

Tax year 2022 BOR no. 2022-103  
County Clark Date received 3/22/2023

DTE 1  
Rev. 12/22

### Complaint Against the Valuation of Real Property

Answer all questions and type or print all information. Read instructions on back before completing form.

Attach additional pages if necessary.

This form is for full market value complaints only. All other complaints should use DTE Form 2

Original complaint  Counter complaint

Notices will be sent only to those named below.

	<b>Name</b>	<b>Street address, City, State, Zip Code</b>	
1. Owner of Property	Broadstone KBC Portfolio LLC,	800 Clinton Sq., Rochester, NY 14604	
2. Complainant if not owner	Board of Education of the	Springfield City Schools	
3. Complainant's agent	Mark Gillis, Rich & Gillis Law Group, LLC,	5747 Perimeter Dr., Ste 150, Dublin, OH 43017	
4. Telephone number and email address of contact person: (614) 228-5822; mgillis@richgillislawgroup.com			
5. Complainant's relationship to property if not owner: Section 5715.19, Ohio Revised Code			
If more than one parcel is included, see "Multiple Parcels" Instruction			
6. Parcel numbers from tax bill	Address of property		
See-attached.	See attached.		
<b>FILED</b> <b>CLARK COUNTY AUDITOR</b> <b>MAR 22 2023</b>			
<b>JOHN S. FEDERER</b> <b>AUDITOR</b>			
7. Principal use of property: 300 Industrial-vacant land			
8. The increase or decrease in market value sought. Counter-complaints supporting auditor's value may have <sup>to</sup> in Column C			
Parcel Number	Column A Complainant's Opinion of Value (Full Market Value)	Column B Current Value (Full Market Value)	Column C Change in Value
See-attached.	10,583,400	1,844,920	8,738,480
9. The requested change in value is justified for the following reasons: Recent arm's length sale of subject property for \$10,583,400			

10. Was property sold within the last three years? Yes  No  Unknown  If yes, show date of sale 08/15/22 and sale price \$10,583,400 and attach information explained in "Instructions for Line 10" on back.

11. If property was not sold but was listed for sale in the last three years, attach a copy of listing agreement or other available evidence.

12. If any improvements were completed in the last three years, show date N/A and total cost \$ N/A

13. Do you intend to present the testimony or report of a professional appraiser? Yes  No  Unknown .

14. If you have filed a prior complaint on this parcel since the last reappraisal or update of property values in the county, the reason for the valuation change requested must be one of those below. Please check all that apply and explain on attached sheet. See R.C. section 5715.19(A)(2) for a complete explanation.

- The property was sold in an arm's length transaction;  The property lost value due to a casualty;
- A substantial improvement was added to the property;  Property's occupancy changed by at least 15% had a substantial economic impact on my property.

15. If the complainant is a legislative authority and the complaint is an original complaint with respect to property not owned by the complainant, R.C. 5715.19(A)(8) requires this section to be completed.

The complainant has complied with the requirements of R.C. section 5715.19(A)(6)(b) and (7) and provided notice prior to the adoption of the resolution required by division (A)(6)(b) of that section as required by division (A)(7) of that section.

I declare under penalties of perjury that this complaint (including any attachments) has been examined by me and to the best of my knowledge and belief is true, correct and complete.

Date 2/28/23 Complainant or agent (printed) Mark H. Gillis, Esq. Title (if Agent) Attorney for Complainant

Complainant or agent (signature) [Signature]

Sworn to and signed in my presence, this 28 day of February, 2023.

