

INSIDE: John Adams High School • Landerwood Crossing • Law Rules in Real Estate

NOVEMBER 2006/\$4.95

MAGAZINE INC.

Properties

MANAGEMENT • CONSTRUCTION

FINANCING • BROKERAGE • MAINTENANCE • APPRAISAL

Linked to Learning

Cleveland Heights & University Heights Public Library offers contemporary design, technologies

www.propertiesmag.com | vol. LX, issue 11

We're helping to build Cleveland, one lift at a time.



Cleveland has been our home since 1964. We started with three brothers, a single crane, and an unwavering commitment to quality and service. We've grown to become an entire family of companies—25 and climbing. We're the largest privately held crane rental and sales operation in North America, headquartered right here in Cleveland.

We're proud to be seen on many Cleveland job sites as our city builds its future. We're there because service is our

strength. We service and maintain our own fleet so it performs perfectly on your job. Our in-field technical support makes sure that you have the right equipment on the job and it performs to your expectations. You stay on schedule and minimize downtime.

Our family values of reliability, hard work, and foresight allow us to anticipate and meet the changing needs of every client and every job. May we help build Cleveland with your company?

ALL[®]

Erection & Crane Rental Corp.

7809 Old Rockside Road,
Cleveland, OH 44131

216-524-6550

fax: 216-642-7612

www.allcrane.com

To assist you in your crane needs go to:

www.allcraneloadcharts.com

Who's Watching Your Back?

Precision Technology Alarm, Inc. Offers Security Options That Grow With Your Company

Among our product options, we offer an expandable DVR (Digital Video Recorder) system that allows you to build your security system as your company grows. For example, you may choose to start with a four-channel DVR system today - with the knowledge that you can build to a 16-channel system tomorrow without your initial investment becoming obsolete.

After all we would like to grow along with your company, not overcharge it.

That's just one more example of Precision Technology Alarm offering:

Professional Quality With A Personal Touch



1.866.589.4165

23660 Miles Road, Bedford Heights, Ohio 44134

PAVING WITH PRIDE

Since 1982 we've been building our reputation job by job



LET'S MAKE YOUR JOB OUR NEXT STOP

We would appreciate an opportunity to submit our recommendations and estimates for your:

- New Parking Lot Construction
- Grading & Excavation
- Asphalt Resurfacing
- Catch Basins & Drintile
- Asphalt Repairs
- Crack Filling & Sealcoating

Specialists from site development to chuckhole patching!

**We're doing it better for less every day
Call us today at 216.421.1203**

2417 Woodhill Rd., Cleveland, OH 44104 • Fax 216.421.1278



P.O. Box 112127, Cleveland, Ohio
phone: 216.251.0035
toll free: 888.641.4241
fax: 216.251.0064
www.propertiesmag.com

EDITOR/PUBLISHER

Kenneth C. Krych
kkrych@propertiesmag.com

MANAGING EDITOR/ART DIRECTOR

Mark Watt
mwatt@propertiesmag.com

CONTRIBUTING WRITERS

Jeanne Bluffstone
John Elliott
Lou Kren
Alec Pacella
Gordon & Lynn Priemer
Diane DiPiero Rodio
Nancy Loyan Schuemann
John Slagter
David Woodburn

ACCOUNT EXECUTIVES

Andrea Keener
akeener@propertiesmag.com
216.251.6649

David Larkin
dlarkin@propertiesmag.com
216.251.6753

SALES CONSULTANT

James Pelligrino

MARKETING ASSISTANT

Lisa Larissey

CIRCULATION DIRECTOR

Debbie Boehm

Cover photo: Cleveland Heights & University Heights Public Library, by Scott Pease

Properties (ISSN 033-1287) is published monthly for architects, engineers, building owners and managers, general contractors, home builders, mortgage bankers, savings and loans, real estate agents, appraisers, servicers and suppliers in Northern Ohio by Properties, Inc., 3826 W. 158th St., Cleveland, Ohio 44111. Copyright © 2006 by Properties, Inc. All rights reserved. Reproduction or use, without written permission, of editorial or pictorial content is strictly prohibited. Periodicals postage paid in Cleveland, Ohio and additional offices. Subscription rates: one year \$19.95, single copy \$4.95, back issues \$5.50 when available. Postmaster: send change of address notices to Properties, P.O. Box 112127, Cleveland, Ohio 44111.

FEATURES



Photo by Jim Maguire

- 10 Vision for the Warehouse District**
Developer Bob Stark addresses redevelopment plan at Levin College Forum
- 13 Pepper Pike Project Takes Shape**
Palmieri Builders, Krill Company break ground on Landerwood Crossing
- 14 Building Blocks**
Associated Builders and Contractors honors top area projects at annual awards
- 17 Construction Rises One Percent in September**
- 21 Old School Design, New School Amenities**
John Adams High School reopens in state-of-the-art, modern facility
- 47 Linked to Learning**
Cleveland Heights & University Heights Public Library offers contemporary design, technologies
- 60 Checkmating Check Fraud**
Protecting your business from a \$9 billion-a-year problem

INSERT: Law Rules in Real Estate

Highlighting the legal experts behind real property development, transactions & more

DEPARTMENTS

- 8 PROPERTIES PEOPLE**
- 19 BOMA BUSINESS**
- 28 FINANCIAL STRATEGIES**
- 32 LEGAL PERSPECTIVES**
- 34 CABOR CORNER**
- 37 BILLBOARD**
- 64 CONSTRUCTION PROGRESS REPORT**

Law Matters... and More



KEN KRYCH

The word is law. To be more specific, real estate law. That is the focus of this month's special section. This unique insert, "Law Rules in Real Estate," is a first for *Properties* and was a long time coming. After all, without real estate lawyers and their firms, not a lot would happen in the way of property development.

This month we profile five top firms in this realm of expertise, including their values, distinctive qualities and clients.

Our intention is to make this an annual section in our November issues and include other types of professional services.

We also take a close look at the Allen Thomas Group with a company profile and want to thank Ciuni & Panichi for

their Energy Tax Incentive article for property owners.

In addition to this special section, this month we profile two significant projects that deal with promoting education in Northeast Ohio.

