(123rd General Assembly)
(Amended House Bill Number 479)

AN ACT

To authorize the Adjutant General to transfer specified parcels of state-owned real estate no longer needed for armory or military purposes to the grantor of each parcel pursuant to the reversionary clause in each parcel's deed, to authorize the conveyance of state-owned real estate that the Adjutant General has determined is no longer required for military or armory purposes to a buyer or buyers to be determined at a later date, and to authorize the conveyance of state-owned real estate known as the Blanchester Armory to Thomas J. Lagos.

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

SECTION 1. The Adjutant General has determined that the following described properties are no longer needed by the Ohio National Guard for armory or military purposes. The reversionary language contained in the deeds for those properties requires that each property revert back to the grantor if the property ceases to be used for military purposes. The Adjutant General is hereby authorized to give proper effect to the reversionary language in the original deeds. Deeds shall be prepared by the Auditor of State with the assistance of the Attorney General, to be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the State, and presented for recording in the Office of the Auditor of State. Each deed shall be delivered to the original grantor of each property for recording in the office of the appropriate county recorder. The Governor is hereby authorized to execute deeds in the name of the state, granting all of the state's right, title, and interest in the parcels described as follows:

Parcel No. 1

Willoughby Armory Property, Volume 218, Page 110, Lake County Deed Records. And being, respectively, parcel numbers 27A-023E-00-024-0, 27A-023E-00-025-0, 27A-023E-00-026-0, 27A-023E-00-027-0, 27A-023E-00-028-0, 27A-023E-00-029-0,

7A-023E-00-030-0, 27A-023E-00-031-0, 27A-023E-00-032-0, 27A-023E-00-033-0, 27A-023E-00-013-0, 27A-023E-00-012-0, 27A-023E-00-011-0, 27A-023E-00-010-0, 27A-023E-00-009-0, 27A-023E-00-008-0, 27A-023E-00-007-0, 27A-023E-00-006-0, 27A-023E-00-005-0, 27A-023E-00-018-0, 27A-023E-00-019-0, 27A-023E-00-020-0, 27A-023E-00-021-0, 27A-023E-00-022-0, 27A-023E-00-023-0, 27A-023E-00-014-0, 27A-023E-00-015-0, 27A-023E-00-016-0, and 27A-023E-00-017-0 of the Lake County Auditor's Records.

Situated in the Village of Willoughby, County of Lake, and State of Ohio: and known as Sublots Nos. 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 366, 367, 368, 369, 370, 371, 372, 373, 374, and 375 in the Cleveland Willoughby Realty Company's Orchard Park Allotment No. 2, as shown by the recorded Plan thereof, recorded in Volume F, Page 27, Lake County Records of Maps ...be the same more or less, but subject to all legal highways.

Parcel No. 1 shall revert to the City (formerly Village) of Willoughby.

Parcel No. 2

Property originally provided for the construction of an armory in the City of Lorain, Ohio, Volume 469, Page 183, Lorain County Deed Records.

Situated in Great Lots Nos. 94, 95, 99, and 100 in Sheffield Township, City of Lorain, County of Lorain, and State of Ohio, and being a parcel of land, approximately 400 feet square, in the Southwest corner of Oakwood Park as conveyed to the City of Lorain by Deed dated September 1, 1894, and recorded in Volume 73, Page 334 of Lorain County Records of Deeds and more particularly described as follows:

Commencing at an iron pin at the Northeast corner of Clinton Avenue and East 36th Street, thence East along North line of East 36th Street a distance of 400 feet to a point; thence Northerly on a line parallel with Clinton Avenue, a distance of 400 feet to a point; thence Westerly along a line parallel with East 36th Street, a distance of 400 feet to a point in the East line of Clinton Avenue; thence Southerly along the East line of Clinton Avenue a distance of 400 feet to the place of beginning and containing approximately 3.67 acres of land

Parcel No. 2 shall revert to the City of Lorain.

Parcel No. 3

Napoleon Motor Vehicle Storage Building Property, Volume 153, Page 309, Henry County Deed Records. And being Parcel Number 41-230056.0000 of the Henry County Auditor's Records.

Situated in the northwest quarter of Section 23, Township 5 North,

Range 6 East in Napoleon Township, Village (now City) of Napoleon, Henry County, Ohio, to-wit:

Beginning at an iron pipe on the west line of said Section 23 and on the center line of the Jahns Road, thence north 88 degrees and 36 minutes east 366.1 feet to an iron pin, thence north 78 degrees and 20 minutes east 281.8 feet to an iron pin, thence south 6 minutes west 105.7 feet to an iron pin, thence south 36 degrees and 53 minutes west 277.1 feet to an iron pin, thence south 82 degrees and 14 minutes west 262.5 feet to an iron pin on the centerline of the Jahns Road, thence north 36 degrees and 1 minute west 366.85 feet along the center line of the Jahns Road to the place of beginning containing 3.249 Acres of land but subject to all legal highways.

Parcel No. 3 shall revert to the City (formerly Village) of Napoleon.

SECTION 2. (A) Pursuant to section 5911.10 of the Revised Code, the Governor is hereby authorized to execute a deed in the name of the state conveying to a buyer or buyers 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 parcels of real estate that the Adjutant General has determined are no longer required for armory or military purposes:

Parcel No. 1

Toledo Secor Road Armory Property, Volume 766, Page 480, Lucas County Deed Records.

The North Six (6) acres of the North One-half (1/2) of the Northeast One Quarter (1/4) of the Southeast One Quarter (1/4) of Section Eighteen (18), Town Nine (9) South, Range Seven (7) East, in Washington Township, Lucas County, Ohio, except therefrom the South Forty-eight (48) feet of the East One Hundred and Fifty (150) feet thereof, said excepted premises being the premises conveyed by the Grantor to Samuel B. Wood and J. M. Wilson.

The above described parcel of land is subject to any and all easements and restrictions of record.

Parcel No. 2

Ravenna Armory Property, Volume 325, Page 64, Portage County Deed Records.

Situated in the Township and City of Ravenna, County of Portage and State of Ohio: Situated in Township Lot 21, south division of lots, Ravenna Township, Portage County, Ohio. Beginning at a point in the east line of Freedom Road at its intersection with the south line of Lot 21, said point being located 30 feet east of monument in the S.W. Corner of Lot 21; thence easterly along the south line of Lot #21 a distance of about 538 feet to the intersection with the west line of Maple Street extended; thence northerly a

distance of 153 feet; thence westerly a distance of about 538 feet to the east line of Freedom Street; thence Southerly along the east line of Freedom Street a distance of 153 feet to the place of beginning, containing 1.89 acres more or less, but subject to all legal highways. Being the southwest corner of what has long been known as the Portage County fair ground property.

Parcel No. 3

Portsmouth Armory Property, Volume 380, Page 598, Scioto County Deed Records.

Situated in the City of Portsmouth, County of Scioto and State of Ohio (Formerly in Clay Township), to-wit: Beginning at a point in the north property line of 17th Street, said point being Two Hundred Ten Feet (210 ft.) east of the center line of High Street; said point being also Fifty Feet (50 ft.) east of the first alley east of High Street; thence in a northwardly direction parallel to the east property line of the first alley east of High Street with a line bearing North 5 deg. 30 min, east 450 feet to a point; thence in an eastwardly direction parallel to the north property line of 17th Street with a line bearing South 85 deg. 17 min. East 231 feet, more or less, to a point on the east property line of a 3.93 acre tract of the Grantor herein; thence in a southwardly direction with the east line of said tract and bearing South 2 deg. 12 min. West, 158 feet, more or less, to a corner of said tract; thence in an eastwardly direction with the lines of said tract as follows:- South 86 deg. 54 min. East, 152.4 feet to a point; thence in a southwardly direction with a line bearing South 2 deg., 53 min. West, 294 feet to a point; said point being in the north property line of 17th Street; thence in a westwardly direction with the north property line of 17th Street, North 85 deg. 17 min. West, 400.4 feet to the point of beginning, containing 3.508 acres more or less, and being 3.147 acres off the 3.93 acre tract, known as the "First Tract," and 0.361 acres off the 1.715 acre tract known as the "Second Tract," in a deed made to Grantors herein, by Johnson and Duis Inc., dated July 1, 1938, and recorded in Deed Book 236, Page 291 of Scioto County Record of Deeds.