Notary [Signature]



**Cassidy Beaver**  
Notary Public, State of Ohio  
My Commission Expires 10-25-2026

(7) and (9) Continuation

(7)

(9) Complainant's Opinion Of:

	Parcel Number	Address Of Property	(A) Market Value	(B) Current Value	(C) Change in Value
1	340-06-00005-432-001	537-539 W. Columbia St. Springfield, OH 45504	40,100	7,000	33,100
2	340-06-00005-432-002	535 W. Columbia St. Springfield, OH 45504	35,400	6,180	29,220
3	340-06-00005-432-003	531-533 W. Columbia St. Springfield, OH 45504	41,300	7,210	34,090
4	340-06-00005-432-004	28-30 N. Race St. Springfield, OH 45504	51,100	8,910	42,190
5	340-06-00005-432-005	22 N. Race St. Springfield, OH 45504	56,700	9,900	46,800
6	340-06-00005-432-006	527-529 W. Columbia St. Springfield, OH 45504	122,600	21,380	101,220
7	340-06-00005-432-010	W. Columbia St. Springfield, OH 45504	72,700	12,680	60,020
8	340-06-00005-432-012	501 W. Columbia St. Springfield, OH 45504	138,700	24,190	114,510
9	340-06-00005-432-013	27 N. Yellow Springs St. Springfield, OH 45504	48,600	8,480	40,120
10	340-06-00005-432-015	18-20 N. Race St. Springfield, OH 45504	83,100	14,500	68,600
11	340-06-00005-432-016	536-538 W. Main St. Springfield, OH 45504	83,100	14,500	68,600
12	340-06-00005-432-017	534 W. Main St. Springfield, OH 45504	33,900	5,920	27,980
13	340-06-00005-432-018	532 W. Main St. Springfield, OH 45504	22,000	3,850	18,150
14	340-06-00005-432-019	530 W. Main St. Springfield, OH 45504	56,000	9,770	46,230
15	340-06-00005-432-020	528 W. Main St. Springfield, OH 45504	86,600	15,100	71,500
16	340-06-00005-432-024	Yellow Springs St. Springfield, OH 45504	48,300	8,420	39,880
17	340-06-00005-432-025	Yellow Springs St. Springfield, OH 45504	76,100	13,270	62,830
18	340-06-00005-432-026	506 W. Main St. Springfield, OH 45504	4,500	800	3,700
19	340-06-00005-432-027	500 W. Main St. Springfield, OH 45504	96,400	16,810	79,590
20	340-06-00005-432-036	521-525 W. Columbia St. Springfield, OH 45504	60,400	10,530	49,870
21	340-06-00005-432-037	W. Columbia St. Springfield, OH 45504	60,400	10,530	49,870
22	340-06-00005-432-038	W. Main St. Rear Springfield, OH 45504	34,900	6,090	28,810
23	340-06-00005-432-039	522 W. Main St. Springfield, OH 45504	95,700	16,690	79,010

(7) and (9) Continuation

(7)

(9) Complainant's Opinion Of:

	Parcel Number	Address Of Property	(A) Market Value	(B) Current Value	(C) Change in Value
24	340-06-00005-432-040	W. Columbia St. Springfield, OH 45504	85,500	14,910	70,590
25	340-06-00005-432-041	Yellow Springs St. Rear Springfield, OH 45504	49,200	8,590	40,610
26	340-06-00005-432-042	23-25 N. Yellow Springs St. Springfield, OH 45504	142,100	24,780	117,320
27	340-06-00005-432-043	508 W. Main St. Springfield, OH 45504	8,858,000	1,543,930	7,314,070
	<b>TOTALS</b>		<b>10,583,400</b>	<b>1,844,920</b>	<b>8,738,480</b>

The Complainant in this matter asserts that the following provisions contained in R.C. §5715.19 violate the Article XII, Section 2 of the Ohio Constitution (the Uniform Rule provision), and the Due Process and Equal Protection clauses of both the United States Constitution and the Ohio Constitution:

