

AN ACT

To enact section 3333.311 of the Revised Code with respect to residency status for certain veterans, spouses, and dependents at state institutions of higher education, to authorize the conveyance of state-owned real property, and to declare an emergency.

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

SECTION 1. That section 3333.311 of the Revised Code be enacted to read as follows:

Sec. 3333.311. (A) For the purpose of admission to any state institution of higher education, as defined in section 3345.011 of the Revised Code, a veteran and that veteran's spouse and dependent shall be considered residents of this state, if the veteran either:

(1) Served one or more years on active military duty and was honorably discharged or received a medical discharge that was related to the military service;

(2) Was killed while serving on active military duty or has been declared to be missing in action or a prisoner of war.

(B) If a veteran or that veteran's spouse or dependent meets the criteria prescribed in division (A) of this section, no state institution of higher education shall apply any residency-related quotas or restrictions to that individual's application for admission to the institution.

(C) The term "resident" for the purposes of this section shall not be equated with the definition of that term as it is employed elsewhere under the laws of this state and other states, and shall not carry with it any of the legal connotations appurtenant thereto.

SECTION 2. (A) The Governor may execute a deed in the name of the state conveying to one or more purchasers, and the purchaser or purchaser's heirs and assigns or successors and assigns, all of the state's right, title, and interest in any or all parcels of real estate, held for the use and benefit of The Ohio State University, described as follows:

Property 1

Known as 1630 Neil Avenue, Columbus, OH 43201 and Franklin County Parcel Number 010-043417 and described as:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being 35 feet off the north side of Lot Number Eight (8) of UNIVERSITY HEIGHTS ADDITION to City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 255, Recorder's Office, Franklin County, Ohio.

Property 2

Known as 1618-1624 Neil Avenue, Columbus, OH 43201 and Franklin County Parcel Number 010-029480 and described as:

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being a part of Lots Numbered Eight (8) and Nine (9) of THEODORE RHOADS' UNIVERSITY HEIGHTS ADDITION, to said City of Columbus, as said lots are numbered and delineated upon the recorded plat of said Addition, of record in Plat Book 4, page 255, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Beginning at the southwest corner of said Lot No. 9; thence northwardly along the west line of said lot to the northwest corner thereof, and further northwardly along the west line of said Lot No. 8 to a point in said west lot line, five feet from the southwest corner thereof; thence eastwardly on a line five feet north of and parallel to the north line of said Lot No. 9, for a distance of 97.72 feet; thence southwardly on a line parallel to the east lot line of said Lots 8 and 9, to a point in the south line of said Lot No. 9; thence westerly 99 feet along said south line of said Lot No. 9, to the place of beginning. Said above described tract fronting 99 feet on Tenth Avenue and 42.54 feet on Neil Avenue, be the same more or less, but subject to all legal highways.

Property 3

Known as 250-252 West Tenth Avenue, Columbus, OH 43201 and Franklin County Parcel Number 010-016949 and described as:

Situated in the County of Franklin, State of Ohio and City of Columbus, and bounded and described as follows:

Being part of Lots 8 and 9 of Theodore Rhoads University Heights Addition to the City of Columbus, as said lots are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, page 255, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Beginning at a point in the north line of Tenth Avenue, 99 feet easterly on

said north line from the southwest corner of said Lot 9, thence easterly on said north line of Tenth Avenue, 54.12 feet to the alley, southeast corner of said Lot 9, thence northward with the west line of said alley 72.54 feet to a point in said west alley line 5 feet northward from the original southeast corner of said Lot 8; thence westwardly parallel with and 5 feet northwardly from the original line between said Lots eight and nine 52.28 feet; thence in a southerly direction, passing 18 inches west of and parallel with the outside line of the west foundation wall of the brick house numbered 250 West Tenth Avenue, located on the east end of said Lot 9 to the place of beginning making a tract fronting 54.12 feet on Tenth Avenue, the North 5 feet of which was part of original Lot 8. Also, known as 250 and 252 West Tenth Avenue, Columbus, Ohio.

Subject to all conditions, restrictions and easements, if any, of record and to include all rights and privileges as shown by agreement of record in Misc. Record Vol. 60, page 528.

