

Clear Form

Tax year 2023 BOR no. 0084 **FILED ON**
 County Ashtabula Date received FEB 21 2024

DTE 1
Rev. 12/22

Complaint Against the Valuation of Real Property

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

Attach additional pages if necessary.

This form is for full market value complaints only. All other complaints should use DTE Form 2

☒ Original complaint ☐ Counter complaint

Notices will be sent only to those named below.

	Name	Street address, City, State, ZIP code	
1. Owner of property	Frances F Dickenson	7535 Brigham Road Gates Mills Ohio 44040	
2. Complainant if not owner			
3. Complainant's agent			
4. Telephone number and email address of contact person			
5. Complainant's relationship to property, if not owner			
If more than one parcel is included, see "Multiple Parcels" Instruction.			
6. Parcel numbers from tax bill		Address of property	
09-011-00-016-01		Creek Road Cherry Valley Twp-Pymtng Val LSD	
7. Principal use of property			
8. The increase or decrease in market value sought. Counter-complaints supporting auditor's value may have -0- in Column C.			
Parcel number	Column A Complainant's Opinion of Value (Full Market Value)	Column B Current Value (Full Market Value)	Column C Change in Value
09-011-00-016-01	228,800	297,500	68,700
9. The requested change in value is justified for the following reasons: THE PROPERTY WAS GIVEN TO THE CLEVELAND MUSEUM OF NATURAL HISTORY UNDER A LAND CONSERVATION AGREEMENT, IT WILL REMAIN VACANT, NO HOMES, PURELY FOR THE WILDLIFE.			

10. Was property sold within the last three years? ☐ Yes ☒ No ☐ Unknown If yes, show date of sale _____
 and sale price \$ _____ ; and attach information explained in "Instructions for Line 10" on back.

11. If property was not sold but was listed for sale in the last three years, attach a copy of listing agreement or other available evidence.

12. If any improvements were completed in the last three years, show date _____ and total cost \$ _____.

13. Do you intend to present the testimony or report of a professional appraiser? ☐ Yes ☐ No ☒ Unknown

14. If you have filed a prior complaint on this parcel since the last reappraisal or update of property values in the county, the reason for the valuation change requested must be one of those below. Please check all that apply and explain on attached sheet. See R.C. section 5715.19(A)(2) for a complete explanation.

- ☐ The property was sold in an arm's length transaction. ☐ The property lost value due to a casualty.
- ☐ A substantial improvement was added to the property. ☐ Occupancy change of at least 15% had a substantial economic impact on my property.

15. If the complainant is a legislative authority and the complaint is an original complaint with respect to property not owned by the complainant, R.C. 5715.19(A)(8) requires this section to be completed.

- ☐ The complainant has complied with the requirements of R.C. section 5715.19(A)(6)(b) and (7) and provided notice prior to the adoption of the resolution required by division (A)(6)(b) of that section as required by division (A)(7) of that section.

I declare under penalties of perjury that this complaint (including any attachments) has been examined by me and to the best of my knowledge and belief is true, correct and complete.

Date 2/16/2024 Complainant or agent (printed) Frances F. Dickenson Title (if agent) owner

Complainant or agent (signature) Frances F. Dickenson

Sworn to and signed in my presence, this 16 day of February 2024
(Date) (Month) (Year)

Notary Virginia T. McCloskey Mertz



VIRGINIA T
MCCLOSKEY MERTZ
Notary Public
State of Ohio
My Comm. Expires
November 18, 2027



Situs : CREEK RD	Map ID: 09-011-00-016-01	LUC: 100	Card: 1 of 1	Tax Year: 2023	Printed: 02/26/24
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CURRENT OWNER	GENERAL INFORMATION
DICKENSON FRANCES F	Routing No. 011-00 016-01 Class A Living Units 1 Neighborhood 30000 District Zoning Alternate Id
CAUV Field Review Flag:	



Legal Description	
Parcel Tieback: Legal Descriptions: PART OF LOT 1	Addl. Tieback: N

Land Information								
Type	Cd	Rate	Size	Acres	Dpth	Inf Fac	Inf %	Value
A	0	0	.5520		0			
A	S	9500	137.6400	25	0	1	-30	297,470
								297,470
Total Acres: 138.192				Legal Acres: 138.19		NBHD Fact: 1.3000		

Assessment Information					
	Assessed	Appraised	Cost	Income	Market
Land	104,130	297,500	297,500	0	0
Building	0	0	0	0	0
Total	104,130	297,500	297,500	0	0
Manual Override Reason Base Date of Value Effective Date of Value					
Value Flag	1-COST APPROACH				

Current Value			
Year	Land	Building	Total Value
2020	228,800		228,800
2021	228,800		228,800
2022	228,800		228,800

Permit Information					
Date Issued	Number	Price	Purpose	Note	Status

Sales/Ownership History						
Transfer Date	Price	Type	Validity	Deed Reference	Deed Type	Grantor
05/09/05		1-Land Only	U-Not Validated	0323/0363	ET-Temp Exempt	DICKENSON FRANCES F
01/06/05		2-Land And Building	U-Not Validated	0198/1639	ET-Temp Exempt	DICKENSON DAVID S II
04/11/02	76,307	1-Land Only		0093/1238	WD-Warranty Deed	

Entrance Information			
Date	ID	Entry Code	Source

Property Notes
Note Codes:

Situs : CREEK RD

LUC: 100

Tax Year: 2023

Printed: 02/26/24

Dwelling Information

Valuation Method
Override Model
Story Height
Construction
Style
Year Built
Eff Year Built
Year Remodeled

Total Rooms
 Dining Rooms
 Bedrooms
 Family Rooms
 Full Baths
 Half Baths
 Addl. Fixtures
 Total Fixtures

Kitchen Remod
Bath Remod
Lower Level
Heating
Heat Fuel Type
System
Attic
Phy. Condition
Int vs Ext Cond
Well / Septic