Together with an easement as means of ingress and egress to said premises from the first alley east of High Street in said city over the following described premises, to-wit:

Beginning at a point in the east property line of the first alley east of High Street, said point bearing North 5 deg., 30 min. East 450 feet North of the intersection of the east property line of the first alley east of High Street, with the north property line of 17th Street; thence in an eastwardly direction with a line bearing South 85 deg., 17 min. East, 50 feet to a point; said point being also the northwest corner of a tract herein conveyed to the City of

Portsmouth, Ohio, for Armory Purposes; thence in a southwardly direction with the west line of said tract and parallel to the east property line of the first alley easy of High Street; South 5 deg., 30 min. West, 30 feet to a point; thence in a westwardly direction with a line bearing North 85 deg., 17 min. West, 50 feet to a point in the east property line of aforesaid alley; thence in a northwardly direction with the east line of the aforesaid alley North 5 deg., 30 min. east, 30 feet to the point of beginning containing 0.0344 acres more or less.

Parcel No. 4

Shreve Armory Property, which consists of two parts: (A) Volume 198, Page 373, and (B) Volume 198, Page 372, Wayne County Deed Records. And being, respectively, parcel numbers 20-01148.000, 20-01146.000, and 20-01147.000 of the Wayne County Auditor's Duplicate.

Part A

Situated in the Village of Shreve, County of Wayne, and State of Ohio; and known as the East part of in-lots numbered Two Hundred and Nineteen (219) and Two Hundred and Twenty (220), bounded and described as follows: - Beginning at the Northeast corner of said Lot number Two Hundred and Twenty (220); thence South along the East lines of said Lots 220 and 219, to the South-east corner of said Lot No. 219; thence West on the South line of said Lot 219, Eighty-eight (88) Feet; thence North and parallel with the East line of said Lots, one hundred and Twenty (120) Feet to the North line of Lot 220; thence East on the North line of Lot 220 Eighty-eight (88) Feet to the North-east corner of said Lot, the place of beginning.

Part B

Situated in the Village of Shreve, County of Wayne, and State of Ohio: and known as the East half of In-Lot number Two Hundred and Eighteen (218).

Parcel No. 5

Fremont Armory Property, Volume 133, Page 180, Sandusky County Deed Records.

Situated in the City of Fremont, County of Sandusky, and State of Ohio, and known as a part of Outlot number fifty (50), more particularly described as commencing at a point on the north line of said Outlot and two hundred and thirty (230) feet northwestly from the north-east corner of said Outlot; thence in a northwesterly direction, on the north line of said Outlot, one hundred (100) feet; thence southwesterly, at right angles to the north line of said Outlot, three hundred forty and one-half (340 1/2) feet; thence southeasterly, parallel with the north line of said Outlot, one hundred (100)

feet; thence northeasterly three hundred forty and one-half (340 1/2) feet to the place of beginning, be the same more or less, but subject to all legal highways.

Parcel No. 6

Boston Mills Organizational Maintenance Shop and other related facilities, Volume 1540, Pages 411 & 412 and 413-415, Summit County Deed Records. And being parcel number 06-00493 of the Summit County Auditor's Records.

Part A

Situated in the Township of Boston, County of Summit, and State of Ohio; more particularly described as follows:

Being a part of Lot 2, Tract 1, in said Township, beginning at a southwest corner of 80.45 acres of land, deeded by George Kellogg to F.W. Kellogg March 9th, 1872, in the center of the Brewery Road, so-called, at a stake in the line between the north and south half of said Lot 2, and which point is southwesterly along the center line of the Brewery Road 28.22 1/2 chains from the north line of Lot 2, Tract No. 1, Boston Township; thence northeasterly along the center of said Road as now traveled, 26.33 1/2 chains to a stake at the center of the Culvert; thence south 26 degrees east 3 chains to a stake; thence southwesterly to a point in the division line between the north and south half of said Lot 2, 11.25 chains distant from the first mentioned stake in the center of the Brewery Road; thence north 89 3/4 degrees west along said division line 11 chains and 25 links to the place of beginning, containing 10 acres of land, be the same more or less, but subject to all legal highways.

