

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

LEGEND:

TO: Dave Ruller
Tara Grimm

— : OWNERS SIGNED
SINCE 8/9/17

FROM: Jon Giaquinto

☁ : Owner Requested
Administrative Settlement

DATE: 8/9/17

8/23/17 UPDATE / 8/28/17 UPDATE

RE: SR 43 Traffic Improvement Project – Necessity and Intent to Appropriate Right of Way

Engineering is requesting council time for approval to appropriate the remaining land necessary to complete the right of way acquisition for construction of the SR 43 Traffic Improvement Project. The project is anticipated to start construction in 2018. The schedule to complete acquisition of all necessary right of way is November 1, 2017. Appropriation of the remaining right of way will need to be completed with cases filed and checks deposited with the court by November 1, 2017. The following is a list of the parcels and their respective values included in this request.

Property Owner	R/W Plan Number	Take Description	Amount
Route 43 and Route 261, LLC (formerly Deville Developments, LLC)	3-SH	Highway Easement	\$9,245
Morgan Nguyen Properties, Inc.	6-T	Temporary	\$825
1341-1343 S. Water St., LLC	16-WD 16-T	Permanent Temporary	\$1,000 \$1,020 \$50
Southwater Properties, LLC	17-T	Temporary	\$750
Diane L. Roberts	19-T	Temporary	\$500
Richard Marks	28-T	Temporary	\$1,100
CMG One, LLC	31-T	Temporary	\$325
S&M Initiatives, LLC	32-T	Temporary	\$1,000 \$325
BWM Properties, LLC	36-T	Temporary	\$300

The above values were obtained according to the federal right-of-way acquisition process. This process is required for the city to use Federal Funds. The process includes an appraisal and separate review of the appraisal by appraisers pre-approved by the State DOT. The City will be reimbursed 80% by ODOT.

Negotiation with the remaining 9 property owners is still ongoing to avoid appropriations.

C: Melanie Baker, Service Director, Jim Bowling, City Engineer, ~~Suzanne Stemnock, HR Director~~, Jim Silver, Law Director, David Coffee, Budget and Finance Director, ~~Sandy Lane, Law Secretary~~

TITLE REPORT



C/R/S	POR-43-10.26
PARCEL	3-SH
PID	93422
SJN	441022

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." The City of Kent expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) The City of Kent procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportation's Real Estate Procedures Manual.

(1) **FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Deville Developments, LLC, an Ohio limited liability company Route 43 and Route 261 Plaza LLC, an Ohio limited liability company	N/A	Fee Simple, Full Interest

Parcel Address:
1590 S Water Street
Kent, OH 44240

Mailing Address:
3951 Convenience Circle #301
Canton, OH 44718

Statutory Agent:
Todd A. Lensman
~~4571 Stephen Circle NW #200~~
Canton, OH 44718
ACFB Incorporated
200 Public Square, Ste. 2300
Cleveland, OH 44114

(2) **BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: ~~#201403270 (Attached)~~ #201710186 (Attached)

Situated in the City of Kent, County of Portage, State of Ohio, known as being part of Original Lot No. 6, formerly Franklin Township. Metes and bounds, and containing 12.2316 acres, excepting therefrom 0.787 acres

PPN: 17-006-00-00-001-000 (11.453 acres)

(3-A) **MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
None Found		

(3-B) **LEASES**

Name & Address	Commercial/Residential	Term
None Found		

(3-C) **EASEMENTS**

Name & Address	Type
Vol. 347, Pg. 350 (Attached) Olah M. Smith, fka Olah M. Barnard, and John R. Smith, wife and husband To: The T.G. Parsons Lumber Company Date Filed: 4/23/1935	Grantors reserve the right to run streets thru land conveyed

Vol. 721, Pg. 630 (Attached)
 John F. Moledor and Caroline B. Moledor
 To: The City of Kent, Ohio
 No Address Listed
 Date Filed: 2/17/1961

Sanitary Sewer Easement

Vol. 817, Pg. 93 (Attached)
 Akron Homes, Inc.
 To: Ohio Edison Company
 No Address Listed
 Date Filed: 1/9/1968

Utility Easement

Vol. 768, Pg. 553 (Attached)
 Akron Homes, Inc.
 To: Raymond Moledar
 No Address Listed

Sanitary Sewer Easement,
 Waterline Easement, Utility
 Easement

Vol. 860, Pg. 585 (Attached)
 The Bankers Guarantee Title & Trust Company, Trustee
 To: Akron Homes, Inc.
 No Address Listed
 Date Filed: 11/6/1970

Driveway Easement

Vol. 941, Pg. 804 (Attached)
 Bankers Guarantee Title & Trust Company, Trustee
 To: C.B.E., Inc., a corporation
 3528 21st Street NW; Canton, OH 44701
 Date Filed: 6/16/1977

Ingress/Egress Easement, the
 right to use and connect to an
 existing storm sewer and main
 water line

#200131261 (Attached)
 Kimco Kent 637, Inc., an Ohio corporation
 To: the City of Kent, Ohio
 No Address Listed
 Date Filed: 11/9/2001

Public Access Easement

#200131262 (Attached)
 Kimco Kent 637, Inc., an Ohio corporation
 To: the City of Kent, Ohio
 No Address Listed
 Date Filed: 11/9/2001

Street Improvements and
 Sidewalk Easement

#200131263 (Attached)
 Kimco Kent 637, Inc., an Ohio corporation
 Date Filed: 11/9/2001

Access Easement Declaration

(4) **DEFECTS IN TITLE-IRREGULARITIES-COMMENTS** (Record or Off Record)

None Found

*Subject to a 20' wide sanitary sewer easement, ingress and egress easement, and the right to use and connect to an existing storm sewer and main water line within the easement area - Vol. 826, Pg. 161 (attached) and refiled in Vol. 829, Pg. 366 (attached)

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Portage City: Kent School District: Kent CSD

AUD. PAR. NO(S)	Land - 100%	Building - 100%	Total - 100%	Taxes per 1/2 year
170060000001000	<u>\$706,100</u>	<u>\$2,695,400</u>	<u>\$3,401,500</u>	\$44,528.38 1 st 1/2-16 paid all 16 paid

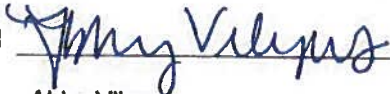
(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: No:

Comments:

This Title Report covers the time period from 8/8/1968 to 4/21/17. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 3-SH and presently standing in the name of Deville Developments, LLC, as the same are entered upon the several public records of Portage County, Ohio.

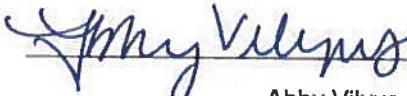
Date & Time 4/21/2017 7:59 AM (am/pm)

Signed 
Print Name Abby Vilyus

UPDATE TITLE BLOCK

This Title Report covers the time period from 4/21/2017 to 6/27/2017. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) 3-SH and presently standing in the name of Route 43 and Route 261 Plaza LLC as the same are entered upon the several public records of Portage County, Ohio.

Date & Time 6/27/2017 7:59 AM (am/pm)

Signed 
Print Name Abby Vilyus

Comments from the agent who prepared the Title Update: Title updated to reflect change in ownership and updated taxes. No other changes found.

EXHIBIT A

LPA RX 871 SH

Page 1 of 3

Rev. 06/09

Ver. Date 10/13/16

PID 93442

**PARCEL 3-SH
POR-43-10.26
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Kent, Portage County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, being part of Lot 6 in Franklin Township, and being part of lands described in the deed to DEVILLE DEVELOPMENTS, LLC (Grantor) as recorded Instrument 201403270 on file in the Portage County Recorder's office and laying on the left side of the existing centerline of right-of-way of State Route 43 as recorded as Plat _____ and as shown on the POR-43-10.26 right-of-way plans prepared by Arcadis U.S., Inc. for the City of Kent, Ohio, and more fully described as follows:

Commencing at a 1 inch diameter pin found in a monument box at the intersection of the centerline of right of way of State Route 261 and the centerline of right of way of State Route 43 as shown on said Plat and on said right-of-way plans being Station 540+06.62; said pin being North 25° 55' 21" West, a distance of 696.12 feet from a 1 inch diameter pin found in a monument box found on the centerline of right of way of State Route 43;

Thence North 25° 59' 25" West, along the centerline of right of way of said State Route 43, a distance of 377.64 feet to the Brimfield Township Lot 4 and Franklin Township Lot 6 line being Station 543+84.07;

Thence North 18° 15' 11" West, continuing along said centerline of right of way, a distance of 139.35 feet to the northeasterly corner of lands described in the deed to GOOSE 2.5, LP as recorded in Instrument 201514092 on file in the Portage County Recorder's office and to the Grantor's southeasterly corner being Station 545+23.42;

EXHIBIT A

LPA RX 871 SH

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Rev. 06/09

Thence South 89° 46' 49" West, leaving said centerline of right of way and along said GOOSE 2.5, LP's northerly line and along the Grantor's southerly line, a distance of 47.32 feet to the existing westerly standard highway easement line of State Route 43 being 45.00 left of Station 545+38.07 being the **Point of Beginning** for the parcel described herein;

1. Thence South 89° 46' 49" West, continuing along said GOOSE 2.5, LP's northerly line and continuing along the Grantor's southerly line, a distance of 15.77 feet being 60.00 feet left of Station 545+42.95;
2. Thence North 18° 15' 11" West, leaving said GOOSE 2.5, LP's northerly line and leaving the Grantor's southerly line and through the Grantor, a distance of 75.00 feet being 60.00 feet left of Station 546+17.95;
3. Thence North 71° 44' 49" East, continuing through the Grantor, a distance of 15.00 feet to said existing westerly standard highway easement line being 45.00 feet left of Station 546+17.95;
4. Thence South 18° 15' 11" East, along said existing westerly standard highway easement line, a distance of 79.88 feet to the **Point of Beginning**.

The above described parcel contains 0.027 acres (1,162 square feet, including 0.000 acres within the present road occupied), within Parcel Number 17-006-00-00-001-000 and subject to all legal highways and easements of record.

This description was prepared by Arcadis U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S., Inc. in September 2014 under the direction of Robert G. Hoy, Ohio Professional Surveyor No. 8142;

Bearings in this description are based on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North;

Grantor claims title as recorded in Instrument 201403270 of Portage County Deed Records.

EXHIBIT A

LPA RX 871 SH

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The stations referred are from the existing centerline of right-of-way of State Route 43 as shown on the POR-43-10.26 right-of-way plans unless noted otherwise.

Arcadis U.S., Inc.

Date

Robert G. Hoy, Ohio Professional Surveyor No. 8142

RE-22
REV. 03-2015

ACQUIRING AGENCY'S
FAIR MARKET VALUE ESTIMATE



OWNER'S NAME

Deville Developments, LLC

COUNTY **PORTAGE**
ROUTE **43**
SECTION **10.26**
PARCEL NO. **3 SH**
PROJECT I.D. NO. **93422**

	PAR NO.	ITEMS INCLUDED IN THIS ESTIMATE			ORIGINAL	REVISION	REVISION
		NO.	KIND	AV.SIZE			
L A N D	3- SH	0.027 ac. Commercial land @ \$200,000/ac.			\$5,400		
F E N C E							
T R E E S							
O T H E R	3- SH	787 sf Asphalt paving			\$2,955		
	3- SH	Marc's Enter Sign			\$2,000		
	3- SH	125 SF Concrete paving			\$790		
	3- SH	250 SF Lawn			\$100		
B L D G							
D A M A G E							
E L		TOTAL FAIR MARKET VALUE FOR REQUIRED R/W			\$11,245		
		OFFER FOR REQUIRED R/W AND EXCESS LAND					
		ADDED COST TO ACQUIRE EXCESS LAND					
		VALUE		AREA			

The allocation of compensation recommended above is based upon an approved appraisal report

Trainee's Recommendation		Recommended	
	Date		Date
			May 8, 2017
Review Appraiser	Typed Name	Review Appraiser	Typed Name
			BRUCE B. BOWMAN
Recommended		Recommended	
	Date		Date
2 nd Review Appraiser		Appraisal Unit Manager	
Agency Signature	Establishing FMVE	Administrative Settlement / Case Settlement	
 PE	Date		Date
	5/12/17		
Typed Name & Title	JAMES BOWLING, P.E.	Typed Name & Title	
Agency Name	CITY OF KENT	Agency Name	

DEPUTY SERVICE DIRECTOR/
SUPERINTENDENT OF ENGINEERING

APPRAISAL AND REVIEW RECORD

FEE/STAFF	APPRAISER	VALUE OF TAKING	DATE APPR SIGNED	TOTAL TAKE	PARTIAL TAKE	TYPE REPORT	TYPE OF SPECIALISTS REPORT	
FEE	John D. D'Angelo, MAI	\$11,245	5/2/2017		X	VF		
REVIEW APPRAISER	ORIGINAL		REVISION		REVISION		REVISION	
	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE
Bruce B. Bowman	\$11,245	5/8/2017						

Reviewer's Reasoning for the Recommendation:

Field Inspected on May 5, 2017. The subject larger parcel includes a single contiguous parcel of land containing 11.453 acres gross including 0.467 acres PRO for a net area of 10.986 acres. The subject property is located at 1590 S. Water Street, at the southwest quadrant of the intersection of S.R. 43 (S. Water Street) and the Marc's Shopping Plaza access Road, which is a public easement, Kent, Portage County, Ohio. The subject site is improved with a Marc's Plaza and outparcel. The buildings are clearly not affected by the taking and are therefore not included in this limited scope appraisal assignment. The appraiser has only valued the land component portion of the property, as well as considering the value of the site improvements taken. The subject property is zoned C Commercial District. The highest and best use of the site as if vacant is for commercial development. The subject site was valued utilizing 4 sales of somewhat similar commercial sites in the northeast Ohio market area. The sales indicated an unadjusted value range of \$100,000 per acre to \$258,690 per acre. The sales ranged in size from 1.237 acres to 9.50 acres. With nominal adjustments being made to the sales for size and other factors, the appraiser estimated a unit value of \$200,000 per acre for the subject site. Parcels 3- SH will take via Standard Highway Easement 0.027 acres, being a somewhat rectangular shaped tract of land at the corner of S. Water Street and Marc's Plaza Access Road. The taking includes a Marc's Enter Sign, 787 SF Asphalt paving, 125 SF concrete paaving, and 250 SF Lawn. The residue property contains 10.959 acres net. The highest and best use of the residue is the same as before the taking. Use of the property is not affected by the taking. There are no adverse effects on the residue property. The land taken was valued at \$5,400 and site improvements taken were valued at \$5,845, for a total recommended compensation of \$11,245. The reviewer has Accepted and Recommended approval of this appraisal as the basis for the establishment of the amount believed to be just compensation and FMVE. The conclusions drawn are reasonable, logical, and adequately supported to utilize in arriving at the FMVE of the property. Based on the above considerations, the estimated amount due the owner is as follows:

Land	\$ 5,400
Site Improvements	5,845
Structures	<u>0</u>
Amount Due Owner	\$11,245

Bruce B. Bowman, State Certified General Real Estate Appraiser, #380181
 May 8, 2017

RE-22-1

APPORTIONMENT OF RIGHT OF WAY COSTS

County PORTAGE

REV. 01/2012

Please print on Blue Paper

Route 43

Fee Owner Deville Developments

Section 10.26

BS - 1 Third Party

Parcel No. 3

BS - 2 _____

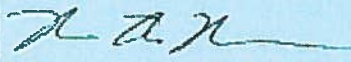
P.I.D. 93442

BS - 3 _____

State Job # 441022

BS - 4 _____

Federal Project N/A

	PAR NO.	ITEMS INCLUDED IN THE APPRAISAL	FMVE Apportionment					
			Total	FEE	BS-1	BS-2	BS-3	BS-4
LAND	3- SH	0.027 ac.Comm. Land @ \$200,000/ac	\$5,400	\$5,400				
OTHER	3- SH	Marc's Enter Sign- \$2,000	\$2,000		\$2,000			
	3- SH	125 sf Conc. Paving	\$790	\$790				
	3- SH	250 sf Lawn	\$100	\$100				
	3- SH	787 sf Asphalt Paving	\$2,955	\$2,955				
BLDG								
DAMAGE TO RESIDUE								
Total:			\$11,245	\$9,245	\$2,000			
FMVE APPORTIONMENT BY BRUCE B. BOWMAN			TOTAL AMOUNT PAID TO / FOR THE OWNER					
TYPED NAME								
SIGNATURE					DATE MAY 8, 2017			

REMARKS:

RE 90
Rev. 01-2014

VALUE FINDING

APPRAISAL REPORT

COUNTY POR
ROUTE 43
SECTION 10.26
PARCEL # 3
PID # 93442

(Compensation not to exceed \$65,000)

The purpose of this appraisal report is to estimate the compensation for the land taken, the contributory value of any site improvements in the take area (if any), and if land is needed temporarily for construction purposes, the estimated rent for the use of that land. This report has been developed in compliance with USPAP and with Section 5501:2-5-06(C) of the Ohio Administrative Code. This report is used when the acquisition is a partial taking and it is apparent the taking creates a simplistic valuation problem with no loss in market value of the residue property (damages), and the estimated compensation is \$65,000 or less. However, a nominal cost-to-cure may be considered in the compensation estimate. Since the valuation problem is simplistic and the area taken is vacant land with only minor site improvements, if any, the appraiser considers the larger parcel as a vacant site, estimates a unit value for the vacant larger parcel and uses the unit value in the estimate of compensation for the part taken.