First is the Cleveland Heights & University Heights Public Library, which boasts unique innovation both inside and out. It was updated and expanded, in part to serve the youths who enter its doors on their way back from school each day. It has many features that may soon be adopted by other libraries.

The second project took 30 years, but it was worth the wait. The new John Adams High School sits on the site of the former one and is a marvelous, large structure that hopefully will be used for

many years to come in educating high school students in Cleveland.

Next month, we will celebrate our 60th year in publishing *Properties* with a very special issue and will also help celebrate Panzica Construction's 50th anniversary.

December will also include coverage of some key projects, including the first phase of Battery Park on Cleveland's West Side, the Beachcliff Mall expansion and also a complete article on the recent AIA award winner for excellence in renovation: John Hay High School.

Again, we encourage you to contact us with any stories or anecdotes we can include in our 60th anniversary issue. Call or email us any time so we can include your comments in this issue.


Happy Thanksgiving,

Kenneth C. Krych
Owner/Publisher



Charles Schulz Building Company


General Contractor
Commercial - Industrial
216-749-0200
www.cschulzbuilding.com



Brennan
and associates

Heating & Cooling
Commercial, Industrial & Residential

**Specializing in Computerized
Preventive Maintenance
& Service Contracts**



24 Hour Services ✓ Design, Build & Installation
(216) 391-4822 ✓ In Business Over 30 Years
www.brennanvac.com ✓ "Trust Our Professionals"



Site Work • Landscaping • Property Maintenance

- Landscape maintenance contracts - *extraordinary seasonal color plans*
- Snow & ice management
- Irrigation installation & repair - *certified backflow testing*
- Daily/weekly routine property inspection & maintenance
- Retaining walls, pavers, planting, surface drainage and erosion control

440-526-3257
330-239-1995
fax 330-239-0265
4843 Ridge Road
Wadsworth, Ohio 44281

McGraw Hill CONSTRUCTION Network™

Finally, a **faster, easier** way to **manage bid day**



Introducing the Network Online Bid Management Service

Reduce costs, bid more efficiently and minimize the risk of costly mistakes, right from your Network desktop:

- **Streamline** plans distribution
- **Manage** bid packages online
- **Communicate** with subcontractors
- **Access the Network**—the largest projects and plans database

connecting people_projects_products

McGraw Hill CONSTRUCTION
Dodge Sweets Architectural Record ENR Regional Publications
Find us online at www.construction.com

Take control of bid day!

Call **1-800-221-0088** or click www.construction.com/bidmanagement/ today!

Easier bidding. Bigger profits.

MBMPM1204

The McGraw-Hill Companies

PROPERTIES PEOPLE

Highlighting notable industry events



- 1 **Shawn Dixon**, of The Krill Co., and his wife **Sally**
- 2 (From left) **Everett** and **Carolee Jones**, of Health Plex, with **Terry** and **Stan Kaczmar**, of Kaczmar Architects
- 3 The Krill Company's new headquarters

Krill Company HQ Opening

The Krill Company recently held an open house at its new home in the Flats. After many years, the company has moved from its offices in Valley View to 1275 Main Ave. in Cleveland. Originally built in 1907 as a varnish factory, the building offers 60% more space than Krill's previous office. The two-story, 15,500-square-foot building with basement underwent new lighting, electric systems, HVAC and fire protection systems. **P**



- 1 (From left) **Jack Starkoff**, of Calfee, Halter & Griswold; **Moe Norris** and **Bernie Weir, Jr.**, of Norris Brothers Co., Inc.; **Sam Perrino**, of A.W. Farrell & Son, Inc.; and **Peter Comodeca**, of Calfee, Halter & Griswold
- 2 (From left) New Construction Employer Association (CEA) president **John Arseno** and immediate past president **Stan Roediger, Jr.**
- 3 **Rosemarri DeFranco** and **Kathy Hurley**, of Kelley Steel Erectors, Inc.
- 4 **Holly Goddard** and husband **Stan Roediger, Jr.**, of Roediger Construction, Inc. and immediate past president of CEA
- 5 New CEA president **John Arseno**, of Acme Arseno Company, Inc.

CEA Clambake & 90th Anniversary

To help commemorate the 90th anniversary of Construction Employers Association (CEA), nearly 350 association members and their guests recently attended CEA's Annual Clambake and gala Anniversary Celebration at Landerhaven in Mayfield Heights.

Guests enjoyed fine cuisine while being entertained with dinner music by "Shout" and a fun slideshow showcasing photographs from CEA's 90 years. In addition to the dining and dancing afterward, John Arseno, CEA's newly elected president, recognized outgoing president Stanley Roediger, Jr., for his years of dedicated service. **P**



Glenn and Rebecca Kuenzler

Key to the Cure

Recently, Cleveland Clinic medical professionals and others held a benefit for Breast Cancer at Saks Fifth Avenue, at Beachwood Place, for the Clinic's new Taussig Cancer Center. The entire store was closed especially for the event which included food and drinks from top area restaurants, singers and, to top it off, dancing doctors under the direction of Dick Blake. **P**



- 1 Trevarrow President **Bruce H. Trevarrow**
- 2 **Dale** and **Sheila Cerne** of Gaede-Cerne Architects
- 3 Chefs created dishes at many of the custom built kitchen displays.
- 4 (From left) DAS Construction's **Jeff Troxell**, **Jeff Komar**, **Lori Alba**, **Matt Ambrose** and **David Netzbaugh**
- 5 **Leslie Reddy**, of Bennet-Dover Home Remodelers, Inc., with **Sarah Binder** and **Kim Lisboa**, of Cleveland Granite & Marble