Unfinished Area
 T2 Rec Rm Area
 T3 Rec Rm Area
 T4 Rec Rm Area
 Fin Bsmt Liv Area
 WBFP Stacks
 WBFP Openings
 WBFP Add'l Stry
 Prefab Fireplace
 Prefab Add'l Stry

Bsmt	Gar	# Cars	Misc 1 Desc	Misc 2 Desc
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9
10	10	10	10	10
11	11	11	11	11
12	12	12	12	12
13	13	13	13	13
14	14	14	14	14
15	15	15	15	15
16	16	16	16	16
17	17	17	17	17
18	18	18	18	18
19	19	19	19	19
20	20	20	20	20
21	21	21	21	21
22	22	22	22	22
23	23	23	23	23
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25	25	25	25	25
26	26	26	26	26
27	27	27	27	27
28	28	28	28	28
29	29	29	29	29
30	30	30	30	30
31	31	31	31	31
32	32	32	32	32
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44	44	44	44	44
45	45	45	45	45
46	46	46	46	46
47	47	47	47	47
48	48	48	48	48
49	49	49	49	49
50	50	50	50	50
51	51	51	51	51
52	52	52	52	52
53	53	53	53	53
54	54	54	54	54
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56	56	56	56	56
57	57	57	57	57
58	58	58	58	58
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62	62	62	62	62
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80	80	80	80	80
81	81	81	81	81
82	82	82	82	82
83	83	83	83	83
84	84	84	84	84
85	85	85	85	85
86	86	86	86	86
87	87	87	87	

Misc 1 Qty
Misc 2 Qty

Grade	CDU	% Good Ovr	% Complete
1	1	100	100
2	1	100	100
3	1	100	100
4	1	100	100
5	1	100	100
6	1	100	100
7	1	100	100
8	1	100	100
9	1	100	100
10	1	100	100
11	1	100	100
12	1	100	100
13	1	100	100
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94	1	100	100
95	1	100	100
96	1	100	100
97	1	100	100
98	1	100	100
99	1	100	100
100	1	100	100

Cost & Design 0
Functional
Economic
NBHD Fact

GRM Econ Rents
GRM Units

GRM Factor	GRM Value
1	0.000000
2	0.000000
3	0.000000
4	0.000000
5	0.000000
6	0.000000
7	0.000000
8	0.000000
9	0.000000
10	0.000000
11	0.000000
12	0.000000
13	0.000000
14	0.000000
15	0.000000
16	0.000000
17	0.000000
18	0.000000
19	0.000000
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85	0.000000
86	0.000000
87	0.000000
88	0.000000
89	0.000000
90	0.000000
91	0.000000
92	0.000000
93	0.000000
94	0.000000
95	0.000000
96	0.000000
97	0.000000
98	0.000000
99	0.000000
100	0.000000

Dwelling Computations

Base Price
Plumbing
Basement
Heating
Attic

% Good
Market Adj
Functional
Economic
Complete

Other Features	0
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C&D Factor
Adj Factor
Additions

Subtotal

Ground Floor Area
Total Living Area

Dwelling Value

Dwelling Notes

Additions

Line	Low	1st	2nd	3rd	Area	Yr Blt	Eff Yr	Grade	%Comp	CDU	Value
------	-----	-----	-----	-----	------	--------	--------	-------	-------	-----	-------

Outbuilding Data

Ln	Code/Desc	Yr Blt	Eff Yr	Size	Area	Gr	Qty	ModCd	PC	FN	MA	%Comp	Value
----	-----------	--------	--------	------	------	----	-----	-------	----	----	----	-------	-------

Condominium / Mobile Home Information

Complex #	Type	Unit No	Condo Style	Cmplx Name
-----------	------	---------	-------------	------------

Level
Elevator
Location
View

MH Make
MH Model
Serial#
MH Title#
Park Code

Misc & Gross Bulding Values

Misc Building No
Gross Building:

Misc Adjusted Value

Situs : CREEK RD

Parcel Id: 09-011-00-016-01

LUC: 100

Card: 1 of 1

Tax Year: 2023

Printed: 02/26/24

Comments

Number	Code	Status	Comment
1	OFC	NS	20020913 C#01 - SPLIT 42.393 AC FROM 09-011-00-016-00 ON 4/11/02 CONV #1330
2	OFC	LC	20050519 SLS C#01 - ADDED PARCEL 09-011-00-008-01 & 09-011-00-009-00
3	OFC	LC	20050519 SLS C#01 - CONV 1689 MAY 9 2005

Situs : CREEK RD

Parcel Id: 09-011-00-016-01

LUC: 100

Card: 1 of 1

Tax Year: 2023

Printed: 02/26/24

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ASHTABULA COUNTY
25 W Jefferson Street
Jefferson OH 44047-1092
(440) 576-1484 Fax: (440) 576-3446

BOARD OF REVISION HEARING NOTICE TO
ASHTABULA COUNTY PROPERTY OWNER OR HIS/HER AGENT

B.O.R. CASE NUMBER: 2023-0084

April 17, 2024

FRANCES F DICKENSON
7535 BRIGHAM RD
GATES MILLS OH 44040

The Board, in accordance with Ohio Revised Code 5715.19, has scheduled a hearing on:

May 22, 2024 at 1:15 PM

at the Ashtabula County Courthouse, 2nd floor, Room 205, in connection with B.O.R. case number: 2023-0084 filed for tax year 2023 by FRANCES F DICKENSON and described as follows:

Parcel ID(s):

1) 09-011-00-016-01 located at CREEK RD, the market value is \$297,500. The market value sought is \$228,800.

You or a representative must appear at this hearing or the case will be dismissed.

If you have any questions, please call (440) 576-1484.

