



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

Facsimile (513) 695-2054

***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

BID OPENING

May 10, 2021

BID OPENING – Sale of Property- Parcel A- Burnham Woods Subdivision, Section One.

Bids were closed at 10:00 a.m. this 10th day of May and the following bids were received, opened, and read aloud for the Sale of Property- Parcel A- Burnham Woods Subdivision, Section 1.

Gary and Norma Armstrong
Franklin, Ohio

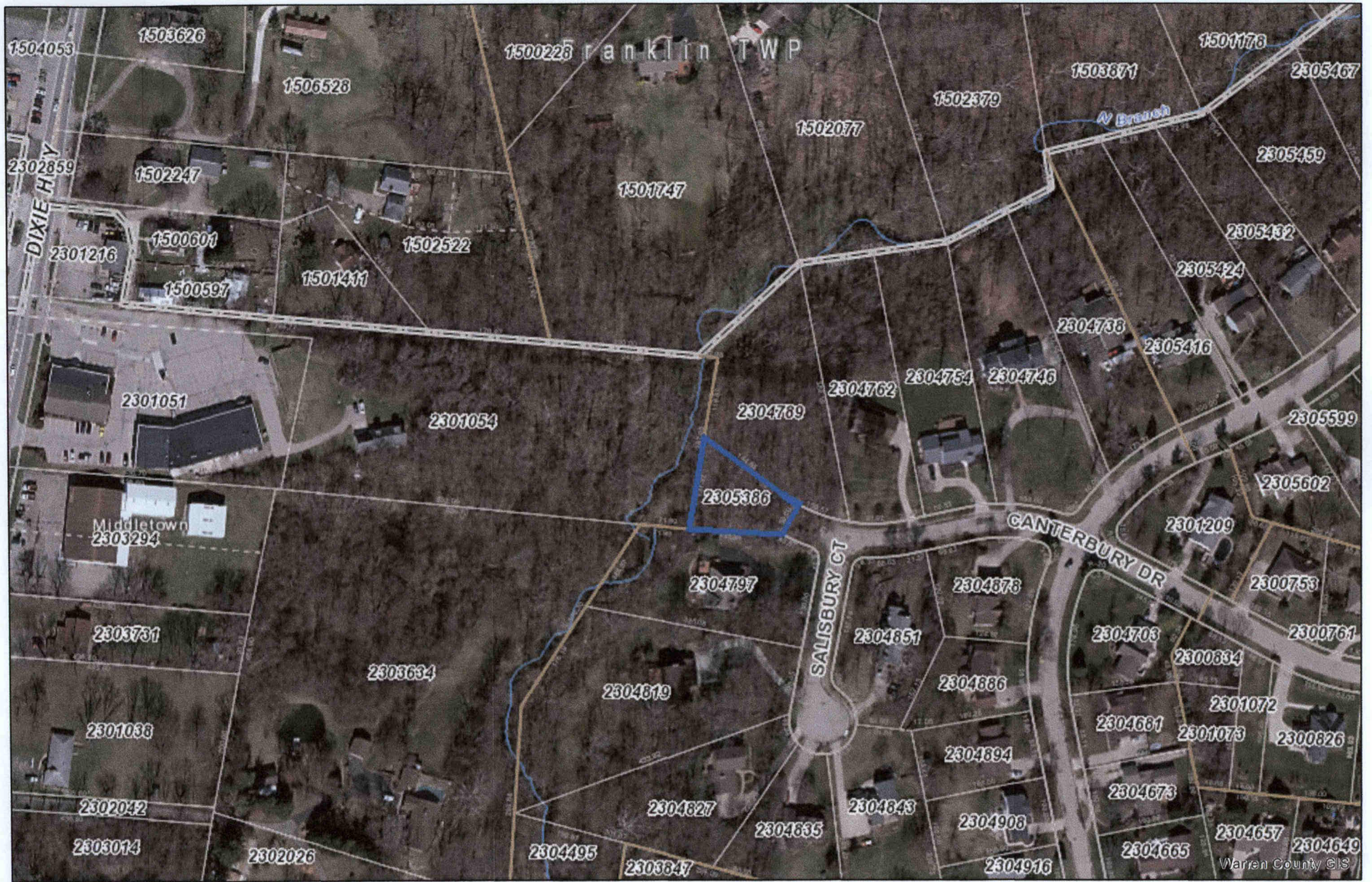
\$6,700.00

Bid to be reviewed for a recommendation at a later date.