1. The requirement that a property must have been “*sold in an arm’s-length transaction, as described in section 5713.03 of the Revised Code*” before a complaint can be filed by a legislative authority of a subdivision, mayor of a municipal corporation, or third-party complainant as to property not owned by the complainant. There is no similar requirement imposed upon property owner complainants.
2. The requirement that a property must have been “*sold in an arm’s-length transaction, as described in section 5713.03 of the Revised Code, before, but not after, the tax lien date for the tax year for which the complaint is to be filed*” before a complaint can be filed by a legislative authority of a subdivision, mayor of a municipal corporation, or third-party complainant as to property not owned by the complainant. There is no similar requirement imposed upon property owner complainants.
3. The requirement that a property must have been “*(i) sold in an arm’s-length transaction, as described in section 5713.03 of the Revised Code, before, but not after, the tax lien date for the tax year for which the complaint is to be filed and (ii) the sale price exceeds the true value of the property appearing on the tax list for that tax year by both ten percent and the amount of the filing threshold determined under division (J) of [R.C. 5715.19]*” before a complaint can be filed by a legislative authority of a subdivision, mayor of a municipal corporation, or third-party complainant as to property not owned by the complainant. There is no similar requirement imposed upon property owner complainants.
4. The requirement that a board of revision “*is without jurisdiction to hear, and shall dismiss, the complaint*” if “*the board of revision has not rendered its decision on the complaint within one year after the date the complaint was filed*” only if the original complaint is filed by the legislative authority of a subdivision, the mayor of a municipal corporation with territory in the county, or a third-party complainant. There is no similar requirement imposed upon original complaints filed by property owner complainants.



# Real Property Conveyance Fee Statement of Value and Receipt

DTE 100 Rev. 5/20

If exempt by Ohio Revised Code section 319.54(G)(3), use form DTE 100(EX).

TYPE OR PRINT ALL INFORMATION.

Type Instrument	LD	Tax list year	2021	County number	12	Tax. dist. number	3020	Date	8/15/2022
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Property located in Springfield Corp taxing district  
 Name on tax duplicate KBO INC Tax duplicate year 2021  
 Acct. or permanent parcel no. # see attached # Map book \_\_\_\_\_ Page \_\_\_\_\_  
 Description \_\_\_\_\_  Platted  Unplatted

Auditor's comments:  Split  New plat  New improvements  Partial value  
 C.A.U.V  Building removed  Other I

Number	3433
No. of Parcels	27
DTE Code No.	300
Nelgh. Code	
No. of Acres	
Land Value	
Bldg. Value	
Total Value	
DTE Use Only	
DTE Use Only	
DTE Use Only	
Consideration	
DTE Use Only Valid sale	1. Yes 2. No
Receipt Number	

### Grantee or Representative Must Complete All Questions in This Section. See instructions on reverse.

1. Grantor's name Klosterman Baking Ohio, LLC Phone (312) 862-3791  
 2. Grantee's name Broadstone KBC Portfolio, LLC Phone (585) 287-6510  
 Grantee's address 800 Clinton Square, Rochester, NY 14604  
 3. Address of property 508 W Main Street, Springfield, OH 45504  
 4. Tax billing address 800 Clinton Square, Rochester, NY 14604  
 5. Are there buildings on the land?  Yes  No If yes, check type:  
 1, 2 or 3 family dwelling  Condominium  Apartment: No. of units \_\_\_\_\_  
 Manufactured (mobile) home  Farm buildings  Other Industrial  
 If land is vacant, what is intended use? \_\_\_\_\_  
 6. Conditions of sale (check all that apply)  Grantor is relative  Part interest transfer  Land contract  
 Trade  Life estate  Leased fee  Leasehold  Mineral rights reserved  Gift  
 Grantor is mortgagee  Other Fee Simple  
 7. a) New mortgage amount (if any).....\$ \_\_\_\_\_  
 b) Balance assumed (if any).....\$ \_\_\_\_\_  
 c) Cash (if any).....\$ 10,583,333.33  
 d) Total consideration (add lines 7a, 7b and 7c).....\$ 10,583,333.33  
 e) Portion, if any, of total consideration paid for items other than real property.....\$ \_\_\_\_\_  
 f) Consideration for real property on which fee is to be paid (7d minus 7e).....\$ 10,583,333.33  
 g) Name of mortgagee \_\_\_\_\_  
 h) Type of mortgage  Conv.  F.H.A.  V.A.  Other \_\_\_\_\_  
 i) If gift, in whole or part, estimated market value of real property.....\$ \_\_\_\_\_  
 8. Has the grantor indicated that this property is entitled to receive the senior citizen, disabled person or surviving spouse homestead exemption for the preceding or current tax year?  Yes  No If yes, complete form DTE 101.  
 9. Has the grantor indicated that this property qualified for current agricultural use valuation for the preceding or current tax year?  Yes  No If yes, complete form DTE 102.  
 10. Application for owner-occupancy (2.5% on qualified levies) reduction. (Notice: Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.) Will this property be grantee's principal residence by Jan. 1 of next year?  Yes  No If yes, is the property a multi-unit dwelling?  Yes  No  
 I declare under penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief it is a true, correct and complete statement.  
Heather Zeisloft  
 Signature of grantee or representative \_\_\_\_\_ Date July 10 2022