Being the same piece of property conveyed by Mary C. & W.H. Smith to Harry M. Farnsworth as shown by recorded deed in Volume 328, page 579 of Summit County Records being subsequently conveyed by said Harry M. Farnsworth and wife to The American Agricultural Chemical Company (of Connecticut) by deed dated November 18th, 1905, and recorded in Summit County Records in Volume 627, Page 432, and being subsequently conveyed by The American Agricultural Chemical Company (of Connecticut) to The American Agricultural Chemical Company (of Delaware) by deed dated June 30th, 1930, and recorded in Summit County Records in Volume 1352, Pages 420-421, and finally conveyed to the State of Ohio by Harvey J. Webster et ux by deed dated July 1, 1933.

Part B

Situated in the Township of Boston, County of Summit, and State of Ohio: and being part of Original Lot No. 2, Tract 1, in said Township and being further described as follows:

Beginning in the center line of Brewery Road at its intersection with the northerly line of Grantor's lands, said beginning point being distant southwesterly along the center line of Brewery Road 28.22 1/2 chains from the North line of said Lot 2, said beginning point being also the southwest corner of 80.45 acres of lands deeded by George Kellogg to F.W. Kellogg, March 9, 1872.

Thence South 89 degrees 45'00" East along the Northerly line of Grantor's lands, said Northerly line being the southerly line of lands conveyed to F.W. Kellogg as aforesaid a distance of 900 feet to a point.

Thence South 12 degrees 37'30" West a distance of 700 feet to a point.

Thence North 89 degrees 45'00" West along a line parallel with the first described line a distance of 650 feet to a point.

Thence northwesterly along a line that intersects the center line of Brewery Road at a point distance Southwesterly 400 ft. from the intersection of said center line with the Northerly line of Grantor's land as aforesaid.

Thence Northeasterly along the center line of Brewery Road 400 feet to the place of beginning containing 15.257 acres of land be the same more or less but subject to all legal highways, and being transferred by a deed from Gilbert Cassity et al to the State of Ohio, by a deed dated June 12th, 1933.

LESS THE FOLLOWING DESCRIBED PARCEL, GIVEN BY "DEPARTMENTAL TRANSFER OF STATE-OWNED LANDS" FROM THE ADJUTANT GENERAL'S DEPARTMENT TO THE OHIO DEPARTMENT OF HIGHWAYS, ON DECEMBER 1, 1966.

Situated in Boston Township, Summit County, State of Ohio, Lot 2, Town 4-North, Range 11 West, and bounded and described as follows:

Being a parcel of land lying on the left and right sides of the centerline of a survey made by the Department of Highways, and recorded in Book 68, Pages 5-14, of the records of Summit County and being located within the following described points in the boundary thereof:

Beginning at the intersection of the centerline tangent of Riverview Road (County Highway No. 9) with the north line of said Lot 2; said intersection being at right angles to and 599.99 feet left of Station 425 plus 95.97 on the centerline survey above referred to; thence along the centerline tangents of Riverview Road by the following bearings and distances: South 17°37'18" East a distance of 349.59 feet to an angle point; South 48°49'23" East a distance of 185.40 feet to an angle point on the proposed limited access line; thence along said limited access line by the following bearings and distances; South 54°14'22" West a distance of 179.03 feet to an angle point; North 35°45'38" West a distance of 232.83 feet to an angle point; South 54°14'22" West a distance of 650.00 feet to an angle point; South

8°48'58" West a distance of 140.09 feet to an angle point; South 55°21'44" West a distance of 926.04 feet to the true place of beginning, said point of beginning being an angle break in the grantor's easterly property line on a radial line to an 173.44 feet left of Station 406 plus 50.07 on the centerline survey; thence South 11°42'11" West along the grantor's easterly property line a distance of 534.33 feet to an angle point on the proposed southerly limited access line, and passing over the centerline survey at a distance of 224.33 feet, the intersection of which is at Station 405 plus 06.15 on the centerline survey; thence South 71°05'06" West along the limited access line, a distance of 515.23 feet to an angle point; thence along the grantor's property line by the following bearings and distances: South 89°22'52" West a distance of 193.53 feet to an angle point; North 42°26'06" West a distance of 368.80 feet to an angle point on the limited access line, and passing over the centerline survey at a distance of 141.65 feet the intersection of which is at Station 395 plus 89.03 on the centerline survey; thence along the limited access line by the following bearings and distances: North 70°22'18" East a distance of 388.57 feet to an angle point; North 60°57'09" East a distance of 590.51 feet to an angle point; North 88°56'05" East a distance of 156.00 feet to the true place of beginning and containing 390,674 square feet (8.969 acres) of land, more or less.

