

**IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO**

KRISTEN M. SCALISE,
as Fiscal Officer of
Summit County, Ohio,

Plaintiff,

-VS-

IMPERIAL VALLEY PROPERTIES, LLC
771 Garth Ave
Akron, OH 44320

&

IMPERIAL VALLEY PROPERTIES, LLC
P.O. BOX 860
EL Centro CA 92244

&

IMPERIAL VALLEY PROPERTIES, LLC
c/o Sheila Tomasi

P.O. BOX 19335

Cleveland, OH 44119,

Defendant(s).

Case Number: CV

Assigned to Judge:

COMPLAINT

TAX LIEN FORECLOSURE

Certificate number(s): 6843775-23
6843775-24

Permanent Parcel Number: 68-43775

Property Address:
771 Garth Ave
Akron, OH 44320

FIRST CLAIM FOR RELIEF

1. The Plaintiff, Kristen M. Scalise, is the Fiscal Officer of Summit County, Ohio.
2. Plaintiff brings this action on a lien of the State of Ohio to foreclosure on a delinquent land tax certificate(s) pursuant to R.C. Section 5721.18(A).
3. Exhibit A filed and incorporated herein, describes the property that is subject to this foreclosure and is referred to as parcel number 68-43775 (“the Parcel”).
4. The Preliminary Judicial Report, filed and incorporated herein, describes the property, identifies the owner(s) of record and possible lienholder(s) pursuant to R.C. 2329.191, and contains a copy of recorded tax certificate(s) numbered 6843775-23 and 6843775-24.

5. Plaintiff has certified notice to the Summit County Prosecuting Attorney that the tax certificate holder has requested foreclosure, the certificate parcel has not been redeemed, and the certificate is eligible to be enforced through a foreclosure proceeding pursuant to R.C. 5721.37(C)(1), attached and incorporated as Exhibit B.
6. The tax certificate holder is vested with the first lien previously held by the State and its taxing districts for the amount of taxes, assessments, penalties, charges and interest including the prosecuting attorney's fee charged against the Parcel.
7. In addition to the tax certificate(s), the tax certificate holder has submitted payment to the Plaintiff to the sum of any prosecution fees, taxes, assessments, penalties, interest, and charges appearing on the tax duplicate charged against the certificate parcel that is the subject of the foreclosure proceedings and that are not covered by a tax certificate in the amount prescribed by R.C. 5721.37(B)(1)–(3).
8. As provided by R.C. 5721.38(B) the redemption price is now calculated by the Fiscal Office to be: **\$12,641.59**, as of August 2025. This balance continues to increase because of statutory interest charges, penalties, additional taxes and court costs.
9. The certificate or master list has been duly filed by the auditor, the amount described above is due and unpaid, and there is a lien against the property described in the certificate.
10. Pursuant to R.C. 5721.39(A), there are and/or will be delinquent taxes, assessments, penalties, interest, and charges on the Parcel that are not covered by the tax certificate(s) or a payment under R.C. 5721.37(B)(2) which are or will be a good and valid lien.

11. The following:

IMPERIAL VALLEY PROPERTIES, LLC

have or claim to have some interest in or lien upon the Parcel, but Plaintiff not being fully advised as to the extent, if any, of such liens or claims, says that the same, if any, are inferior and subsequent to the lien of the Plaintiff and the certificate holder and Plaintiff prays that said defendants be required to set up their liens or claims, or be forever barred from asserting same against the premises described herein.

WHEREFORE, Plaintiff demands judgment against the defendant(s) on the certificate of redemption price; the interest on the certificate at the rate of eighteen percent per year from the day payment was submitted by the certificate holder under R.C. 5721.37(B); any delinquent taxes, assessments, penalties, interest and charges on the Parcel not covered by the tax certificate(s); and the fees and costs incurred in the foreclosure proceeding including, without limitation, the fees, costs and charges of the Prosecuting Attorney as provided in R.C. Sections 5721.37(B) and 5721.39; that the amounts due be declared to be valid first liens upon the property; that such liens be foreclosed; that unless the amounts found due together with costs of this proceeding be tendered to the Plaintiff prior to the filing of any entries of Confirmation of Sale pursuant to such proceeding, the equity of redemption of said parties shall be foreclosed; that any person owning or claiming any right, title, or interest in, or lien upon the property be required to answer, setting up their interest, if any, on said property or be forever barred from asserting same; that the Court order said property to be sold in the manner provided by R.C. Section 5721.19; that an Order of Sale be issued to the Sheriff, directing him to advertise and sell said property at public sale in the manner provided by law; that thereafter a report of such sale be made by the Sheriff to the Court for further

proceedings under law; and for such further and other relief as in law or equity this Plaintiff may be entitled.

