

# **CNY Pomeroy Appraisers, Inc.**

## **A RESTRICTED APPRAISAL REPORT OF**

**WHITNEY LAND SWAP – LOT 2  
8444 OSWEGO ROAD  
TOWN OF LYSANDER  
ONONDAGA COUNTY, NEW YORK**



### **CLIENT OF THE REPORT**

**ALLEN J. YAGER, P.E.  
TOWN OF LYSANDER  
8220 LOOP ROAD  
BALDWINVILLE, NEW YORK 13027**

<b>DATE OF VALUATION:</b>	<b>JULY 22, 2021</b>
<b>DATE OF INSPECTION:</b>	<b>JULY 22, 2021</b>
<b>DATE OF REPORT:</b>	<b>AUGUST 5, 2021</b>

### **REPORT SUBMITTED BY**

**DONALD A. FISHER, MAI, ARA  
CNY POMEROY APPRAISERS, INC.**

# CNY Pomeroy Appraisers, Inc.

LIBERTY SQUARE  
100 EAST SENECA STREET – SUITE 200  
MANLIUS, NEW YORK 13104  
VOICE 315-471-3111  
FAX 315-471-4009

August 5, 2021

Allen J. Yager, P.E.  
Town of Lysander  
8220 Loop Road  
Baldwinsville, New York 13027

RE: Appraisal of  
Whitney Land Swap – Lot 2  
Hencle Boulevard  
Town of Lysander, Onondaga County, New York

Dear Mr. Yager:

At your request, this restricted appraisal report has been completed to analyze the “as is” market value of the above referenced property at 8444 Oswego Road, in the town of Lysander, Onondaga County, New York. The parent parcel is rural residential land containing a total of 35.78± acres with frontage on Oswego Road and Hencle Boulevard. The eastern-most 9.10± acres with frontage on Hencle Boulevard are to be appraised as the subject property for this assignment. The subject property consists of mostly wooded rural residential land and is intended to part of a land swap with the Town of Lysander. Both parcels are being appraised at the same time to estimate the market value of each tract of land, which will be taken into consideration when ownerships of the two respective parcels are exchanged.

The appraisal is presented as a restricted appraisal report in accordance with Standards Rule 2-2 of the Uniform Standards of Professional Appraisal Practice (USPAP), 2020-2021 Edition, which has been extended by the Appraisal Standards Board (ASB) to be effective until December 31, 2022 due to the pandemic. As such, it includes a summary of the presentation and discussion of the data, reasoning, and analysis that were used in the appraisal process to develop our opinion of market value. Additional documentation concerning the data, reasoning, and analysis are retained in our work file.

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The depth of discussion contained in this report is specific to the needs of the client (Town of Lysander) and for the intended use/user stated herein. The appraisers are not responsible for any unauthorized use of this report. We are of the opinion that this report is not so limited as to result in a misleading opinion of value. It is understood that the client is aware of the limitations and lower level of reliability inherent in a restricted appraisal report.

This appraisal does not include consideration for any personal property, business value, goodwill, or other intangibles. The value reported in this appraisal report assumes that the property is free and clear of any environmental concerns and in conformance with the Town of Lysander and New York State regulations, zoning, and building codes.

The Town of Lysander is the client. The only intended users of this report are the client, Richard J. Whitney, Jr. and Frances Whitney. The report may not be distributed to or relied upon by any other persons or entities for any purpose whatsoever, without our written permission. All other uses and users are unintended, unless specifically stated herein.

The appraisal will develop an opinion of market value as defined by the Office of the Comptroller of the Currency – 12 CFR 34.42(g), Federal Reserve Board – 12 CFR 225.65(b), Federal Deposit Insurance Corporation – 12 CFR 323.5(b), Office of Thrift Supervision – 12 CFR 564.5(b), National Credit Union Administration – 12 CFR 722.5(b) in compliance with Title XI of FIRREA. A definition of market value is included in the Exhibits.

A reasonable **exposure time** and **marketing time** would be 12 months or less.

The extraordinary assumption made for this assignment is the following: (1) an environmental survey was not provided for this property, so the extent of any environmental contamination, if any, is unknown. It is noted that the use of this extraordinary assumption might affect the assignment results. Please refer to the complete list of Underlying Assumptions and Limiting Conditions included in the Exhibits. For this valuation, no hypothetical conditions are assumed.

Based on the client's instructions, the intended use of this appraisal is to develop an opinion of the market value of the fee simple estate interest in the subject property for negotiation purposes for a land swap between the owners and the client (Town of Lysander).

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The opinion of value is based upon the property's physical condition, as of the inspection date (July 22, 2021). The property is valued based on a review of similar sales of similar properties. We have reviewed the subject property's condition, location, use, and neighborhood for this valuation assignment. Comparable sales from throughout the Town of Lysander market were researched.

## *NEIGHBORHOOD DESCRIPTION:*

The subject property is on the east side of Oswego Road (a.k.a. New York State Route 48) in the town of Lysander, Onondaga County, New York.

With frontage along New York State Route 48 (NYS Rt. 48), and located a half-mile from the intersection with NYS Route 690, the subject is well positioned within the regional road network. From this location a commute to Downtown Syracuse can be achieved in less than 20 minutes. NYS Route 690 turns into I-690 at the intersection with the Thruway (I-90) south of the town of Lysander, and further connects with I-81, I-481, and various other routes within the Central New York road network.

