

Tax year 2023 BOR no. 2023-033
County Clark Date received 3/20/2024

DTE 1
Rev. 12/22

FILED
CLARK COUNTY AUDITOR

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.

HILLARY HAMILTON
AUDITOR

Original complaint Counter complaint
Notices will be sent only to those named below.

1. Owner of Property		BLDG Properties Ludlow LLC, 415 Bishopsbridge Dr., Cincinnati, OH 45255	
2. Complainant if not owner		Board of Education of the Clark-Shawnee Local 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		
330-06-00006-300-012	1370-1416 W. First St.		
7. Principal use of property: 425 Neighborhood shopping 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
330-06-00006-300-012	1,900,000	938,660	961,340
9. The requested change in value is justified for the following reasons: Recent arm's length sale of subject property for \$1,900,000			

10. Was property sold within the last three years? Yes No Unknown If yes, show date of sale 11/07/22 and sale price \$1,900,000 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;
 - A substantial improvement was added to the property;
 - The property lost value due to a casualty;
 - 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 2/20/24 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 20 day of February, 2024.

Notary [Signature]



Bobbi Jo Leitz
Notary Public, State of Ohio
My Commission Expires 01-18-2025

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.

These issues are currently pending before the Franklin County Common Pleas Court in case 23CV-03-001706.



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	GW	Tax list year	2021	County number	12	Tax. dist. number	3020	Date	11/4/2022
Property located in	Spring Camp							taxing district	
Name on tax duplicate	CR DAYTON VII, LLC							Tax duplicate year	2021
Acct. or permanent parcel no.	330-00-00000-300-012							Map book	Page
Description									

Number	4850
No. of Parcels	1
DTE Code No.	405
Neigh. Code	
No. of Acres	
Land Value	
Bldg. Value	
Total Value	
DTE Use Only	
DTE Use Only	
DTE Use Only	
DTE Use Only	
Consideration	
DTE Use Only Valid sale	
1. Yes 2. No	
Receipt Number	

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

Grantor or Representative Must Complete All Questions in This Section See Instructions on Reverse

1. Grantor's name CR Dayton VII, LLC Phone _____

2. Grantee's name BLDG Properties Ludlow LLC Phone _____

Grantee's address 416 Bishopsbridge Drive, Cincinnati, OH 45255

3. Address of property 1370-1416 W. First St., Springfield, OH 45504

4. Tax billing address 415 Bishopsbridge Drive, Cincinnati, OH 45255

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 Commercial Building
 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 _____

7. a) New mortgage amount (if any) \$ 400,000.00
 b) Balance assumed (if any) \$ _____
 c) Cash (if any) \$ 1,500,000.00
 d) Total consideration (add lines 7a, 7b and 7c) \$ 1,900,000.00
 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) \$ 1,900,000.00
 g) Name of mortgagee Minster Bank
 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.

[Signature] 11/7/2022
 Signature of grantee or representative Date

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 _____

BY _____
 DEPUTY AUDITOR

07/28/41 00:000 CLERK 1

CHK # : 1 TIME 14:00

LI \$ FEE \$0.50
 CO MORTGAGE FEE \$1,900.00
 CO MORTGAGE FEE \$1,900.00
 CO MORTGAGE FEE \$1,900.00
 TRANSFER FEE \$0.50
 TOTAL \$7,600.50
 CHECKS PAID \$7,600.50
 CHK # : 1

CHECK # _____

CERTIFICATION OF PAYMENT # 006850

THE CONVEYANCE FEE ON THE PROPERTY DESCRIBED OF .40 CENTS PER 100 DOLLARS OF TOTAL CONSIDERATION OR VALUE, OR \$4.00 WHICHEVER IS GREATER IN THE AMOUNT OF (SEE CERTIFIED AMOUNT) HAS BEEN PAID.

Sales Ratio: _____ % - Usable - Non Usable

ALL COPIES MUST BE SUBMITTED INTACT AT TIME OF PAYING FEE.