Ashtabula County Board of Revision

HEARING MINUTES

Case Type VL

The Hearing of Board of Revision Case 2023-0084, FRANCES F DICKENSON is being recorded and the date is 5/22/2024.

Board Members

Auditor, David Thomas Treasurer, Angie Maki Cliff Commissioner, Kathryn Whittington

Others present:

Scott Yamamoto, Auditor Alternate

Janet Discher, Commissioner Alternate

Alex Iarocci, Treasurer Alternate

Frances Dickenson, owner & David Dickenson, husband of owner both via phone hearing

Complainant Seeks: \$228,800

Subject Parcel: 090110001601

Auditor Value: \$297,500

HEARING MINUTES

BOR Case: 2023-0084

Owner Name: FRANCES F DICKENSON

Board Action

Motion to: ☐ *Agree* ☐ *Set Value \$*

CAUV Reinstatement- ☐ *All Acres* ☐ *No Acres* ☐ *Set Acres* _____

☐ *No Change* ☐ *Withdrawal* ☒ *Table* ☐ *No Show*

Other _____

Based Upon:

waiting on submission of conservation easement to review

Was Made by:

2nd by:

Roll: Yamamoto- /Iarocci- /Discher-

Motion therefore: ☐ Passed ☐ Failed

Decision Date: 5/22/24



David Thomas, Auditor
Secretary of the Board of Revision

Hearing No # 10

MEMORANDUM

DATE: *December 1, 2005*

TO: CLEVELAND MUSEUM OF NATURAL HISTORY
1 WADE OVAL DRIVE
UNIVERSITY CIRCLE
CLEVELAND, OH 44106-1767
ATTN: JIM BISSELL

FROM: *Buckeye Title Corporation
28 West Jefferson Street
Jefferson, Ohio 44047
440/576-3916 or 1/800/752-3975 (in Ohio)*

RE:

ENCLOSED PLEASE FIND: CONSERVATION EASEMENT - ASHTABULA CO. -
DICKENSON

JE# 23085A

9 November 2005

Mr. and Mrs. David Dickenson
7535 Brigham Road
Gates Mills, OH 44040

Dear David and Frances,

Thank you for acquiring another 95-acre parcel on Pymatuning Creek and donating a conservation easement on the parcel to the Museum. Thanks again for donating the original 42-acre conservation easement immediately upstream from the original tract.

As you know, Pymatuning Creek is one of the most important streams in Northeastern Ohio. The creek supports the only population of the Federally-Threatened clubshell in Northeastern Ohio. Beaver ponds on the creek also support a globally rare pondweed, Hill's pondweed (*Potamogeton hillii*). As I informed David by phone, we found a large population of Hill's pondweed on your 42-acre easement. When I discovered a population of Hill's pondweed on Pymatuning Creek in 1982, it had not been reported for the state since 1913. In 1986, I had two populations of the rare pondweed. By 1988, it had disappeared from both sites. In 1988, I found another population within the Cuyahoga Wetlands between Snow Lake and Fern Lake. The population on your 42-acre property is larger and more robust than any of the previous populations I have found in Ohio.

I am very impressed by the wetlands on your second purchase. On our first visit to the property, following a brief meeting with David, my employee David Kriska and I walked the entire tract. The tract had very few invasive species and we located a small population of wood frogs along the western tributary stream just east of the railroad tracks.

Thanks again for taking action to protect Pymatuning Creek. The clubshell mussel is currently in trouble. Protecting forests and wetlands along the creek should increase the chances for long-term survival of both the clubshell, Hill's pondweed and several other rare species.

Sincerely,

Dr. James K. Bissell
Director of Conservation

FROM

(THU) JUN 1 2006 11:31/ST. 11:31/NO. 6840734788 P 2

Form 8283 (Rev. 12-2005)

Page 2

Name(s) shown on your income tax return

Identifying number

DAVID S. & FRANCES F. DICKENSON

150-32-1504

Section B. Donated Property Over \$5,000 (Except Certain Publicly Traded Securities) - List in this section only items (or groups of similar items) for which you claimed a deduction of more than \$5,000 per item or group (except contributions of certain publicly traded securities reported in Section A). An appraisal is generally required for property listed in Section B (see instructions).

Part I Information on Donated Property - To be completed by the taxpayer and/or the appraiser.

4 Check the box that describes the type of property donated:

☐ Art* (contribution of \$20,000 or more)☐ Art* (contribution of less than \$20,000)☐ Collectibles**☒ Qualified Conservation Contribution☐ Other Real Estate☐ Intellectual Property☐ Equipment☐ Securities☐ Other

*Art includes paintings, sculptures, watercolors, prints, drawings, ceramics, antiques, decorative arts, textiles, carpets, silver, rare manuscripts, historical memorabilia, and other similar objects.

**Collectibles include coins, stamps, books, games, jewelry, sports memorabilia, dolls, etc., but not art as defined above.

Note. If your total art contribution was \$20,000 or more, you must attach a complete copy of the signed appraisal. If your deduction for any donated property was more than \$500,000, you must attach a qualified appraisal of the property. See instructions.

5	(a) Description of donated property (if you need more space, attach a separate statement)	(b) If tangible property was donated, give a brief summary of the overall physical condition of the property at the time of the gift	(c) Appraised fair market value
A	CREEK RD PROPERTY, ASHTABULA OH	GOOD	217,000.
B			
C			
D			

(d) Date acquired by donor (mo., yr.)	(e) How acquired by donor	(f) Donor's cost or adjusted basis	(g) For bargain sales, enter amount received	(h) Amount claimed as a deduction	(i) Average trading price of securities
A	05/05	PURCHASE	189,475.	217,000.	
B					
C					
D					

Part II Taxpayer (Donor) Statement - List each item included in Part I above that the appraiser identifies as having a value of \$500 or less. See instructions.