The subject is located on the northwestern fringe of the Syracuse suburbs, and as such properties to the north and west tend to be recreational or rural residential while properties to the south and east tend to be higher-density residential and commercial. Recreational properties in close proximity to the subject include the Lysander Town Park, Beaver Lake Nature Center, and the Three Rivers Wildlife Management Area. Heading south along Oswego Road one will encounter several subdivisions and tracks of housing building up to the town of Lysander.

In conclusion, the subject is compatible with the neighborhood.

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## *PROPERTY DESCRIPTION:*

The property has not been the subject of any arm's length transfers in the past five years. Per the provided survey the most recent transfer found for the subject property is shown as follows:

<b>Sale Date</b>	<b>Grantor</b>	<b>Grantee</b>	<b>Book/Page</b>
December 12, 2012 Quitclaim Deed	Deborah Race, et al	Richard J. Whitney, Jr.	5224/10

According to the Town of Lysander, the current assessment for the parent parcel is as follows.

<b>Tax Parcel</b>	<b>Land Assessment</b>	<b>Improvements</b>	<b>Total Assessment</b>
015.-01-10.1	\$60,000	\$60,000	\$120,000

The New York State Equalization Rate for the Town of Lysander is 100.00% (final as of June 14, 2021). Because we are only appraising a portion of the parent parcel, we cannot render an opinion on the appropriateness of the assessment for that tax parcel.

The 2020-2021 Baldwinsville School District tax, and the 2020 County/Town tax, as reported by the Onondaga County Department of Finance Office, are as follows:

<b>Tax Parcel</b>	<b>School Tax</b>	<b>County/Town Tax</b>	<b>Total Taxes</b>
015.-01-10.1	\$2,501.22	\$963.68	\$3,464.90

According to the Town of Lysander, the subject is zoned AR-40; Agricultural Residential District – 40,000. The subject's use, as residential land, is a legal conforming use in this district.

From review of Flood Insurance Rate Map (FIRM), Community Panel #36067C0061F-360583 (Town of Lysander), dated November 4, 2016, the subject property is located within Flood Zone X (flood insurance is not required).

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We have reviewed the Town of Lysander tax map, the provided survey, aerial and ground-level photographs, and the inspection notes in preparing the following description:

SITE SIZE:	According to tax map, the site size is 35.78± acres of which only 9.10± acres will be appraised.
FRONTAGE:	704.46± feet of frontage on the south side of Hencle Boulevard.
SHAPE/TOPOGRAPHY:	The subject site is irregular in shape. Topography is generally level.
SOILS:	A soil report was not received for this analysis, but a USDA Soil Survey was examined. According to the USDA Soil Survey the predominant soil make-up is Appleton with other amounts of Hilton and Lyons.
LAND USE:	According to GIS measurements taken with the New York State DEC Wetland Mapper, approximately 0.13± acres, or 1.4% of the property's area is wetlands with the remaining 8.97± acres classified as woodlands.
INGRESS/EGRESS:	Adequate ingress and egress are available from Hencle Boulevard.
UTILITIES:	Public utilities available to the subject include municipal water, electric, and telephone.
LEGAL RESTRICTIONS:	We were not made aware of or given a title report of any easements, encroachments or legal restrictions that would adversely affect the site's use or value. Utility easements are typical and usually do not have a negative effect on value. However, if this is an area of concern, a title search is recommended.
SITE IMPROVEMENT:	The property has no site improvements.

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Overall, the subject property is well suited for residential development with level topography and ample road frontage. The subject has an average location near major roadways on the northwestern fringe of the suburbs of the city of Syracuse.

## *HIGHEST AND BEST USE:*

The highest and best use of the property, as vacant, is for potential residential development. The highest and best use of the subject, as improved, is not applicable as the subject is vacant land with no improvements.

## *VALUATION PROCESS:*

The intended use of this appraisal is to develop an opinion of the "as is" market value of the fee simple estate interest in the subject property. This appraisal is being reported in a restricted format that relies on the value indication from the most appropriate valuation model, the Sales Comparison Approach. Supporting documentation concerning the data, reasoning, and analysis is retained in our permanent work file.

The Cost Approach was considered but not used because the subject is vacant land. The Income Capitalization Approach was considered but not used because this property type is not typically rented.

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## *PROPERTY SALES REVIEWED/SUMMARY AND CONCLUSIONS:*

The following sales are considered to be the best indicators available from the marketplace.

