

Addendum

Definitions of Significant Terms

Qualifications of Gregory C. Klauk

Definitions of Significant Terms:

Appraisal Report - a written report prepared under Standards Rule 2-2a of the Uniform Standards of Professional Appraisal Practice (2016-2017 ed.).

Restricted Appraisal Report - a written report prepared under Standards Rule 2-2b of the Uniform Standards of Professional Appraisal Practice (2016-2017 ed.).

Value In Use - The value of a property assuming a specific use, which may or may not be the property's highest and best use on the effective date of the appraisal. Value in use may or may not be equal to market value but is different conceptually.²

Value In Use - The value to a specific owner of a property or improvement, usually much greater than market value. The value of a property for a specific use, also called Use Value. (*IRWA. Real Estate Handbook, 4th ed., 358.*)

Use Value - the value of a property assuming a specific uses, which may or may not be the property's highest and best use on the effective date of the appraisal. Use value may or may not be equal to market value but is different conceptually.³

Market Value - 1) The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress. (*The Appraisal of Real Estate, 14th ed., published 2013 by the Appraisal Institute pg. 58*).

2) Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property. (*Uniform Standards for Federal Land Acquisitions a/k/a The Yellow Book*).⁴

Market Value - The highest price estimated in terms of money which a property will bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used. (*NYS Case Law*).

Surplus Land - Land not currently needed to support the existing use but cannot be separated from the property and sold off. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel.⁵

Excess Land - Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land may have the potential to be sold separately and is valued separately.⁶

²The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), pg. 245

³Ibid., pg. 241

⁴Uniform Appraisal Standards for Federal Land Acquisitions (Yellow book), 6th edition, pg. 10.

⁵The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), pg. 227-228

⁶Ibid., pg. 80-81

Definitions of Significant Terms: (Cont'd.)

Market Rent - The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs).⁷

Excess Rent - The amount by which contract rent exceeds market rent at the time of appraisal; created by a lease favorable to the landlord (lessor) and may reflect unusual management, unknowledgeable or unusually motivated parties, a lease execution in an earlier, stronger rental market, or an agreement of the parties .⁸

Fee Simple Estate - Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.⁹

Fee Simple Conditional – A fee simple estate that may be terminated when a specified event occurs, which may be at any time or not at all. The condition does not automatically terminate the estate; the grantor, the heirs, or a designee must act to terminate it.

Leased Fee Interest - The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.¹⁰

Leasehold Interest - The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.¹¹

Abut - To share a common boundary with another property.¹²

Abutter or Adjoiner - A property that is physically contiguous to the surplus parcel. (NYS DOT)

Across-The-Fence (ATF) Method - A land valuation method often used in the appraisal of corridors. The across-the-fence method is used to develop a value opinion based on comparison to abutting land.¹³

Across-The-Fence (AFT) Value - In the valuation of real estate corridors, the value concluded based on comparison with adjacent lands before the consideration of any other adjustment factors. (IRWA).¹⁴

Assemblage - 1) The combining of two or more parcels, usually but not necessarily contiguous, into one ownership or use; the process that may create plottage value. 2) The combining of separate properties into units, sets, or groups, i.e., integration or combination under unified ownership.¹⁵

Auction - 1) A sale, public or private, where property or property rights are sold to the highest bidder. In an absolute auction, the property is sold to the highest bidder “without minimum or reservation”. In a reserve auction, the seller and the auction company mutually agree on a sale price that may be obtained before the property can be sold. 2) A sale or lease through a bidding process of the right to use government land for agricultural, oil, gas extraction, or other purpose.¹⁶

Definitions of Significant Terms: (Cont'd.)

⁷The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), Pg. 140

⁸Ibid., pg. 81

⁹Ibid., pg. 90

¹⁰Ibid., pg. 128

¹¹Ibid., pg. 128

¹²Ibid., pg. 2

¹³Ibid., pg. 3

¹⁴Ibid., pg. 3

¹⁵Ibid., pg. 13

¹⁶Ibid., pg. 16

Bilateral Monopoly - A market in which a single seller (a monopoly) is confronted with a single buyer (a monopsony). Under these circumstances, the theoretical determination of output and price will be uncertain and will be affected by the interdependence of the two parties.¹⁷

Cash Equivalency - An analytical process in which the sale price of a transaction with nonmarket financing or financing with unusual conditions or incentives is converted into a price expressed in terms of cash or its equivalent.¹⁸

Compensable Damages - Damages for which a condemnor is legally required to compensate the owner or tenant of the property that is being wholly or partially condemned. In most jurisdictions, physical invasion of the property by a condemning authority or the taking of some property right must occur before damages are considered compensable.¹⁹

Condemnation - The act or process of enforcing the right of eminent domain.²⁰

Consequential Damages - Consequential damages are those damages that occur, in a partial taking, to the remainder of the property, by reason of the use to which the portion taken is to be put by the condemnor. *South Buffalo Railway Co. v. Kirkover*, 176 N.Y. 301 (1903); Goldstein & Goldstein "Condemnation & Tax Certiorari: A Matter of Opinion", *New York Law Journal*, January 28, 1993, p.3, col. 3.

Contributory Value - The change in the value of property as a whole, whether positive or negative, resulting from the addition or deletion of a property component. Also called deprivation value in some countries.²¹

Damages - In condemnation, the loss in value to the remainder in a partial taking of a property. Generally, the difference between the value of the whole property before the taking and the value of the remainder after the taking is the measure of the value of the part taken and the damages to the remainder. Note that different regions of the country and different courts may use terms such as consequential damages and severance damages differently.²²

Disposition Value - The most probable price that a specified interest in real property should bring under the following conditions:

1. Consummation of a sale within a specified time, which is shorter than the typical exposure time for such a property in that market.
2. The property is subjected to market conditions prevailing as of the date of valuation.
3. Both the buyer and seller are acting prudently and knowledgeably.
4. The seller is under compulsion to sell.
5. The buyer is typically motivated.
6. Both parties are acting in what they consider to be their best interests.
7. An adequate marketing effort will be made during the exposure time.
8. Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.²³

¹⁷Ibid., pg. 22

¹⁸Ibid., pg. 33

¹⁹Ibid., pg. 43

²⁰Ibid., pg. 45

²¹Ibid., pg. 50

²²Ibid., pg. 59

²³Ibid., pg. 67

Definitions of Significant Terms: (Cont'd.)

Easement - The right to use another's land for a stated purpose.²⁴

Easement Appurtenant - An easement that is attached to, benefits, and passes with the transfer of the dominant estate; runs with the land for the benefit of the dominant estate and continues to burden the servient estate, although such an estate may be transferred to new owners.²⁵

Easement by Prescription - The right to use another's land, which is established by exercising this right openly, hostilely, and continuously over a statutory period of time.²⁶

Enhancement Value - Increment in value experienced by the contiguous parcel. While there is no industry definition for the above, Eric Reenstierna, MAI in his attached referenced article. "The Abutter Approach" states "Enhancement value" is distinct from market value in that it is an additional amount that may be fully achieved in the event that the advantage in negotiation goes entirely to the owner of the subject. (NYS DOT)

Extraordinary Assumptions: An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. (USPAP, 2018-2019 ed., pg 4).

Highest and Best Use – The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.²⁷

Hypothetical Condition: a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. The Appraisal Foundation, (USPAP 2018-2019 Edition, p. 4).

Interim Use - The temporary use to which a site or improved property is put until a different use becomes maximally productive.²⁸

Jurisdictional Exception - an assignment condition established by applicable law or regulation, which precludes an appraiser from complying with a part of USPAP (USPAP, 2016-2017 ed.).²⁹

²⁴Ibid., pg. 71

²⁵Ibid., pg. 71

²⁶Ibid., pg. 71

²⁷Ibid., pg. 109

²⁸Ibid., pg. 120

²⁹Ibid., pg. 123

Definitions of Significant Terms: (Cont'd.)

Just Compensation - Upon taking of real property by eminent domain, the Eminent Domain Procedure Law and the Federal and New York State Constitutions require that the condemnor pay just compensation to the property owner to compensate him or her for his or her loss by reason of the taking. The constitutional requirement of just compensation mandates that the property owner be indemnified so that such owner may be put in the same relative position, insofar as this is possible, as if the taking had not occurred. Just compensation is properly measured by determining what the owner has lost by reason of the taking. The property owner should be made whole, that is, the owner should be as well off after the taking as he or she was before the taking. *Rose v. State*, 24 N.Y. 2d 80, 219 N.Y.S. 2d 968 (Claim Number 44349, 1969); *City of Buffalo v. J.W. Clement Co.*, 28 N.Y. 2d 241, 321 N.Y.S. 2d 345 (1971); 51 N.Y. Jur. 2d, §§76, 149, 150.

Land Value-To-Building Value Ratio - The proportion of land value to building value. Ideally, comparable properties would have a similar land value-to-building value ratio.³⁰

Market – 1) A set of arrangements in which buyers and sellers are brought together through the price mechanism; the aggregate of possible buyers and sellers and the transactions between them. 2) A gathering of people for the buying and selling of things; by extension, the people gathered for this purpose.³¹

Monopsony - A market in which there is only one buyer for a good or service.³²

Perpetual (Permanent) Easement: An easement that lasts forever.³³

Plottage Value - The increment of value that often occurs when two or more sites are combined to produce greater utility resulting in a higher productivity or income than could be obtained from the individual smaller sites.³⁴

Point Estimate (Point Value) - A final indication reported as a single dollar amount. In estimating market value, a point estimate is typically regarded as the most probable number, not the only possible number.³⁵

Range of Value - In final reconciliation, the range in which the final market value opinion of a property may fall; usually stated as a variable amount between a high and low value limit.³⁶

Remnant - A remainder that has negligible economic utility or value due to its size, shape, or other detrimental characteristics.³⁷

Severance Damage - Severance damages are those damages that occur, in a partial taking, to the remainder of the property, by virtue of the fact that the part acquired is no longer owned by the condemnee. *South Buffalo Railway Co. v. Kirkover*, 176 N.Y. 301 (1903); See also, Goldstein & Goldstein “Condemnation & Tax Certiorari: A Matter of Opinion”, *New York Law Journal*, January 28, 1993, p.3, col. 3.

³⁰Ibid., pg. 127

³¹Ibid., pg. 138

³²Ibid., pg. 149

³³Ibid., pg. 170

³⁴Ibid., pg. 172

³⁵Ibid., pg. 172

³⁶Ibid., pg. 185

³⁷Ibid., pg. 196

Definitions of Significant Terms: (Cont'd.)

Subdivision Development Method - A method of estimating land value when subdividing and developing a parcel of land is the highest and best use of the land. When all direct and indirect costs and entrepreneurial incentive are deducted from an estimate of the anticipated gross sale price of finished lots (or completed improvements on those lots), the resultant net sales proceeds are then discounted to present value at a market-derived rate over the development and absorption period to indicate the value of the land.³⁸

Stand Alone Parcel - A surplus parcel that can be independently developed. (NYS DOT)

Subdivision Regulations - Laws that regulate the design and engineering standards for public improvements in a subdivision, e.g., streets, drainage, sewers, water, electricity, telephone, street landscaping, establish an application and review process that the prospective subdivider or developer must follow.³⁹

Temporary Easement - An easement granted for a specific purpose and applicable for a specific time period. A construction easement, for example, is terminated after the construction of the improvement and the unencumbered fee interest in the land reverts to the owner.⁴⁰

Value As Is: (As Is Market Value) - The estimate of the market value of real property in its current physical condition use, and zoning as the appraisal date.⁴¹

Wetlands - Areas that are frequently inundated or saturated by surface or ground water and support vegetation typically adapted for life in saturated soil conditions; generally include swamps, marshes, bogs, and similar areas, but classification may differ in various jurisdictions.

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.⁴²

Hydric Soil - A soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth, the regeneration of hydrophytic vegetation (US Department of Agriculture-Soil Conservation Service, 1985). Hydric soils that occur in areas having positive indicators of hydrophytic vegetation and wetland hydrology are wetland soils."⁴³

Hydrology - The science dealing with properties, distribution and circulation of water".⁴⁴

Hydrophytic Vegetation - The sum total of macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excess water content. When hydrophytic vegetation comprises a community where indicators of hydric soils and wetland hydrology also occur, the area has wetland vegetation".⁴⁵

³⁸Ibid., pg. 223

³⁹Ibid., pg. 224

⁴⁰Ibid., pg. 231

⁴¹Ibid., pg. 13

⁴²US Department of Commerce, Corps of Engineers Wetlands Delineation Manual, January, 1987, Final Report (National Technical Information Service, Technical Report Y-87-1), Pg. A6

⁴³US Department of Commerce, Corps of Engineers Wetlands Delineation Manual, January, 1987, Final Report (National Technical Information Service, Technical Report Y-87-1), Page A6.

⁴⁴Ibid., pg. A6

⁴⁵Ibid., pg. A6

Definitions of Significant Terms: (Cont'd.)

“**Freshwater wetlands**” means lands and waters of the state as shown on the freshwater wetlands map which contain any or all of the following:

(a) Lands and submerged lands commonly called marshes, swamps, sloughs, bogs, flats supporting aquatic or semi-aquatic vegetation of the following types:

(1) wetland trees, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other trees; including, among others, red maple (*Acer rubrum*), willows (*Salix* spp.), black spruce (*Picea mariana*); swamp white oak (*Quercus bicolor*), red ash (*Frazinus pennsylvanica*), black ash (*Fraxinus nigra*), silver maple (*Acer sacharinum*), American elm (*Ulmus americana*), and Larch (*Larix Larson*);

(2) wetland shrubs, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other shrubs; including, among others, alder (*Alnus* spp.), buttonbush (*Cephalanthus occidentalis*), bog rosemary (*Andromeda glaucophylla*), dogwoods (*Cornus* spp.), and leather leaf (*chamaedaphne calyculata*);

(3) emergent vegetation, including, among others, cattails (*Typha* spp.), pickerelweed (*Pontederia cordata*), arrowheads (*Sagittaria* spp.), reed (*Phragmites communish*), wildrice (*Zizania aquatica*), bur-reeds (*Sparganium* spp.), purple loosestrife (*Lythrum salicaria*), swamp loose-strife (*Decodon verticillatus*), and water plantain (*Alisma plantago-aquatica*);

(4) rooted, floating-leaved vegetation; including, among others, water-lily (*Nymmphea odorata*), water shield (*Brasenia Schreberi*), and spatterdock (*Nuphar* spp.);

(5) free-floating vegetation; including, among others duckweed (*Lemna* spp.), big duckweed (*Spirodela polyrhiza*), and watermeal (*Wolffia* spp.);

(6) wet meadow vegetation, which depends upon seasonal or permanent flooding or sufficiently water-logged soils to give it a competitive advantage over other open land vegetation; including, among others, sedges (*Carex* spp.), rushes (*Juncus* spp.), cattails (*Typha* spp.), rice cut-grass (*leesia oryzoides*), reed canary grass (*Phalaris arundinacea*), swamp loosestrife (*Decodoon verticillatus*), and spikeruch (*Eleocharis* spp.);

(7) bog mat vegetation; including, among others, sphgnum mosses (*Sphagnum* spp.), bog rosemary (*Andromeda glaucophylla*), leatherleaf (*Chamaedaphne calyculata*), pitcher plant (*Sarracenia purpurea*), and cranberries (*Vaccinium macrocarpon* and *V. oxycoccos*);

(8) submergent vegetation; including among others, pondweeds (*Potamogeton* spp.), naiads (*Najas* spp.), bladderworts (*Utricularia* spp.), wild celery (*Vallisneria americana*), coontail (*Ceratohpyllum demersum*), water milfoils (*Myriophyllum* spp.), muskgrass (*chara* spp.), stonewort (*Nitella* spp.), water weeds (*Elodea* spp.), and water smartweed (*Polygonum amphibium*);

(b) lands and submerged lands containing remnants of any vegetation that is not aquatic or semi-aquatic that has died because of wet conditions over a sufficiently long period, provided that such wet conditions do not exceed a maximum seasonal water depth of six feet and provided further that such conditions can be expected to persist indefinitely, barring human intervention;

(c) lands and waters substantially enclosed by aquatic or semi-aquatic vegetation as set forth in paragraph (a) or by dead vegetation as set forth in paragraph (b), the regulation of which is necessary to protect and preserve the aquatic and semi-aquatic vegetation; and

(d) the waters overlying the areas set forth in (a) and (b) and the lands underlying (c).⁴⁶

⁴⁶Environmental Conservation Law, Article 24, Freshwater Wetlands, 24-0107 Definitions, Pg.3

Definitions of Significant Terms: (Cont'd.)

CONDITION RATINGS:

In order to have as consistent a condition and quality rating system for improved properties (subjects and comparables) to make adjustments within market grids more reliable, we have adopted the following condition rating from the "Depreciation" section of the Marshall Valuation Service Cost Manual Section 97 page 3.

Excellent Condition – All items that can normally be repaired or refinished have recently been corrected, such as new roofing, paint, furnace overhaul, state-of-the-art components, etc. With no functional inadequacies of any consequence and all major short-lived components in like-new condition, the overall effective age has been substantially reduced upon complete revitalization of the structure regardless of the actual chronological age.

Very Good Condition – All items well maintained, many having been overhauled and repaired as they've shown signs of wear, increasing the life expectancy and lowering the effective age, with little deterioration or obsolescence evident and a high degree of utility.

Good Condition – No obvious maintenance required, but neither is everything new. Appearance and utility are above the standard, and the overall effective age will be lower than the typical property.

Average Condition – Some evidence of deferred maintenance and normal obsolescence with age in that a few minor repairs are needed, along with some refinishing. But with all major components still functional and contributing toward an extended life expectancy, effective age and utility are standard for like properties of its class and usage.

Fair Condition (Badly Worn) – Much repair needed. Many items need refinishing or overhauling, deferred maintenance obvious, inadequate building utility and services all shortening the life expectancy and increasing the effective age.

Poor Condition (Worn Out) – Repair and overhaul needed on painted surfaces, roofing, plumbing, heating, numerous functional inadequacies, substandard utilities, etc. (found only in extraordinary circumstances). Excessive deferred maintenance and abuse, limited value-in-use, approaching abandonment or major reconstruction; reuse or change in occupancy is imminent. Effective age is near the end of the scale regardless of the actual chronological age.

Definitions of Significant Terms: (Cont'd.)

QUALITY RATINGS:

This classification system is also taken from the Marshall Valuation Service Cost Manual "Qualities of Construction" Section 1, page 10. These definitions relate to quality of materials and workmanship used in building a structure.

Excellent – Excellent buildings are normally prestige buildings. On an economic basis, part of the cost must be written off to pride of ownership and some of the income intangibly derived from advertising. Buildings of this classification reflect the best of materials and workmanship (craftsmen) with unique custom design, best brick, hardwoods, stone, solid core interior doors, etc.

Good – Buildings designed for good appearance, comfort and convenience, as well as an element of prestige, constitute the Good Quality category. Ornamental treatment is usually of higher quality and interiors are designed for upper-class rentals. The amenities of better lighting and mechanical work are primary items in their costs. The structures are characterized by superior quality workmanship, skilled labor; building materials exceeding building codes; custom design in many cases.

Average (Normal) – Average-quality constitute the largest group of buildings constructed, approximately fifty percent of all buildings. These are generally buildings designed for maximum economic potential without some of the pride of ownership or prestige amenities of higher-quality construction. They are of good standard code construction with simple ornamentation and finishes. Construction materials meet building code, design is commonplace but functional workmanship skilled and unskilled, few special features.

Low (Fair) – Buildings in this category are generally constructed to minimum requirements often with little regard for architectural appearance or other amenities. They are built with minimum investment in mind. Little ornamentation is used and interior partitioning and finish is minimal and/or of low quality. Buildings in this category reflect economy grade construction materials, some building code violations may exist, design is plain, little or no ornamentation, limited use of skilled labor.

Formal Education:

- Bachelor of Arts - Bridgewater College, Virginia
- Bishop Fallon College Preparatory High School, Buffalo, New York

Professional Affiliations:

- New York State Society of Real Estate Appraisers
- International Right-of-Way Association - Chapter 18
- Appraisal Institute Practicing Affiliate
- New York State Assessor's Association

Licensure/Designations/Certifications:

- Licensed New York State Real Estate Salesperson
- New York State Certified General Real Estate General Appraiser #46-0250; 10/8/16-10/7/17

Prepared & Participated in Appraisals & Consultant Reports For:

- Numerous savings and loan and commercial lending institutions - residential and commercial mortgages and sale/purchase assets (KeyBank, Northwest Savings Bank, First Niagara Bank, PNC Bank, HSBC, Five Star Bank, Bank of America among others)
- Major, regional and local oil companies - acquisition, disposition and condemnation
- Special purpose properties (hospitals, schools, coke plants, etc.)
- Governmental agencies (state, federal, county, town and cities) acquisition, reuse, condemnation, Ad-Valorem and certiorari proceedings and specialized studies
- Private industry - mortgages, buy/sell, mergers
- Attorneys and private individuals - condemnation, investment counseling, mortgage appraisals and tax assessment matters
- Insurance companies - damage loss, sale/purchase, assets
- Third party residential transfer corporations

Fee Consultant For:

New York State

- Department of Corrections
- Department of Transportation
- Department of Environmental Conservation
- Department of Parks & Recreation
- Department of MRDD
- Facilities Development Corporation
- Housing Finance Agency (HFA)
- State of NY Mortgage Agency (SONYMA)
- Thruway Authority
- New York State Power Authority
- Empire State Development Corporation

Federal Government

- Farms Home Administration
- Federal Deposit Insurance Corp. (FDIC)
- Housing & Urban Development
- Internal Revenue Service

Testified as Expert Witness:

- United States District Court, Western District of NY Bankruptcy Court
- State Supreme Court
- New York State Court of Claims
- Cattaraugus County Court
- Various Commissions of Appraisal
- United States District Court, Western District of NY Tax Court.

Notable Court Experience

- Noco vs. People of the State of New York, New York State Court of Claims, Rochester, New York
- Gymnastics Training Center of Rochester Inc. vs. People of the State of New York, New York State Court of Claims, Rochester, New York
- Yorktown Builders vs. People of the State of New York, New York State Court of Claims, Buffalo, New York
- Transitowne Plaza Inc. vs. People of the State of New York, New York State Court of Claims, Buffalo, New York
- Jung vs. Town of Franklinville, New York State Supreme Court, Cattaraugus County, New York
- Various Claimants vs. Town of West Seneca, New York State Supreme Court, Erie County, New York
- Niagara Mohawk vs. City of Dunkirk, New York State Supreme Court, Chautauqua County, New York
- Milazzo vs. People of the State of New York, New York State Court of Claims, Erie County, New York
- Bevilacqua vs. People of the State of New York, New York State Court of Claims, Erie County, New York (Settled)
- Village Glen Tennis & Fitness Center vs. Town of Amherst Assessor, New York State Supreme Court, Erie County, New York
- Benevolent Protectors Order of Elks vs. People of the State of New York, New York State Court of Claims, Erie County, New York
- Fairway Heights Inc. v. Hillock et.al., New York State Supreme Court, Erie County, New York
- 120 Lawley Services LLC v. United States of America, (settled) Federal District Court (2008)
- New Creation Fellowship v. New York State Insurance Fund, New York State Supreme Court, Erie County, New York (2007)
- Statler Tower LLC v. City of Buffalo, New York State Supreme Court, Erie County, New York (2008)
- Rostikof vs. People of the State of New York, New York State Court of Claims, Erie County, New York (2008)
- Garmen v. Town of West Seneca, New York State Supreme Court, Erie County, New York (2008)
- Reeves et.al. v. People of State of New York, NYS Court of Claims, Erie County, New York (2008)
- Mark 1, LLC v. Universal Forest Products Eastern Division, Inc. and Universal Forest Products Inc., Sardinia, New York State Supreme Court, Erie County, New York (2009)
- Stahowiak v. People of the State of New York New York State Court of Claims, Erie County, NY (2010)
- StanCorp Mortgage Investors LLC v. Frederiksen Development LLC, United States Bankruptcy Court for the Western District of New York (2011)
- Rooks, Frey and Nabi vs. Town of Clarence, New York, State Supreme Court, Erie County, NY (2011)
- Sweeney Steel Corp vs. Town of Tonawanda, State Supreme Court, Erie County, NY (2011)
- Denise Faulkner vs. Northwest Savings Bank, United States Bankruptcy Court for the Western District of New York (2012)
- Turner vs. County of Erie, State Supreme Court, Erie County, NY (2012)
- Mercier vs. Cole, United States Bankruptcy Court for the Western District of New York (2013)
- Rite Aid vs. Town of Cheektowaga, State Supreme Court, Erie County, NY (2013)
- Penfold vs. People of the State of New York, Court of Claims, Erie County New York (2014)
- Kissling Interests, LLC vs. IRS, United States District Court, Western District of NY (2015)
- Villafrank v. Ross Estates, Surrogate Court, Chautauqua County (2016)
- RMF vs. Town of Lancaster, State Supreme Court, Erie County, NY (2017)
- Town of Lockport IDA vs. GM Components Holdings, LLC, Supreme Court, Niagara County, NY (2018)

Employment History:

- **KLW Appraisal Group Inc. (fka Klauk, Lloyd & Wilhelm Inc.), Buffalo, NY**, President, 1995-Present; Principal of KLW Municipal Inc. a Mass Valuation Appraisal Company; Principal and Vice President KLW Residential Inc. a residential appraisal company for one to four family dwellings.
- Upstate Appraisal Inc.- Commercial, Buffalo, NY, President, 199-1995
- Independent Real Estate Consultant and Appraiser, Buffalo, NY, 1989-1990
- GAR Associates, Inc., Buffalo, NY, Staff Appraiser, Senior Consultant, Principal & Senior Vice President, Corporate Secretary.

Real Estate Courses and Seminars:

- American Institute of Real Estate Appraisers, successfully completed all required exams and/or courses for MAI designation, 9/86-3/89
- Appraisal Institute, Appraising Conservation/Preservation Easements, 3/87
- International Right of Way Assoc. -Course 403, "Easement Valuation", 6/87
- International Right of Way Assoc.-Course 701, "Property Management: Leasing", 6/87
- Continuing Education, "Investment Analysis", 10/87
- Environmental Compliance Service-Erie County, New York, "Hazardous Waste-Regulations Update, Management, Liability", 12/87
- Continuing Education, NYS Secretary of State Division of Licensing, "Brokers Course", 12/87
- Society of Real Estate Appraisers, successfully satisfied requirements for all courses necessary for SRPA designation, 2/88-5/89
- Environmental Compliance Service-Erie County, New York, "Environmental Liabilities in Real Estate Transactions", 5/88
- Appraisal Institute, Litigation Valuation (Exam 4), 9/88
- Appraisal Institute, Valuation of Leasehold Interests, 10/90
- Erie County Dept. Environment & Planning-Wetland Seminar, "The New Role of Federal Regulations in Land Use Decisions, 11/90
- Whiteman, Osterman and Hanna-Wetland Seminar, "Recent Changes in the Regulation of State & Federal Wetland", 2/92
- Appraisal Institute-Course SPP, "Standards of Professional Practice, Parts A & B", 10/92
- Appraisal Institute-Course 530, "Advanced Sales Comparison and Cost Approaches", 11/94
- National Highway Institute & NYS DOT, "Eminent Domain for Attorneys & Appraisers", 9/98
- International Right of Way Assoc.-Course 104, "Standards of Practice for Right of Way Professional", 9/99
- International Right of Way Assoc.-Course 401, "The Appraisal of Partial Acquisitions", 9/00
- International Right of Way Assoc.-Course 207, "Practical Negotiations for US Fed Funded Land Acquisitions", 2/01
- International Right of Way Assoc.- Course 900, "Principals of Real Estate Engineering", 10/01
- International Right of Way Assoc.- Course 800, "Principals of Real Estate Law", 8/02
- International Right of Way Assoc.- Course 200, "Principals of Real Estate Negotiation", 11/02
- International Right of Way Assoc.- Course H005, "Reviewing Appraisals in Eminent Domain", 5/04
- International Right of Way Assoc.- Course 403, "Easement Valuation", 5/04
- International Right of Way Assoc.- Course 409, "Integrating Appraisal Standards", 3/05
- International Right of Way Assoc.- Course 406B, "7 hour National USPAP Course", 8/05
- Lorman Education Services, "Eminent Domain: The Effect of Recent Supreme Court Decisions", 10/05
- Appraisal Institute, "Flipping and Fraudulent Flipping-Do You Know the Difference", 4/06
- Appraisal Institute, "7 Hour National USPAP Update Course", 5/06
- Appraisal Institute, "The Modern Cost Approach: Applied Methods & Techniques, Parts 1 & 2", 1/07
- The Cusack Center, "Residential Construction Basics", 8/07
- International Right of Way Assoc.- Course 400 "Principals of Real Estate Appraisal", 9/07
- Lorman Education Services "Law of Easements: Legal Issues and Practical Considerations", 6/08
- Appraisal Institute, "7 Hour National USPAP Update Course", 1/09
- Appraisal Institute, "Scope of Work: Expanding Your Range of Service" 4/09
- Appraisal Institute, "Valuation of Conservation Easements" 5/09
- Appraisal Institute, "7 Hour National USPAP Update Course", 12/09
- Appraisal Institute, Business Practices and Ethics, 8/10

Real Estate Courses and Seminars (Cont'd.)