I declare that the following item(s) included in Part I above has to the best of my knowledge and belief an appraised value of not more than \$500 (per item). Enter identifying letter from Part I and describe the specific item. See instructions. ▶

Signature of taxpayer (donor) ▶

Date ▶

Part III Declaration of Appraiser

I declare that I am not the donor, the donee, a party to the transaction in which the donor acquired the property, employed by, or related to any of the foregoing persons, or related to any person who is related to any of the foregoing persons. And, if regularly used by the donor, donee, or party to the transaction, I performed the majority of my appraisals during my tax year for other persons. Also, I declare that I hold myself out to the public as an appraiser or perform appraisals on a regular basis; and that because of my qualifications as described in the appraisal, I am qualified to make appraisals of the type of property being valued. I certify that the appraised fees were not based on a percentage of the appraised property value. Furthermore, I understand that a false or fraudulent overstatement of the property value as described in the qualified appraisal or this Form 8283 may subject me to the penalty under section 6701(a) (aiding and abetting the understatement of tax liability). I affirm that I have not been barred from practicing appraising or testimony by the Office of Professional Responsibility.

Sign Here

Signature ▶

Panne

Title ▶ Owner

Date ▶ 02/28/2006

Business address (including room or suite no.)

Paul O. Van Curen & Co.

Identifying number
71-0854601

12768 CHILLICOTHE ROAD - 2ND FLOOR

City or town, state, and ZIP code

CHESTERLAND, OH 44026

Part IV Donee Acknowledgment - To be completed by the charitable organization.

This charitable organization acknowledges that it is a qualified organization under section 170(c) and that it received the donated property as described in Section B, Part I, above on the following date ▶ 10/12/05

Furthermore, this organization affirms that in the event it sells, exchanges, or otherwise disposes of the property described in Section B, Part I (or any portion thereof) within 2 years after the date of receipt, it will file Form 8282, Donee Information Return, with the IRS and give the donor a copy of that form. This acknowledgment does not represent agreement with the claimed fair market value.

Does the organization intend to use the property for an unrelated use? ▶

☐ Yes☒ No

Name of charitable organization (donee)

Employer identification number

CLEVELAND MUSEUM OF NATURAL HISTORY

34-0714338

Address (number, street, and room or suite no.)

City or town, state, and ZIP code

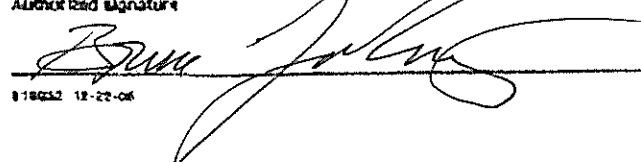
1 WADE OVAL DRIVE

CLEVELAND, OHIO 44102

Authorized signature

Title

Date



Exec. Director

9/6/06

Blank

Dickenson
2005200500019312
BUCKEYE TITLE
PICK UP

GRANT OF CONSERVATION EASEMENT

This grant of a Conservation Easement is made by Frances F. Dickenson of Gates Mills, Cuyahoga County, Ohio (collectively, "Grantor") to THE CLEVELAND MUSEUM OF NATURAL HISTORY, a non-profit corporation organized under the laws of the State of Ohio, whose address is 1 Wade Oval Drive, University Circle, Cleveland, Ohio 44106-1767 ("Grantee").

200500019312
Filed for Record in
ASHTABULA COUNTY, OHIO
JUDITH A. BARTA
11-22-2005 At 12:08 pm.
FEE 124.00
DR Book 357 Page 1221 - 1224

RECITALS

Grantor is the owner in fee simple of certain real property situated in Ashtabula County, Ohio, consisting of approximately 95 acres and legally described in Exhibit A attached hereto and made a part hereof (which real property is hereinafter referred to as the "Protected Property").

The Protected Property has substantial value as a scenic, natural, aesthetic and educational resource in its present state, constituting a rare natural habitat for plants and wildlife.

The Protected Property includes native forests, native marshes, stream channels and migratory waterfowl stopover habitat (see Exhibit B). Grantee is a charitable organization qualified to acquire and hold conservation easements as referred to in Section 5301.69 of the Ohio Revised Code.

Grantee is a "qualified conservation organization," as that term is defined in Section 170(h) of the Internal Revenue Code of 1986, as amended, and the regulations adopted there under (the "Code"), and has received a determination letter from the Internal Revenue Service to the effect that it is an organization described in Section 501 (c)(3) of the Code, and is not a private foundation as defined in Section 509(a) of the Code.

Grantor and Grantee recognize the aforesaid scenic, natural, aesthetic and educational values of the Protected Property in its present state, and have, by the conveyance and acceptance of a Conservation Easement, respectively, the common purpose of conserving the aforesaid values of the Protected Property, and preventing the use of development of the Protected Property for any

Ashtabula County, Ohio
11-22-2005

purpose or in any manner that would conflict with the maintenance of the Protected Property in its natural, scenic, open and wooded condition, as suitable habitat for wild flora and fauna of all types.

Grantor and the Grantee have the common purpose of conserving and protecting the Protected Property in perpetuity as "a relatively natural habitat of fish, wildlife or plants, or similar ecosystem," as that phrase is used in Section 170(h) (4) (A) (ii) of the Code. The terms "ecological, scientific, educational and aesthetic value," "natural, scenic and open condition" and "natural values" as used herein shall, without limiting the generality of the terms, mean a condition that is no less natural than the condition of the Protected Property at the time of this Grant, "natural" meaning that native plants and wildlife are permitted to carry out their lifecycles without human interference.

