| RE65 | | | |  | | | | | CRS | | | | FAI - 037 - 06.10 | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| REV. 07/2011 | | | |  | | | | | 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](#FMVE) | | | | |
|  | (2) | COUNTER OFFER FOR SETTLEMENT | | | | | | | | [$59,000.00](#COUNTER) | | | | |
|  | (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 addititonal 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](#OwnerVal) | | |  | [$1,381,700.00](#ODOTVal) | | |
| Value After the Taking: | | | | | - | | | [769230.00](#OwnerAfter) | | | - | [$1,326,000.00](#ODOTAfter) | | |
| Difference: | | | | |  | | | $63,770.00 | | |  | $55,700.00 | | |
| Temporary easement (if any) | | | | | + | | | [$0.00](#OwnerTemp) | | | + | [0](#ODOTTemp) | | |
| 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: | | | | | | | | | | | | | |

|  |  |
| --- | --- |
|  | Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |