

ORDINANCE NO. 162-17**AN ORDINANCE AUTHORIZING AN APPRAISAL (FAIR MARKET VALUE ESTIMATE) FOR THE GUILFORD BOULEVARD BRIDGE REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS: In order to complete reconstruction of the Guilford Boulevard Bridge, the City must acquire an easement from an abutting property; and

WHEREAS: In accordance with ODOT guidelines, the City has engaged O.R. Colan to acquire the right-of-way and Fair Market Value Estimate; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the City of Medina hereby authorizes the appraisal of O.R. Colan and accepts the Fair Market Value (FMVE) for the following parcel:

<u>Property #</u>	<u>Description</u>	<u>Acquisition</u>	<u>FMVE</u>
1	MCL# 3673/PPN 028-19D-03-006	1-permanent easement	<u>\$1,635.00</u>
		TOTAL	\$1,635.00

SEC. 2: That a copy of the appraisal is marked Exhibit A, attached hereto, and incorporated herein.

SEC. 3: That the funds to cover this appraisal are available in Account 108-0610-54114.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to expedite the sometimes lengthy process; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: November 13, 2017

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: November 14, 2017

SIGNED: Dennis Hanwell
Mayor

VALUE ANALYSIS (\$10,000 OR LESS)

OED 162-17

OWNER'S NAME

James W. McKee and Nancy D. McKee

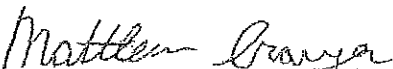
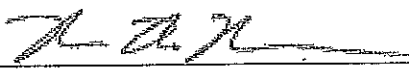
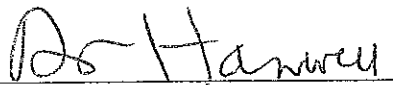
COUNTY MedinaROUTE Guilford BlvdSECTION N/APID# 101819

Based on comparable sales, which are attached, the following compensation has been established.
Temporary taking(s) have been based on a N/A period.

Parcel #	Net Take Area	Land	Improvement	Remarks	Total
1-WD	0.133 Gross/Net Acre	Residential land @\$10,000 per acre	None	Warranty Deed to be acquired in the name of The City of Medina, Ohio	\$1,330.00
1-CH	0.061 Gross/Net Acre	Residential land @\$10,000 per acre = \$610.00 less 50% = \$305.00	None	Channel Easement to be acquired in the name of The City of Medina, Ohio	\$305.00
				Total	\$1,635.00

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

			
SIGNATURE OF PERSON PREPARING ANALYSIS		REVIEWER'S CONCURRENCE	
DATE <u>10-16-17</u>		DATE <u>10/31/17</u>	
TYPED NAME: Matthew Drayer		TYPED NAME: Bruce Bowman	
NAME OF AGENCY (IF DIFFERENT FROM ODOT)			
City of Medina, Ohio			
TITLE: Mayor		AGENCY SIGNATURE ESTABLISHING FMVE	
		DATE <u>November 14, 2017</u>	
TYPED NAME: Dennis Hanwell			
ADMINISTRATIVE SETTLEMENT:			
		F.M.V.E. AMOUNT _____	
		ADDITIONAL AMOUNT _____	
SIGNATURE _____		TOTAL SETTLEMENT _____	
DATE _____			
TYPED NAME: _____			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

Revised 03-2015

Describe the 5 year sales history of the subject property:				
Grantor	Grantee	Date	Price	Comments
James W. McKee and Nancy D. McKee	James W. McKee and Nancy D. McKee	July 15, 2013	N/A	Placed property into Survivorship
Describe the influence on value, if any, of prior sales of the subject property.		None		
State any information available from the title report that may affect the valuation of the subject property.		None		

Identify the
Larger Parcel:

Considering unity of title, unity of use and contiguity, the subject's larger parcel consists of one tract of land identified as auditor's parcel number 028-19D-03-006 containing 10.2808 gross acres of land with 0.173 acre in PRO leaving a net usable 10.1078 acres of land, more or less subject to all legal highways. The subject property is owned by James W. McKee and Nancy D. McKee and is located on the South side of East Smith Road and West side of Guilford Blvd. in the City of Medina, Medina County Ohio and being known as part of Outlot 1044 in said township. The subject property is irregular in shape, has rolling topography and is fully wooded. The property is currently vacant.

Zoning Code:

R-1 Low Density Urban Residential

Permitted Uses:

- 1.) One family dwellings;
- 2.) Accessory buildings and uses, including home occupations, but excluding tents; cabins/cottages, mobile homes, and all other temporary living;
- 3.) Churches and other places of worship subject to Article III, Section 308 C;
- 4.) Elementary and Secondary Schools, subject to Article III, Section 308 C;
- 5.) Governmentally owned and/or operated buildings and facilities other than those listed above subject to Article III, Section 308 G;
- 6.) Cemeteries subject to Article III, Section 308 E;
- 7.) Planned developments, subject to Section 403.4;

Code Definition:

Article III: General Regulations including; Section 308 Supplemental Regulations (C. Churches and Schools, E. Cemeteries, G. Governmentally owned buildings and facilities).

Minimum Site
Size:

None, however minimum lot width 100 ft at the building line, and minimum lot frontage 100 ft, except 80 ft on outside curve of public street and 60 feet on cul-de-sac turnaround. Subject currently conforms to minimum zoning site size requirements.

Utilities:

All utilities are public

Highest and Best
Use:

Residential which is permitted under current zoning.

Valuation/Analysis of Sales:

Sale Number:	021	003	017
Location:	York Township Medina County Marks Road	York Township Medina County Marks Road	Montville Township Medina County Ridgewood Road
Sale Date:	4/12/17/2017	3/19/2012	3/26/2015
Sale Price:	\$77,000	\$73,500	\$40,000
Area:	8.1462 net acres	5.945 net acres	3.3075 net acres
Unit Value:	\$9,452 per net acre	\$12,363 per net acre	\$12,094 per net acre

Discussion:

The subject parcel consists of 10.1078 net usable acres of residential land located within the City of Medina, Medina County, Ohio. The availability of wooded sales similar in size to the subject within Medina city limits or with all public utilities were limited and the search for comparable sales data was enlarged to include surrounding townships. The sales utilized herein are located within a similar market area as the subject, are similar in size and have access to public water and sewer. The comparable sales range in size from 3.3075 net acres to 8.1462 net acres and sold from \$9,452 to \$12,363 per net acre. Consideration has been given to all of the comparable sales with Sale 021 being the most similar to the subject's larger size, the wooded topography and is the most recent transfer.

Reconciliation: A concluded unit value of \$10,000.00 per net acre is reasonable and supported.

Analysis of Site Improvements (support for contributory value):

There are no improvements within the WD or CH area. Contributory value of trees within the proposed WD and CH are included within the land value per net acre.

Summarize the effect of the take on the residue property:

Project description includes the replacement of two plate arch culverts with a single structure on Guilford Avenue. The project includes the following easements:

Parcel 1-WD which is a Warranty Deed taking needed to construct and maintain proposed culvert and water lines containing 0.133 gross/net acres.

Parcel 1-CH which is a Channel Easement containing 0.061 gross/net acre needed to maintain future upkeep for the existing channel associated with Champion Creek free of debris and allowing for the proper and intended hydraulic functions. Compensation for the channel easement has been determined and compensated at 50% of full fee based on new channel rights being acquired and existing channel terrain.

The net residue contains 9.9748 acres of land. The residue will remain within the existing legal zoning requirements and will retain the same residential highest and best use it did before the take. There are no damages or adverse effect to the residue as a result of the part taken.

Are there Severance Damages? YES: ☐ NO: ☒

Other Comments:

Flood Data: Panel 39103C0163D Zone X= Area to be determined to be outside of the 0.2% annual chance floodplain. Effective 8/19/2013