Station 425 plus 49.26 on the centerline survey (Proposed State Route 217) is Station 72 plus 99.30 on the centerline of right-of-way of Riverview Road (County Highway No. 9).

Description for the above parcel is based on a survey made by Bryan E. Moody, Registered Surveyor No. 4936.

Parcel No. 7

Property behind the Westerville Armory. Volume 1048, Page 206, Franklin County Deed Records.

Situated in the City of Westerville, County of Franklin, State of Ohio, Quarter Township 2, Township 2N, Range 17W, of the United States Military Lands, being part of a 0.3257 acre tract and bounded and described as follows:

Beginning at the Grantors northeasterly corner being 7.50 feet right of centerline Station 25+70.81 and the true point of beginning;

Thence South 03°25'16" West with said westerly property line of Board of Education of the Westerville School District (D.V. 1017, Page 135), a distance of 214.60 feet to the northerly property line of the United States Postal Service (OR 17103A-16) and being 7.50 feet right of centerline Station 23+56.21;

Thence North 85°04'44" West with the northerly line of said United

States Postal Service tract, a distance of 15.01 feet to a point 7.50 feet left of centerline Station 23+56.61;

Thence North 03°25'16" East a distance of 214.77 feet to the Grantors northerly line and being 7.50 feet left of centerline Station 25+71.38;

Thence South 84°25'42" East, a distance of 15.01 feet to the true point of beginning and containing 0.074 acres of land more or less.

Basis of bearings is a graphic solution taken from the U.S.G.S. Quadrangle Map, Galena Quadrangle, for the old railroad between I.R. 270 and College Avenue having a bearing of North 03°25'16" East.

The above description was prepared from an actual survey by Maynard H. Thompson, Professional Surveyor No. 7128.

Grantor (City of Westerville) claims title by instrument(s) of record in O.R. 33186, Page D-08, Franklin County Deed Records.

(B) At the request of the Adjutant General, the Director of Administrative Services shall, pursuant to the procedures described in division (C) of this section, assist in the sale of any of the parcels described in division (A) of this section.

(C) The Adjutant General shall appraise the parcels or have them appraised by one or more disinterested persons for a fee to be determined by the Adjutant General and shall offer the real estate for sale as follows:

(1) The Adjutant General first shall offer the real estate at the appraised value to the village, township, or city in which the property is located;

(2) If, after sixty days, the village, township, or city has not accepted the offer to purchase the real estate at the appraised value or if the village, city, or township has accepted the offer but has failed to complete the purchase, the Adjutant General shall offer the real estate at the appraised value to the county in which the real estate is located;

(3) If, after sixty days, the county has not accepted the offer to purchase the real estate at the appraised value or if the county has accepted the offer but has failed to complete the purchase, a public auction shall be held and the real estate shall be sold to the highest bidder at a price acceptable to the Adjutant General. The Adjutant General may reject any and all bids for any reason whatsoever.

The Adjutant General shall advertise each auction in a newspaper of general circulation within the county in which the real estate is located, once a week for two consecutive weeks prior to the date of the auction. The terms of sale shall be payment of ten per cent of the purchase price, as bid by the highest bidder, in cash, bank draft, or certified check on the date of sale, with the balance payable within sixty days after the date of sale. A purchaser who does not complete the conditions of the sale as prescribed in this

section shall forfeit the ten per cent of the purchase price to the state as liquidated damages.

(D) Advertising costs, appraisal fees, and other costs of the sales shall be paid by the Adjutant General's Department.

(E) Upon payment of ten per cent of the purchase price pursuant to division (C) of this section, or upon notice from the Adjutant General's Department that a parcel of real estate described in division (A) of this section has been sold in accordance with division (C) of this section, a deed shall be prepared for that parcel by the Auditor of State with the assistance of the Attorney General, to be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the state, and presented for recording in the Office of the Auditor of State. Upon the grantee's payment of the balance of the purchase price, the deed shall be delivered to the grantee. The grantee shall present the deed for recording in the office of the county recorder of the county in which the real estate is located.

(F) The net proceeds of the sales of the parcels described in this section shall be deposited in the State Treasury to the credit of the Armory Improvements Fund within the Adjutant General's Department, pursuant to section 5911.10 of the Revised Code.

(G) If a parcel of real estate is sold to a village, city, township, or county, and if that political subdivision sells the parcel within two years after its purchase, the political subdivision shall pay to the state, to the credit of the Armory Improvements Fund within the Adjutant General's Department pursuant to section 5911.10 of the Revised Code, an amount representing one-half of any net profit. The net profit shall be computed by subtracting the price at which the political subdivision bought the real estate from the price at which the political subdivision sold the real estate, then subtracting from that remainder the amount of any expenditures the political subdivision made for improvements to the real estate.

(H) This section shall expire five years after its effective date.

SECTION 3. (A) This section is remedial, with the purpose being to correct an error in the description of the Blanchester Armory in Am. Sub. H.B. 376 of the 121st General Assembly and to authorize the conveyance of the Blanchester Armory. Am. Sub. H.B. 376 approved the conveyance of the Blanchester Armory, located in Clinton County, Ohio, being no longer needed for armory or military purposes. The description of the armory in that act was inadequate as it included only one of the two parcels of real estate that comprise the Blanchester Armory property. Section 2 of that act contained a description for a parcel of real estate designated as "Parcel No.

15," which is the same parcel as "Parcel No. 1" described in division (B) of this section. The act did not contain a description of an adjacent parcel which is owned by the state and is also part of the Blanchester Armory property. Because of the omission, the Governor's deed to convey the Blanchester Armory property could not be recorded. The adjacent parcel is described in division (B) of this section as "Parcel No. 2."

The terms of the conveyance authorized in this section were established by the Director of Administrative Services pursuant to division (B) of Section 2 of Am. Sub. H.B. 376 of the 121st General Assembly.

(B) Pursuant to section 5911.10 of the Revised Code, the Governor is hereby authorized to execute a deed in the name of the state conveying to Thomas H. Lagos and his heirs and assigns, all of the state's right, title, and interest in the following described real estate and improvements thereon that the Adjutant General has determined are no longer required for armory or military purposes, located in Clinton County and known as the Blanchester Armory:

Parcel No. 1

Volume 91, Page 423, Clinton County Deed Records.

Situated in the Village of Blanchester, in the County of Clinton, and in the State of Ohio. Being Lot No. (2) Two in J. Baldwin's Addition to the said Village of Blanchester, for a more complete description reference is hereby had to the recorded plat of said addition.

Parcel No. 2

Volume 77, Page 602, Clinton County Deed Records.

Situated in the County of Clinton and State of Ohio and further described as follows: Town lot No. one (1) in Jonathan Baldwin's Addition to the town of Blanchester which said town lot will be more fully described by reference to the recorded plat of said addition to said town.

(C) The consideration for the conveyance of the real estate described in division (B) of this section is the purchase price of $30,000.

(D) The grantee shall pay the costs of the conveyance of the real estate described in division (B) of this section.

(E) The net proceeds of the conveyance of the real estate described in division (B) of this section shall be deposited in the State Treasury to the credit of the Armory Improvements Fund in the Adjutant General's Department pursuant to section 5911.10 of the Revised Code.

(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 (B) of this section. The deed shall state the consideration. The deed shall 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 Thomas H. Lagos. Thomas H. Lagos shall present the deed for recording in the Office of the Clinton County Recorder.

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

SECTION 4. (A) Pursuant to section 5911.10 of the Revised Code, the Governor is hereby authorized to execute a deed in the name of the state conveying to a buyer or buyers 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 that the Adjutant General has determined is no longer required for armory or military purposes:

Property consisting of woods and helicopter pads, located behind the headquarters of the Ohio National Guard in Columbus Ohio. Volume 3288, Page 413, Franklin County deed Records.