### Receipt for Payment of Conveyance Fee

The conveyance fee required by Ohio Revised Code section (R.C.) 319.54(G)(3) and, if applicable, the fee required by R.C. 322, in the total amount of \$ \_\_\_\_\_ has been paid by \_\_\_\_\_ and received by the \_\_\_\_\_ county auditor.

County auditor \_\_\_\_\_

Date \_\_\_\_\_

**LIMITED WARRANTY DEED**

Exhibit "B"

Permanent Parcel Nos.

**PARCEL I of the legal description:**

3400600005432001	3400600005432019
3400600005432002	
3400600005432003	3400600005432018
3400600005432004	
3400600005432005	
3400600005432006	3400600005432017
3400600005432010	
3400600005432012	3400600005432016
3400600005432013	
3400600005432015	3400600005432042
3400600005432020	3400600005432043
3400600005432024	
3400600005432025	
3400600005432026	
3400600005432027	
3400600005432036	
3400600005432037	
3400600005432038	
3400600005432039	
3400600005432040	
3400600005432041	

**"CONDITIONAL APPROVAL"**

CLARK COUNTY ENGINEER  
JOHNATHAN A. BURR, P.E., P.S.

Tax Map Department

**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

BY: Tyler

DATE: 8/11/22

Old Republic National Title Insurance Company  
7201 W. Lake Mead Blvd.  
Building A, Suite 270  
Las Vegas, Nevada 89128  
Attn: Heather Zeisloft

**NEW SURVEY REQUIRED  
FOR NEXT CONVEYANCE**



202200012225 08/16/2022 10:32 AM  
Filed for Record in CLARK County, Ohio  
Nancy Pence, Recorder Rec Fees: \$118.00  
WARR OR Vol 2214 Pgs 909 - 918

**LIMITED WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that Klosterman Baking Ohio, LLC, a Delaware limited liability company, as successor by conversion to KBO, Inc., an Ohio corporation (the "Grantor"), for Ten Dollars (\$10.00) and other good and valuable consideration received to its full satisfaction from Broadstone KBC Portfolio, LLC, a New York limited liability company (the "Grantee"), whose tax mailing address will be 800 Clinton Square, Rochester, New York 14604, does give, grant, bargain, sell and convey unto the Grantee, their successors and assigns, with limited warranty covenants, all that certain parcel of land lying and being in the County of Clark, State of Ohio, as more particularly described as follows (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by reference.

Permanent Parcel Nos.: Exhibit "B"

TOGETHER WITH all improvements, buildings, structures and fixtures located thereon and all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described Property, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the Grantor, for itself and its successors, covenants with the Grantee, its successors and assigns, that said Property is free and clear from all liens and encumbrances whatsoever, except the Permitted Exceptions shown on Exhibit "C" attached hereto.

And the Grantor does fully warrant the title to said Property subject to the matters referred to above and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

Prior Instrument Reference: Deed Book 794, Page 299 of the Deed Records of Clark County, Ohio.

**Transferred**  
**Sale Price** 10,583,400  
3433  
**AUG 15 2022**

OLD REPUBLIC NATIONAL TITLE IN  
7201 W LAKE MEAD BLVD  
BUILDING A SUITE 270  
LAS VEGAS, NV 89128

KE 88096312.2

**John S. Federer**  
**Auditor**



202200012225  
BK 2214 PG 910

*IN WITNESS WHEREOF*, Grantor has caused this Limited Warranty Deed to be duly executed on this 8<sup>th</sup> day of July, 2022.

