

Wooldridge, John

From: Wooldridge, John
Sent: Friday, January 27, 2023 4:29 PM
To: Avery Young; Heim, Kimber
Cc: Allen, Justine
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)
Attachments: Governor DeWine Announces State Support to Demolish Nearly 600 Blighted Buildings in Ohio

Thanks Avery,

I understand and agree. Below is a list of potential lines of questions for each of the four witnesses expected. I did not list out all Y/N questions to gather the intended information but can help with that if you prepare for trial in that manner. I also understand if you elect not to use all or any of the points as it is your guy's case, and we are just trying to assist and help reach the desired outcome of saving taxpayers from paying a windfall from the unreasonable demands of this owner. Some of the ideas relate to what I foresee the opposing counsel likely making points about. They may not need discussed on cross or redirect if opposing counsel does not bring up.

I attached the email I just received as it relates to a point that we have been trying to make regarding the building value (it is net zero, or truly detracts from the value of the property). I do not know if there is any way to incorporate such information, but it goes to the building points that Kimber and I have tried to convey to you thus far. Luckily, this case is simply land value and building value of the take (no damages to the residue to argue).

- Mr. Eichhorn:
 - Cross:
 - Does he own 113.854 acres? (Y)
 - Is the majority of the parcel used as agricultural? (Y)
 - Is it leased for farming use currently? (Y)
 - Was the roof removed during your ownership or prior to buying it in 2007? (?)
 - Was he ever asked to remove the building at the corner? (?)
 - What year did the building last have a valid occupancy permit? (?)
 - If today, a business entrepreneur offered to purchase a 12.5 acre portion of this property for about a million dollars, would you be willing to sell it to them?
 - If not, what amount would be needed to sell 12.5 acres of the 113.854?
 - Would you take that million dollars for any specified 12.5 acres or are you only willing to sell the 12.5 acres at the corner?

- Mr. Vanetta:
 - Cross:
 - Can reference my prior comments about the report (emailed).
 - Go over Larger Parcel test (3 prong) for appraisal.
 - Need him to admit that the 113.854 is same ownership, contiguous, and same use as other 100 acres (currently used as farm field). Focus on 113.854 acres.
 - Need to focus on that he did not re-explore the larger parcel as a slightly different located 12.5 acres in the after.
 - In other words, the 12.5 acre commercial land is still available and the owner really only lost part of the acreage that will continue to be used as farmland at an agricultural price based on 100+ acres.
 - Contributory value of the building (intended use or perspective purchaser/user).

- Used 70% depreciation. Why would someone do a total rebuild using 70% depreciated foundation and exterior walls? How does this add value to the property when it should have already been torn down?
 - Ask if property leased (his report says no but owner says yes).
 - Did appraiser go in the structure? Look up? Examine the condition of building, etc.
 - What is the useful age of the block structure? (it was built ~100 years ago; but he values as an age-life basis)
 - Demand discussion compared to supply of vacant land ... could discuss some of the challenges that Kimber discussed (utilities, water table, etc.).
 - What is the value of the remaining 100 acres or the entirety of the property? ...
 - Why did he use a 2014 sale of the DQ across the street but did not use a 2020 sale of the corner parcel directly across the street?
 - Can you explain how a 1.51 AC, 3.099 AC, and 2.28 AC sales from 2020, 2014, & 2019 are comparable to this 113.854 property?
 - Today, if someone requested 12.5 acres to be carved out and used for commercial business, would they likely be willing to pay \$70K/AC? If they wanted 12.5 acres of a different shape or exact location, would that change the value? If a buyer purchased 12.5 acres from this property, what would the owner still have (100 acres) ... and what is that remaining 100 acres valued at?
 - Is a zoning change to B3 as stated in your report “reasonably probable?”
 - Did you read the zoning code?
 - Are you aware that B3 is no longer available and only grandfathered in. This property will not be zoned as you conclude. No further questions.
- Doug:
 - Direct:
 - In addition to the normal engineer questions, perhaps inquire as to the plan development related to the need for building demolition.
 - Ask what the size of this parcel 1 is (113.854 acres)?
 - Ask about drives. Did any parcels ask for additional or new drives? Were they allowed?
 - Redirect:
 - I cannot think of anything that opposing counsel will focus on. Perhaps need to rehabilitate something regarding taking the building down?
- Jeff:
 - Direct:
 - Go over report, etc. (nothing unusual).
 - Need to focus on Larger Parcel issue (113.854 acres) and focus on the highest and best use. Need to drive home that the parcel is 113.854 acres and that the parcel enjoys the same potential for commercial viability in the before as the after because the acreage closest to the road simply moved back (an imaginary line) by a similar distance.
 - Need to address the valuation (\$1) and detriment of the structure to the property.
 - Redirect:
 - If cross brings up ACT appraisal or PCL 2: Need to identify the differences in Larger Parcel issue (separate APN, bounded by other parcels, etc.) and add into evidence that he also valued the remaining acreage at \$14,000.
 - Likely need to address some issues related to structure too.