SR 2-2(a)(x) Hypothetical Condition – ORC 163.59(D) and 49 CFR 24.103(b) compel the appraiser to disregard the proposed public improvement that is the reason for this project. USPAP SR 1-4f requires the appraiser to consider the impact of any proposed public improvements. Therefore, value enhancements or value declines due to speculation about this project or condemnation blight have been disregarded by the appraiser. USPAP requires the appraiser to disclose that use of a Hypothetical Condition may impact assignment results.

Deville Developments, LLC, an Ohio limited liability company 3951 Convenience Circle #301, Canton, Ohio 44718
Owner Mailing Address of Owner

Westerly side of State Route 43 (S. Water Street) across from the State Route 43 and Beryl Drive intersection, City of Kent, Portage County, Ohio (GPS coordinates: 41.135962, -81.355060); address includes 1590 S. Water Street, Kent, Ohio 44240

10.986 acres net
Area of Whole Contiguous Property

LAND VALUATION		FINDING OF COMPENSATION	
Parcel No.	Area	Unit Value	
3-SH	0.027 acres net	\$200,000 per acre commercial land less \$1, say	\$5,400
			Total
			\$5,400

Unit Value Support
 Comparable Sales attached Pages 17-20

IMPROVEMENT VALUATION
Estimated Value of each improvement to be acquired

Parcel No.	Description	Value
3-SH	787 SF Asphalt Paving @ \$5/SF less 25% depreciation, rounded	\$2,955
3-SH	Sign (Marc's Enter) @ \$2,105 less 5% depreciation	\$2,000
3-SH	125 SF Concrete Paving @ \$7/SF less 10% depreciation, rounded	\$790
3-SH	250 SF Lawn @ \$0.40/SF	\$100
		Total
		\$5,845

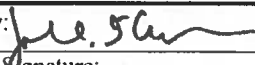
COST-TO-CURE (Benefits and/or Incurable Damages are not permissible. Support for cost-to-cure items must be by attachment or reference to an estimate for materials and labor cost.)

Parcel No.	Value
Total	

TEMPORARY EASEMENT VALUATION

Parcel No.	Value
Total	
	\$0

APPRAISER'S ESTIMATE OF FMVE DUE OWNER AS OF:
(SR 2-2(a)(vi) Effective Date of the Appraisal) April 13, 2017 \$11,245

Prepared By: 
Appraiser's Signature:
Typed Name: John D'Angelo, MAI

Date: May 2, 2017

SUMMARY OF THE REAL ESTATE APPRAISED

SR 2-2(a)(iii) : Summarize information sufficient to identify the real estate involved in the appraisal, including physical and economic property characteristics relevant to the assignment. Note: Location and mailing address are on front of report.

<p>Identification of the Larger Parcel:</p>	<p>The larger parcel is located off the westerly side of State Route 43 (S. Water Street) across from the State Route 43 and Beryl Drive intersection, City of Kent, Portage County, Ohio (GPS coordinates: 41.135962, -81.355060). The subject larger parcel is improved commercially (Marc’s Plaza and outparcel). The commercial buildings and unaffected site improvements situated on the subject property have been excluded from this valuation. The parcel address includes 1590 S. Water Street, Kent, Ohio 44240.</p> <p>The larger parcel is mostly regular in shape and, per the right of way plans, contains 11.453 acres gross and 10.986 acres net, with 0.467 acres PRO (present road occupied). It is referenced as Auditor’s Parcel Number 17-006-00-00-001-000. The land has unity of ownership currently in the name of Deville Developments, LLC, an Ohio limited liability company. There are 450± fronting the westerly side of State Route 43 (S. Water Street).</p>
<p>Zoning Classification or Code:</p>	<p>C: Commercial District</p>
<p>Zoning Code Definition:</p>	<p>The subject property sets within a C: Commercial District, the purpose of which is to promote and encourage planned and integrated groupings of retail and service activities providing goods and services to a community area.</p> <p>The permitted uses include:</p> <ol style="list-style-type: none"> 1. Establishments engaged primarily in the fields of finance, insurance and real estate, such as: bank (not including drive-in facilities), credit agency other than a bank, investment company, real estate company, and insurance company. 2. Establishments engaged in providing a variety of services to individuals and business establishments, such as: personal services (such as barber and beauty shops, tailor, dressmaker, shoe repair, laundries and dry cleaning), miscellaneous business services (such as advertising news syndicates and employment agencies), medical and other health services or clinic, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, non-profit organizations, professional organizations, charitable organizations, labor organizations, general offices, professional offices, administrative offices, business offices, and printing services. 3. Establishments engaged in retail trade, such as: drug store, book and stationery store, apparel store, florist, antique store, sporting goods store, jewelry store, optical goods store, home furnishings, office equipment and office supplies store, beverages (including liquor), restaurant, gift shop, food sales (including supermarket), preparation and processing of food and drink to be retailed on the premises (such as bakery, meat market, and delicatessen), sale of clothing and apparel, shoe and variety store, art store, photo store, stationery store, hobby store, toy store, book store, music store, jewelry store, gift sales, interior decorating offices, retail sale of hardware, paint store, interior decorating store, auto accessories, repair of household appliances and bicycles, carpeting and other major household articles, and cultural, educational or religious facilities. <p>Conditionally permitted uses within the C: Commercial District include: amusement and recreation (but excluding drive-in theaters), passenger transportation agency and terminal, plant greenhouse and garden supply sales, hotel or motel, tourist home, parking lot or garage, radio or television broadcasting station (not including transmission towers), funeral home or mortuary, monument sale and display, automobile, truck, trailer, boat, and farm implement sales and services (both new and used), tool and equipment rental, governmentally owned and/or operated buildings, planned, integrated commercial developments, clubs, lodges, fraternal organizations, charitable organizations, social organizations (but expressly excluding fraternity and sorority houses), drive-in banking facilities, gasoline service stations, auto laundry, public utility right of ways and pertinent structures, temporary buildings and uses incidental to construction work, truck servicing (including the provisions</p>

	of fuel, food, and sleeping rooms), truck or transfer terminals and motor freight garages (but excluding warehousing), open air markets, bed and breakfast facilities, child day care facilities, and any manufacturing, processing, cleaning, servicing, testing, or repairs of materials, goods, or products (provided such operations will not be materially injurious or offensive to the occupants of adjacent premises or the community by reason of the emission or creation of noise, vibration, electrical or other types of interference, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare, or heat).														
Minimum Site Size:	<p>The following lot and building standards apply in the C: Commercial District:</p> <table border="1"> <thead> <tr> <th>Minimum Lot Area (SF)</th> <th>Minimum Frontage (Ft)</th> <th>Minimum Lot Width at Bldg Line (Ft)</th> <th>Minimum Front Yard (Ft)</th> <th>Minimum Side Yard (Ft)</th> <th>Minimum Rear Yard (Ft)</th> <th>Maximum Building Height (Ft)</th> </tr> </thead> <tbody> <tr> <td>None</td> <td>None</td> <td>None</td> <td>10</td> <td>None*</td> <td>25</td> <td>50</td> </tr> </tbody> </table> <p>*15 ft side setback requirement when adjacent to a residential zoning district</p> <p>This valuation considers the subject property in accordance with its highest and best use. The property as vacant is of adequate size and dimensions for commercial development both before and after the taking.</p>	Minimum Lot Area (SF)	Minimum Frontage (Ft)	Minimum Lot Width at Bldg Line (Ft)	Minimum Front Yard (Ft)	Minimum Side Yard (Ft)	Minimum Rear Yard (Ft)	Maximum Building Height (Ft)	None	None	None	10	None*	25	50
Minimum Lot Area (SF)	Minimum Frontage (Ft)	Minimum Lot Width at Bldg Line (Ft)	Minimum Front Yard (Ft)	Minimum Side Yard (Ft)	Minimum Rear Yard (Ft)	Maximum Building Height (Ft)									
None	None	None	10	None*	25	50									
Utilities – Available / Unavailable:	All public utilities are available.														
SR 2-2(a)(ix) Current or Present Use:	The subject larger parcel is improved commercially (Marc’s Plaza and outparcel) and related site improvements. The buildings and any unaffected site improvements have been excluded from this valuation.														

ANALYSIS, OPINIONS AND CONCLUSIONS

SR 2-2(a)(ix) Highest and Best Use of the Larger Parcel:
(Summarize the support and rationale for the appraiser’s opinion of Highest & Best Use)

Based on the physical characteristics of the site and neighborhood composition, the highest and best use of the land as vacant is for commercial development.

In compliance with SR 1-3(a), in determining the highest & best use of the property, the appraiser has identified and analyzed the effect on use and value of existing land use regulations, reasonably probable modifications of such land use regulations, economic supply and demand, the physical adaptability of the real estate, and market trends.

YES: NO:

(49CFR 24.103) Describe the 5 year sales history of the property:

Grantor	Grantee	Date	Price	Comments
Kimco Kent 637, Inc., an Ohio corporation	Eric J. Williams, Esq. Qualified Exchange Accommodator	2/24/2014 (record date)	\$600,000	Transfer by way of Limited Warranty Deed; Instrument No. 201402738
Eric J. Williams, Esq. Qualified Exchange Accommodator	Deville Developments, LLC	3/10/2014 (record date)	Unknown	Transfer by way of Limited Warranty Deed; Instrument 201403270

Describe the influence on value, if any, of prior sales of the subject property.

The nature of these transfers is unknown; the Portage County auditor’s site indicates that these are not valid sales. These transfers of the property as improved are of minimal relevance in this land valuation.

State any information available from the title report that may affect the valuation of the subject property.

N/A

Sale Number:	1	2	3	4
Location:	1410 S. Water Street (SR 43), City of Kent, Portage County	N. side of SR 59, Franklin Township and Brady Lake Village, Portage County	8392 Market Street, Boardman Township, Mahoning County	Pearl Road and Whitney Road, City of Strongsville, Cuyahoga County
Sale Date:	2/4/2014	6/1/2015	12/23/2014	4/14/2016
Sale Price (effective):	\$320,000	\$500,000	\$580,000	\$1,950,000
Area:	1.237 acres net	5.00 acres net	4.725 acres net	9.50 acres net
Unit Value:	\$258,690/acre	\$100,000/acre	\$122,751/acre	\$205,263/acre

*****	NOTE: all sales used in this analysis must have the same or similar highest & best use as the larger parcel and should reflect similar physical and economic characteristics as the larger parcel. Nominal adjustments for minor differences are permissible.
Analysis of Sales / Reconciliation:	<p>Regarding land and assuming all other factors equal, larger parcels typically sell for a lower price per unit than smaller parcels, and parcels with favorable frontage-to-depth ratios will typically sell for a higher per unit price than parcels with ratios less favorable. A property's zoning determines the legal uses of the site. Topography is another important element of comparison because it impacts the degree of necessary site work, as well as the usability of the finished product. The presence or lack of public utilities makes a property more or less desirable, and accordingly, valuable.</p> <p>The sales' value indications range from \$100,000 to \$258,690 per acre. Each sale is relevant to the valuation due to its generally similar highest and best use as vacant. The subject and Land Sales 1 and 2 are located in Portage County, and Land Sales 3 and 4 are located in neighboring Mahoning County and Cuyahoga County, respectively. Land Sales 1 and 2 are the closest in proximity, Land Sales 2 and 4 are the most recent sales, and Land Sale 4 is the most similar to the subject with regard to size. Considering all indicators and the differences that exist between the sales and the subject, a value estimate of \$200,000 per acre is concluded for the subject site. This value conclusion is within the range of the four sales.</p>

Analysis of Site Improvements (support for contributory value):

Within the Parcel 3-SH Area

Site Improvement	Quantity	Replacement Cost/Unit	Replacement Cost (Gross)	Depreciation	Depreciated Cost New	Marshall Valuation Section/Page
Asphalt Paving	787 SF	\$5 per SF	\$3,935	25%	\$2,955 (R)	Section 66 / Page 2
Sign (Marc's Enter)	1	\$2,105 each	\$2,105	5%	\$2,000	Cicogna Sign Company; addendum
Concrete Paving	125 SF	\$7 per SF	\$875	10%	\$790 (R)	Section 66 / Page 2
Lawn	250 SF	\$0.40 per SF	\$100	0%	\$100	Section 66 / Page 8
Totals	N/A	N/A	\$7,015	N/A	\$5,845	N/A

The total estimated contributory value of the site improvements within the Parcel 3-SH area is \$5,845. The sign estimate of \$1,910 (see addendum) does not include taxes, permits, etc. An additional 10% has been added to the sign estimate to include taxes, permits, etc., resulting in a total estimated replacement cost new for the sign of \$2,105.

Summarize the Effect of the Take upon the Residue Property:

Permanently required is Parcel 3-SH which contains 0.027 acres gross and net. This parcel has no effect on the residue beyond the value of the land and site improvements taken. The net take area is mostly rectangular in shape and extends along the subject's existing State Route 43 (S. Water Street) frontage between stations 545+38.07 and 546+17.95 at a constant depth of 15'.

Reporting option: This Value Finding Appraisal Report is an "Appraisal Report" conforming to SR 2-2(a) of USPAP.

SR 2-2(a)(i)

Identify the client:

The client is the City of Kent.

Identify the intended users of this report:

The users of the appraisal may include the City of Kent, their attorneys, and the property owner. TranSystems Corporation is managing this project for the City of Kent. They, too, are an intended user.

SR 2-2(a)(ii)

Identify the intended use:

The appraisal report, upon approval by the client, may be used to establish the fair market value estimate (FMVE). If the report becomes the basis for FMVE, it will be provided to the property owner during negotiations.

SR 2-2(a)(iv)

Identify the real property interest being appraised:

The property interest appraised is the fee simple estate.

SR 2-2(a)(v)

State the type of value:

Market value stated in terms of cash.

State the definition of value and cite the source of the definition used in the report:

The definition of fair market value utilized in this report is from the Ohio Jury Instruction and is as follows:

"You will award to the property owner(s) the amount of money you determine to be fair market value of the property taken. Fair market value is the amount of money, which could be obtained on the market at a voluntary sale of the property. It is the amount a purchaser who is willing, but not required to buy, would pay and that a seller who is willing, but not required to sell, would accept, when both are fully aware and informed of all the circumstances involving the value and use of the property. You should consider every element that a buyer would consider before making a purchase. You should take into consideration the location, surrounding area, quality and general conditions of the premises, the improvements thereon and everything that adds or detracts from the value of the property."

The market value estimate in this appraisal has also considered Rule C(2) of Section 5501:2-5-06 of the Ohio Administrative Code [same as 49 CFR 24.103(6)] Influence Of the Project On Just Compensation, which is;

To the extent applicable by law, the appraiser shall disregard any increase or decrease in fair market value of the real property caused by the project for which the property is to be acquired, or the likelihood that the property would be acquired for the project, other than that due to physical deterioration within reasonable control of the owner.

SR 1-2(c)(iv)

Exposure Time:

The above referenced value definition assumes a reasonable exposure to the market prior to the effective date of value. It is my opinion that this reasonable exposure time is 1 to 2 years.

SR 2-2(a)(vii)

Scope of work:

The work necessary to solve the appraisal problem is limited in scope because:

- 1) The agency and the appraiser have considered the entire property both before the taking and after the taking,
- 2) It is readily apparent the appraisal problem is not complex,
- 3) The residue property (land & improvements) is not harmed (damaged) as a result of the acquisition in the manner shown on the highway plans.
- 4) An expenditure of tax dollars for a more detailed or comprehensive appraisal would be wasteful and would not produce a more credible analysis.

- 5) The scope of work limits the analysis to a determination of a unit value of the land described in the larger parcel and an estimate of compensation for the area taken and site improvements taken, if any. The sales data selected for this simplistic analysis reflect the character of the larger parcel and the analysis is limited to the sales comparison approach to estimate compensation for the land only. If there is a temporary easement to be acquired, the income approach is used to estimate compensation in the form of a land rent. Compensation for site improvements taken, if any, is based upon their contributory value.

The parcel impact notes that were initially provided to the appraiser often reflect only items which are extraordinary or atypical which the agency calls to the attention of the appraiser and is the justification used by the agency for determining the use of this simplistic report format. A copy of the approved parcel impact notes is attached to this report. The appraiser has performed an independent appraisal problem analysis confirming the agency's determination that this simplistic report format is indeed appropriate to use for this valuation problem.

SR 2-2(a)(viii)

Summarize the information analyzed,

The focus of the data search has been on land sales. Land sales sought are those most recent, closest in proximity (similar value influences), and those with similar physical characteristics. To obtain data, appraiser files have been reviewed, other area appraisers have been contacted, and data searches have been processed through the local multiple listing service, CoStar, and County Auditors' websites. Each sale deemed to be appropriate for subject comparison has been verified to the point where the appraiser is comfortable utilizing it.

the appraisal methods and techniques employed,

The approaches to value are limited to the sales comparison approach to estimate the unit value for the larger parcel and the income approach for evaluation of compensation for temporary construction easements, if any. Compensation for site improvements taken, if any, is based upon their contributory value.

And the reasoning that supports the analyses, opinions, and conclusions;

Of high importance and to the extent possible, land sales with a highest and best use similar to the subject are applied. Application of appropriate land sales results in supported value opinions/conclusions.

exclusions of the sales comparison approach, cost approach, or income approach must be explained.

The scope of work has been limited to consideration of the land unit value for the area identified as taken by the project only. As such, consideration of a cost approach, a sales comparison approach or an income approach to value for the whole property or for any structures or improvements is inappropriate. An expenditure of tax dollars for a more detailed or comprehensive appraisal would be wasteful and would not produce a more credible analysis.

SR 2-2(a)(xi)

Extraordinary Assumption -

None applied.

Other Comments:

USPAP SR 1-2(e)(v) permits an appraiser to limit the scope of work to a fractional interest, physical segment or partial holding such as with this form report. However, the comment to this rule indicates that in order to avoid communicating a misleading appraisal, the report has to disclose the existence of improvements on the property, even though the improvements do not have to be included in the valuation.

All site improvements (if any) situated within existing right of way are non-compensable per Ohio Department of Transportation policies and procedures.

As previously indicated, the subject larger parcel is improved commercially (Marc's Plaza and outparcel) and related site improvements. The buildings and any unaffected site improvements have been excluded from this valuation.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- That on April 13, 2017, I personally made a field inspection of the property herein appraised, and that I have given the property owner the opportunity to accompany me. (If inspection accompaniment is not made, state reason): A representative of the owner, Robert Brown, was left a detailed message by way of telephone (330)493-9131 regarding his right to accompany the appraiser during the property inspection. Mr. Brown did not reply to the appraiser prior to the report completion date.
- I have also, on July 8, 2016, March 16, 2017, and April 13, 2017 personally made a field inspection of the comparable sales relied upon in making the appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented by the photographs contained within the report.
- It is my opinion that partial acquisition of this parcel results in a simplistic valuation problem, that there are no incurable severance damages to the residue property and the unit value for the larger parcel before the taking is the same as the residue larger parcel.
- That I understand the appraisal will be used in connection with the acquisition of right-of-way for a transportation project to be constructed by the City of Kent. There may be Federal-aid highway funds or other Federal Funds used in the project.
- This appraisal has been made in conformity with the appropriate State laws, regulations, and policies and procedures applicable to appraisal of right-of-way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items which are non-compensable under the established law of the State of Ohio.
- The statements of fact contained in this report are true and correct and I am in agreement with all statements provided in this report.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report or in any benefit from the acquisition of such property appraised, and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- Andrew Moore, the appraiser's assistant, has provided professional assistance to the person signing this report. Mr. Moore has provided assistance to the appraiser in the following ways: set up the file with all forms and general information for the report; assisted in gathering and entering tax assessment information, flood hazard information, zoning information, location map, and similar information; assisted in the gathering, analysis and selection of information for the Sales Comparison Approach; assisted in verifying data with the County Auditor's office and market participants; assisted in sketch drawing; assisted in entering subject and comparable data in the report; assisted in the final review of this report; and assisted in assembling and packaging the final report.

- That I, in determining the compensation for the property, have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
- That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the condemning authority, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.
- As of this date, John D. D'Angelo, MAI has completed the continuing education requirement of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Class of Certification/Licensure: Certified General Certified Residential Licensed Residential Registered Assistant
 Temporary Certification or License

Certification/License Number: 2001011052

This report is within the scope of my Certification or License.
 is not within the scope of my Certification or License.

I disclose that:

- I am an employee of the Ohio Department of Transportation (or Agency) and that I am approved to perform appraisal services.
- I am a consultant approved by the ODOT - Office of Consultant Services to perform appraisal services for ODOT projects and Federally funded projects.
- I have not provided any services regarding the subject property within the three year period immediately preceding acceptance of the assignment, as an appraiser or in any other capacity. If this box is not checked then the appraiser must provide an explanation and clearly and conspicuously disclose whatever services have been provided for this property in the past three years.
- No one provided significant real property appraisal assistance to the person signing this certification.
(When any portion of the work involves significant real property appraisal assistance, the appraiser must describe the extent of that assistance. The signing appraiser must also state the name(s) of those providing the significant real property appraisal assistance in the certification, in accordance with Standards Rule 2-3.)

Appraiser's Signature John D. Angelo

May 2, 2017

Typed Name John D'Angelo, MAI
 Ohio State Certified General Real Estate Appraiser, #2001011052

Date: ((SR 2-2(a)(vi) Date of the Report)



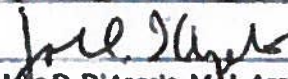
Attachments:

1. Parcel Impact Notes
2. Plat Map
3. Sketches of the property clearly detailing the take area, any site improvements taken and the residue property. (More than one sketch may be necessary).
4. Photographs are to include: front view, street scenes, take area showing relevant improvements in the take. Any photos which show structures not being appraised in this report due to the limited scope of work must be identified / labeled with an explanation so that a misleading report is not conveyed [USPAP SR 1-2(c)(v)].
5. Location map showing the sales and the subject property must be attached to the report.
6. Comparable sales must meet ODOT standards and are attached to this report.
7. RE 95
8. Sign Estimate
9. Appraiser's Qualifications
10. Assumptions and Limiting Conditions
11. Appraiser Disclosure Statement

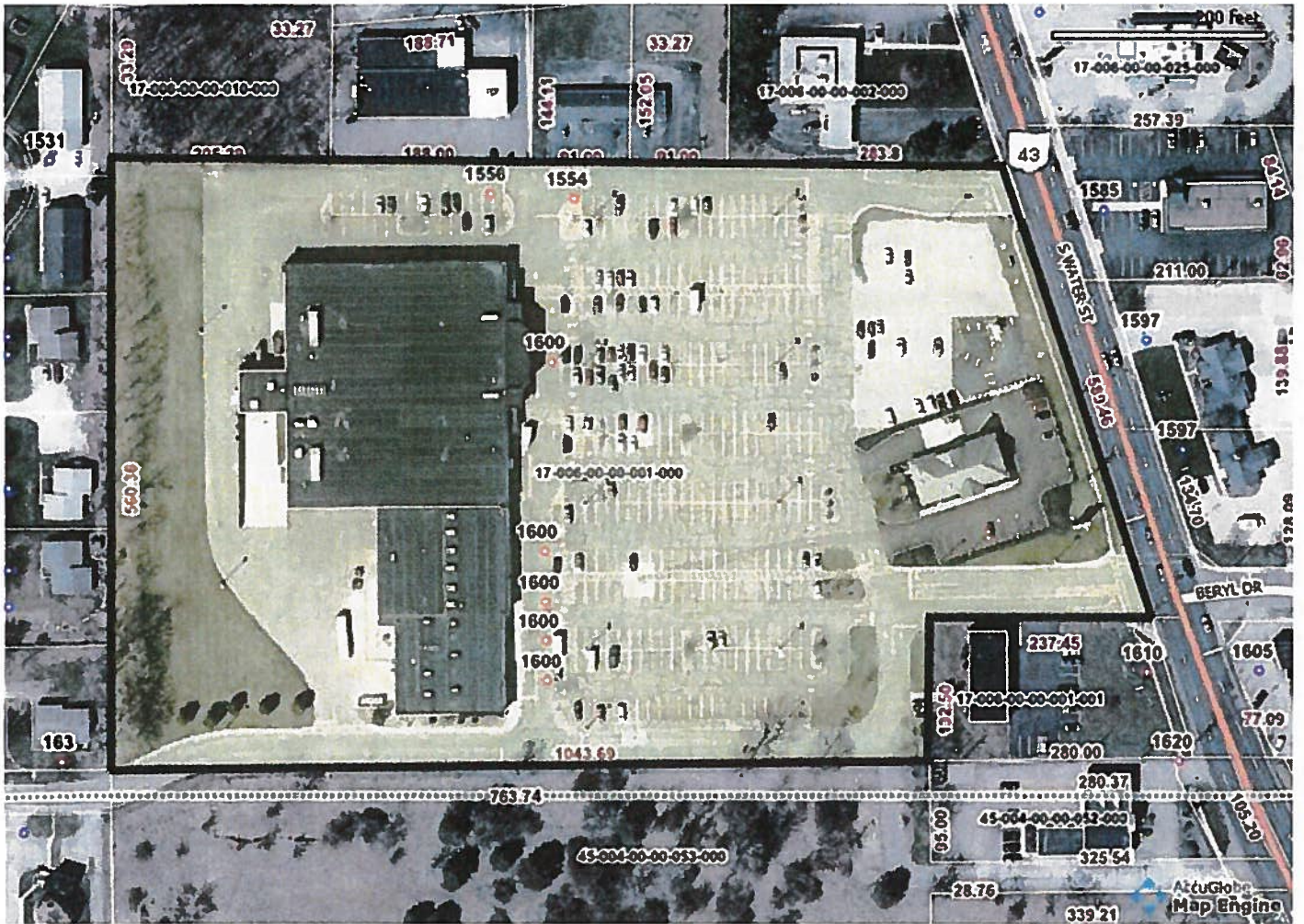
Rev. 01/2016

Parcel Impact Notes

This document is meant to be an aid for scoping and is absolutely not to be interpreted as steering or directing an appraiser to an opinion that is not the appraiser's. However, appraisers must comply with applicable appraiser standards, including USPAP as appropriate, and ODOT's policies and procedures regarding appraisals

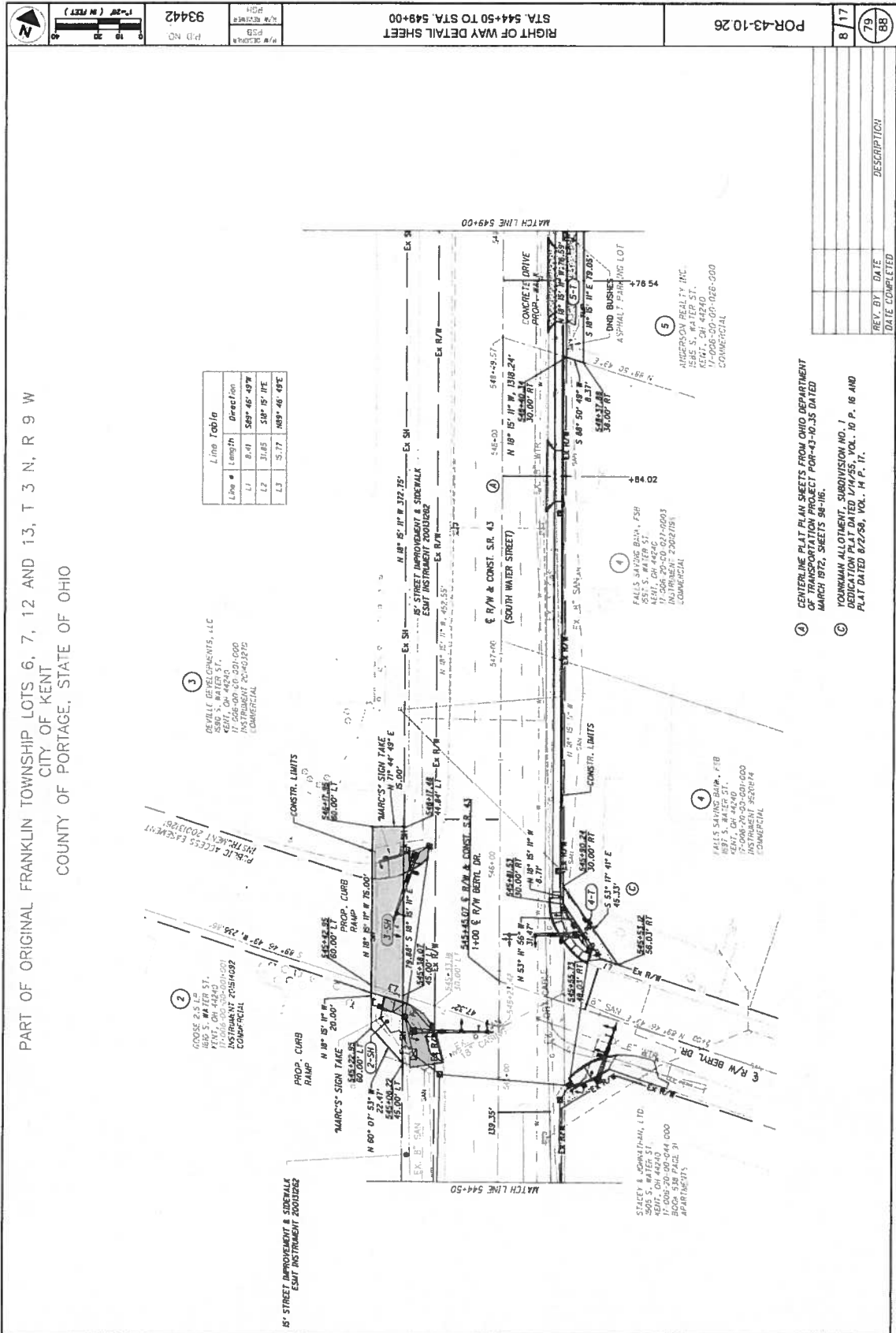
Project C/R/S	POR-43-10.26		
PID	93442	Construction Plans	N/A
Parcel	3-SH	R/W Plans	3-20-17 Arcadis US
Owner/Tenants:	Deville Developments, LLC		
Take:	Parcel 3-SH will take via perpetual Standard Highway Easement without limitation of existing access 0.027 acres in the name and for the use of the City of Kent.		
What is in Take?	Take Marc's Enter Sign, lawn, concrete paving.		
Appraisal Issues / Significant Issues:	<p>Parcel 3-SH will take via Standard Highway Easement 0.027 acres, being an irregular shaped tract of land at the corner of South Water Street and Marc's Plaza Access Drive. The taking is simplistic and has no adverse effect on the property, and there are no damages to the residue property. There are no complex appraisal problems or issues.</p> <p>Research and analysis of comparable land sales and comparable improved sales will be needed to support a determination of the market value for the property rights taken.</p> <p>USPAP: Extraordinary Assumptions and Hypothetical Conditions: ODOT's Real Estate Manual requires the appraiser to notify the client prior to utilization of extraordinary assumptions or hypothetical conditions in an assignment.</p> <p style="color: red; font-size: 1.2em; font-weight: bold;">Finding JDD 5/2/17 FMVE Exceeds \$10,000</p>		
	The valuation (appraisal) problem is:	Simplistic <input checked="" type="checkbox"/>	Complex <input type="checkbox"/>
Recommended Appraisal Format:	Value Analysis		
Review Appraiser Signature / Date Typed Name	 Bruce B. Bowman 4/18/2017		
Approved by Signature / Date Typed Name	 4-21-17 Joseph P. Giacinto, P.E. Senior Engineer, City of Kent		
Appraiser Acknowledgement	I have reviewed the right of way plans and other pertinent parts of the construction plans, have driven by the subject, have reviewed these Parcel Impact Notes and I have independently performed my own appraisal problem analysis. I am in agreement regarding the valuation (appraisal) problem, the determination of the complexity of this problem, and I agree that the recommended format is appropriate for use during the acquisition phase of this project.		
Signature / Date Typed Name	 4/21/17 John D. D'Angelo, MAI, Appraiser		