**GRANTOR:**

**Klosterman Baking Ohio, LLC**

By: Nicholas LaRosa  
Its: Authorized Signatory

State of Florida )

COUNTY OF Broward )

SS:

**BEFORE ME**, a Notary Public in and for said County and State, personally appeared Nicholas LaRosa, as Authorized Signatory of Klosterman Baking Ohio, LLC, a Delaware limited liability company, as successor by conversion to KBO, Inc., an Ohio corporation, who acknowledged that she/he did sign the foregoing instrument and said signing was her/his voluntary act and deed individually and in her/his capacity as Authorized Signatory of said company and the voluntary act and deed of said corporation.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and affixed my official seal, at \_\_\_\_\_, \_\_\_\_\_, this 8 day of July, 2022.

  
\_\_\_\_\_  
Notary Public

**This instrument prepared by:**

Kirkland & Ellis LLP  
300 North LaSalle  
Chicago, IL 60654



LIMITED WARRANTY DEED

Exhibit "A"

Legal Description

[Attached]

202200012225  
BK 2214 PG 911





**EXHIBIT "A"**  
**(Legal Description)**

**202200012225**  
**BK 2214 PG 912**

**PARCEL I:** (Prior instrument reference: Limited Warranty Deed recorded February 21, 1984, in VOL 794 at Page 299.)

Situated in the State of Ohio, County of Clark and being in the City of Springfield and being Lots 200 thru 203, Lots 220 thru 222 and part of Lot 223 and also a 16.5 foot alley James Demint's Addition and being further described as follows:

Beginning at an iron bar at the intersection of the North line of West Main Street and the West line of Yellow Springs Street, said iron bar also being the SE corner of Lot #200 – James Demint's Addition; thence

with the North line of West Main Street, North 88° 00' 00" West, 313.50 feet to a cross cut in stone (found) at the Southwest corner of Lot #222 – James Demint's Addition; thence

with the West line of said Lot #222, North 01° 53' 19" East, 148.50 feet to an iron pipe set on the centerline of a 9.00 foot private driveway said iron pipe also being the Northeast corner of lands as conveyed to E.R. Goff and Inez E. Stinson by deed; thence

with the centerline of said 9.00 foot private driveway, North 88° 00' 00" West, 99.00 feet to an iron bar set on the East line of Race Street, said iron bar also being the Northwest corner of lands as conveyed to Collin E. & P.L. Dill by deed; thence

with the East line of Race Street, North 01° 53' 19" East, 247.50 feet to an iron bar set at the intersection of the East line of Race Street and the South line of West Columbia Street; thence

with the South line of West Columbia Street, South 88° 00' 00" East, 412.50 feet to a cross cut at the intersection of the South line of West Columbia Street and the West line of Yellow Springs Street; thence

with the West line of Yellow Springs Street, South 01° 53' 19" West, 396.00 feet to the Point of Beginning, containing 3.4125 acres, more or less.

Also, together with those portions of vacated Race Street and Main Street by Ordinances #93-110 and #93-315.

**PARCEL II (Tract 1):** (Prior instrument reference: Warranty Deed recorded May 16, 1984, in VOL 796 at Page 486.)

Being part of Lot Number 223 in James Demint's Addition to the City of Springfield, Ohio.

Beginning at the northeast corner of Main and Race Streets, being the southwest corner of said lot; thence

(Continued)



202200012225  
BK 2214 PG 913

Exhibit "A" (Continued)  
Page 2 of 4

with the west line of said lot and the East line of Race Street, North 02° 00' 00" East 144.5 feet to the south line of a private alley; thence

with said south line South 88° 00' 00" East 33.00 feet; thence

South 02° 00' 00" West, 144.5 feet to the north line of Main Street; thence

with the same North 88° 00' 00" West 33.00 feet to the Place of Beginning.

Together with those portions of vacated Race Street and Main Street by Ordinances #93-110 and #93-315.

**PARCEL II (Tract 2):** (Prior instrument reference: Warranty Deed recorded May 16, 1984, in VOL 796 at Page 486.)

Being part of Lot Number 223 in James Demint's Addition to the City of Springfield, west of Mill Run.