Trevarrow Showroom Opening

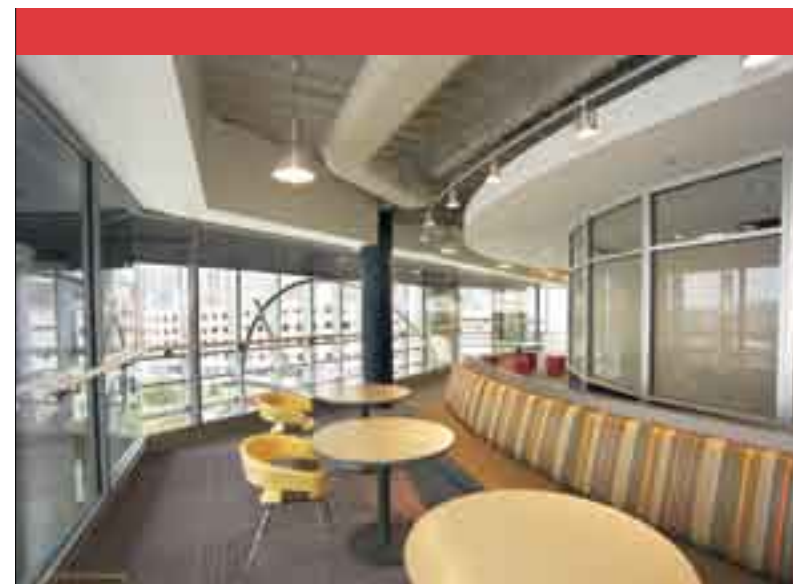
Michigan-based kitchen equipment distribution company Trevarrow, Inc. recently celebrated the grand opening at its new Living Kitchen Showroom at 12610 Corporate Dr. in Parma. The event included tours of the facility's custom kitchen displays, constructed by DAS Construction. Hundreds of guests arrived to sample delicacies from top chefs of Northeast Ohio. **P**



Panzica Construction's **Tim, Nancy** (founder) and **Tony Panzica**

Panzica Construction's 50th Anniversary Celebration

Panzica Construction celebrated its 50th anniversary recently at an event in the company's new headquarters at 739 Beta Drive in Mayfield. The 16,000-square-foot facility doubles Panzica's space with 10,000 square feet of office, 4,000 square feet of warehouse and 2,000 square feet more for future expansion. The evening included a video presentation of Nancy Panzica and family, from his humble beginnings in 1956 to today. It was a night of wonderful food, good company and music. **P**



Cleveland Cavaliers Offices at The Quicken Loans Arena

- General Contracting
- Construction Management
- Consulting
- Specializing in:
 - Commercial
 - Healthcare
 - Institutional/Educational
 - Public Works

**Building...
Experience,
Excellence,
Commitment**



18440 Cranwood Parkway
Warrensville Heights, Ohio 44128
216-663-3777
Fax 216-663-3778
InfinityConstruction.com

Vision for the Warehouse District

Developer Bob Stark addresses redevelopment plan at Levin College Forum

By Ken Krych | Rendering courtesy Bialosky + Partners Architects

The Center for Civic Education held the first of its kind Levin College Forum recently at Cleveland State University's Glickman-Miller Hall recently to discuss developer Bob Stark's proposed 21-acre development to transform Cleveland and the Warehouse District.

His initial plan calls for one million square feet of new street-level retail and six million square feet of new mixed residential and office space. The project, which is called the Y District, is positioned to remake and brand a substantial portion of the central business district from West 3rd Street to West 9th Street, from Public Square to the lake.

Stark is exploring connecting downtown and the lakefront by extending the Warehouse District street grid to the land just west of Cleveland Browns Stadium. This massive undertaking would require the collaboration of many public and private institutions including Cleveland, the Cleveland-Cuyahoga Port Authority, Cleveland Foundation and the Greater Cleveland Partnership.

Stark addressed the packed atrium audience by calling himself a "poet developer" who lives by the challenge, "Make no small plans." explaining his proposal for nearly an hour while emphasizing that it is completely doable and would have a great impact on the city and



LIGHTING A WAY Bob Stark's proposed development intends to remake and brand a substantial portion of Cleveland's central business district.

spur further development throughout the city.

"We need people places," says Stark, noting that he has evolved into a developer of communities. "This is something we are going to do. I am not interested in the conventional. We need places where the design evokes emotional experiences."

Estimates put the first phase at roughly one billion dollars.

"If the concept is right, the money will follow," he says.

Stark says he has been in touch with many national retailers who have shown interest in the development.

"So far no one has said no," he says. "They want to be downtown."

The Port Authority now owns some of the land on the proposed site and its headquarters would have to be relocated for the project to move forward, as plans include using three docks to the lake.

"Collaboration with the Port Authority can not be understated," Stark says.

There would be a great deal of work on the infrastructure, keeping some older buildings and also building new, while also working in plans for ample parking.

We want to create a "lifestyle for the 21st century," Stark says, someplace that is fun to work and live that is diverse and a creative urban neighborhood.

The panel took questions from the audience for another half hour.



Photo by Ken Krych

DEVELOPING IDEAS The forum panel included (from left) Robert L. Stark, president and CEO of R L Stark Enterprises; Valerie McCall, chief of government affairs of the City of Cleveland; Cleveland City Ward 13 Councilman Joe Cimperman; and Stephen Fong, dean of Kent State University's School of Architecture and Environmental Design.

"What's different about this plan? It addresses the curse of homogeneity," says Joe Cimperman, councilman for Cleveland's Ward 13.

"Vision, energy and civic mindedness are all important," says Steven Fong, dean of Kent State University's School of Architecture and Environmental Design. Fong notes Stark's hope for the development to create a "Bilboa Effect," which is a contemporary urban theory that visitors can be drawn to an area just to see a particular piece of architecture or other landmark.

Stark, whose recent work includes the \$480 million, mixed-use Crocker Park development in Westlake, also suggests a renovation and investment for Cleveland Hopkins Airport as it is the entry point to our city and because the impression it gives to newcomers can help change the perception of our community. **P**

PRETTY TILE, UGLY GROUT?
(The Stuff Between The Tiles)
WE CURE SICK GROUT

the GROUT DOCTOR
Since 1992

(216) 233-9912
(330) 274-0787

FREE ESTIMATES

The professional solution to fighting poor indoor air quality

SERVICE-TECH **STC** CORPORATION



Since 1960, a powerful force in HVAC system hygiene and commercial/industrial cleaning

Our professionals:

- ▶ Clean and sanitize the entire Air Conveyance System (ACS), including the air handling equipment, heating/cooling coils, grilles and diffusers
- ▶ If necessary, apply EPA registered anti-microbial coatings to contaminated ductwork and components.
- ▶ Seal deteriorated fibrous glass duct liner
- ▶ Perform fiberoptic ACS inspections and submit comprehensive written reports
- ▶ Strategically plan each job so it is done efficiently, thoroughly and without interrupting your business

Additional Cleaning Services include lab hood exhaust systems, computer room subfloors, laundry exhaust systems and kitchen hood exhaust systems.



www.service-techcorp.com
Phone us today at 440-735-1505 / 800-992-9302

We would be proud to be part of your team on your next construction project



CONTAINER SERVICE, INC.