cc: Bid File

Commissioners' File

Bruce McGary



Warren County GIS
Date: 4/2/2021

Cadastral Lines	Corporate Line	Parcel Line	Hardware
all other values	County Line	ROW Unknown Width Line	Subdivision Lot Line
Line Type	Farm Lot Line	Road ROW	Township and Range Line
Audubon Tract Line	Overpass Line	School Line	Tract Line
Ohio Township Line	Subdivision Limit Line	Section Line	VMS Line
			Marked Road Line

1 inch = 200 feet

Warren County Map

The provider makes no warranty or representation with respect to this information, its quality or suitability for a particular purpose. This information is provided AS IS, and the requester assumes the entire risk as to its quality and suitability. The provider will not be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information. The provider shall have no liability for any other information, Programs or data used with or combined with the requested information, including the cost of recovering information, programs or data.

31938

GENERAL WARRANTY DEED

CENTURY ASSOCIATES, INC., an Ohio Corporation, for good and valuable consideration paid, receipt and sufficiency of which is hereby acknowledged, grant(s) with General Warranty covenants to the WARREN COUNTY COMMISSIONERS, aka the BOARD OF WARREN COUNTY COMMISSIONERS, whose tax mailing address is Administration Building, 320 East Silver St., Lebanon, Ohio 45036, the following real property:

07-04-329-001
MAY

Being Lot "A", as the same is known and designated on the Recorded Plat of the Burnham Woods Subdivision, Section One, a subdivision of lots and lands located in Section 4, Town 2 East, Range 4 North, Franklin Township, Warren County, Ohio.

Subject, however, to all restrictions and limitations, as are contained and described in a plat for said subdivision as recorded in Plat Book 10, Page 53, of the Recorder's Office, Warren County, Ohio.

Further subject to all building, use, planing and zoning restrictions and limitations, all easements, rights-of-way and protective covenants heretofore created, which are now applicable to and effective against said real estate, and, further, subject to all real estate taxes and assessments.

Further subject to and the Grantor reserves the right for the perpetual use and benefit of the Grantor, its heirs and assigns, a certain fifty (50) foot wide easement parallel to the southerly property line of the real property described above for the purposes of:

1. Ingress and egress over and across and through the real property described above for vehicular and pedestrian traffic from and to the fifty (50) foot wide strip of real property owned by the Grantor lying adjacent to Lot "A" currently used to provide construction traffic from and to the Burnham Woods Subdivision;

2. To construct, erect, install, lay and thereafter use, maintain, operate and keep in repair utilities, storm and sanitary sewer, water, gas, electric, telephone and television lines, pipes, connections and stations over, across and through the real property described above but within the fifty (50) foot easement area.

Sidwell Number 07043290010

Prior Instrument Reference: Vol. 513, Page 420 of the Deed Records of Warren County, Ohio.

The Grantor, and the Grantee by the acceptance of this

OR- 643 PAGE 283

WILLIAM L. BOWEN
ATTORNEY AT LAW
C.O.A.E. BUILDING
1 N. MAIN STREET
MIDDLETOWN, OHIO 45042
OFFICE 1-513-434-2050

conveyance, their heirs, successors and assigns shall not permit or cause to be placed any obstruction or impediment of any kind in or on the real property hereinabove granted for easement purposes, which shall interfere with the free flow of traffic, vehicular or pedestrian, or the installation, maintenance or repair of the utility easements granted hereinabove.

Any failure by the Grantee or the Grantor, their heirs, successor or assigns, to enforce any easement herein contained shall in no event be deemed a waiver of the right to do so thereafter.

These easements shall run with the land for the non-exclusive right and perpetual uses described hereinabove, provided however, the easement for ingress and egress shall not be construed to grant additional rights to the Grantor, other than those given to the general public, when and if, Canterbury Drive is extended from the easterly property line to the westerly property line of Lot "A" and is open for use of the general public.

It is the intent of the Grantor to reserve a means of ingress and egress to be used primarily for construction traffic but this easement shall not be limited to the use of construction traffic. The Grantor's use of the easement for ingress and egress shall not be diminished by the dedication for public use the extension of Canterbury Drive through the westerly property line of the real property described above, but neither shall the Grantors reservation grant additional rights other than those which are made available to the general public which are not in conflict with the reservation of the easement and the purposes thereof.