Respectfully submitted,

ELLIOT KOLKOVICH
Summit County Prosecuting Attorney

/s/ Aaron B. Campbell
AARON B. CAMPBELL #0100340
Assistant Prosecuting Attorney
53 University Avenue, 7th Floor
Akron, Ohio 44308
(330) 643-2689
(330) 643-8540 - FAX
acampbell@prosecutor.summitoh.net
Attorney for Plaintiff

EXHIBIT**A****ORDER #116104**

Situated in the City of Akron, County of Summit and State of Ohio:

And known as being All of Lot #17 of G.N. Smith's Re-Allotment of certain Lots in the Hoyer and Koons Allotment, in Lot 15, W.P.P. the plat of said G.N. Smith's Re-Allotment being of record in Plat Book 19, Page 29 of Summit County Records of Plats. Be the same more or less, but subject to all legal highways.

PARID #68-43775 ROUTE #03-01169-05026.000

Aka: 771 Garth Ave., Akron, OH 44320



**EXHIBIT
B**

DTE 122A

Rev. 3/11

Request for Foreclosure

Pursuant to Ohio Revised Code 5721.37, I, **NAR Ohio, LLC**, hereby file a request for a foreclosure action with the Summit County Fiscal Office on the following tax certificate on this date June 30, 2025.

Tax certificate number 6843775-23 / 6843775-24

Lien year(s) 2022 / 2024

Parcel owner IMPERIAL VALLEY PROPERTIES LLC


Property address 771 GARTH AVE

Tax certificate sale date November 3, 2023 / October 23, 2024

The above certificate holder has submitted the following required monies and fees associated with this foreclosure request:

1. Certificate redemption prices of any other tax certificates sold on the parcel, other than tax certificates held by the certificate holder filing this form (certificates listed separately on other side) \$ 0
2. Taxes, assessments, penalties, interest, and charges that are not covered by a tax certificate (itemized listing on other side) \$ 3413.91
3. Foreclosure fee prescribed by the county prosecutor \$ 3000.00
4. Total paid on this date \$ 6413.91

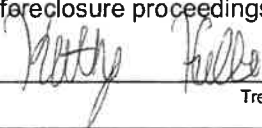
Signature



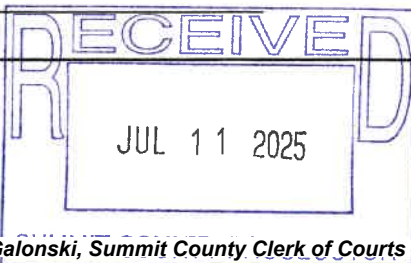
Tax certificate holder

I hereby certify that the above certificate parcel has not been redeemed, the amount indicated in line 4 has been received by me and the certificate holder has made a request for foreclosure, which I have submitted to the county prosecutor to commence foreclosure proceedings on this date: 7-7-25.

Signature



Treasurer/designee

FISCAL OFFICE
County of Summit

JUN 30 2025

RECEIVED

Tavia Galonski, Summit County Clerk of Courts

Tax Cert# 6843775-23 / 6843775-24

Other Tax Certificates on Parcel

1. Tax certificate number		
Lien year(s)		Certificate redemption price \$
2. Tax certificate number		
Lien year(s)		Certificate redemption price \$
3. Tax certificate number		
Lien year(s)		Certificate redemption price \$
4. Tax certificate number		
Lien year(s)		Certificate redemption price \$
		Total (place on front of form) \$

Taxes Not on a Tax Certificate

1. Lien year 2023		Amount \$ 0
2. Lien year 2024		Amount \$ 3413.91
3. Lien year		Amount \$
4. Lien year		Amount \$
		Total (place on front of form) \$ 3413.91