

Tax year 2023BOR No. 2023-031DTE 1
Rev 12/22County Clark

Date Received

CLARK COUNTY AUDITOR

MAY 24 2024

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.

HILLARY HAMILTON

AUDITOR

	Name	Mailing address, City, State, ZIP code	
1. Owner of property	4981 Gateway LLC	1550 East Belleline Avenue SE, Suite 150 Grand Rapids, Michigan 49506	
2. Complainant if not owner	Pentaflex, Inc.	Post Office Box 1488, Springfield, Ohio 45501 Attn: Steven J. McCreedy	
3. Complainant's agent	Charles L. Bluestone, Esq. Andrew J. Merwine, Esq.	Bluestone Law Group, LLC 141 East Town Street, Suite 100 Columbus, Ohio 43215	
4. Telephone number and email address of contact person 614.220.5900 chuck@bluestonelawgroup.com drew@bluestonelawgroup.com			
5. Complainant's relationship to property, if not owner NNN Tenant ORC Section 5715.19			
If more than one parcel is included, see "Multiple Parcels" instruction.			
6. Parcel numbers from tax bill		Address of property	
3300700004000068		4981 Gateway Boulevard	
7. Principal use of property Manufacturing Plant/Distribution Center			
8. The increase or decrease in market value sought. Counter-complaints supporting auditor's value may have -0- 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
3300700004000068	\$4,936,370	\$4,936,370	- (\$0)
9. The requested change in value is justified for the following reasons:			
The Complaint that initiated this tax appeal is not based upon an arm's-length sale, but rather a sale-leaseback arrangement. The rental rate being paid by the NNN tenant to the property owner is not based upon market lease rates.			
Additionally, the school district failed to adopt a legally sufficient resolution at a public meeting and/or to provide a legally sufficient notice to the property owner of its intention to do so, as required by ORC Section 5715.19(A)(6) & (7), prior to filing this tax appeal.			
Sales of comparable properties. Condition of the subject property. Functional and economic obsolescence. Effects of the Covid 19 pandemic and ensuing federal/state regulations and orders which followed. Significant increase in interest rates that occurred in calendar year 2022.			

10. Was property sold within the last three years? ☒ Yes ☐ No ☐ Unknown If yes, show date of sale August 22, 2022 and sale price \$ 6,705,000 (non arm's-length transaction) ; and attach information explained in "Instructions for Line 10".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. N/A

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

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.

- | | |
|--|---|
| <input type="checkbox"/> The property was sold in an arm's length transaction. | <input type="checkbox"/> The property lost value due to a casualty. |
| <input type="checkbox"/> A substantial improvement was added to the property. | <input type="checkbox"/> Occupancy change of 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.

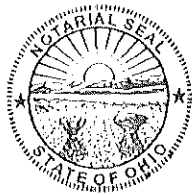
Date May 23, 2024

Complainant or agent (signature)

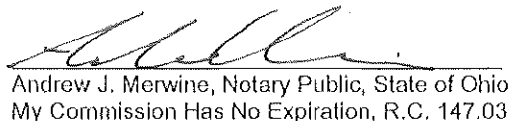


Charles L. Bluestone, Attorney-at-Law (0060897)

Sworn to and signed in my presence, the 23rd day of May 2024



Andrew Merwine
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC



Andrew J. Merwine, Notary Public, State of Ohio
My Commission Has No Expiration, R.C. 147.03