENTRY**

Introduced 07-29-97 p. 1563  
Reported, H. Housing &  
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