- Appraisal Institute, Valuation and Market Perspectives 2011, 2/11
- Appraisal Institute, Appraisal Curriculum Overview 2011, 4/11
- BNAR, Uniform Appraisal Data Set 7/11,
- New York State Assessor’s Association & The IAO – Valuation Factor File 2011, 12/2
- Appraisal Institute, Real Estate Net Work Seminar, 10/2012
- Appraisal Institute, Business Practices and Ethics, 12/12
- Appraisal Institute, A Residential and Commercial Perspective, 1/2013
- Institute of Assessing Officers, Valuation of Light Manufacturing Facilities 1/2013
- Appraisal Institute, "7 Hour National USPAP Update Course", 4/2013
- Appraisal Institute, Appraisal Review-General, 10/2013
- IRWA, "7 Hour National USPAP Update Course", 1/2014
- McKissock’s Supervisor-Trainee Course for New York 12/2014
- Appraisal Institute, Residential and Commercial Trends, 2/2015
- Contamination and the Valuation Process, Appraisal Institute webinar 9/16/2015
- Appraising Commercial and Complex Properties in a Historic Area 11/18/2015
- Appraisal Institute, "7 Hour National USPAP Update Course", 12/7/2015
- Appraisal Institute, Residential and Commercial Trends, 2/5/2016
- Appraisal Institute, Real Estate Network Seminar 9/15/2016
- Appraisal Institute, Residential and Commercial Trends, 2/3/2017
- Appraisal Institute, Uniform Appraisal Standards for Federal Land Acquisition 2016 update, 10/18-19/2017
- IRWA, "7 Hour National USPAP Update Course", 2/2018
- Appraisal Institute, Residential and Commercial Trends, 3/8/2019

UNIQUE ID NUMBER 46000000250	State of New York Department of State DIVISION OF LICENSING SERVICES	FOR OFFICE USE ONLY Control No. 117420
PURSUANT TO THE PROVISIONS OF ARTICLE 36 OF THE EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.		EFFECTIVE DATE MO. DAY YR. 10 08 19
KLAUK GREGORY C C/O KLW APPRAISAL GROUP INC 247 CAYUGA RD BUFFALO, NY 14225		EXPIRATION DATE MO. DAY YR. 10 07 21
HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A R. E. GENERAL APPRAISER		
In Witness Whereof, The Department of State has caused its official seal to be hereunto affixed. ROSSANA ROSADO SECRETARY OF STATE		
DOS-1098 (Rev. 3/01)		

Real Estate Appraisal
Prospective BNCC Site
HSBC Area
City of Buffalo, Erie County, New York

Properties:
95 Washington Street – Office & Parking Lot
125 Washington & 33 Scott Street – Office Distribution Warehouse & Parking Lot
142 Perry Street & 160 Michigan Avenue – Parking Lots
125 Scott Street – Parking Lot
125 Perry Street – Parking Lot
25 Mississippi Street – Parking Lot

For:
Thomas R. Hersey, Jr., Commissioner
Erie County Department of Environmental & Planning
95 Franklin St, 10th Floor
Buffalo, New York 14202

Effective Date of Valuation:
October 6, 2019

Prepared By:
Gregory C. Klauk
KLW Appraisal Group, Inc.
247 Cayuga Road
Buffalo, New York 14225
File: 11201 – HSBC Parcels



KLW Appraisal Group, Inc.

Real Estate Appraisers and Consultants

November 11, 2019

Thomas R. Hersey, Jr., Commissioner
Erie County Department of Environmental & Planning
95 Franklin St, 10th Floor
Buffalo, New York 14202

**Re: Real Estate Appraisal
Prospective BNCC Site
HSBC Area
City of Buffalo, Erie County, New York**

Dear Mr. Hersey:

As requested, I have undertaken the preliminary real property appraisals of the properties within the study area bounded by Scott Street to the north, Perry and South Park to the south, Washington Street to the east and Michigan Avenue to the east.

This is a *restricted appraisal* report as defined by the Appraisal Foundation in the Uniform Standards of Professional Appraisal Practice (USPAP 2018-19). This appraisal is prepared in accord with the scope of services set out in this report. The appraisal is intended to provide a summary of the pertinent aspects of the property and market information, sufficient to produce a credible estimate of market value. However, the report may not be properly understood without additional information retained in my work file.

The properties addressed in the report consist of several parking lots, a large professional office building and The Buffalo News properties.

The purpose of the appraisal is to develop preliminary market value estimates of the **fee simple** estates of the properties encompassed in this project, which include prospective total and partial acquisitions. The intended use of the appraisal is to aid in developing a budget for the acquisition process and comparative budget for site selection options.

This report will also develop an estimate of the losses to the city and county tax and assessment base in the event the parcels were to be acquired.

The reader is advised the property values and losses are made without the benefit of detailed property inspections and without the benefit of interviews with the property owners.

Each property is appraised based on highest and best use as best determined with the limited information available. The reader is advised the property values and losses are made without the benefit of detailed property inspections and without the benefit of interviews with the property owners.

Based on the results of my investigations, research and analysis I have developed the follow opinion(s) of market value and related losses. All estimates are as of October 6, 2019 the date of my field inspection.

Property	Type of Acquisition	Value Estimates
95 Washington Street	Partial Acquisition	\$7,777,000*
125 Washington & 33 Scott Street	Partial Acquisition	\$3,026,000*
160 Michigan & 142 Perry Street	Total Acquisition	\$2,970,000
125 Scott Street	Total Acquisition	\$406,000
25 Mississippi Street	Total Acquisition	\$2,549,000
125 Perry Street	Total Acquisition	<u>\$1,554,000</u>
Aggregated Values		\$18,282,000

*Includes direct acquisition and indirect / consequential losses to remainder property.

The loss to the tax base in the event the parcels are acquired and assigned an exempt status is summarized as follows:

Property	Prospective Assessment Loss	Tax Reduction
95 Washington Street	\$7,413,000	\$144,000
125 Washington & 33 Scott Street	\$2,358,000	\$46,000
160 Michigan & 142 Perry Street	\$2,270,000	\$44,242
125 Scott Street	\$361,000	\$7,036
25 Mississippi Street	Exempt	\$1,826
125 Perry Street	<u>Exempt</u>	<u>\$1,065</u>
Aggregated Values	\$12,402,000	\$244,169

*Reflects loss for part acquired and loss to remainders, if any.

The reader should note that while the tax roll (assessments) will be reduced as noted above there should be no loss in tax revenue since the attendant tax reductions will be redistributed over the remaining city and county taxable parcels.

Additional costs related to the property acquisitions can be expected for legal fees, title reports and relocation costs for building tenants and owners. These relocations could include reimbursements for time for replacement searches, actual moving costs, commissions to realtors and related expenses.

This appraisal is contingent upon the following **extraordinary assumptions***:

- The scope of this assignment is limited to developing a budget for the prospective acquisitions. The scope of this assignment did not permit interior property inspections or contact with property owners. Therefore, data relating to tenancies actual rents, leases and expenses were not made available. Furthermore, variances in the appraised values can be expected to the degree actual data deviates from the estimates developed in this report.
- The value estimates for 160 Michigan Ave. & 142 Perry St. are aggregated as one parcel on the assumption these parcels are effectively owned by the same parties. If this assumption is not accurate it will require a separation and independent valuations.

***Extraordinary Assumption:** An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. (USPAP, 2018-2019 ed., pg. 4).

Hypothetical conditions:** the values developed in this report assume fee simple ownership of the real property. This is a hypothetical condition in all instances where the appraised property is subject to a lease. Additionally where partial acquisitions may occur the appraisal employs a “before and after” methodology. This assumes the before and after situations exist as of the same date.

The market value estimates are also subject to the general limiting conditions and assumptions that follow.

The values are intended to reflect real estate only; furniture, fixtures, machinery or equipment are not included, unless otherwise noted. However, fixture and equipment may be part of an ultimate compensation package. This cannot be determined without detailed property inspections and interviews with property owners and tenants.

The appraised values do not address any third party interests that may arise as the result of easements, or leaseholds that are not extinguished through condemnation clauses in existing leases.

The estimated exposure time for the properties to have achieved the appraised values was 12 to 18 months, which is characteristic of this property type and market conditions preceding the date of appraisal. The marketing time for the property is also estimated to be 12 to 18 months.

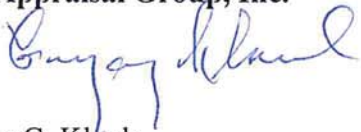
The value estimates and opinions expressed reflect market conditions in the local market area as of the valuation date.

The intended user of this report is our client, Erie County Department of Environmental & Planning.

The following report sets forth, in more detail, the scope of our investigation and the conclusions drawn from our analyses.

Respectfully submitted,

KLW Appraisal Group, Inc.



Gregory C. Klauk
Appraiser
New York State Certified General
Real Estate Appraiser
Certificate #46-0250

****Hypothetical Condition:** a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the of the assignment results but is used for the purpose of analysis. (USPAP 2018-2019 Edition, pg. 4).

GENERAL LIMITING CONDITIONS AND ASSUMPTIONS:

1. That the date of value to which the opinions expressed in this report apply is set forth in the letter of transmittal. The appraiser assumes no responsibility for economic or physical factors occurring at some later date which may affect the opinions herein stated.
2. That no opinion is intended to be expressed for legal matters or that would require specialized investigation or knowledge beyond that ordinarily employed by real estate appraisers, although such matters may be discussed in the report.
3. That no opinion as to title is rendered. Data on ownership and the legal description were obtained from sources generally considered reliable. Title is assumed to be marketable; free and clear of all liens, encumbrances, easements and restrictions except those specifically discussed in the report. The property is appraised assuming it to be under responsible ownership and competent management and available for its highest and best use.
4. That no engineering survey has been made by the appraiser. Except as specifically stated, data relative to size and area were taken from sources considered reliable, and no encroachment of real property improvements is assumed to exist.
5. The maps, plats, and exhibits included herein are for illustration only, as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose.
6. That the projections included in this report are utilized to assist in the valuation process and are based on current market conditions, anticipated short term supply and demand factors, and a continued stable economy. Therefore, the projections are subject to changes in future conditions that cannot be accurately predicted by the appraiser and could affect the future income or value projections.
7. That testimony or attendance in court or at any other hearing is not required by reason of rendering this appraisal unless such arrangements are made a reasonable time in advance.
8. That since a title report was not made available no responsibility is assumed for such items of record not disclosed by his normal investigation.
9. That no consideration has been given in this appraisal to personal property located on the premises, unless otherwise noted.
10. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated.

GENERAL LIMITING CONDITIONS AND ASSUMPTIONS: (Cont'd.)

11. Furthermore, the appraiser is not qualified to test for such substances or conditions. The presence of such substances (e.g. asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions) may affect the marketability and/or value of the property. The opinions rendered in this report are predicated on the assumption that there are no such conditions on or in the property or in such proximity thereto that would cause a loss in marketability and/or value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.
12. Regarding improved property, the Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we do not consider possible non-compliance with the requirements of the ADA in estimating the value of the property.
13. The information within this report is presented with the understanding that appraisals and reporting formats vary greatly, depending upon the client's individual needs, time constraints, the size and complexity of the property, and the intended use of the data. It should be clearly understood this appraisal has been prepared subject to certain limitations as detailed in the scope of work detailed in the report.
14. The possession of this report does not carry with it the right of publication or copying in whole or in part, and there is no accountability or obligation expressed or implied to anyone other than the "intended user(s)". If this report is placed in the hands of anyone other than the intended user, it is at your risk and obligation to make such party aware of all of the limiting conditions and assumptions of this assignment, and any of the related discussions. Furthermore, this appraisal report is to be used only in its entirety and may not be used for any purpose other than its intended use.
15. The reader should note that if you are contemplating obtaining mortgage financing from a federally regulated institution and using this property as collateral, the lender or its agent is required to directly engage the appraiser.
16. **The building description is based upon an inspection by the appraiser but it is not intended as an engineering report. We assume no liability for undetected physical inadequacies, hazardous conditions, or materials. We strongly suggest a Property Condition Assessment (PCA) by a qualified Professional Engineer.**

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Certification

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved. Furthermore, this appraisal report was not based on reporting a minimum valuation, specific valuation or approval of a loan.
- compensation for this assignment is not contingent on an action or event resulting from the analyses, opinions or conclusions in, or the use of, this report.
- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute which include the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation and its Competency Rule.
- I am competent to undertake the appraisal assignment that is the subject of this report based on my achievement of voluntary certification as a General Real Estate Appraiser within the State of New York, previous experience in valuing similar properties, attendance at seminars and courses relating to the specific subject matter or related matters and also based upon personal study and readings relative to the subject property type.
- I am currently certified as a General Real Estate Appraiser with the State of New York's Voluntary Certification Program. This certification indicates competency to perform residential and non-residential appraisals.
- As of the date of this report I have completed the Standards and Ethics Education requirement for (candidates or practicing affiliates) of the Appraisal Institute.
- I have made a limited exterior inspection of the properties that are the subject of this report.
- use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have provided no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- David Lebron provided significant real property appraisal assistance to the person signing this certification.

November 11, 2019



Gregory C. Klauk
Appraiser
New York State Certified General
Real Estate Appraiser
Certificate #46-0250

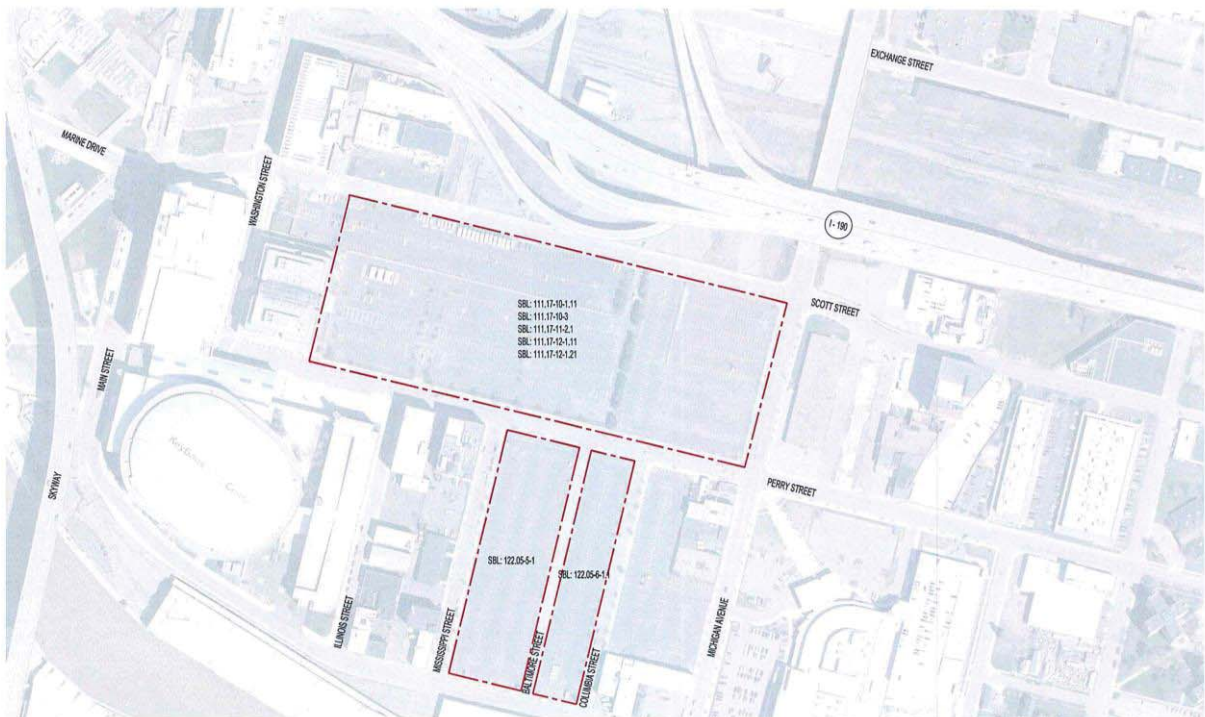
Identification of the Subject Property:

The project area is bounded by Interstate 190 to the north, South Park Avenue to the South, Washington Street to the west and Michigan Avenue to the east, in the city of Buffalo, county of Erie and state of New York. The individual parcels addressed in the report are further identified as follows:

Legal Address	Owner	SBL #	Parcel Size
95 Washington Street	HSBC Bank USA	111.17-12-1.21	8.02 acres
33 Scott Street	The Buffalo News	111.17-12-1.11	2.68 acres
125 Washington Street	The Buffalo News	111.17-8-3	3.55 acres
142 Perry Street	City Block Joint Venture	111.17-10-1.11	3.0 acres
160 Michigan Avenue	City Block Joint Venture	111.17-10-3	.14 acre
125 Scott Street	Skydeck Corporation	117.11-2.1	.506 acre
25 Mississippi Street	Buffalo Urban Renewal Agency	122.05-5-1	3.0 acres
125 Perry Street	Buffalo Urban Renewal Agency	122.05-6-1.1	1.75 acres

The majority of the parcels are surface parking lots. The HSBC site is developed with a 259,256 SF office building built in 1990. The Buffalo News parcels are adjacent sites; 125 Washington is developed with a 295,320 SF office and warehouse while 33 Scott is a parking lot that serves the office/warehouse.

Area Map



HSBC SITE EXTENTS
03.20.2019

Property Rights Appraised:

The rights appraised for each property are those inherent in the fee simple estate, subject to police powers, taxation, eminent domain, escheat and existing easements and/or encroachments. Non realty rights and values such as special tax benefits, unique financing terms, personal property not permanently attached to the real estate or business value were not considered.

Purpose and Intended Use of the Appraisal:

The intended use of this appraisal is aid in developing a preliminary budget for the acquisitions of the properties addressed in this report and a comparative budget for alternate locations.

Definition of Market Value:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeable and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale, as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and each acting in what they consider their own best interests.
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990 as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)

Intended Users:

The intended user of this appraisal report is the Erie County Department of Environmental & Planning.

Effective Date of Valuation:

The effective date of the valuation is October 6, 2019; the date of the limited exterior property inspections. Marketing conditions analyzed, are those in effect as of the inspection date. Opinions rendered in this report may not be valid for any future date due to the changing nature of the determinants of value. Unforeseen changes in the future economic conditions (rise or decline) or dynamic changes in any of the financial markets of US could have a material effect on the estimated value of property. Additionally, new legislation (state or federal) or modifications to existing laws that may occur after the effective date, could also impact on the estimated value of the property. No responsibility is assumed for changes in market conditions or legislation.

Scope of the Assignment:

The scope of the appraisal assignment is intended to encompass the investigations, research and analysis necessary to prepare the report in accord with 1) the stated purpose and intended use of the report; and 2) the Standards of Professional Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. In regard to this assignment it involved the following:

- Research and collection of market data related to market conditions and market activity.
- A review of the zoning ordinance governing the subject properties.
- A limited exterior inspection of the appraised properties.
- A review of public records pertaining to the appraised property.
- Exterior inspection of comparable and competitive properties.
- Consideration of all valuation methods.
- Application of a single primary method sufficient to produce a credible appraisal under the restrictions imposed by the scope of this assignment.

The appraisal is intended to provide a summary of the pertinent aspects of the property and market information, sufficient to produce a credible estimate of market value.

In the course of collecting and confirming market data, no important information has been knowingly withheld with the limitations imposed i.e. no interior property inspection no property owner contact no access to leases or operating statements.

A title report was not provided, therefore, a detailed analysis of easement and encroachments is not possible; further this appraisal does not consider any non realty rights or value, i.e. special tax benefits (abatements, and unique financing terms), unless otherwise noted.

The property's gross building areas (GBA) is based on public records.

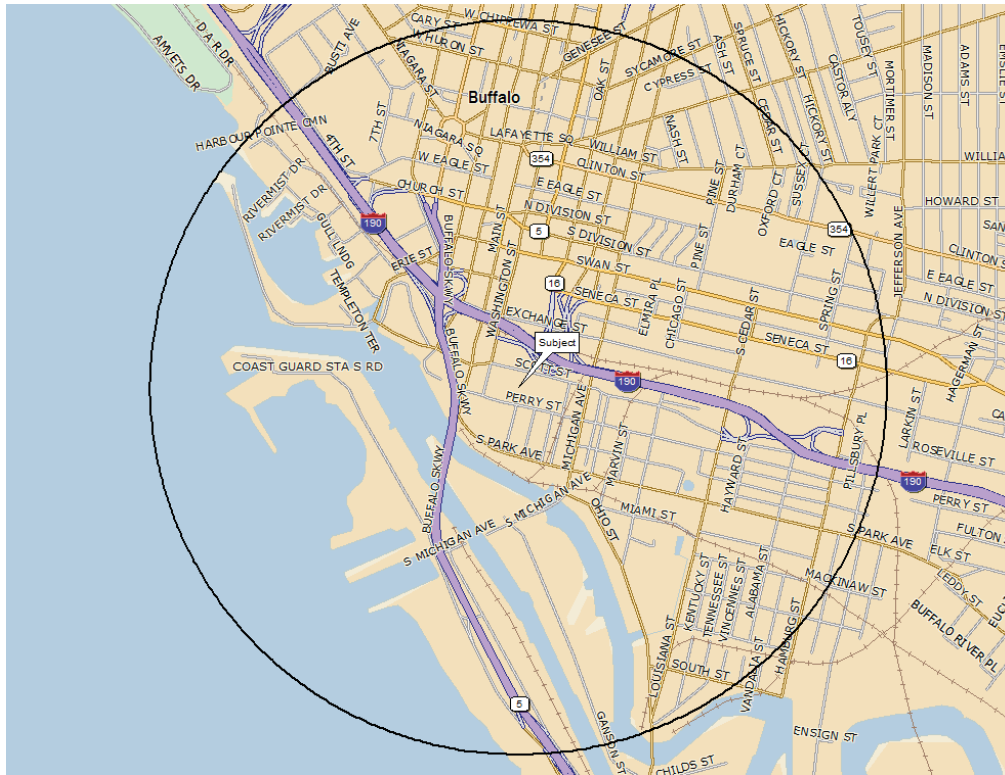
Land area is based on a county tax maps.

The subject property is appraised free and clear of any and all environmental contaminants.

The participation of David Lebron is hereby acknowledged in the preparation of this appraisal report. Mr. Lebron aided in gathering of market data, analysis of the data and the initial draft segments of this report.

Market Area Analysis:

The same locational, social, economic and governmental influences which act on a regional basis also operate on individual market areas. The term "market area" here is being defined as an area with complimentary land use and linkages. Although the area boundaries often coincide with physical features, the concept of the market area is more importantly related to economic and land use patterns.



Geographic Boundaries - The market area, given the subject's use, is best defined by a one mile radius. This area is loosely bounded by West Chippewa Street to the north, Hamburg Street to the east, Buffalo Skyway (Route 5) to the south, and Lake Erie to the west.

Linkages – The main north/south routes to and from the market area are Main Street, Elmwood, Delaware and Michigan Avenue. Main Street extends from the city's waterfront in the CBD and leads north east through Buffalo's to the northern and eastern suburbs. Elmwood and Delaware Avenue also originate in the CBD and run north to Tonawanda. Michigan Avenue extends from South Park Avenue north to Main Street. The main east/west routes to and from the market area are South Park Avenue which starts in the city's CBD and leads east to Buffalo's south eastern suburbs and Seneca Street which also originates in the city's CBD and runs east through Buffalo's eastern suburbs. Interstate-190 is north of the subject with the closest access point on Washington Street just north of the subject. I-190 runs southeast through Buffalo and merges with the I-90 in Cheektowaga, and north through the City to Niagara Falls. Route 5 also provides access to the area from the south over the skyway which crosses over head through the area.

Market Area Analysis: (Cont'd.)

Land Uses - Sahlen Field, home to Buffalo's AAA Baseball Team, the Buffalo Bisons is less than a half mile north of the subject. It was completed prior to the team's 1988 season and is one of the largest parks in all of Minor League Baseball. In 2012, the ballpark featured the largest HD video board in all of minor league baseball. The new Bisons TV HD measures 80' x 33' and added a new level of entertainment for Bisons fans. That, with the four-tiered Bully Hill Party Deck in right field, luxurious suites throughout the club level, in-stadium restaurant and expansive tent area in centerfield, Coca-Cola Field continues to be on the cutting edge of sports entertainment venues



Canalside is at the heart of Buffalo's waterfront revitalization and is just west of the subject. It is located in the city's downtown corridor, at the intersection of Pearl Street and Marine Drive. Located adjacent to the Key Bank Center, Canalside is accessed through city streets including Pearl, Washington and Scott and by riding the Rapid Transit rail system on Main Street (Erie Canal Harbor Station), or from exits off the I-190 and Skyway (Route 5). Canalside hosts over 1,000 annual events. Every summer, outdoor yoga, children's games and Thursday at Canalside concerts take place along the district's Central Wharf. Each winter, visitors flock to the Ice at Canalside, a 35,000 square foot rink on the recreated Erie Canal that features, skating, curling, pond hockey and ice bikes.



The KeyBank Center is a 700,000 square foot multi-purpose indoor arena built in 1994 and is home to the Buffalo Sabres of the National Hockey League (NHL) and Buffalo Bandits of the National Lacrosse League (NLL). The arena is also used regularly for college basketball games. The building has a seating capacity of 19,200 and features 80 private luxury suites. The ice rink itself also saw a multimillion-dollar upgrade with adding a new dehumidifier system and cooling tower. All of the Zamboni machines were replaced and upgraded to feature laser beam leveling. These upgrades improve the quality of the ice surface. Outside, a new LED ribbon board was added to the entrance pavilion which can display upcoming events, scores, and team information, though it was subsequently removed to make way for the construction of a new pedestrian bridge to the adjacent HarborCenter complex in 2014.



HarborCenter, owned by the Pegula group, is a 600,000 square foot hockey-themed mixed-use development that opened in 2014. HarborCenter features a 205-room full service hotel currently operating as Buffalo Marriot HarborCenter, two NHL-size rinks with locker rooms, a training facility, 716 Food and Sport Restaurant, and several retail stores. East of the subject are the Elk Terminal apartments and the Fairmount Creamery renovated apartment and mixed use projects. Harbor Center attracts hockey players from around the world by hosting amateur and college tournaments at its two NHL sized rinks. Supporting the hockey venue and hotel is the two-story (716) Food & Sport restaurant that features over 70 televisions, including a 38-foot tall screen for the big games.



Market Area Analysis: (Cont'd.)

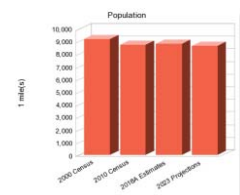
The Seneca Buffalo Creek Casino is located east to the subject property. The casino opened in 2007 and today features 800 slot machines and 20 table games including blackjack, roulette and craps, and three restaurants including BC Café, Buffalo Savors Grill and Stixx Sports Bar. In January 2016, Seneca Nation and Seneca Gaming Corporation broke ground for a \$40 million expansion of the casino. This is a two-story expansion of the existing casino, which was complete in 2017 and added approximately 28,500 square feet of space on each of the two levels.



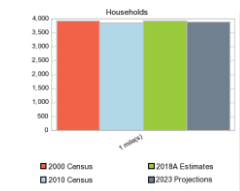
The Larkin District (Larkinville) is located roughly 2 miles east of the subject property. Historically, this area was the location of Larkin Soap Company and other late 19th and early 20th century manufacturing enterprises. In 2003, local investment group acquired the property, which commenced a renovation of the 10 story, facility as an office complex. The “Larkin Warehouse” office is now 100% occupied. The most recent tenancy of significance is First Niagara Bank which moved its headquarters to the Larkin facility from its headquarters in Niagara County. As part of the development of the Larkin warehouse, the owners have also constructed a 900 car parking ramp and acquired numerous adjoining sites to provide tenants with surface parking in the immediate market area. Larkin Square is located in the heart of the Larkin District. Larkin Square is open to the public and is home to assorted special events including Food Truck Tuesdays, Live at Larkin Wednesday concerts and the Larkin Square Author Series. The Larkin Filling Station, a converted gas station from the 1930’s is open during the week for lunch.

Following is a summary of the demographic information for a one mile radius surrounding the subject site (source: gallery.alteryx.com.com)

Population – The 2018 population estimate in this market area is 8,827. The 2010 Census revealed a population of 8,724, and in 2000 it was 9,224 representing a -5.4% change. It is projected the population in this market area will be 8,642 in 2023, representing a change of -2.1% from 2018. The 2018 population is 50.7% male and 49.3% female. In 2018, the median age of the population in this market area is 36.5. The population density in this market area is 2,804 people per square mile in 2018.



Households – There are 3,929 estimated households in this market area in 2018. The Census revealed household counts of 3,865 in 2010 and 3,926 in 2000, representing a change of -1.5%. It is projected the number of households in this market area will be 3,887 in 2023, representing a change of -1.1% from 2018. In 2010, the average number of years in residence in this market area was 13. The average household size in this market area is 1.95 people. The average number of vehicles per household in this market area is 1.33.



Market Area Analysis: (Cont'd.)

Income – In 2018, the estimated median household income in this market area is \$23,818. The Census revealed median household incomes of \$20,415 in 2010. It is projected the median household income in this market area will be \$27,472 in 2023, which would represent a change of 15.3% from 2018. In 2018, the per capita income in this market area is \$24,545. The 2018 average household income for this market area is \$52,667.



Housing – The median housing value in this market area was \$66,565 in 2010. The estimated median housing value in 2018 in this market area is \$87,403. In 2010 there were 21.1% owner occupied housing units in this market area vs. 19.9% estimated in 2018. Also in 2010, there were 62.1% renter occupied housing units in this market area vs. 63.3% estimated in 2018.

Employment – In 2018, there is an estimated 7,312 people over the age of 16 in this market area, of which 3,271 were in the labor force. Of these 89.4% were employed, 10.2% were unemployed, 0.4% were in the Armed Forces and 55.3% were not in the labor force. In 2018, there are 47,885 employees in this market area (daytime population age 16+) and there are 1,681 establishments. For this market area in 2018, white collar workers made up 50.7% of the population, and those employed in blue collar occupations made up 49.3%.

One Mile Demographic Trends Summary:

	2000 Census	2010 Census	2018 Estimate	2023 Projection	%Δ 2000-2010	%Δ 2018-2023
Population	9,224	8,724	8,827	8,642	-5.4%	-2.1%
Households	3,926	3,865	3,929	3,887	-1.5%	-1.1%
Median Income	\$19,013	\$20,415	\$23,818	\$27,472	7.4%	15.3%

Life Cycle – The subject neighborhood can be described as being in a revitalization phase. This period is a stage in which the neighborhood experiences a period of renewal, redevelopment, modernization, and increasing demand.

Population data and median income levels are of limited use in this area of the city because it is a destination attraction that serves 100’s of thousands of visitors annually.

Area Attributes Include:

- The project area is located in an event center of the city’s Central Business District (CBD) south east of the core of the CBD and east of the city’s developing Canal District.
- Major existing development includes the KeyBank Arena, the Seneca Nation Buffalo Creek Casino, headquarters of the Buffalo News and the HSBC Atrium office building.
- The adjacent Canal Side development includes the Pegula’s Harbor Center project and the Marriott Hotel / Phillips – Lytle center.
- Access to I-190 east bound off Washington
- Overall, the near term market trends in this area appear to be stable.

Area Deterrents Include:

- Circuitous access to area expressways and other areas of the CBD.
- Depending on use, limited access to adequate hotel options and alternate entertainment venues (theater, restaurant).

Conclusion – The subject market area is conducive to additional retail and residential mixed use development. This is due to proximity of employment opportunities as well as being situated in proximity to retail and recreational services.