The invalidity of any one of the easements by judgment of a court of competent jurisdiction, shall in no way affect any other provision, which shall remain in full force and effect.

The provisions of this instrument shall not be deemed to constitute a declaration for public use, or to create any rights of the general public.

Witness, the Grantor by its duly authorized representative this 11th day of ~~May~~ June, 1991.

Signed and acknowledged
in the presence of:

CENTURY ASSOCIATES, INC.

Cynthia Underwood
Cheryl Deason


BY: *Georgia L. Profit*
GEORGIA PROFITT, President

WILLIAM L. BOWEN
ATTORNEY AT LAW
C.G.&E. BUILDING
1 N. MAIN STREET
MIDDLETOWN, OHIO 45042
OFFICE 1-513-424-2050

STATE OF OHIO
COUNTY OF BUTLER, ss:

BE IT REMEMBERED, that on this 11th day of June, 1991, before me, the subscriber, a Notary Public, in and for said county, personally came, GEORGIA PROFITT, President of CENTURY ASSOCIATES, INC., the Grantor(s) in the foregoing Deed, and acknowledged the signing thereof to be her free act and deed and the free act and deed of said Corporation.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed by seal or stamp this day and year aforesaid.

Cynthia Underwood
NOTARY PUBLIC

CYNTHIA UNDERWOOD
Notary Public, State of Ohio
My Comm. Expires Dec. 22, 1992

This Instrument Prepared By:

WILLIAM L. BOWEN
Attorney at Law
One North Main Street
Middletown, Ohio 45042
Phone 513\424-2050

REALP\GENWARTY.012

No Fee By Mike Powell

WILLIAM L. BOWEN
ATTORNEY AT LAW
C.G.A.E. BUILDING
1 N. MAIN STREET
MIDDLETOWN, OHIO 45042
OFFICE 1-513-424-2050

RECEIVED AND RECORDED
BETH DECKARD
WARREN COUNTY RECORDER, LEANING, OHIO
JUL 16 1991 11:04am
D.F. NO. 643 PAGE 285
FEE

REC- 213-028 COMPLETED WITH
MICHIGAN COUNTY, OHIO
Kem

JUL 16 11:04 AM '91
TRANSFERRED

031938

OR.. 643 PAGE 285



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TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG

NOTICE OF PRIVATE SALE

Please take notice that the Board of Warren County Commissioners shall offer for sale, by sealed bid, the real estate consisting of Lot A as designated on the record plat of Burnham Woods Subdivision, Section One, located at Canterbury Drive, Franklin, Ohio and identified in the public records of Warren County as Parcel No. 07-04-329-001. A copy of the deed that conveyed title to the Board of Warren County Commissioners and the GIS aerial photo are available online at Warren County's Website at <http://www.co.warren.oh.us/commissioners/Bids/Default.aspx>. Lot A consists of land only, due to the lot being unbuildable.

The real estate is being sold "AS IS", WHERE-IS AND WITH NO WARRANTIES as to its condition or its fitness for any particular purpose or use, no warranty of marketable title, compliance with local laws and regulations, environmental or other warranties of any kind. The conveyance is exempt from the Seller providing Buyer an Ohio Real Property Disclosure form. Nothing in this Advertisement for Bids may be construed as a warranty of any kind, and this Advertisement is NOT A SUBSTITUTE FOR AN INSPECTION. Inspection of the real property may be scheduled by contacting Tiffany Zindel, County Administrator at (513) 695.1250. Bidders shall be solely responsible for obtaining their own opinion or evidence of title, boundary lines, encroachments, easements, covenants and restrictions, setbacks, compliance with applicable zoning and building regulations, and availability or access to rights of way and utilities. The successful bidder shall be solely responsible for assuming all liens, taxes and assessments, if any, as well as all conveyance, transfer and recording fees. No sales commission or fee shall be due any sales representative, agent, broker or any other person, and the successful bidder shall hold Warren County and its elected officials, employees, agents and insurer harmless for any claim(s) for such commission or fee from this transaction.