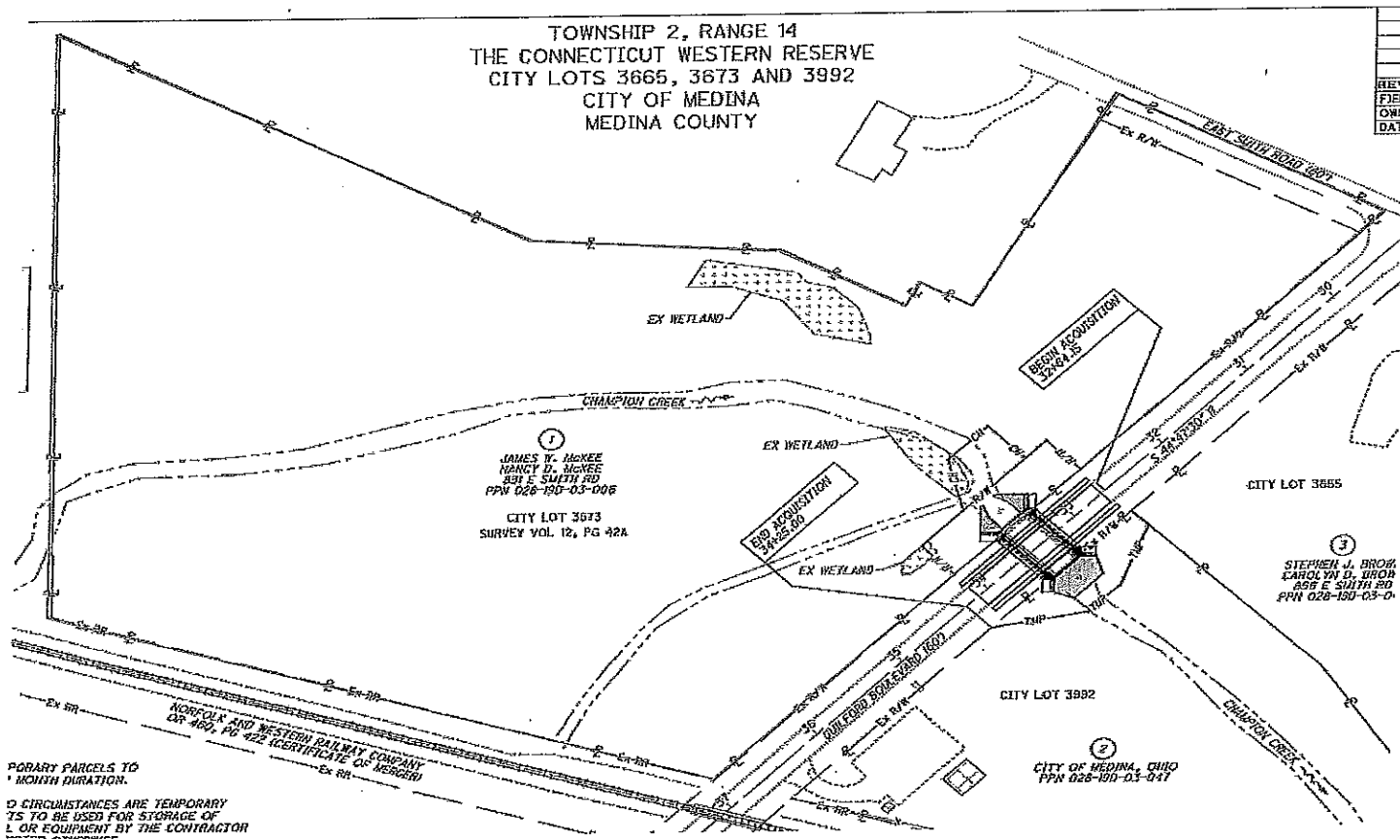
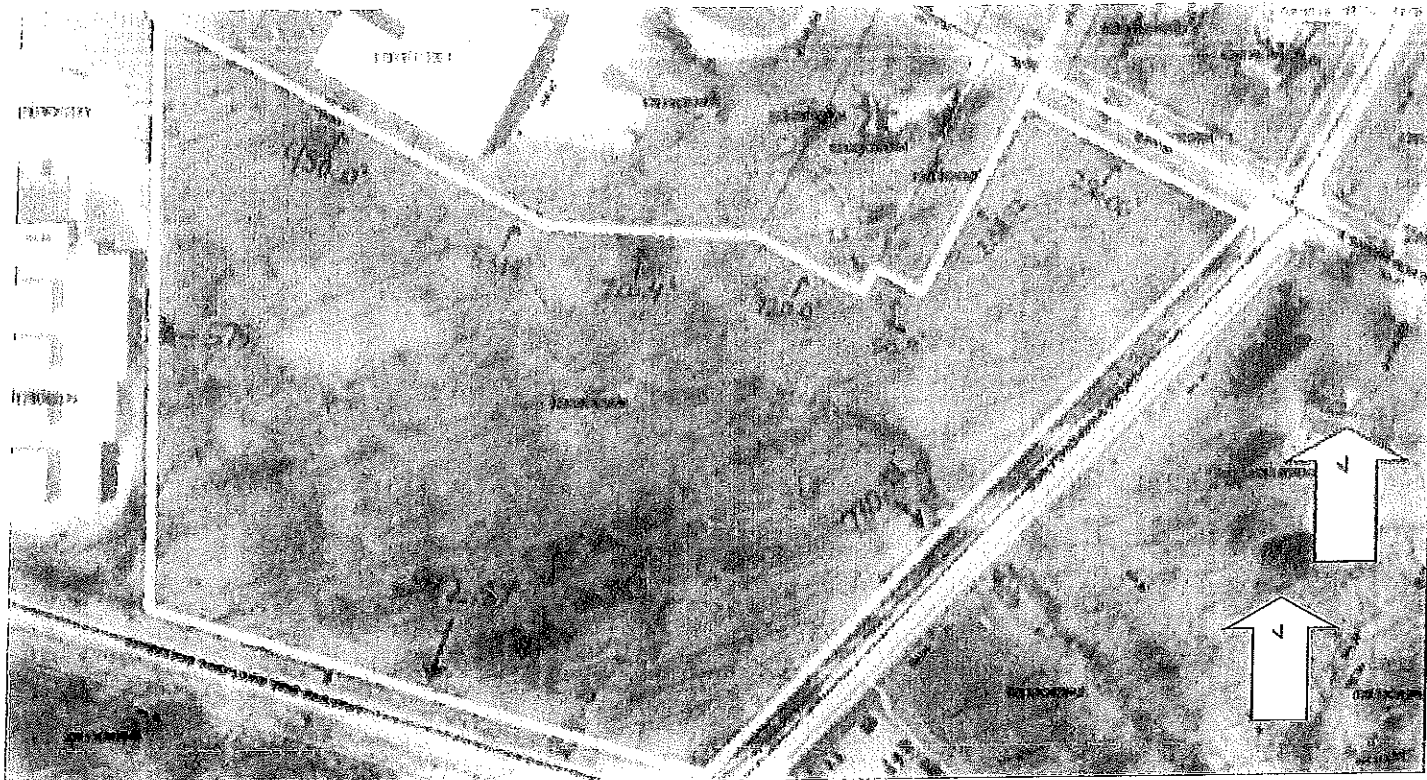
SUBJECT PHOTOS