Grantor has delivered to Grantee certain baseline documentation (the "Baseline Documentation") which describes the condition of the Protected Property at the time of this grant, the contents of which are set forth in a statement signed by Grantor and Grantee, a copy of which statement is attached hereto as Exhibit B. Grantor and Grantee agree that the Baseline Documentation is an accurate representation of the condition of the Protected Property at the time of this grant; and Grantee is willing to accept this Conservation Easement, subject, nevertheless, to the reservations and to the terms and conditions and obligations set out herein and imposed hereby;

NOW, THEREFORE, for and in consideration of the premises and the foregoing recitals, and other good and valuable consideration in hand paid, and in further consideration of the mutual purposes, covenants, terms, conditions and restrictions hereinafter set forth, with the intention of making an absolute and unconditional gift, the Grantor does hereby grant, give and convey unto the Grantee, its successors and assigns, forever and in perpetuity, a Conservation Easement of the nature and character and to the extent hereinafter set forth, in, upon and over the Protected Property, for the purposes of preserving, protecting and maintaining the Protected Property as a scenic, natural and wooded area, as habitat for plants, wildlife and together with the right of visual access to and view of the Protected Property in its natural, scenic and open condition.

THE TERMS, CONDITIONS AND RESTRICTIONS OF THE CONSERVATION
EASEMENT ARE AS HEREINAFTER SET FORTH:

1. Except for erection of fences to protect threatened flora or natural communities from over-abundance of fauna, no buildings or other structures, including, but not limited to, billboards or advertising of any kind, camping accommodations, mobile homes, and fences, shall be hereafter erected or placed on the Protected Property.
2. Except to improve amphibian breeding habitat, there shall be no dumping of soil, trash, ashes, garbage, waste or other unsightly or offensive material, nor any placement of underground storage tanks on or in the Protected Property, and no changing of its topography through the placing of soil or other substance or material such as land fill or dredging spoils.
3. There shall be no fillings, excavations, mining, drilling, construction of new roads or other changes in the general topography of the land on the Protected Property in any manner excepting the maintenance of existing foot trails, if any, and that caused by the forces of nature. Without limiting the foregoing and except for the existing gas well drilled and operating on a portion of the Protected Property there shall be no drilling for oil or gas or similar substances, nor shall the Protected Property be used as part of any drilling unit for oil and gas production. Nor shall there be any extraction or removal of any minerals by any surface mining methods-as proscribed in Reg. 1.180A-14 (g) (4) of the IRS Regulation.
4. Except for restoration of native communities or removal of invasive, non-native species, there shall be no removal or destruction of native growth in the open and wooded areas, use of fertilizers, spraying with biocides, introduction of non-native animals or disturbance or change in the natural habitat except in accordance with good forestry and husbandry practices, including the control of non-indigenous species and enhancement of wildlife habitat.
5. No power transmission lines shall be erected, nor shall interests in the Protected Property be granted for this purpose. It is the intent of this Grant to convey to the Grantee, its successors and

assigns such an interest in the Protected Property as is sufficient to prohibit the exercise of the power of eminent domain by public utility and any other body or person.

6. There shall be no activities, actions or uses detrimental or adverse to water conservation, erosion control, soil conservation, and fish and wildlife or habitat preservation on the Protected Property.

7. Except to restore or enlarge vernal ponds to accommodate the breeding needs of amphibians, there shall be no manipulation or alteration of natural water courses, shores, marshes, or other water bodies or activities or uses detrimental to water purity providing that any existing dams and ponds on the Protected Property, if any, may be maintained and repaired.

8. There shall be no operation of automobiles, trucks, snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any recreational motorized vehicles on the Protected Property except in accordance with good husbandry practices, including use in connection with the control of non-indigenous species and enhancement of wildlife habitat.

9. There shall be hunting, trapping and fishing allowed on the Protected Property.

10. This Conservation Easement prohibits the use of the Premises for any commercial purposes except to the extent permitted under Section 2031 (c) (5) of the IRC, and prohibits any commercial recreation activities except as permitted under Section 2031 (c) (8) (b) of the IRC.

11. Except as otherwise herein provided, the Protected Property shall be managed in a manner consistent with its preservation as a natural, scenic, open and wooded area. Each and every other activity or construction that might endanger the natural or scenic state of the property is forbidden.

12. The Grantee, or its duly authorized representative, may enter the Protected Property at all reasonable times for the purposes of inspecting the Protected Property in order to further the objectives and determine compliance with the terms of this Conservation Easement only upon

authorization from the Grantor. The Grantee also has the right to remove non-native, invasive plants from the property after informing the Grantor.

13. In the event a violation of these terms, conditions or restrictions is found to exist, the Grantee, or its successors or assigns, may, after notice to the Grantor, or the Grantor's personal representatives, heirs, successors or assigns, institute an action to enjoin by ex parte, temporary and/or permanent injunction such violation, to require the restoration of the Protected Property to its prior conditions, and/or for damages for breach of covenants. Nothing herein shall be construed to entitle the Grantee to institute any enforcement proceedings against the Grantor for any changes to the Protected Property due to causes beyond the Grantor's control, such as changes caused by fire, floods, storm or unauthorized wrongful acts of third persons. All proceedings shall be instituted against the person or persons violating the terms, conditions or restrictions of this Conservation Easement. The Grantee, or its successors or assigns, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions and purposes of the Conservation Easement by prior failure to act.

14. The Grantor and the Grantor's personal representatives, heirs, successors and assigns shall pay all taxes validly assessed and levied against the Protected Property, including any such taxes validly levied and assessed against the Conservation Easement by competent authorities.

15. The Grantor expressly reserves for itself, its personal representatives heirs, successor and assigns, the right to continue the use of the property, including the use of Landscaping and Access Ways, for all purposes consistent with this Conservation Easement. Nothing contained in this Conservation Easement shall give or grant to the public a right to enter upon the Protected Property or any portion thereof where no such right existed in the public immediately prior to the execution of this Conservation Easement.

16. The Grantor agrees that it will insert the terms, conditions, restrictions and purposes of this Conservation Easement in any subsequent deed, or other legal instrument, by which it may divest itself of either the fee simple title to, or of its possessory interest in, the Protected Property.