LARGER PARCEL VIEW – PLAT MAP Larger Parcel: 10.986 acres net

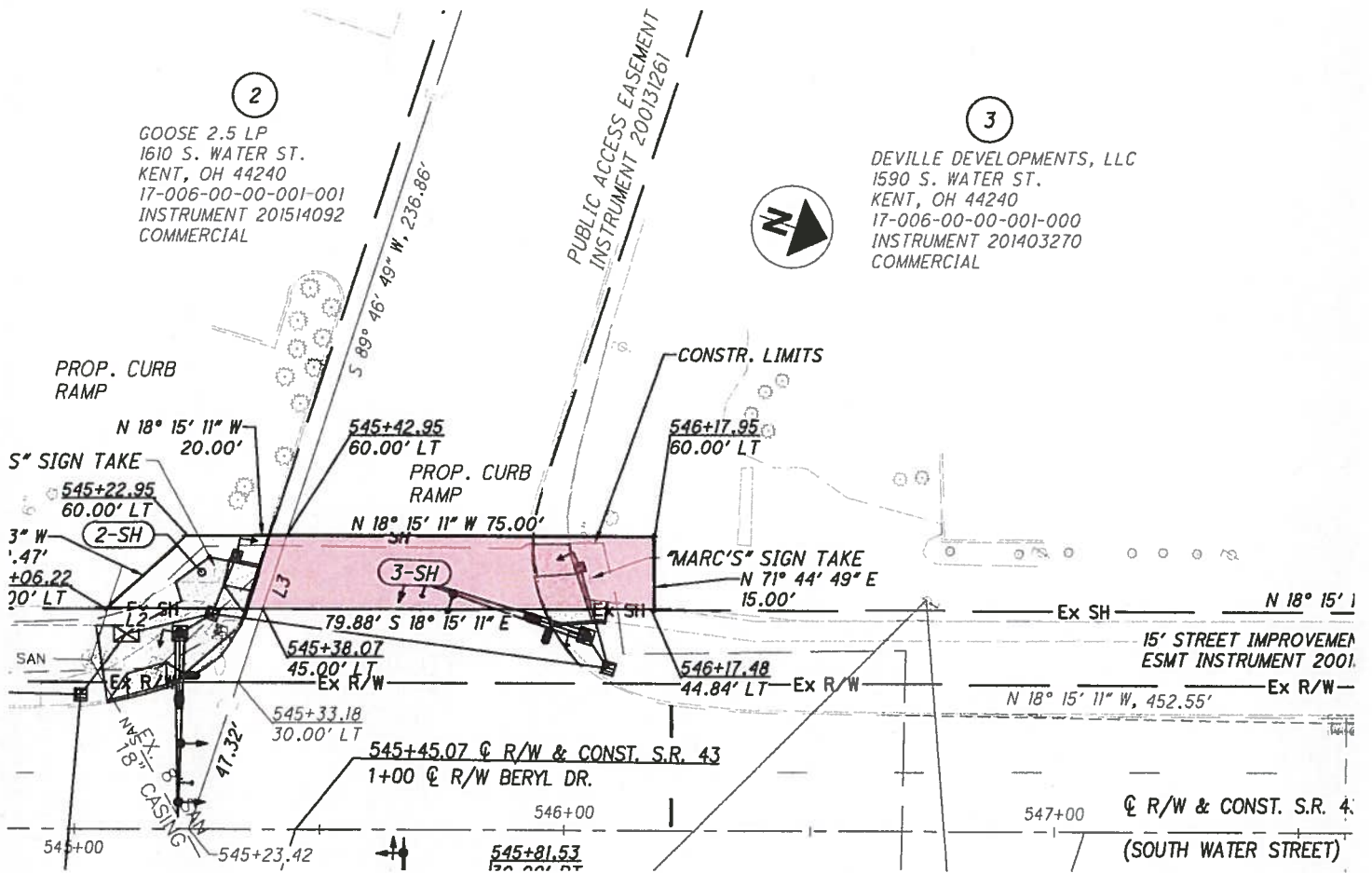


Source: Portage County Auditor (2016 aerial)

SITE SKETCH FROM RIGHT OF WAY PLANS
(Showing Parcel 3-SH area in red)



SITE SKETCH FROM RIGHT OF WAY PLANS (Closer View)



PHOTOGRAPHS OF SUBJECT PROPERTY
(Photographs taken by John D'Angelo, MAI)



Photograph 1 – Property view from near State Route 43 (S. Water Street) station 546+75 facing in a mostly westerly direction; the commercial buildings and unaffected site improvements are excluded from this valuation



Photograph 2 – View along the subject's State Route 43 (S. Water Street) frontage from near station 545+35 facing in a mostly northerly direction showing the Parcel 3-SH area; asphalt paving, concrete paving, lawn, and the Marc's "Enter" sign are take items

Photographs of Subject Property (Continued)



Photograph 3 – View along the subject’s State Route 43 (S. Water Street) frontage from near station 545+90 facing in a mostly northerly direction showing a portion of the Parcel 3-SH area; asphalt paving, concrete paving, lawn, and the Marc’s “Enter” sign are take items

COMPARABLE LAND SALES LOCATION MAP



Land Sale

Sale Number: One

Address/Location: Southwest corner of S. Water Street and Cherry Street; 1410 S. Water Street (State Route 43), City of Kent, Portage County, Ohio

Parcel Number: 170060000020001 **GPS Coordinates:** 41.140892, -81.357241

Instrument Number: 201401652 – Limited Warranty Deed

Grantor: Jensen Center, Ltd., a Texas limited liability partnership

Grantee: O'Reilly Auto Enterprises, LLC a Delaware limited liability company

Sale Price: \$320,000 **Sale Date:** 2/4/2014 (recording date)

Effective Unit Price: \$258,690 per acre **Total Area:** 1.237 acres net (deed)

Conditions of Sale: Arm's length **School District:** Kent CSD

Property Rights Conveyed: Fee simple **Financing:** Cash to seller

Legal Description: Lot 6

Utilities: All public available **Flood Plain Data:** Zone X; minimal flood hazard area; map 39133C0138D, dated August 18, 2009

Zoning: C Commercial

Streets/Access: S. Water Street (SR 43) and Cherry Street

Topography: Level with the road grade **Dimensions/Shape:** Slightly irregular (see below)

Highest & Best Use: Commercial **Present Use:** Commercial (O'Reilly Auto Parts)

Improvements: The property was vacant at the time of transfer.

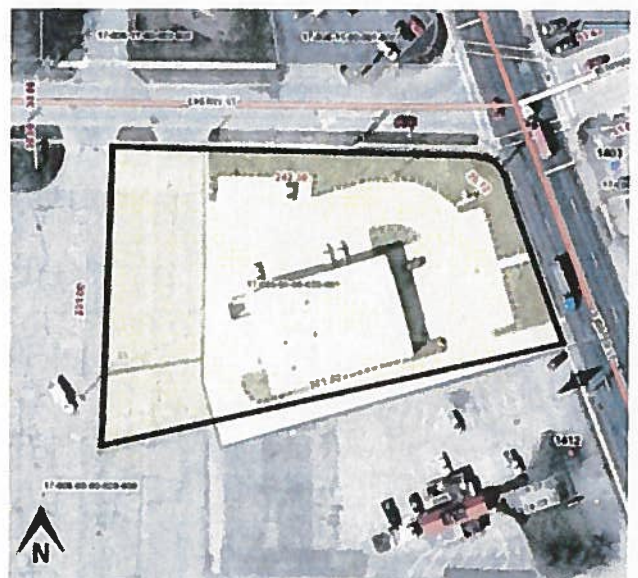
Date of Inspection: 4/13/2017 **Verification:** Rachel Hurst, Representative of Grantor (210)349-3667, by Andy Moore on 3/16/2017

Motivation of Parties: The property was purchased for commercial development of an O'Reilly Auto Parts store.

Comments: No encumbrances are known to either exist or to have impacted the sale price. The lot is of adequate size and dimensions for development.

Photo:

Sketch:



Land Sale

Sale Number: Two

Address/Location: Vacant land on north side of State Route 59, Franklin Township and Brady Lake Village, Portage County, Ohio

Parcel Numbers: 12-036-00-00-009-000 & 001; and 16-035-20-00-257 thru 270 **GPS Coordinates:** 41.15767,-81.30921

Instrument Number: 201508051 – General Warranty Deed

Grantor: Calpage Partners

Grantee: Beck Energy Corporation

Sale Price: \$500,000 **Sale Date:** 6/1/2015 (recording date)

Effective Unit Price: \$100,000 per acre **Total Area:** 5.00 acres net

Conditions of Sale: Arm's length **School District:** Kent CSD

Property Rights Conveyed: Fee simple **Financing:** Cash

Legal Description: Part of Lot No. 36

Utilities: Electric and public water available; public sewer is available south of the property along Powder Mill Road **Flood Plain Data:** Zone X; minimal flood hazard area; map 39133C0141D, dated August 18, 2009

Zoning: C-1 Local Commercial (Franklin Township) and Commercial (Brady Lake Village)

Streets/Access: Cox Avenue and State Route 59

Topography: Mostly level to slightly rolling **Dimensions/Shape:** Slightly irregular (see below)

Highest & Best Use: Commercial **Present Use:** Vacant

Improvements: The property was vacant at the time of transfer.

Date of Inspection: 4/13/2017 **Verification:** Jack Kohl, II, Listing Agent (330)819-9996, by Andy Moore on 4/17/2017

Motivation of Parties: The property was reportedly purchased for speculative purposes. The Grantee owns nearby land.

Comments: No encumbrances are known to either exist or to have impacted the sale price. The lot is of adequate size and dimensions for development. The mineral rights reportedly did not transfer.

Photo:

Sketch:



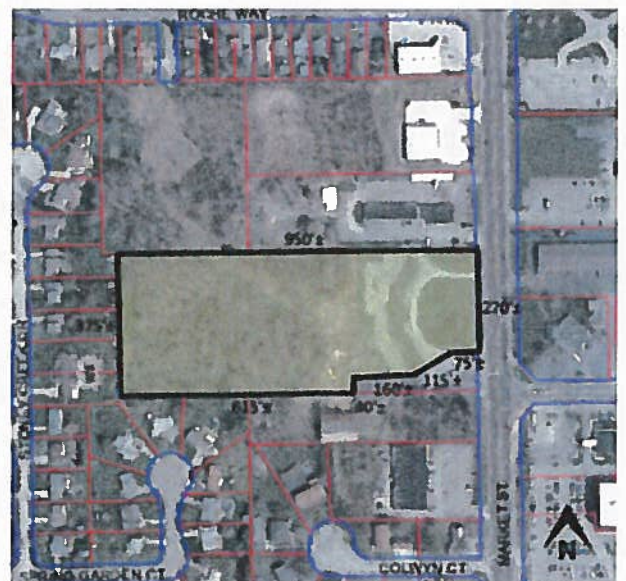
Land Sale

	Sale Number:	<u>Three</u>
Address/Location:	<u>8392 Market Street, Boardman Township, Mahoning County, Ohio</u>	
Auditor's Parcel Number:	<u>290950005000</u>	GPS Coordinates: <u>40.9959297, -80.663878</u>
Instrument Number:	<u>201400029388 – Warranty Deed</u>	
Grantor:	<u>NU-8392 Market Street LLC</u>	
Grantee:	<u>Kenzie Residential Properties LLC</u>	
Sale Price (effective):	<u>\$580,000</u>	Sale Date: <u>12/23/2014 (recording date)</u>
Unit Price (effective):	<u>\$122,751 per acre (commercial)</u>	Total Area: <u>4.725 acres net commercial (7.625 acres gross less 2.90 acres residential)</u>
Conditions of Sale:	<u>Arm's length</u>	School District: <u>Boardman</u>
Property Rights Conveyed:	<u>Fee simple</u>	Financing: <u>Conventional</u>
Legal Description:	<u>GL 13 DIV 3</u>	
Utilities:	<u>All public</u>	Flood Plain Data: <u>Zone X; Map Panel 39099C0224D dated November 17, 2009</u>
Zoning:	<u>C Commercial District to a depth of 600' and R-1 Residential District to the rear</u>	
Streets/Access:	<u>Market Street</u>	
Topography:	<u>Level with road grade</u>	Dimensions/Shape: <u>Mostly rectangular (see below)</u>
Highest & Best Use:	<u>Commercial/Mixed Use</u>	Present Use: <u>Vacant</u>
Improvements:	<u>The property was vacant at the time of transfer.</u>	
Date of Inspection:	<u>3/16/2017</u>	Verification: <u>Edward Smith, Statutory Agent for the Grantee (330)533-6195, by Andy Moore on 2/22/2017</u>
Motivation of Parties:	<u>No atypical motivations known.</u>	
Comments:	<u>Other than typical utility easements, no encumbrances are known to exist. The property is of adequate size and dimensions for development. Approximately 4.725 acres along the Market Street frontage are zoned commercially, and the rear 2.9 acres are zoned residentially. Per a discussion with the Boardman Township Zoning Department, there are no filed development plans for the property as of 2/22/2017.</u>	

Photo:



Sketch:



Land Sale

Sale Number: Four

Address/Location: Pearl Road at Whitney Road, City of Strongsville, Cuyahoga County, Ohio

Parcel Number: 39510003 **GPS Coordinates:** 41.344148,-81.823236

Instrument Number: 201604140677 – Limited Warranty Deed

Grantor: Lawrence Economic Development Corporation

Grantee: Pearl at Whitney, LLC

Effective Sale Price: \$1,950,000 **Sale Date:** 4/14/2016 (recording date)

Unit Price (Effective): \$205,263 per acre **Total Area:** 9.5 acres net effective (11.9 acres gross)

Conditions of Sale: Arm's length **School District:** Strongsville

Property Rights Conveyed: Fee simple **Financing:** Cash to seller

Legal Description: Part of original Strongsville Township Lot 50

Utilities: All public **Flood Plain Data:** Zone X minimal flood hazard area; Map No. 39093C0277E, dated 12/3/2010

Zoning: GB General Business District

Streets/Access: Pearl Road (via access road) and Whitney Road

Topography: Generally level **Dimensions/Shape:** Irregular (see below)

Highest & Best Use: Commercial **Present Use:** Vacant

Improvements: The property was vacant at the time of transfer.

Date of Inspection: 7/8/2016 **Verification:** Jeremy Clay, Representative of the Grantor (740)377-4500, by Andy Moore on 6/23/2016

Motivation of Parties: No atypical motivations known. The property was purchased for commercial development purposes. The buyer intends to develop the property with a restaurant and possibly a hotel.

Comments: Excluding the area of the access road and retaining pond, the property contains approximately 9.5 acres. The property has adequate size and dimensions for commercial development. The property was previously purchased by the Grantor in May 2015 for \$1,850,000 (\$194,737 per acre). He stated that he thought it would be a good investment. The property is in close proximity to a Lowe's and Walmart.

Photo:

Sketch:



The RE 95

R.I.V. JAN 2007
LPA

C/R/S POR-43-10.26
Parcel 3-SH
PID 93422

The purpose of the RE 95 is to identify improvements in the take area, to classify these improvements as real property or personal property and to identify who owns these improvements. Improvements classified as real property are valued in the appraisal process and The City of Kent will purchase these improvements. Items classified as personal property are moved in the relocation process.

Address of Property	1590 S. Water Street, Kent, OH 44240
Name of Person Occupying the Property	Vacant Structure
Fee Owner's Name:	Deville Developments, LLC, an Ohio limited liability company
Brief Description of Property Type:	Commercial

Description of Improvements in Take Area:	Classification (Real or Personal Property)	Ownership (Fee/Tenant)
1. "Marc's Enter" sign	Real	Third Party
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

The RE 95

REV. JAN 2007
LPA

C/R/S POR-43-10.26
Parcel 2-SH
PID 93422

11.

12.

Attach an Addendum if more space is needed for inventory.

The parties signing this form understand that all items classified as real property must be present on the property when the City of Kent takes possession. The amount paid to the owner will be reduced by the value of any items that are not present on the property when The City of Kent takes possession.

DEVILLE DEVELOPMENTS, LLC, AN OHIO LIMITED LIABILITY COMPANY

Fee Owner: Signature _____

Name Printed: BY: _____

Date: _____

MARC GLASSMAN, INC.