Commencing at a point in the north line of Main Street, 33.00 feet east from the corner of Race Street and running eastwardly 33.00 feet; thence

148.50 feet north to the center of a private alley, 9 feet wide; thence

with the center of said private alley, 33.00 feet west; thence

South to the place of beginning, being 148.50 feet in said west line.

Together with that portion of vacated Main Street by Ordinance #93-315.

**EXCEPTING** from the above described premises the following viz:

Being part of Lot Number 223, aforesaid. Commencing at a point in the north line of Main Street at the center of a nine inch wall, 52 feet 7.5 inches from the corner of Main and Race Streets; thence

North with the center of said wall, 51 feet; thence

East 4.5 inches; thence

North 97.5 feet to the center of a private alley 9 feet wide; thence

(Continued)

East with the center of said alley, 13 feet; thence

South 148.5 feet to Main Street; thence

West with the north line of Main Street, 13 feet 4.5 inches to the place of beginning.

**PARCEL II (Tract 3):** (Prior instrument reference: Warranty Deed recorded May 16, 1984, in VOL 796 at Page 488.)

Situated in the City of Springfield, County of Clark and State of Ohio and further described as follows:

Being part of Lot Number 223, Demint's plat commencing at a point in the north line of West Main Street at the center of a nine inch wall, 52 feet 7.5 inches from the corner of Race and West Main Street; thence

North with the center of said wall, 51 feet; thence

East 4.5 inches; thence

North 97.5 feet to the center of a private alley 9 feet wide; thence

East with the center of said alley, 13 feet; thence

South 148.5 feet to Main Street; thence

West with the north line of Main Street, 13 feet 4.5 inches to the place of beginning.

Together with that portion of vacated Main Street by Ordinance #93-315.

**PARCEL II (Tract 4):** (Prior instrument reference: Fiduciary Deed recorded May 16, 1984, in VOL 796 at Page 482 and Warranty Deed recorded May 16, 1984, in VOL 796 at Page 484.)

Situated in the City of Springfield, County of Clark and State of Ohio and further described as follows:

Being part of Lot No. 223 in Demint's Addition to the City of Springfield, Ohio, Beginning on the North line of Main Street, at the southeast corner of said lot; thence

with the East line of the same North 02° 00' 00" East 144.5 feet to the south line of an alley; thence

(Continued)



202200012225  
BK 2214 PG 915

Exhibit "A" (Continued)  
Page 4 of 4

with the same, North 88° 00' 00" West 33.00 feet; thence  
South 02° 00' 00" West 144.5 feet to the North line of said Main Street; thence  
with the same, South 88° 00' 00" East 33 feet to the place of beginning.  
Together with that portion of vacated Main Street by Ordinance #93-315.

(End of Exhibit "A")

**LIMITED WARRANTY DEED**

Exhibit "B"

Permanent Parcel Nos.



202200012225  
BK 2214 PG 916

**PARCEL I of the legal description:**

- 3400600005432001
- 3400600005432002
- 3400600005432003
- 3400600005432004
- 3400600005432005
- 3400600005432006
- 3400600005432010
- 3400600005432012
- 3400600005432013
- 3400600005432015
- 3400600005432020
- 3400600005432024
- 3400600005432025
- 3400600005432026
- 3400600005432027
- 3400600005432036
- 3400600005432037
- 3400600005432038
- 3400600005432039
- 3400600005432040
- 3400600005432041

3400600005432042

3400600005432043



202200012225  
BK 2214 PG 917

**PARCEL II (TRACT 1) of the legal description:**

3400600005432016

**PARCEL II (TRACT 2) of the legal description:**

3400600005432017

**PARCEL II (TRACT 3) of the legal description:**

3400600005432018

**PARCEL II (TRACT 4) of the legal description:**

3400600005432019



**LIMITED WARRANTY DEED**

202200012225  
BK 2214 PG 918

Exhibit "C"

Permitted Exceptions

1. Real estate taxes and assessments, both general and special, which are a lien but not yet due and payable.
2. Zoning regulations and ordinances.
3. Such easements, conditions, reservations, restrictions, and other matters of record.
4. Any matters which would be disclosed by an accurate survey of said Property.