17. This Grant may be amended only with the written consent of Grantee and Grantor and Grantor's heirs. Any such amendment shall be consistent with the purposes of this Grant and shall comply with Section 170(h) of the Code. Any such amendment shall also be consistent with Section 5301.67 through 5301.70 of the Ohio Revised Code or any regulations promulgated pursuant to that law.

18. The Grantee may transfer or assign its rights in the Conservation Easement if in the Grantee's opinion the purposes of the Conservation Easement are better served by the Conservation Easement being held in the name of another charitable organization which is exempt from federal taxation under subsection 501(a), is described in subsection 501(c)(3) of the Code, is organized and operated primarily for one of the conservation purposes specified in Section 170(h)(4) of the Code, and is acceptable to the Grantee. The selection of the transferee shall be made by the Board of Trustees of the Grantee or, if the Grantee has ceased to exist, the survivor(s) of the last members of the Board of Trustees of the Grantee.

19. This Conservation Easement constitutes a real property interest immediately vested in the Grantee.

20. If circumstances arise in the future that render the purposes of this Conservation Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent jurisdiction, and the amount of the compensation to which the Grantee shall be entitled from any sale, exchange or involuntary conversion of all or any portion of the Protected Property, pursuant to such proceedings, subsequent to such termination or extinguished, shall be established, unless otherwise provided by Ohio law at the time, as provided on Paragraph 21 below with respect to the division of condemnation proceeds. The Grantee shall use any such proceeds in a manner consistent with the purposes of this Conservation Easement.

21. Whenever all or part of the Protected Property is taken in exercise of eminent domain by public, corporate or other authorities so as to abrogate the restriction imposed by this Conservation Easement, the Grantor and the Grantee shall join in appropriate actions to recover

the full value of the Protected Property (or portion thereof) taken and all incidental or direct damages that result from such taking. Any expense incurred by the Grantor or the Grantee in any such action shall first be reimbursed out of the recovered proceeds. The remainder of such proceeds shall be divided between the Grantor and the Grantee in proportion to their interest in the Protected Property, such proportion to be established by using the relationship, at the time of this Grant, of the fair market value of the Protected Property unencumbered by this Conservation Easement as compared to the fair market value of the Protected Property as encumbered by this Conservation Easement.

22. Without limiting any other provision of this Conservation Easement, Grantor and Grantee agree and intend that the Easement granted and accepted hereby constitute a "conservation easement" as that term is used Section 5301.67 through 5301.70 of the Ohio Revised Code and that the Conservation Easement granted hereby shall be entitled to all the benefits of such sections.

TO HAVE AND TO HOLD, this Conservation Easement, unto the use of the Grantee, its successors and assigns, forever. The covenant agreed to and the terms, conditions, restrictions and purposes imposed as aforesaid shall be binding not only upon the Grantor and Grantee, but also their respective agents, personal representatives, heirs and assigns, and all other successors to them in interest, and shall continue as a servitude running in perpetuity with the Protected Property.

IN WITNESS WHEREOF, the Grantor has executed this Easement at Solon, Ohio, this 23 day of September, 2005.

SIGNED IN THE PRESENCE OF:

[Signature]
(Signature of Witness)

by: [Signature]
David S. Dickenson

Shannen Sourey
(Print Name of Witness)

[Signature]
(Signature of Witness)

and: Frances L Dickenson
Spouse

Shannen Sourey
(Print Name of Witness)

STATE OF OHIO)
) ss.
COUNTY OF Cuyahoga)

Before me, a Notary Public in and for said County and State, personally appeared the above named David + Frances Dickenson who acknowledged that they did execute the foregoing instrument and that the same is their own free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal at Solon, Ohio, this 23 day of September, 2005.

Roberta Rubinski
Notary Public

My Commission expires:

ROBERTA RUBINSKI
Notary Public - State of Ohio
CUYAHOGA COUNTY
My Commission Expires April 2, 2008

ACCEPTANCE

The undersigned does hereby consent to and accept the within Conservation Easement and all obligations imposed thereby.

IN WITNESS WHEREOF, the undersigned has executed and delivered this ACCEPTANCE this 12 day of October, 2005.

SIGNED IN THE PRESENCE OF:

The Cleveland Museum of Natural History

By: David J. Kriska
(Signature of Witness)

Bruce Latimer
, Executive Director

DAVID J. KRISKA
(Print Name of Witness)

David J. Kriska
(Signature of Witness)

And: James K Bissell
Director of Conservation

DAVID J. KRISKA
(Print Name of Witness)

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State, personally appeared the above named THE CLEVELAND MUSEUM OF NATURAL HISTORY, represented by Dr. Bruce Latimer, its Director, and James Bissell, its Director of Conservation, who acknowledged that they did execute the foregoing instrument and that the same is their own free act and deed as such representatives and the free act and deed of such Corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal at Cleveland, Ohio, this 12 day of October, 2005.

Elizabeth S. Hallaran
Notary Public

My Commission expires:

ELIZABETH S. HALLARAN
Notary Public, State of Ohio
My Commission Expires April 7, 2010

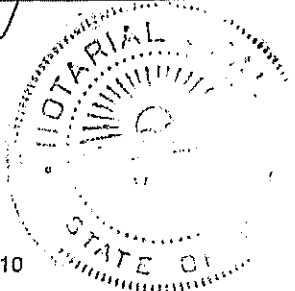


Exhibit B

2005 Conservation Easement:

The section of Pymatuning Creek flowing through the property has open ponds supporting aquatic bed communities dominated by coontail (*Ceratophyllum demersum*), elodea (*Elodea canadensis*) and large-leaved pondweed (*Potamogeton amplifolius*).