Tenant/Occupant: Signature: _____

Name Printed: BY: _____

Date: _____

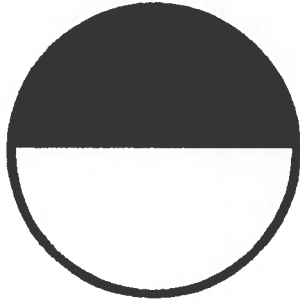
Agent for ODOT: Signature:  _____

Name Printed: David J. Davanzo, R/W Specialist-TREC

Date: April 24, 2017

Comment area (if needed):

SIGN ESTIMATE



**CICOGNA
SIGN COMPANY, INC.**

**4330 NORTH BEND RD.
ASHTABULA, OH. 44004
1(800) 242-6462
FAX: (440) 992-8021**

4.26.2017

RE: Marc's
Kent, Ohio

The following are pricing and specifications for replacement signage at the aforementioned location:

Manufacture and install one (1) 2' x 2', 4'-6" OA HT double face LED illuminated freestanding directional sign with flat plastic faces with digital print PSV copy, background and graphics and pole with direct burial concrete footer. Power to be provided to sign location by others. We will connect to existing circuit at sign location at time of installation.

Specifications based on information provided. A plan will be provided after agreement and prior to production.

Price.....\$ 1,910.00

The pricing is plus sales tax, permit fees and securing costs, as applicable.

The sign comes with a full one (1) year material and workmanship defect warranty.

The terms of the agreement are 50% deposit, balance due upon completion.

All contracts deemed made in Ashtabula County.

Please review the proposal and contact me to discuss further or when ready to proceed at 216.392.8946 or mbizjak@cicognasign.com.

Sincerely,
Mike Bizjak
Cicogna Electric & Sign Co.

To initiate order, please complete and sign as applicable. A 50% deposit is required to proceed.

Signature	Printed Name	Title	Date

CC: File

APPRAISER'S QUALIFICATIONS
John D. D'Angelo, MAI

Mr. D'Angelo is owner of Keystone Valuation Group, L.P., which concentrates in the area of right of way / eminent domain appraising, consulting, and review. KVG works on right of way projects predominantly in western Pennsylvania, eastern Ohio, and northern/western West Virginia, and projects have ranged from as few as one parcel to as many as 100 parcels. A four-person staff provides considerable capacity and has allowed KVG to complete mid to large scale projects in a timely manner. Over the past 17 years, KVG has gained significant experience in all three states. In addition to the right of way / eminent domain work, Mr. D'Angelo focuses his practice in the area of appraisal review specializing in non-residential property.

POSITION

President of General Partner, Keystone Valuation Group, Inc.
1000 Commerce Drive, Suite 1003
Moon Township, PA 15108
412-299-0229

EDUCATION

College

Graduate of Duquesne University: Bachelor of Science, School of Business and Administration, 1989. Real estate-related course work included Foundation of Real Estate, Real Estate Practice, Real Estate Law, Land Urban Economics, Commercial and Industrial Appraisal, Residential Appraisal, and Real Estate Investment Analysis.

Appraisal Institute Courses/Exams Successfully Completed

Real Estate Appraisal Principles	Report Writing and Valuation Analysis
Real Estate Appraisal Methods	Advanced Applications
Capitalization Theory and Techniques, Part A	Standards of Professional Practice, Part A and B
Capitalization Theory and Techniques, Part B	Litigation Appraising: Specialized Topics/Applications

Partial List of Seminars Attended

Ratios, Rates, and Reasonableness	Understanding Limited Appraisals
Valuation of Lease Interests	Data Confirmation and Verification
Appraisal Regul. of the Fed. Banking Agencies	USPAP Updates
Subdivision Analysis	New Industrial Valuation
Applied Sales Comparison Approach	Valuation of Complex Residential
Appraising Apartments	Appraisal of Local Retail Properties
Valuation of Detrimental Conditions in R.E.	Appraisal Office Management
Eminent Domain and Condemnation Appraising	State of the Valuation Profession
Highest and Best Use Applications	Appraising the Tough Ones
Analyzing Commercial Lease Clauses	Scope of Work
Business Practices and Ethics	Appraising Manufactured Housing
Litigation Skills for the Appraiser: an Overview	Appraisal Review - General
Uniform Appraisal Standards for Fed. Land Acquisitions	Real Estate Finance Statistics and Valuation Modeling
Office Building Valuation – Contemporary Perspective	Appraisal Challenges – Declining Markets/Concessions
Real Estate Appraisal Operations	Appraisal Curriculum Overview – Residential
Appraisal Curriculum Overview – General	Advanced Internet Search Strategies
Cool Tools: New Technology for R.E. Appraisers	Forecasting Revenue
Small Hotel/Motel Valuation	

EXPERIENCE

APPRAISAL

Full time real estate appraisal experience since May of 1989 with a specialty in the area of eminent domain. Experience has included office, retail, industrial, multi-family and single family residential, vacant land, subdivisions, and special purpose properties. Appraisals have been used for eminent domain purposes, underwriting, internal decision making, and real estate tax appeals.

APPRAISER'S QUALIFICATIONS (Continued)

APPRAISAL REVIEW

Mr. D'Angelo also completes compliance and technical appraisal reviews for banks on a subcontract basis. Over the past several years, Mr. D'Angelo has completed over 650 non-residential reviews involving a wide variety of property types including:

Residential Subdivisions	Gas Stations / C-Stores
Hotels	Restaurants
Seniors Housing: Nursing Homes & Assisted Living Facilities	Mobile Home Parks
Apartment Complexes	Equestrian Facilities
Student Housing Facilities	Golf Courses
Retail Freestanding and Strip Centers	Industrial Facilities
Office Buildings	Automobile Dealerships
Retail Ground Leases	Mixed Use Developments

Values have been based on As Is, As Complete, As Stabilized, and Liquidation scenarios and have included the following interests: fee simple, leased fee, leasehold, going concerns, and insurable.

In addition to in-house review of his staff appraisers, Mr. D'Angelo completes reviews for the Ohio Department of Transportation on a subcontract basis.

PROFESSIONAL AFFILIATIONS

Member Appraisal Institute (MAI) #11314
Former Guidance Chairman of the Pittsburgh Metropolitan Chapter of the Appraisal Institute
Past Multi-Term Director for the Pittsburgh Metropolitan Chapter of the Appraisal Institute
Airport Area Chamber of Commerce Member

STATE CERTIFICATION

Pennsylvania State Certified General Real Estate Appraiser #GA-001208-L
West Virginia State Certified General Real Estate Appraiser #CG277
Ohio State Certified General Real Estate Appraiser #2001011052

EXPERT TESTIMONY

Retained by ODOT, PENNDOT, and WVDOH for "sole source" appraisal assignments involving litigation. Qualified as an expert in the field of appraising and has testified in jury trials, commissioners hearings, or boards of view in the following areas:

- Portage County, Ohio
- Summit County, Ohio
- Jefferson County, West Virginia
- Pleasants County, West Virginia
- Monongalia County, West Virginia
- Fayette County, Pennsylvania
- Westmoreland County, Pennsylvania
- Washington County, Pennsylvania

ASSUMPTIONS AND LIMITING CONDITIONS

The appraisal of the subject property is subject to the following limiting conditions:

- Title is assumed to be marketable. No responsibility is assumed by the appraiser for matters legal in nature; including opinion as to the title which is assumed to be complete and accurate, and legal descriptions and legal documents assumed correct. Liens and encumbrances, if any, have been disregarded and the property is appraised as if free of indebtedness. The appraiser assumes no responsibility for title services and furnishing of title policies that may be required, nor for survey or title conditions that have not been disclosed to the appraiser.
- Information identified in the appraisal as having been furnished by others is believed to be reliable, but no responsibility has been assumed for its accuracy.
- The appraiser shall not be held responsible for errors and omissions, nor for revisions to this appraisal, resulting neither from information, which was withheld or unavailable to the appraiser, or from erroneous information supplied to the appraiser by others. The appraiser reserves the right to revise this appraisal, under separate service contract, for the disclosure of information that was not provided or was not available to the appraiser as of the date of this report.
- Sketches or surveys within the report are included for the express purpose of assisting the reader to visualize the property. The appraisers assume no responsibility for surveying, or for determination of the accuracy of areas and dimensions presented within this appraisal.
- No facts affecting the value of this property have been knowingly overlooked or withheld. The appraisers gathered factual data from sources deemed reliable. However, no responsibility is assumed for their accuracy.
- The exposure time presented herein assumes comprehensive marketing of the property by a qualified and reputable brokerage firm specializing in similar properties within this local and regional market, and are based upon realistic pricing.
- Assessment of the potential costs and effects on market value pertaining to compliance or non-compliance with the Americans with Disabilities Act (ADA) is beyond the scope of this appraisal. For the purposes of this appraisal, the property is assumed to be in full compliance with current ADA guidelines.
- Disclosure of the contents of this appraisal report is governed by the Bylaws and Regulations of the Appraisal Institute. Possession of this report, or a copy thereof, does not carry with it the right of publication. Disclosure of the contents of this appraisal report (especially any conclusions as to value, the identity of the appraiser, or any reference to the Appraisal Institute or to the MAI designation) shall not be disseminated to the public through advertising, public relations, news or sales media, or any other public means of communication without the prior written consent and approval of the appraiser.
- The valuation conclusions in this appraisal may not be used in conjunction with any other appraisal or appraisals.
- The appraiser is not a qualified expert with respect to soil conditions, structural building integrity or hazardous chemicals/substances, which may or may not be present on the subject property. Information as to the presence or absence of hazardous conditions or materials must, therefore, be obtained from others. As noted within this report, no adverse soil conditions, unsound structural building conditions, asbestos, PCB's or other hazardous materials were observed and, hence, the value reported herein reserves the right to modify the value reported herein if subsequent studies reveal hazardous circumstances or substances to be present.
- The appraiser will not be required to give testimony or appear in court by reason of this appraisal unless prior arrangements have been made.

APPRAISER DISCLOSURE STATEMENT

In compliance with Ohio Revised Code Section 4763.12

1. Name of Appraiser John D. D'Angelo

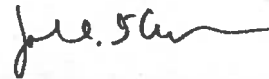
2. Class of Certification/Licensure: X Certified General
 Licensed Residential
 Temporary General Licensed

Certification/License Number: 2001011052

3. Scope: This report X is within the scope of my Certification or License.
 is not within the scope of my Certification or License.

4. Service Provided by: X Disinterested & Unbiased Third Party
 Interested & Biased Third Party
 Interested Third Party on Contingent Fee Basis

5. Signature of person preparing and reporting the appraisal



This form must be included in conjunction with all appraisal assignments or specialized services performed by a state-certified or state-licensed real estate appraiser

State of Ohio
Department of Transportation
Division of Real Estate
Appraiser Section
Cleveland (216) 787-3100

RE-25-14
Rev. 02-2016

**Review of the RE 90
Value Finding Appraisal Report**

County PORTAGE
Route 43
Section 10.26
Parcel 3
PID # 93442
Owner Deville Developments, LLC

This appraisal review template is to be used for the review of the RE 90 Value Finding Appraisal Reports that have been prepared to estimate compensation to owners for the part taken. RE 90 Value Finding Appraisal Reports prepared for the Department must comply with instructions included in the template for the form RE 90 as well as ODOT's Real Estate Manual and with the USPAP.

- Recommended** = The report meets the many Federal and State requirements (including USPAP) and is recommended as the basis for the acquiring agency's offer.
- Accepted** = The report meets the many Federal and State requirements (including USPAP) but is not recommended as the basis for the acquiring agency's offer.
- Not Accepted** = The report does not meet the many Federal and State requirements (including USPAP) and will not be used as the basis for the acquiring agency's offer.

SR 3-5(a) Identity of the client:
The client is the City of Kent, Ohio.

SR 3-5(a) Identify any intended users of this review:
The intended users of the appraisal review are City of Kent, Ohio, the City Prosecutor, and the report is a public record.

SR 3-5(b) State the intended use of the appraisal review:
The intended use of the reviewer's opinions and conclusions are to assist the City of Kent, Ohio in establishing F.M.V.E. in compliance with the Uniform Act and Ohio law and the appropriate Federal and State regulations, or to provide a documented reason as to why the appraisal report is not acceptable or is not to be used as a basis to establish F.M.V.E..

SR 3-5(c) State the purpose of the appraisal review:
The purpose (problem to be solved) of this appraisal review is to determine if the appraisal:

meets the definition of an appraisal found in 49 CFR 24.2(a)(3);

meets the appraisal requirements found in 49 CFR 24.103 and the OAC 5501:2-5-06 Rule D;

meets the policy and procedures for ODOT regarding the Value Finding Appraisal Report (Section 4205.02 of the Real Estate Manual promulgated by the Office of Real Estate, Ohio Department of Transportation);

make determination if the appraiser's data, reasoning and support are adequate for the value conclusion reported in the Value Finding Appraisal Report, and;

if the appraisal report is determined to be adequate, make a determination if the report is to be recommended as a basis for the establishment of the amount of just compensation.

SR 3-5(d) Identify the work under review;
Value Finding Appraisal Report of: PORTAGE-43-10.26 3 1590 S. Water Street, Kent, Ohio.

Identify the ownership interest of the property that is the subject of the work under review;
The appraiser valued the fee simple ownership interest of the property subject to this review.

Identify the date of the work under review;
May 2, 2017

Identify the effective date of the opinions or conclusions in the work under review;
April 13, 2017

Identify the appraiser who completed the work under review.

John D. D'Angelo, MAI

Is appraiser pre-approved by ODOT to perform VF's ?

Yes No

SR 3-5(e) State the date of the appraisal review report:

May 8, 2017

SR 3-5(f) State all extraordinary assumptions and hypothetical conditions that are a part of this appraisal review; and State that their use might have affected the assignment results.

N/A

SR 3-5(g) State the scope of work used to develop this appraisal review:

Yes No

The reviewer has reviewed the right-of-way plans, the cross sections (if applicable) and other pertinent parts of the highway plans to adequately understand the larger parcel, the taking and the impact of the taking to the residue property.

The reviewer has reviewed the parcel impact notes attached to the RE-90 Value Finding Appraisal Report.

Yes No

The reviewer has traveled to the project site, has viewed the property and has personally viewed the comparable sale properties used in the adjustment grid of the RE-90 Value Finding Appraisal Report that is the subject of this review.

The reviewer concurs the valuation problem is simplistic and this RE-90 Value Finding Appraisal Report is appropriate to use. It is readily apparent there is no loss in the market value of the residue property.

The reviewer has read the entirety of the appraisal report, has checked all mathematical calculations for accuracy, has made a determination regarding the comparability of the sales used in the report to the larger parcel, has reviewed the report for conformance with USPAP and ODOT procedures for appraisal and appraisal review (sections 4100 through 4700 of the Real Estate Manual). These procedures implement the regulations of 49 CFR 24.103 and 24.104, and OAC 5501:2-5-06 Rules C and D. And, this scope of work is sufficient to produce a credible appraisal review report.

