

MAR 19 2025

Complaint Against the Valuation of Real Property

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

	Name	Street address, City, State, Zip Code	
1. Owner of Property	Heather SMY Properties, LLC, c/o Nedal Jahshan, 5669 Barronsmore Way South, Hilliard, OH 43026		
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		
300-06-00007-000-076	3822 Springfield Xenia Rd.		
7. Principal use of property:	429 Other retail structures		
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
300-06-00007-000-076	1,157,500	569,910	587,590
9. The requested change in value is justified for the following reasons: Recent arm's length sale of subject property for \$1,157,500			

10. Was property sold within the last three years? Yes ☒ No ☐ Unknown ☐ If yes, show date of sale 12/29/23 and sale price \$1,157,500 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 3/12/25 Complainant or agent (printed) Mark H. Gillis, Esq. Title (if Agent) Attorney for Complainant

Complainant or agent (signature)

Sworn to and signed in my presence, this 12 day of March, 2025

Notary

Bobbi Jo Leitz
Notary Public, State of Ohio
My Commission Expires 01-18-2030

Real Property Conveyance Fee Statement of Value and Receipt

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

DTE 100
Rev. 1/14

FOR COUNTY AUDITOR'S USE ONLY

Type instrument <u>LD</u>	Tax list year <u>2023</u>	County number <u>12</u>	Tax. dist. number <u>1100</u>	Date <u>1/8/24</u>
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Property located in Spaid twp taxing district
Name on tax duplicate CD DG HUSTEAD LLC Tax duplicate year 2023
Acct. or permanent parcel no. 300 06-00007-000-076 Map book _____ Page _____
Description _____ ☐ Platted ☐ Unplatted

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

Grantee or Representative Must Complete All Questions in This Section

Type or print all information. See instructions on reverse.

1. Grantor's name <u>CD DG HUSTEAD, LLC</u>	Phone <u>(214) 614-8252</u>
2. Grantee's name <u>HEATHER SMY PROPERTIES LLC</u>	Phone <u>(614) 419-6289</u>
Grantee's address <u>5669 Barronsmore Way South, Hilliard, OH 43026</u>	
3. Address of property <u>3822 Springfield Xenia Rd, Springfield, OH 45506</u>	
4. Tax billing address <u>5669 Barronsmore Way South, Hilliard, OH 43026</u>	
5. Are there buildings on the land? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, check type: <input type="checkbox"/> 1, 2 or 3 family dwelling <input type="checkbox"/> Condominium <input type="checkbox"/> Apartment: No. of units _____ <input type="checkbox"/> Manufactured (mobile) home <input type="checkbox"/> Farm buildings <input checked="" type="checkbox"/> Other <u>COMMERCIAL</u> If land is vacant, what is intended use? _____	
6. Conditions of sale (check all that apply) <input type="checkbox"/> Grantor is relative <input type="checkbox"/> Part interest transfer <input type="checkbox"/> Land contract <input type="checkbox"/> Trade <input type="checkbox"/> Life estate <input type="checkbox"/> Leased fee <input type="checkbox"/> Leasehold <input type="checkbox"/> Mineral rights reserved <input type="checkbox"/> Gift <input type="checkbox"/> Grantor is mortgagee <input type="checkbox"/> Other _____	
7. a) New mortgage amount (if any).....	\$ _____
b) Balance assumed (if any).....	\$ _____
c) Cash (if any).....	\$ <u>1,157,500.00</u>
d) Total consideration (add lines 7a, 7b and 7c).....	\$ <u>1,157,500.00</u>
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).....	\$ _____
g) Name of mortgagee _____	
h) Type of mortgage <input type="checkbox"/> Conv. <input type="checkbox"/> F.H.A. <input type="checkbox"/> V.A. <input checked="" type="checkbox"/> Other <u>COMMERCIAL</u>	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, is the property a multi-unit dwelling? <input type="checkbox"/> Yes <input type="checkbox"/> 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 <u>[Signature]</u>	
Date <u>1/2/24/23</u>	

Number <u>43</u>
No. of Parcels <u>1</u>
DTE Code No. <u>429</u>
Neigh. Code
No. of Acres
Land Value <u>31000</u>
Bldg. Value <u>168410</u>
Total Value <u>199470</u>
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

Date

APPROVED **Transferred**
Clark County Tax Map **43** **Sale Price** **1,157,500**
JAN - 8 2024 *Jr*

JAN 08 2024
15M
☒ Legal Description
☐ Survey Plat / Lotsplit
☐ Subdivision / Annexation

HILLARY HAMILTON
AUDITOR


202400000203 01/08/2024 10:44 AM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$78.00
WARR OR Vol 2232 Pgs 813 - 817

LIMITED WARRANTY DEED

CD DG HUSTEAD, LLC, a Texas limited liability company, whose tax-mailing address is 4317 Marsh Ridge Road, Carrollton, Texas 75010 ("Grantor"), for good and valuable consideration paid, grants with limited warranty covenants, to

HEATHER SMY PROPERTIES LLC, an Ohio limited liability company, whose tax-mailing address is c/o Nedal Jahshan, 5669 Barronsmore Way South, Hilliard, Ohio 43026 ("Grantee"),

the following described real estate, situate in the County of Clark and State of Ohio, and being more particularly described as follows:

See Exhibit "A" attached hereto and made a part hereof (the "Property").

Prior Instrument Reference: Instrument No. 202200011675

Parcel Number: 300-06-00007-000-076

Property Address: 3822 Springfield Xenia Road, Springfield, OH 45506

Subject to zoning restrictions, prohibitions and other requirements imposed by governmental authorities, and any liens for ad valorem real property taxes for the year 2023 and subsequent years, and all plats, restrictions, conditions, easements, leases, licenses and reservations affecting the Property, whether or not of record, and subject to the Permitted Exceptions attached hereto as Exhibit "B."