THIS DOCUMENT IS INVALID UNLESS CERTIFIED WITH THE COUNTY AUDITOR'S SIGNATURE.

JOHN S. FEDERER
 CLARK COUNTY AUDITOR

COUNTY AUDITOR'S COPY

Transferred
Sale Price 1,900,000
4850 581
NOV - 7 2022

202200016550 11/07/2022 01:58 PM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$54.00
WARR OR Vol 2217 Pgs 4178 - 4179

John S. Federer
Auditor

GENERAL WARRANTY DEED

CR DAYTON VII, LLC, a Foreign Limited Liability Company, for valuable consideration paid, grants with general warranty covenants, to BLDG PROPERTIES LUDLOW LLC, an Ohio Limited Liability Company, whose tax-mailing address is 1378 W. First Street, Springfield, OH 45504, the following REAL PROPERTY:

SEE ATTACHED EXHIBIT A

Prior Instrument Reference: Volume 1417, Page 1971
Parcel Number: 330-06-00006-300-012
Property Address: 1378 W. First Street, Springfield, OH 45504

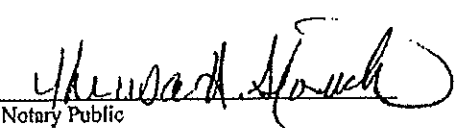
Executed by me this 2nd day of November, 2022.

CR DAYTON VII, LLC

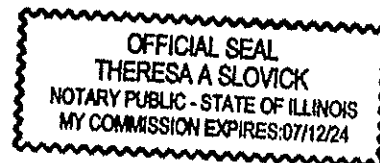

By: Munir Rafidia, Manager

STATE OF ILLINOIS COUNTY OF COOK SS:

The foregoing instrument was acknowledged before me this 2ND day of NOVEMBER, 2022, by Munir Rafidia, Manager of CR DAYTON VII, LLC, a Foreign Limited Liability Company, on behalf of the limited liability company.


Notary Public

THIS INSTRUMENT PREPARED BY:
JOHN M. SPENCER
Attorney at Law
36 Warder St., Suite 250
Springfield, Ohio 45504
(937) 325-8822



JOHN SPENCER
HOLD



202200016550
BK 2217 PG 4179

APPROVED
Clark County Tax Map

NOV 07 2022

REB
 Legal Description
 Survey Plat / Lotsplit
 Subdivision / Annexation

**EXHIBIT "A"
LEGAL DESCRIPTION**

File No.: 29105

Situate in the City of Springfield, County of Clark, and State of Ohio, and being located in Section 6, Town 4, Range 9 and being a tract of land described as follows:

Beginning at a PK Nail in the South line of said Section 6, said point being in the centerline of said West First Street, said point being also North 82 deg. 22' 55" East, for 118.27 feet from the Southwest corner of said Section 6, said point of beginning being also the Southeast corner of land conveyed to Nicholas B. Pavlatos as recorded in Volume 642, Page 189 in the deed records of Clark County, Ohio;

Thence with the East line of said Pavlatos land, North 07 deg. 26' 47" East, for 293.42 feet to an iron pin in the South line of Troy Pike (S.R. 41);

Thence with the South line of said Troy Pike (S.R. 41), South 84 deg. 40' 57" East, for 41.75 feet to an iron pin at an angle in the South line of said Troy Pike (S.R. 41);

Thence continuing with the South line of said Troy Pike (S.R. 41), South 71 deg. 55' 54" East, for 432.55 feet to an iron pin at an angle in the South line of said Troy Pike (S.R. 41);

Thence South 18 deg. 19' 29" East, for 88.04 feet to a PK Nail in the South line of said Section 6 and the centerline of said West First Street;

Thence with the South line of said Section 6 and the centerline of said West First Street, South 82 deg. 22' 55" West, for 523.11 feet to the point of beginning, containing 2.138 acres, more or less.

Subject to all easements, restrictions and covenants of record.

Parcel No. 330-06-00006-300-012

Premises commonly known as: 1370-1416 W. First Street, Springfield, OH 45504

File No.: 29105
Exhibit A Legal Description

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