Exposure Time and Marketing Time:

The exposure time, (which looks backward in time), for the subject property to have achieved the appraised values developed, as of the effective date of the valuation, are estimated to have required 6 to 18 months depending on the property type. This estimate is based upon the following:

- Statistical informational about days on the market
- Information gathered through sales verification; and
- Interviews with market participants, primarily brokers

Marketing time, which is forward working, is also based on the preceding data and considers the current inventory available for the subject property type. The marketing time for the subject is estimated to require 6 to 18 months again based on the property type. This assumes reasonable pricing and proactive marketing.

Market Area Photos:



Washington Street Viewing South



Scott Street Viewing East



Perry Street Viewing East



Perry Street Viewing West



Scott Street Viewing West

Highest and Best Use:

Introduction:

Highest and best use is defined as:

"the reasonably probable use of property that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity".¹

Highest and Best:

The highest and best use of each property is assumed to be its current present unless otherwise noted.

Appraisal Process:

The purpose of the appraisal is to provide a preliminary estimate the market value of the fee simple interest of the properties addressed and the loss in market value that can be anticipated in instances of a partial acquisition, as of the date of inspection. The market area analysis focused on the existing development in the area and on the future prospects for changes in supply and demand. Highest and Best Use Analysis builds on these sections to conclude the most profitable use for the subject property. The conclusion from that analysis is one of the most important in the appraisal. Given that, a selection can be made from among the alternative analytical techniques, the ones that will be most effective and appropriate in developing a value estimate.

Because of the limitations inherent in this assignment the sales comparison approach is the only method developed for each property.

The income capitalization approach is not employed because occupancy data for the appraised properties is not available.

The cost approach is also not developed because of the condition and/or age of the improvements does not warrant the use of this approach to value. Furthermore none of the properties addressed are special use improvements.

¹The Dictionary of Real Estate Appraisal, sixth edition (Chicago, Illinois: Appraisal Institute, 2015), p. 109.

Properties Appraised

HSBC – 95 Washington Street

The Buffalo News – 125 Washington & 33 Scott Street

City Block Joint Venture – 160 Michigan Ave. & 142 Perry Street

Skydeck Corporation – 125 Scott Street

Buffalo Urban Renewal Agency – 125 Perry Street

Buffalo Urban Renewal Agency – 25 Mississippi Street



95 Washington Street

HSBC Property

Executive Summary:

Property Information:

Address:	95 Washington Street, Buffalo, New York 14203
Parcel ID (SBL#):	111.17-12-1.21
Assessment / Taxes:	\$21,000,000 / \$409,290
Ownership:	HSBC Bank USA
Property Rights Appraised:	Fee simple

Site Information:

Land Area:	1,041.54' x irregular 349,351 SF / 8.02 acres
Zoning:	N-1D Downtown/Regional Hub
Shape:	Irregular
Frontage:	431.59' eastside of Washington Street, 155' southside of Scott Street & 1,041.54' northside of Perry Street
Utilities:	All Public Utilities Available
Flood Zone:	Community #360230; Panel #36029C0213H & 36029C0194H; Zone X (6/7/2019) no special flood hazard
Easements:	None noted
Parking:	618 parking spaces
Wetlands:	None
Environmental:	No adverse conditions noted

Building Data:

Type of Property:	Office building with parking lot
Year Built:	1990
Gross Building Area (GBA):	259,256; Gross Rentable Area 224,425 ± SF
Net Rentable Area:	Unknown
Number of Stories:	7
Condition:	Good
Land to Building Ratio:	1.35: 1
Effective Age:	10 years
Remaining Economic Life:	40 years

Highest & Best Use:

Professional Office Building with parking

Executive Summary: (Cont'd.)

Acquisitions:

Land Acquired:	5.86 Acres
Improvement Acquired:	618 Parking spaces and land improvements
Building Acquired:	None

Remaining Property:

Land:	2.16 Acres
Improvement:	Green Space
Building:	259,256 SF Office building

Market Value Losses:

Land:	\$5,213,000
Improvement:	\$618,000
Consequential Loss:	\$1,946,000

Final Loss Estimation:

Estimated Market Value Loss:	\$7,777,000
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Effective Date of Valuation & Exposure Time:

Date of Inspection:	October 6, 2019 (Exterior Only)
Effective Date of Valuation:	October 6, 2019
Estimated Exposure Time:	12 to 18 months

Property: 95 Washington Street, Buffalo, Erie County, New York

Ownership & Occupancy:

Property ownership is noted as follows:

HSBC USA N.A. c/o
Karen Zhang
Corp. Real Estate
2929 Walden Avenue
Depew New York 14043

The property is assumed to be 100% owner occupied.

Sales History:

The property last transferred on November 1, 2014 as recorded in deeds liber 11286 page 3158. This transaction was between Erie County Industrial Development Agency as grantor to HSBC Bank USA, National Association as grantee. There was no consideration as this was a transfer of title following completion of the terms and conditions of IDA bonding obligations.

I am **not aware** of any transactions, contracts, including leases, offerings for sale or lease, pending contracts or options involving the subject property except as noted above.

Taxes and Assessments:

The property is referenced on the city and county tax roll as follows:

Assessment & Taxes		
Land	\$3,842,900	
Improvements	<u>\$17,157,100</u>	
Total Assessment	<u>\$21,000,000</u>	
Equalization Rate	90.00%	
Equalized Assessment	<u>\$23,333,333</u>	
	Rates	Taxes
County	\$4.05	\$85,050
Transit Mall	\$0.00	\$0
City & School	\$14.61	\$306,810
Sewer levy	\$0.83	\$17,430
Total Tax Obligation	\$19.49	\$409,290

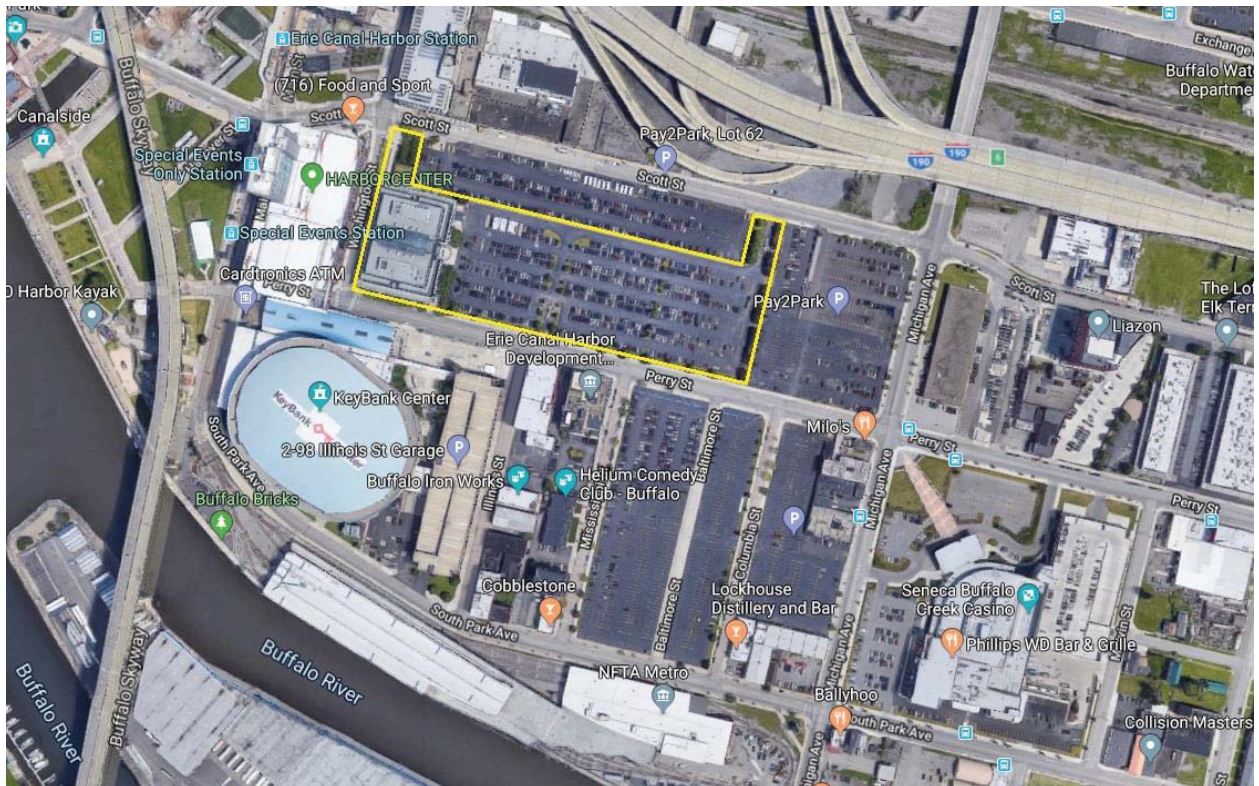
The assessment and taxes are the prospective levies based on the city's recent revaluation, scheduled for implementation for the 2020-21 tax year.

Property: 95 Washington Street, Buffalo, Erie County, New York

Tax Map Entire Property:



Aerial Entire Property:



Property: 95 Washington Street, Buffalo, Erie County, New York

Subject Photographs:



West & South Elevations



East & South Elevations



Parking Area Viewing East

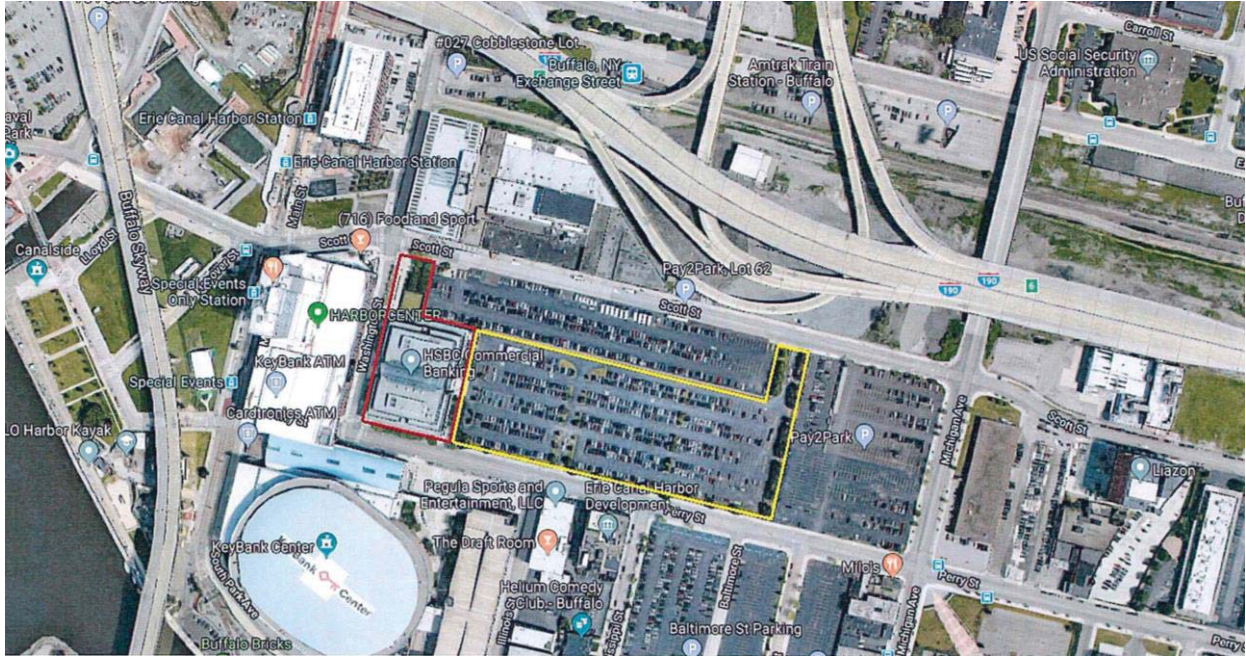


Property Viewing West

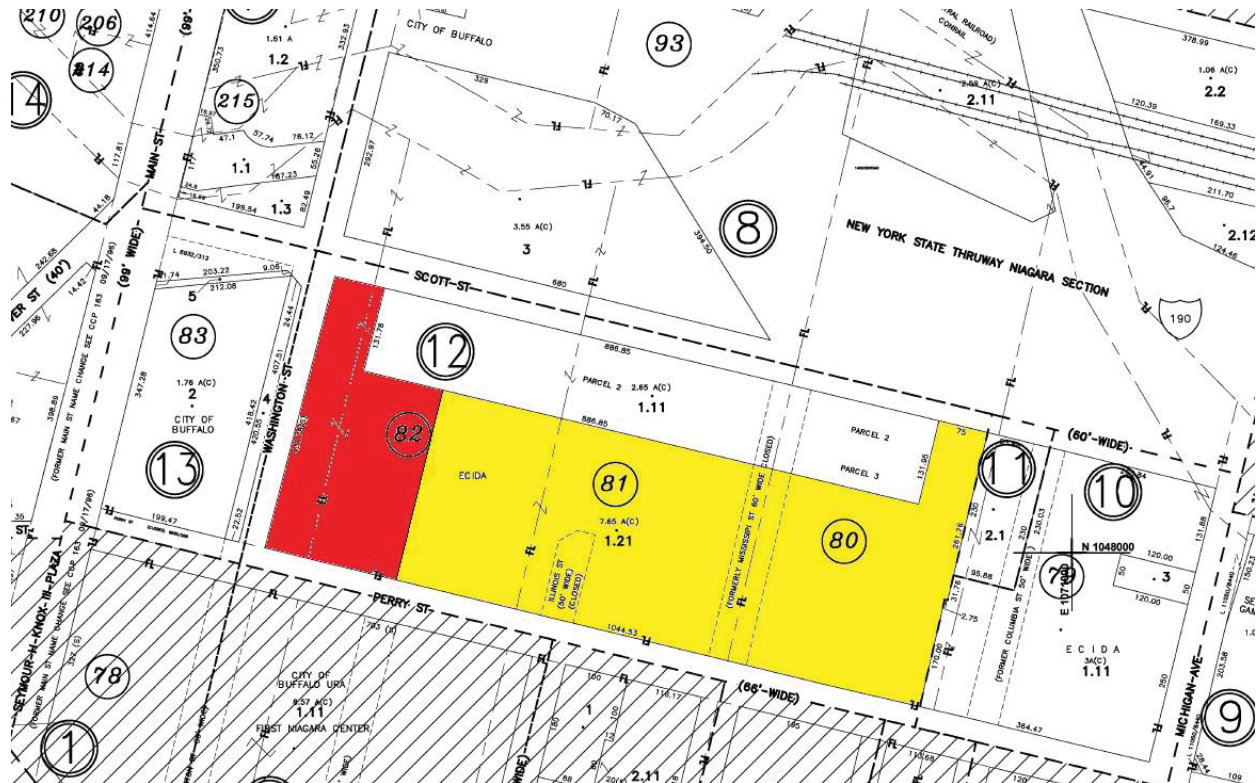
Property: 95 Washington Street, Buffalo, Erie County, New York

Prospective Acquisition:

The prospective acquisition from this property is outlined in yellow on the following aerial diagram. This “taking” will encompass approximately 5.86 acres of land and eliminate all of the existing 618 parking spaces that currently serve the property. The red areas denote the remainder property.



Color Tax Map of Acquisition:



Effects of the Acquisition:

The acquisition reduces the overall land area from 8.02 acres to 2.16 acres. This also eliminates all parking and access to the building from the eastern elevation will be seriously compromised.

The building itself is not directly affected.

Depending on existing leases (if any) this could cause a substantial indirect or consequential loss of value to the remainder property and in any event will certainly diminish the revenue potential of the remainder both as an office building as well as losses from after hours events that typically occur at KeyBank Arena and other venues in the area at large.

These factors will substantially reduce the marketability of the property resulting in not only the value loss from the land and parking acquired but will also cause consequential damage to the remaining property.

Value and Damage Analysis:

The direct losses for the land are measured based on the land sales that have occurred in the CBD and surrounding area over the past several years.

Sale No.	Location	Sale Date	Sale Price w/ Demo	Area		Unit Prices		Remarks
				Square Feet	Acres	Square Feet	Acres	
1	933 Michigan Ave.	Mar-13	\$500,000	14,593	0.335	\$34.26	\$1,492,537	parking lot
2	234-238 Main	Jun-17	\$1,250,000	21,649	0.497	\$57.74	\$2,515,091	parking lot
3	905 Elmwood	May-15	\$1,550,000	25,265	0.580	\$61.35	\$2,672,414	new development
4	1159 Main St.	Apr-14	\$1,767,000	54,450	1.250	\$32.45	\$1,413,600	future development
5	75 Main St.	Mar-13	\$2,199,828	81,022	1.860	\$27.15	\$1,182,703	new development
6	234 Delaware	Aug-12	\$4,500,000	84,942	1.950	\$52.98	\$2,307,692	new development
7	677 Washington Street	Nov-18	\$3,103,000	87,120	2.000	\$35.62	\$1,551,500	new development
8	169 W. Utica	Jul-16	\$1,800,000	49,223	1.130	\$36.57	\$1,592,920	new development
9	470 Pearl Street	Jan-16	\$1,850,000	46,174	1.060	\$40.07	\$1,745,283	surface parking lot
10	127, 189-191 Buffalo River	Aug-19	\$3,800,000	<u>306,662</u>	<u>7.040</u>	<u>\$12.39</u>	<u>\$539,773</u>	
			Average	77,110	1.77	\$39.06	\$1,701,351	
			Median	51,836	1.190	\$36.09	\$1,572,210	

These sales, after considering adjustments for property rights, conditions of sale, financing and physical variables including location indicate a value of \$18.00 per square foot.

Applied to the land being considered for the acquisition (255,262 SF) indicates a loss of \$4,595,000.

In addition there is a value associated with the paving and related parking lot improvements estimated at a depreciated value in place at \$1,000 per space or \$618,000.

Therefore the direct effects of the acquisition are estimated at **\$5,213,000**.

Effects of the Acquisition: (Cont'd.)

The indirect or consequential losses are developed as follows.

Sale No.	Location	Sale Date	Sale Price	Land Area	Building Size	Building \$\$ Square Foot	LBR	Parking	Built
1	140 (144) Genesee St.	Feb-16	\$43,594,760	1.02	140,000	\$311.39	1.31	882	2015
2	138 Delaware	Jun-19	\$16,900,000	0.55	131,760	\$128.26	0.18	67	1994
3	130 S. Elmwood	Sep-18	\$89,000,000	3.68	288,014	\$309.01	0.56	600	2004
4	20 Waterfront Circle	Feb-14	\$7,200,000	1.72	138,000	\$52.17	0.54	not owned	1980
5	40 LaRiviere	Aug-14	\$6,875,000	<u>0.95</u>	<u>103,680</u>	<u>\$66.31</u>	0.40	not owned	1980
			Average	1.58	160,291	\$173.43			
			Median	1.02	138,000	\$128.26			
Subject	95 Washington	Oct-19		8.02	259,256		1.35	618	1990

These are the most relevant sales available for analyzing the subject property as improved. Sales 1 and 3 are leased fee purchases where the occupancy was 100% in the case of sale 1 approximately 90% in the case of sale 3. Sale 2 on the other hand was approximately 50% vacant at the time of sale and sales 4 and 5 do not own the parking areas that they use and their use is not exclusive.

Assuming fee simple ownership and a market level occupancy of approximately 85% with parking included for all tenants, the property should command a value in the market at \$115.00 SF of GBA.

This also considers the property’s potential for supplemental revenue for event parking after business hours.

Therefore the as is property value estimate is developed as follows:

$$259,256 \text{ SF} @ \$115.00 \text{ SF} = \$29,814,000 \text{ (rounded)}$$

Considering the effects of the loss of all parking and its attendant impacts on the remainder property, value without the parking is estimated as follows:

$$259,256 \text{ SF} @ \$100.00 \text{ SF} = \$22,037,000 \text{ (rounded)}$$

Therefore, the total compensable loss is indicated to be \$7,777,000.

This loss is allocated as follows:

Land Acquired:	\$5,213,000
Improvements Acquired:	\$ 618,000
Consequential Losses:	\$1,946,000

There will be additional incidental costs associated with the prospective acquisition including legal fees, surveys, title reports and possible relocation costs in the event tenants are displaced or leases are voided as a result of the acquisition.

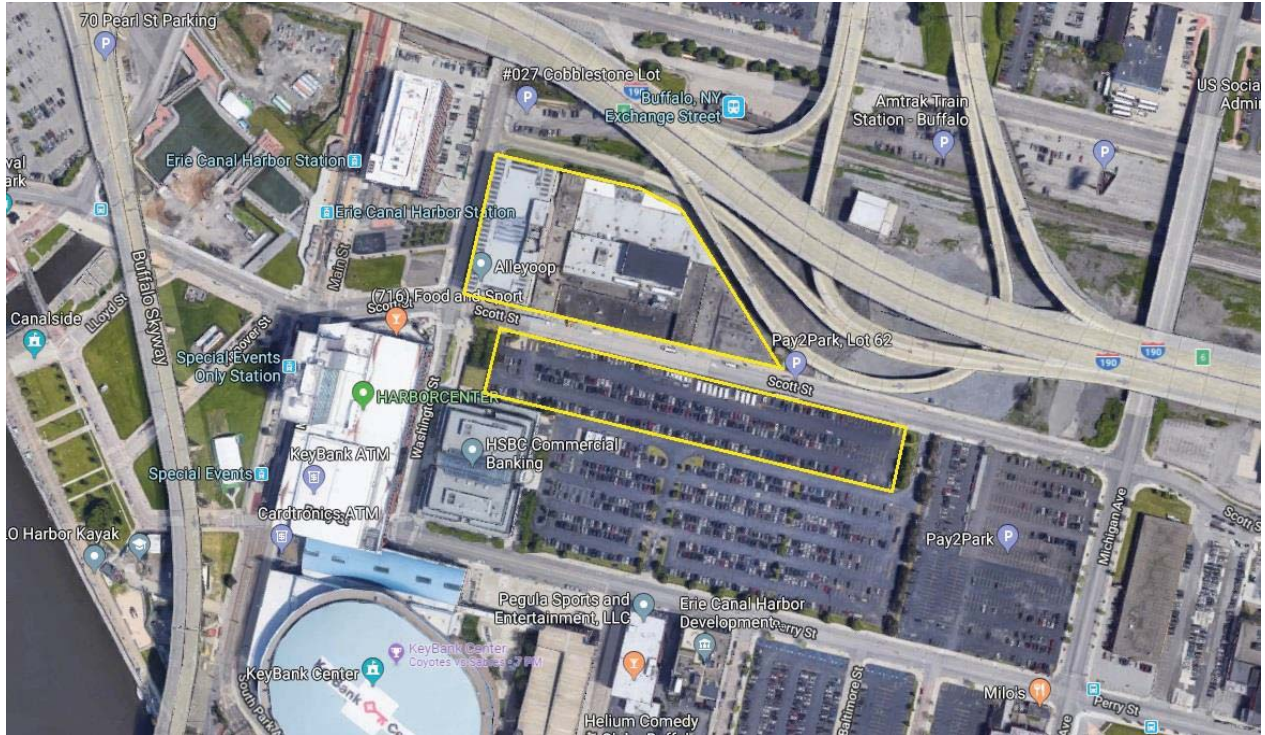
Property: 95 Washington Street, Buffalo, Erie County, New York

Effects of the Acquisition: (Cont'd.)

Assessment Reduction:

The loss of assessed value is all but impossible to estimate with any degree of reliability in a partial acquisition without a very detailed analysis of the existing leasing potential of the property and actual income/expenses. Therefore, the loss is estimated based on the reduction in market value. This analysis indicates a value reduction of 35.3%. On this basis the property assessment can be expected to be reduced by \$7,413,000 ($\$21,000,000 \times 35.3\%$). The attendant tax reduction should approximate \$144,000.

It is emphasized this reduction is from the assessment roll. The tax levy would remain the same, and the \$144,000 would be spread over the remainder of the city and/or county properties and the total taxes collected would be unchanged.



**125 Washington Street &
33 Scott Street**

The Buffalo News Properties

Executive Summary:

Property Information:

Address:	33 Scott Street, Buffalo, New York 14203	125 Washington Street, Buffalo, New York 14203
Parcel ID (SBL#):	111.17-12-1.11	111.17-8-3
Assessment / Taxes:	\$1,973,800 / \$38,469	\$6,800,000 / \$132,532
Ownership:	The Buffalo News, Inc	
Property Rights Appraised:	Fee simple	

Site Information:

Land Area:	887.46' x 131.78' 116,950 SF / 2.685 acres	292.97' x irregular 154,638 SF / 3.55 acres
Zoning:	N-1D Downtown/Regional Hub	
Shape:	Rectangular	Irregular
Frontage:	887.46' southside of Scott St.	292.97' eastside of Washington, 680' northside of Scott St.
Utilities:	All Public Utilities Available	
Flood Zone:	Community #360230; Panel #36029C0213H & 36029C0194H; Zone X (6/7/2019) no special flood hazard	
Easements:	None noted	Sewer under building
Parking:	334 parking spaces	None
Wetlands:	None	None
Environmental:	No adverse conditions noted	

Building Data:

Type of Property:	Parking lot	Office/Warehouse/Distribution
Year Built:	N/A	1965
Gross Building Area (GBA):	N/A	302,620
Net Rentable Area:	N/A	Owner occupied
Number of Stories:	N/A	5
Condition:	N/A	Good
Land to Building Ratio:	N/A	0.90 : 1
Effective Age:	N/A	25
Remaining Economic Life:	N/A	30

Highest & Best Use:

Office warehouse with parking

Executive Summary: (Cont'd.)

Acquisitions:	33 Scott Street	125 Washington Street
Land Acquired:	2.20 Acres	None
Improvement Acquired:	284 Parking spaces & land improvements	None
Building Acquired:	None	None
Remaining Property:		
Land:	0.485 Acre	3.55 acres
Improvement:	50 Parking spaces and land improvements	
Building:	302,620 SF Office/Warehouse/Distribution building	
Market Value Losses:		
Land:	\$1,725,000	
Improvement:	\$284,000	
Consequential Loss:	\$1,017,000	
Final Loss Estimation:		
Estimated Market Value Loss:	\$3,026,000	
Effective Date of Valuation & Exposure Time:		
Date of Inspection:	October 6, 2019 (Exterior Only)	
Effective Date of Valuation:	October 6, 2019	
Estimated Exposure Time:	12 to 18 months	

Property: 125 Washington & 33 Scott Streets, Buffalo, Erie County, New York

Ownership & Occupancy:

Property ownership is noted as follows:

The Buffalo News Inc.
Plant Manager
1 News Plaza
Buffalo New York 14203

The property is assumed to be 100% owner occupied.

Sales History:

The property last transferred on December 30, 2009 as recorded in deeds liber 11175 page 8777. This transaction was between OBH Inc. as grantor to The Buffalo News Inc. as grantee. This was a Quit Claim deed for a \$1.00 consideration as this was a transfer between related entities.

I am **not aware** of any transactions, contracts, including leases, offerings for sale or lease, pending contracts or options involving the subject property except as noted above.

Taxes and Assessments:

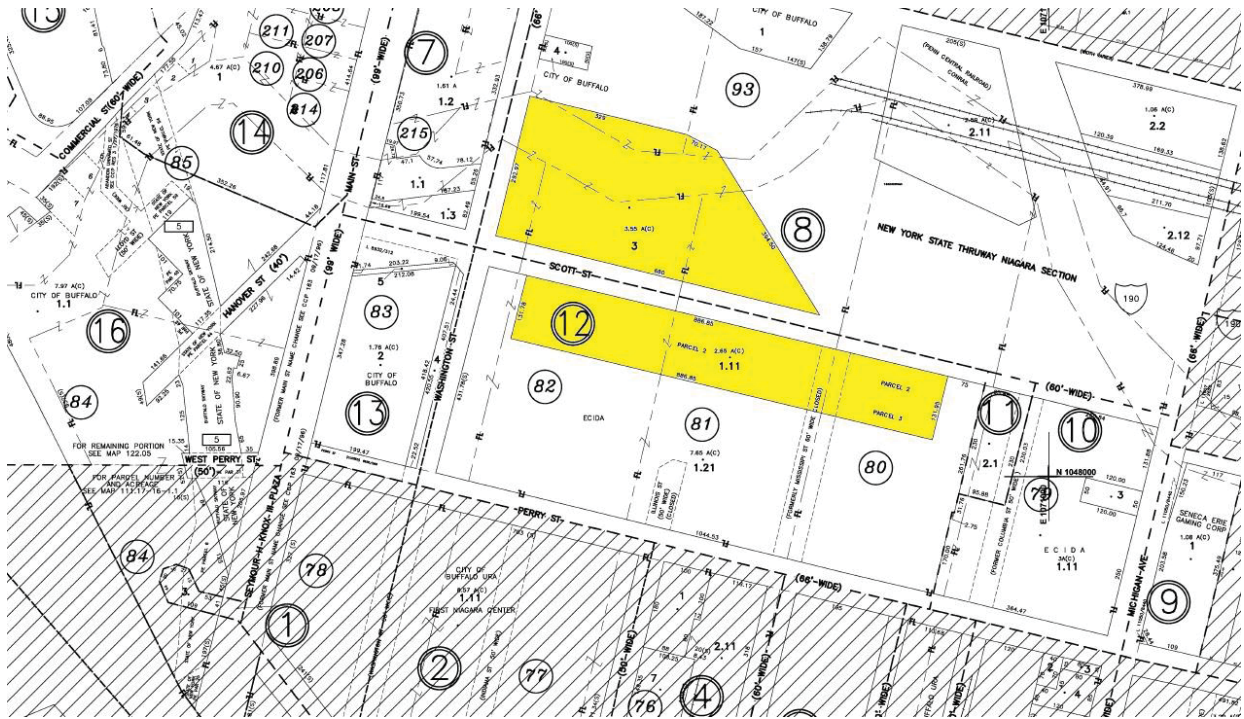
The property is referenced on the city and county tax roll as follows:

Assessment & Taxes	SBL	111.17-8-3	111.17-12-1.11
Address		125 Washington	33 Scott St.
Land		\$1,701,000	\$1,284,100
Improvements		\$5,099,000	\$689,700
Total Assessment		\$6,800,000	\$1,973,800
Equalization Rate			90.00%
Equalized Assessment		\$7,555,556	\$2,193,111
County Tax	\$4.05	\$27,540	\$7,994
Transit Mall	\$0.00	\$0	\$0
City & School	\$14.61	\$99,348	\$28,837
Sewer	\$0.83	\$5,644	\$1,638
Combined Tax Rate per K	\$19.49	\$132,532	\$38,469
Total True Tax Obligation		\$171,001	

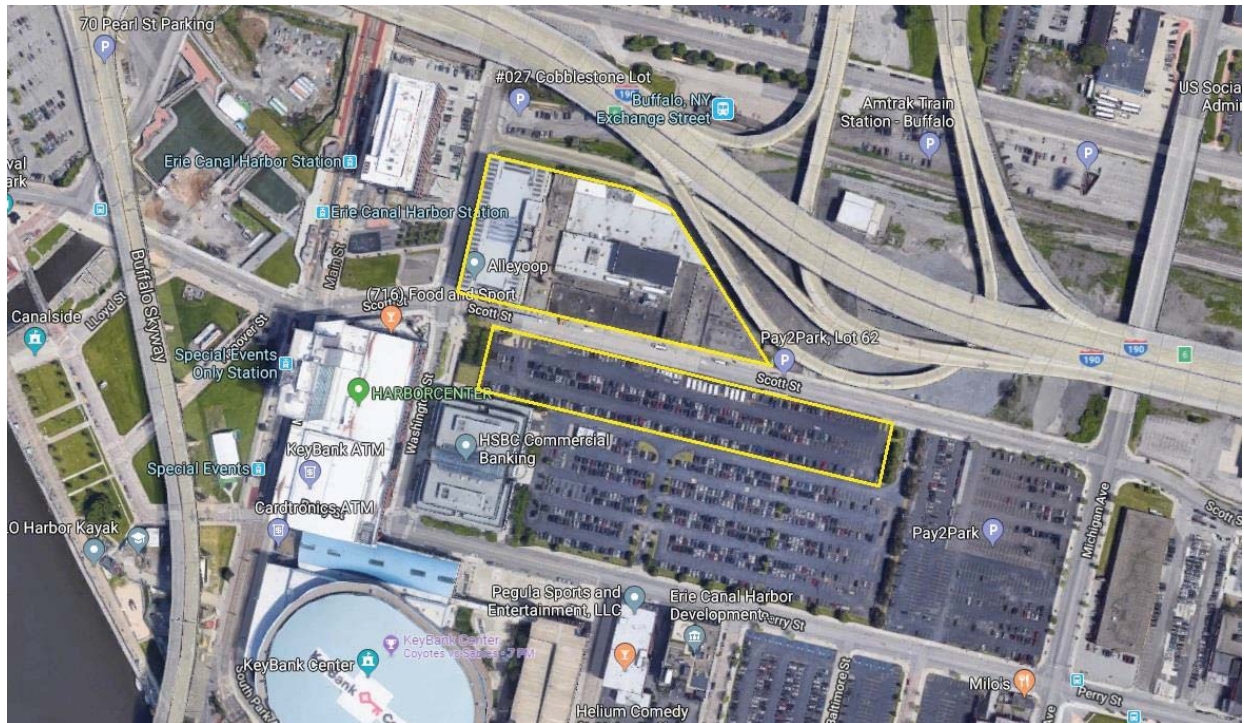
The assessment and taxes are the prospective levies based on the city's recent revaluation, scheduled for implementation for the 2020-21 tax year.