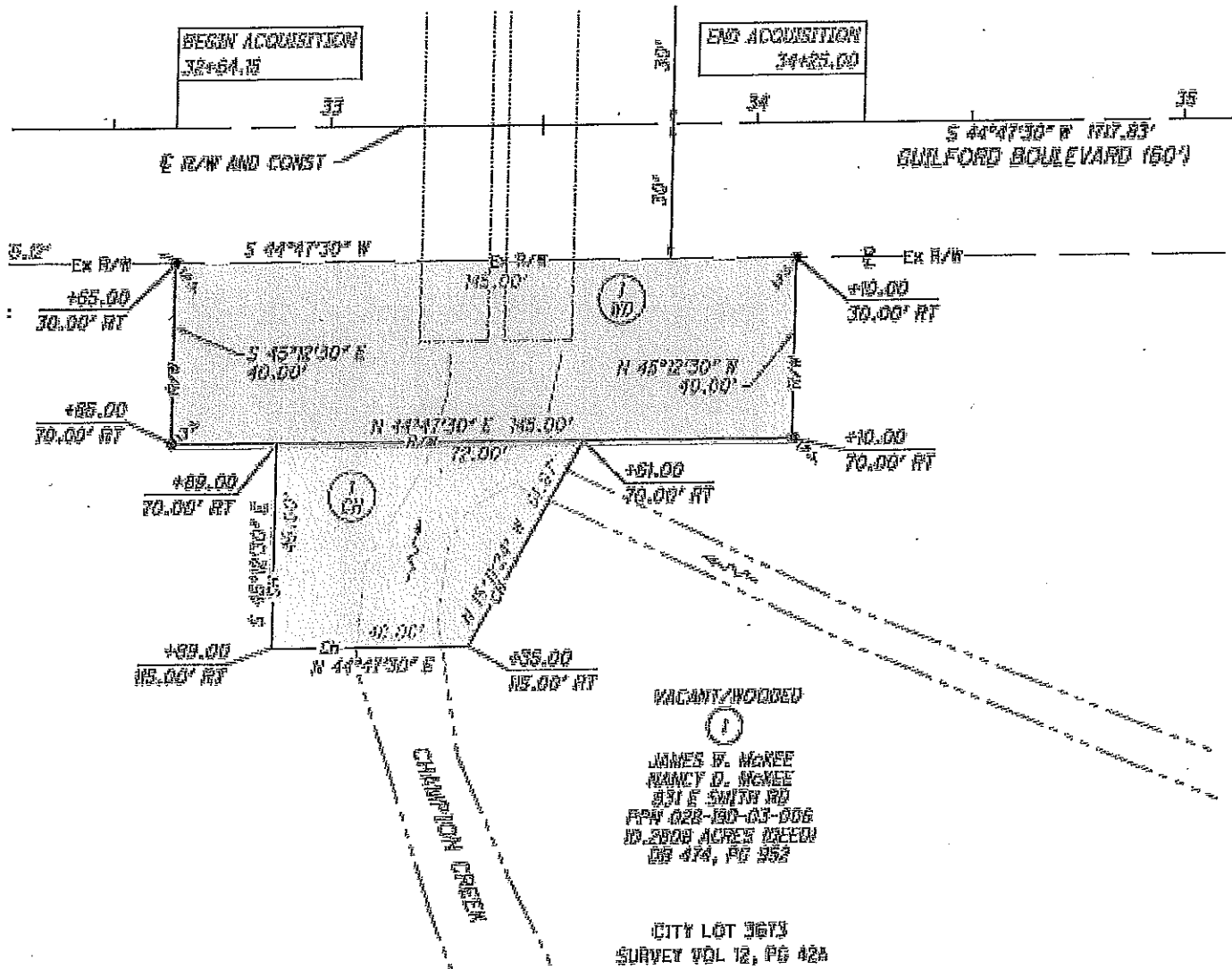
Above Photo is of the Subject Property facing North along Guilford Blvd. Photo taken by Matthew Drayer on 8/2/17.
Below Photo is of the Subject Property facing West along Guilford Blvd. Photo taken by Matthew Drayer on 8/2/17.




Sketch/Aerial of the Subject Parcel



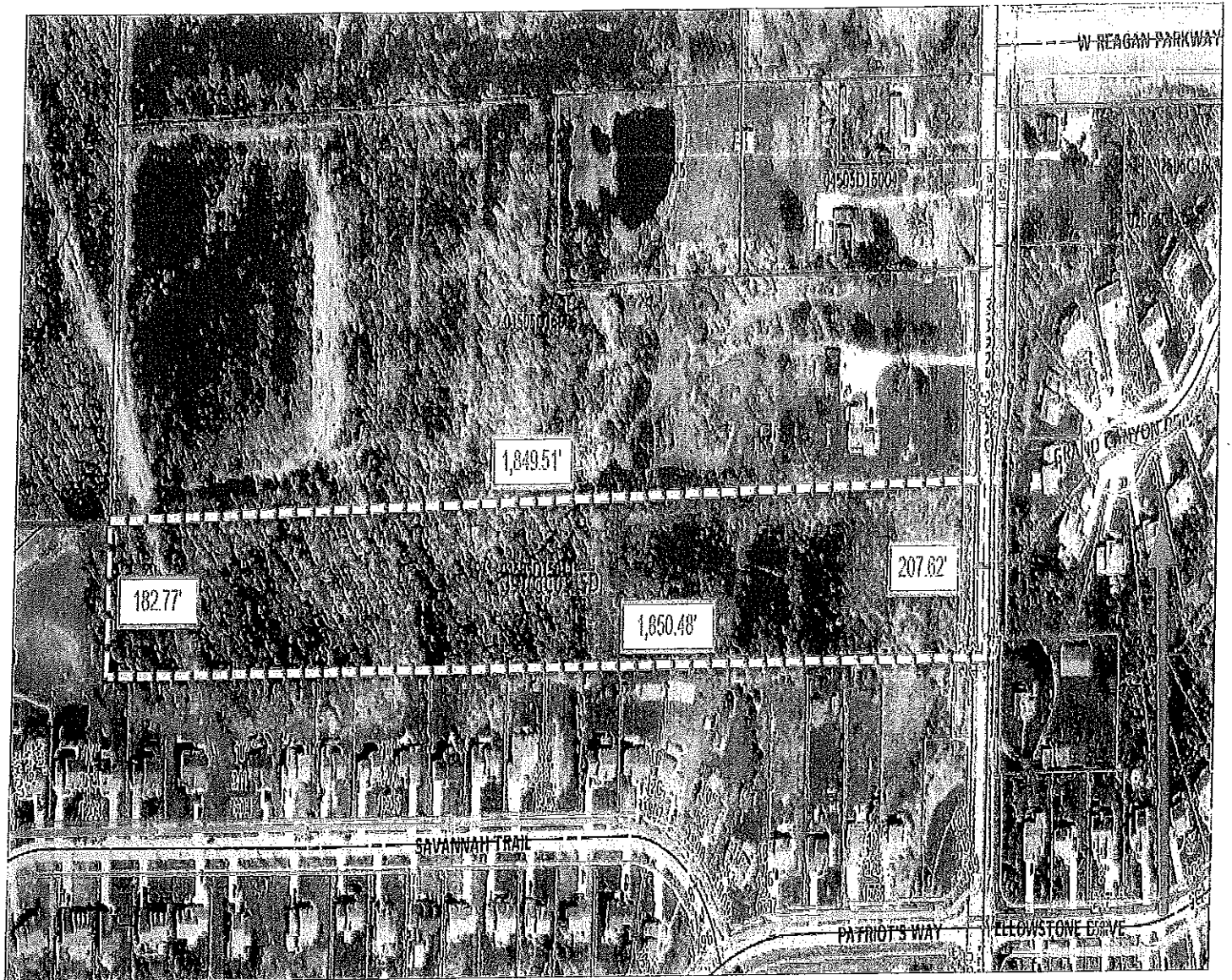
Sketch and Take Area for Subject Parcel

[illegible]