SALE #	TAX MAP #	STREET #	STREET NAME	TOWN	SALE DATE	SALE PRICE	ACRES	PRICE/ ACRE
L-1	073.-01-20.2	8193	RIVER RD	LYSANDER NY	2018-10-17	\$75,000	6.27	\$11,962
L-2	015.-04-10.1	9277	PRINE RD	LYSANDER NY	2018-03-14	\$45,500	19.23	\$2,366
L-3	031.-02-10.1	1850	CHURCH RD	LYSANDER NY	2020-10-22	\$40,000	7.85	\$5,096
L-4	027.-02-49.4	8900	AVERY RD	LYSANDER NY	2020-09-03	\$50,000	10.76	\$4,647
L-5	027.-04-11.9	8825	WHEATON RD	LYSANDER NY	2019-06-14	\$30,000	6.78	\$4,425
L-6	029.-02-09.1	1520	CHURCH RD	LYSANDER NY	2020-11-25	\$105,000	16.97	\$6,187
L-7	022.-02-19.8	9237	RIVER RD	LYSANDER NY	2019-12-27	\$47,900	5.00	\$9,580
L-8	027.-04-11.1	748	CHURCH RD	LYSANDER NY	2020-07-15	\$32,000	9.75	\$3,282

We have taken into consideration the above sales' locations, conditions, and size when considering a value for the subject property and we have considered that Sales L-1, L-3, L-4, L-5, and L-7 are the most similar to the subject.

Based on a review of these five similar sales considered in this report, it is our opinion that the subject property has a value of \$6,500 per acre indicating a total property value, using the Sales Comparison Approach, of (SAY) \$59,000.

As previously indicated, the detailed data for this approach is retained in our work file.

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As a result of our investigation and analysis of the information contained in this report, as well as a general knowledge of real estate valuation procedures, it is our opinion that the "as is" market value of the fee simple estate interest in the subject property, is:

Date of Value	Property and Address	Size	Market Value
July 22, 2021	Whitney Land Swap – Lot 2 8444 Oswego Road Town of Lysander Onondaga County, New York	9.10± ac	\$59,000

If requested, the analysis, opinions, conclusions, and a comprehensive appraisal report will be prepared for your use. This can be provided, along with additional consulting, on an hourly charge basis.

The basic assumptions and limiting conditions are included as an Exhibit to this letter. It has been a pleasure to be of service to you as a real estate consultant. Please call if you have any questions regarding our assumptions, opinions, and conclusions.

CNY Pomeroy Appraisers, Inc.



Donald A. Fisher, MAI, ARA  
Executive Vice President  
NY State Certified Gen. Appraiser #46-0060

DAF/tmc (21-0151)

# ***EXHIBITS***

# CNY Pomeroy Appraisers, Inc.

***PHOTOGRAPHS OF THE SUBJECT PROPERTY:***



VIEW FROM HENCLE BOULEVARD LOOKING NORTHWEST



VIEW FROM HENCLE BOULEVARD LOOKING SOUTHEAST

# CNY Pomeroy Appraisers, Inc.

*PHOTOGRAPHS OF THE SUBJECT PROPERTY:*



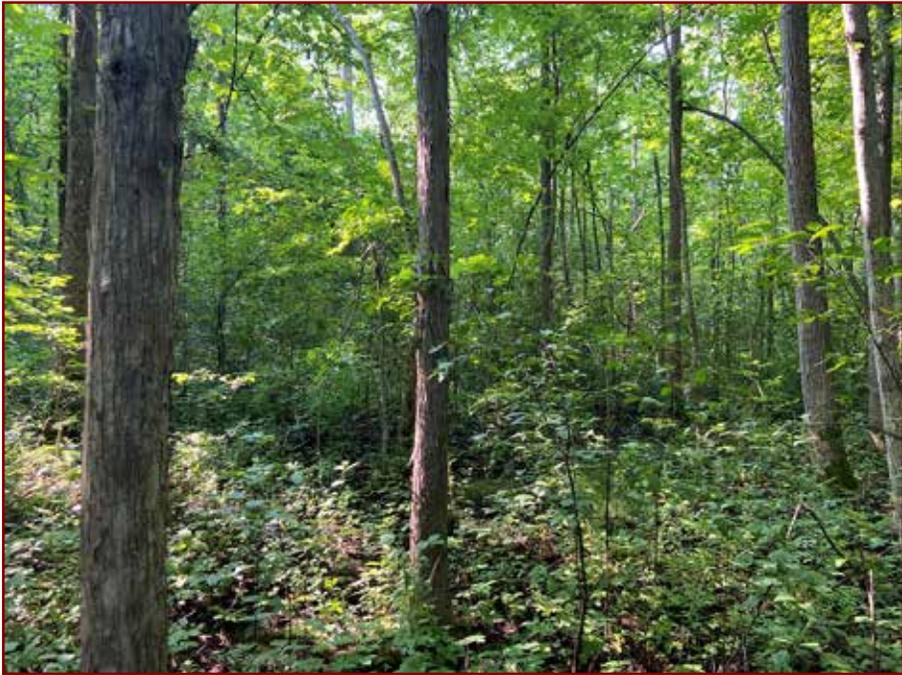
VIEW FROM HENCELE BOULEVARD LOOKING SOUTHWEST



PROPERTY MARKER IN NORTHEAST CORNER OF PARCEL ALONG HENCELE BOULEVARD

# CNY Pomeroy Appraisers, Inc.

***PHOTOGRAPHS OF THE SUBJECT PROPERTY:***



VIEW OF PROPERTY INTERIOR



VIEW OF SMALL WATER FEATURE

# CNY Pomeroy Appraisers, Inc.

## **CERTIFICATION:**

### **We certify that, to the best of our 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 our personal, impartial, unbiased professional analyses, opinions, and conclusions.