Property: 125 Washington & 33 Scott Streets, Buffalo, Erie County, New York

Tax Map:



Aerial:



Property: 125 Washington & 33 Scott Streets, Buffalo, Erie County, New York

Subject Photographs:



**West & South Elevations
125 Washington**



33 Scott Street Viewing Easterly



33 Scott Street Viewing Westerly

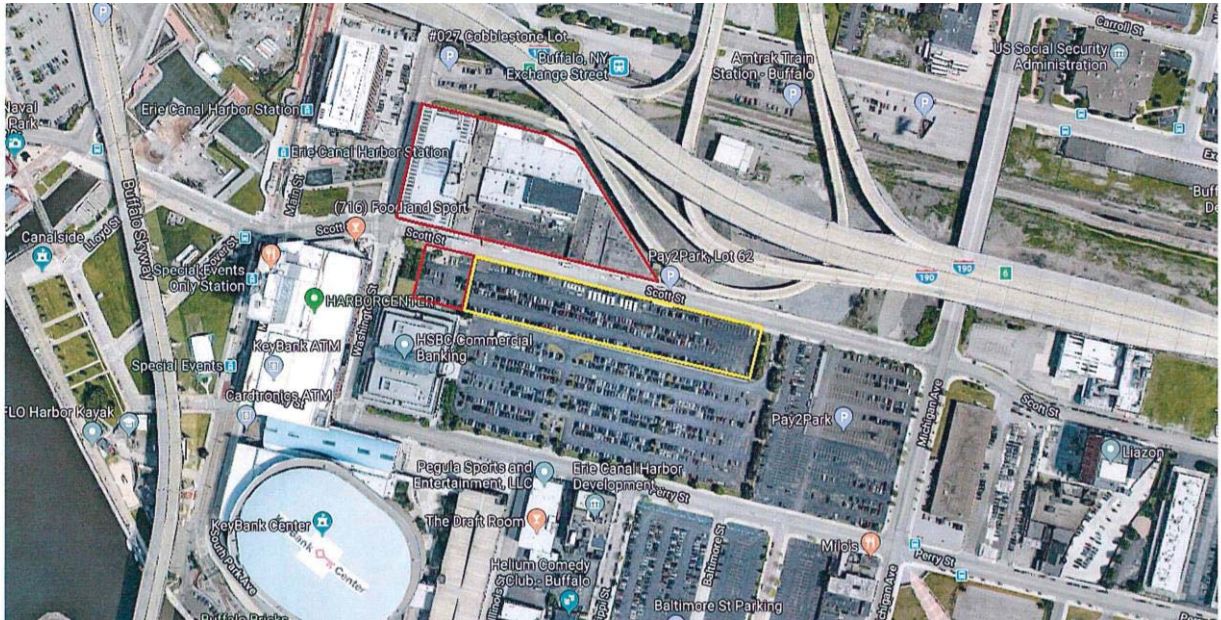


Scott Street Viewing West

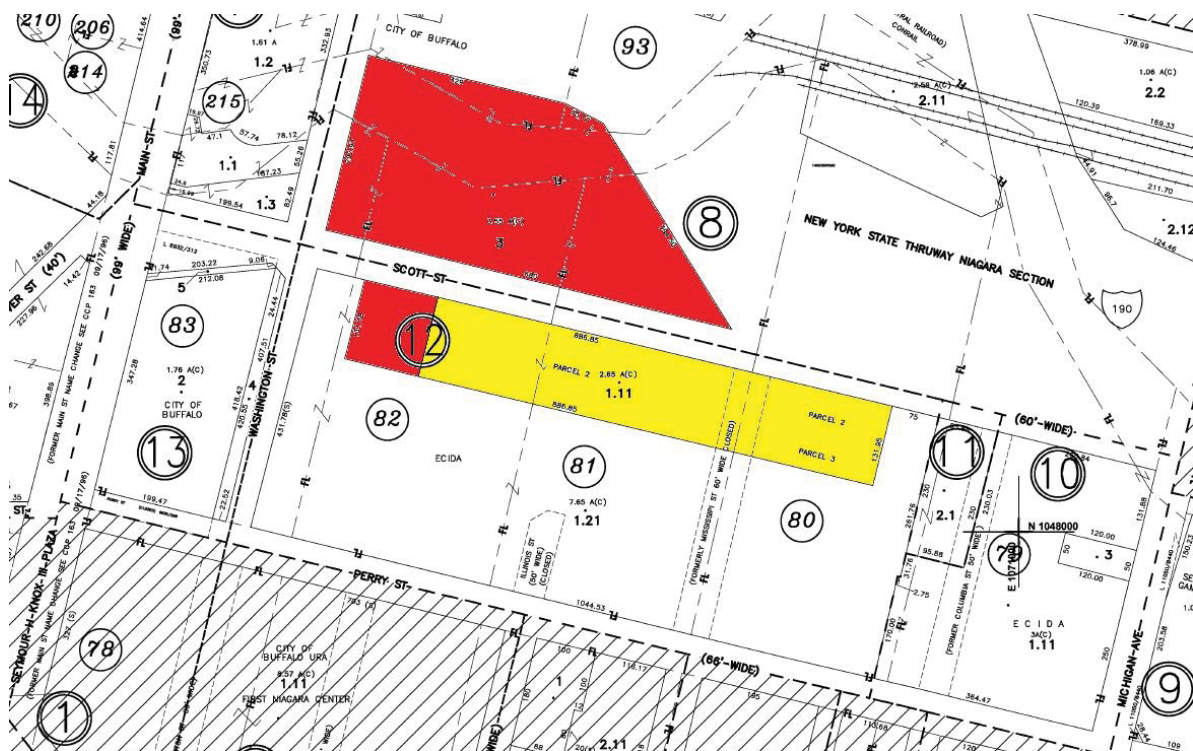
Property: 125 Washington & 33 Scott Streets, Buffalo, Erie County, New York

Prospective Acquisition:

The prospective acquisition from this property is outlined in yellow on the following aerial diagram. This “taking” will encompass approximately 2.66 acres of land and eliminate 284 of the existing 334 parking spaces that currently serve the property adjacent Buffalo News building. The red areas denote the remainder properties, the Buffalo News office warehouse complex and the remainder parking lot.



Color Tax Map of Acquisition:



Effects of the Acquisition:

The acquisition reduces the overall land area that forms the overall economic unit from 6.235 acres to 4.035 acres. This also eliminates the majority of the parking (284 spaces) leaving only 50 spaces and no staging area for delivery and distribution trucks.

Expressed on a ratio basis the land to building ratio (LBR) is reduced from .90 SF of land to each SF of building to .58 SF of land for each SF of building.

Market parameters for a typical office warehouse are in 1.5 to 2.5 range to provide adequate parking and trucking needs.

The parking ratio is reduced from 1 space for each 906 of building area to 1 space per 6,049 SF of GBA.

In the subject’s case the warehouse and shipping are located on the south side of the building opposite the parking lot which is a convenient set up since The News has almost exclusive use of the intervening Scott Street right of way. The loss of the parking lot will create a back log of truck idling on the street waiting in a rotation to drop and ship. Any large scale development of the acquired property will add to the backlog on the street during events.

Furthermore, the News operation or any other office warehouse operation for that matter, has no alternative options to replace or mitigate the losses.

The building can be expected to be severely affected by the parking area loss.

These factors will substantially reduce the marketability of the property resulting in, not only the value loss from the land and parking acquired, but will also cause consequential damage to the remaining property.

Value and Damage Analysis:

The direct losses for the land are measured based on the land sales that have occurred in the CBD and surrounding area over the past several years.

Sale No.	Location	Sale Date	Sale Price w/ Demo	Area		Unit Prices		Remarks
				Square Feet	Acres	Square Feet	Acre	
1	933 Michigan Ave.	Mar-13	\$500,000	14,593	0.335	\$34.26	\$1,492,537	parking lot
2	234-238 Main	Jun-17	\$1,250,000	21,649	0.497	\$57.74	\$2,515,091	parking lot
3	905 Elmwood	May-15	\$1,550,000	25,265	0.580	\$61.35	\$2,672,414	new development
4	1159 Main St.	Apr-14	\$1,767,000	54,450	1.250	\$32.45	\$1,413,600	future development
5	75 Main St.	Mar-13	\$2,199,828	81,022	1.860	\$27.15	\$1,182,703	new development
6	234 Delaware	Aug-12	\$4,500,000	84,942	1.950	\$52.98	\$2,307,692	new development
7	677 Washington Street	Nov-18	\$3,103,000	87,120	2.000	\$35.62	\$1,551,500	new development
8	169 W. Utica	Jul-16	\$1,800,000	49,223	1.130	\$36.57	\$1,592,920	new development
9	470 Pearl Street	Jan-16	\$1,850,000	46,174	1.060	\$40.07	\$1,745,283	surface parking lot
10	127, 189-191 Buffalo River	Aug-19	\$3,800,000	<u>306,662</u>	<u>7.040</u>	<u>\$12.39</u>	<u>\$539,773</u>	
			Average	77,110	1.77	\$39.06	\$1,701,351	
			Median	51,836	1.190	\$36.09	\$1,572,210	

Effects of the Acquisition: (Cont'd.)

These sales, after considering adjustments for property rights, conditions of sale, financing and physical variables including location, indicate a value of \$18.00 per square foot.

Applied to the land being considered for the acquisition 95,832 SF (2.2 acres) indicates a loss of \$1,725,000.

In addition there is a value associated with the paving and related parking lot improvements that will be lost, estimated at a depreciated value in place at \$1,000 per space (284 spaces) or \$284,000.

Therefore the direct effects of the acquisition are estimated at **\$2,009,000**.

The indirect or consequential losses are developed based on an analysis of office and warehouse sales.

Sale No.	Location Office Warehouse	Sale Date	Sale Price	Land Area	Building Size	Building \$\$ Square Foot	LBR	Office	Whse Height's	Remarks
1	500 Bailey	Apr-16	\$8,000,000	7.02	202,744	\$39.46	1.51	7.4%	44	built 1999; leased fee
2	50 Thielman Dr.	Nov-14	\$5,030,000	13.71	151,000	\$33.31	3.96	10.0%	22	built 1994
3	101 Oak 117 Eagle	Oct-18	\$3,920,000	2.01	67,325	\$58.23	1.3	31.6%	16	built 1982
4	1145 Main at Dodge & Ellicott	Nov-16	\$3,750,000	4.30	125,570	\$29.86	1.49	24.3%	16'	Former Osmose Campus
5	2769 Broadway	Dec-18	\$2,900,000	8.76	112,000	\$25.89	3.41	1.8%	21-24'	built 1969
6	3366 Walden Ave.	Mar-17	\$4,600,000	8.37	166,000	\$27.71	2.20	12.8%	28'	built 1973
7	4055 Casilio Pkwy.	Apr-16	\$2,700,000	6.17	83,000	\$32.53	3.24	9.4%	30	Built 1994
8	4087 Walden Ave.	Dec-17	\$4,125,000	11.77	122,140	\$33.77	4.20	9.9%	16-24'	built 1995
9	300 Lang Blvd.	May-19	\$4,100,000	22.40	119,215	\$34.39	7.64	72.0%	10-21'	built 1979
10	55 Msgr. Valente Drive	Sep-16	\$2,825,200	6.36	65,247	\$43.30	4.27	6.2%	22'	built 1993
11	801 Exchange St.	Apr-16	\$4,095,000	8.16	77,000	\$53.18	4.62	26.0%	24'	built 1996
12	790-840 Aero Dr.	Jul-16	\$9,200,000	10.20	161,900	\$56.83	2.74	10.0%	18-29'	Built 2001, leased fee
13	3805 Walden Ave.	Oct-18	\$4,400,000	5.95	104,557	\$42.08	2.49	8.2%	22-24'	built 1995
14	100 Centre Dr.	Dec-17	\$3,295,600	<u>16.50</u>	<u>154,544</u>	<u>\$21.32</u>	<u>4.65</u>	<u>7.7%</u>	12-18'	built 1988
			Average	9.41	122,303	\$37.99	3.409	16.9%		
			Median	8.27	120,678	\$34.08	3.325	10.0%		
Subject	959 Washington - office warehouse				167,810 138,936		0.885	54.7%	24', 40' & 70"	

Value and Damage Analysis:

These are the most relevant sales available for analyzing the subject property as improved. The sales are, like the subject, office warehouse but the subject has a much higher percentage of office. The sales, on the other hand, are unified sites with superior LBRs and superior functional utility.

Parts of the subject office and warehouse have inherent limited functional utility. Past use of the property's printing operations may be a concern because printing inks used in the mass printing operations.

Assuming fee simple ownership and that the improvements are in at least average condition and all areas are usable, the property should command a value in the market at \$40.00 of GBA including all land areas.

This also considers the property's potential for supplemental revenue for event parking after business hours.

Property: 125 Washington & 33 Scott Streets, Buffalo, Erie County, New York

Effects of the Acquisition: (Cont'd.)

Therefore the as is property value estimate is developed as follows:

$$302,620 \text{ SF @ } \$40.00 \text{ SF} = \$12,105,000 \text{ (rounded)}$$

Considering the effects of the loss of all parking and its attendant impacts on the remainder property, value without the parking is estimated as follows:

$$302,620 \text{ SF @ } \$30.00 \text{ SF} = \$9,079,000 \text{ (rounded)}$$

Therefore, the total compensable loss is indicated to be \$3,026,000.

This loss is allocated as follows:

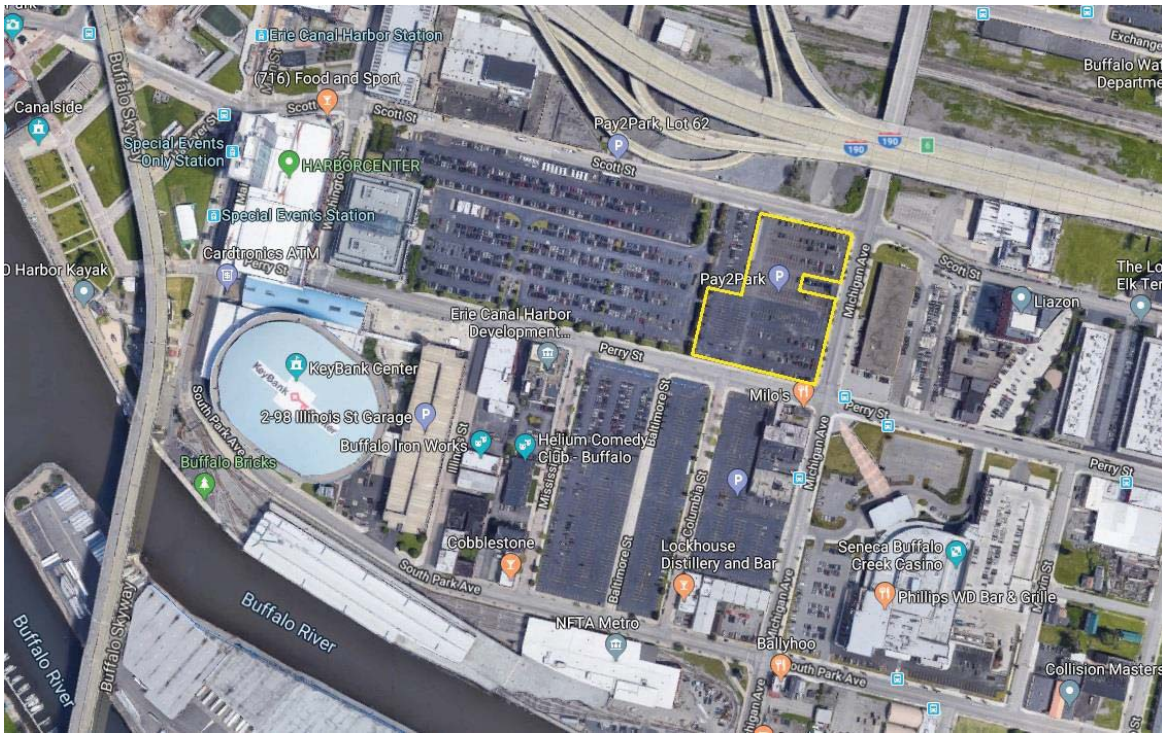
Land Acquired:	\$1,725,000
Improvements Acquired:	\$ 284,000
Consequential Losses:	\$1,017,000

There will be additional incidental costs associated with the prospective acquisition including legal fees, surveys, title reports and possible relocation costs in the event tenants are displaced or leases are voided as a result of the acquisition.

There is an additional risk factor that the Buffalo News may no longer be able to operate from this location. Given that this would likely be considered a “business” loss and not a real property loss, it would not likely be considered “compensable” under New York law.

Assessment Reduction:

Assuming the acquisition proceeds this will eliminate the assessment for the majority of the Scott Street parcel (284 parking spaces) leaving only 50 spaces. Based on parking spaces, the assessment loss will approximate \$1,678,000. Additionally there will be a loss to the property at 125 Washington estimated at 10% of its assessed value based on the consequential loss to market value; resulting in additional assessment loss of \$680,000. The attendant tax loss will approximate \$46,000.



**142 Perry Street &
160 Michigan Avenue**

City Block Joint Venture Properties

Executive Summary:

Property Information:

Address:	160 Michigan Avenue, Buffalo, New York 14204	142 Perry Street, Buffalo, New York, 14203
Parcel ID (SBL#):	111.17-10-3	111.17-10-1.11
Assessment / Taxes (Prospective):	\$100,000 / \$1,949	\$2,170,000 / \$42,293
Ownership:	City Block Joint Venture	
Property Rights Appraised:	Fee Simple	

Site Information:

Land Area:	50' x 120' (rectangular) 6,000 SF (.14 acre)	364.47' x irregular (irregular) 130,680 SF (3.0 acres)
Zoning:	N-1D Downtown Regional Hub	
Shape:	Rectangular	Irregular
Frontage:	50' westside of Michigan Ave.,	364.47' northside of Perry St, 381.88' westside of Michigan, 265.84' southside of Scott St
Utilities:	All Public Utilities Available	
Flood Zone:	Community #360230; Panel #36029C0213H; Zone X (6/7/2019) no special flood hazard	
Easements:	Former Clark & Skinner Canal	
Parking:	18 parking spaces	490 parking spaces
Wetlands:	None	
Environmental:	No adverse conditions noted	

Building Data:

Type of Property:	Parking lot	Parking lot
Year Built:	N/A	N/A
Gross Building Area (GBA):	N/A	N/A

Highest & Best Use:

Parking

Executive Summary: (Cont'd.)

Acquisitions:

Land Acquired:	3.14 Acres
Improvement Acquired:	508 Parking spaces and land improvements
Building Acquired:	None

Remaining Property:

Land:	None
Improvement:	None
Building:	NA

Market Value Losses:

Land:	\$2,462,000
Improvement:	\$508,000
Consequential Loss:	None

Final Loss Estimation:

Estimated Market Value Loss:	\$2,970,000
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Effective Date of Valuation & Exposure Time:

Date of Inspection:	October 6, 2019
Effective Date of Valuation:	October 6, 2019
Estimated Exposure Time:	12 to 18 months

Ownership & Occupancy:

Property ownership is noted as follows:

City Block Joint Venture & Buffalo City Center Joint Venture
333 Ganson Street
Buffalo New York 14203

The properties are currently jointly used as surface parking lots, occupancy is assumed to be subject to short term month to month parking agreements.

Sales History:

The properties last transferred as summarized below:

Grantee	Property	Sale Date	Consideration	Liber Page
City Block Joint Venture	142 Perry Street	3/22/2002	\$800,000	11003 page 428
Buffalo City Center Joint Venture	160 Michigan Ave.	2/28/2007	\$1	11128 page 5556

I am **not aware** of any transactions, contracts, including leases, offerings for sale or lease, pending contracts or options involving the subject property except as noted above.

Taxes and Assessments:

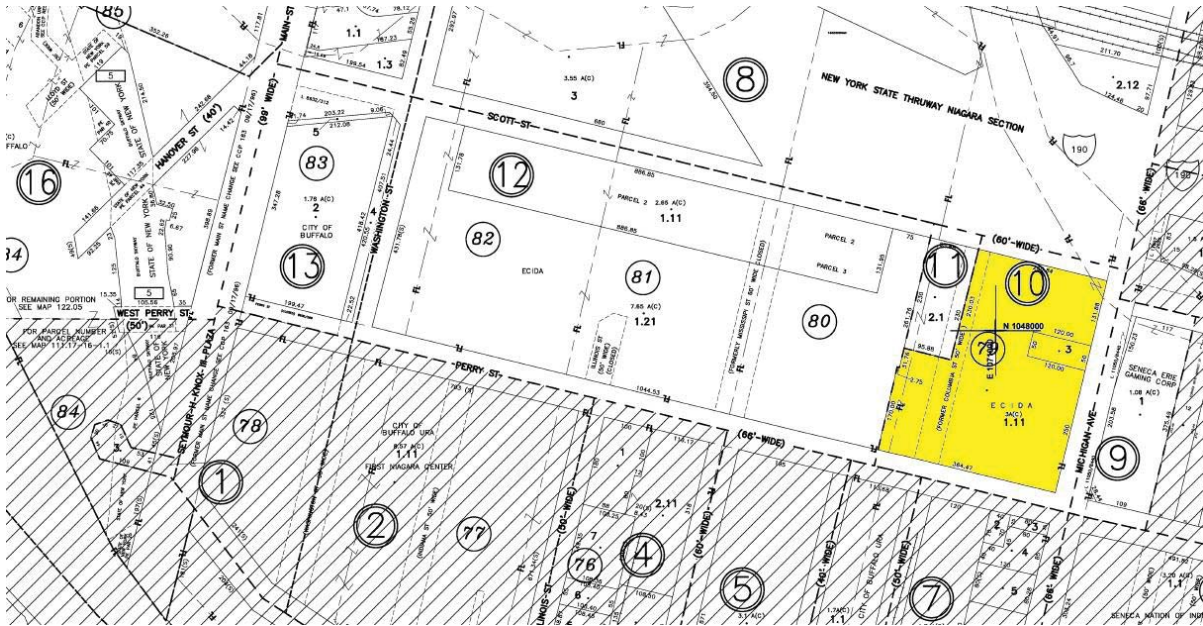
The property is referenced on the city and county tax roll as follows:

Assessment & Taxes	SBL	111.17-10 - 1.11	111.17-10-3.0
Address		142 Perry Street	160 Michigan
Land		\$1,437,500	\$67,100
Improvements		\$732,500	\$32,900
Total Assessment		\$2,170,000	\$100,000
Equalization Rate			90.00%
Equalized Assessment		\$2,411,111	\$111,111
County Tax	\$4.05	\$8,789	\$405
Transit Mall	\$0.00	\$0	\$0
City & School	\$14.61	\$31,704	\$1,461
Sewer	\$0.83	\$1,801	\$83
Combined Tax Rate per K	\$19.49	\$42,293	\$1,949
Total True Tax Obligation		\$44,242	

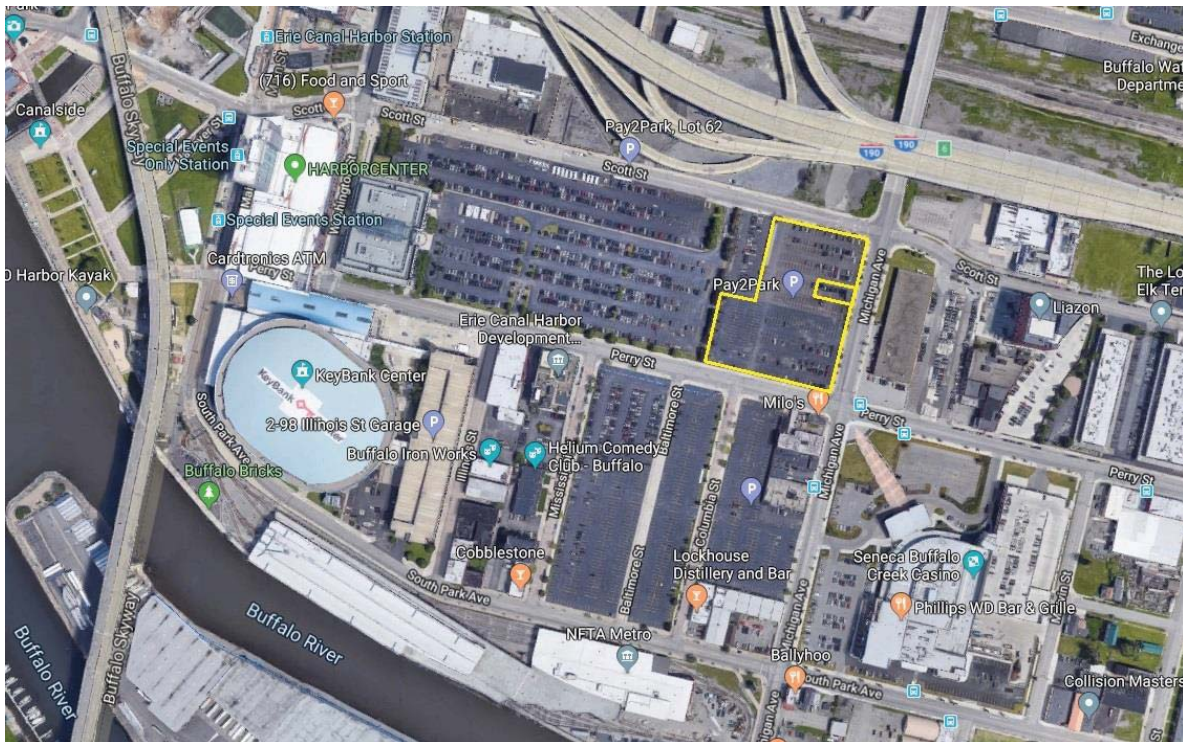
The assessment and taxes are the prospective levies based on the city’s recent revaluation, scheduled for implementation for the 2020-21 tax year. Both assessments will be eliminated if the properties are acquired for a public use.

Property: 142 Perry Street & 160 Michigan Avenue, Buffalo, Erie County, New York

Tax Map:



Aerial:



Subject Photographs:



142 Perry Viewing Northeast



142 Perry Viewing Northwest



160 Michigan Viewing West



142 Perry Viewing Southwest

Prospective Acquisition:

The prospective acquisition of these properties is outlined in yellow on the following aerial diagram. These “taking” will encompass both parcels in their entirety encompassing a total area of 3.14 acres and eliminates approximately 508 parking spaces.



Effects of the Acquisition:

The acquisition will eliminate both parcels.

Value and Damage Analysis:

The direct losses for the land are measured based on the land sales that have occurred in the CBD and surrounding area over the past several years.