Property 4

Known as 300 West Lane Avenue, Columbus, OH 43201. Tract One is Franklin County Parcel Number 010-077325. Tract Two is Franklin County Parcel Number 010-077360. The parcels are described as:

Tract One

Located in the city of Columbus, county of Franklin, and state of Ohio.

Being Lots 3, 4, 5, and 6 in Jacob Weber Place Addition, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 17, pages 28 and 29, Recorder's Office, Franklin County, Ohio, less and except that portion of ROW as granted to the City of Columbus by Instrument Number 200708230148989, more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 1, Range 18, United States Military Lands, and being part of Lots 3, 4, 5, and 6 also being described in a deed to the State of Ohio, of record in Official Record 16902 B17, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the Centerline Survey Plat of Lane Avenue prepared by ms consultants, inc. for the City of Columbus, said Parcel 7-WD being more particularly described as follows:

Beginning for Reference at the centerline intersection of Tuttle Park Place and West Lane Avenue, being at Centerline Station 68+12.54;

Thence North 86°20'57" West, along the centerline of West Lane Avenue, a distance of 119.68 feet to a point, being the Centerline Station 66+92.86;

Thence North 3°39'03" East, a distance of 41.53 feet to a point at the

southeast corner of said Lot 3, the southwest corner of Lot 2 of said Jacob Weber Place subdivision, on the northerly line of West Lane Avenue, being 41.53 feet left of Station 66+92.86 (witness an iron pin found 41.43' left of sta 66+92.94), and being the True Place of Beginning;

Thence North 86°17'18" West, along the southerly lines of said Lots 3, 4, 5, and 6, the northerly line of Lane Avenue, a distance of 184.44 feet to a point at the southwest corner of said Lot 6, the southeast corner of Lot 7 of said Jacob Weber Place subdivision, being 41.73 feet left of Station 65+08.41;

Thence North 3°42'42" East, along the easterly line of said Lot 7, the westerly line of said Lot 6, a distance of 2.27 feet to a point, being 44.00 feet left of Station 65+08.42;

Thence South 86°20'57" East, passing through said Lots 3, 4, 5, and 6, a distance of 184.44 feet to a point on the easterly line of said Lot 3, on the westerly line of said Lot 2, being 44 feet left of Station 66+92.86;

Thence South 3°42'42" West, along the westerly line of said Lot 3, the westerly line of said Lot 2, a distance of 2.47 feet to the True Place of Beginning, and containing 0.010 acres of land.

The bearings for this description are based on a bearing of North 68°52'08" East from Franklin County control monument "ASTRO" to control monument "LANE" and are based on the NAD83 State Plane Coordinate System, Ohio South Zone.

This description was prepared by ms consultants, inc. from an actual field survey (1995-1999) and existing records.

Tract Two

Located in the city of Columbus, county of Franklin, and state of Ohio.

Being Lots 38 and 39 in Jacob Weber Place Addition, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 17, pages 28 and 29, Recorder's Office, Franklin County, Ohio, together with any and all interest that the grantor may have in Norwich Avenue as vacated by the City of Columbus in Ordinance No. 743-72.

Property 5

Known as 441 Ackerman Road, Columbus, OH 43202 and are a portion of Franklin County Parcel Numbers 010-062731 and 010-103165 and are described as:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 1, Range 18, United States Military Lands, being part of Lot 2 of "Moses Hess Partition", of record in Franklin County Court of Common Pleas Complete Record 32, Page 479, and being a part of each of those tracts of land conveyed as First and Second Parcels to The State of Ohio by deed of record in Deed Book 966, Page 339 (all references

are to the records of the Recorder's Office, Franklin County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at a 3/4 inch iron pipe found at the centerline intersection of Olentangy River Road and J. Edward Weaver Memorial Drive, originally dedicated as Ackerman Road;

Thence North 86°22'20" West, with the centerline of said J. Edward Weaver Memorial Drive, a distance of 117.10 feet to a 5/8 inch rebar found at a northeasterly corner of said State of Ohio tract, the TRUE POINT OF BEGINNING for this description;