For grantor's source of title, reference is made to deeds of record in OR Volume 2207, Page 2703, of the Clark County, Ohio records.

[Remainder of page intentionally left blank]

[Signature on following page]

TRANSCOUNTY TITLE AGENCY LLC
850 N. HAMILTON ROAD
2ND FL
GAHANNA, OH 43230



202400000203
BK 2232 PG 814

Executed this 29th day of December, 2023.

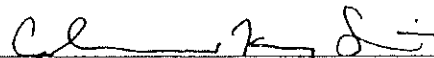
CD DG HUSTEAD, LLC
a Texas limited liability company

By: 
Joe Dell, Executive Vice President

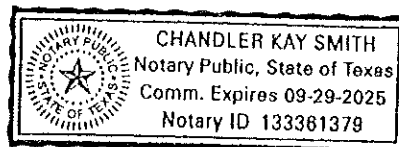
STATE OF Texas
COUNTY OF Denton

Before me, Chandler Kay Smith, a Notary Public of the State and County aforesaid, personally appeared Joe Dell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Executive Vice President of CD DG Hustead, LLC a Texas limited liability company, the within named bargainor, a Company, and that he as such EVP, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the Company by himself as Executive Vice President.

Witness my hand and official seal at 11:00 AM, this 29th day of December, 2023.


Notary Public
My Commission Expires: 09-29-2025

Prepared By:
Andrew Ward
Byrd Campbell, P.A.
180 Park Avenue, Suite 2A
Winter Park, Florida 32789





202400000203
BK 2232 PG 815

EXHIBIT "A"
Legal Description

This description is for a 6.5571 acre tract split from a 13.2906 acre tract situated in the State of Ohio, Clark County, Springfield Township. The 6.5571 acre tract is located in the southeast quarter of Section 7, Township 4, Range 9, of the Survey Between the Miamis and was last conveyed to Philip 8. Wall and Nancy C. Wall in Volume 399, Page 71 of the Official Records of the Recorder's Office, Clark County, Ohio. The tract is more particularly described as follows:

Beginning at the TRUE POINT OF BEGINNING at a 5/8" steel pin set at the southeast corner of the said 6.5571 acre tract, said pin being located N. 05 deg. 08' 52" E., 200.06 feet, from a 4" by 6" limestone block with an "X" chiseled in the top and 509.60 feet, along the same line, from a 5/8" steel pin found with a plastic ID Cap stamped T.A. Hoppes, PS6352 which is located at the south end of the east Section line for Section 7;

Thence N. 85 deg. 16' 14" W., 983.16 feet, along the south line of the said 6.5571 acre tract and the north line of a 4.6 acre parcel in the name of H&H Auto, an Ohio Partnership, (Deed Book 760, Page 550), to a point in the centerline of Springfield-Xenia Road (U.S. 68) passing over a 5/8" steel pin set at 940.74 feet;

Thence N. 21 deg. 26' 20" E., 90.47 feet, along the chord of a curve to the right with a radius of 22,918.31 feet to a point in the centerline of said Springfield-Xenia Road (U.S. 68), said point being N. 67 deg. 34' 04" W., 40.0 feet from an Ohio Department of Transportation Right of Way monument found with a bronze disk flush with the ground;

Thence N. 22 deg. 25' 56" E., 235.47 feet, along the centerline of said road to a point in the centerline of the said road;

Thence S. 84 deg. 28' 32" E., 887.82 feet, through the said 13.2096 acre tract to an iron pin set at the northeast corner of the said tract and in the east line of Section 7, passing over an iron pin set at 42.24 feet in the Right of Way of Springfield-Xenia Road (U.S. 68);

Thence S. 05 deg. 08' 52" W., 298.66 feet, along the east line of the said 6.5571 acre tract, the east line of Section 7, and the west line of a 148.65 acre parcel in the name of Herbert A. and Ruth Y. Young (Deed Book 866, Page 863) to the TRUE POINT OF BEGINNING.

The tract described contains 6.5571 acres and is subject to all easements and restrictions of record including an easement granted to the State of Ohio for Dayton-Xenia Road Amy Collins and revised in the Department of Transportation Right of Way Plans - Clark County S.H. 195-SEC's G-1, G-2 and Springfield (PT). The Basis of Bearing for this description is the bearing for the east line of Section 7 (N. 05 deg. 08' 52" E.) as established by T.A. Hoppes, PS 6352, in a resurvey of the Max Deber and Julius Deber property (Deed Book 782, Page 636 and Deed Book 726, Page 904) on file in the Revised Survey Record Volume 12, Page 211, of the Map Records of the Clark County Engineer. All monuments set at 5/8" steel rods with plastic identification caps stamped Elliott, PS-7759.

The plat of the 13.2906 acre tract and of this description has been submitted to the Map Records



202400000203
BK 2232 PG 816

Department of the Clark County Engineer.

This description was prepared by Casey C. Elliott, Professional Surveyor 7759, State of Ohio,
from an actual survey performed on April 4, 1996.

Parcel No.: 300-06-00007-000-076

Commonly known as 3822 Springfield Xenia Road, Springfield, OH 45506



202400000203

BK 2232 PG 817

EXHIBIT "B"
Permitted Exceptions

1. Taxes for the year 2023 and subsequent years, which are a lien on the property but which are not yet due and payable.
2. Right of Way to Sinclair Refining Company, filed for record May 11, 1944, in Deed Volume 355, Page 567 of the Clark County, Ohio records.