

M. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. ____

**AUTHORIZING THE FILING OF AN ORIGINAL INCREASE COMPLAINT
WITH THE DELAWARE COUNTY BOARD OF REVISION REGARDING DELAWARE
COUNTY PARCEL NO. 417-132-01-001-009**

WHEREAS, real property taxes derived from real estate located within the Big Walnut Local School District (the “District”) represents the vast majority of funds supporting the District’s operations. Ensuring such real estate is properly valued and taxed by the Delaware County Auditor is critical to the District’s continued provision of necessary educational and other services to its students and their families; and

WHEREAS, The District’s legal counsel has identified a recent sale of real estate within the District, indicating the subject real estate is undervalued for real property taxation purposes as a matter of Ohio law. The real estate is identified and described as follows (the “Property”):

Delaware County Parcel No. 417-132-01-001-009
Address: 9945 State Route 37 E, Sunbury, Ohio 43074
Property Owner(s) of Record: Sunbury OH Property LLC; and

WHEREAS, available public records indicate: (1) the Property’s current true value appearing on the tax list is \$1,770,200.00; and (2) the Property’s current owner(s) purchased the Property in a recent arms-length transaction, as described in Ohio Revised Code 5713.03, on or about December 12, 2019 for \$3,333,333.00; accordingly, the sale price exceeds the true value of the Property currently appearing on the tax list, by both 10% and \$500,000.00; and

WHEREAS, based on the above, the District’s legal counsel recommends that the Board of Education authorize the filing of an Original Complaint with the Delaware County Board of Revision against the Auditor’s determination of the total valuation of the Property as it appears on the tax list for the current tax year (Tax Year 2022), per R.C. 5715.19(A)(1)(d); specifically, such Complaint will seek to increase the value of the Property to its recent sale price in accordance with Ohio law; and

WHEREAS, on behalf of the Board of Education, the Treasurer provided written notice of the Board of Education’s intent to consider and adopt this Resolution to at least one record owner of the Property, via certified mail to the owner’s last known tax-mailing address and to the street address of the Property, which written notice was postmarked at least seven (7) calendar days prior to the Board’s meeting at which this Resolution was considered (and adopted), in accordance with R.C. 5715.19(A)(7) (a copy of said notice is attached hereto).

BE IT THEREFORE RESOLVED:

1. The Board finds and determines the recent sale of the Property identified above meets all requirements for the District to file an Original Complaint against the Auditor’s valuation of the Property for the current tax year.

2. The Board authorizes its legal counsel to file an Original Complaint against the valuation of the Property for the current tax year (Tax Year 2022), seeking to increase the value of the Property for real property taxation purposes to its recent sale price (or such other value as legal counsel and the District deem fair and reasonable based on further evidence and information legal counsel may collect regarding the sale).

M____. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: _____ Nays: _____

The Resolution passed.