

Heim, Kimber

From: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Tuesday, June 8, 2021 11:34 AM
To: Heim, Kimber
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Kimber,

My client has not changed his mind regarding ODOT's offer. My client's last counter, in response to ODOT's offer of \$25,000, was \$167,500. My understanding is that ODOT will not respond to this counter. As a result, we will wait until the petition has been filed and proceed from there. Thank you.

Sincerely,

Aaron E. Kenter, Esq.

Goldman Braunstein Stahler Kenter, LLP

A 500 S. Front St. Ste. 1200, Columbus OH 43215
P [614-229-4540](tel:614-229-4540) **M** [614-975-5130](tel:614-975-5130) **F** [614-229-4568](tel:614-229-4568)

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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>
Sent: Friday, May 28, 2021 8:20 AM
To: Aaron Kenter <Kenter@GBSKlaw.com>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Good morning Atty Kenter:

I wanted to check in to see if Eichhorn Limited Partnership had reconsidered our counter offer of \$25,000 for the acquisition for subject project. Also, has your client contracted an appraiser for support of counter offer received earlier this month?

Thank you for an update.

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: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Thursday, April 15, 2021 3:45 PM
To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Thank you for your response.

Sincerely,

Aaron E. Kenter, Esq.

Goldman Braunstein Stahler Kenter, LLP

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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>
Sent: Thursday, April 15, 2021 3:37 PM
To: Aaron Kenter <Kenter@GBSKlaw.com>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Good afternoon Attorney Kenter:

Unfortunately, your request below for the State to pay for an appraisal cannot be honored. Please let me know if your client is willing to negotiate with supportable information in the future. An Appropriations Letter will be mailed to you and Eichhorn Limited Partnership.

Best regards,

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

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FAX: 740-323-5125



From: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Tuesday, April 6, 2021 5:33 PM

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

Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Kimber,

Thank you for your email. At this time, my client cannot obtain an appraisal because, if ODOT modifies or abandons this project, there is no mechanism to recover the appraisal fees. If ODOT will agree to reimburse my client for his appraisal fees in the event that the project is abandoned or modified, then my client would be willing to obtain an appraisal. Is ODOT willing to do this? If not, then we will wait for the petition to be filed.

Sincerely,

Aaron E. Kenter, Esq.

Goldman Braunstein Stahler Kenter, LLP

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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>

Sent: Monday, April 5, 2021 6:51 AM

To: Aaron Kenter <Kenter@GBSKlaw.com>

Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Good morning Atty Kenter:

In order to consider any additional counter offer, I will need to review your supporting documents for any compensation above the \$25,000.00. Our appraiser considered all factors with respect to this property and any increase of FMVE will have to be reasonable and supportable. As previously requested, send me any appraisal you may have that supports an increase in compensation. With that said, the State cannot consider any increase above \$25,000.00 as was previously offered. Once you have provided your documents showing a supportable highest and best use, supported increase in value of the agricultural land, and value of the structure on this property which indicates a raise to what was offered as FMVE, the State will review these documents and further negotiations can take place. I look forward to reviewing your supporting documentation and working towards closing this acquisition.

Best regards,

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

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FAX: 740-323-5125

From: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Friday, April 2, 2021 5:12 PM
To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Kimber,

Thank you for your email and counter offer. My client cannot accept your offer, but has authorized me to submit a counter in the amount of \$167,500. If this is acceptable to ODOT, please provide me with copies of the settlement documents and I will review and present same to my client for execution. Thank you and have a nice weekend.

Sincerely,

Aaron E. Kenter, Esq.

Goldman Braunstein Stahler Kenter, LLP

A 500 S. Front St. Ste. 1200, Columbus OH 43215
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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>
Sent: Tuesday, March 30, 2021 4:43 PM
To: Aaron Kenter <Kenter@GBSKlaw.com>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Atty Kenter:

Although our appraisal is appropriate and supported, I am authorized to increase the State's offer to FMVE \$25000 and honor Mr. Eichhorn's request to salvage the building materials which will need to be removed before the project is sold. Thank you for your consideration.

Best regards,

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: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Tuesday, March 30, 2021 4:01 PM
To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Kimber,

Our figure is based on an analysis of the appropriate highest and best use for the portion of the property taken, the value of the structure taken, and the damages which will result to the residue. If ODOT disagrees with our analysis, I invite it to make a counter offer.

Sincerely,

Aaron E. Kenter, Esq.

Goldman Braunstein Stahler Kenter, LLP

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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>
Sent: Tuesday, March 30, 2021 3:52 PM
To: Aaron Kenter <Kenter@GBSKlaw.com>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Thank you for your quick response Attorney Kenter. Please provide the research you are utilizing for your counter offer of \$175,000. All counter offers need to be reasonable and supportable, at this time current comparable properties do not support such an increase in compensation. Thank you for your time and efforts in gathering the background materials.

Best regards,

Kimber L. Heim

Realty Specialist Manager

ODOT – District 5

9600 Jacksontown Road

Jacksontown, OH 43030

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FAX: 740-323-5125

From: Aaron Kenter <Kenter@GBSKlaw.com>
Sent: Tuesday, March 30, 2021 3:04 PM
To: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: RE: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Kimber,

Thank you for your email. I represent Eichhorn Limited Partnership regarding ODOT's planned taking of a part of its property at the south-east corner of 37 and 256 in Fairfield County. We have carefully reviewed ODOT's plans, appraisal, and offer. My client has authorized me to present a counter offer in the amount of \$175,000 to resolve this matter. If this is acceptable to ODOT, please provide me with copies of the settlement documents and I will review and present same to my client for execution. Thank you, and I look forward to working with you on this matter as well.

Sincerely,

Aaron E. Kenter, Esq.
Goldman Braunstein Stahler Kenter, LLP

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From: Kimber.Heim@dot.ohio.gov <Kimber.Heim@dot.ohio.gov>
Sent: Tuesday, March 30, 2021 2:33 PM
To: Information <info@GBSKlaw.com>
Subject: 110412 FAI 037 PCL 001 Eichhorn Limited Partnership

Good afternoon:

Mr. Eichhorn informed me Atty Kentner will be handling the negotiation for the subject parcel. Please provide my email address to Atty Kentner for ease of communication. Please forward a letter of representation to me for my file.

Thank you for your time. I look forward to working with you to finalize this acquisition.

Best regards,

Kimber L. Heim
Realty Specialist Manager
ODOT – District 5
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Jacksontown, OH 43030
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