Thence South 03°07'40" West, crossing the right of way of said J. Edward Weaver Memorial Drive and with the westerly line of that one half acre tract conveyed to Shirley C. Calhoun by deed of record in Instrument Number 201311050185724, a distance of 147.00 feet to a 3/4 inch iron pipe found at the Southwesterly corner thereof;

Thence South 86°22'20" East, with the southerly line of said Calhoun tract, a distance of 102.34 feet to a 3/4 inch iron pipe found in the westerly right-of-way line of said Olentangy River Road;

Thence South 16°36'20" East, crossing said State of Ohio tracts and with said westerly right-of-way line, a distance of 314.90 feet to an iron pin set;

Thence South 10°55'05" West, crossing said State of Ohio tracts and with said westerly right-of-way line, a distance of 39.12 feet to an iron pin set at the intersection of said westerly right-of-way line and the northerly right-of-way line of Ackerman Road, as shown on the plan FRA-315-2.85;

Thence crossing said State of Ohio tracts and with said northerly right-of-way line the following courses and distances:

North 83°06'49" West, a distance of 47.39 feet to a 3/4 inch iron pipe found;

and North 51°13'45" West, a distance of 191.88 feet to an iron pin set;

Thence North 45°29'27" West, partly with said northerly right of way line and partly crossing the right of way of said J. Edward Weaver Memorial Drive, a distance of 562.45 feet to a railroad spike found in the original centerline of said Ackerman Road;

Thence South 86°22'20" East, with said centerline, (passing a railroad spike found at a distance of 281.73 feet) a total distance of 421.90 feet to the TRUE POINT OF BEGINNING, containing 2.811 acres of land, more or less, 0.234 acre of which falls within the presently occupied right of way of J. Edward Weaver Memorial Drive.

The above described 2.811 acres is comprised of 2.640 acres out of parcel number 010-062731 and 0.171 acre out of parcel number 010-103165.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System (South Zone) as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments COC4-83 and RINGLE. Said bearings originated from a field traverse which was tied to said coordinate system by GPS observations. The portion of the centerline of Old Ackerman Road having a bearing of South 86°22'20" East and monumented as shown hereon, is designated the "basis of bearing" for this description.

This description is based on an actual field survey performed by or under the direct supervision of Matthew A. Kirk, Professional Surveyor Number 7865 in September of 2014.

The foregoing legal descriptions may be adjusted to accommodate any corrections necessary to facilitate recordation of the deeds.

(B) The parcels may be transferred individually, as a group, as multiple groups to a single purchaser, or to multiple purchasers.

(C) The real estate shall be conveyed subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable.

(D) The conveyance of the real estate shall include the buildings, parking areas, improvements, and fixtures now situated on the real estate and shall be conveyed in "as-is, where is, with all faults" condition.

(E) Consideration for conveyance of the real estate shall be a purchase price and any terms and conditions acceptable to the Board of Trustees of The Ohio State University.

(F) The costs of the closing and conveyance shall be paid by The Ohio State University and any purchaser pursuant to the negotiated purchase contract.

(G) The net proceeds of the sale of the real estate shall be paid to The Ohio State University, and shall be deposited into university accounts for purposes to be determined by the Board of Trustees.

(H) Each deed to the real estate shall contain any exceptions, reservations, or conditions and any right of reentry or reverter specified in the resolution adopted by the Board of Trustees of The Ohio State University. Any exceptions, reservations, or conditions or any right of reentry or reverter contained in any deed may be released by The Ohio State University without the necessity of further legislation, provided the release

is specifically authorized by the Board of Trustees.

(I) Upon adoption of a resolution by the Board of Trustees of The Ohio State University specifically identifying the parcel or parcels of real estate to be conveyed or transferred, the purchaser or purchasers of the real estate, and the consideration paid or to be paid, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed or deeds to the real estate identified in the resolution. The deed or deeds shall state the consideration specified in the resolution. The deed or deeds 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 purchaser or purchasers. The purchaser or purchasers shall present the deed for recording in the office of the county recorder where each parcel of real estate is located.

(J) This section expires three years after its effective date.

SECTION 3. Section 2 of this act is an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the emergency is the necessity to ensure that land no longer needed by the state may be put to productive use. Therefore, this act goes into immediate effect.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 449

130th G.A.

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 _____