I think we are all on the same page for opening and closing statements. I think we should keep them rather brief and focused on building (no value) and land value as a reduction in the 113.854-acre property per legal description, plans, title report, deed, and County’s APN, GIS, and Tax Valuation. Landowner will try to confuse the jury by claiming the property is only 12.5 acres.

I am curious, are either parties doing depositions or interrogatories of any witnesses? We have none scheduled for this case.

Respectfully,

John R. Wooldridge

Real Estate Administrator

ODOT District 5

9600 Jacksontown Road, Jacksontown, OH 43030

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From: Avery Young <Avery.Young@OhioAGO.gov>

Sent: Thursday, January 26, 2023 9:10 AM

To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>

Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>

Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

John,

My calendar is pretty full from now until after the trial next week. I am starting witness preparations with Doug and Jeff Helbig the week of February 6th. As you know, we do not want to overload the jury with tons of information because I anticipate that is what opposing counsel is going to do. Since neither you nor Kimber are testifying, any information we want to get in will have to be through questioning our witnesses (Doug and Jeff) and their witnesses which I assume will be the landowner and their appraiser. That being said, if you and/or Kimber have questions that you think we should ask any of those witnesses please send them my way so Justine and I can review them and discuss them with our witnesses during preparation. It will need to be information that the witnesses themselves are aware of do that they can testify to it.

I understand that you and Kimber have a wealth of knowledge regarding this case, but we have to be mindful about what we chose to discuss at trial. Having you and Kimber's potential questions in an email as soon as you can would be very helpful for me and Justine as we begin witness prep. Following the trial next week I can see what me and Justine's availability is for a Teams meeting. Thanks!



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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Wednesday, January 25, 2023 3:46 PM
To: Avery Young <Avery.Young@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Thanks Avery,

Sounds Great. We will print and have for trial, with Easels if needed.

Good luck in your trial next week. Between that Trial and ours, can we have another conference Teams Call with the four of us again? I think Kimber has some great ideas and she is a wealth of knowledge pertaining to the acquisition and owner as she was the agent. I also have a few ideas that I wanted to make you aware of and discuss if you are open to those ideas. I think it could help with trial preparations. If you are interested, please invite us to a Teams meeting when it is best for you (We have availability most of the time on Feb 6, 7, & 8).

Thanks, and have a great day.

Respectfully,

John R. Wooldridge

Real Estate Administrator

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From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Wednesday, January 25, 2023 3:30 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Thanks, John. These look great and should be good to head to printing. I believe that the Court has an easel that we can use, but just in case if you can bring one with you that would be great. Let me know if you have any questions. Thanks!



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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Wednesday, January 25, 2023 3:13 PM
To: Kimber.Heim@dot.ohio.gov; Avery Young <Avery.Young@OhioAGO.gov>
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Hi Again Avery,

Thank you for explaining the details of what these should look like. I am attaching the three PDF of what we will print on 40X30 poster boards (3 separate boards) if you are satisfied with the exhibits. Please advise any improvements. If you decide you would like any additional exhibits, please let us know and we can prepare them as well. Thank you for your help with these.

Respectfully,

John R. Wooldridge

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From: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Sent: Wednesday, January 25, 2023 2:27 PM
To: Avery Young <Avery.Young@OhioAGO.gov>; Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

I will forward the ROW plans tomorrow to you when I am in the office.

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

Ph: 740-323-5422 (direct) Cell: 740-814-0708

FAX: 740-323-5125



From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Wednesday, January 25, 2023 11:51 AM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

John,

Just a few notes.

1. We only need one satellite aerial view photo, so the one with the shading will work (Final Exhibit Plan). Can we outline the parcel in a color so we can see the boundaries of the parcel? Also on the legend, can the labels read “ Standard Highway Easement (1-SH1)”, Standard Highway Easement (1-SH2)”, and “Temporary Easement (1-T)?
2. Do we have the final version of the shaded ROW Plans with a legend?
3. The exhibit of the photos is good to go.



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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Wednesday, January 25, 2023 10:55 AM
To: Avery Young <Avery.Young@OhioAGO.gov>
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Sorry Avery,

Last night submission did not include the shaded take area (third exhibit). I have attached the three that would be sent to printer. They will be printed on the plotter (max width of 36 inches) using special adhesive paper/film (whatever it is) to thick 30”X40” poster board. These include:

- Photo Collage with 6 pics total (each measuring 14”X10.5”) as attached.
- Plan overlaid upon imagery showing both the whole property and an insert of the corner/take area as attached (new).
- Aerial screen shot from the Fairfield County GIS (Auditor Website) – a public record.
 - I cannot remove the lines, numbers, etc. The text box could be x’ed but that identifies the parcel number, size of APN, etc.