"The Leader in Container Service"

(216) 441-4422



- Residential
- Radio Dispatched
- Fully Insured
- Rubbish
- Industrial
- Family Owned
- Construction
- Organics
- Commercial
- Wood Pallets
- 20, 30, 40 Yard Containers



BUILDING MAINTENANCE

1934 St. Clair Ave.,
Cleveland, OH 44114

Chemical Cleaning • Caulking
Brick & Stone Replacement
Waterproofing • Sandblasting
Tuckpointing • Concrete Repairs

CALL RUSTY OR LISA FERGUSON:
216-771-0502

Active

plumbing supply co.
www.activeplumbing.com

 **Lochinvar**
High Efficiency Water Heaters And Boilers
In Stock Now

We have a better solution for your water heater needs

High efficiency water heaters and boilers:

- lower operating costs
- higher efficiency
- longer warranty
- lower purchase price
- greater installation flexibility
- longer life
- ease of maintenance
- lower replacement costs

Call your local water heater specialist at:

Cleveland	216-459-2700	Stu
Willoughby	440-953-1532	Joe
Painesville	440-352-4411	Pat
Bainbridge	440-543-2233	Stu
Ashtabula	440-964-7575	Art



Working with the highest standards of excellence to ensure customer satisfaction

RANGER ELECTRIC INC

Electrical Contractor / Design Build / Consulting

Specialists in:

- Commercial**
- Institutional**
- Historical Renovations**
- Life Safety**
- Communications**



**We would be proud to be the
electrical contractor
on your next project**

18626 Detroit Avenue
Lakewood, OH 44107

Dean A. Scerbin, Project Manager dean@ranger-electric.com

(216) 221-0472 FAX (216) 226-2402



Pepper Pike Project Takes Shape

Palmieri Builders, Krill Company break ground on Landerwood Crossing

Illustration courtesy Palmieri Builders

Dino Palmieri, owner, developer and principal of Solon-based RMP Holdings, Inc., recently announced the groundbreaking of Landerwood Crossing, a new, upscale, Class A office project located immediately east of Lander Circle in Pepper Pike.

Smith Barney, a division of Citigroup Global Markets Inc., will occupy the top floor of the state-of-the-art, three-story office building. Landerwood Crossing's architecture was designed by Hengst Streff Bajko Architects, Inc., of Cleveland, with guidance provided by Dino Palmieri and Palmieri Builders. The owner has retained the construction management services of The Krill Company, Inc., of Cleveland.

The three-story, 51,000-square-foot signature building is situated on a strategic three-acre site at the eastern end of the "Chagrin Corridor" and is considered to be located at the "Gateway to the Chagrin Valley."

Bill Saltzman, senior vice president of Grubb & Ellis, envisioned the need for a new Class A office facility to accommodate the expansion requirements of his client, Smith Barney. He was instrumental in bringing the parties together by arranging and negotiating the sale of the site and the long term lease agreement with the anchor tenant for the project. Saltzman has been retained by the owner as exclusive leasing agent for the Landerwood Crossing.

Smith Barney has more than 65 employees at this location and manages

in excess of \$3 billion in assets from this office.

"This is an exciting day for Smith Barney," says Jon E. Lawrence, senior vice president and branch office manager. "While we will be sad to leave Chagrin Falls, our new, state-of-the-art facility will give us the room we need to expand as well as a great location to service our existing clients."

Jim Martin, managing director of First Realty Capital, exclusively handled the underwriting, origination and finance negotiations in arranging the combined \$7.5 million construction/permanent

mortgage loan facility with Fifth Third Bank (the "Construction Lender").

"Fifth Third offered my client a very competitive and favorably structured financing solution that met the economic, structural and timing needs of the borrower and we all worked extremely well together in achieving a smooth, seamless and efficient closing execution," Martin says.

This development is as a result of collaborative effort over a more than two-year period. The Landerwood Crossing Office Building is scheduled for completion in the fall of 2007. **P**

 **KRILL**
THE PROFESSIONAL BUILDERS

- ▲ Construction Management
- ▲ General Contracting
- ▲ Design/Build



The Krill Co., Inc.

1275 Main Avenue ▲ Cleveland, OH 44113-2329 ▲ 216-357-4777 ▲ www.krill.com

Building Blocks

Associated Builders and Contractors honors top area projects at annual awards

Story and photos by Ken Krych

This year 180 guests, including contractors, architects, project owners, friends and family, attended the Northern Ohio Chapter of Associated Builders and Contractors Inc. (ABC) Annual Excellence in Construction Awards held recently at the Hilton Garden Inn in downtown Cleveland. Seventeen firms were recognized for their excellence in building and onsite safety at the event, which was hosted by Tradesmen International and Construction Craft Academy.

Honorable Mention Awards

Clouse Construction for Fostoria Community Learning Center for Seneca County (Fostoria), designed by McCall-Sharp Architecture

Baywest Construction Group for Phil Vedda & Sons Printing Facility (Lakewood), designed by Weber Architecture

Knoch Corporation for the Akron-Canton Regional Airport addition (Akron), designed by HNTB

Awards of Merit

Vaugh Industries for The Ohio State University's Bio-Medical Research Tower for Ohio State University (Columbus), designed by B R & A Architects



TOP TEAM Ryan Martin (fourth from right), of ABC, poses with the Project of the Year award winners from Simonson Construction Services, Inc

McClintock Electric for the College of Wooster-Krauke Hall renovation (Wooster), designed by MacLachian, Cornelius & Filoni

Janotta & Herner for the Islander Inn Pool Bar (Put in Bay), a design/build project for Owner Tim Niese

ACI Construction for St. Michael Education & Formation Center (Findlay), designed by Rooney Clinger Murray Architects

Beacon Marshall Company for Alexis Park (Richfield), designed by Ryba & Associates

Baywest Construction Group for Chester Road Square (Avon Lake), for owner Vetrone Development, LLC and designed by ADA Architects, Inc.