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 4, Township 2 North, Range 19 West, United State Military Lands and being 9.882 acres out of an 18.68 acre tract of land (18.682 acres by recent survey) conveyed as Parcel 1 to State of Ohio (Adjutant General Department) by deed of record in Deed Book 3288, Page 413, Recorder's Office, Franklin County, Ohio, and being all of a 7.000 acre tract of land conveyed as Parcel 2 to State of Ohio (Adjutant General Department) by deed of record in Deed Book 3288, Page 413, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning for reference, at a point in the centerline of West Dublin-Granville Road-Ohio Route 161 (variable width), at the northeast corner of a 0.298 acre tract of land conveyed to City of Columbus for West Dublin-Granville Road right-of-way purposes by deed of record in Official Record 6018, Page C 15, Recorder's Office, Franklin County, Ohio, and at the northwest corner of an original 89.036 acre tract of land conveyed to the Board of Trustees of the Ohio State University by deed of record in Deed Book 2414, Page 345, Recorder's Office, Franklin County, Ohio, said point being N 79°49"20" W a distance of 99.84 feet from a point at the intersection of the centerline of West Dublin-Granville Road with the centerline of Brookdown Drive;

thence S 3°11'16" W along the east line of said 0.298 acre tract, along the east line of a 0.599 acre tract of land conveyed to The Linworth Partnership II by deed of record in Official Record 14446, Page C 03, Recorder's Office, Franklin County, Ohio, along an east line of a 1.292 acre tract of land conveyed to The Linworth Partnership by deed of record in

Official Record 5869, Page F 15, Recorder's Office, Franklin County, Ohio, along a portion of the east line of said 18.682 acre tract and along a portion of the west line of said original 89.036 acre tract a distance of 1,360.07 feet to a 3/4-inch I.D. iron pipe set at the true place of beginning of the tract herein intended to be described (passing a 1/2-inch I.D. iron pipe found at the northeast corner of said 18.682 acre tract and at the southeast corner of said 1.292 acre tract at 553.19 feet);

thence continuing S 3°11'16" W along a portion of the east line of said 18.682 acre tract and along a portion of a west line of said original 89.036 acre tract a distance of 910.50 feet to a railroad spike found at the southeast corner of said 18.682 acre tract, at a southwest corner of said original 89.036 acre tract and in the north line of a 25.03 acre tract of land conveyed to The State of Ohio by deed of record in Deed Book 1194, Page 11, Recorder's Office, Franklin County, Ohio;

thence N 86°18'44" W along the south line of said 18.682 acre tract and along a portion of the north line of said 25.03 acre tract a distance of 473.88 feet to a railroad spike found at the southwest corner of said 18.682 acre tract, at the southeast corner of said 7.000 acre tract, at the northwest corner of said 25.03 acre tract, at the southeast corner of an original 55.52 acre tract of land conveyed to Board of Trustees of The Ohio State University by deed of record in Deed Book 3268, Page 533, Recorder's Office, Franklin County, Ohio, said 7.000 acre tract having been conveyed out of said original 55.52 acre tract, and at the northeast corner of a 48.70 acre tract of land conveyed to The State of Ohio by deed of record in Deed Book 1194, Page 480, Recorder's Office, Franklin County, Ohio

thence N 86°21'44" W along the south line of said 7.000 acre tract, along a portion of the south line of said original 55.52 acre tract and along a portion of the north line of said 48.70 acre tract a distance of 522.40 feet to a 1 3/4 inch I.D. iron pipe found at the southwest corner of said 7.000 acre tract;

thence N 3°11'16" E along the west line of said 7.000 acre tract a distance of 583.69 feet to a 3/4-inch I.D. iron pipe found at the northwest corner of said 7.000 acre tract;

thence S 86°21'44" E along the north line of said 7.000 acre tract a distance of 522.40 feet to a 1-1/8-inch diameter solid iron pipe found at the northeast corner of said 7.000 acre tract, in the east line of said original 55.52 acre tract and in the west line of said 18.682 acre tract;

thence N 3°11'16" E along a portion of the west line of said 18.862 acre tract and along a portion of the east line of said original 55.52 acre tract a distance of 322.68 feet to a 3/4-inch I.D. iron pipe set;

thence S 86°48'44" East crossing said 18.682 acre tract, perpendicular to the west line of said 18.682 acre tract and perpendicular to the east line of said original 55.52 acre tract a distance of 473.86 feet to the true place of beginning;

containing 16.882 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Richard J. Bull, Ohio surveyor No. 4723, of C.E. Bird and R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in August, 1995. Basis of bearings is the Ohio State Plane Coordinate system South zone and North American Datum of 1983, as established by the Franklin County Engineer's Survey Department in 1987.