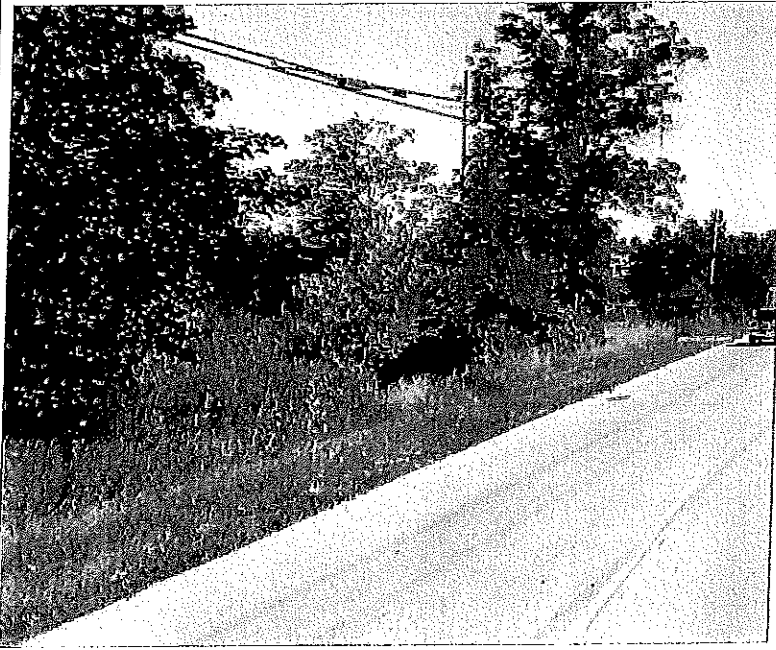
VACANT LAND

Sale #	021	Parcel Number:	045-05D-15-011
County:	Medina	City/Township:	York Township
Location Address:	4408 Marks Rd., Medina, OH 44256	School Dist:	Buckeye Local
Specific Location:	West side of Marks Road south of W. Reagan Parkway and north of Yellowstone Dr/Patriots Way		
Grantor:	Svitlana Tukalevska	Grantee:	David Deiss and Bernadette M. Deiss
Volume/Page:	2017OR008003	Type of Instrument:	General Warranty Deed
Date of Transaction:	4/12/2017	Sale Price:	\$77,000.00
Conditions of Sale:	Arms Length	Financing:	Mortgage for \$75,000 to Third Federal
Data Verification:	Svitlana Tukalevska	Phone Number and Date Verified:	216-447-9657 on 8/4/17
Verified By:	Kim Allensworth	COMPARABLE PLAT PICTURE	
Motivation of Parties:	Investment		
Highest and Best Use:	Residential		
Present Use:	Vacant		
Encumbrances:	None		
Total Area (Gross)	8.2892 acres		
Total Area (Net)	8.1462 net acres		
Zoning:	R-2 Residential		
Utilities:	All Public		
Topography:	Level/Fully Wooded		
Other Pertinent Info:	N/A		
Street Improvements:	Paved		
Type of Improvements:	None		
Unit Value:	\$9,452 per net acre		
Flood Panel No. and Effective Date	Panel 39103C0145D Effective 8/4/2008 Zone X – Area determined to be outside of the 0.2% annual chance floodplain in which flood hazards are undetermined but considered possible.		
Remarks:			