The majority of the upland property on both sides of the creek is rolling, well-drained, sandy land. There is young to medium-aged forest cover throughout the uplands on the property. A large pine plantation is present west of the creek within the northwestern section of the property and another pine plantation is present on uplands east of the creek. Several open wildlife meadows are present on the uplands west of the creek. Red Oak (*Quercus rubra*) sugar maple (*Acer saccharum*), black cherry (*Prunus serotina*) and beech (*Fagus grandifolia*) are frequent within the forest cover on uplands west of the creek north of the western tributary.

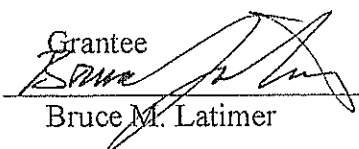
American bur-reed (*Sparganium americanum*) is frequent within the beaver ponds on the western tributary stream within the southwestern section of the property. Small vernal ponds are present within the forest along the south side of the western tributary stream just east of the railroad.

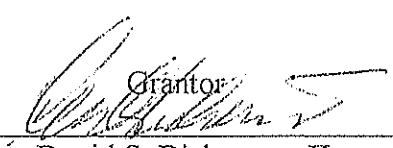
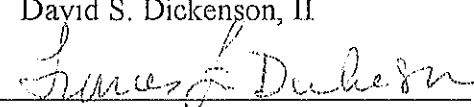
Small wildlife meadows are present within the upland woods between the railroad tracks and Pymatuning Creek south of the western tributary stream. Hawthorne (*Crataegus* sp.) thickets are present in floodplain meadows along the west side of Pymatuning Creek within the northern section of the property.

There is a small amount of non-native, invasive reed canary grass (*Phalaris arundinacea*) on the marshes bordering Pymatuning Creek on the north side of the property.

Several acres of shrub swamps dominated by meadow sweet (*Spiraea alba*), swamp rose (*Rosa palustris*) and silky willow (*Salix sericea*) are present throughout the Pymatuning Creek channel from the southern edge of the protected property to the northern edge of the protected property. Emergent marshes dominated by great bur-reed (*Sparganium eurycarpum*), cut-grass (*Leersia oryzoides*) and soft-stem bulrush (*Schoenoplectus tabernaemontanae*) are intermixed with the willow-swamp rose-meadow sweet shrub swamps on the Pymatuning Creek channel from the southern border of the property to the northern border of the property.

THE CLEVELAND MUSEUM OF NATURAL HISTORY

By: 
 Grantee
 Bruce M. Latimer

By: 
 Grantor
 David S. Dickenson, II

 Frances Dickenson

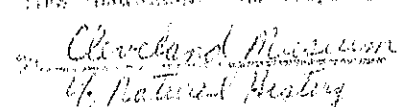
THIS INSTRUMENT WAS RECORDED
 BY 
 Cleveland Museum
 of Natural History

EXHIBIT "A"

PARCEL ONE:

SITUATED IN THE TOWNSHIP OF CHERRY VALLEY, COUNTY OF ASHTABULA AND STATE OF OHIO, AND KNOWN AS BEING A PART OF CHERRY VALLEY TOWNSHIP SECTION NO. 2, LOT NUMBERS 2 and 7, RANGE II, TOWNSHIP 9 OF THE CONNECTICUT WESTERN RESERVE AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at the intersection of the centerlines of Creek Road (60 feet wide, Rd. No. 149) and State Route 6, thence North $00^{\circ} 19' 43''$ East, as measured along said centerline, a distance of 2645.18 feet to a 5/8 inch iron pin monument found at a deflection in said centerline known as centerline Station 293+03.58; thence North $00^{\circ} 03' 43''$ East, continuing along said centerline, a distance of 542.94 feet to a point and the Principle Place of Beginning of the lands herein described;

Thence North $89^{\circ} 33' 36''$ West, thru lands of the Grantor, a distance of 570.42 feet to a pin set, passing thru a pin set in the west line of the road;

Thence South $00^{\circ} 03' 43''$ West, continuing thru Grantor's lands, a distance of 800.00 feet to a pin set in the north west corner of lands conveyed to C. Parks by Ashtabula County Deed Records, Volume 252, Page 1459, Parcel number 2, passing thru a pin set at 400.00 feet;

Thence South $03^{\circ} 04' 34''$ West, along said Parks' west line (Parcels No. 1 and 2) a distance of 383.03 feet to a pin set in the north line of lands conveyed to D.E. Sedmak by Ashtabula County Deed Records, Volume 48, Page 9177;

Thence North $89^{\circ} 33' 36''$ West, along said D.E. Sedmak's north line, a distance of 1615.38 feet to a pin set in the east line of other lands conveyed to the Grantor by deed Volume 54, Page 4060;

Thence, northerly, westerly and northerly along the east line of said Grantor's other lands, the following courses and distances:

North $00^{\circ} 11' 16''$ East, a distance of 233.78 feet to a point; North $89^{\circ} 48' 44''$ West, a distance of 134.17 feet to a point;

North $00^{\circ} 11' 16''$ East, a distance of 1064.25 feet to a point in the south line of lands conveyed to D.C. Slater et. al, by deed Volume 18, Page 9901, Tract 6;

Thence South $89^{\circ} 32' 10''$ East, along said Slater's south line, a distance of 155.00 feet to a pin found in the south west corner of lands conveyed to Frances F.

Dickenson, by Deed Volume 231, Page 2440;

Thence South $89^{\circ} 32' 10''$ East, along said Dickenson's south line, a distance of 2182.27 feet to the centerline of Creek Road, passing thru a pin found in the west line of the road;

Thence South $00^{\circ} 03' 43''$ West, along Creek Road centerline, a distance of 113.84 feet to the place of beginning and containing within said described boundaries, 53.337 acres of land, be the same more or less, but is subject to all legal highways. All pins set were 0.22 Cross-Sectional Area Iron Rebar, 30 inches long capped "Peter 6420".

