

MEMO

To: File
From: R. E. Giaimo
CC:
Date: February 18, 2010
Re: Fra. 317-18.11, Parcel No. 6-T, First Service Federal Credit Union. Settlement Proposal.

The Mannik & Smith Group, Inc. has been in negotiations with captioned owner since September 29, 2009. Although the acquisition consists entirely of a temporary easement to re-construct the property owner's drive approach, legal counsel for the owner has been apprehensive to sign the easement premised on their fear that patrons would not be able to readily access their drive-thru facility. In addition, legal counsel has expressed concern relative to the recourse the credit union would have if the project is not built according to plans.

We have attempted to bely their concerns by stating plan notes specifically discuss the fact that access to the drive-thru teller lane is to be reasonably maintained during normal business hours. In addition, MSG has noted recourse as covered under the ODOT specification manual. These efforts have been well documented by MSG primarily through a series of e-mails between attorney Steve Gentry and Messrs. Giaimo and Vriezelaar of MSG.

While it appeared the matter had stalemated prompting our firm to issue the appropriation letter, Mr. Gentry submitted a proposal via an e-mail transmittal on February 4, 2010. Rather than reiterate the contents, the writer has attached same to this memorandum. It is important to note that other than the assurances presented by Mr. Gentry, First Service Federal Credit Union has agreed to accept the fair market value offer of \$12,035.00 as presented at the initiation of negotiations on September 29, 2009.

Attach.

REG


EXHIBIT A

RE 90
Rev. 1-2008

OHIO DEPARTMENT OF TRANSPORTATION
OFFICE OF REAL ESTATE

COUNTY FRA
ROUTE 317
SECTION 18.11
PARCEL # 6T
PID # 80811
STATE JOB # 466057
FEDERAL PROJECT # E060 (449)

VALUE FINDING REPORT

(Not to exceed \$35,000)

First Service Federal Credit Union 100 E. Main Street, Groveport, Ohio 43125
Owner Mailing Address
406 Granville Street, Gahanna, Ohio 43230 0.4925 Net Acres
Location of Property Area of Total Property

Property to be Acquired

LAND VALUATION

Parcel No.	Area	Unit Value
N/A		N/A
		Total <u>N/A</u>

Unit Value Support

☒ Comparable Sales attached VL-223, VL-222, & VL-221

IMPROVEMENT VALUATION

Estimated Value of each improvement to be acquired

Parcel No.	Description	Value
6T	Area light w/ 1 fixture @ \$2,500 less 20% depreciation	\$2,000
6T	4 Parking spaced @ minimum trip charge	\$175
		Total <u>\$2,175</u>

COST TO CURE (Benefits and/or Damages are not permissible. Support for cost to cure items must be by attachment or reference to an estimate for materials and labor cost.)

Parcel No.	Description	Value
6T	Handicapped Parking Space and pavement sealer @ minimum trip charge	\$175
6T	Removal of 100+/- SF of concrete sidewalk @ \$2.00/SF	\$200
6T	100+/- SF of Concrete handicapped ramps @ \$20/SF	\$2,000
		Total <u>\$2,375</u>

TEMPORARY

Parcel No.	Description	Value
6T	0.0859 Ac (3,742 SF) @ \$20.00/ SF x 10% x 1.0 year (R)	\$7,485
		Total <u>\$7,485</u>

APPRaiser's ESTIMATE OF FMVE DUE OWNER AS OF August 20, 2009 (say) \$12,035

Attachments: Photograph of Taking; Certificate of Appraiser; Other _____

Prepared By:

