

FILED Tax year 2023 BOR no. 2023-038  
CLARK COUNTY AUDITOR County Clark Date received 3/20/2024

DTE 1  
Rev. 12/22

MAR 20 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.

HILLARY HAMILTON  
AUDITOR

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.

Name		Street address, City, State, Zip Code	
1. Owner of Property	LFRC Springfield RE LLC, 1270 N. Elgin Pkwy., Ste. C14, Shalimar, FL 32579		
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		
340-06-00005-427-029	410 W. Columbia St.		
7. Principal use of property: 435 Fast food drive-in restaurant			
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
340-06-00005-427-029	1,750,000	294,000	1,456,000
9. The requested change in value is justified for the following reasons: Recent arm's length sale of subject property for \$1,750,000			

10. Was property sold within the last three years? Yes  No  Unknown  If yes, show date of sale 04/18/22 and sale price \$1,750,000 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;  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.

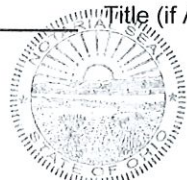
The complainant has complied with the requirements of R.C. section 5715.19(A)(6)(b) and (7) and provided notice prior to the adoption of the resolution required by division (A)(6)(b) of that section as required by division (A)(7) of that section.

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 2/20/24 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: <u>GW</u>	Tax list year: <u>2021</u>	County number: <u>12</u>	Tax. dist. number: <u>3020</u>	Date: <u>4/18/2022</u>
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Property located in: <u>Springfield Corp</u>	taxing district	Number: <b>1497</b>
Name on tax duplicate: <u>FAR FROM FAMOUS LLC</u>	Tax duplicate year: <u>2021</u>	No. of Parcels: <u>1</u>
Acct. or permanent parcel no.: <u>340-00-00005-427-029</u>	Map book: _____ Page: _____	DTE Code No.: <u>435</u>
Description: _____	Platted: _____ Unplatted: _____	Neigh. Code: _____

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

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

1. Grantor's name FAR FROM FAMOUS LLC Phone (937) 845-2142

2. Grantee's name LFRC SPRINGFIELD RE LLC Phone (850) 334-1157

Grantee's address 1270 N. Elgin Pkwy, Suite C-14, Shalimar, FL 32579, Attn: Ryan Weaver

3. Address of property 410 W. Columbia St., Springfield, OH 45505

4. Tax billing address 1270 N. Elgin Pkwy, Suite C-14, Shalimar, FL 32579

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  
 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  Arm's Length Sale

7. a) New mortgage amount (if any).....\$ \_\_\_\_\_  
 b) Balance assumed (if any).....\$ \_\_\_\_\_  
 c) Cash (if any).....\$ 1,750,000.00  
 d) Total consideration (add lines 7a, 7b and 7c).....\$ 1,750,000.00  
 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).....\$ 1,750,000.00  
 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.

Signature of grantee or representative: [Signature] Date: 4/12/22

Number	1497
No. of Parcels	1
DTE Code No.	435
Neigh. Code	
No. of Acres	
Land Value	
Bldg. Value	
Total Value	0.00
DTE Use Only	
DTE Use Only	
DTE Use Only	
DTE Use Only	
Consideration	
DTE Use Only Valid sale	1. Yes 2. No
Receipt Number	

### 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

CHECK # 1497  
 DATE 4/18/2022  
 TIME 12:16  
 NON

**APPROVED**

Clark County Tax Map

APR 15 2022

TOM  
 Legal Description  
 Survey Plat / Lotsplit  
 Subdivision / Annexation

Transferred  
Sale Price 1,750,000  
1497 JSC  
APR 18 2022

John S. Federer  
Auditor



202200005793 04/18/2022 02:17 PM  
Filed for Record in CLARK County, Ohio  
Nancy Pence, Recorder Rec Fees: \$58.00  
WARR OR Vol 2208 Pgs 3335 - 3339

**GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that FAR FROM FAMOUS, LLC, an Ohio limited company, **Grantor**, for Ten Dollars (\$10.00) and other good and valuable consideration paid, grants, with general warranty covenants, to **LFRC SPRINGFIELD RE LLC**, a Delaware limited liability company, **Grantee**, whose tax mailing address is 1270 N. Elgin Parkway, Suite C-14, Shalimar, FL 32579, the following real property situate in the City of Springfield, County of Clark, and State of Ohio:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

**Subject to those matters of record described on the attached Exhibit "B".**

**Prior Instrument Reference: Volume 2152, Page 2930**

The herein described property is conveyed subject to, and there are excepted from the general warranty covenants, the following:

- (i) Taxes and assessments, both general and special, not yet due and owing; and
- (ii) Those matters of record described on the attached Exhibit "B" ("**Permitted Exceptions**").

(Remainder of page left blank)

FIRST AM TITLE MARYLAND  
SUITE 400  
8182 MARYLAND AVENUE  
CLAYTON, MO 63105



202200005793  
BK 2208 PG 3336

IN WITNESS WHEREOF, the Grantor has caused this General Warranty Deed to be  
duly executed and delivered on this 12<sup>th</sup> day of April, 2022.