Please let me know if these three are what you had in mind or if some need to be changed. After you OK, we will print them onto the poster boards. I will snap a photo of them and get that to you to make sure you are good with the final product.

Do you have the three easels for display at trial? If not, I can likely find a couple used for public meetings for similar displays.

Thanks Avery and have a great day.

Respectfully,

John R. Wooldridge

Real Estate Administrator

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From: Avery Young <Avery.Young@OhioAGO.gov>

Sent: Wednesday, January 25, 2023 10:03 AM

To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>

Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>

Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

John,

The exhibit with the pictures of the structure looks good and can be printed. On the aerial photo, can we take off the text box, get rid of all of those numbers, and add the shaded take area over it like we did on the ROW plans?



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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Tuesday, January 24, 2023 4:06 PM
To: Avery Young <Avery.Young@OhioAGO.gov>
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Thanks Avery,

I updated the images for printing a 3X4 ratio (30X40 Poster) and hope this will print good on the plotter. I plan to print 36X48 with the 3-4 inches folded over to the back to have a clean edge. Therefore, less of the image and white space will be visible compared to what you are seeing. We will print ASAP if you are OK with these pictures and GIS image. Survey is almost done with their take depiction, and I hope to email that to you tomorrow for approval. Thanks.

Respectfully,

John R. Wooldridge

Real Estate Administrator

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From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Tuesday, January 24, 2023 2:16 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

John,

That aerial picture looks good. As for the poster size, the 30"x40" should be big enough for all 3 posters.



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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Tuesday, January 24, 2023 10:22 AM
To: Avery Young <Avery.Young@OhioAGO.gov>
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Hello Avery,

We are getting the exhibits together. I have our surveyor team superimposing the R/W plans over an aerial image and coloring the takes transparently.

Attached is the one (aerial) of entire property. Please confirm if we are on the right path and understanding what you want correctly.

As we started, it occurred to me that knowing the board dimensions is critical for laying these out in a manner that looks nice. Please let me know if you have a specific poster board size in mind. The 'standard' size seems to be 22"X28" per online with movie posters being 27"X40" per google 'standard' search. Standard engineer drawings are 22"X34". We can purchase just about any size and will use the thick board as it is sturdier. We have a couple of boards already at District that are 30"X40". Our color plotter (big printer) can print up to 36" wide by room length (longer than needed). I propose having all three boards be same size but would like your expert opinion.

Please let me know what size you prefer and/or what the easel can handle. Thanks for letting me know so we can size the images correctly. Thanks!

Respectfully,

John R. Wooldridge

Real Estate Administrator

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From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Thursday, January 19, 2023 3:26 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>; Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Great, I will send a Teams invite for Monday, January 23rd at 10am and we can discuss then. Thanks!

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Transportation Unit
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30 E. Broad St. 26th Floor



Columbus, Ohio 43215
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From: John.Wooldridge@dot.ohio.gov <John.Wooldridge@dot.ohio.gov>
Sent: Thursday, January 19, 2023 3:21 PM
To: Avery Young <Avery.Young@OhioAGO.gov>
Cc: Justine Allen <Justine.Allen@OhioAGO.gov>; Kimber.Heim@dot.ohio.gov
Subject: RE: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Thanks Avery,

It could take some time as Kimber and I will want to provide you good exhibits to aid in the success of the case. I would like to meet as soon as you and Justine have availability. Yesterday, I informed Justine: "Kimber and I both have some ideas that we are willing to share. They relate to both exhibits and facts/questions. We would be happy to discuss if you like. Thank you."

Here is our (Kimber and mine) availability in case you cannot see calendars from AGO side:

Today until 4
Tomorrow 8-4

M-23 8-4
T-24 8-1,2-4
W-25 11-4
T-26 8-1,2-4
F-27 8-4

M-30 through F-3 Anytime any day except W-1st morning.

Thanks for offering to discuss.

Respectfully,

John R. Wooldridge

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From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Thursday, January 19, 2023 3:11 PM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>
Cc: Allen, Justine <Justine.Allen@OhioAGO.gov>
Subject: FAI 37-6.10; Parcel 1-SH1 (Eichhorn)

Hey John,

With this trial coming up on February 14, 2023, we need to get a meeting scheduled to discuss the exhibits that we will want at trial. How long to you think it would take for ODOT to make the exhibits once we meet and decide what they will be? Once I know that, we can get a Teams meeting scheduled. Let me know, thanks!



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