

Sub. H. B. No. 96  
As Passed by the Senate  
DRCCD11

\_\_\_\_\_ moved to amend as follows:

After line 156468, insert:

**"Section 701.40.** (A) The Governor may execute a Governor's  
Deed in the name of the State conveying to Madison County  
("grantee"), and its 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:

Situated in the State of Ohio, Madison County, Deer Creek  
Township, VMS 6246, being part of a 579.44 original acre tract  
(Deer Creek Township Parcel 05-00542.000) as conveyed to the  
State of Ohio Madison Correctional Prison by Deed Book 134 page  
347, and being more particularly described as:

Beginning at a mag nail set in the centerline of State  
Route 38, in the line between VMS 6246 and VMS 6169, in the line  
between Deer Creek Township and the City of London, being the  
Southeast corner of a 1.000 acre tract conveyed to Tom Farms Inc  
by Deed Book 278 page 889 and a corner to said 579.44 original  
acre tract, said mag nail bears North 15°36'05" West a distance

of 5646.35 feet from Madison County Monument 02-004, said mag 19  
nail bears North 04° 15' 00" East a distance of 1079.10 feet 20  
from the intersection of the centerline of State Route 38 with 21  
the line between Deer Creek Township and Union Township; 22

Thence, with the centerline of State Route 38, said VMS 23  
line and said Corp. line, South 04° 15' 00" a distance of 616.00 24  
feet to a mag nail set; 25

Thence, across said 579.44 original acre tract with the 26  
following two new courses: 27

1) South 81° 53' 47" West, passing an iron pin and cap set 28  
at 35.00 feet, a total distance of 728.66 feet to an iron pin 29  
and cap set; 30

2) North 10° 12' 38" West a distance of 569.69 feet to an 31  
iron pin and cap set in the South line of a 100 original acre 32  
tract conveyed to Tom Farms Inc by Deed Book 268 page 770; 33

Thence, with the South line of said 100 original acre 34  
tract, North 79° 47' 22" East, passing a 1/2 inch diameter iron 35  
pipe found at the Southwest corner of said Tom Farms Inc's 1.000 36  
acre tract at 591.70 feet, passing a 5 inch diameter steel post 37  
in concrete found at 849.53 feet, a total distance of 881.99 38  
feet returning to the Point of Beginning, containing 10.8003 39  
Acres more or less. 40

Bearings are based on the centerline of State Route 38 41  
(North 04° 15' 00" East) as described in Official Record 307 42  
page 2131. 43

Subject to and with the benefit of all legal highways, 44  
restrictions, easements, limitations, and reservations, of 45  
record, if any and to zoning restrictions which have been 46

imposed thereon, if any.

All iron pins are 5/8-inch diameter rebar with yellow plastic cap stamped "Cotrill Surveying."

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

(B) (1) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, leases, 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. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(2) The deed for conveyance of the real estate may contain restrictions, exceptions, reservations, reversionary interests, and other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed may be released by the state or the Department of Administrative Services without the necessity of further legislation.

(C) The Director of Administrative Services shall offer the real estate to the grantee to be determined through a real estate purchase agreement. Consideration for the conveyance of the real estate described in division (A) of this section shall be at a price acceptable to the Director of Administrative

Services. If the grantee to be determined does not complete the 76  
purchase of the real estate within the time period provided in 77  
the real estate purchase agreement, the Director of 78  
Administrative Services may use any reasonable method of sale to 79  
determine an alternate grantee willing to complete the purchase 80  
within three years after the effective date of this section. The 81  
Department of Administrative Services shall pay all advertising 82  
costs, additional fees, and other costs incident to the sale of 83  
the real estate to an alternate grantee. 84

(D) The real estate described in division (A) of this 85  
section shall be sold as an entire tract and not in parcels. 86

(E) Except as otherwise specified above, the grantee shall 87  
pay all costs associated with the purchase, closing and 88  
conveyance, including surveys, title evidence, title insurance, 89  
transfer costs and fees, recording costs and fees, taxes, and 90  
any other fees, assessments, and costs that may be imposed. 91

The proceeds of the sale shall be deposited into the state 92  
treasury to the credit of the General Revenue Fund. 93

(F) Upon execution of the real estate purchase agreement, 94  
the Director of Administrative Services, with the assistance of 95  
the Attorney General, shall prepare a Governor's Deed to the 96  
real estate described in division (A) of this section. The 97  
Governor's Deed shall state the consideration and shall be 98  
executed by the Governor in the name of the state, countersigned 99  
by the Secretary of State, sealed with the Great Seal of the 100  
State, presented in the Department of Administrative Services 101  
for recording, and delivered to the grantee. The grantee shall 102  
present the Governor's Deed for recording in the Office of the 103  
Franklin County Recorder." 104

The motion was \_\_\_\_\_ agreed to.

**SYNOPSIS**

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**Madison county land conveyance**

106

**Section 701.40**

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Authorizes the Director of Administrative Services to  
convey certain state-owned land and improvements in Madison  
County. Requires that the proceeds of the sale be deposited to  
the General Revenue Fund.

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