SR 3-5(h) State the reviewer's opinions and conclusions about the work under review, including the reasons for any disagreement:

Yes No

1. Is the valuation problem uncomplicated and is it obvious there are no damages to the residue property?

2. Is the estimated compensation \$65,000 or less?

3. Has the appraiser used the correct forms? (RE 90)

4. Have all parts of the form been properly filled out and are mandatory attachments included?

Parcel Impact Notes

Location map showing subject and sales

Comparable sales

Photograph of the take area

Aerial photograph of the larger parcel

Sketch of the larger parcel showing the take area

5. Do the take areas on the RE-90 correspond with the take areas on the R/W Plan?

6. Is the RE-90 mathematically accurate?

7. Has the appraiser accurately identified improvements within the take area?

8. Has the larger parcel been identified?

9. How large is the larger parcel?		11.453 acres
10. Has the appraiser considered Unity of Title, Unity of Use and Contiguity? Does the larger parcel match the contiguous ownership?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
11. Has zoning been identified (if any), and what is that zoning classification? Commercial	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
12. Has the appraiser explained the uses permitted by zoning?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
13. Has the appraiser stated if the existing use conforms to zoning? Has the appraiser considered setback requirements mandated by zoning? What is the current setback distance to existing structures (if any)? What will the setback be on the residue?	<input checked="" type="checkbox"/> <input type="checkbox"/>	Yes N/A N/A
14. Has the appraiser stated what the minimum site size per zoning is?		Yes- N/A
15. Has the appraiser stated whether the property before the take conforms to minimum site size requirements?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
16. Has the appraiser stated if the residue conforms to minimum site size requirements?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
17. Has the Highest & Best Use been identified?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
18. Has the appraiser indicated if the Highest & Best Use is permitted under zoning?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
19. Has the appraiser discussed the effect of the take?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
20. There can be no adverse effect to the residue other than a nominal cost to cure. Is there a cost to cure and if so, is it nominal?	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
21. Do the comparable sales used in the RE-90 comply with ODOT standards (section 4205.09)?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
22. Are the comparable sales analyzed and compared to the subject?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
23. Is a range of value described?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
24. Has the appraiser concluded which sales received the greatest weight and explained why?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
25. Do the sales share the same, or nearly the same, Highest & Best Use as the subject?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
26. Do the sales have the same, or nearly the same, zoning as the subject?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
27. Has the appraiser concluded a unit value for the larger parcel?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
28. Is the unit value within the value range indicated by the sales?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
29. If not, has adequate information been given?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
30. Has the allocated value of the site improvements taken been adequately supported?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
31. Have costs-to-cure or temporary takes been adequately discussed and supported, if any?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
32. Did the appraiser offer the property owner / designee the opportunity to accompany them during the site visit for viewing the property?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
33. Has the appraiser adequately documented the 5 years sales history of the subject property (49CFR)?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
34. Has the appraiser discussed the impact on value of previous sales of the subject property, if any?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
35. Has the appraiser discussed his/her prior work in the last three years on the subject property, if any?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
36. Do you recommend the report as the basis for the agency to establish FMVE.	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
37. If yes, what is that estimated compensation amount?		\$11,245
38. If no, then Why Not?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
39. If rejected, has a deficiency letter been sent to the agency and the appraiser? N/A	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

Additional Comments by the reviewer if necessary:

Reviewer's Certification

I disclose that:

- I am an employee of the Ohio Department of Transportation approved to perform appraisal review services.
- I am a consultant approved by the ODOT Office of Consultant Services to perform appraisal review services for ODOT projects and Federally funded projects.
- I have not provided any services regarding the subject property within the three year period immediately preceding acceptance of the assignment, as an appraiser or in any other capacity. *If this box is not checked then the appraiser must provide an explanation and clearly and conspicuously disclose whatever services have been provided for this property in the past three years.*

I certify that, to the best of my knowledge and belief:

- ❖ The statements of fact contained in this report are true and correct.
 - ❖ I have reviewed the R/W Plans dated 3/20/17 (updated) in order to complete this assignment.
 - ❖ I have physically viewed the subject property and the take area of the subject property of the work under review.
 - ❖ I have personally viewed in the field the comparable sales used in the valuation.
 - ❖ I concur the Value Finding Appraisal Report is the proper valuation format as the taking results in a simplistic valuation problem and it is obvious there is no loss in the market value of the residue property and the FMVE is \$65,000 or less.
 - ❖ The Value Finding Appraisal Report reviewed complies with Sections 4000 through 4500 of the Real Estate Manual promulgated by the Office of Real Estate, Ohio Department of Transportation.
 - ❖ The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
 - ❖ I have no present or prospective interest in the property that is the subject of the work under review and no personal interest with respect to the parties involved.
 - ❖ I have no bias with respect to the property that is the subject of the work under review or to the parties involved with this assignment.
 - ❖ My engagement in this assignment was not contingent upon developing or reporting predetermined results.
 - ❖ My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in this review or from its use.
 - ❖ My compensation for completing this assignment is not contingent upon the development or reporting of predetermined assignment results or assignment results that favors the cause of the client, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal review.
 - ❖ My analyses, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
 - ❖ No one provided significant appraisal or appraisal review assistance to the person signing this certification unless noted below and in the scope of work discussion of this report.

 - ❖ My class of certification is: State Certified General
- This appraisal review:
- is within the scope of my certification or licensure
 - is not within the scope of my certification or licensure
- ❖ My certification/license number is: 380181

Appraisal Reviewer Signature _____

Typed Name: Bruce B. Bowman

If this appraisal review report is not within the scope of the appraiser's certification or license then the appraiser must explain here how they notified the client and then also how they are competent to provide these services.

TITLE REPORT



C/R/S	POR-43-10.26
PARCEL	6-T
PID	93422
SJN	441022

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." The City of Kent expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) The City of Kent procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportation's Real Estate Procedures Manual.

(1) **FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Morgan Nguyen Properties, Inc., a California corporation	N/A	Fee Simple, Full Interest

Parcel Address:
1575 S Water Street
Kent, OH 44240

Mailing Address:
968 James Street
Syracuse, NY 13203

*See Item #4

(2) **BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: #200702258 (Attached)

Situated in the City of Kent, County of Portage, State of Ohio, known as part of Lot 6 in the former Franklin Township, metes and bounds and containing 1.0247 acres

PPN: 17-006-00-00-025-000 (1.03 acres)

(3-A) **MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
None Found		

(3-B) **LEASES**

Name & Address	Commercial/Residential	Term
None Found		

(3-C) **EASEMENTS**

Name & Address	Type
None Found	

(4) **DEFECTS IN TITLE-IRREGULARITIES-COMMENTS** (Record or Off Record)

*Secretary of State filings for Morgan Nguyen Properties, Inc., cancelled in 2011

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Portage City: Kent School District: Kent CSD

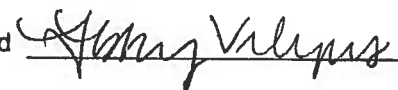
AUD. PAR. NO(S)	Land – 100%	Building – 100%	Total – 100%	Taxes per ½ year
170060000025000	<u>\$291,700</u>	<u>\$327,300</u>	<u>\$619,000</u>	<u>\$8,103.55 1st ½ 16 paid</u>

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: No:
Comments:

This Title Report covers the time period from 1/28/1997 to 4/24/2017. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 6-T and presently standing in the name of Morgan Nguyen Properties, Inc., as the same are entered upon the several public records of Portage County, Ohio.

Date & Time 4/24/2017 7:59 AM (am/pm)

Signed 

Print Name Abby Vilyus

UPDATE TITLE BLOCK

This Title Report covers the time period from _____ to _____. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) _____ and presently standing in the name of _____ as the same are entered upon the several public records of _____.

Date & Time _____ (am/pm)

Signed _____

Print Name _____

Comments from the agent who prepared the Title Update

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/13/16

PID 93442

**PARCEL 6-T
POR-43-10.26
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE, REGRADE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, being part of Lot 6 in Franklin Township, and being part of lands described in the deed to MORGAN NGUYEN PROPERTIES, INC. (Grantor) as recorded in Instrument 200702258 on file in the Portage County Recorder's office and laying on the right side of the existing centerline of right-of-way of State Route 43 as recorded as Plat _____ and as shown on the POR-43-10.26 right-of-way plans prepared by Arcadis U.S., Inc. for the City of Kent, Ohio, and more fully described as follows:

Beginning on the existing easterly right of way line of said State Route 43 at 30.00 feet right of Station 551+55.34;

1. Thence North 88° 50' 49" East, along the Grantor's northerly line, a distance of 8.37 feet being 38.00 feet right of Station 551+52.88;
2. Thence South 18° 15' 11" East, through the Grantor, a distance of 165.00 feet to the Grantor's southerly line being 38.00 feet right of Station 549+87.88;
3. Thence South 88° 50' 49" West, along said southerly line, a distance of 8.37 feet to said existing easterly right of way line of said State Route 43 being 30.00 feet right of Station 549+90.34;
4. Thence North 18° 15' 11" West, along said existing easterly right of way line, a distance of 165.00 feet to the **Point of Beginning**.

The above described easement contains 0.030 acres (1,320 square feet, including 0.000 acres within the present road occupied), within Parcel Number 17-006-00-00-025-000 and subject to all legal highways and easements of record.

This description was prepared by Arcadis U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S.,

EXHIBIT A

Page 2 of 2

LPA RX 887 T

Rev. 07/09

Inc. in September 2014 under the direction of Robert G. Hoy, Ohio Professional Surveyor No. 8142;

Bearings in this description are based on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North;

Grantor claims title as recorded in Instrument 200702258 of Portage County Deed Records.

The stations referred are from the existing centerline of right-of-way of State Route 43 as shown on the POR-43-10.26 right-of-way plans unless noted otherwise.

Arcadis U.S., Inc.

Date

Robert G. Hoy, Ohio Professional Surveyor No. 8142

VALUE ANALYSIS (\$10,000 OR LESS)

OWNER'S NAME

Morgan Nguyen Properties, Inc.,
a California Corporation

COUNTY POR

ROUTE 43

SECTION 10.26

PID # 93442

STATE JOB # 441022

Based on comparable sales, which are attached, the following values have been established. All temporary parcels are to be of 12 months in duration.

Parcel #	Net Take Area	Land	Improvement(s)	Remarks	Total
6-T	0.030 acres	0.030 acres commercial land TCE @ \$275,000/ac X 10% RL for 12 months = \$825	None	Temporary easement for the purpose of performing the work necessary to reconstruct drive and regrade for 12 months from date of entry by the City of Kent, Portage County, Ohio	\$825
				Total	\$825

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: John D. D'Angelo, MAI	April 25, 2017 DATE	REVIEWER'S CONCURRENCE TYPED NAME: Bruce Bowman	5/3/2017 DATE
NAME OF AGENCY (IF DIFFERENT FROM ODOT) City of Kent		AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: James Bowling, P.E.	
TITLE: Superintendent of Engineering / Deputy Service Director		5/9/17 DATE	
ADMINISTRATIVE SETTLEMENT:			
SIGNATURE _____ TYPED NAME: _____		F.M.V.E. AMOUNT _____ ADDITIONAL AMOUNT _____ TOTAL SETTLEMENT _____	
DATE _____			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

Describe the 5 year sales history of the subject property: There have been no market-oriented sales of the subject property within the past five year period.

Grantor	Grantee	Date	Price	Comments
N/A	N/A	N/A	N/A	N/A
Describe the influence on value, if any, of prior sales of the subject property.		N/A		
State any information available from the title report that may affect the valuation of the subject property.		N/A		

Identify the Larger Parcel:

The larger parcel is located along the easterly side of S. Water Street (State Route 43) approximately 450' north of the S. Water Street and Beryl Drive intersection, City of Kent, Portage County, Ohio (GPS coordinates: 41.137277, -81.355259). The subject larger parcel is improved commercially (Burger King restaurant). **The restaurant building and unaffected site improvements situated on the subject property have been excluded from this analysis.** The parcel address is 1575 S. Water Street, Kent, Ohio 44240.

The larger parcel is mostly regular in shape and, per the right of way plans, contains 1.030 acres gross and 0.916 acres net, with 0.114 acres PRO (present road occupied). It is referenced as Auditor's Parcel Number 17-006-00-00-025-000. The land has unity of ownership currently in the name of Morgan Nguyen Properties, Inc., a California Corporation. There are 165' fronting the easterly side of State Route 43 (S. Water Street).

Zoning Code: R-C: High Density Multifamily/Commercial Urban Residential District

Code Definition: The subject property sets within an R-C: High Density Multifamily/Commercial Urban Residential District, the purpose of which is to encourage residential development at densities up to approximately thirty-six (36) units per acre and allowing compatible commercial and office activities integrally designed into the neighborhood to provide optimum use of land.

The permitted uses include: single family dwellings, two family dwellings, accessory buildings incidental to the principal use (which do not include any activity conducted as a business), and signs.

Conditionally permitted uses within the R-C: High Density Multifamily/Commercial Urban Residential District include: all permitted uses specified in the C: Commercial District, multifamily dwellings and apartments, home occupations, churches and other buildings for the purpose of religious worship, public and parochial schools, institutions for human care (hospitals, clinics, sanitariums, convalescent homes, nursing homes, homes for the aged, and philanthropic institutions), governmentally owned and/or operated buildings or facilities, quasi-public, institutionally or organizationally owned and/or operated recreational, instructional and meeting facilities such as those developed and used by the YMCA, YWCA, Boy Scouts, or various fraternal or community service groups (but expressly excluding fraternity and sorority houses), lodging house and boarding house accommodations (but expressly excluding fraternity and sorority houses), public utility right of ways and pertinent structures, temporary buildings and uses incidental to construction work, family care home, group home, temporary shelter, open air markets, bed and breakfast facilities, and child day care facilities.

Code Definition (Continued)

Per a discussion with personnel of the City of Kent Community Development Department, a commercial use as specified in the C: Commercial District (as conditionally permitted by the zoning ordinance) would likely be permitted based on the subject property’s location along State Route 43.

Permitted uses in the C: Commercial District include: 1). Establishments engaged primarily in the fields of finance, insurance and real estate, such as: bank (not including drive-in facilities), credit agency other than a bank, investment company, real estate company, and insurance company. 2). Establishments engaged in providing a variety of services to individuals and business establishments, such as: personal services (such as barber and beauty shops, tailor, dressmaker, shoe repair, laundries and dry cleaning), miscellaneous business services (such as advertising news syndicates and employment agencies), medical and other health services or clinic, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, non-profit organizations, professional organizations, charitable organizations, labor organizations, general offices, professional offices, administrative offices, business offices, and printing services. 3). Establishments engaged in retail trade, such as: drug store, book and stationery store, apparel store, florist, antique store, sporting goods store, jewelry store, optical goods store, home furnishings, office equipment and office supplies store, beverages (including liquor), restaurant, gift shop, food sales (including supermarket), preparation and processing of food and drink to be retailed on the premises (such as bakery, meat market, and delicatessen), sale of clothing and apparel, shoe and variety store, art store, photo store, stationery store, hobby store, toy store, book store, music store, jewelry store, gift sales, interior decorating offices, retail sale of hardware, paint store, interior decorating store, auto accessories, repair of household appliances and bicycles, carpeting and other major household articles, and cultural, educational or religious facilities.

Minimum Site Size: The following lot and building standards apply in the R-C: High Density Multifamily/Commercial Urban Residential District:

Minimum Lot Area (SF)	Minimum Frontage (Ft)	Minimum Lot Width at Bldg Line (Ft)	Minimum Front Yard (Ft)	Minimum Side Yard (Ft)	Minimum Rear Yard (Ft)	Maximum Building Height (Ft)
Single Family: 6,000 Two Family: 10,000 Multifamily: 10,000 Commercial: None	Single Family: 50 Two Family: 75 Multifamily: 100 Commercial: None	40	30	10	30	60

This analysis considers the subject property in accordance with its highest and best use. The property, considered as vacant, is of adequate size and dimensions for legal development.

Utilities: All public utilities are available.

Highest and Best Use: Based on the physical characteristics of the site and neighborhood composition, the highest and best use of the land as vacant is for commercial development.

Valuation/Analysis of Sales:

Sale Number:	1	2	3	4
Location:	1410 S. Water Street, City of Kent, Portage County	Norton Road, City of Hudson, Summit County	4397 Kent Road, City of Stow, Summit County	E. Waterloo Road, Springfield Township, Summit County
Sale Date:	2/4/2014	7/15/2014	7/31/2013	9/25/2015
Sale Price (effective):	\$320,000	\$350,000	\$185,000	\$176,500
Area:	1.237 acres net	1.0242 acres net	0.733 acres net	0.600 acres net
Unit Value:	\$258,690/acre	\$341,730/acre	\$252,387/acre	\$294,167/acre

Discussion: Regarding land and assuming all other factors equal, larger parcels typically sell for a lower price per unit than smaller parcels, and parcels with favorable frontage-to-depth ratios will typically sell for a higher per unit price than parcels with ratios less favorable. A property’s zoning determines the legal uses of the site. Topography is another important element of comparison because it impacts the degree of necessary site work, as well as the usability of the finished product. The presence or lack of public utilities makes a property more or less desirable, and accordingly, valuable.

Reconciliation: The sales’ value indications range from \$252,387 to \$341,730 per acre. Each sale is relevant to the analysis due to its generally similar highest and best use as vacant. The subject and Land Sale 1 are located in Portage County, and Land Sales 2, 3, and 4 are located in neighboring Summit County. Land Sales 1 and 3 are the closest in proximity, Land Sale 4 is the most recent sale, Land Sales 1 and 2 are the most similar to the subject with regard to size, and Land Sales 2 and 3 are most similar with regard to interior lot orientation. Considering all indicators and the differences that exist between the sales and the subject, a value estimate of \$275,000 per acre is concluded for the subject site. This value conclusion is within the range of the four sales.

Analysis of Site Improvements (support for contributory value):

Within the Parcel 6-T Area

There are no site improvements situated within the Parcel 6-T area that are to be taken and not replaced/restored. The Burger King sign, landscaping areas, bushes, and catch basin are shown on the right of way plans to be “do not disturb” items.

Summarize the effect of the take on the residue property:

Required is a temporary construction easement, denoted as Parcel 6-T, which contains 0.030 acres net. This parcel has no effect on the residue. The temporary easement area is located along the subject property’s entire existing State Route 43 frontage at a constant depth of 8’.

Are there Severance Damages? YES: NO:

Other Comments:

All site improvements (if any) situated within existing right of way are non-compensable per Ohio Department of Transportation policies and procedures.

The Burger King sign, landscaping areas, bushes, and catch basin are shown on the right of way plans to be “do not disturb” items.

