

RE 60-1  
Rev. 01/2010

**NEGOTIATOR NOTES**

C/R/S FAI-037-6.10  
PARCEL 002-SH1,SH2  
PID No. 110412  
FEDERAL PROJECT No. E191296/450049

Marital Status N/A

ACT INVESTMENTS, LLC

Name

3560 Dolson Court, Suite P

Address

Carroll, OH 43112

City/State/Zip

740-503-3979

Phone/Cell

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PLEASE NOTE THE FOLLOWING CHECKED ITEMS ARE REQUIRED BY FEDERAL TITLE III COMPLIANCE LAWS AND DEPARTMENTAL POLICY:

	<u>DATE</u>
<input checked="" type="checkbox"/> Title Report Verified On	<u>2/18/2021</u>
<input checked="" type="checkbox"/> Appraisal Procedure Explained On	<u>2/18/2021</u>
<input checked="" type="checkbox"/> Fair Price Policy Explained On	<u>2/18/2021</u>
<input checked="" type="checkbox"/> Payment In 6 to 8 Weeks Explained On	<u>2/18/2021</u>
<input checked="" type="checkbox"/> Made Offer Verbally On	<u>2/18/2021</u>
<input checked="" type="checkbox"/> Made Offer In Writing On	<u>2/18/2021</u>
<input type="checkbox"/> Explained Payment Of Taxes (if applicable) On	<u>N/A</u>
<input type="checkbox"/> Structure Retention Offered (if applicable) On	<u>N/A</u>
<input checked="" type="checkbox"/> Appropriation Procedure Explained On	<u>02/18/2021</u>
<input checked="" type="checkbox"/> Plan Letter Delivered/Mailed/Project Explained On	<u>2/18/2021</u>

**NEGOTIATOR NOTES**

<u>DATE</u>	<u>REMARKS</u>
<u>02/05/2021</u>	Set appointment with new owner ACT Investments, Robert Landis for 02/08/2021, 9:00 am at Weidner's corner.
<u>02/08/2021</u>	Meeting postponed due to weather for the following week, 02/11/2021, 9:00 am at Weidner's Corner.
<u>02/11/2021</u>	Meeting postponed to 2/18/2021, 9:00 am, at Weidner's Corner.
<u>2/18/2021</u>	Arrived at Weidner's Corner for our meeting. Greeted Robert Landis and his friend, Chris Welsh. They presented a complete copy of the plans and wanted to discuss how the project will affect or improve the future plans for the parcel. Provided us the plans they have at this time. Plans indicate carving out business parcels along SR 256 west of intersection and then adding two driveways for the residential portion in their future plans. Robert Landis provided information the Fairfield County Planning Department are trying to get them to change their future plans to Industrial, but Walnut Township is not making the same suggestion.
	ACT asked if ODOT would be creating drive aprons per their future plans. I explained at this time, the plans do not have additional drives indicated and are unable to create drive locations unless the drives are already permitted and are in place prior to project. I asked if they would be roughing in the entrances and there was no answer. At this time, I asked them to review the title and they did, RE 46 was agreed to concerning the title information.
	Moved on to the NIAGFO and Plan Letter presentation. Asked ACT to sign the Acknowledgement of Receipt of NIAGFO and Robert Landis signed and dated the document. At this time, Chris and Robert wanted to review the appraisal. The first response was their land was worth more than the \$20,000/acre. The reasoning being they knew the Dollar General in Baltimore had paid more for the land we were acquiring, but I asked them if the purchase price of \$17,784 was not the actual purchase price. Robert agreed, yes, that is the per acre purchase price of this parcel.
	At this point, the discussion turned to how the project was going to affect the development of the area and specifically, subject parcel. As we went over the plans and Plan Letter, I explained the improvement of the ditching and drainage. We discussed the turn lane and the eastbound traffic would be moved several feet south. The roadway would expand to 23' wide to accommodate the addition of the turn lane for safety. Drainage would be installed and the ditch erosion protection, large drainage pipe and all the work will not involve the current sanitary sewer provided by Baltimore. We explained the fire hydrants would be relocated but within the current easement boundaries.
	Additional discussion concerning the plans for this parcel. ACT did not provide any details as to the progression which has taken part to advance the plans provided of potential development.
	ACT requested time to consider the offer and provide comparable sales which will support the increase in per acre compensation. I reiterated the State looks forward to working with ACT. I told Robert Landis I would look forward to

	seeing supporting documents and discussing negotiations. Allison Durant and I left the location.
<b><u>03/03/2021</u></b>	Received an email from Chris Welsh on behalf of Robert Landis proposing a counter offer of \$70,000, provide additional entrances illustrated on their sketch plan (provided at meeting), and road frontage fire hydrants.
	I contacted leadership with respect to the monetary counter offer and project manager with respect to the additional drive accesses being created by ODOT for the property owner and road frontage fire hydrants (which I believe are already in place with plan to move them off the new roadway within the new easement.
<b><u>3/10/2021</u></b>	Received follow up email to the counter offer checking on ODOT's response.
<b><u>3/11/2021</u></b>	Replied to Chris Welsh email clarifying ODOT had received the counter offer and the demands were being discussed and considered.
<b><u>3/30/2021</u></b>	Provided an email to ACT rejecting the counter offer of \$70,000 and other items. I provided reason for counter offer rejection due to property purchased for \$14,000 per acre and FMVE was based on \$20,000 per acre. A counter offer was provided for \$21,178.00 an increase over FMVE of \$2,960.00.
	Drives not already installed by property owner and ODOT cannot improve something that is not in place, the fire hydrants are in place and will be moved as part of the project was explained.
<b><u>3/30/2021</u></b>	Telephone call with Chris Welsh to discuss all the details. Mr. Welsh told me at they would be reviewing their options and get back to me.
<b><u>04/26/2021</u></b>	Attorney Aaron Kenter contacted me via email notifying me he and GBSK Law would be representing ACT Investments in future negotiations.
<b><u>4/29/2021</u></b>	Email with Atty Kenter with document copies as requested.
<b><u>05/28/2021</u></b>	Checked in via email with Atty Kenter. Atty Kenter responded on 06/08/2021 to proceed with Appropriations and supporting documents would be provided at that time.
<b><u>06/08/2021</u></b>	Response to Atty Kenter email rejecting any additional negotiations until Appropriations have been filed. I replied to Atty Kenter I would keep informed of the progress with Appropriations filing.