We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice and the Standards of Professional Appraisal Practices of the Appraisal Institute, and Best in Business Ethics of the American Society of Farm Managers and Rural Appraisers.

We certify that, to the best of our knowledge and belief, the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute, and Best in Business Ethics of the American Society of Farm Managers and Rural Appraisers.

The use of this report is subject to the requirements of the Appraisal Institute and the American Society of Farm Managers and Rural Appraisers relating to review by its duly authorized representatives.

Donald A. Fisher, MAI, ARA has made a personal inspection of the property that is the subject of this report. No one provided significant professional assistance to the person signing this report.

We have performed no services, as an appraiser or in any other capacity, regarding the subject property of this report within the last three-year period immediately preceding acceptance of this assignment.

We are not responsible for electronic sharing, or sharing in any form, of this appraisal report.

The client should note that the report prepared for this assignment is an opinion of value by the appraiser; that a Court, State, or Federal agency, including the Internal Revenue Service that reviews this report may disagree with or reject this opinion; and that the appraiser cannot guarantee the outcome of or be financially responsible to the client for any taxes, penalties or interest imposed that may result from such review.

As of the date of this report, Donald A. Fisher, MAI, ARA has completed the continuing education program for designated members of the Appraisal Institute and the American Society of Farm Managers and Rural Appraisers, and with the State of New York.

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CNY Pomeroy Appraisers, Inc.



Donald A. Fisher, MAI, ARA  
Executive Vice President  
NY State Certified Gen. Appraiser #46-0060

# CNY Pomeroy Appraisers, Inc.

## ***UNDERLYING ASSUMPTIONS AND LIMITING CONDITIONS:***

This appraisal report has been made with the following assumptions and limiting conditions:

1. No responsibility is assumed for matters of a legal nature that affect title to the property nor is an opinion of title rendered. The title is assumed to be good and marketable. The value opinion is given without regard to any questions of title, boundaries, encumbrances, or encroachments unless otherwise stated. We are not usually provided an abstract of the subject property and we are not qualified to render any legal opinion concerning such a document.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management is assumed unless otherwise stated in this report.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. All engineering is assumed to be correct. Any maps, plats, plot plans, drawings and/or exhibits reproduced and included in this report are intended only for the purpose of showing spatial relationships and to assist the reader in visualizing the property unless otherwise stated. The reliability of the information contained on any such map or drawing is assumed by the appraiser and cannot be guaranteed to be correct. A surveyor should be consulted if there is any concern about boundaries, setbacks, encroachments, or other survey matters.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that would render it more or less valuable unless so stated. No responsibility is assumed for such conditions, or for the engineering that may be required to discover such factors. Since no engineering or percolation tests were made by the appraiser, no liability is assumed for soil conditions. Sub-surface rights (mineral, gas, oil, etc.) were not considered in making this appraisal unless so stated.
7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. A comprehensive examination of laws and regulations affecting the subject property was not performed for this appraisal by the appraiser.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report. Information and analysis shown in this report concerning these items are based on a reasonable investigation, but any significant question should be addressed to local zoning or land use officials and/or an attorney.
9. It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value opinion contained in this report is based unless otherwise stated. This includes permits to emit any regulated substances into the air or water or onto or into the ground. Appropriate government officials and/or an attorney should be consulted if an interested party has any questions or concerns on these items since we have not made a comprehensive examination of laws and regulations affecting the subject property.
10. It is assumed that the utilization of land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted.

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11. We assume no responsibility for economic or physical factors that may affect the opinions herein stated which might occur at some date after the date of value.
12. We reserve the right to make such adjustments to the valuation herein reported, as may be required by the consideration of additional data or more reliable data that may become available.
13. Where discounted cash flow analyses have been undertaken, the discount rates utilized to bring forecasted future revenues back to estimates of present value reflect our market investigations of yield anticipations from comparable sales, our judgment as to risks and uncertainties in the subject property, and the consequential rates of return required to attract an investor under such risk conditions.
14. Our forecasts of future events that influence the valuation process are predicated on the continuation of historical and current trends in the market.
15. No opinion is expressed as to the value of the sub-surface oil, gas, or mineral rights, or whether the property is subject to surface entry for the exploration or removal of such materials, except as expressly stated.
16. We are not an environmental expert, and we do not have the expertise necessary to determine the existence of environmental hazards including but not limited to mechanical equipment or structures, or presence of chemical or toxic substances, urea-formaldehyde foam insulation, toxic or hazardous waste, asbestos or hazardous building materials, polychlorinated biphenyls, petroleum leakage, fire-retardant-treated substances (FRT), contaminated drywall or other building materials, lead-contaminated plumbing, soil and subsoil contamination, groundwater contamination, agricultural chemicals, electro-magnetic fields (EMFs), radon or other indoor air contamination which may or may not be present on the property, or other environmental hazards or conditions on the subject or surrounding properties. None were called to our attention nor did we become aware of such during the inspection unless so stated. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. Non-disclosure should not be taken as an indication that such a problem does not exist. The appraiser, however, is not qualified to test such substances or conditions. Based on visual inspection, there appears to be no conditions, including but not limited to the above-referenced items, which would render the property more or less valuable, except as noted. The client is urged to retain an expert in that field, if certainty is desired.
17. Possession of this report or a copy thereof does not carry with it the right of publication nor may it be used for any purpose by anyone but the client and/or an identified intended user without the previous written consent of the appraiser and the client, and in any event, only with proper written qualification and only in its entirety.
18. The appraiser herein by reason of this appraisal is not required to give future consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
19. Any distribution of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
20. Unless otherwise stated, personal property has not been included in this report.
21. Disclosure of the contents of this report is governed by the Bylaws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he or she is connected, or any reference to the Appraisal Institute or to the MAI designation) shall be disseminated to the public through advertising, public relations, news, sales or other media without the prior written consent and approval of the author.