Anthony A. Kleman

8/21/2009

Appraiser

Date

Typed Name: Anthony A. Kleman

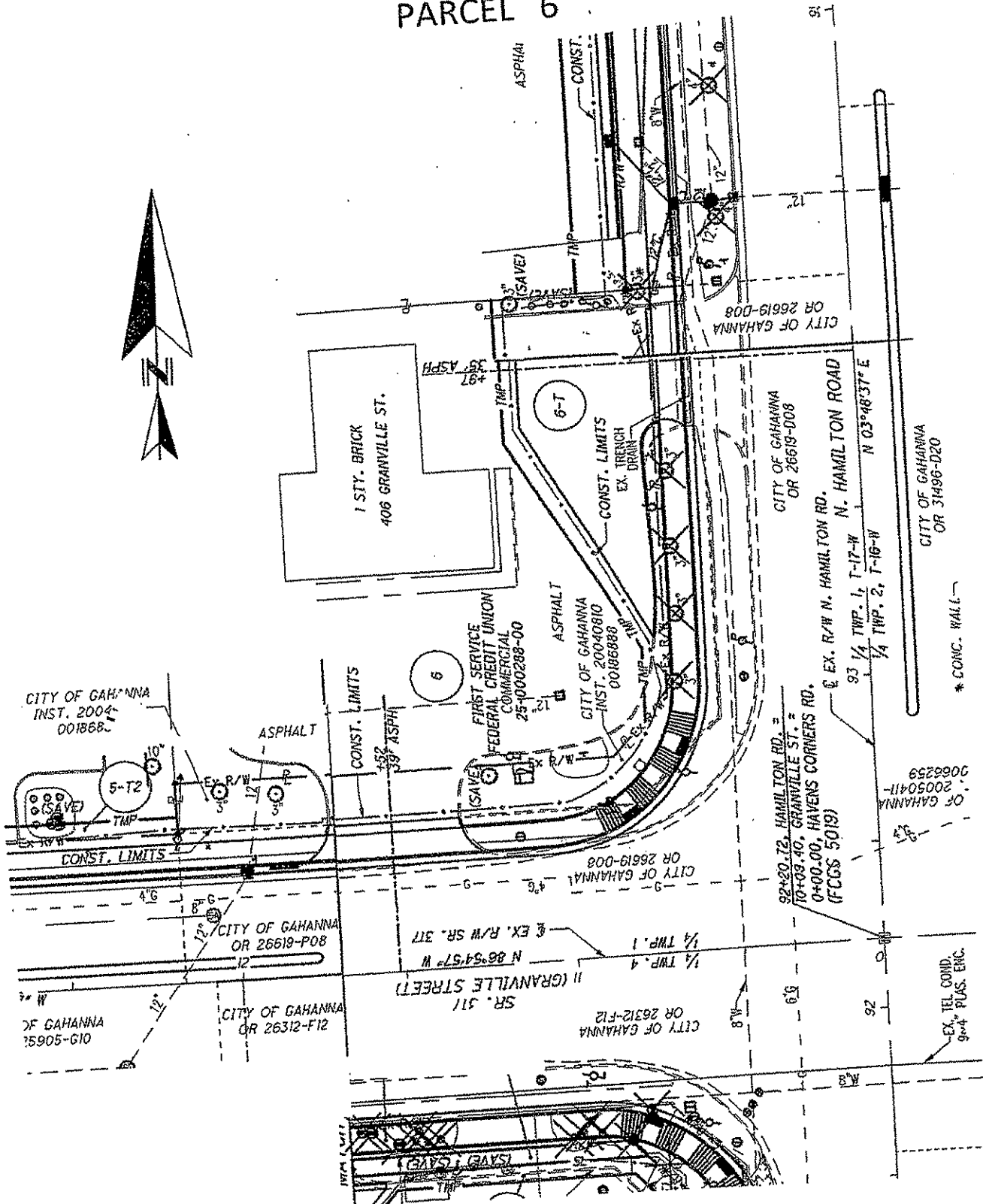


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**PARCEL 6-T
FRA-317-18.11
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A DRIVE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Gahanna, being in the southeast quarter of Quarter Township 1, Town 1 Township, Range 17 West, United States Military Lands, being a part of a 0.4925 acre parcel conveyed to First Service Federal Credit Union by Instrument 200711160198573, Franklin County Records office, and also being on the left side of the centerline of right of way of North Hamilton Road as shown on a centerline survey plat made in 2008, for the City of Gahanna titled "FRA-317-18.11" and bounded and described as follows:

- BEGINNING at the northeasterly property corner of the Grantor on the existing westerly right of way line of said North Hamilton Road 65.41 feet left of North Hamilton Road Station 94+20.15;
1. thence South 10 degrees 01 minutes 12 seconds East a distance of 22.63 feet, along said existing westerly right of way line of North Hamilton Road to a point 60.00 feet left of Station 93+98.18;
 2. thence South 03 degrees 48 minutes 37 seconds West a distance of 101.47 feet, continuing along said existing westerly right of way line to a point on the existing northwesterly right of way line of State Route 317 (Granville Street) 60.00 feet left of Hamilton Road Station 92+96.71, also being 76.75 feet right of Granville Street Station 10+68.43;
 3. thence South 49 degrees 10 minutes 52 seconds West a distance of 9.84 feet, along said existing northwesterly right of way line of State Route 317 to a point 67.00 feet left of Hamilton Road Station 92+89.80, also being 69.93 feet right of Granville Street Station 10+75.52;
 4. thence North 03 degrees 48 minutes 37 seconds East a distance of 21.90 feet to a point 67.00 feet left of Hamilton Road Station 93+11.70;
 5. thence North 27 degrees 10 minutes 00 seconds West a distance of 73.83 feet to a point 105.00 feet left of Station 93+75.00;
 6. thence North 03 degrees 48 minutes 37 seconds East a distance of 44.76 feet to a point on the northerly property line of the Grantor 105.00 feet left of Station 94+19.76;
 7. thence South 86 degrees 45 minutes 14 seconds East a distance of 39.59 feet, along said northerly property line of the Grantor to the TRUE POINT OF BEGINNING.

The above described area is contained within Franklin County Auditor's Permanent Parcel Number 025-000288-00 and contains a gross take of 0.0859 acres more or less.

This description was prepared by Jon D. Bruner, Professional Surveyor Number 7098 of The Mannik & Smith Group, on February 10, 2009.

This description is based on a survey made in 2006 by the W. E. Stilson Consulting Group under the direction and supervision of John Jeffrey Raab, Professional Surveyor Number 7863.

EXHIBIT A

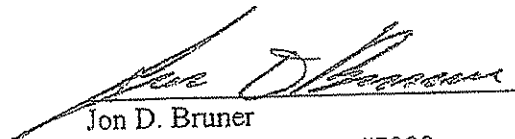
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Grantor claims title by Instrument 200711160198573, Franklin County Recorders office.

The basis of bearings is North 03 degrees 48 minutes 37 seconds East used for Hamilton Road north of Granville Street and was provided by the Franklin County Engineer's Survey Department. The bearings are based on the Ohio State Plane Coordinate System, South Zone, and North American datum of 1983 (1986 Adjustment) as established from a GPS survey performed by the Franklin County Engineer's Survey Department in 1995, occupying monuments FCGS 8815 and FCGS 5019.


Jon D. Bruner
Professional Surveyor #7098
The Mannik and Smith Group, Inc.
1800 Indian Wood Circle
Maumee, Ohio 43537

3-2-09
Date