ACI Construction for Northwest Ohio Medical Institute (Tiffin) for VH-1 Properties, LLC, designed by Peterman Associates, Inc.

Janotta & Herner for St. Paul Catholic School & Parish center (Norwalk), a design/build project for the Diocese of Toledo

ACI Construction for Hancor South Plant addition and renovation (Findlay)



MAJOR PLAYERS ABC Staff Members who helped pull the event together include (from left) Membership Coordinator Jodi Kraus, Controller Laura Sawicki, Director Of Apprenticeship Sandi Williams and Director of Continuing Education Jennifer Dworzniak.

for Hancor, Inc., designed by Matrix Technologies

Charles Construction for The Ohio State University's Marion Student Services Building (Marion), designed by Schorr and Associates.

Awards of Excellence

Kuhlman Builders for Putnam County ESC/Skilled Learning Center for the Village of Ottawa (Ottawa), designed by Technicon Design Group

Simonson Construction Services Inc., for Arthur L. & Maxine Sheets Rybolt Recreation Sport Sciences Center for Ashland College (Ashland), designed by The Collaborative



COLLEGE HONORS Ashland University's Dwight Schar College of Education won the Project of the Year award.

Project of the Year

The Award of Excellence for Project of the Year went to Simonson Construction Services, Inc., of Ashland, for the Ashland University-Dwight Schar College of Education. The project was designed by Ballinger Architects, which won with an unprecedented 100% score. **P**

Northeast Ohio's Most Award-Winning General Contractor for Excellence & Safety in Construction

**GENERAL CONTRACTING,
CONSTRUCTION MANAGEMENT, DESIGN-BUILD,
COMMERCIAL AND RETAIL SPECIALISTS**



Baywest

Construction Group, Inc.

671 Columbia Road, #7
Westlake, Ohio 44145
440-617-9910
www.baywestcg.com



Cleveland's Real Estate Radio . . .
THE STARK GROUP LIVE!
Talking Real Estate

**LISTEN • CALL IN • WIN PRIZES
EXCELLENT GUESTS**

Sponsorship Opportunities Available

Tune in every Thursday • 7 p.m. • 1300 am-WERE



- GUARANTEED WINDOW CLEANING
- TOTAL BUILDING SKIN MAINTENANCE
- STAIN REMOVAL & PRESSURE WASHING
- GLASS, STONE & METAL CLEANING & RESTORATION



CARDINAL
WINDOW CLEANING, CO.

COMMERCIAL & RESIDENTIAL

440-835-5535 • MOBILE 216-406-7701

CALL PRESIDENT DAVID STEARNS TODAY FOR A FREE ESTIMATE

When You Want It Done Right



COMMERCIAL SHINGLED ROOFS



COMMERCIAL FLAT ROOFS

At Dun-Rite, we have been the established roofing specialists, serving Northeast Ohio since 1989. We have made roofing our primary business, as two-time winner of the prestigious Weatherhead 100 Award, recognizing continuing growth and superior service. Promoting safety and integrity, Dun-Rite requires weekly OSHA safety training and participation in the Ohio Bureau of Worker's Compensation Drug-Free EZ Program by all employees. Refuse to settle for other so-called roofers, who are unlicensed, uninsured, unreliable, and unaccountable. At Dun-Rite, all of our work is completed by our factory trained and certified team of professionals, never subcontractors. We guarantee the highest-quality products, all with manufacturer-backed warranties, thorough jobsite cleanup and individual attention throughout the entire process. Let us take care of the roof over your head.



- Residential Roofing
- Commercial Roofing
- New Construction
- Renovation Projects
- Excavating Services
- Precision Masonry & Tile Work
- Windows, Siding & Gutters
- Electrical Work
- Snow Removal
- Visit Our Showroom
- Financing Available

Since 1989

Condo Associations, Retirement Homes, Office Complexes & Shopping Malls

1.800.422.RITE
www.dun-riteconstruction.com

DEPENDABLE / PROFESSIONAL / SAFE / LICENSED / BONDED / INSURED / WORKERS COMP

Snow Removal, Too!

Dun-Rite also specializes in professional snow removal for commercial businesses. To assure the safety and accessibility of your property, Dun-Rite's professionally maintained fleet of trucks is ready and staffed 24/7. We use only Dun-Rite equipment and professionally trained drivers, never subcontractors. Call today for a FREE estimate.



A statement is faxed each time we are in your lot to assure accurate billing.

Construction Rises One Percent in September

New construction starts increased 1% in September to a seasonally adjusted annual rate of \$635.2 billion, according to McGraw-Hill Construction, a division of The McGraw-Hill Companies. Moderate growth was registered by two main sectors for the construction industry – nonresidential building and nonbuilding construction (public works and electric utilities). This slightly outweighed a further loss of momentum for residential building. Through the first nine months of 2006, total construction on an unadjusted basis came in at \$515.0 billion, up 1% from the same period a year ago.

September's data produced a 134 reading for the Dodge Index (2000=100), compared to a revised 132 for August. The 134 reading was also the average for the July-September period, and considerably below the 146 average for the first half of 2006.

"The decline for single-family housing during the spring and through the summer has lowered the overall level of total construction activity," says Robert A. Murray, vice president of economic affairs for McGraw-Hill Construction. "At the same time, other parts of the construction industry have continued to strengthen in 2006, offsetting the weaker amount of homebuilding. As a result, total construction has been able to stay slightly ahead of 2005 through the first nine months of this year."