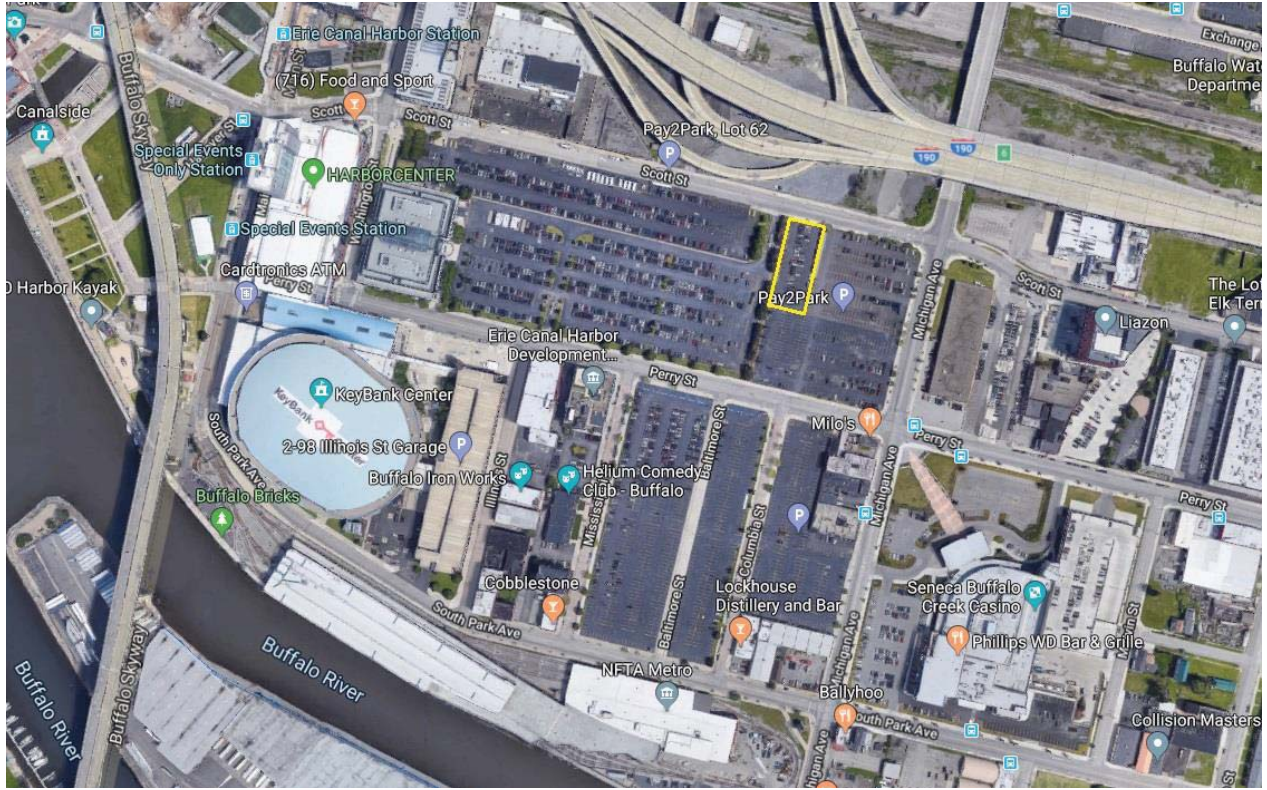
Sale No.	Location	Sale Date	Sale Price w/ Demo	Area		Unit Prices		Remarks
				Square Feet	Acres	Square Feet	Acre	
1	933 Michigan Ave.	Mar-13	\$500,000	14,593	0.335	\$34.26	\$1,492,537	parking lot
2	234-238 Main	Jun-17	\$1,250,000	21,649	0.497	\$57.74	\$2,515,091	parking lot
3	905 Elmwood	May-15	\$1,550,000	25,265	0.580	\$61.35	\$2,672,414	new development
4	1159 Main St.	Apr-14	\$1,767,000	54,450	1.250	\$32.45	\$1,413,600	future development
5	75 Main St.	Mar-13	\$2,199,828	81,022	1.860	\$27.15	\$1,182,703	new development
6	234 Delaware	Aug-12	\$4,500,000	84,942	1.950	\$52.98	\$2,307,692	new development
7	677 Washington Street	Nov-18	\$3,103,000	87,120	2.000	\$35.62	\$1,551,500	new development
8	169 W. Utica	Jul-16	\$1,800,000	49,223	1.130	\$36.57	\$1,592,920	new development
9	470 Pearl Street	Jan-16	\$1,850,000	46,174	1.060	\$40.07	\$1,745,283	surface parking lot
10	127, 189-191 Buffalo River	Aug-19	\$3,800,000	<u>306,662</u>	<u>7.040</u>	<u>\$12.39</u>	<u>\$539,773</u>	
			Average	77,110	1.77	\$39.06	\$1,701,351	
			Median	51,836	1.190	\$36.09	\$1,572,210	

These sales, after considering adjustments for property rights, conditions of sale, financing and physical variables including location indicate a value of \$18.00 per square foot.

Applied to the land being considered for the acquisition 136,778 SF (3.14 acres) indicates a loss of \$2,462,000.

In addition there is a value associated with the paving and related parking lot improvements that will be lost estimated at a depreciated value in place at \$1,000 per space (508 spaces) or \$508,000.

Therefore the estimated value of the acquisition is estimated at **\$2,970,000**.



125 Scott Street
Skydeck Corporation

Executive Summary:

Property Information:

Address:	125 Scott Street, Buffalo, New York, 14204
Parcel ID (SBL#):	111.17-11-2.1
Assessment / Taxes:	\$361,000 / \$7,036
Ownership:	Skydeck Corporation
Property Rights Appraised:	Fee simple

Site Information:

Land Area:	95.88' x 230' (rectangular) 22,052 SF (.506 acre)
Zoning:	N-1D Downtown/Regional Hub
Shape:	Rectangular
Frontage:	95.88' southside of Scott Street
Utilities:	All Public Utilities Available
Flood Zone:	Community #360230; Panel #36029C0213H; Zone X (6/7/2019) no special flood hazard
Easements:	Former Clark & Skinner Canal
Parking:	75 parking spaces
Wetlands:	None
Environmental:	No adverse conditions noted

Building Data:

Type of Property:	Parking lot
Year Built:	N/A
Gross Building Area (GBA):	N/A

Highest & Best Use:

Parking lot

Executive Summary: (Cont'd.)

Acquisitions:

Land Acquired:	.506 Acre
Improvement Acquired:	75 Parking spaces and land improvements
Building Acquired:	None

Remaining Property:

Land:	None
Improvement:	None
Building:	NA

Market Value Losses:

Land:	\$331,000
Improvement:	\$75,000
Consequential Loss:	None

Final Loss Estimation:

Estimated Market Value Loss:	\$406,000
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Effective Date of Valuation & Exposure Time:

Date of Inspection:	October 6, 2019
Effective Date of Valuation:	October 6, 2019
Estimated Exposure Time:	12 to 18 months

Property: 125 Scott Street, Buffalo, Erie County, New York

Ownership & Occupancy:

Property ownership is noted as follows:

Skydeck Corporation
257 Franklin Street
Buffalo New York 14202

The property is currently used as a surface parking lot, occupancy is assumed to be subject to short term month to month parking agreements. The west section may be subject to a permanent easement for a former canal that runs through the property north to south.

Sales History:

The properties last transferred as summarized below:

Property	Sale Date	Consideration	Liber Page
142 Perry Street	9/29/2009	\$300,000	11170 page 4960

I am **not aware** of any transactions, contracts, including leases, offerings for sale or lease, pending contracts or options involving the subject property except as noted above.

Taxes and Assessments:

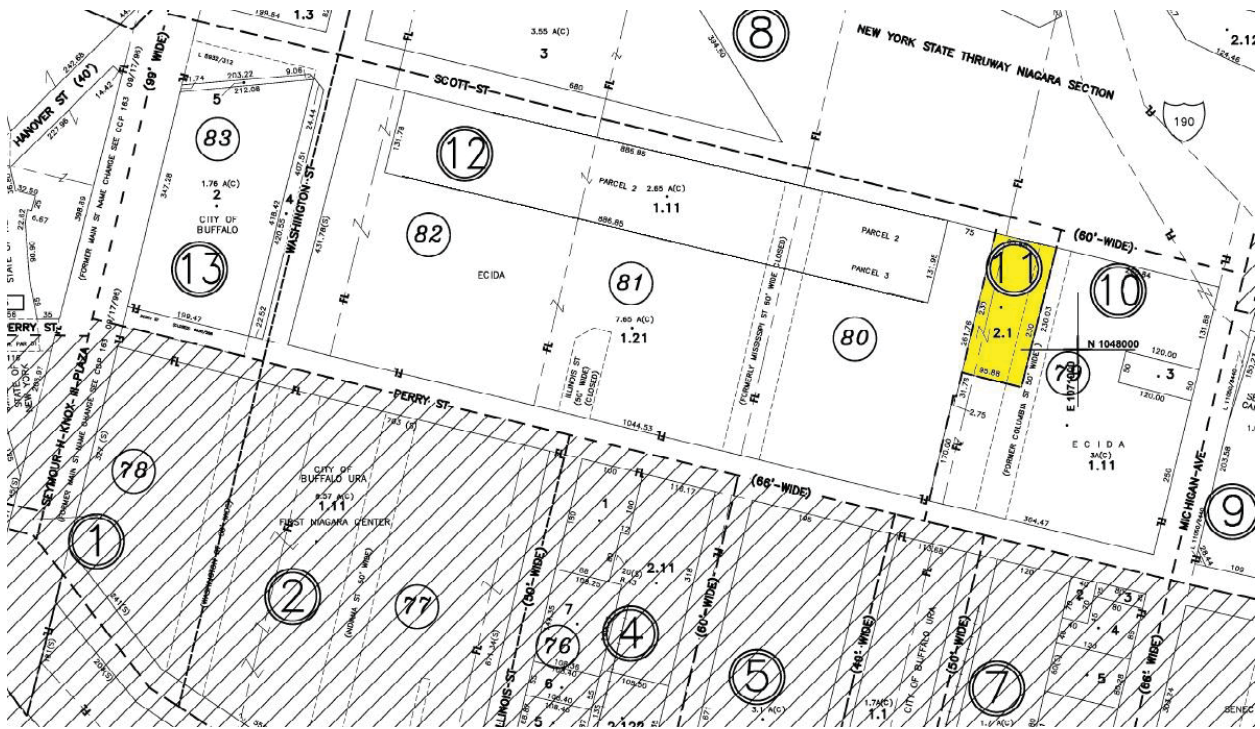
The property is referenced on the city and county tax roll as follows:

Assessment & Taxes	SBL	111.17-11-2.1
Address		125 Scott Street
Land		\$239,600
Improvements		\$121,400
Total Assessment		\$361,000
Equalization Rate		90.00%
Equalized Assessment		\$401,111
County Tax	\$4.05	\$1,462
Transit Mall	\$0.00	\$0
City & School	\$14.61	\$5,274
Sewer	\$0.83	\$300
Combined Tax Rate per K	\$19.49	\$7,036
Total True Tax Obligation		\$7,036

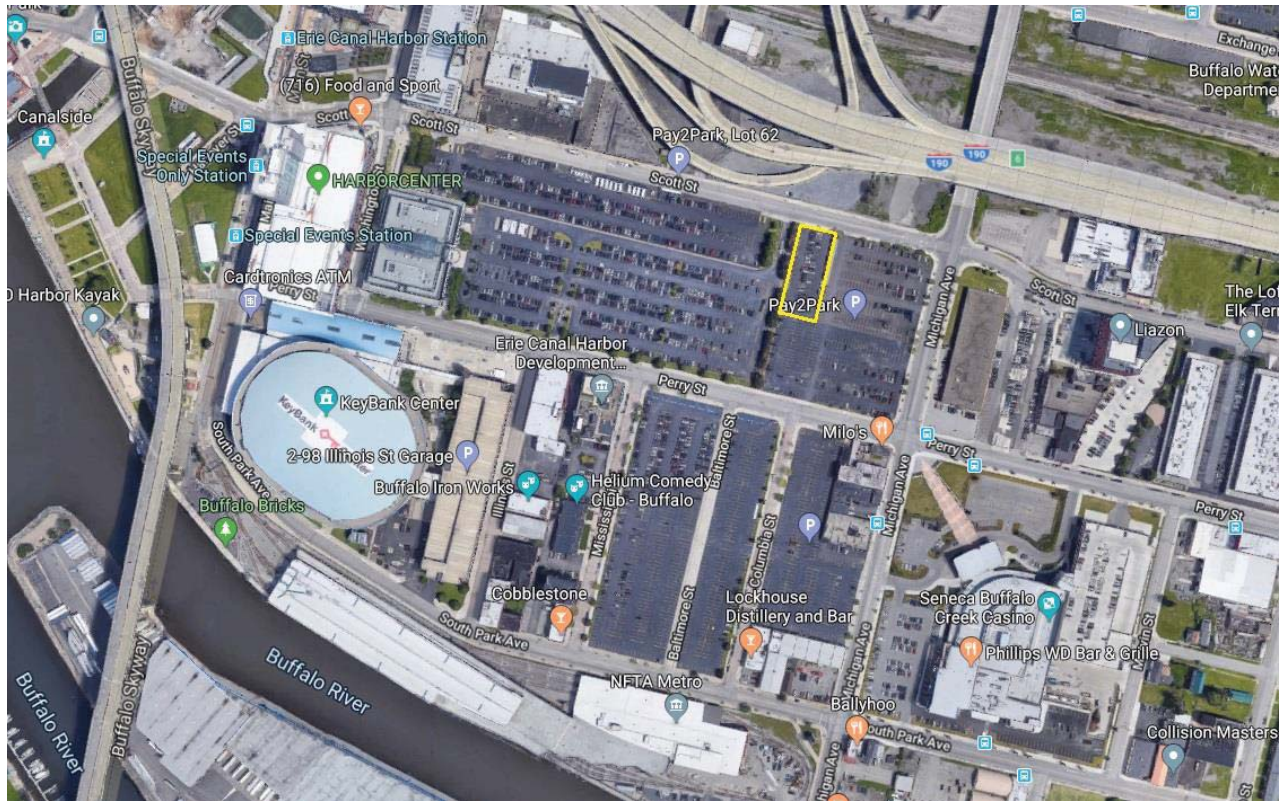
The assessment and taxes are the prospective levies based on the city's recent revaluation, scheduled for implementation for the 2020-21 tax year. The assessment will be eliminated in the event of a public use project.

Property: 125 Scott Street, Buffalo, Erie County, New York

Tax Map:



Aerial:



Property: 125 Scott Street, Buffalo, Erie County, New York

Subject Photographs:



Property: 125 Scott Street, Buffalo, Erie County, New York

Prospective Acquisition:

The prospective acquisition from this property is outlined in yellow on the following aerial diagram. These “taking” will encompass the entire property, a total area of .506 acre and eliminates approximately 75 parking spaces.



Value and Damage Analysis:

The direct losses for the land are measured based on the land sales that have occurred in the CBD and surrounding area over the past several years.

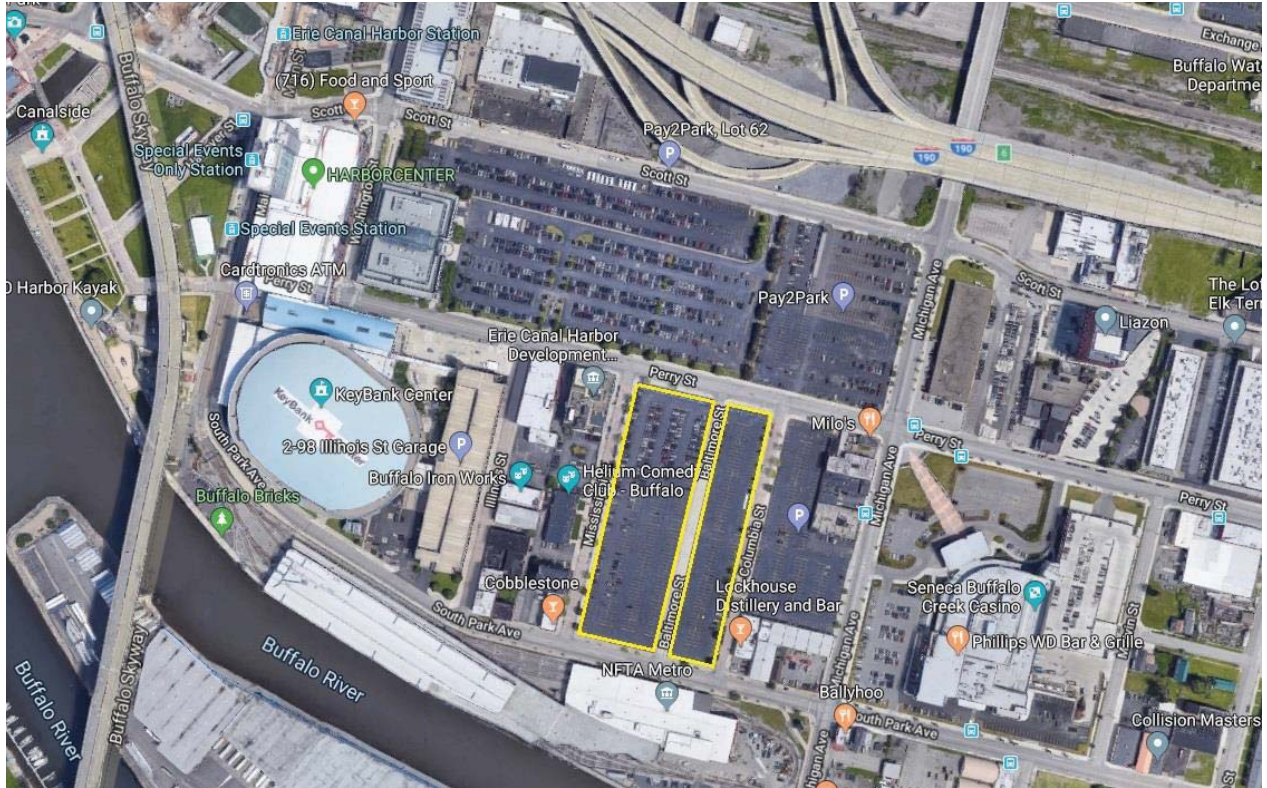
Sale No.	Location	Sale Date	Sale Price w/ Demo	Area		Unit Prices		Remarks
				Square Feet	Acres	Square Feet	Acre	
1	933 Michigan Ave.	Mar-13	\$500,000	14,593	0.335	\$34.26	\$1,492,537	parking lot
2	234-238 Main	Jun-17	\$1,250,000	21,649	0.497	\$57.74	\$2,515,091	parking lot
3	905 Elmwood	May-15	\$1,550,000	25,265	0.580	\$61.35	\$2,672,414	new development
4	1159 Main St.	Apr-14	\$1,767,000	54,450	1.250	\$32.45	\$1,413,600	future development
5	75 Main St.	Mar-13	\$2,199,828	81,022	1.860	\$27.15	\$1,182,703	new development
6	234 Delaware	Aug-12	\$4,500,000	84,942	1.950	\$52.98	\$2,307,692	new development
7	677 Washington Street	Nov-18	\$3,103,000	87,120	2.000	\$35.62	\$1,551,500	new development
8	169 W. Utica	Jul-16	\$1,800,000	49,223	1.130	\$36.57	\$1,592,920	new development
9	470 Pearl Street	Jan-16	\$1,850,000	46,174	1.060	\$40.07	\$1,745,283	surface parking lot
10	127, 189-191 Buffalo River	Aug-19	\$3,800,000	<u>306,662</u>	<u>7.040</u>	<u>\$12.39</u>	<u>\$539,773</u>	
			Average	77,110	1.77	\$39.06	\$1,701,351	
			Median	51,836	1.190	\$36.09	\$1,572,210	

Adjustments are considered for property rights, conditions of sale, financing and physical variables including location and the easement along the west property line that affects approximately 4,600 SF of the property. Based on this analysis the property value a value of \$15.00 per square foot.

Applied to the land being considered for the acquisition 22,052 SF (.506 acre) indicates a loss of **\$331,000**.

In addition there is a value associated with the paving and related parking lot improvements that will be lost estimated at a depreciated value in place at \$1,000 per space (75 spaces) or \$75,000.

Therefore the total estimated value of the acquisition is estimated at **\$406,000**.



**125 Perry Street &
25 Mississippi Street**

**Buffalo Urban Renewal Agency
(BURA)**

Executive Summary:

Property Information:

Address:	25 Mississippi Street, Buffalo, New York 14203	125 Perry Street, Buffalo, New York, 14203
Parcel ID (SBL#):	122.05-5-1	122.05-6-1.1
Assessment / Taxes (Prospective):	\$2,200,000 / \$42,878	\$1,283,000 / \$25,006
Ownership:	Buffalo Urban Renewal Agency	
Property Rights Appraised:	Fee Simple	

Site Information:

Land Area:	195' x 671' (rectangular) 130,845 SF (3 acres)	113.68' x 672.33' / 76,430 SF (1.75 acres)
Zoning:	N-1C Mixed Use Core	
Shape:	Rectangular	Rectangular
Frontage:	195' southside of Perry St., 671' eastside of Mississippi St., 195' northside of South Park, 671' westside of Baltimore St.	113.68' southside of Perry St, 672.33' eastside of Baltimore, 113.68' northside of S. Park, 672.33' westside of Columbia
Utilities:	All Public Utilities Available	
Flood Zone:	Community #360230; Panel #36029C0326H; Zone X (6/7/2019) no special flood hazard	
Easements:	None noted	
Parking:	458 parking spaces	334 parking spaces
Wetlands:	None	
Environmental:	No adverse conditions noted	

Highest & Best Use:

Parking

Executive Summary: (Cont'd.)

Acquisitions:	25 Mississippi Street	125 Perry Street
Land Acquired:	3.0 Acres	1.75 acres
Improvement Acquired:	458 spaces	334 spaces
Building Acquired:	None	None
Remaining Property:		
Land:	None	None
Improvement:	None	None
Building:	NA	NA
Market Value Losses:		
Land:	\$2,091,000	\$1,220,000
Improvement:	\$ 458,000	\$334,000
Consequential Loss:	None	None
Final Loss Estimation:		
Estimated Market Value Loss:	\$2,549,000	\$1,554,000
Effective Date of Valuation & Exposure Time:		
Date of Inspection:	October 6, 2019	
Effective Date of Valuation:	October 6, 2019	
Estimated Exposure Time:	12 to 18 months	

Property: 125 Scott & 25 Mississippi Streets, Buffalo, Erie County, New York

Ownership & Occupancy:

Property ownership is noted as follows:

Buffalo Urban Renewal Agency
c/o Scott Billman Esq.
920 City Hall
Buffalo New York 14202

The properties are currently used as surface parking lots, occupancy is assumed to be subject to short term month to month parking agreements.

Sales History:

The properties last transferred on 5/18/1995 for \$1,400,000 as recorded in deeds liber 10886 at page 2305.

I am **not aware** of any transactions, contracts, including leases, offerings for sale or lease, pending contracts or options involving the subject property except as noted above.

Taxes and Assessments:

The property is referenced on the city and county tax roll as follows:

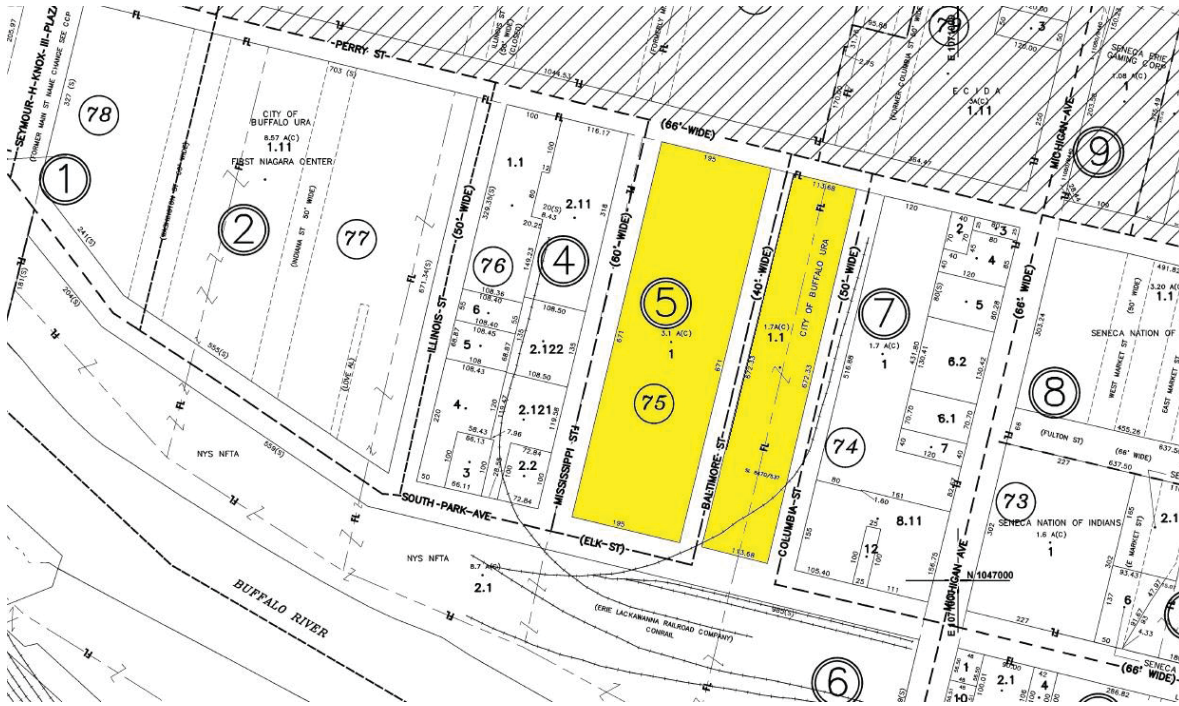
Assessment & Taxes	SBL	122.05-5-1	122.05-6-1.1
Address		25 Mississippi	125 Perry Street
Land		\$1,439,300	\$848,200
Improvements		\$760,700	\$434,800
Total Assessment		\$2,200,000	\$1,283,000
Equalization Rate			90.00%
Equalized Assessment		\$2,444,444	\$1,425,556
County Tax	\$4.05	\$8,910	\$5,196
Transit Mall	\$0.00	\$0	\$0
City & School	\$14.61	\$32,142	\$18,745
Sewer	\$0.83	\$1,826	\$1,065
Combined Tax Rate per K	\$19.49	\$42,878	\$25,006
Total True Tax Obligation		\$67,884	

The assessment and taxes are the prospective levies based on the city's recent revaluation, scheduled for implementation for the 2020-21 tax year. Each assessment will be eliminated in the event of a public purpose project.

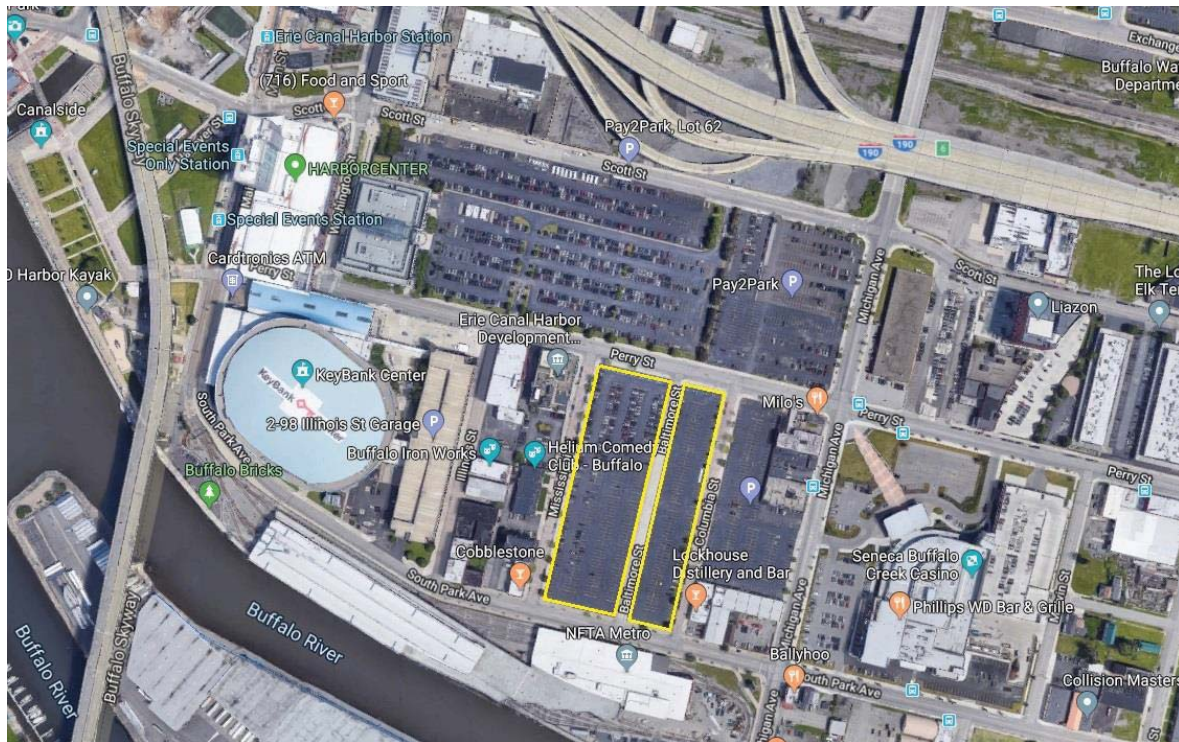
However, as publicly owned parcel they are tax exempt except for the sewer levy.