# CNY Pomeroy Appraisers, Inc.

22. The appraiser is not qualified to judge whether the property complies with laws such as the Americans with Disabilities Act of 1990, Clean Air Act of 1990, Clean Water Act, Endangered Species Act, etc. or any subsequent revisions to any of these laws. Employee health and safety concerns as per the Occupational Safety & Health Administration (OSHA) and other agencies are also assumed to be in compliance with current regulations and standards unless specifically addressed in this report. Such categories can consist of operational procedures, storage of hazardous materials, building/property safety or protection devices, safeguards for utility entrances and distribution areas, anti-smoking legislation, etc.
23. This report is null and void if used in any connection with a real estate syndicate or syndication, defined as a general or limited partnership, joint venture, un-incorporated association or similar organization formed for or engaged in investment or gain from an interest in real property, including but not limited to a sale, exchange, trade, development or lease of property on behalf of others, or which is required to be registered with the U.S. Securities & Exchange Commission or any Federal or State agency which regulates investments made as a public offering.
24. Wells and septic systems, if any, are assumed to be in good working condition and of sufficient size and capacity for the stated highest and best use unless otherwise stated.
25. No chemical or scientific tests were performed by the appraiser on subject property, and it is assumed that the air, water, ground, and general environment associated with the property present no physical or health hazard of any kind unless otherwise noted in the report. It is further assumed that the lot does not contain any type of dump site and that there are no underground tanks (or any underground source) leaking toxic or hazardous chemicals into the groundwater or the environment unless otherwise noted in the report.
26. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the owner's submitted plans and specifications unless stated otherwise.
27. The value opinion is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that would cause a loss in value unless otherwise stated. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in that field, if certainty is desired.
28. The appraisal is an opinion of value based on an analysis of information known at the time the appraisal was made. We do not assume any responsibility for incorrect analysis because of erroneous or incomplete information. If new information of significance comes to light, the value given in this report is subject to change without notice.
29. Any claims, lawsuits, etc. filed against this firm and/or author(s) are limited in monetary damages to the amount of the fee charged and collected for the completion of this appraisal report.

# CNY Pomeroy Appraisers, Inc.

## ***DEFINITION OF MARKET VALUE:***

The definition of market value, as defined by the Office of the Comptroller of the Currency – 12 CFR 34.42(g), Federal Reserve Board – 12 CFR 225.65(b), Federal Deposit Insurance Corporation – 12 CFR 323.5(b), Office of Thrift Supervision – 12 CFR 564.5(b), National Credit Union Administration – 12 CFR 722.5(b) in compliance with Title XI of FIRREA, is as follows:

Market value means 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 and 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:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and each acting in what they consider their own best interest;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 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.

# CNY Pomeroy Appraisers, Inc.

## ***DEFINITION OF LARGER PARCEL:***

“In governmental land acquisitions and in valuations of charitable donations of partial interests in property such as easements, the tract or tracts of land that are under the beneficial control of a single individual or entity and have the same, or an integrated, highest and best use. Elements for consideration by the appraiser in making a determination in this regard are contiguity, or proximity, as it bears on the highest and best use of the property, unity of ownership, and unity of highest and best use. In most states, unity of ownership, contiguity, and unity of use are the three conditions that establish the larger parcel for the consideration of severance damages. In federal and some state cases, however, contiguity is sometimes subordinated to unitary use.”<sup>1</sup> This is sometimes referred to as the Unit Rule which requires unity in title, use and location.

A parent parcel, which is the entire property under a single or related ownership, may be different than the larger parcel, which could be a small portion of a parent parcel that represents a different highest and best use than the remainder of the parent parcel, thereby not complying with the Unit Rule and representing a separate economic unit.