Site improvements within the temporary easement area, such as lawn, curbing, and paved/graveled surfaces (driveways, etc.), if any, will be replaced/restored before project completion and are not included in the compensation estimate.

The property, considered as vacant, continues to be of adequate size and dimensions for legal development after the taking.

PHOTOGRAPHS OF SUBJECT PROPERTY



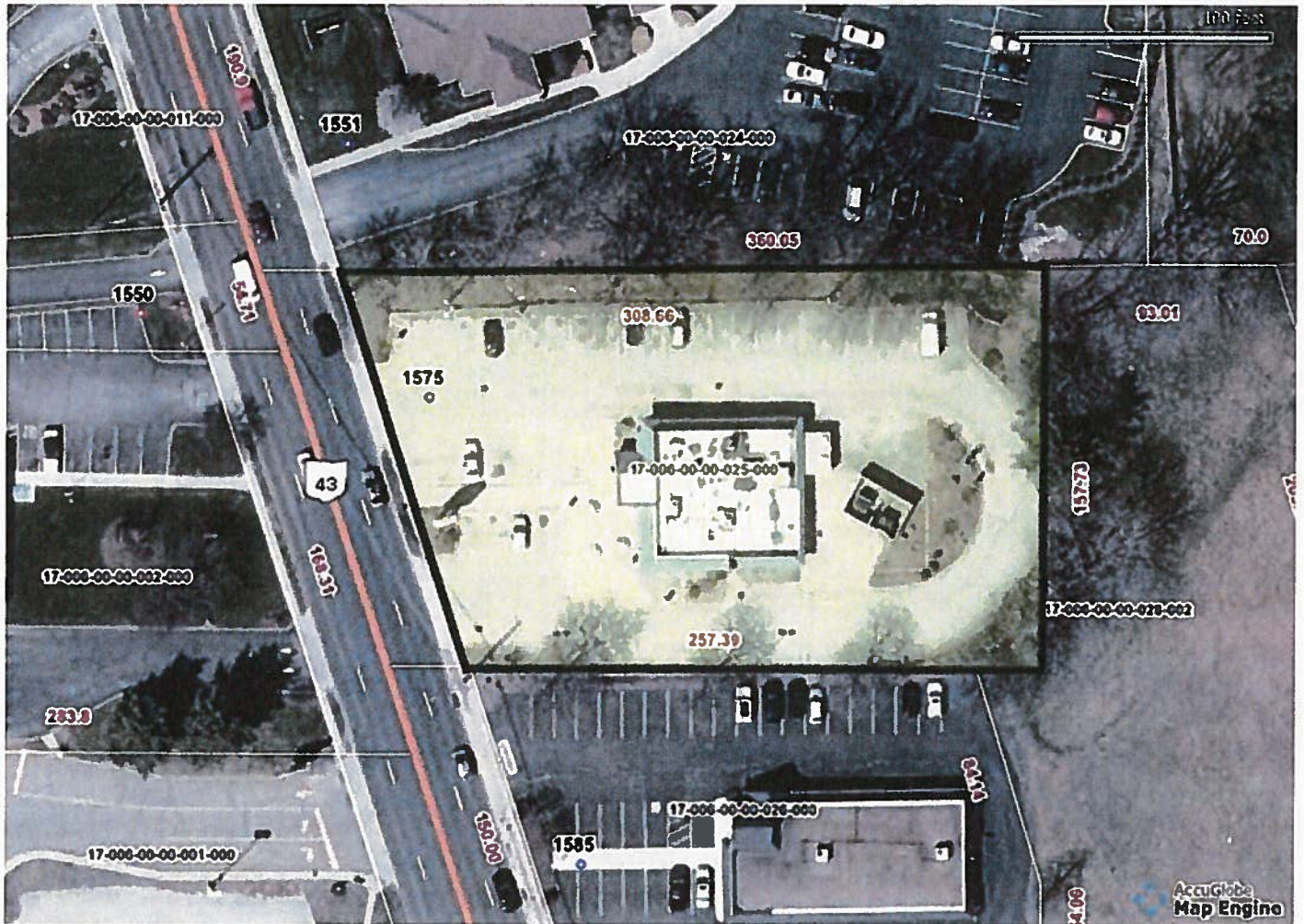
Photograph 1 – Property view from near State Route 43 (S. Water Street) station 549+75 facing in a northeasterly direction; the restaurant building and unaffected site improvements are excluded from this analysis



Photograph 2 – View along the subject's State Route 43 (S. Water Street) frontage from near station 551+55 facing in a mostly southerly direction showing the Parcel 6-T area; the Burger King sign, landscaping areas, bushes, and catch basin are shown on the right of way plans to be "do not disturb" items

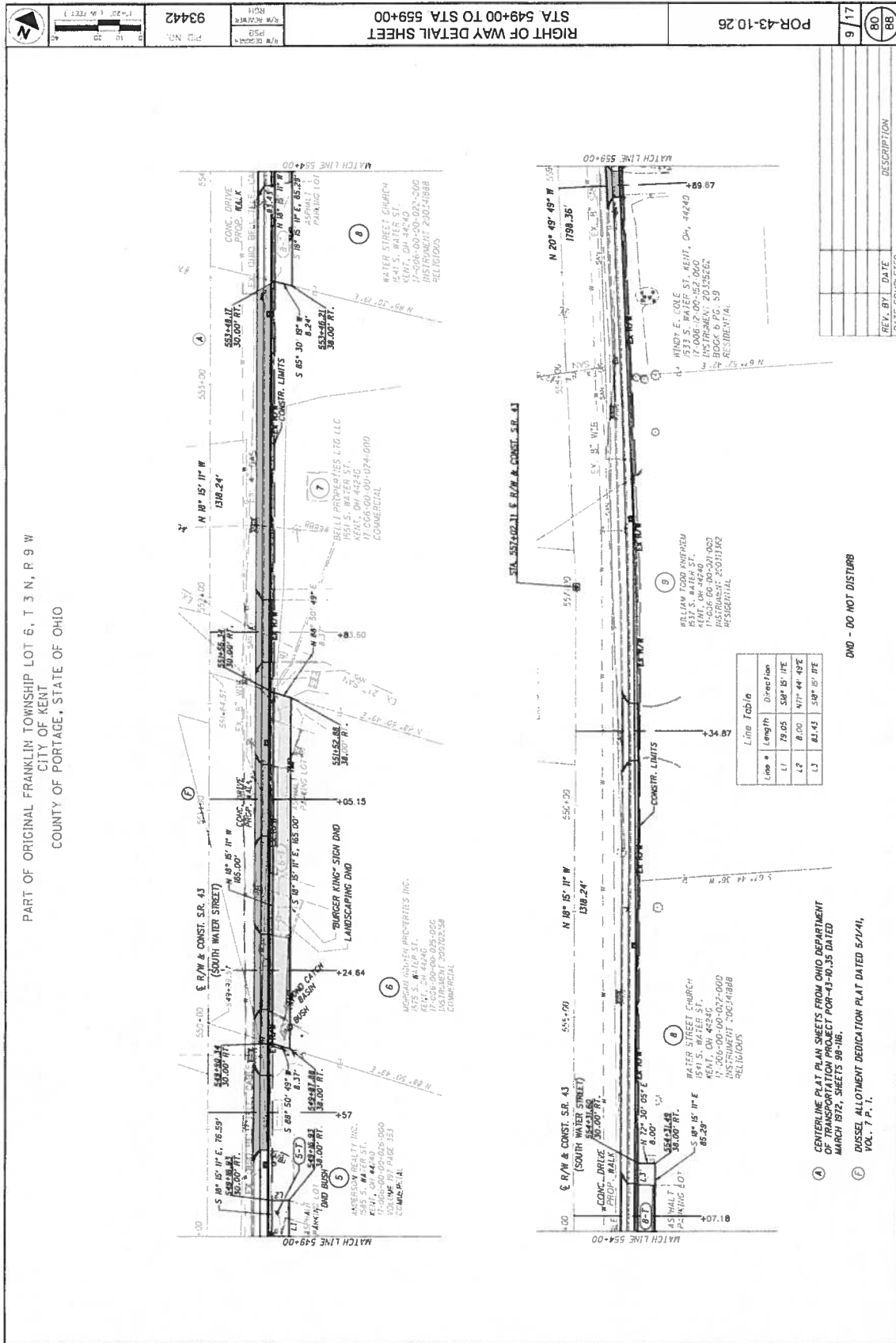
LARGER PARCEL VIEW – PLAT MAP

Larger Parcel: 0.916 acres net
Auditor's Parcel No. 17-006-00-00-025-000



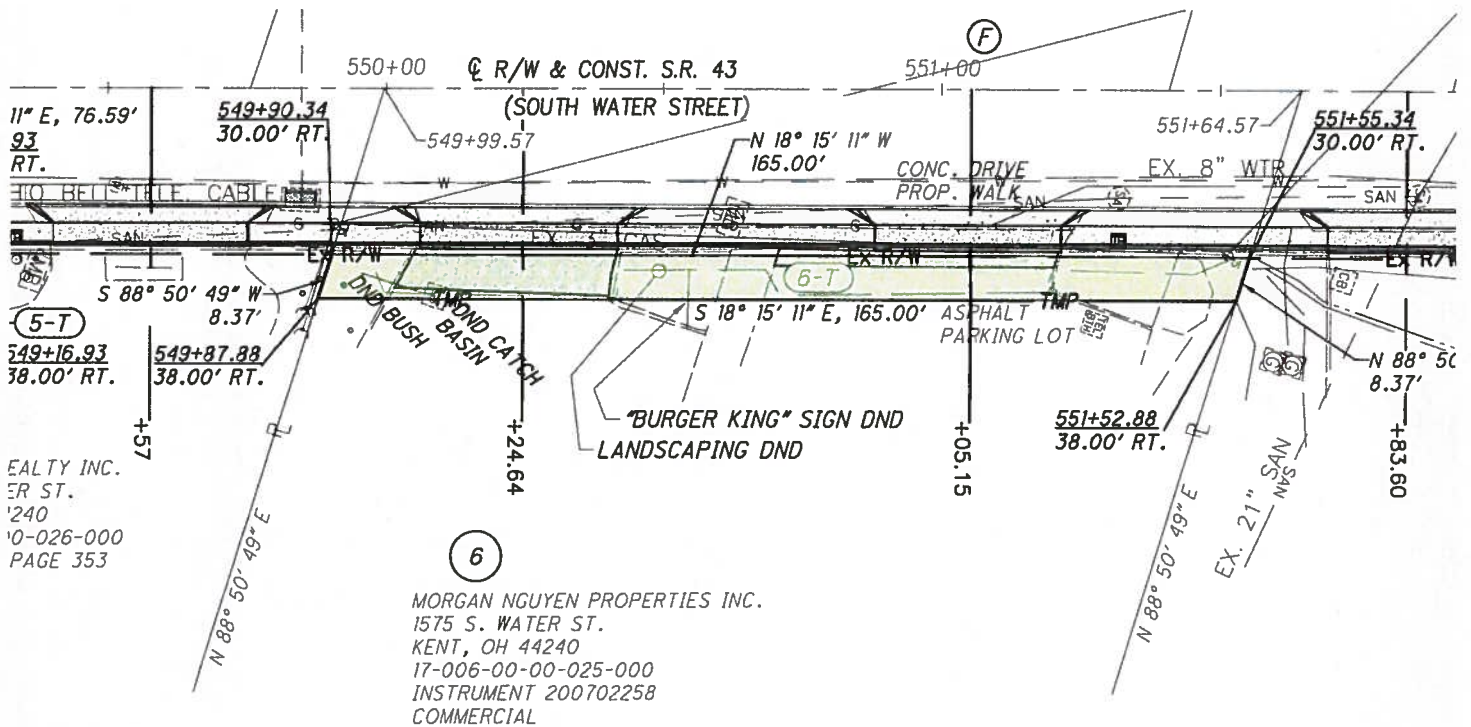
Source: Portage County Auditor (2016 aerial)

SITE SKETCH FROM RIGHT OF WAY PLANS
(Showing Parcel 6-T area in green)

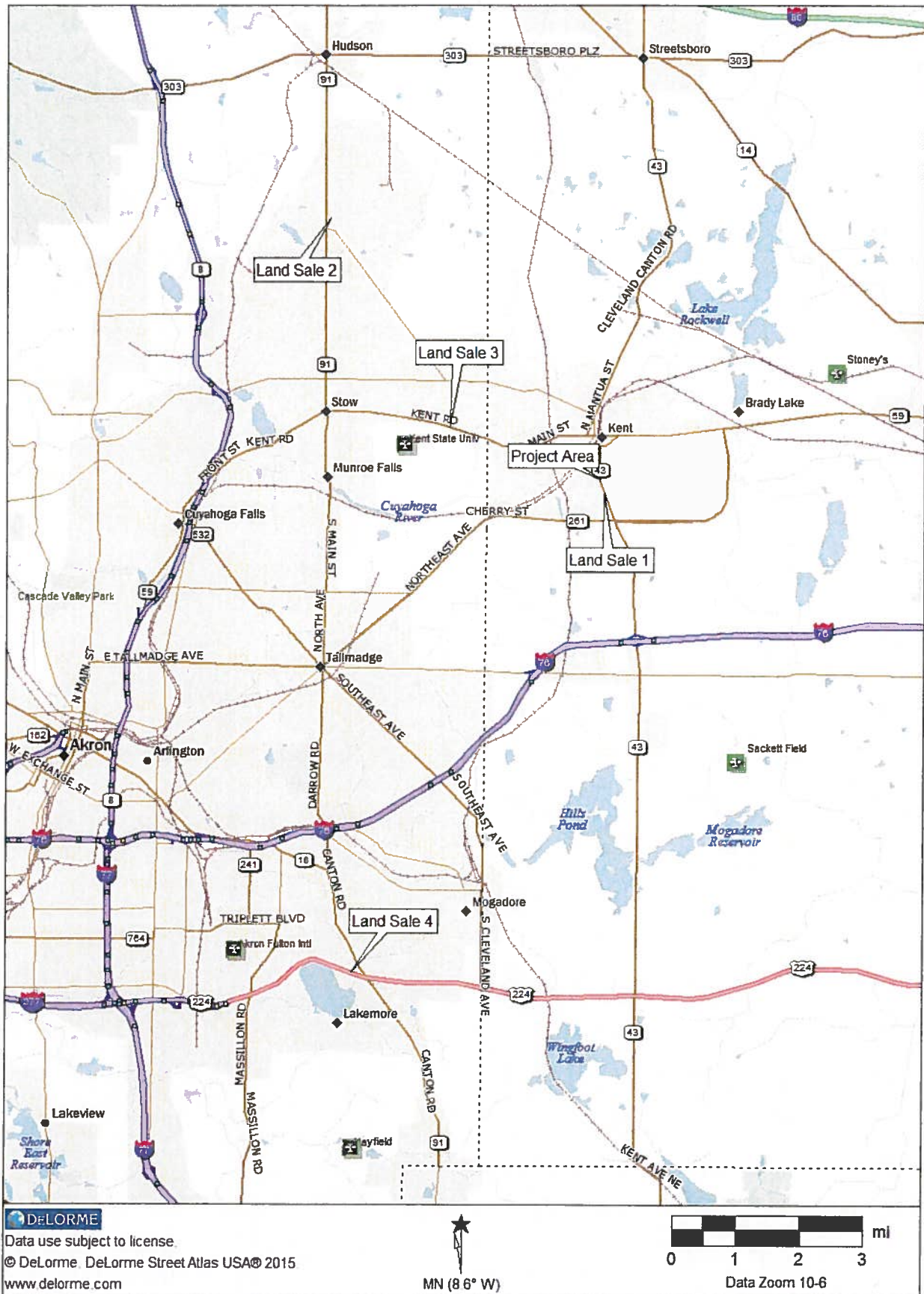


Site Sketch from Right of Way Plans (Continued)

Closer View



COMPARABLE LAND SALES LOCATION MAP



Land Sale

Sale Number: One

Address/Location: Southwest corner of S. Water Street and Cherry Street; 1410 S. Water Street, City of Kent, Portage County, Ohio

Parcel Number: 170060000020001 **GPS Coordinates:** 41.140892, -81.357241

Instrument Number: 201401652 – Limited Warranty Deed

Grantor: Jensen Center, Ltd., a Texas limited liability partnership

Grantee: O'Reilly Auto Enterprises, LLC a Delaware limited liability company

Sale Price: \$320,000 **Sale Date:** 2/4/2014 (recording date)

Effective Unit Price: \$258,690 per acre **Total Area:** 1.237 acres net (deed)

Conditions of Sale: Arm's length **School District:** Kent CSD

Property Rights Conveyed: Fee simple **Financing:** Cash to seller

Legal Description: Lot 6

Utilities: All public available **Flood Plain Data:** Zone X; minimal flood hazard area; map 39133C0138D, dated August 18, 2009

Zoning: C Commercial

Streets/Access: State Route 43 (S. Water Street) and Cherry Street

Topography: Level with the road grade **Dimensions/Shape:** Slightly irregular (see below)

Highest & Best Use: Commercial **Present Use:** Commercial (O'Reilly Auto Parts)

Improvements: The property was vacant at the time of transfer.

