

RE65  
REV. 07/2011

CRS FAI - 037 - 06.10  
Parcel 002-SH1, SH2

**ADMINISTRATIVE SETTLEMENT REQUEST  
TO CENTRAL OFFICE REAL ESTATE**

PROJECT	110412
PARCEL	002- SH1, SH2
OWNER	ACT INVESTMENTS, LLC

(1) ESTABLISHED FMVE:	\$18,218.00
(2) COUNTER OFFER FOR SETTLEMENT	\$59,000.00
(3) DIFFERENCE (1)-(2):	(\$40,782.00)

**Project Management Considerations**

Explain the negotiations that have taken place to date and also explain the landowner's response to these negotiations including the owner's reason for more money

Property Owner was met initially and a counter offer was submitted for \$70,000. This counter offer was rejected as it was not supported. Property Owner sought counsel and negotiations did not progress. Attorney for Property Owner requested appropriations to be commenced due to inability to come to an agreement. Additional funds were negotiated between AGO and Property Owner attorney.

How many other parcels have similar situations, include both settled and unsettled:

1

How did we treat those parcels that closed or settled having similar situations?

PCL 001 is still in appropriations process.

Where are we in the overall project schedule:

Project almost complete. Need additional utility easement for this owner which was a project addition. Property owner not negotiating on that until this issue completed.

How much time is left to negotiate:

N/A

**Appraisal Management Considerations**

Is the owner’s counter offer based on an appraisal?

Yes

Who is the owner’s appraiser and what are the credentials of that appraiser?

Richard M. Vannatta, ASA, GAA, SR/WA, State of Ohio Certified General Real Estate Appraiser, Certificate No. 412079

Who is ODOT’s valuation expert and what are their credentials?

Jeffrey R. Helbig, Ohio General REal Estate Appraiser, Certificate No. 2005008116

Frequently, large differences in estimates of value between the property owner and the acquiring agency are related to interpretations of what the nature of the subject property actually is. Review the negotiator notes and the appraisal reports and try to identify each party’s opinion of these following items.

What is the “Larger Parcel”?	Property Owner’s	ODOT’s
Size:	67.340 acres	67.340 acres
Zoning:	Agricultural	Agricultural
Other		
Valuation Estimates	Property Owner’s	ODOT’s
Value Before Taking:	\$833,000.00	\$1,381,700.00
Value After the Taking:	- 769230.00 -	- \$1,326,000.00
Difference:	\$63,770.00	\$55,700.00
Temporary easement (if any)	+ \$0.00 +	+ 0
Total Compensation:	\$63,770.00	\$55,700.00

Explain why the owner’s settlement request is reasonable:

Negotiated

**Litigation Considerations**

If this parcel is appropriated, what is the Court and who is the judge likely to be?

Agreement in lieu of Appropriation Trial, BERENS was the judge

What has the record been in this court for other appropriations filed by ODOT/AGO:

N/A

At this point, who is the AAG who may be handling this case for ODOT:

Justine Allen

**Conclusion**

What is the sticking point in negotiations?

Money

What is your reason for recommending settlement at this figure

Agreed to by AAG

Requested by: Kimber L. Heim

Date: November 16, 2022

Recommendation by Real Estate Administrator:

Recommend Settlement:    Yes    No  
      

Comments:    EM from CO that D5 has this settlement authority on appropriations  
   CSR approved by AGO. Original FMVE was much lower than  
   appraisal obtained for trial. AGO and D5 both approved settlement.

Signature: John R. Washbridge

Title:    D5 Real Estate Administrator

Date:    11/18/2022