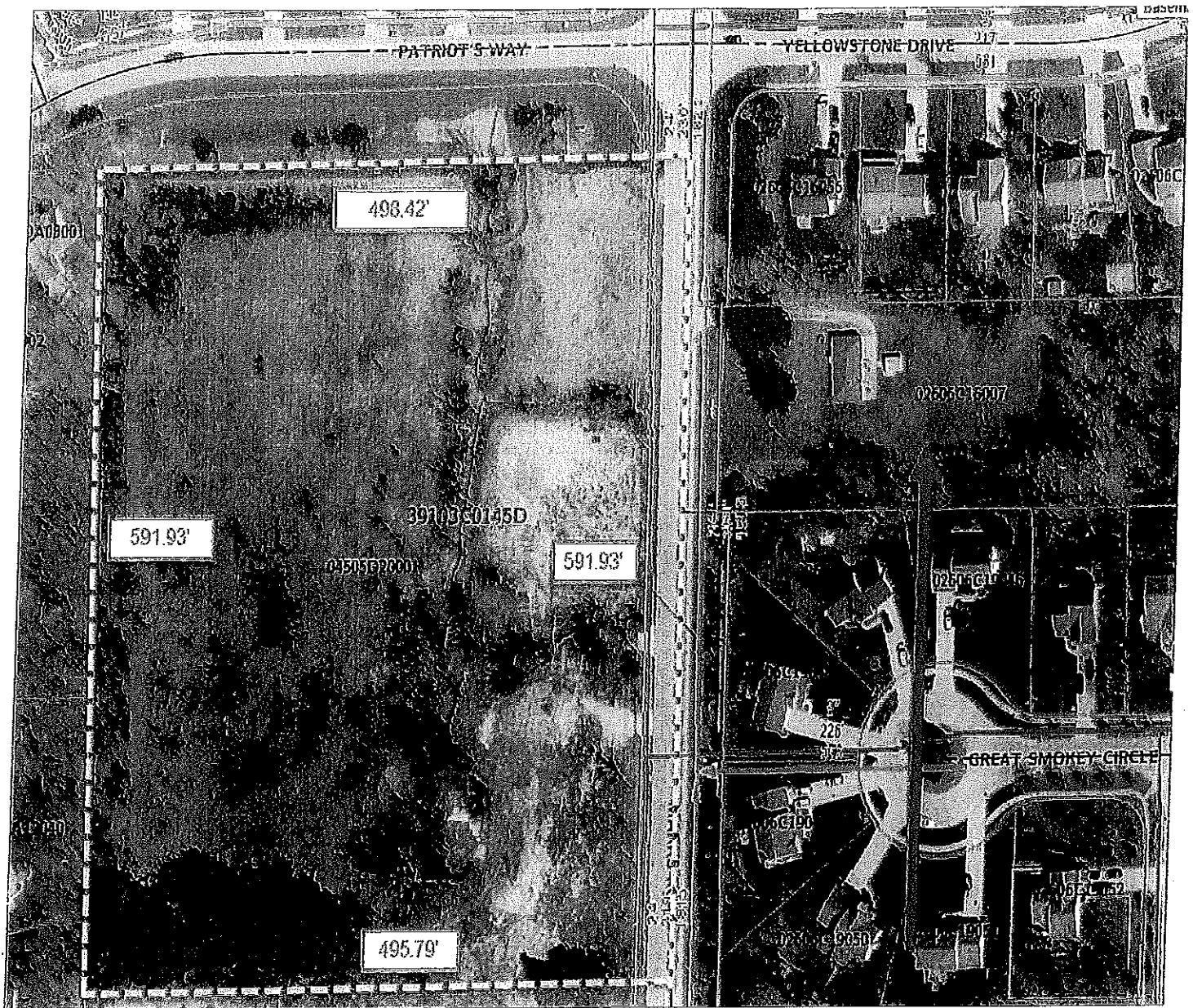
Sketch of Sale 021



VACANT LAND

Sale #	003	Parcel Number:	045-05D-20-001
County:	Medina	City/Township:	York
Location Address:	4508 Marks Rd., Medina, OH 44256	School Dist:	Buckeye LSD
Specific Location:	West side of Marks Road south of Patriots Way/Yellowstone Drive		
Grantor:	Jeremy Carl Kneebusch	Grantee:	Maria De Los Angeles M. Casto and Maria Cristina Dorsey, Co-Trustees of the Maria de Los Angeles M. Castro Trust dated August 7, 2002
Volume/Page:	2012OR006316	Type of Instrument:	Warranty Deed
Date of Transaction:	3/19/2012	Sale Price:	\$73,500
Conditions of Sale:	Arm's Length	Financing:	Cash
Data Verification:	J. Kenney, Agent	Phone Number and Date Verified:	330-421-0029 on 9/1/2013
Verified By:	Brian Mocilnikar	COMPARABLE PICTURE	
Motivation of Parties:	Willing Buyer/Seller		
Highest and Best Use:	Residential		
Present Use:	Vacant		
Encumbrances:	None		
Total Area (Gross)	6.76 acres		
Total Area (Net)	5.945 Net acres		
Zoning:	R-2 Residential		
Utilities:	ALL PUBLIC		
Topography:	Level, some woods		
Other Pertinent Info:	None Noted		
Street Improvements:	Paved		
Type of Improvements:	Small pond		
Unit Value:	\$12,363 per net acre		
Flood Panel No. and Effective Date	Panel 39103C0145D Effective 8/4/2008 Zone X -- Area determined to be outside of the 0.2% annual chance floodplain in which flood hazards are undetermined but considered possible.		
Remarks:	Agent indicated property could be divided into 5 lots.		

