



GAR ASSOCIATES LLC

Real Estate Appraisers and Consultants

Ronald J. Rubino, MAI
President, Commercial Division



August 22, 2022

Debra Kaelin, Esq.
Town Attorney
Town of Ballston
323 Charlton Road
Ballston Spa, NY 12020
dkaelin@townofballstonny.org

Re: Request for Appraisal of:
149 Ballston Avenue (SBL 216.-3-9)
Ballston Spa, Saratoga County, NY
GAR File No.: B-23774*

Dear Ms. Kaelin,

Pursuant to your request we can provide **Real Estate Appraisal Services** regarding the above-referenced property with fees and timing dependent upon the scope of services needed.

The client is Karla Williams Buettner, Esq., on behalf of Bartlett, Pontiff, Stewart & Rhodes, P.C. The "intended use" of the appraisal is to estimate the market value of the real property rights for "tax certiorari" purposes. The "intended users" of the appraisal will also depend upon the scope of work and type of appraisal ordered. For a preliminary appraisal, the intended users would include the client and the municipality. For a court-ready appraisal, the intended users would also include the Court.

The property entails a former nursing home facility located on 15.83± acres.

The scope of work would include tax years 2021/2022 and 2022/2023.

Our fees to prepare "Preliminary" and "Court-Ready" appraisal reports, along with our rate for pre-trial preparation and court testimony are as follows:

A) Preliminary Appraisal:	\$3,500, 5 week turnaround
B) Court-Ready Appraisal:	\$12,000, 8 week turnaround
C) Pre-Trial Preparation:	\$225/hour
D) Court Testimony & Trial:	\$275/hour

Attached is a copy of our standard engagement contract, which you are to sign and return in order to formally engage us.

Note that the "Preliminary" appraisal fee would be credited toward the "Court-Ready" appraisal. For example, if the "Preliminary" appraisal is initially ordered at \$3,500, the fee to upgrade to a "Court-Ready" appraisal would be the difference between the "Court-Ready" fee and the "Preliminary" fee, or \$8,500 (\$12,000 total "Court-Ready" fee less \$3,500 "Preliminary" fee).

CORPORATE OFFICE:

2399 SWEET HOME ROAD AMHERST, NEW YORK 14228 TEL.716-691-7100 FAX.716-691-7770 TOLL FREE: 1.800.836.0382

CAPITAL DISTRICT OFFICE:

632 PLANK ROAD, SUITE 203 CLIFTON PARK, NY 12065 TEL.518.579.3770 FAX.518.579.3773 TOLL FREE: 1.800.836.0382



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Information that we would need in order to complete the assignment would include the following:

- 1) Article 7 Petition
- 2) Complaint on Real Property Assessment
- 3) Certificate of Need
- 4) Major capital improvements over the past 10 years (items and costs)
- 5) Legal survey
- 6) Floor plans (if available)
- 7) Purchase contracts, closing statements and listing agreements over the past 10 years (if any)
- 8) Name and phone number of contact for inspection
- 9) Any other documentation provided to petitioner's appraiser

Please do not hesitate to contact me if you have any questions pertaining to this proposal and thank you for considering GAR Associates for your real estate appraisal and consulting needs.

Respectfully,

GAR Associates LLC

David M. Barnett
President, Government Division

Ronald J. Rubino, MAI
President, Commercial Division

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When sending payment, please be sure to note the GAR File Number on the check. The balance will be due and payable 30 days upon submission of the report. There will be a 1.5% interest charge per month on late invoices.*

ACKNOWLEDGMENT

The undersigned is the duly authorized representative for the property to be subjected to the real estate analysis discussed herein, for the purposes identified. Further, the undersigned agrees to engage GAR Associates LLC to undertake the analysis of the real property captioned above in accordance with the scope of services in the above listed proposal and subject to the attached limiting conditions.

Payment is due within 30 days of completion of the appraisal report, unless other prearrangements have been made.

Date: _____ Signature: _____

Name (print): _____

Title: _____

NOTE: Please retain one copy for your files and return one signed copy to GAR ASSOCIATES LLC. Thank you.

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**STATEMENT OF BASIC
ASSUMPTIONS AND LIMITING CONDITIONS**

FOR THE PURPOSE OF THIS APPRAISAL IT IS ASSUMED:

1. That the title to the property is marketable.
2. That the property is free and clear of all liens.
3. That there are no encumbrances or defects of title.
4. That there is and will continue to be responsible ownership and competent management.

THE APPRAISAL IS MADE SUBJECT TO THE FOLLOWING LIMITING CONDITIONS:

1. No responsibility is assumed for matters of a legal nature.
2. Unless otherwise stated in this report, no responsibility is assumed for subsurface soil conditions; soil conditions are presumed stable and free of any natural or man-made contaminants.
3. If improved, the building is assumed free of any hazardous building materials (e.g., asbestos, urea formaldehyde) unless otherwise stated in this report.
4. Information, estimates, and opinions furnished to the appraiser and contained in the report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the appraiser can be assumed by the appraiser.
5. No engineering survey of the property was made, and the appraiser assumes no responsibility in this connection. The sketches in this report are approximate only, included to assist the reader in visualizing the property.
6. This appraisal was made for the purpose stated and should not be used for any other purpose.
7. The values assigned to the land and improvements are their value in relation to each other and should not be used separately.
8. The appraiser is not required to give testimony or attendance in Court or any hearing unless arrangements have been made in advance of the acceptance of the appraisal assignment and the fees are based upon this knowledge by the Appraiser. If this knowledge is not known at the time of employment, then negotiations must be made with Appraiser at the time the knowledge becomes known or the Appraiser may decline to testify and permission to use the appraisal for any purpose may be withdrawn.

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**STATEMENT OF BASIC
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(continued)**

9. In instances of new construction, additions, rehabilitations and remodeling of improvements, we assume compliance with State and local building codes with respect to design and construction materials.
10. The analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of Uniform Standards of Professional Appraisal Practice and the code of Professional Ethics set forth by the Appraisal Institute.
11. The use of this report is subject to the requirements of the Appraisal Institute, relating to review of its duly authorized representatives.
12. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers or the firm with which they are connected, or any reference to the Appraisal Institute, or to the MAI, RM, SRPA, SRA designations), shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without the prior written consent and approval of the Appraiser. We are aware that the report may be submitted to individuals requesting a copy under the Freedom of Information Act.
13. MARKET VALUE is 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, knowledgeably, 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 he considers his own best interest;
 - (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.

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