Property: 125 Scott & 25 Mississippi Streets, Buffalo, Erie County, New York

Tax Map:



Aerial:



Property: 125 Scott & 25 Mississippi Streets, Buffalo, Erie County, New York

Subject Photographs:



25 Mississippi Viewing Southeast



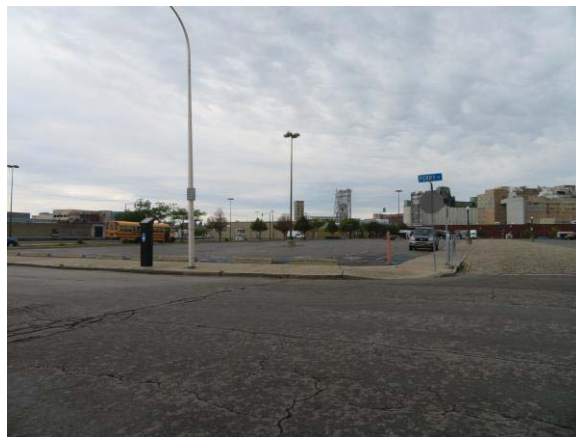
25 Mississippi Viewing Northeast



25 Mississippi Viewing North Northwest



125 Perry Street Viewing Southwest

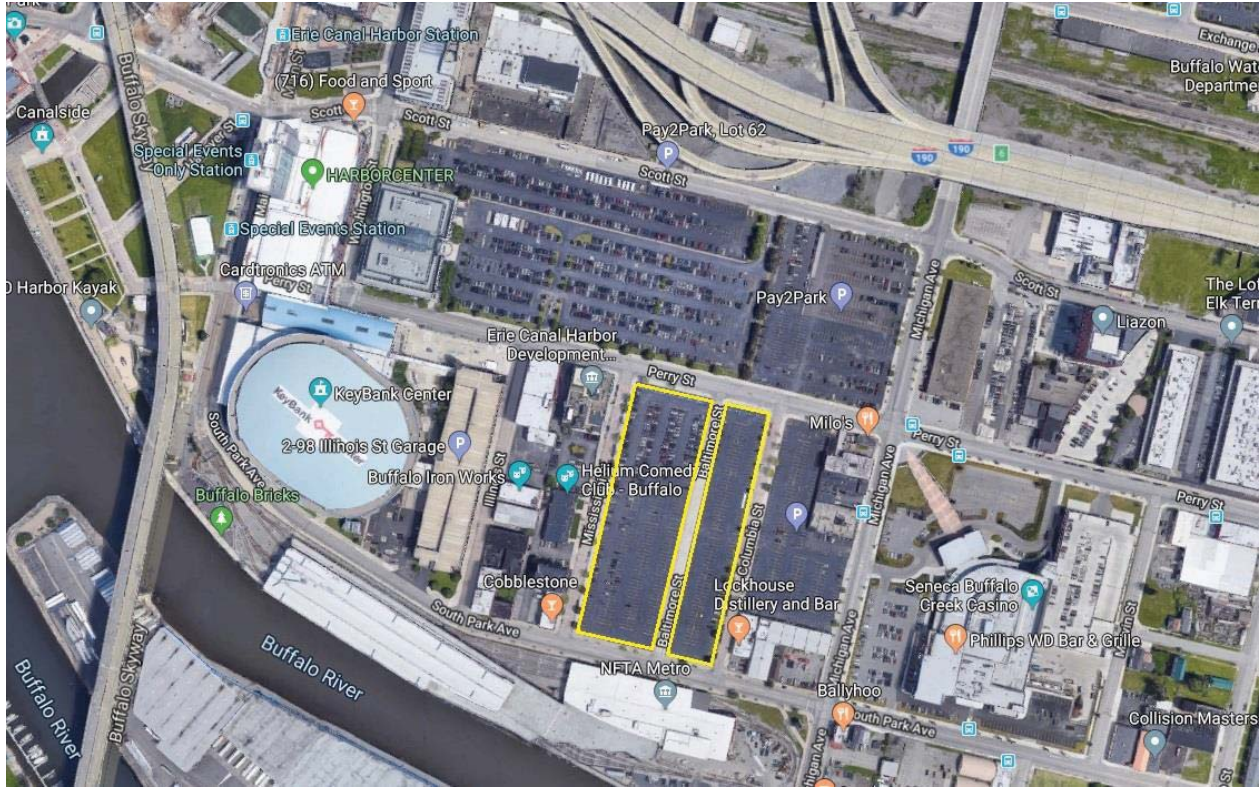


125 Perry Street Viewing South Southeast

Property: 125 Scott & 25 Mississippi Streets, Buffalo, Erie County, New York

Prospective Acquisition:

The prospective acquisition of these properties are outlined in yellow on the following aerial diagram. These “taking” will encompass both parcels in their entirety encompassing a total area of 3.0 acres and 458 parking spaces in the case of 25 Mississippi Street and 1.755 acres and 334 spaces for 125 Perry Street.



Effects of the Acquisition:

The acquisitions encompass the entirety of each property.

Value and Damage Analysis:

The direct losses for the land are measured based on the land sales that have occurred in the CBD and surrounding area over the past several years.

Sale No.	Location	Sale Date	Sale Price w/ Demo	Area		Unit Prices		Remarks
				Square Feet	Acres	Square Feet	Acres	
1	933 Michigan Ave.	Mar-13	\$500,000	14,593	0.335	\$34.26	\$1,492,537	parking lot
2	234-238 Main	Jun-17	\$1,250,000	21,649	0.497	\$57.74	\$2,515,091	parking lot
3	905 Elmwood	May-15	\$1,550,000	25,265	0.580	\$61.35	\$2,672,414	new development
4	1159 Main St.	Apr-14	\$1,767,000	54,450	1.250	\$32.45	\$1,413,600	future development
5	75 Main St.	Mar-13	\$2,199,828	81,022	1.860	\$27.15	\$1,182,703	new development
6	234 Delaware	Aug-12	\$4,500,000	84,942	1.950	\$52.98	\$2,307,692	new development
7	677 Washington Street	Nov-18	\$3,103,000	87,120	2.000	\$35.62	\$1,551,500	new development
8	169 W. Utica	Jul-16	\$1,800,000	49,223	1.130	\$36.57	\$1,592,920	new development
9	470 Pearl Street	Jan-16	\$1,850,000	46,174	1.060	\$40.07	\$1,745,283	surface parking lot
10	127, 189-191 Buffalo River	Aug-19	\$3,800,000	<u>306,662</u>	<u>7.040</u>	<u>\$12.39</u>	<u>\$539,773</u>	
			Average	77,110	1.77	\$39.06	\$1,701,351	
			Median	51,836	1.190	\$36.09	\$1,572,210	

These sales, after considering adjustments for property rights, conditions of sale, financing and physical variables including location indicate a value of \$16.00 per square foot or \$697,000 per acre.

Additionally there is the value for the paving estimated at \$1,000 per space.

25 Mississippi Street

3 acres @ \$697,000 / acre = \$2,091,000
 458 parking spaces @ \$1,000 /space = \$458,000
Total estimated value \$2,549,000

125 Perry Street

1.75 acres @ \$697,000 / acre = \$1,220,000
 334 parking spaces @ \$1,000 /space = \$334,000
Total estimated value \$1,554,000

Regarding the property tax assessments, each parcel is tax exempt therefore the impact on the tax roll is minimal.

RECONCILIATION AND SUMMARY of CONCLUSION:

The following table summarizes the effects of the project and property value losses.

Property	Land acquired / acres	Parking losses	Land Value Losses	Value of Improvements	Consequential Losses	Total value
HSBC Property	5.86	618	\$5,213,000	\$618,000	\$1,946,000	\$7,777,000
Buffalo News	2.20	284	\$1,725,000	\$284,000	\$1,017,000	\$3,026,000
142 Perry & 160 Michigan	3.14	508	\$2,462,000	\$508,000	NA	\$2,970,000
125 Scott Street	0.506	75	\$331,000	\$75,000	NA	\$406,000
25 Mississippi Street	3.00	458	\$2,091,000	\$458,000	NA	\$2,549,000
125 Perry Street	1.75	334	\$1,220,000	\$334,000	NA	\$1,554,000
Aggregated Values	16.46	2,277	\$13,042,000	\$2,277,000	\$2,963,000	\$18,282,000

In addition to the losses and values noted above there is an aggregate loss to the city and county tax roll estimated at \$12,402,000. This excludes the city owned BURA parcels that are currently tax exempt.

These assessment losses equate to tax revenue of approximately \$244,169 that will be redistributed over the city’s remaining tax roll.

The acquisitions will also require expenditures for related services including, but not limited, to legal fees, surveys and title reports, environmental reviews and possible remediation in some cases. There is also the potential of tenant displacements that would require relocation services and brokers’ commissions.

Finally, in the event of condemnation, added costs will increase dramatically.

Addendum

Definitions of Significant Terms

Qualifications of Gregory C. Klauk

Definitions of Significant Terms:

Appraisal Report - a written report prepared under Standards Rule 2-2a of the Uniform Standards of Professional Appraisal Practice (2016-2017 ed.).

Restricted Appraisal Report - a written report prepared under Standards Rule 2-2b of the Uniform Standards of Professional Appraisal Practice (2016-2017 ed.).

Value In Use - The value of a property assuming a specific use, which may or may not be the property's highest and best use on the effective date of the appraisal. Value in use may or may not be equal to market value but is different conceptually.²

Value In Use - The value to a specific owner of a property or improvement, usually much greater than market value. The value of a property for a specific use, also called Use Value. (*IRWA. Real Estate Handbook, 4th ed., 358.*)

Use Value - the value of a property assuming a specific uses, which may or may not be the property's highest and best use on the effective date of the appraisal. Use value may or may not be equal to market value but is different conceptually.³

Market Value - 1) The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress. (*The Appraisal of Real Estate, 14th ed., published 2013 by the Appraisal Institute pg. 58.*)

2) Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property. (*Uniform Standards for Federal Land Acquisitions a/k/a The Yellow Book*).⁴

Market Value - The highest price estimated in terms of money which a property will bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used. (*NYS Case Law*).

Surplus Land - Land not currently needed to support the existing use but cannot be separated from the property and sold off. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel.⁵

Excess Land - Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land may have the potential to be sold separately and is valued separately.⁶

²The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), pg. 245

³Ibid., pg. 241

⁴Uniform Appraisal Standards for Federal Land Acquisitions (Yellow book), 6th edition, pg. 10.

⁵The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), pg. 227-228

⁶Ibid., pg. 80-81

Definitions of Significant Terms: (Cont'd.)

Market Rent - The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs).⁷

Excess Rent - The amount by which contract rent exceeds market rent at the time of appraisal; created by a lease favorable to the landlord (lessor) and may reflect unusual management, unknowledgeable or unusually motivated parties, a lease execution in an earlier, stronger rental market, or an agreement of the parties .⁸

Fee Simple Estate - Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.⁹

Fee Simple Conditional – A fee simple estate that may be terminated when a specified event occurs, which may be at any time or not at all. The condition does not automatically terminate the estate; the grantor, the heirs, or a designee must act to terminate it.

Leased Fee Interest - The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.¹⁰

Leasehold Interest - The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.¹¹

Abut - To share a common boundary with another property.¹²

Abutter or Adjoiner - A property that is physically contiguous to the surplus parcel. (NYS DOT)

Across-The-Fence (ATF) Method - A land valuation method often used in the appraisal of corridors. The across-the-fence method is used to develop a value opinion based on comparison to abutting land.¹³

Across-The-Fence (AFT) Value - In the valuation of real estate corridors, the value concluded based on comparison with adjacent lands before the consideration of any other adjustment factors. (IRWA).¹⁴

Assemblage - 1) The combining of two or more parcels, usually but not necessarily contiguous, into one ownership or use; the process that may create plottage value. 2) The combining of separate properties into units, sets, or groups, i.e., integration or combination under unified ownership.¹⁵

Auction - 1) A sale, public or private, where property or property rights are sold to the highest bidder. In an absolute auction, the property is sold to the highest bidder “without minimum or reservation”. In a reserve auction, the seller and the auction company mutually agree on a sale price that may be obtained before the property can be sold. 2) A sale or lease through a bidding process of the right to use government land for agricultural, oil, gas extraction, or other purpose.¹⁶

Definitions of Significant Terms: (Cont'd.)

⁷The Dictionary of Real Estate Appraisal, sixth edition, (Chicago, Illinois Appraisal Institute, 2015), Pg. 140

⁸Ibid., pg. 81

⁹Ibid., pg. 90

¹⁰Ibid., pg. 128

¹¹Ibid., pg. 128

¹²Ibid., pg. 2

¹³Ibid., pg. 3

¹⁴Ibid., pg. 3

¹⁵Ibid., pg. 13

¹⁶Ibid., pg. 16

Bilateral Monopoly - A market in which a single seller (a monopoly) is confronted with a single buyer (a monopsony). Under these circumstances, the theoretical determination of output and price will be uncertain and will be affected by the interdependence of the two parties.¹⁷

Cash Equivalency - An analytical process in which the sale price of a transaction with nonmarket financing or financing with unusual conditions or incentives is converted into a price expressed in terms of cash or its equivalent.¹⁸

Compensable Damages - Damages for which a condemnor is legally required to compensate the owner or tenant of the property that is being wholly or partially condemned. In most jurisdictions, physical invasion of the property by a condemning authority or the taking of some property right must occur before damages are considered compensable.¹⁹

Condemnation - The act or process of enforcing the right of eminent domain.²⁰

Consequential Damages - Consequential damages are those damages that occur, in a partial taking, to the remainder of the property, by reason of the use to which the portion taken is to be put by the condemnor. *South Buffalo Railway Co. v. Kirkover*, 176 N.Y. 301 (1903); Goldstein & Goldstein "Condemnation & Tax Certiorari: A Matter of Opinion", *New York Law Journal*, January 28, 1993, p.3, col. 3.

Contributory Value - The change in the value of property as a whole, whether positive or negative, resulting from the addition or deletion of a property component. Also called deprivation value in some countries.²¹

Damages - In condemnation, the loss in value to the remainder in a partial taking of a property. Generally, the difference between the value of the whole property before the taking and the value of the remainder after the taking is the measure of the value of the part taken and the damages to the remainder. Note that different regions of the country and different courts may use terms such as consequential damages and severance damages differently.²²

Disposition Value - The most probable price that a specified interest in real property should bring under the following conditions:

1. Consummation of a sale within a specified time, which is shorter than the typical exposure time for such a property in that market.
2. The property is subjected to market conditions prevailing as of the date of valuation.
3. Both the buyer and seller are acting prudently and knowledgeably.
4. The seller is under compulsion to sell.
5. The buyer is typically motivated.
6. Both parties are acting in what they consider to be their best interests.
7. An adequate marketing effort will be made during the exposure time.
8. Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.²³

¹⁷Ibid., pg. 22

¹⁸Ibid., pg. 33

¹⁹Ibid., pg. 43

²⁰Ibid., pg. 45

²¹Ibid., pg. 50

²²Ibid., pg. 59

²³Ibid., pg. 67

Definitions of Significant Terms: (Cont'd.)

Easement - The right to use another's land for a stated purpose.²⁴

Easement Appurtenant - An easement that is attached to, benefits, and passes with the transfer of the dominant estate; runs with the land for the benefit of the dominant estate and continues to burden the servient estate, although such an estate may be transferred to new owners.²⁵

Easement by Prescription - The right to use another's land, which is established by exercising this right openly, hostilely, and continuously over a statutory period of time.²⁶

Enhancement Value - Increment in value experienced by the contiguous parcel. While there is no industry definition for the above, Eric Reenstierna, MAI in his attached referenced article. "The Abutter Approach" states "Enhancement value" is distinct from market value in that it is an additional amount that may be fully achieved in the event that the advantage in negotiation goes entirely to the owner of the subject. (NYS DOT)

Extraordinary Assumptions: An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. (USPAP, 2018-2019 ed., pg 4).

Highest and Best Use – The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.²⁷

Hypothetical Condition: a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. The Appraisal Foundation, (USPAP 2018-2019 Edition, p. 4).

Interim Use - The temporary use to which a site or improved property is put until a different use becomes maximally productive.²⁸

Jurisdictional Exception - an assignment condition established by applicable law or regulation, which precludes an appraiser from complying with a part of USPAP (USPAP, 2016-2017 ed.).²⁹

²⁴Ibid., pg. 71

²⁵Ibid., pg. 71

²⁶Ibid., pg. 71

²⁷Ibid., pg. 109

²⁸Ibid., pg. 120

²⁹Ibid., pg. 123

Definitions of Significant Terms: (Cont'd.)

Just Compensation - Upon taking of real property by eminent domain, the Eminent Domain Procedure Law and the Federal and New York State Constitutions require that the condemnor pay just compensation to the property owner to compensate him or her for his or her loss by reason of the taking. The constitutional requirement of just compensation mandates that the property owner be indemnified so that such owner may be put in the same relative position, insofar as this is possible, as if the taking had not occurred. Just compensation is properly measured by determining what the owner has lost by reason of the taking. The property owner should be made whole, that is, the owner should be as well off after the taking as he or she was before the taking. *Rose v. State*, 24 N.Y. 2d 80, 219 N.Y.S. 2d 968 (Claim Number 44349, 1969); *City of Buffalo v. J.W. Clement Co.*, 28 N.Y. 2d 241, 321 N.Y.S. 2d 345 (1971); 51 N.Y. Jur. 2d, §§76, 149, 150.

Land Value-To-Building Value Ratio - The proportion of land value to building value. Ideally, comparable properties would have a similar land value-to-building value ratio.³⁰

Market – 1) A set of arrangements in which buyers and sellers are brought together through the price mechanism; the aggregate of possible buyers and sellers and the transactions between them. 2) A gathering of people for the buying and selling of things; by extension, the people gathered for this purpose.³¹

Monopsony - A market in which there is only one buyer for a good or service.³²

Perpetual (Permanent) Easement: An easement that lasts forever.³³

Plottage Value - The increment of value that often occurs when two or more sites are combined to produce greater utility resulting in a higher productivity or income than could be obtained from the individual smaller sites.³⁴

Point Estimate (Point Value) - A final indication reported as a single dollar amount. In estimating market value, a point estimate is typically regarded as the most probable number, not the only possible number.³⁵

Range of Value - In final reconciliation, the range in which the final market value opinion of a property may fall; usually stated as a variable amount between a high and low value limit.³⁶

Remnant - A remainder that has negligible economic utility or value due to its size, shape, or other detrimental characteristics.³⁷

Severance Damage - Severance damages are those damages that occur, in a partial taking, to the remainder of the property, by virtue of the fact that the part acquired is no longer owned by the condemnee. *South Buffalo Railway Co. v. Kirkover*, 176 N.Y. 301 (1903); See also, Goldstein & Goldstein “Condemnation & Tax Certiorari: A Matter of Opinion”, *New York Law Journal*, January 28, 1993, p.3, col. 3.

³⁰Ibid., pg. 127

³¹Ibid., pg. 138

³²Ibid., pg. 149

³³Ibid., pg. 170

³⁴Ibid., pg. 172

³⁵Ibid., pg. 172

³⁶Ibid., pg. 185

³⁷Ibid., pg. 196

Definitions of Significant Terms: (Cont'd.)

Subdivision Development Method - A method of estimating land value when subdividing and developing a parcel of land is the highest and best use of the land. When all direct and indirect costs and entrepreneurial incentive are deducted from an estimate of the anticipated gross sale price of finished lots (or completed improvements on those lots), the resultant net sales proceeds are then discounted to present value at a market-derived rate over the development and absorption period to indicate the value of the land.³⁸

Stand Alone Parcel - A surplus parcel that can be independently developed. (NYS DOT)

Subdivision Regulations - Laws that regulate the design and engineering standards for public improvements in a subdivision, e.g., streets, drainage, sewers, water, electricity, telephone, street landscaping, establish an application and review process that the prospective subdivider or developer must follow.³⁹

Temporary Easement - An easement granted for a specific purpose and applicable for a specific time period. A construction easement, for example, is terminated after the construction of the improvement and the unencumbered fee interest in the land reverts to the owner.⁴⁰

Value As Is: (As Is Market Value) - The estimate of the market value of real property in its current physical condition use, and zoning as the appraisal date.⁴¹

Wetlands - Areas that are frequently inundated or saturated by surface or ground water and support vegetation typically adapted for life in saturated soil conditions; generally include swamps, marshes, bogs, and similar areas, but classification may differ in various jurisdictions.

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.⁴²

Hydric Soil - A soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth, the regeneration of hydrophytic vegetation (US Department of Agriculture-Soil Conservation Service, 1985). Hydric soils that occur in areas having positive indicators of hydrophytic vegetation and wetland hydrology are wetland soils."⁴³

Hydrology - The science dealing with properties, distribution and circulation of water".⁴⁴

Hydrophytic Vegetation - The sum total of macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excess water content. When hydrophytic vegetation comprises a community where indicators of hydric soils and wetland hydrology also occur, the area has wetland vegetation".⁴⁵

³⁸Ibid., pg. 223

³⁹Ibid., pg. 224

⁴⁰Ibid., pg. 231

⁴¹Ibid., pg. 13

⁴²US Department of Commerce, Corps of Engineers Wetlands Delineation Manual, January, 1987, Final Report (National Technical Information Service, Technical Report Y-87-1), Pg. A6

⁴³US Department of Commerce, Corps of Engineers Wetlands Delineation Manual, January, 1987, Final Report (National Technical Information Service, Technical Report Y-87-1), Page A6.

⁴⁴Ibid., pg. A6

⁴⁵Ibid., pg. A6

Definitions of Significant Terms: (Cont'd.)

“**Freshwater wetlands**” means lands and waters of the state as shown on the freshwater wetlands map which contain any or all of the following:

(a) Lands and submerged lands commonly called marshes, swamps, sloughs, bogs, flats supporting aquatic or semi-aquatic vegetation of the following types:

(1) wetland trees, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other trees; including, among others, red maple (*Acer rubrum*), willows (*Salix* spp.), black spruce (*Picea mariana*); swamp white oak (*Quercus bicolor*), red ash (*Frazinus pennsylvanica*), black ash (*Fraxinus nigra*), silver maple (*Acer sacharinum*), American elm (*Ulmus amerciana*), and Larch (*Larix Larsen*);

(2) wetland shrubs, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other shrubs; including, among others, alder (*Alnus* spp.), buttonbush (*Cephalanthus occidentalis*), bog rosemary (*Andromeda glaucophylla*), dogwoods (*Cornus* spp.), and leather leaf (*chamaedaphne calyculata*);

(3) emergent vegetation, including, among others, cattails (*Typha* spp.), pickerelweed (*Pontederia cordata*), arrowheads (*Sagittaria* spp.), reed (*Phragmites communish*), wildrice (*Zizania aquatica*), bur-reeds (*Sparganium* spp.), purple loosestrife (*Lythrum salicaria*), swamp loose-strife (*Decodon verticillatus*), and water plantain (*Alisma plantago-aquatica*);

(4) rooted, floating-leaved vegetation; including, among others, water-lily (*Nymmphea odorata*), water shield (*Brasenia Schreberi*), and spatterdock (*Nuphar* spp.);

(5) free-floating vegetation; including, among others duckweed (*Lemna* spp.), big duckweed (*Spirodela polyrhiza*), and watermeal (*Wolffia* spp.);

(6) wet meadow vegetation, which depends upon seasonal or permanent flooding or sufficiently water-logged soils to give it a competitive advantage over other open land vegetation; including, among others, sedges (*Carex* spp.), rushes (*Juncus* spp.), cattails (*Typha* spp.), rice cut-grass (*leesia oryzoides*), reed canary grass (*Phalaris arundinacea*), swamp loosestrife (*Decodoon verticillatus*), and spikeruch (*Eleocharis* spp.);

(7) bog mat vegetation; including, among others, sphgnum mosses (*Sphagnum* spp.), bog rosemary (*Andromeda glaucophylla*), leatherleaf (*Chamaedaphne calyculata*), pitcher plant (*Sarracenia purpurea*), and cranberries (*Vaccinium macrocarpon* and *V. oxycoccos*);

(8) submergent vegetation; including among others, pondweeds (*Potamogeton* spp.), naiads (*Najas* spp.), bladderworts (*Utricularia* spp.), wild celery (*Vallisneria americana*), coontail (*Ceratohpyllum demersum*), water milfoils (*Myriophyllum* spp.), muskgrass (*chara* spp.), stonewort (*Nitella* spp.), water weeds (*Elodea* spp.), and water smartweed (*Polygonum amphibium*);

(b) lands and submerged lands containing remnants of any vegetation that is not aquatic or semi-aquatic that has died because of wet conditions over a sufficiently long period, provided that such wet conditions do not exceed a maximum seasonal water depth of six feet and provided further that such conditions can be expected to persist indefinitely, barring human intervention;

(c) lands and waters substantially enclosed by aquatic or semi-aquatic vegetation as set forth in paragraph (a) or by dead vegetation as set forth in paragraph (b), the regulation of which is necessary to protect and preserve the aquatic and semi-aquatic vegetation; and

(d) the waters overlying the areas set forth in (a) and (b) and the lands underlying (c).⁴⁶

⁴⁶Environmental Conservation Law, Article 24, Freshwater Wetlands, 24-0107 Definitions, Pg.3

Definitions of Significant Terms: (Cont'd.)

CONDITION RATINGS:

In order to have as consistent a condition and quality rating system for improved properties (subjects and comparables) to make adjustments within market grids more reliable, we have adopted the following condition rating from the "Depreciation" section of the Marshall Valuation Service Cost Manual Section 97 page 3.

Excellent Condition – All items that can normally be repaired or refinished have recently been corrected, such as new roofing, paint, furnace overhaul, state-of-the-art components, etc. With no functional inadequacies of any consequence and all major short-lived components in like-new condition, the overall effective age has been substantially reduced upon complete revitalization of the structure regardless of the actual chronological age.

Very Good Condition – All items well maintained, many having been overhauled and repaired as they've shown signs of wear, increasing the life expectancy and lowering the effective age, with little deterioration or obsolescence evident and a high degree of utility.

Good Condition – No obvious maintenance required, but neither is everything new. Appearance and utility are above the standard, and the overall effective age will be lower than the typical property.

Average Condition – Some evidence of deferred maintenance and normal obsolescence with age in that a few minor repairs are needed, along with some refinishing. But with all major components still functional and contributing toward an extended life expectancy, effective age and utility are standard for like properties of its class and usage.

Fair Condition (Badly Worn) – Much repair needed. Many items need refinishing or overhauling, deferred maintenance obvious, inadequate building utility and services all shortening the life expectancy and increasing the effective age.

Poor Condition (Worn Out) – Repair and overhaul needed on painted surfaces, roofing, plumbing, heating, numerous functional inadequacies, substandard utilities, etc. (found only in extraordinary circumstances). Excessive deferred maintenance and abuse, limited value-in-use, approaching abandonment or major reconstruction; reuse or change in occupancy is imminent. Effective age is near the end of the scale regardless of the actual chronological age.

Definitions of Significant Terms: (Cont'd.)

QUALITY RATINGS:

This classification system is also taken from the Marshall Valuation Service Cost Manual "Qualities of Construction" Section 1, page 10. These definitions relate to quality of materials and workmanship used in building a structure.

Excellent – Excellent buildings are normally prestige buildings. On an economic basis, part of the cost must be written off to pride of ownership and some of the income intangibly derived from advertising. Buildings of this classification reflect the best of materials and workmanship (craftsmen) with unique custom design, best brick, hardwoods, stone, solid core interior doors, etc.

Good – Buildings designed for good appearance, comfort and convenience, as well as an element of prestige, constitute the Good Quality category. Ornamental treatment is usually of higher quality and interiors are designed for upper-class rentals. The amenities of better lighting and mechanical work are primary items in their costs. The structures are characterized by superior quality workmanship, skilled labor; building materials exceeding building codes; custom design in many cases.

Average (Normal) – Average-quality constitute the largest group of buildings constructed, approximately fifty percent of all buildings. These are generally buildings designed for maximum economic potential without some of the pride of ownership or prestige amenities of higher-quality construction. They are of good standard code construction with simple ornamentation and finishes. Construction materials meet building code, design is commonplace but functional workmanship skilled and unskilled, few special features.

Low (Fair) – Buildings in this category are generally constructed to minimum requirements often with little regard for architectural appearance or other amenities. They are built with minimum investment in mind. Little ornamentation is used and interior partitioning and finish is minimal and/or of low quality. Buildings in this category reflect economy grade construction materials, some building code violations may exist, design is plain, little or no ornamentation, limited use of skilled labor.

Formal Education:

- Bachelor of Arts - Bridgewater College, Virginia
- Bishop Fallon College Preparatory High School, Buffalo, New York

Professional Affiliations:

- New York State Society of Real Estate Appraisers
- International Right-of-Way Association - Chapter 18
- Appraisal Institute Practicing Affiliate
- New York State Assessor's Association

Licensure/Designations/Certifications:

- Licensed New York State Real Estate Salesperson
- New York State Certified General Real Estate General Appraiser #46-0250; 10/8/16-10/7/17

Prepared & Participated in Appraisals & Consultant Reports For:

- Numerous savings and loan and commercial lending institutions - residential and commercial mortgages and sale/purchase assets (KeyBank, Northwest Savings Bank, First Niagara Bank, PNC Bank, HSBC, Five Star Bank, Bank of America among others)
- Major, regional and local oil companies - acquisition, disposition and condemnation
- Special purpose properties (hospitals, schools, coke plants, etc.)
- Governmental agencies (state, federal, county, town and cities) acquisition, reuse, condemnation, Ad-Valorem and certiorari proceedings and specialized studies
- Private industry - mortgages, buy/sell, mergers
- Attorneys and private individuals - condemnation, investment counseling, mortgage appraisals and tax assessment matters
- Insurance companies - damage loss, sale/purchase, assets
- Third party residential transfer corporations

Fee Consultant For:

New York State

- Department of Corrections
- Department of Transportation
- Department of Environmental Conservation
- Department of Parks & Recreation
- Department of MRDD
- Facilities Development Corporation
- Housing Finance Agency (HFA)
- State of NY Mortgage Agency (SONYMA)
- Thruway Authority
- New York State Power Authority
- Empire State Development Corporation

Federal Government

- Farms Home Administration
- Federal Deposit Insurance Corp. (FDIC)
- Housing & Urban Development
- Internal Revenue Service

Testified as Expert Witness:

- United States District Court, Western District of NY Bankruptcy Court
- State Supreme Court
- New York State Court of Claims
- Cattaraugus County Court
- Various Commissions of Appraisal
- United States District Court, Western District of NY Tax Court.

Notable Court Experience

- Noco vs. People of the State of New York, New York State Court of Claims, Rochester, New York
- Gymnastics Training Center of Rochester Inc. vs. People of the State of New York, New York State Court of Claims, Rochester, New York
- Yorktown Builders vs. People of the State of New York, New York State Court of Claims, Buffalo, New York
- Transitowne Plaza Inc. vs. People of the State of New York, New York State Court of Claims, Buffalo, New York
- Jung vs. Town of Franklinville, New York State Supreme Court, Cattaraugus County, New York
- Various Claimants vs. Town of West Seneca, New York State Supreme Court, Erie County, New York
- Niagara Mohawk vs. City of Dunkirk, New York State Supreme Court, Chautauqua County, New York
- Milazzo vs. People of the State of New York, New York State Court of Claims, Erie County, New York
- Bevilacqua vs. People of the State of New York, New York State Court of Claims, Erie County, New York (Settled)
- Village Glen Tennis & Fitness Center vs. Town of Amherst Assessor, New York State Supreme Court, Erie County, New York
- Benevolent Protectors Order of Elks vs. People of the State of New York, New York State Court of Claims, Erie County, New York
- Fairway Heights Inc. v. Hillock et.al., New York State Supreme Court, Erie County, New York
- 120 Lawley Services LLC v. United States of America, (settled) Federal District Court (2008)
- New Creation Fellowship v. New York State Insurance Fund, New York State Supreme Court, Erie County, New York (2007)
- Statler Tower LLC v. City of Buffalo, New York State Supreme Court, Erie County, New York (2008)
- Rostikof vs. People of the State of New York, New York State Court of Claims, Erie County, New York (2008)
- Garmen v. Town of West Seneca, New York State Supreme Court, Erie County, New York (2008)
- Reeves et.al. v. People of State of New York, NYS Court of Claims, Erie County, New York (2008)
- Mark 1, LLC v. Universal Forest Products Eastern Division, Inc. and Universal Forest Products Inc., Sardinia, New York State Supreme Court, Erie County, New York (2009)
- Stahowiak v. People of the State of New York New York State Court of Claims, Erie County, NY (2010)
- StanCorp Mortgage Investors LLC v. Frederiksen Development LLC, United States Bankruptcy Court for the Western District of New York (2011)
- Rooks, Frey and Nabi vs. Town of Clarence, New York, State Supreme Court, Erie County, NY (2011)
- Sweeney Steel Corp vs. Town of Tonawanda, State Supreme Court, Erie County, NY (2011)
- Denise Faulkner vs. Northwest Savings Bank, United States Bankruptcy Court for the Western District of New York (2012)
- Turner vs. County of Erie, State Supreme Court, Erie County, NY (2012)
- Mercier vs. Cole, United States Bankruptcy Court for the Western District of New York (2013)
- Rite Aid vs. Town of Cheektowaga, State Supreme Court, Erie County, NY (2013)
- Penfold vs. People of the State of New York, Court of Claims, Erie County New York (2014)
- Kissling Interests, LLC vs. IRS, United States District Court, Western District of NY (2015)
- Villafrank v. Ross Estates, Surrogate Court, Chautauqua County (2016)
- RMF vs. Town of Lancaster, State Supreme Court, Erie County, NY (2017)
- Town of Lockport IDA vs. GM Components Holdings, LLC, Supreme Court, Niagara County, NY (2018)

Employment History:

- **KLW Appraisal Group Inc. (fka Klauk, Lloyd & Wilhelm Inc.), Buffalo, NY**, President, 1995-Present; Principal of KLW Municipal Inc. a Mass Valuation Appraisal Company; Principal and Vice President KLW Residential Inc. a residential appraisal company for one to four family dwellings.
- Upstate Appraisal Inc.- Commercial, Buffalo, NY, President, 199-1995
- Independent Real Estate Consultant and Appraiser, Buffalo, NY, 1989-1990
- GAR Associates, Inc., Buffalo, NY, Staff Appraiser, Senior Consultant, Principal & Senior Vice President, Corporate Secretary.