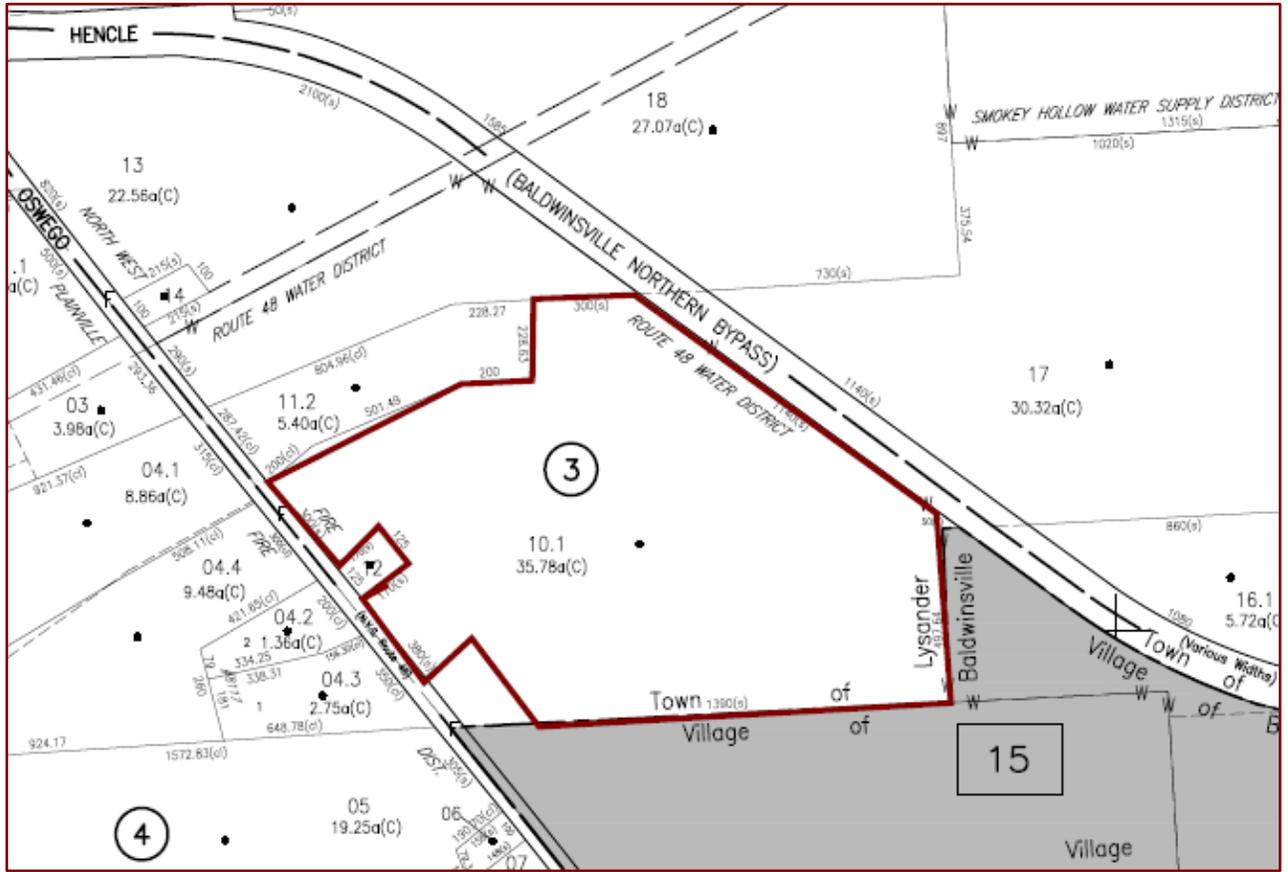
## ***SCOPE OF WORK:***

The subject description was obtained from an exterior inspection, municipal records and discussions with the owner or owner’s representative.

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<sup>1</sup> Appraisal Institute, The Dictionary of Real Estate Appraisal, Sixth Edition (Chicago: Appraisal Institute, 2015) 127.





# CNY Pomeroy Appraisers, Inc.

## **QUALIFICATIONS OF DONALD A. FISHER, MAI, ARA:**

### *EMPLOYMENT HISTORY:*

2016-Current: Executive Vice President – CNY Pomeroy Appraisers, Inc.  
1994-2015: President - Pomeroy Appraisal Associates, Inc.  
1986-1994: Executive Vice-President - Pomeroy Appraisal Associates, Inc.  
1984-1986: Vice-President / Secretary - Pomeroy Appraisal Associates, Inc.  
1974-1984: Staff Appraiser - Pomeroy Appraisal Associates, Inc.

### *EDUCATION:*

Cornell University: Bachelor of Science – College of Agriculture & Life Sciences  
Syracuse University: graduate studies  
Appraisal Institute: appraisal valuation courses and seminars  
American Society of Farm Managers & Rural Appraisers: appraisal valuation courses & seminars  
International Right-of-Way Association: appraisal courses and seminars  
NYS Assessors Association: appraisal courses and seminars

### *PROFESSIONAL DESIGNATIONS:*

MAI #6935 Appraisal Institute  
*Member, Appraisal Institute (MAI) designation is awarded by the Appraisal Institute to those members who have years of experience, are technically trained, have passed a rigid examination and subscribe to a high code of ethics.*

ARA #623 American Society of Farm Managers & Rural Appraisers [ASFMRA]  
*I hold the Accredited Rural Appraiser (ARA) designation which is awarded by the American Society of Farm Managers & Rural Appraisers to those members who have years of experience, are technically trained, have passed a rigid examination and subscribe to a high code of ethics.*

### *PROFESSIONAL AFFILIATIONS:*

#### **Appraisal Institute (1979-present)**

Chapter Committees: AIREA/SREA Unification (1991-92), Regional Standards Panel (1986-91), Chapter Admissions, Chairperson (1987-89), Admissions (1985-1989)  
Chapter Offices: President (1/1/2011-12/31/2012 [2-yr. term]), President-Elect (2010), Treasurer (2009), Secretary (2008), Treasurer (1992), Secretary (1991), Director (1990)