All pins found were 5/8 inch iron rebar, capped "PEZAR PS 7772" unless otherwise noted.

The Bearings used were based on the centerline of Creek Road at South 00° 19' 43" West, assumed, and all other bearings are from angles and distances measured in the field.

This being a part of the lands previously conveyed to Raymond J. Sedmak and Judith A. Sedmak, by Ashtabula County Deed Records Volume 54, Page 4057, and is pursuant to a field survey performed by me and description made in March of 2005 by J.M. Peter, Ohio Reg. No. 6420.

PARCEL #09-011-00-008-01

PARCEL TWO:

Situated in the Township of Cherry Valley, County of Ashtabula and State of Ohio:

Being parts of Lot Seven (7), Range Two (2), Township Nine (9), in the Connecticut Western Reserve, and being one (1) parcel of land described as follows:

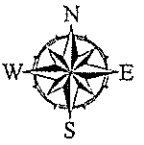
All that part lying easterly of a line drawn parallel to and distant one hundred (100) feet by rectangular measurement easterly from the center line of the railroad of the New York Central Railroad Co. of that certain tract of land which was conveyed by W. E. Jones and Sarah G. Jones, his wife, to F. J. Jerome, Trustee, by deed bearing date of March 22, 1902, and recorded in Ashtabula County Deed Records, Volume 164, Page 377, said tract in said deed bounded as follows:

North by North line of said Lot 7, also being the South line of the lands of C. N. Tribby and lands of the Slater heirs; and North, in part, and East by lands now or formerly owned by William and Wooster Benjamin; South, in part, by the South line of said Lot 7, the same being the North line of lands now or formerly owned by Jennie. S. Yeates, and in part, by lands now or formerly owned by Eliza Ingraham and lands of T. H. Ingraham; and westerly, in part, by a line distant fifty (50) feet at right angles westerly from and parallel to a line surveyed and staked out across said premises and shown upon plat number 11088, attached hereto, and made a part hereof, by a line marked "centerline", and in part by said lands of Eliza & T. H. Ingraham, and containing Thirty-nine and sixteen hundredths (39.16) acres, more or less. This tract of land subject to the right of way of the New York Central Railroad Company, its successors and assigns, to outlet over the lands herein conveyed, the drainage from the adjoining lands to the West and subject also to the release granted by the Grantor herein to said The New York Central Railroad Company releasing that company from all obligation, under statute or otherwise to construct, maintain or permit a crossing of any nature whatsoever upon, across, under or over the land and railroad of that company for ingress and egress from the lands herein conveyed, which right and release are set forth in deed of even date herewith from the Grantor herein to said New York Central Railroad Company.

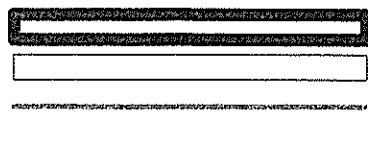
PARCEL# 09-011-00-009-00

Exhibit B

Dickenson 95-acre Conservation Easement
Cherry Valley, Ashtabula County, Ohio
October 2005



Dickenson Conservation Easement Legend



- 95 acre Conservation Easement boundary selection
- Cherry Valley parcels 2005
- Pymatuning Creek
- Contour lines

Feet

0 255 510 1,020

Exhibit B Aerial photo of Dickenson 95-acre Conservation Easement, Cherry Valley, Ashtabula County, Ohio Donated 2005

<http://www.lakegis.org/webSite/ashtabula/viewer.htm>

Ashtabula Explorer



NON-HEARING MINUTES

BOR Case: 2023-0084

Case Name: FRANCES DICKENSON

Case Type: VL

Board Members

Auditor, David Thomas Treasurer, Angie Maki Cliff Commissioner, Kathryn Whittington

Others present:

Scott Yamamoto, Auditor Alternate

Janet Discher, Commissioner Alternate

Alex Iarocci, Treasurer Alternate

Complainant Seeks: \$228800

Subject Parcel: 090110001601

Auditor Value: \$297500

BOR Case: 2023-0084
Owner Name: FRANCES DICKENSON

Motion to: ☐ *Agree* ☐ *Set Value \$*

☒ *No Change* ☐ *Withdrawal* ☐ *Table* ☐ *No Show*

Based Upon:

Was Made by: Janet

2nd by: Alex

Roll: Yamamoto=yes/Iarocci=yes/Discher=yes

Motion therefore: ☒ Passed ☐ Failed

Decision Date: 6/12/24

Schedule for Hearing: no

David Thomas, Auditor
Secretary of the Board of Revision

ASHTABULA COUNTY
Board of Revision
25 W Jefferson Street
Jefferson OH 44047-1092
(440) 576-1484 Fax: (440) 576-3446

Notice of Decision for BOR Case: 2023-0084

FRANCES F DICKENSON
7535 BRIGHAM RD
GATES MILLS OH 44040

Based on the decision of the Board of Revision, the County Auditor is hereby authorized to adjust the Tax List accordingly.
Result Below.

An appeal from this decision may be filed with the County Board of Revision and with either the Board of Tax Appeals, per Ohio R.C. 5717.01 or the Court of Common Pleas, per Ohio R.C. 5717.05. Appeals must be filed within thirty (30) days of the postmark of this Notice of Decision.

PARCEL	CLASS	TAXING DISTRICT	TAX YEAR
09-011-00-016-01	100-VACANT LAND	09-CHERRY VAL TWP-PYMTNNG VAL LSD	2023
	LAND	IMPR	TOTAL
Original Value:	\$297,500	\$0	\$297,500
Adjustment:	\$0	\$0	\$0
New Value:	\$297,500	\$0	\$297,500

RESULT:NO VALUE CHANGE. REVIEW OF LAND SALES WITH CONSERVATION EASEMENTS SHOW THIS PARCEL IS IN-LINE WITH THOSE SALES


Board of Revision