Nonresidential building

Nonresidential building in September grew 6% to \$199.2 billion (annual rate). The manufacturing building category soared 328%, boosted by the start of a \$1.4 billion uranium enrichment plant in New Mexico, combined with the start of four major ethanol plants located in Illinois, New York, Ohio and Texas. Office construction advanced 18%, with groundbreaking for large office projects in Washington DC (\$77 million), Anchorage, Alaska (\$70 million), and Smithfield, Rhode Island (\$65 million). The educational building category grew 8%, helped by the start of an \$85 million renovation project at the Museum of American History in Washington DC, plus more broad-based strengthening for

September Construction Contracts for Cleveland Area

McGraw-Hill Construction recently reported on July contracts for future construction in the metropolitan statistical area of Cleveland, consisting of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina counties. An authority on the construction market, the firm produces Dodge Reports and Sweets Catalog Files. According to the Dodge Analytics unit of McGraw-Hill Construction, the latest month's construction activity followed this pattern:

	2006	2005	Percent Change
Nonresidential	\$59,413,000	\$72,812,000	-18
Residential	\$79,696,000	\$140,074,000	-43
Total Building	\$139,109,000	\$212,886,000	-35

For the year-to-date on a cumulative basis, the totals are:

	2006	2005	Percent Change
Nonresidential	\$795,115,000	\$939,931,000	-15
Residential	\$955,721,000	\$1,152,373,000	-17
Total Building	\$1,750,836,000	\$2,092,304,000	-16

- Nonresidential buildings include commercial, manufacturing, educational, religious, administrative, recreational, hotel, dormitory and other buildings.
- Residential buildings include one- and two-family houses and apartments.

college and public school construction. Also contributing to the September increase for nonresidential building was a 61% jump for transportation and distribution terminals.

On the negative side, hotel construction in September dropped 25% from the elevated contracting reported in August, which included the start of five major hotel projects. Warehouse construction had a weak September, sliding 27%, and store construction retreated 7% as this structure type is now settling back from the brisk activity witnessed earlier in the year. On the institutional side, slight declines were reported in September for healthcare facilities (down 1%) and churches (down 2%), while more substantial reductions were reported for public buildings (down 34%) and amusement-related projects (down 42%).

For the first nine months of 2006, nonresidential building climbed 13% compared to a year ago. The largest percentage gain was reported for hotel construction, surging 104% as the result of groundbreaking for a number of massive hotel/casino projects in Las Vegas, Atlantic City, and other locations. Office construction has seen greater expansion in 2006, with a 29% year-to-date rise.

Similar percentage growth was registered by two small institutional structure types – amusement-related projects, up 27%; and transportation terminals, up 20%.

The educational building category in the first nine months advanced 12%, while more moderate growth was reported for manufacturing buildings, up 6%; and healthcare facilities, up 5%. The increase for manufacturing buildings was relative to a lackluster 2005, while the increase for healthcare facilities was relative to a record high. Store construction in the first nine months of 2006 was essentially flat, and declines were reported for public buildings, down 4%; churches, down 5%; and warehouses, down 5%.

Residential building

Residential building slipped 2% in September to \$301.6 billion (annual rate). Reduced activity was present for both single-family housing, down 2%, and the smaller multifamily segment, down 5%. The descending trend for residential building has been steady so far in 2006, with declines reported in seven of the first nine months. The cost of financing has not been the issue, as the 30-year fixed mortgage rate eased

Plans for your project follow a process, or cycle: from design, to bid, to build phase. SE Blueprint's Plancycle.com is a secure online document management system to help you manage this process using your web browser as the only interface. Plancycle.com offers a dedicated environment and specific tools for each phase of your project.

- Secure, Easy Access, On-Line Document Management Through Plancycle
- High Resolution Document Scanning with the Latest KIP Scanning Technology
- Document Finishing Services Including Dry Mounting, Laminating, & Binding
- Blueprint Vectorization to CAD Format
- CD Creation, Duplication and Digital Data Storage

Design/Build/Document/Solution



SE Blueprint, Inc.

2350 Hamilton Ave
Cleveland, Ohio 44114
Voice: 216-241-2250
Fax: 216-241-2075
www.seblueprint.com

One Company, One Call.

Count on PSI for all of your roofing needs:

- Roof Surveys
- Roof System Evaluation and Design
- Testing and Inspection
- Consulting and Management Programs



PSI
5555 Canal Road
Cleveland, OH 44125
216/447-1335

Environmental Consulting • Geotechnical Engineering
Construction Materials Testing & Engineering • Industrial Hygiene Services
Facilities & Roof Consulting • Specialty Engineering & Testing Services

INNOVATIVE SOLUTIONS FOR SECURITY & FIRE PROTECTION

DALLIS SERVICES

440-838-4600

Serving Northeast Ohio

Commercial, Industrial, Residential
Sales, Service, Testing
Design, Installation, Maintenance
24-Hour Central Station Monitoring

Fire Protection

- Fire Extinguishers/Training
- Smoke Sensitivity
- Fire Alarm Systems
- Exit/Emergency Lighting

Security

- Intrusion Alarms
- Access Control
- Closed Circuit Television
- Digital Video Recording

99 Ken Mar Industrial Pkwy., Broadview Hts., OH 44147

Got Mold?

Mold found indoors may cause harmful effects like allergies, bronchitis and asthma. This translates into higher absenteeism, health insurance premiums, and Workers' Compensation claims.

Indoor Air Quality Specialists
in Mold Remediation and HVAC Systems Cleaning



216-281-8700
www.deltawhq.com

5215 Denison Avenue
Cleveland, OH 44102-5847

back to 6.3% by the end of September, compared to 6.5% in August.

"This year's loss of momentum for housing can be traced to the interaction of numerous factors, which include affordability constraints in overpriced markets, plus sharply reduced demand for investment and second home purchases as the pace of home price appreciation has subsided," Murray says.

For the first nine months of 2006, residential building fell 8% in dollar terms from 2005, with single-family housing down 9% while the multifamily side of the market held onto a slight 1% gain. By geography, the first nine months showed declines in four of the five major regions – the South Atlantic, down 7%; the Northeast, down 9%; the West, down 12%; and the Midwest, down 15%. The South Central stood apart from the other four regions, posting an 8% increase for residential building.

The 1% gain for U.S. total construction during the first nine months of 2006 was due to this performance by major region – the South Central, up 12%; the Northeast, up 3%; the West and Midwest, unchanged; and the South Atlantic, down 3%. **P**

Cleveland's
Steel
Headquarters

STEEL JOISTS
STRUCTURAL IRON
METAL ROOF DECK
STEEL STAIRS & RAILS
STEEL ERECTION

Columbia Building
Products

25961 ELM STREET • CLEVELAND 44138
440-235-3363
fax 440-235-3372



Insurance Lessons Learned from Disasters

It is not unusual that the first time someone reads his or her insurance policy it is after a loss has just occurred. While I agree that reading an insurance policy is a surefire way to cure insomnia, it pays to review what coverage is in place prior to a loss. During the last few years, we have seen natural disasters in the form of hurricanes and floods. From this, a number of lessons were learned the hard way. Here are a few areas to pay attention to when structuring your insurance program.