#### **American Society of Farm Managers & Rural Appraisers (1975-present)**

National Committees: Editorial Co-Chair (1998-2002) and Chair (2002-2017); National Appraisal Review Committee Chair (1988-94); Executive Council (1995-98); Ethics & Standards Task Force (2009-2010); Publications Commission Chair, Valuation 2000 (1998-2000); By-Laws (1980-81); Young Professionals (1981-84); Appraisal Manual (1984-85); Regional Membership (1985-1988); Rural Appraisal Book (1993-1995); Long Range Planning (1995); Annual Meeting (1997 & 1999); The Appraisal Foundation Advisory Council (2002-04); Strategic Planning Task Force (2003-04); Recognized for 40-Year Membership (2018)  
National Office: District I Vice President (1995-1998)  
Chapter (Northeast) Offices: Secretary-Treasurer (1979-89); Vice-President (1989-91); President (1991-93); Director (1993-96)

#### **International Right-of-Way Association - Chapter #18 (1982-present)**

#### **International Association of Assessing Officers (1999-present)**

New York State Assessors Association, Inc.  
Past Regional Advisor - State Board of Real Estate Appraisal

# CNY Pomeroy Appraisers, Inc.

## *LICENSES AND CERTIFICATIONS:*

Certified by Appraisal Institute through December 31, 2023  
Certified by ASFMRA through December 31, 2019  
NYS Certified General Appraiser #46-000000060 (1991 to present)  
    Certified by NY Department of State through October 7, 2021  
Certificate of Completion – Valuation of Conservation Easements course – AI/ASFMRA/ASA (2008)  
Certificate of Completion – Yellow Book – Uniform Appraisal Standards for Federal Land Acquisitions  
    –ASFMRA (2006 and 2018)  
NYS Consultant Appraiser - New York State (1978 to present)  
NYS Qualified Appraisal Course Instructor – all appraisal course levels (1991 to present)  
Certificate of Appreciation - Appraisal Review Committee Chairman (6 years)  
Certificate of Appreciation – Editorial Committee Chairman (19 years)  
NYS Notary Public

## *AWARDS:*

G. Richard Kelley Memorial Award (formerly President's Award)- 2014, presented by Upstate  
    New York Chapter, Appraisal Institute  
Appraisal Professional of the Year by ASFMRA - 2012  
Gold Quill Award for Journalism from ASFMRA – 1985 and 2011  
Volunteer of the Year Award – ASFMRA - 2017  
Silver Plow Award - 10+ years as Chapter Secretary/Treasurer from ASFMRA (1989)  
Silver Cow Award for Contribution to Agribusiness from Onondaga County Dairy Promotion  
    Committee (1999)

## *PUBLICATIONS:*

"A Case Study of Upstate New York Landlocked and Restricted Access Land Values" – Journal of the  
    ASFMRA, May 2020  
"An Environmental Trade Case Study: Agricultural Conservation Easement Pays Off Environmental  
    Penalty" –Journal of the ASFMRA, June 2011 (ASFMRA 2011 Gold Quill Award)  
"Is Your Forest Land Fairly Assessed?" – Empire Envoy, Empire State Forest Products Association, Vol. 97,  
    No. 5, August 2004  
"Conservation Easements: a Review of Alternative Valuation Methods" – Journal of Property Economics,  
    co-published by American Society of Appraisers, American Society of Farm Managers and Rural  
    Appraisers, International Association of Assessing Officers and National Association of  
    Independent Fee Appraisers, Volume 1, Issue 1, 2004  
The Appraisal of Rural Property, 2<sup>nd</sup> Edition, 2000, co-published by ASFMRA and Appraisal  
    Institute – Dairy Farm Chapter  
"Timberland Assessments" – Farming, January 2001  
"Gas Pipelines: Are They a Detriment or an Enhancement for Crops?" Journal of ASFMRA, 2000;  
    republished in International Right-of-Way Magazine, Dec. 2000  
"Timberland Valuation" – CFA News, Catskill Forest Association, Inc., Fall 1999  
"Understanding Development Rights from Both the Appraiser and Consultant Perspective" Seminar for  
    ASFMRA, May 1997  
"Farm Assessment Problems" (5-part series) - New York Farmer, 1996-1997  
"Conservation Easements & Valuation Issues" - Appraisal Views, Valuation International, Ltd., 2<sup>nd</sup> Quarter,  
    1996  
    Rural Appraisal Manual, ASFMRA, 6<sup>th</sup> Edition, 1986 - Revision Committee  
"Using the Income Approach for Specialized Agricultural Properties"-Journal of the ASFMRA, April 1985  
    (ASFMRA 1985 Gold Quill Award)  
"Do You Need a Professional Appraiser?" - American Agriculturist, January 1983

# CNY Pomeroy Appraisers, Inc.

## *TEACHING AND LECTURING EXPERIENCE:*

Upstate NY Chapter (Appraisal Institute): Valuations in Indian Land Claims, Eminent Domain Analysis, Catastrophic Event, Natural (Tourist) Attraction, Current Use v. Highest and Best Use, Land Under Elevated Highway, Avigation Easements, Wind Development Rights, Utility Easements, Determination of Economic Units, Market Value Impact from Solar Systems on Residential Properties, Effects of Stigma, Landlocked and Restricted Access Land