Anyone interested in purchasing the property at private sale shall submit a sealed bid to the Commissioners' Office, 406 Justice Drive, Lebanon, Ohio 45036 by 10:00 a.m. on May 10, 2021, at which time bids will be opened and read aloud. Sealed bids should be in a non-transparent envelope sealed with the bidder's name written on the outside of the envelope, and the bidder's name, address, telephone number and email address included with the amount of the bid on the inside of the envelope. No bids will be accepted for less than a minimum bid of \$ 6,000.00, along with written statement the bidder agrees to all terms of the Notice of Private Sale, evidence of full authority to act if other than an individual, and provide the name(s) and tax mailing address for a deed of conveyance. Within a reasonable period of time, the Board of County Commissioners will notify the successful bidder in writing of its conditional acceptance of the bid and provide to the successful bidder customary closing documents prepared by the

County Prosecutor's Office including a settlement statement itemizing the funds required from the successful bidder at closing for the bid amount plus advertisement costs and the transfer tax and recording fee. Within five (5) business days from the date notice is mailed to the successful bidder, the successful bidder shall deliver to the Clerk of the Board of County Commissioners payment in full by a cashier's or bank certified check payable to the Board of Warren County Commissioners and all closing documents fully executed and notarized. The Board of County Commissioners will record the deed. The Board of Warren County Commissioners reserves the right to accept the highest responsible bid, to reject any and all bids, to waive any irregularities in any and all bids, and cancel the private sale without recourse even after conditional acceptance if all of the foregoing terms are not fully complied with.

By Order of the Board of Warren County Commissioners.

Tina Osborne, Clerk



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DETERMINING IT TO BE IN THE INTEREST OF WARREN COUNTY TO SELL CERTAIN REAL PROPERTY NOT NEEDED FOR PUBLIC INTEREST IDENTIFIED AS PARCEL "A" OF BURNHAM WOODS SUBDIVISION, SECTION ONE IN FRANKLIN TOWNSHIP, MIDDLETOWN CORPORATION; AND, FURTHER AUTHORIZING THE PROPERTY TO BE ADVERTISED AND THEN SOLD 'AS IS' TO THE HIGHEST BIDDER BY SEALED BIDS

WHEREAS, this Board is the owner of Parcel "A" of Burnham Woods Subdivision, Section One, in Franklin Township, Middletown corporation (hereinafter "Parcel "A") by virtue of a general warranty deed recorded July 16, 1991, a copy of which is attached hereto; and,

WHEREAS, Parcel "A" was conveyed by the developer of Burnham Woods Subdivision, Section One, to this Board in the event of a future extension of Canterbury Drive; and,

WHEREAS, this Board has been advised that with the topography of the abutting property and development of properties between Canterbury Drive and Dixie Highway, that Canterbury Drive will never be extended, thus it is the opinion of this Board that Parcel "A" is not needed for public interest; and,

WHEREAS, this Board was contacted by a party interested in buying Parcel "A"; and,

WHEREAS, in accordance with R.C. §§ 307.09, if the interests of the County so require, this Board may sell any real property belonging to the County and not needed for public interest; and,

WHEREAS, in accordance with R.C. §§ 307.10, the sale of real property requires at least a majority of this Board to adopt a resolution in order to sell real property and further this Board is required to advertise for a private sale once a week for four consecutive weeks in a newspaper of general circulation in the County, whereupon the real property may be deeded to the highest responsible bidder.

NOW THEREFORE BE IT RESOLVED, this Board finds Parcel "A" is not needed for public interest, and further this Board determines it to be in the interests of Warren County to sell Parcel "A." to the highest responsible bidder; and

BE IT FURTHER RESOLVED, to utilize the Warren County Auditor's True Value appraisal of Parcel "A" and hereby determines the minimum bid shall be Six Thousand Dollars (\$6,000.00) plus all costs to advertise the sale and to convey and record the deed; and

BE IT FURTHER RESOLVED, that the Clerk shall advertise in the Journal News-Pulse of Lebanon and Mason newspaper once a week for four consecutive weeks that sealed bids will be accepted and opened on May 10, 2021, at 10:00 a.m. for Parcel “A” subject to the terms and conditions in the Notice of Private Sale attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution, being seconded by Mrs. Jones. Upon call of the roll, the following vote resulted:

Mr. Young – yea

Mrs. Jones – yea

Mr. Grossmann – yea

Resolution adopted this 6th day of April 2021.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

cc: Bruce McGary
Bid File
Commissioners' file