(B) At the request of the Adjutant General, the Director of Administrative Services shall, pursuant to the procedures described in division (C) of this section, assist in the sale of the real estate described in division (A) of this section.

(C) The Adjutant General's Department shall appraise the parcel or have it appraised by one or more disinterested persons for a fee to be determined by the Adjutant General, and shall offer the real estate for sale as follows:

(1) The Adjutant General shall notify the Director of Administrative Services of the appraised value of the real estate and the Director of Administrative Services shall, within thirty days, provide notice to the Adjutant General of any interest by any state entity in acquiring the real estate at the appraised value, which state entity shall then be afforded the first opportunity to purchase the real estate.

(2) If, after thirty days, the Director of Administrative Services has not provided the Adjutant General with notice of any state entity interest in acquiring the real estate at the appraised value or if the state entity has accepted the offer but has failed to complete the purchase, the Adjutant General shall offer the real estate at the appraised value to the City of Columbus;

(3) If, after sixty days, the City of Columbus has not accepted the offer to purchase the real estate at the appraised value or if the City of Columbus has accepted the offer but has failed to complete the purchase, the Adjutant General shall offer the real estate at the appraised value to the Board of County Commissioners of Franklin County;

(4) If, after sixty days, the Board of County Commissioners of Franklin County has not accepted the offer to purchase the real estate at the appraised value or if the Board of County Commissioners of Franklin County has accepted the offer but has failed to complete the purchase, a public auction

hall be held and the real estate shall be sold to the highest bidder at a price acceptable to the Adjutant General. The Adjutant General may reject any and all bids for any reason whatsoever.

The Adjutant General shall advertise the auction in a newspaper of general circulation in Franklin County once a week for two consecutive weeks prior to the date of the auction. The terms of sale shall be payment of ten per cent of the purchase price, as bid by the highest bidder, in cash, bank draft, or certified check on the date of sale with the balance payable within sixty days after the date of sale. A purchaser who does not complete the conditions of the sale as prescribed in this section shall forfeit the ten per cent of the purchase price to the state as liquidated damages.

(D) Advertising costs, appraisal fees, and other costs incident to the sale shall be paid by the Adjutant General's department.

(E) Upon payment of ten per cent of the purchase price pursuant to division (C) of this section, or upon notice from the Adjutant General's Department that the parcel of real estate described in division (A) of this section has been sold in accordance with division (C) of this section, a deed shall be prepared by the Auditor of State with the assistance of the Attorney General, to be executed by the Governor, countersigned by the Secretary of State, sealed with the Great Seal of the State, and presented for recording in the Office of the Auditor of State. The deed shall be delivered to the grantee upon the grantee's payment of the balance of the purchase price. The grantee shall present the deed for recording in the Office of the Franklin County Recorder.

(F) If the real estate described in division (A) of this section is conveyed pursuant to this section to a state entity, the City of Columbus, or Franklin County, and if the state entity, the City of Columbus, or Franklin County sells the real estate within two years after its purchase, the state entity, the City of Columbus, or Franklin County shall pay to the state, to the credit of the Armory Improvements Fund within the Adjutant General's department pursuant to section 5911.10 of the Revised Code, an amount representing one-half of any net profit. The net profit shall be computed by subtracting the price at which the state entity, the City of Columbus, or Franklin County bought the real estate from the price at which the state entity, the City of Columbus, or Franklin County sold the real estate, then subtracting from that remainder the amount of any expenditures the state entity, the City of Columbus, or Franklin County made for public improvements to the real estate.

As used in this division, "state entity" includes any department, agency, or university of the State of Ohio.

(G) The net proceeds of the sale of the real estate described in this section shall be deposited in the State Treasury to the credit of the Armory Improvements Fund within the Adjutant General's Department pursuant to section 5911.10 of the Revised Code.

(H) This section shall expire five years after its effective date.

_____

Speaker _____ of the House of Representatives.

_____

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

_____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

_____

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

_____

Secretary of State.

File No. _____ Effective Date _____