Sketch of Sale 003



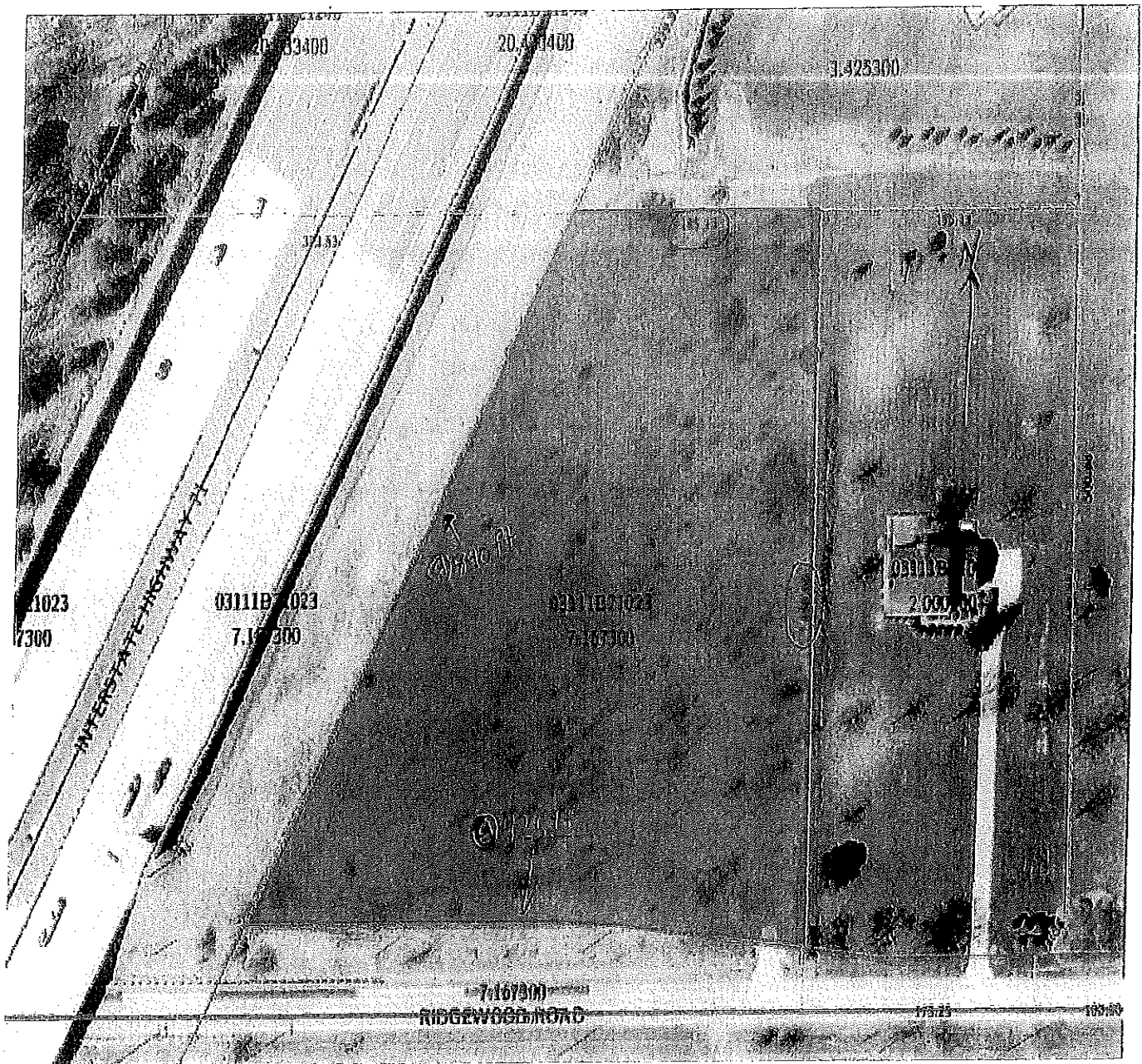
VACANT LAND

Sale #	017	Parcel Number:	031-11B-21-023
County:	Medina	City/Township:	Montville Township
Location Address:	3197 Ridgewood Road, Medina OH 44256		School Dist: Highland LSD
Specific Location:	NE Corner of Ridgewood Road and I71, 1.0 miles West of Windfall Road		
Grantor:	Raymond A. Batke and Patricia A. Batke	Grantee:	Carl Holbrook and Mary S. Holbrook
Volume/Page:	2015OR006014	Type of Instrument:	Survivorship Deed
Date of Transaction:	3/26/2015	Sale Price:	\$40,000.00
Conditions of Sale:	Arm's Length	Financing:	None
Data Verification:	8/3/2017	Whom:	Carl Holbrook (330) 952-1640
Verified By:	Matthew Drayer	COMPARABLE PLAT MAP AND PICTURE	
Motivation of Parties:	Build House		
Highest and Best Use:	Residential		
Present Use:	Vacant Residential		
Encumbrances:	None		
Total Area:	7.1673 gross acres 3.3075 net acres		
Zoning:	R-1 Single Family & Low Density Residential		
Utilities:	All utilities are public		
Topography:	Clear, Level		
Other Pertinent Info:	N/A		
Street Improvements:	Paved Asphalt		
Type of Improvements:	None		
Unit Value:	\$12,094.00 per net acre		
Flood Data:	3910C02851E		
Flood Data: Effective 8/19/2013 Zoned X = Area to be determined to be outside of the 0.2% annual Chance floodplain			