**GRANTOR:**

**FAR FROM FAMOUS, LLC**, an Ohio limited  
company

By: [Signature]  
Name: Raymond Scott Griffith  
Title: Manager

By: [Signature]  
Name: Kimmerly Ann Griffith  
Title: Manager

STATE OF OHIO            )  
  ) SS:  
COUNTY OF CLARK        )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of April,  
2022, by Raymond Scott Griffith and Kimmerly Ann Griffith, Managers of FAR FROM  
FAMOUS, LLC, an Ohio limited liability company, on behalf of the limited liability company.

In testimony whereof, I have hereunto set my hand and official seal this 12<sup>th</sup> day of  
April, 2022.

[Signature]  
Notary Public



Tammi J. Angle  
Attorney at Law  
Notary Public, State of Ohio  
My commission has no expiration date  
Section 147.03 O.R.C.

My commission expires: No exp. date

This instrument prepared by and return to:  
Armstrong Teasdale LLP  
7700 Forsyth Blvd., Suite 1800  
St. Louis, MO 63105  
Attn: Hillary Bean



202200005793  
BK 2208 PG 3337

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**SITUATED** in the State of Ohio, the County of Clark, and the City of Springfield, and being part of Lot 176, conveyed to RX Development, Inc. in Deed Volume (D.V.) 991, pg. 121 and D.V. 991, pg. 118, part of Lot 177, conveyed to RX Development in D.V. 991, pg. 113 and D.V. 991, pg. 115, and part of a 16.5 foot alley vacated in Ordinance No. 97-438, shown on James Demint's Addition, recorded in Plat Volume 4, pg. 2, Clark County Recorders Office

All records referred to are those of record in the Clark County Recorders Office;

**BEGINNING** at a set iron pin at the southeast corner of the said Lot 176, being the intersection of the north line of Columbia St. (66 feet wide) and the west line of Plum St. (66 feet wide);

**THENCE** North 89 degrees 57 minutes 47 seconds West, a distance of 219.00 feet, along the north line of the said Columbia St. and the south lines of the said Lots 176, 177, and 190, to a set iron pin;

**THENCE** Due North, a distance of 167.12 feet, crossing the said Lot 190 to a set iron pin;

**THENCE** Due East, a distance of 219.00 feet, crossing the said Lot 190, the said vacated alley, and the said Lots 177 and 176, to a set iron pin in the east line of the said Lot 176 and in the west line of the said Plum St.;

**THENCE** Due South, a distance of 167.26 feet, along the east line of the said Lot 176 and the west line of the said Plum St., to the **PLACE OF BEGINNING** containing 36614 square feet or 0.840 acres, based on an actual field survey made by Paul K. Moore and Associates on July 7, 1997;

Bearings are based on the centerline of Plum Street as being Due North assumed, and are used to denote angles only;

All iron pins set are 5/8" in diameter, 30" long, with a cap stamped "J&J SURVEYING".

Parcel No. 340-06-00005-427-029



202200005793  
BK 2208 PG 3338

## EXHIBIT "B"

### PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2022 and subsequent years which are a lien, not yet due and payable.
2. Coal, oil, natural gas, or other mineral interests and all rights incident thereto now or previously conveyed, transferred, leased, excepted or reserved.
3. Any Building Setback lines, Restrictions and Easements as shown or referenced on the recorded plat in Plat Book 4, Page 2 and Plat Survey 15, Page 72 to the Clark County Records.
4. Easement recorded April 28, 1916 in Volume 194, Page 345 of Clark County Records.
5. Easement recorded October 4, 1927 in Volume 252, Page 319 of Clark County Records.
6. Access Easement disclosed in Deed recorded December 18, 1997 in OR Book 991, Page 121 of Clark County Records
7. Ameritech Non-Exclusive Easement in favor of Ohio Bell Telephone Company a.k.a Ameritech Ohio Recorded: April 16, 1998 as OR Book 1088, Page 146. Subject to the terms and conditions thereof.
8. Rights of Public and others entitled thereto in and to the use of that part of the insured premises within the bounds of Columbia Street and Plum Street Road.
9. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
10. The following matters disclosed by an ALTA/NSPS survey made by David J. Kuethe, Registration Number 7911 on March 21, 2022, and last revised \_\_\_\_\_, 2022, designated Job No. 202200445-001 CMP:
  - a. Access to Columbia and Plum Streets over adjoiner's property without benefit of easement;
  - b. Overhead electric lines without the benefit of easement; and
  - c. Site sign within 10' Ameritech Easement
11. Access Easement Agreement by and between RX Properties-Springfield, Ltd., an Ohio



202200005793  
BK 2208 PG 3339

limited liability company and RX Development, Ltd., an Ohio limited liability company as disclosed by the document recorded November 9, 1998 in/as OR Volume 1289, Page 86 of Clark County Records.