Date of Inspection: 4/13/2017 **Verification:** Rachel Hurst, Representative of Grantor (210)349-3667, by Andy Moore on 3/16/2017

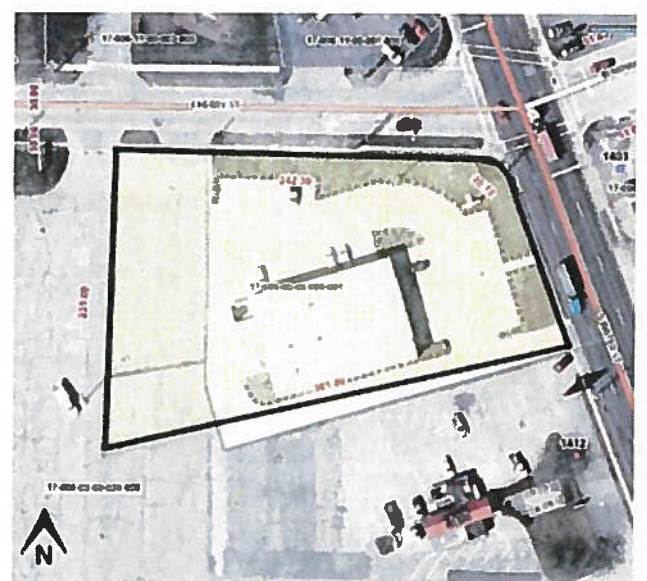
Motivation of Parties: The property was purchased for commercial development of an O'Reilly Auto Parts store.

Comments: No encumbrances are known to either exist or to have impacted the sale price. The lot is of adequate size and dimensions for development.

Photo:



Sketch:



Land Sale

Sale Number: Two

Address/Location:

Vacant land on north side of Norton Road (365'± E. of Darrow Road), City of Hudson, Summit County, Ohio

Parcel Number:

3009438

GPS Coordinates:

41.203069, -81.438991

Instrument Number:

56063371 – General Warranty Deed

Grantor:

Timothy E. Crock

Grantee:

Conrad's Tire Realty Company, Inc.

Sale Price:

\$350,000

Sale Date:

7/29/2014 (recording date)

Effective Unit Price:

\$341,730 per acre

Total Area:

1.0242 acres net

Conditions of Sale:

Arm's length

School District:

Hudson CSD

Property Rights Conveyed:

Fee simple

Financing:

Cash to seller

Legal Description:

Lot 6 N of Norton Road

Utilities:

All public available

Flood Plain Data:

Zone X; minimal flood hazard area; map 39153C0129E, dated July 20, 2009

Zoning:

District 9: Darrowville Commercial Center

Streets/Access:

Norton Road

Topography:

Level with the road grade

Dimensions/Shape:

Rectangular (148' X 300'; see below)

Highest & Best Use:

Commercial

Present Use:

Commercial (Conrad's Tire Express)

Improvements:

The property was vacant at the time of transfer.

Date of Inspection:

5/5/2015

Verification:

Steve Perney, CFO of Conrad's Tire Service, Inc. (216)941-3333, by Andy Moore on 5/11/2015

Motivation of Parties:

The property was purchased for commercial development of a Conrad's Tire Express and Total Car Care store.

Comments:

No encumbrances are known to either exist or to have impacted the sale price. The lot does not meet the 200' minimum lot width requirement of the zoning district. A variance for development of the site was granted in October 2012.

Photo:



Sketch:



Land Sale

Sale Number: Three

Address/Location: 4397 Kent Road (SR 5), City of Stow, Summit County, Ohio

Parcel Number: 5613057 **GPS Coordinates:** 41.156171, -81.403314

Instrument Number: 55979734 – Warranty Deed

Grantor: Shady-Stow, Ltd. An Ohio LLC

Grantee: 4397 Kent Road, LLC

Effective Sale Price: \$185,000 **Sale Date:** 8/2/2013 (recording date)

Unit Price: \$252,387 per acre **Total Area:** 0.733 acres net (0.824 acres [per deed] minus 3,984 right of way or 0.091 acres [per deed] = 0.733 acres)

Conditions of Sale: Arm's length **School District:** Stow Munroe Falls CSD

Property Rights Conveyed: Fee simple **Financing:** Cash

Legal Description: Being part of Lot No 20, Town 3-N, Range 10-W

Utilities: All public available **Flood Plain Data:** Zone X; minimal flood hazard area; Map No. 39153C0145E - dated July 20, 2009

Zoning: C-4 General Business District and SKO Stow-Kent Overlay

Streets/Access: Kent Road (SR 5)

Topography: Generally level **Dimensions/Shape:** Rectangular (100'± X 320'±; see below)

Highest & Best Use: Commercial **Present Use:** Rent-A-Center

Improvements: The property was vacant at the time of sale.

Date of Inspection: 2/28/2014 **Verification:** Sean Sanford, Selling Agent (330)284-0331, by Mark Pascek on 2/24/2014

Motivation of Parties: No atypical motivations known. The Grantee purchased the land to develop a single tenant retail building and related site improvements; Rent-A-Center now occupies the space.

Comments: Other than typical utility easements, no encumbrances are known to exist. The property does not meet the 120' minimum lot requirement according to the City of Stow zoning ordinance. A variance for development of the site was granted in June 2013.

Photo:



Sketch:



Land Sale

Sale Number: Four

Address/Location: NW corner of East Waterloo Road (US 224) and Shanafelt Avenue, Springfield Township, Summit County, Ohio

Parcel Numbers: 5102381, 5102383, and 5109105 **GPS Coordinates:** 41.032491, -81.432145

Instrument Number: 56159154 – Warranty Deed

Grantor: Earl E. Kittinger

Grantee: Vila Franca Realty, LLC

Sale Price: \$176,500 (\$170,000 transfer price + \$6,500 estimated demolition) **Sale Date:** 9/25/2015 (recording date)

Unit Price: \$294,167 per acre **Total Area:** 0.600 acres net

Conditions of Sale: Arm's length **School District:** Springfield Township

Property Rights Conveyed: Fee simple **Financing:** Cash to seller

Legal Description: Lots 6, 7, 8, and 9 in the Shanafelt's Springfield Lake Allotment

Utilities: All public available **Flood Plain Data:** Zone X; Map No. 3907810212E, dated July 20, 2009

Zoning: C-2, Community Commercial

Streets/Access: Shanafelt Avenue

Topography: Generally level **Dimensions/Shape:** Mostly regular (see below)

Highest & Best Use: Commercial **Present Use:** Commercial (Dunkin Donuts)

Improvements: The site was improved with a single family dwelling and detached garage at the time of transfer. An estimated \$6,500 has been added to the transfer price for demolition costs.

Date of Inspection: 4/13/2017 **Verification:** James Zaffiro, Attorney for Grantor (216)520-1464, by Andy Moore on 4/18/2017

Motivation of Parties: The Grantee purchased the land to develop with a Dunkin Donuts.

Comments: No encumbrances are known to either exist or have impacted the sale price. The lot is of adequate size and dimensions for commercial development.

Photo:



Sketch:



JURISDICTIONAL EXCEPTION DISCLOSURE VALUE ANALYSIS REPORT

This Value Analysis was developed and reported under the Jurisdictional Exception provision of the Uniform Standards of Professional Appraisal Practice (USPAP). This report is in compliance with Section 4200.02 of the Real Estate Manual (8-10-2015) of the Ohio Department of Transportation's (ODOT) Office of Real Estate. This report is also in compliance with Federal Public Law 91-646 as amended by Public Law 100-17 49 known as the Uniform Relocation and Real Property Acquisition Policies Act, Title III, Section 301, (2), United States Code 42 USC Ch. 61 Sec. 4651 (2) and the Code of Federal Regulations 49CFR 24.102 (c)(2)(A) as well as the Ohio Revised Code 163.59 (C) and the Ohio Administrative Code Section 5501:2-5-06 (B)(3)(b)(ii)(a) for the provisions for waiver of appraisals. The part or parts of USPAP which have been disregarded are Standards 1-3, since this assignment is not considered to be an appraisal or appraisal review. Refer to Advisory Opinion 21 of USPAP for illustration of the relationship between "valuation services" and "appraisal practice". The legal authority which justifies this action was cited above under Federal and State law for the waiver of appraisal provision. The Value Analysis report format was developed by ODOT in accordance with the waiver of the appraisal provision in both the Federal and State laws cited above. By definition, the Value Analysis Report format is not an appraisal when it is used in accordance with the Policies and Procedures of ODOT.

The appraisal waiver rule adopted by the FHWA allows agencies to determine when an appraisal is not needed if they first determine that the valuation problem was uncomplicated and has an estimated value less than the low value defined in the rule. As such, the information provided in the development of the approved report format is not considered an appraisal. This specified service was prepared by a disinterested and unbiased third party within the scope of the certificate holder's certification in compliance with Ohio Revised code 4763.12.

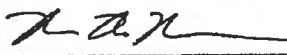


John D'Angelo, MAI
Ohio State Certified General Real Estate Appraiser #2001011052

Rev 01/2016

Parcel Impact Notes

This document is meant to be an aid for scoping and is absolutely not to be interpreted as steering or directing an appraiser to an opinion that is not the appraiser's. However, appraisers must comply with applicable appraiser standards, including USPAP as appropriate, and ODOT's policies and procedures regarding appraisals

Project C/R/S	POR-43-10.26		
PID	93442	Construction Plans	N/A
Parcel	6 - T	R/W Plans	3-20-17 Arcadis US
Owner/Tenants:	Morgan Nguyen Properties, Inc.		
Take:	Parcel 6- T is a temporary construction easement (12 months duration) containing 0.030 acres for grading and drive reconstruction.		
What is in Take?	N/A		
Appraisal Issues / Significant Issues:	<p>There is no permanent taking. Parcel 6-T is a temporary construction easement (12 months duration) containing 0.030 acres for grading and drive reconstruction, being a strip of land along the entire frontage of the site. The taking is simplistic and has no adverse effect on the property, and there are no damages to the residue property. There are no complex appraisal problems or issues.</p> <p>Research and analysis of comparable land sales and comparable improved sales will be needed to support a determination of the market value for the property rights taken.</p> <p>USPAP: Extraordinary Assumptions and Hypothetical Conditions: ODOT's Real Estate Manual requires the appraiser to notify the client prior to utilization of extraordinary assumptions or hypothetical conditions in an assignment.</p>		
The valuation (appraisal) problem is:		Simplistic	<input checked="" type="checkbox"/> Complex <input type="checkbox"/>
Recommended Appraisal Format:	Value Analysis		
Review Appraiser Signature / Date Typed Name	 Bruce B. Bowman 4/18/2017		
Approved by Signature / Date Typed Name	 4.21.17 Jon W. Glaquinto, P.E., Senior Engineer, City of Kent		
Appraiser Acknowledgement	I have reviewed the right of way plans and other pertinent parts of the construction plans, have driven by the subject, have reviewed these Parcel Impact Notes and I have independently performed my own appraisal problem analysis. I am in agreement regarding the valuation (appraisal) problem, the determination of the complexity of this problem, and I agree that the recommended format is appropriate for use during the acquisition phase of this project.		
Signature / Date Typed Name	 4/21/17 John D. D'Angelo, MAI, Appraiser		

APPRAISER DISCLOSURE STATEMENT

In compliance with Ohio Revised Code Section 4763.12

1. Name of Appraiser John D. D'Angelo

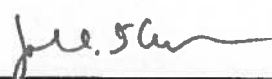
2. Class of Certification/Licensure: X Certified General
 Licensed Residential
 Temporary General Licensed

Certification/License Number: 2001011052

3. Scope: This report X is within the scope of my Certification or License.
 is not within the scope of my Certification or License.

4. Service Provided by: X Disinterested & Unbiased Third Party
 Interested & Biased Third Party
 Interested Third Party on Contingent Fee Basis

5. Signature of person preparing and reporting this Value Analysis



This form must be included in conjunction with all appraisal assignments or specialized services performed by a state-certified or state-licensed real estate appraiser

State of Ohio
Department of Transportation
Division of Real Estate
Appraiser Section
Cleveland (216) 787-3100

**Review Checklist for the
Value Analysis**

County PORTAGE
Route 43
Section 10.26
Parcel(s) 6
PID # 93442
Owner MORGAN NGUYEN PROPERTIES, INC.

Appraiser: JOHN D. D'ANGELO, MAI Yes No
Is appraiser pre-approved by ODOT to perform V.A.'s?
Reviewer: BRUCE B. BOWMAN Yes No
Is the Reviewer pre-approved by ODOT to review V.A.'s?

49 CFR 24.104(a) The reviewer shall identify each valuation report as recommended (as the basis for the establishment of the amount believed to be just compensation), accepted (meets all requirements, but not selected as recommended or approved), or not accepted.

- Recommended** = This means that the report meets the many Federal and State requirements and is the basis for the acquiring agency's offer.
- Accepted** = This means that the report meets the many Federal and State requirements but is not being used as the basis for the acquiring agency's offer.
- Not Accepted** = This means that the report does not meet the many Federal and State requirements and will not be used as the basis for the acquiring agency's offer.

		Yes	No
1.	Is the valuation problem uncomplicated and is it obvious that there are no damages to the residue property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Is the estimated compensation \$10,000 or less?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Has the appraiser used the correct forms? (Value Analysis front and back)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.	Have all parts of the form filled out and are mandatory attachments included? (Comparable Sales)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Do the take areas on the V.A. correspond with the take areas on the R/W Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Is the V.A. mathematically accurate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Has the appraiser accurately identified improvements within the take area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	Has the larger parcel been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.	How large is the larger parcel?	<u>1.030 Acres</u>	
10.	Has the appraiser considered unity of title, unity of use and contiguity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11.	Has zoning been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Has the appraiser indicated what uses are permitted by zoning?	<u>Yes- MFR/Comm</u>	
13.	Has the appraiser indicated if the existing use conforms to zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14.	Has the appraiser indicated what the minimum site size per zoning is allowed?	<u>Yes- no min.</u>	
15.	Has the appraiser indicated if the property before the take conforms to site size?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.	Has the appraiser indicated if the residue conforms to site size?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17.	Has the highest & best use been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18.	Has the appraiser indicated whether the highest & best use is permitted under zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19.	Has the appraiser discussed the effect of the take?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | |
|-----|---|-------------------------------------|-------------------------------------|
| 20. | There can be no adverse effect to the residue other than a nominal cost to cure. Is there a cost to cure and if so is it nominal? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. | Do the comparable sales comply with ODOT standards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. | Are comparable sales analyzed and compared to the subject? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. | Is a range of value described? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24. | Has the appraiser concluded which sales received the greatest weight and explained why? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 25. | Do the sales share the same or nearly the same highest & best use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 26. | Do the sales have the same or nearly the same zoning as the subject? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. | Has the appraiser concluded a unit value for the subject property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 28. | Is it within the value range indicated by the sales? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. | If not, has adequate information been given? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 30. | Has the allocated value of the site improvements taken been adequately supported? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. | Have cost to cures or temporary takes been adequately discussed and supported, if any? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 32. | Do you recommend the report as the basis for the agency to establish FMVE. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. | If yes, what is that estimated compensation amount? | | \$825 |
| 34. | If no, then Why Not? | | |
| 35. | If rejected, has a review letter been sent to the agency and the appraiser? | <input type="checkbox"/> | <input type="checkbox"/> |

Reviewer's Certification

I hereby certify that:

- I have reviewed the R/W Plans
- I have physically inspected the take area of the subject property.
- I have field reviewed the comparable sales used in the valuation.
- I concur that the Value Analysis format is the proper valuation format in that it is obvious that the taking does not adversely impact the residue property, that the valuation problem is uncomplicated and that the FMVE is \$10,000 or less.
- I concur that the Value Analysis complies with ODOT's Policies and Procedures Manual.
- I have no present or prospective interest in the subject property.
- My employment and compensation is not contingent on an action or event resulting from this analysis, opinions or conclusions or reporting pre-determined results.

DATE: 5/3/2017

Signature



Typed Name: **BRUCE B. BOWMAN**