Real Estate Courses and Seminars:

- American Institute of Real Estate Appraisers, successfully completed all required exams and/or courses for MAI designation, 9/86-3/89
- Appraisal Institute, Appraising Conservation/Preservation Easements, 3/87
- International Right of Way Assoc. -Course 403, "Easement Valuation", 6/87
- International Right of Way Assoc.-Course 701, "Property Management: Leasing", 6/87
- Continuing Education, "Investment Analysis", 10/87
- Environmental Compliance Service-Erie County, New York, "Hazardous Waste-Regulations Update, Management, Liability", 12/87
- Continuing Education, NYS Secretary of State Division of Licensing, "Brokers Course", 12/87
- Society of Real Estate Appraisers, successfully satisfied requirements for all courses necessary for SRPA designation, 2/88-5/89
- Environmental Compliance Service-Erie County, New York, "Environmental Liabilities in Real Estate Transactions", 5/88
- Appraisal Institute, Litigation Valuation (Exam 4), 9/88
- Appraisal Institute, Valuation of Leasehold Interests, 10/90
- Erie County Dept. Environment & Planning-Wetland Seminar, "The New Role of Federal Regulations in Land Use Decisions, 11/90
- Whiteman, Osterman and Hanna-Wetland Seminar, "Recent Changes in the Regulation of State & Federal Wetland", 2/92
- Appraisal Institute-Course SPP, "Standards of Professional Practice, Parts A & B", 10/92
- Appraisal Institute-Course 530, "Advanced Sales Comparison and Cost Approaches", 11/94
- National Highway Institute & NYS DOT, "Eminent Domain for Attorneys & Appraisers", 9/98
- International Right of Way Assoc.-Course 104, "Standards of Practice for Right of Way Professional", 9/99
- International Right of Way Assoc.-Course 401, "The Appraisal of Partial Acquisitions", 9/00
- International Right of Way Assoc.-Course 207, "Practical Negotiations for US Fed Funded Land Acquisitions", 2/01
- International Right of Way Assoc.- Course 900, "Principals of Real Estate Engineering", 10/01
- International Right of Way Assoc.- Course 800, "Principals of Real Estate Law", 8/02
- International Right of Way Assoc.- Course 200, "Principals of Real Estate Negotiation", 11/02
- International Right of Way Assoc.- Course H005, "Reviewing Appraisals in Eminent Domain", 5/04
- International Right of Way Assoc.- Course 403, "Easement Valuation", 5/04
- International Right of Way Assoc.- Course 409, "Integrating Appraisal Standards", 3/05
- International Right of Way Assoc.- Course 406B, "7 hour National USPAP Course", 8/05
- Lorman Education Services, "Eminent Domain: The Effect of Recent Supreme Court Decisions", 10/05
- Appraisal Institute, "Flipping and Fraudulent Flipping-Do You Know the Difference", 4/06
- Appraisal Institute, "7 Hour National USPAP Update Course", 5/06
- Appraisal Institute, "The Modern Cost Approach: Applied Methods & Techniques, Parts 1 & 2", 1/07
- The Cusack Center, "Residential Construction Basics", 8/07
- International Right of Way Assoc.- Course 400 "Principals of Real Estate Appraisal", 9/07
- Lorman Education Services "Law of Easements: Legal Issues and Practical Considerations", 6/08
- Appraisal Institute, "7 Hour National USPAP Update Course", 1/09
- Appraisal Institute, "Scope of Work: Expanding Your Range of Service" 4/09
- Appraisal Institute, "Valuation of Conservation Easements" 5/09
- Appraisal Institute, "7 Hour National USPAP Update Course", 12/09
- Appraisal Institute, Business Practices and Ethics, 8/10

Real Estate Courses and Seminars (Cont'd.)

- Appraisal Institute, Valuation and Market Perspectives 2011, 2/11
- Appraisal Institute, Appraisal Curriculum Overview 2011, 4/11
- BNAR, Uniform Appraisal Data Set 7/11,
- New York State Assessor’s Association & The IAO – Valuation Factor File 2011, 12/2
- Appraisal Institute, Real Estate Net Work Seminar, 10/2012
- Appraisal Institute, Business Practices and Ethics, 12/12
- Appraisal Institute, A Residential and Commercial Perspective, 1/2013
- Institute of Assessing Officers, Valuation of Light Manufacturing Facilities 1/2013
- Appraisal Institute, "7 Hour National USPAP Update Course", 4/2013
- Appraisal Institute, Appraisal Review-General, 10/2013
- IRWA, "7 Hour National USPAP Update Course", 1/2014
- McKissock’s Supervisor-Trainee Course for New York 12/2014
- Appraisal Institute, Residential and Commercial Trends, 2/2015
- Contamination and the Valuation Process, Appraisal Institute webinar 9/16/2015
- Appraising Commercial and Complex Properties in a Historic Area 11/18/2015
- Appraisal Institute, "7 Hour National USPAP Update Course", 12/7/2015
- Appraisal Institute, Residential and Commercial Trends, 2/5/2016
- Appraisal Institute, Real Estate Network Seminar 9/15/2016
- Appraisal Institute, Residential and Commercial Trends, 2/3/2017
- Appraisal Institute, Uniform Appraisal Standards for Federal Land Acquisition 2016 update, 10/18-19/2017
- IRWA, "7 Hour National USPAP Update Course", 2/2018
- Appraisal Institute, Residential and Commercial Trends, 3/8/2019

UNIQUE ID NUMBER 46000000250	State of New York Department of State DIVISION OF LICENSING SERVICES	FOR OFFICE USE ONLY Control No. 117420
PURSUANT TO THE PROVISIONS OF ARTICLE 36 OF THE EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.		EFFECTIVE DATE MO. DAY YR. 10 08 19
KLAUK GREGORY C C/O KLW APPRAISAL GROUP INC 247 CAYUGA RD BUFFALO, NY 14225		EXPIRATION DATE MO. DAY YR. 10 07 21
HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A R. E. GENERAL APPRAISER		
In Witness Whereof, The Department of State has caused its official seal to be hereunto affixed. ROSSANA ROSADO SECRETARY OF STATE		
DOS-1098 (Rev. 3/01)		

CONNECTICUT CONVENTION CENTER

Hartford / Connecticut



The convention center is pivotal to a 30 acre mixed-use development, Adriaen's Landing, part of a larger, comprehensive re-energizing plan for Hartford and the Connecticut River valley.

tvdsdesign created the project as the most dominant signature for the capital city, glowing like a large lantern at the intersection of two major interstate highways. Generous use of glass on the north concourse provides a tremendous expression of light to passersby and offers attendees a 180-degree view of downtown and the river. All critical circulation space

offers striking, sweeping views. Planning and design are highly integrated, with a cascading lobby paralleling the terraced access plaza. An elevated promenade weds the convention center to a headquarters hotel, a major overhead walkway, and a revitalized riverfront park.

As the largest convention and exhibit center between New York and Boston, the design makes a definitive East Coast statement.

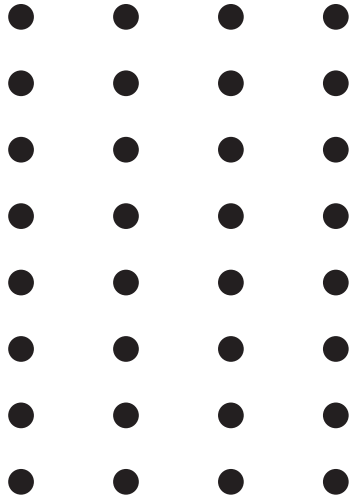
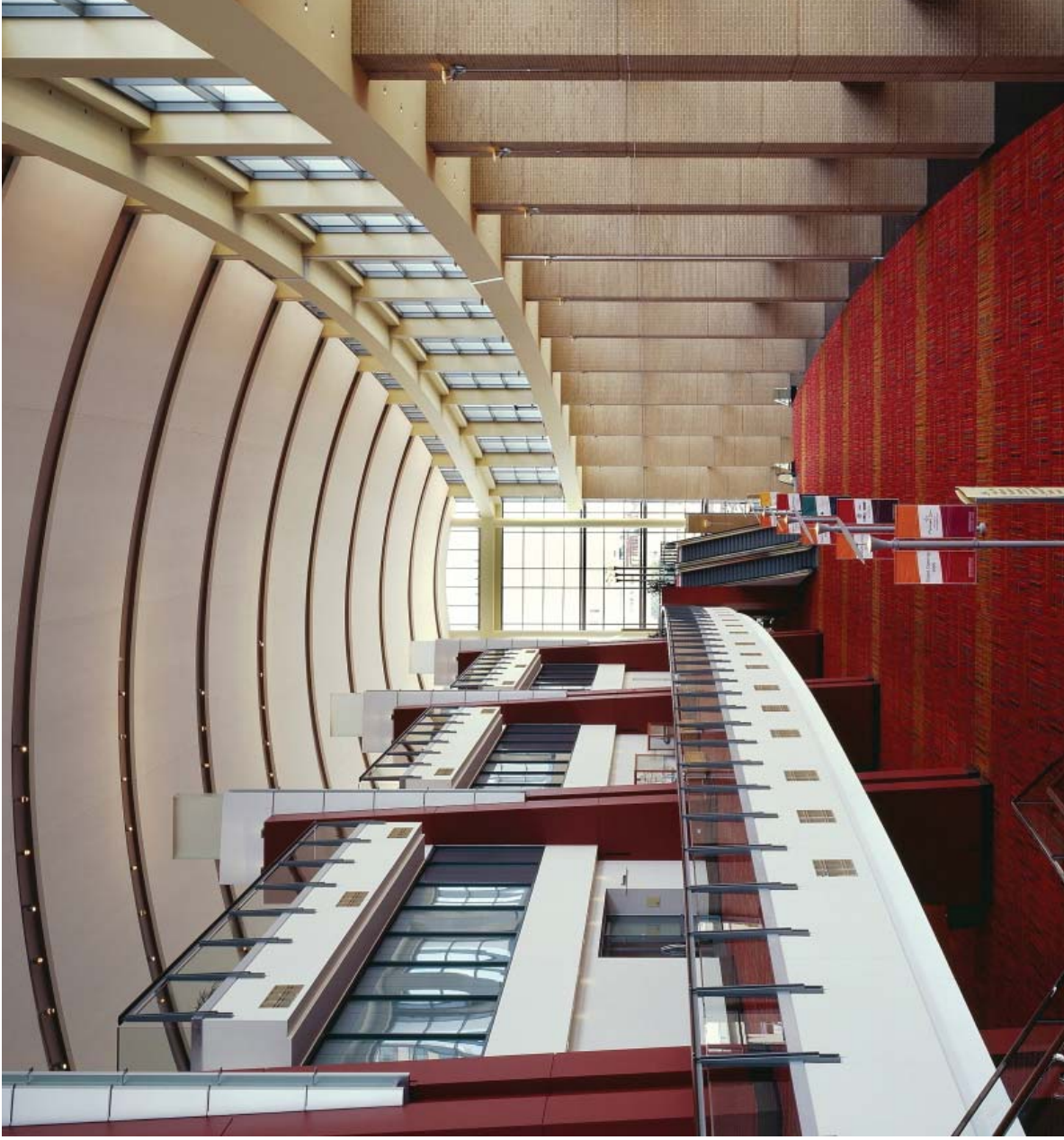
CLIENT
Capital City Economic Development Authority

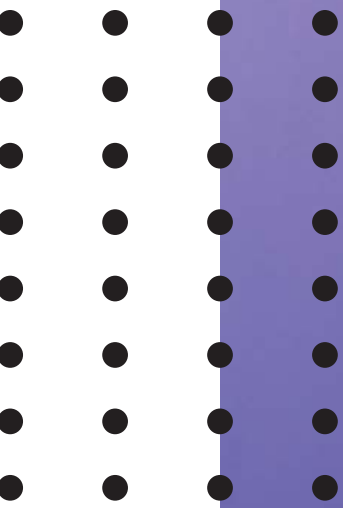
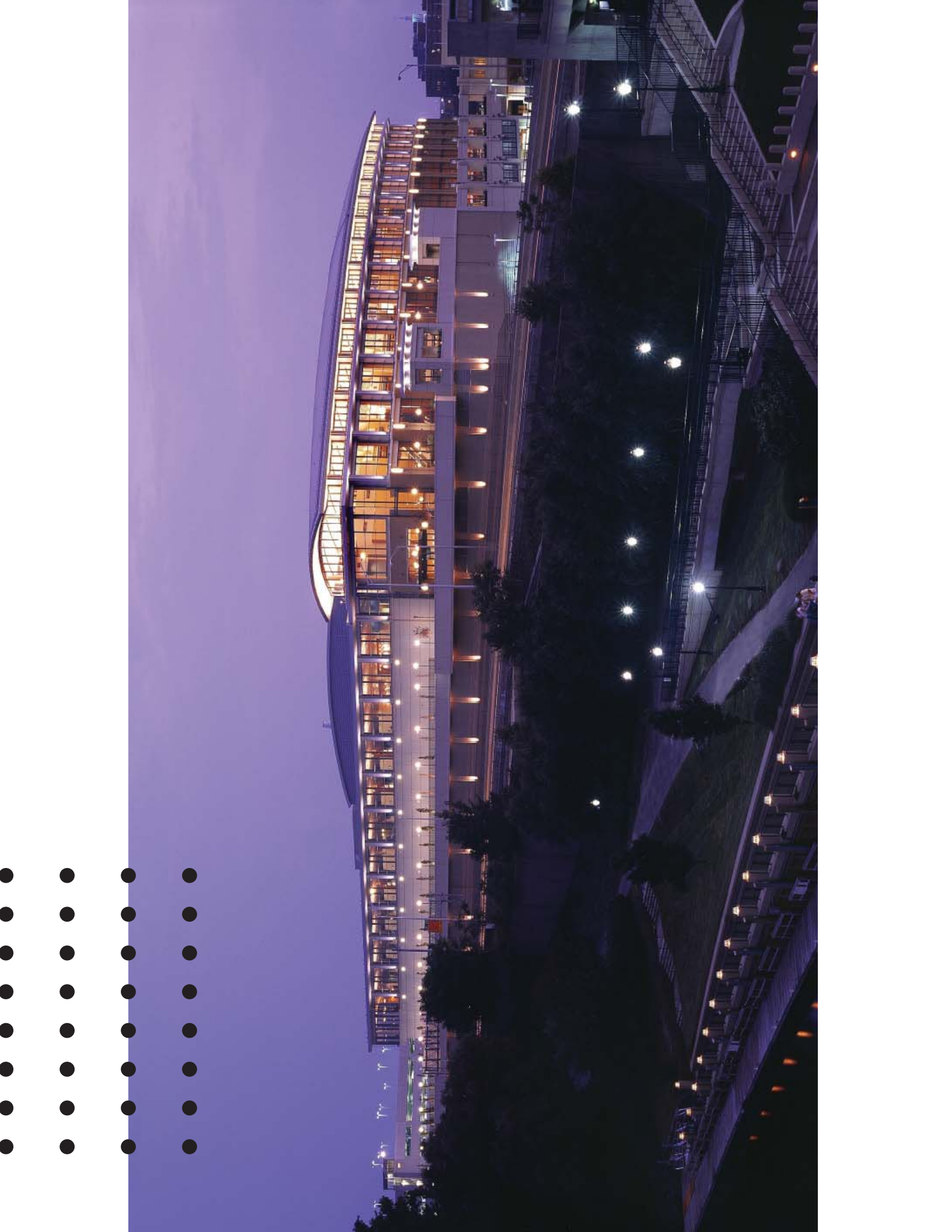
**PROJECT AREA
AND FEATURES**

- 550,000 sf convention center
- 150,000 sf exhibit hall
- 40,000 sf ballroom
- 35,000 sf of meeting space

DESIGN LEAD
tvsdesign

ASSOCIATE ARCHITECT
Amenta/Emma Architects P.C.





MEMPHIS CONVENTION CENTER MASTER PLAN AND EXPANSION STUDY

Memphis / Tennessee

With the aging and land-locked Memphis Cook Convention Center nearing the end of its useful lifespan, the goal of the Memphis Cook Convention Center site selection study was to evaluate all the available site opportunities in the city for a new state of the art convention center.

The team studied multiple site options and ranked them based on a clear set of criteria established by the stakeholders. Each site was evaluated to see if the program and future expansion would fit. At the end of this process, two sites were shortlisted

for further development and testing: a site adjacent to the existing center and a site along Beale Street in the center of the tourist/entertainment district.

Concept designs were developed for both options to show the layout of the center and its massing and design potential. The resulting report identified the cost, logistics and schedule for both options and became the starting point for a more focused discussion on the future of conventions in Memphis.



CLIENT

Memphis/Cook County Convention Center

**PROJECT AREA
AND FEATURES**

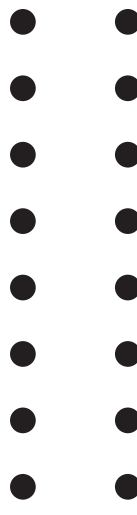
550,000 sf total
500,000 sf below-ground parking
50 meeting rooms

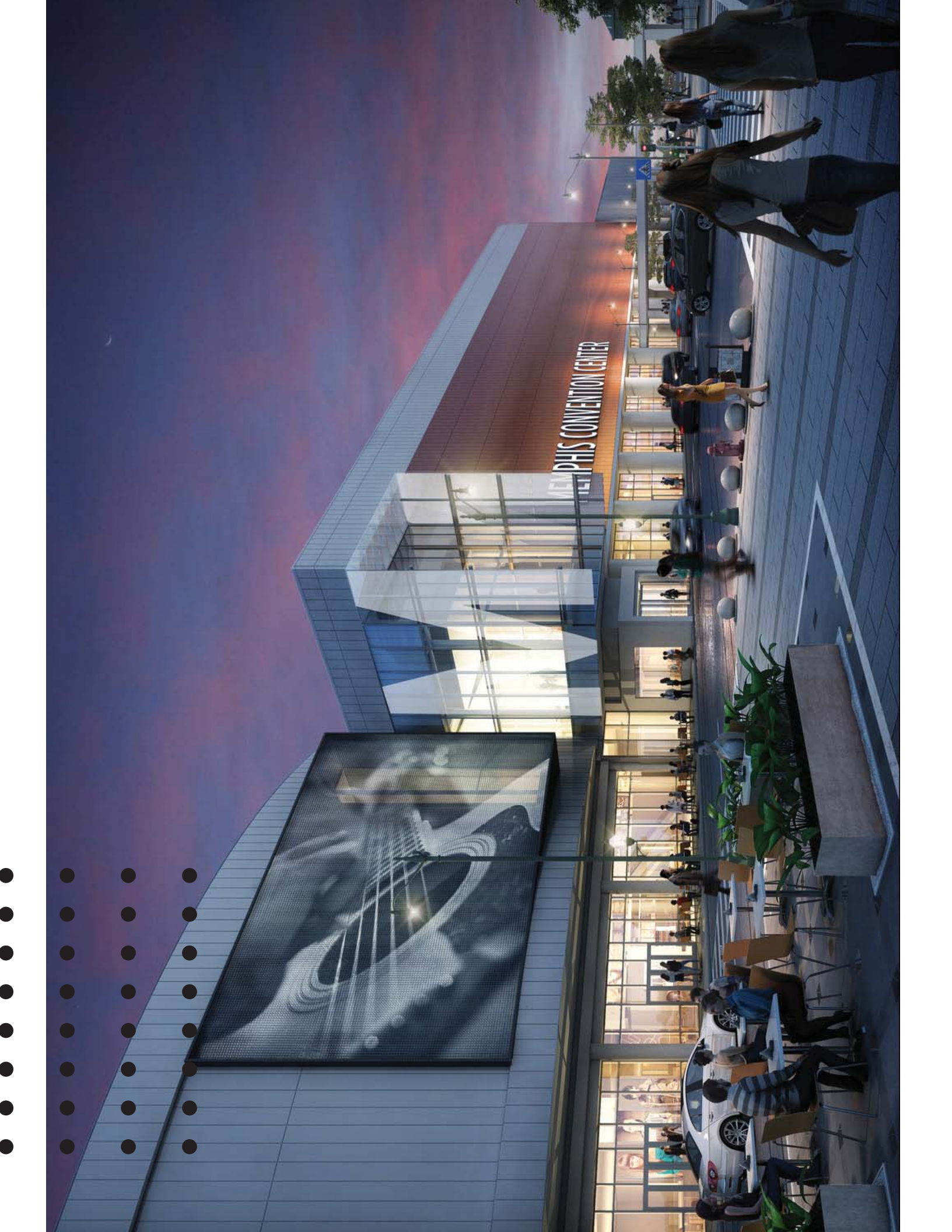
DESIGN LEAD

tvsdesign

ASSOCIATE ARCHITECT

Moody Nolan





MEMPHIS CONVENTION CENTER



MUSIC CITY CENTER

Nashville / Tennessee



Located along Fifth Street, just a few blocks from the historic Ryman Auditorium and numerous other music and cultural venues, the Music City Center, opened in May 2013, will bring new life to the South of Broadway (SOBRO) neighborhood of Nashville.

The design team of tvsdesign/Tuck-Hinton Architects/Moody Nolan, Inc. Architects studied the underutilized area of SOBRO and gave careful consideration to the placement of the facility's many functional elements that will affect the surrounding area. The design turns a positive face to surrounding neighborhoods by concealing service areas

and placing potential commercial or cultural venues with lively public concourses along main pedestrian and vehicular corridors. The planned extension of Korean Veterans Boulevard has also taken place to enhance cross-city connectivity along KVB.

The plan for the Music City Center is designed to serve as a catalyst for new business by respecting the surrounding neighborhood and turning a welcoming face to the community. It strives to connect the rich music history of Nashville to a new home for expositions, meetings and tourism.



CLIENT Nashville Metropolitan Development and Housing Agency

PROJECT AREA AND FEATURES

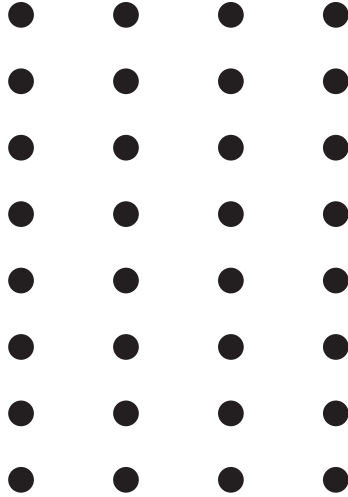
- 1,200,000 sf
- 370,000 sf exhibit halls
- 60,000 sf ballrooms
- 120,000 sf meeting rooms
- 1,800 space parking garage
- LEED NC Gold Certified

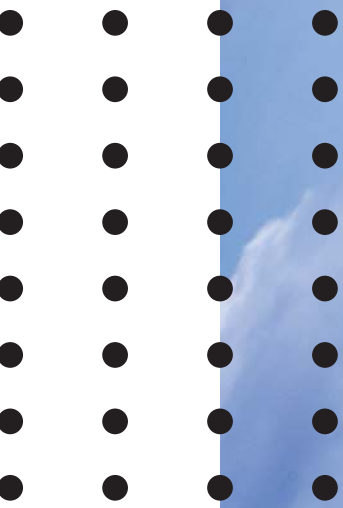
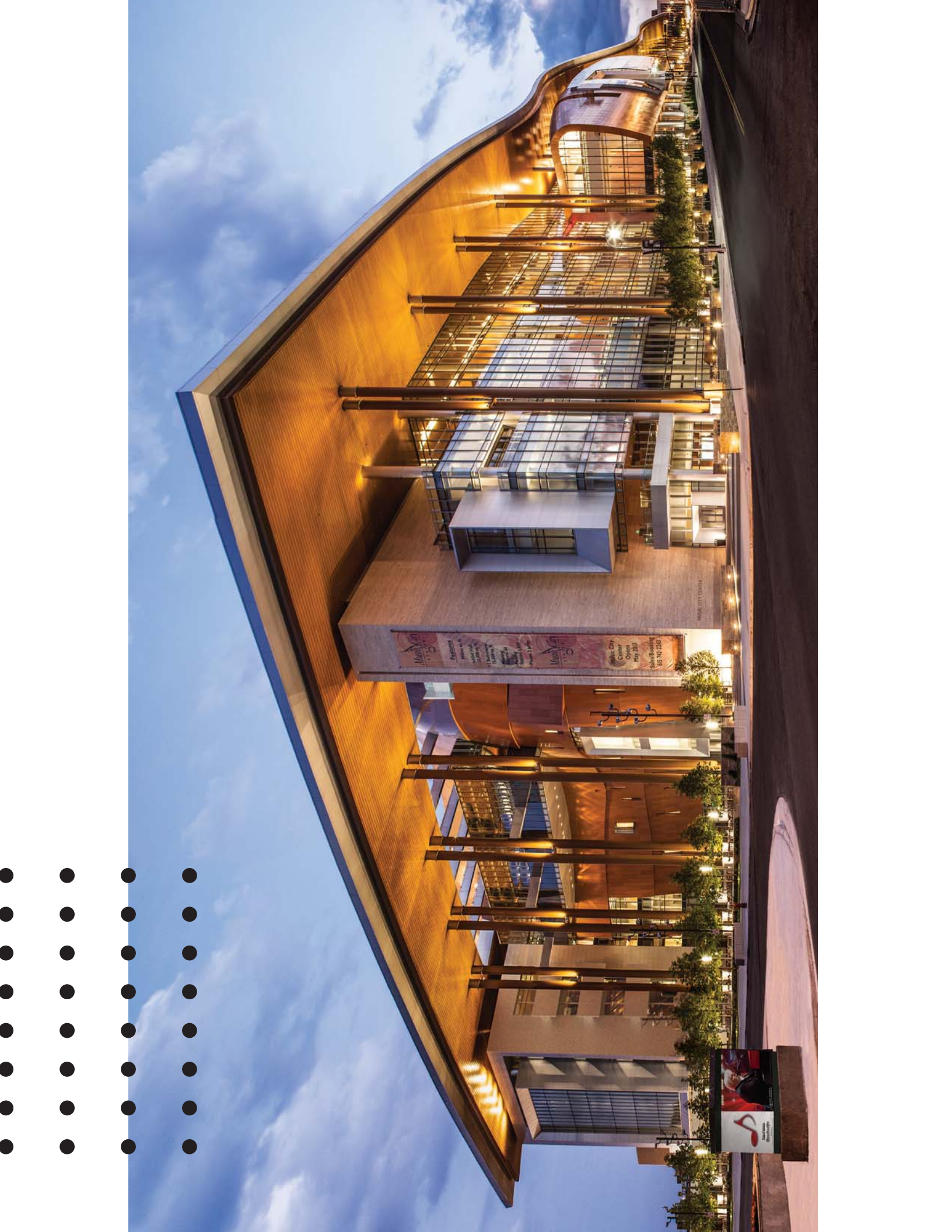
TEAM tvsdesign/Tuck-Hinton Architects/Moody Nolan, Inc. Architects

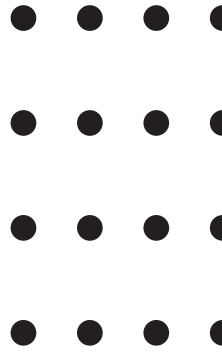
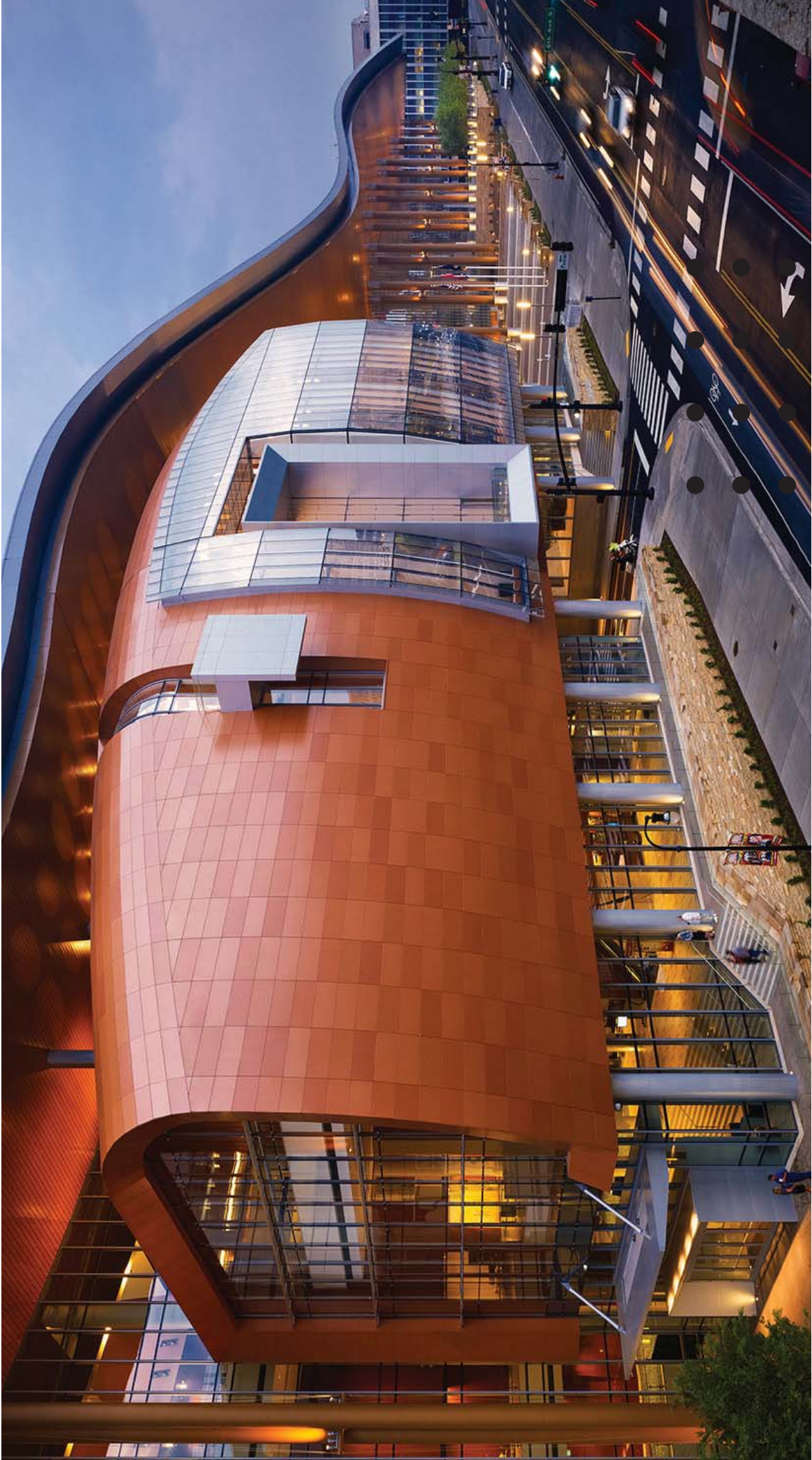


“I applaud the project management team and its crew for finishing construction of the Music City Center ahead of their deadline. It is no small feat to finish construction on time, but to do so for a project of this scale is truly remarkable.”