Debris removal

It's important to consider debris removal costs in establishing limits of insurance on covered property since, in the event of a total or nearly total loss, the direct damage to the property alone might exhaust the limit, leaving no excess coverage available to pay debris removal expenses. While standard property forms typically will automatically include some sub-limit for this coverage, it may not be enough to cover the entire cost for removal of debris. A separate endorsement can be added to specifically address the situation.

Pollutant cleanup

Along the same lines as debris removal, the aftermath of a fire loss, for example, can lead to problems related to pollutants that become exposed or released as a consequence of the loss. Again, standard policies will include a nominal amount for this coverage, but it would be more appropriate to consider one's actual exposure and address a coverage limit for this specifically. Some insurance carriers that provide

a "deluxe" property form will offer substantial sub-limits for this coverage at little or no additional costs.

Replacement cost

Property coverage for buildings and personal property are usually on a replacement cost basis. Essentially, this means "new for old" when settling the claim. Due to inflation as well as supply and demand issues, costs for building materials have risen significantly over the last few years. If you have not reviewed your limits to determine if coverage is sufficient, you may be in for a rude awakening after a loss. If you are subject to co-insurance, the problem can be even worse. Building material cost has increased as much as 20% over the last three and a half years. Appraisal companies and software that can be accessed

via your broker or insurance carrier can assist you in setting the appropriate amount of coverage.

"It pays to review what coverage is in place prior to a loss"

These are just a few examples of areas that can significantly alter whether or not you recover fully after a loss.

BOMA Greater Cleveland is proud to provide this space to our Associate Members so they can inform, educate and share their knowledge with property management professionals. This article was written by Jeff Phillips, senior vice president of The Hoffman Group, providers of insurance placement and risk consulting. Phillips and the Hoffman Group have been a member of BOMA Greater Cleveland since 1996.

Janice L. Parham
Executive Vice President

For more info on this article or BOMA Greater Cleveland, contact Janice Parham at 216.575.0305 or jparham@bomacleveland.org



Who's Watching Over Your Deal?

The Commercial Division of Guardian Title provides the expertise you are looking for on your important deals. We go above and beyond to solve the problems that may arise in the complex world of real estate transactions, and find smart, effective solutions. You can relax with confidence knowing your deal is in good hands, and your investment is well protected. Our network of established Underwriters provides the financial strength necessary to protect our clients.

For over forty years, Guardian Title & Guaranty Agency has performed title and escrow services for a wide spectrum of commercial and residential customers. Our strong relationships with real estate agents, lenders, brokers, investors, & attorneys are the result of professional service and commitment to excellence. Look to us for great results...

Every deal, every time!

- Commercial
- Residential
- Equity Services
- 1031 Exchanges

GREAT NEW LOCATION
20445 Emerald Parkway SW, Suite 130
Cleveland, OH 44135
2161 898-4925 / Fax 216-898-4959
www.guardiantitle.com

Who's Watching Over Your Deal?

O H G R team

**PRESENTS
JOHN ADAMS HIGH SCHOOL**



Old School Design, New School Amenities

By Nancy Loyan Schuemann | Photos by Jim Maguire

*John Adams
High School
reopens in
state-of-the-art,
modern facility*

After demolition of the old John Adams High School in 1996 and an empty lot filled with memories for nearly eight years, new construction has transformed an historical institution and the Union-Miles neighborhood surrounding it. The new John Adams High School is the first new high school to be built in the City of Cleveland in nearly 30 years and the only new high school planned for the Cleveland Municipal School District's \$1 billion facilities improvement plan. Located on the same 12-plus acre site as its predecessor, at 3817 Martin Luther King Jr. Drive in Cleveland, the new John Adams is a modern, 226,000-square-foot, state-of-the-art facility with a design that incorporates the traditional design elements of the original school.

"Our goal was to evoke feelings of the old school, not necessarily copy it,"

Chris Smith, principal with ThenDesign Architecture, Inc., says.

"We developed a wish list based on values, priorities and aspirations for the community that really drove the architectural design," Helen S. Piffard, community engagement specialist with the Cleveland Municipal School District, adds. Around 70 community meetings were held to determine the school and community's needs and desires. Alumni dating back to 1940 and residents of Union-Miles, Mount Pleasant and surrounding areas were actively involved in the design process.

"We captured the essence of the old school, its traditions, and wrapped it up



OZANNE • HAMMOND • GILBANE • REGENCY Joint Venture Construction Managers

2501 Superior Ave. • Cleveland, OH 44114 • 216.861.0905 • Fax 216.861.1649

www.ohgrteam.com

**Congratulations
John Adams High School
and
Construction Teams**



16126 St. Clair Avenue
Cleveland, Ohio 44110
phone: (216) 486-5520
fax: (216) 486-2440
web: www.new-era-builders.com
email: Joelopez@nls.net

“ A successful contracting firm must possess the critical ability to ‘see the total picture,’ taking a complex project from start to finish. Inclusive of this effort is scheduling, planning and budget. The New Era team possesses the strategic planning and execution disciplines that set us apart from the competition. We have a zeal for overcoming real-world obstacles that might delay a successful project.”

Joe Lopez
Founder & President
New Era Builders, Inc.



STEEL WHEELS A commercial kitchen features the latest in stainless culinary equipment with mobile carts.

in a new package,” Norm Bliss, president of Polytech, says.

Polytech worked on the mechanical, electrical and structural engineering. Bliss is also an alumnus of John Adams High School, whose class recently celebrated its 50th John Adams High School Reunion.

“Rebuilding our old school was the highlight, with people coming back for the reunion and seeing the new school,” Bliss says. “The success of this school will have the continuing support from alumni associations and the community itself. All aspects of the community point to success. I’m proud to be a part of the rebirth. It gives the community a jump start.”