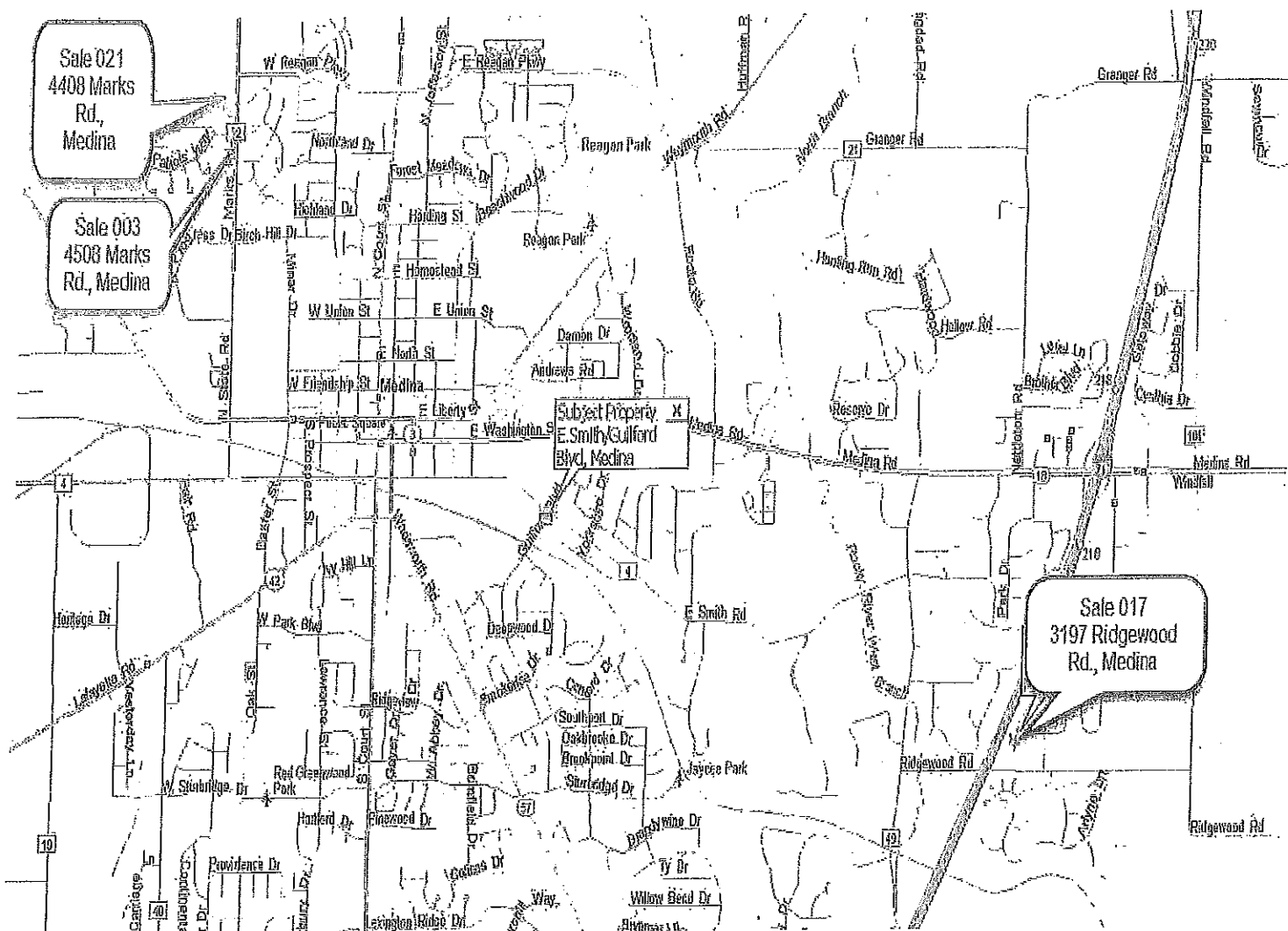


Above Photo is of Sale #17 looking NorthWesterly along Ridewood RD. Photo by Matt Drayer 8/2/2017
Below Photo is of Sale #17 looking North along Ridgewood RD. Photo by Matt Drayer 8/2/2017



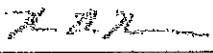
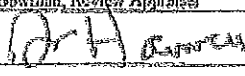
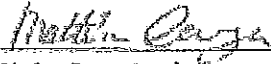


Comparable Sales Location Map



Parcel Impact Notes

This document is issued to be an aid for recording and is absolutely not to be interpreted as steering or directing an appraiser to an opinion that is not the appraiser's. However, appraisers must comply with applicable appraiser standards, including USPAP as appropriate, and ODOT's policies and procedures regarding appraisals.

Project C/R/S	MID-GULFORD BLVD.		
PID	101819	Construction Plans	9/22/2017
Parcel	001	R/W Plans	9/22/2017
Owner/Tenants:	James W. McKee and Nancy L. McKee		
Take:	Parcel 1- WD will take via Warranty Deed in the name of the City of Medina a gross and net area of 0.133 acres. Parcel 1-CH is a permanent Channel Easement containing 0.061 acres for culvert repairs and future maintenance.		
What is in Take?	Take natural growth (trees) along creek area		
Appraisal Issues / Significant Issues:	<p>Assessment of the Complexity of the Valuation Problem: The taking is simplifying and use of the property is not impacted by the taking. Only the land component and site improvements impacted by the taking are included in this analysis. Parcel 1- WD will take via Warranty Deed a gross and net area of 0.133 acres, being a 40' x 145' rectangular shaped strip of land along a portion of the subject's frontage (145 feet) encompassing the creek area (Champion Creek). Parcel 1-CH is a permanent Channel Easement containing 0.061 acres for culvert repairs and future maintenance, being a trapezoidal shaped area of land adjacent to the WD taking, encompassing the creek area.</p> <p>For the purposes of this form, the client is the City of Medina, Ohio (the acquiring Agency), the intended use is for acquisition under the authority of eminent domain (even if the acquisition is voluntary), the definition of value is as defined in Ohio Jury Instruction, and the effective date of the appraisal or VA Report is the date of the last inspection by the appraiser. The taking is simplifying and has no adverse effect on the property, and there are no damages to the residue property. There are no complex appraisal problems or issues.</p> <p>Research and analysis of comparable land sales will be needed to support a determination of the market value for the property rights taken.</p> <p>USPAP: Extraordinary Assumptions and Hypothetical Conditions: ODOT's Real Estate Manual requires the appraiser to notify the client prior to utilization of extraordinary assumptions or hypothetical conditions in an assignment.</p> <p>The person preparing the valuation report must be in agreement with the assessment of the complexity of the valuation (appraisal) problem and with the selection of the valuation report format used to communicate the preparer's findings and conclusions. PIN's are attached to all valuation / appraisal formats prepared for ODOT or projects subject to ODOT oversight.</p>		
The valuation (appraisal) problem is: <input type="checkbox"/> Simplistic <input checked="" type="checkbox"/> Complex <input type="checkbox"/>			
Recommended Appraisal Format:	Value Analysis Report		
Review Appraiser Signature / Date Typed Name	 10/5/17 Bruce B. Bowman, Review Appraiser		
Approved by Signature / Date Typed Name	 10/16/17 Dennis Hunwell, Mayor, City of Medina		
Appraiser Acknowledgement:	I have reviewed the right of way plans and other pertinent parts of the construction plans, have driven by the subject, have reviewed these Parcel Impact Notes and I have independently performed my own appraisal problem analysis. I am in agreement regarding the valuation (appraisal) problem, the determination of the complexity of this problem, and I agree that the recommended format is appropriate for use during the acquisitive phase of this project.		
Signature / Date Typed Name	 10/5/17 Matthew Drayer, Appraiser		

Google maps street view of take area (July 2013 image)



Aerial View of Subject Property