- Karl Dean
Former Mayor







RALEIGH CONVENTION CENTER

Raleigh / North Carolina



Livable Streets is an ambitious five part plan to recreate downtown Raleigh as a vibrant business, entertainment and residential center. The centerpiece of the plan is the creation of a dazzling new convention center that will replace an outdated facility that for 30 years has blocked the capitol's main historic axis. The new master plan for the center will give Fayetteville Street a second chance to become, once again, a pedestrian friendly, livable street.

To make the project work within the new pedestrian friendly vision of Raleigh, creative solutions were required to fit a building that

would ordinarily cover two city blocks onto a single site. This was achieved by locating the exhibit hall and loading docks below grade. Lobbies, ballroom, concourses and prefunction spaces animate the pedestrian experience. A public plaza creates a dramatic arrival court between the lobby and the new hotel.

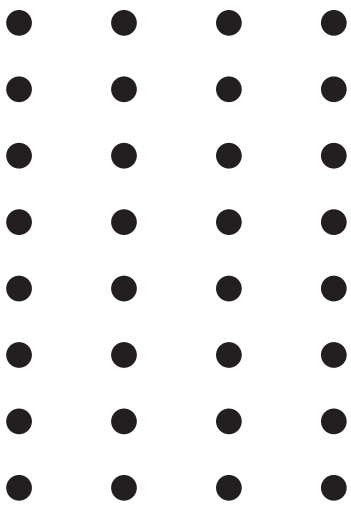
The center is designed to double in size in a future expansion. The artful use of materials and the unique massing strategy make this large civic building engaging and memorable - expressive of Raleigh's distinctive hospitality.

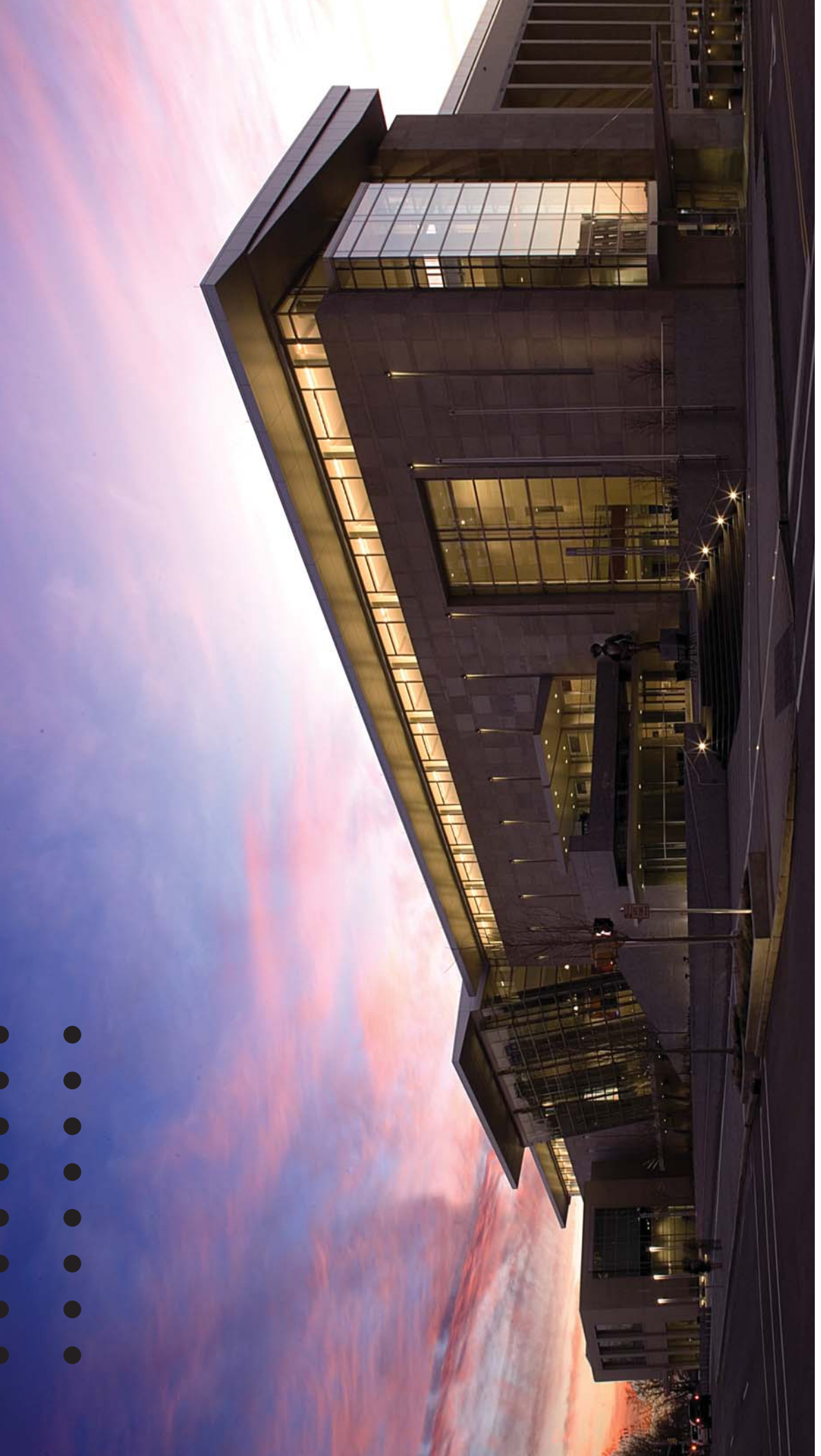
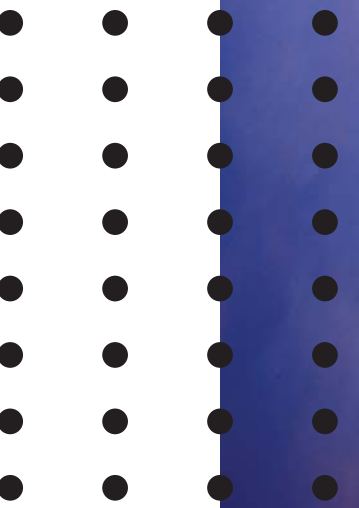
CLIENT
City of Raleigh

**PROJECT AREA
AND FEATURES**
507,000 sf convention center
150,000 sf exhibit hall
32,000 sf ballroom
30,000 sf meeting space
LEED NC Silver

DESIGN LEAD
tvdesign

ASSOCIATE ARCHITECT
O'Brien/Atkins Associates
Clearscapes





AUGUSTA CIVIC CENTER EXPANSION AND RENOVATION

Augusta / Georgia



Located along the Savannah River, the Augusta Convention Center is in the heart of a downtown where historic preservation is a valued quality. The incorporation of the historic Harrison Building as part of the convention center project enhances the urban fabric - with its complementary materials and scale; the old building connects the new convention center to its surroundings.

The transparent connecting concourse between the exhibit hall and the old building recalls the wood ceiling expression found in many of Augusta's historic warehouse buildings, while providing a soft urban connection to the city's rejuvenated streetscape.

The new 37,500 sf exhibit hall is the focal point of this expansion to the existing convention center and Augusta Marriott

which will maintain normal operations during construction. To unify the new construction and existing facility, 10,000 sf of connecting public and back of house circulation will be renovated.

The new exhibit hall and public circulation spaces are reminiscent of the loft-like aesthetic of the Harrison Building in its articulation of brick, steel and wood detailing.

CLIENT
City of Augusta

**PROJECT AREA
AND FEATURES**

110,000 sf total construction

97,000 sf new construction

12,000 sf renovation

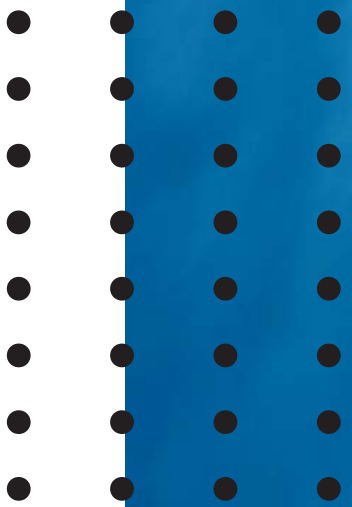
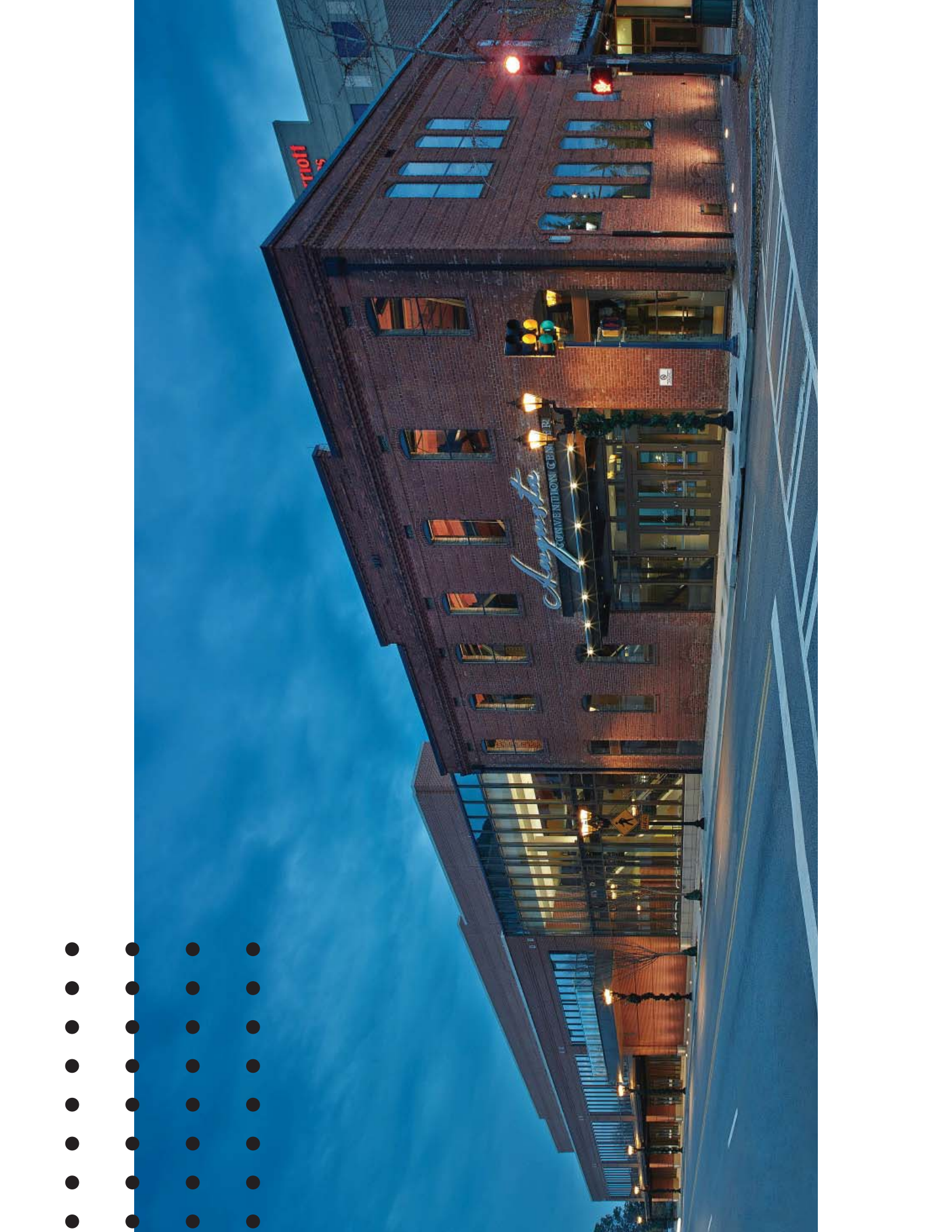
37,500 sf exhibit hall

6,000 sf banquet kitchen

New Level 1 and Level 2 prefunction spaces

Renovation of public and back of house circulation and
existing banquet kitchen







PENNSYLVANIA CONVENTION CENTER PHASE II

Philadelphia / Pennsylvania



With the goal of integrating this large expansion into the urban context, tvsdesign worked with the City Planning Commission, Department of Streets, Redevelopment Authority, Industrial Development Corporation and City and State Historic Commissions to help create the site needed within the heart of Center City to expand the existing center. The solution presents a bold and dramatic new North Broad Street facade, while reinforcing the city's important Avenue of the Arts initiative.

The expansion of the center onto Broad Street will generate similar development to the revitalization caused by the original building while setting a contemporary, forward-looking design theme to define the center's new presence on Broad Street. The internal organization of the buildings creates a grand public concourse that will, when viewed through a transparent facade, knit the activities of the building with those along the street. Materials - granite, limestone, glass, and steel - which tvsdesign gracefully combined in the original National AIA Award winning design, will be used in similar but new ways creating a unified complex of proper civic stature.

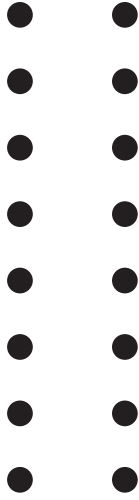
CLIENT
Pennsylvania Convention Center Authority

**PROJECT AREA
AND FEATURES**
1,000,000 gsf
261,000 sf exhibit halls
81,000 sf meeting rooms
60,000 sf ballroom

ASSOCIATED ARCHITECTS
Vitetta Group, Inc.
Kelly Miaello



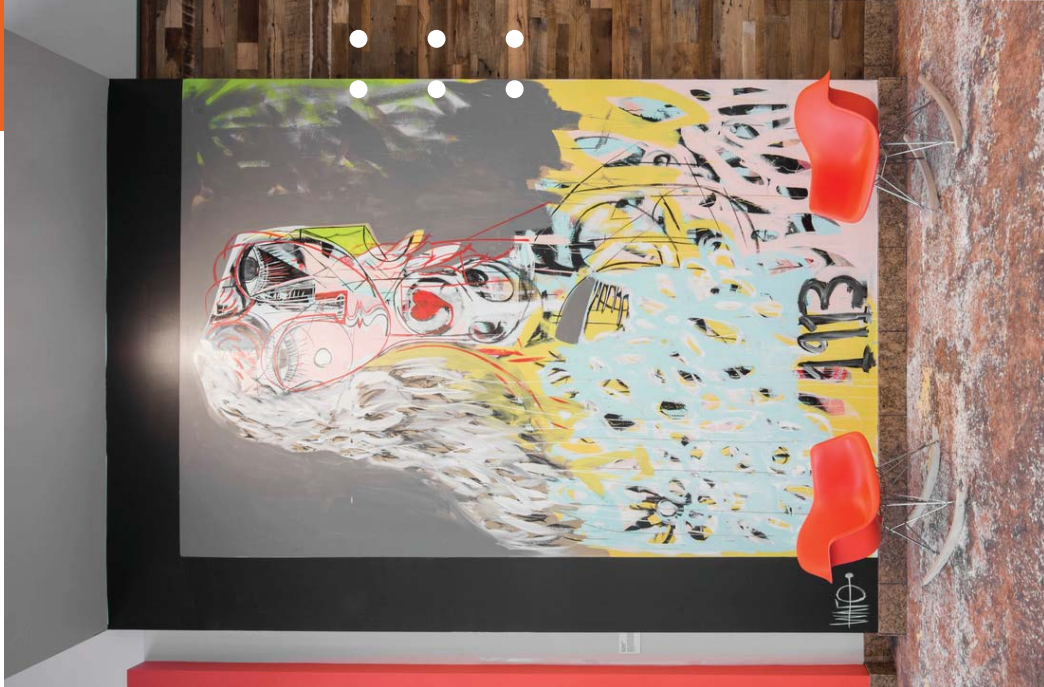
The expansion interfaced with the existing active center along its entire west end affecting all functions of the building; exhibit hall and loading, meeting rooms, concourses, support and service functions. Temporary partitions were placed within the existing building to separate center use from construction. Restrictions were placed on construction noise during events near the interface. Event locations were shifted relative to construction activities also. Final tying together of certain construction elements with existing building components were scheduled on down days in the center's event schedule.





THE BENTON CENTER EXPANSION AND RENOVATION

Winston-Salem / North Carolina



The Benton Center needed to reposition itself in a hyper-competitive regional market. The redesign builds on the latest trends in the meeting industry to reimagine its public space, provide a new front-door experience and better engage the center in Winston-Salem's urban experience.

The street-facing new concourse pays homage to the unique local industrial vernacular with a sawtooth roof, glazed clerestories and timber framed construction. The new concourse fills in a sunken garden to help the building, for the first time, engage

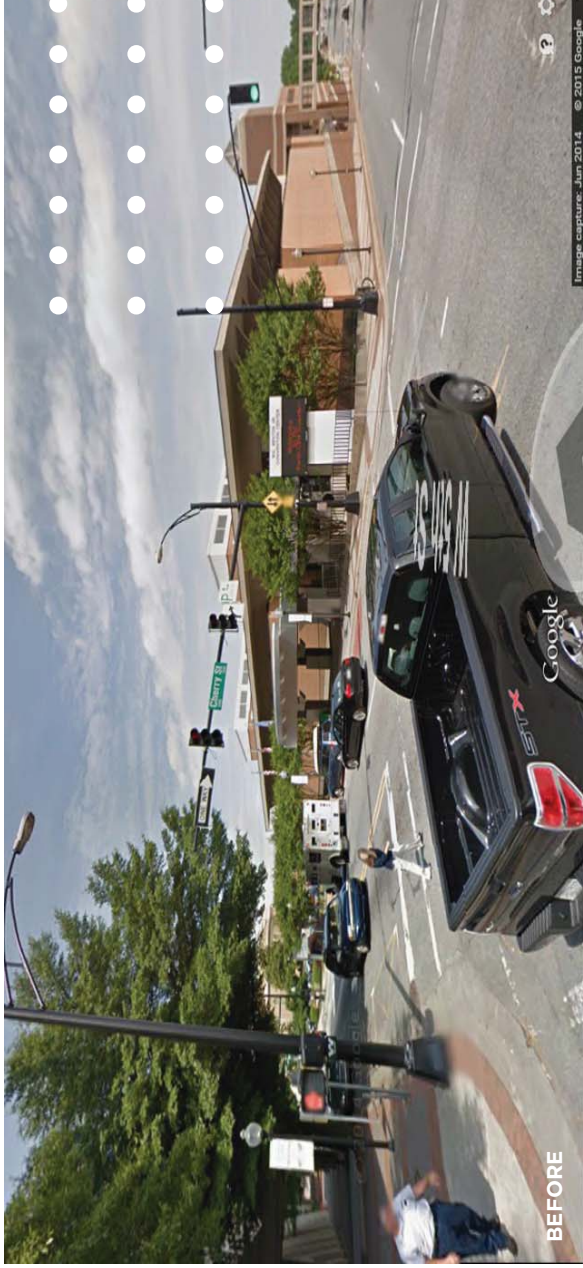
with 5th Street. The interiors feature barnwood paneling and a warm colors evocative of the historic tobacco barns.

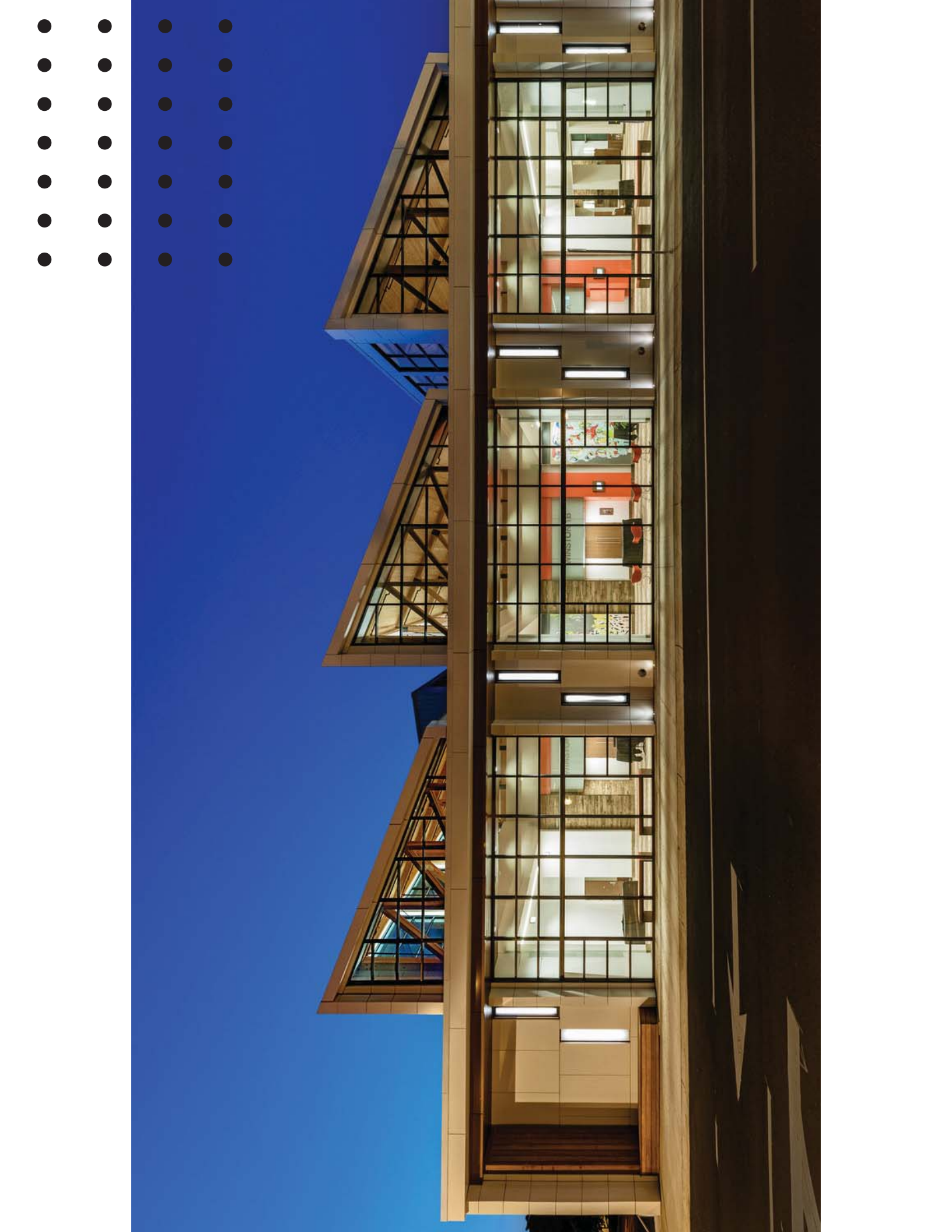
The project scope includes building-wide code upgrades, new prefunction space, reconfigured meeting rooms, fully renovated public space and reconfigured ballrooms. The administrative offices were moved to an existing under-used mezzanine to opening up the main downtown corner for much needed prefunction space.

CLIENT
City of Winston-Salem

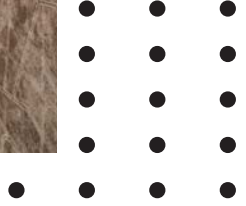
**PROJECT AREA
AND FEATURES**
165,000 sf renovation
13,000 sf addition

ASSOCIATED ARCHITECT
Architectural Design Associates
Don Eyberg Architects









CHARLESTON COLISEUM & CONVENTION CENTER EXPANSION AND RENOVATION

Charleston / West Virginia



Inspired by the nearby Kanawha River and its historic role as a social organizing link within the rugged landscape that defines the region, the project's design features three large glass-enclosed lobby nodes, corresponding to each of the building's major program elements. These iconic spaces instill a navigational clarity to the complex and help to define a unique Charleston event campus.

The formal language of the design draws on the uniqueness of the local geography, and specifically the cut rock faces that line the excavated thoroughways which connect various population centers in the state. The

interior palette draws its inspiration from the various mineral and other extractive resources which are the lifeblood of the state.

A new 15,000 sf entry lobby along Clendenin Street provides a much needed front door for the existing arena and establishes an active link to urban retail at the adjacent Charleston Town Center. A new lobby entry on the south side of the building redefines the main vehicular drop-off for the convention center, while at the west end of the campus, the new 20,000 sf ballroom extends the building footprint to the edge of the Elk River.

CLIENT
City of Charleston

**PROJECT AREA
AND FEATURES**

284,000 sf total construction
148,000 sf new construction
136,000 sf renovation

Includes:

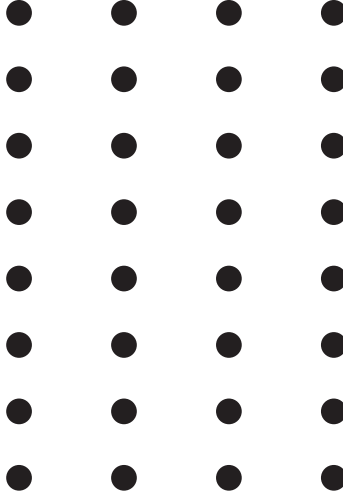
20,000 sf new ballroom
11,000 sf new meeting rooms
8,400 sf new kitchen
15,000 sf new arena lobby
LEED Certified

ASSOCIATED ARCHITECTS
ZMM

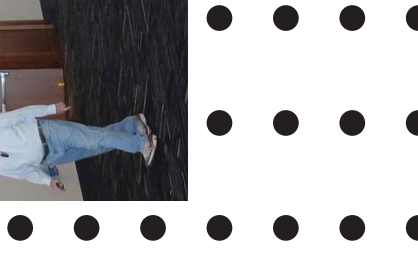
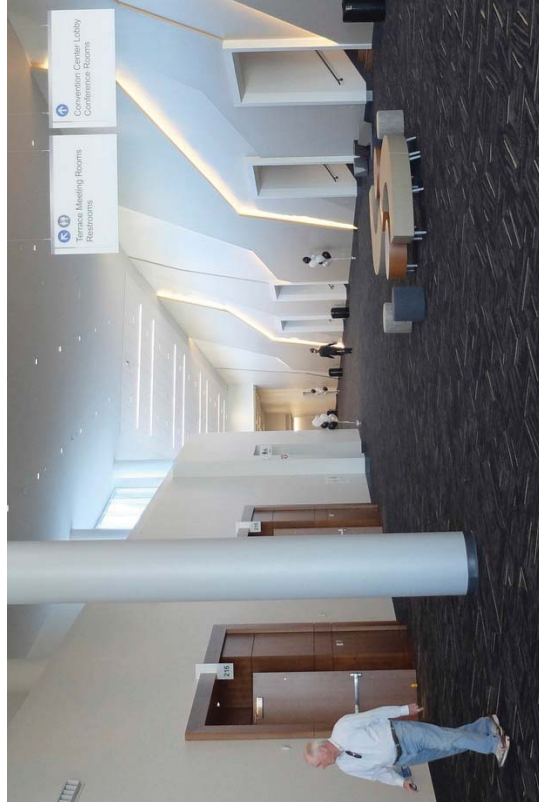


“There was pressure to do something about the Civic Center. It was functional but, aesthetically, it looked more like a regional jail than a convention center.”

- Danny Jones
Mayor, City of Charleston







SAVANNAH CONVENTION CENTER

Savannah / Georgia



The Savannah Convention Center is located on Hutchinson Island across the river from the Downtown Savannah Landmark Historic District. The existing facility opened in 2000 with 100,000 sf of exhibit space, 13 meeting rooms, a 25,000 sf ballroom, 367 seat auditorium and four boardrooms.

The SCC is experiencing growth in the convention market. To facilitate this growth and continue to be competitive in the market, they are expanding their facility by doubling the size of the existing center.

New entry plazas and arrival zones with monumental facades will greet visitors

arriving from the north and east. New registration lobbies serving the expanded exhibition space will be located adjacent to the entry plazas. The new ballroom will be placed on the third floor directly above the northernmost new exhibit hall. It will have prefunction space along the north and east side. A large roof terrace providing views to the city will be adjacent to the east prefunction. The new meeting rooms will be located on levels one and two along the new extension of the east concourse. The new parking garage has five levels and will be placed directly above the exhibit loading area.

CLIENT
Savannah International Trade and Convention Center

**PROJECT AREA
AND FEATURES**
100,000 sf of exhibit space (in two divisions)
42,000 sf ballroom
23,000 sf meeting rooms (14 total)
950 space parking garage

ASSOCIATED ARCHITECTS
Hansen Architects