ASFMRA & Northeast Chapter: Agricultural Valuation, Conservation Easements, Avigation Easements, Wind Development Rights, Dairy Farms, Utility Easements

ASFMRA Ohio Chapter: Conservation Easements

International Right-of-Way Association Chapter 18: Conservation Easement Valuation, Avigation Easements, Wind Development Rights, Effects of Stigma, Landlocked and Restricted Access Land

NYS Assessors Association: Farm Valuation, Income Capitalization Approach, Conservation Easement Valuation, Waterfront Valuation, Mini-Marts and Convenience Stores, Partial Interests Valuation, Appraisal Report Review, Mixed-Use Property Valuation

NYS Association of County Directors: Conservation Easements: Alternative Valuation Methods

Cornell Cooperative Extension: Farm Assessment Problems, Agricultural Conservation Easements

Cornell University: Appraisal Issues, Eminent Domain, Conservation Easements, Indian Land Claims

Federal Land Bank: Highest & Best Use Analysis

US Army / Tug Hill Tomorrow Land Trust / Ducks Unlimited: Fort Drum Army Compatible Use Buffer Program (2012): Conservation Easements

New York Farm Show / Woodsmen's Field Days (2010, 2011, 2012): Conservation Easements

Ohio State University: Conservation Easement Valuation

Onondaga Community College: Real Estate Principles

Onondaga County Assessors Assoc.: Farm Valuation, Conservation Easements, Convenience Stores, Property Classifications and Current Use v. Highest and Best Use Issues

## *COURT EXPERIENCE:*

Testified before US Federal District Court\*; NY State Court of Claims; NY State Supreme Court^; Massachusetts Court; Commissions and Hearings throughout NY State;

^ 2010 NY Court of Appeals favorable decision on current use valuation certiorari project (Gordon v. Town of Esopus);

2 Appellate Division favorable decisions on current use and economic unit valuation for certiorari (Adirondack Mountain Reserve v. Towns of Keene and North Hudson; Corvetti v. Town of Lake Pleasant)

\*1981 Oneida Nation Land Claim was reviewed and upheld by the US Supreme Court (March 1984)

## *PROFESSIONAL EXPERIENCE:*

Career responsibilities bridge a wide scope of public, institutional and private assignments dealing with eminent domain, mortgage financing, tax matters, zoning, easements, estate planning, and general valuation questions. Projects include Indian land claims, rights-of-way acquisition, railroad valuation, urban redevelopment, waste disposal, water use and hydro-power valuation matters, watersheds, airports, pipeline and powerline corridors, agricultural crop analysis, and environmental analysis. Assignments have dealt with office buildings, shopping centers, most types of commercial and industrial properties, apartment complexes, hotels and motels, churches, schools, all types of agricultural properties, timberland, freshwater and tidal wetlands, all types of recreational and residential properties, conservation easements, and utility line easements.

# CNY Pomeroy Appraisers, Inc.

## COMMUNITY ACTIVITIES:

- Onondaga County Waste-to-Energy Facility: Citizens Advisory Committee (1991-2000), Chairman (1993-1994); Property Value Stabilization, Sub-Committee Chairman (1991-2000)
- Town of Onondaga: Environmental Advisory Council (1976-81); Fire Training Center Bylaws (Chairman 1986); Length Of Service Awards Program (Town Committee Chairman 1989-91, 2000-02, 2004-05, 2017-18, 2019)
- Onondaga Central Schools Committees: Facilities Advisory (1989-90); Citizens Advisory (1994-96); Building Planning (1994-96); Facilities Development (1997); Academic/Building Advisory (2000-2003); Capital Project Advisory (2005-12); Citizens' Budget Advisory (2015-16)
- St. Camillus Health & Rehabilitation Center: Trustee (1987-1992); Development Comm. (1990-1992)
- Cornell University: Alumni Admissions Ambassador Network (1989-2006); Alumni Career Link (1989-present)
- South Onondaga Fire Department: Member (1970-present); President (1978-85, 1989-94, 2000-2014); Immediate Past President (2014-2021); Director (1985-87; 1988-89; 1994-2000); supervised new fire station construction (1990-91); Life Member (since 2004); Length of Service Awards Program Trustee/Administrator (1989-present)
- Onondaga County Volunteer Firemen's Association Red Jacket Distinction Award - 2012
- New York State Emergency Medical Technician for over 30 years
- Corpus Christi Catholic Church: Building Committee (1991-92); Lector (2006-2016)
- South Onondaga Water District – proposed and approved (2000-01)

UNIQUE ID NUMBER 46000000060	State of New York Department of State DIVISION OF LICENSING SERVICES	FOR OFFICE USE ONLY Control No. 116576
PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.		EFFECTIVE DATE MO. DAY YR. 10 08 19
FISHER DONALD A C/O POMEROY APPRAISAL ASSOCIAT LIBERTY SQUARE 100 EAST SENECA ST MANLIUS, NY 13104		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.
DOS-1098 (Rev. 3/01)		ROSSANA ROSADO SECRETARY OF STATE