Back to school

A wide grand staircase fans up to the school’s main entrance where sets of double doors lead into a glass, three-story atrium. Flanking the contemporary glass curtainwall entrance are two traditional pedimented, monumental facades of limestone-colored precast concrete, matching the old structure’s limestone. This same limestone effect is incorporated into the structure’s decorative horizontal banding and window trim. The new building features a red brick façade in the same shade as the original school. The building is constructed of brick and block with half of the academic wing masonry bearing with the remainder of steel frame. A cupola rests atop the built-up shingled roof.

“Over 400,000 concrete masonry units were used to build the foundation and supporting walls,” says John P. Sanuk, of Charles Svec, Inc.

The open interior of the atrium reveals the school’s three academic floors, each color coded in blue, green and red. The color-coding reflects the “small schools”



FOOD FOR THOUGHT Following the trend and necessity (the State of Ohio will not fund separate school auditoriums) of combining cafeteria and auditorium usage into one flexible space, John Adams High School has a spacious “cafetorium.”

concept of breaking down one large entity into three smaller, more intimate learning modules, in case the school system wishes to implement this new form of learning in the future.

The new school can accommodate 1,335 students. Vinyl composite tile floors incorporate these colors as well. The school’s structural flooring is unique in that precast concrete plank flooring was used, expediting work during the winter months.

Also prominent are the school’s colors of maroon and gold utilized in public spaces. The building has been designed in that the academic portion of the structure can be securely locked down when the public spaces, gymnasium and “cafetorium” are being used for public functions.

Hallways are wide with rows of combination-locked blue lockers. Floors are tiled, incorporating blue, red and green.

John Adams is the most technologically advanced school in the city. It features fiber optic wiring, a long distance learning lab and robotics lab. Each of the school’s 40 classrooms is equipped with LCD projectors and five computers. Teachers have clip-on microphones

John Adams is the most technologically advanced school in the city, with fiber optic wiring, a long distance learning lab and robotics lab, plus more.

connected to a sound enhancement system with overhead speakers to distribute sound evenly. Classrooms have high ceilings and tall windows allowing in natural light. Lighting operates using energy efficient sensors. Eighteen advanced computer, life skills, robotics

and science and chemistry labs are also high-tech, some with fume hoods and a glass screen used to separate teacher and students during sample experiments. Three art classrooms and a performing arts center with a large instrumental room, vocal room, ensemble room, four practice rooms, two dressing rooms and a scene shop add to the mix. Even the security system is tied to technology with 200 cameras and proximity card readers for entry. The HVAC system (heating is forced air) is designed to be programmed via computer as well.

An unusual safety feature is in the bathrooms where there are no doors on stalls but a shielded wall system.

A unique design element is the octagonal Media Center and computer lab, which stands as its own entity and is a shared community space. A distinctive teal, standing seam metal roof distinguishes it from the rest of the building.

exceptional educational design



Designing John Adams High School was extremely important to the Cleveland Municipal School District and the Union-Miles neighborhood residents. As the Architectural/Engineering team, CEDA is proud of its role in helping to preserve the rich history of John Adams.

For additional information, contact:

tda architecture
 ThenDesign Architecture
 4135 Erie Street
 Willoughby, Ohio 44094
 440.269.2266
 www.thendesign.com

Polytech, Inc.
 55 Public Square, Suite 510
 Cleveland, Ohio 44113
 216.694.5800
 www.polytechengineers.com

TDA is the founder of CEDA. Along with Polytech, this A/E team was brought together to assist CMSD in becoming a premiere school district in the USA.

Outside is a concrete plaza. Inside, a wood octagonal information desk with laminate counter rests on the patterned beige carpet as do rows of built-in oak bookshelves and cabinetry. Pillars add a traditional touch and the two-story windows let in natural light. A center courtyard is located off a corridor of the media center, offering a hint of nature and privacy.

The main varsity gymnasium, featuring a flat roof with exposed interior metal rafters, is 16,000 square feet and features a maple floor and a mezzanine on the south side with an area for wrestling practice and locker rooms below. A

Construction of John Adams High School has been a group effort, led by The Cleveland Education Design Alliance (CEDA) and The OHGR Team.

nearby auxiliary gym is of standard size. Retractable bleachers offer flexibility.

Following the trend and necessity (the State of Ohio will not fund separate school auditoriums) of combining cafeteria and auditorium usage into one flexible space, John Adams has a spacious "cafetorium." A unique feature is a waving wall of wood accenting the yellow walls and tile floor, mimicking the wall's curved design. Tables and chairs can be folded and stored. Theatrical lighting and technology overlooks the stage. The café features multiple "scramble-style" serving lines in order to serve more students quickly. A commercial kitchen features the latest in stainless culinary equipment with mobile carts.

Building teams

Construction of John Adams High School has been a group effort, led by a partnership of local design professionals, The Cleveland Education Design Alliance (CEDA), and a similar alliance of construction companies, called The OHGR Team. CEDA was formed



LEVELS OF LEARNING The open interior of the atrium reveals the school's three academic floors, each color coded in blue, green and red. The color-coding reflects the "small schools" concept of breaking down one large entity into three smaller, more intimate learning modules, in case the school system wishes to implement this new form of learning in the future.

by ThenDesign Architecture, Inc. and consists of ThenDesign Architecture, Inc., Polytech, Inc., and Thorson Baker and Associates. The OHGR Team consists of Ozanne Construction Company, Hammond Construction Company, Gilbane Construction Company and Regency Construction Company.

Both groups were formed five years ago when a 2001 bond issue was passed that will finance construction plans for the

Cleveland Municipal School District. The entire project, which totals over \$1 billion in construction, is broken up over nine segments or approximately 12 years.

"The magnitude of this project demanded lots of capacity," Smith says, noting that the alliances make this possible.

Funds, around \$335 million, from the bond issue along with monies from the



BALANCED BOOKS A unique design element is the octagonal Media Center and computer lab, which stands as its own entity and is a shared community space.

struction. Groundbreaking took place on the fall of 2004.

The grand opening was celebrated on August 15, 2006, with students arriving in September.

"I'm proud of the community, who ended up with a building they can call their own," Smith says. "The school district helped a lot by making decisions quickly to complete a hallmark project."

Fred Rodgers, operations manager with the OHGR Team, says the new school is a monumental step for the city.

"I'm proud that we were able to bring back something to the community," Rodgers says. "John Adams represents the past and it represents the future. We're very proud to bring the John Adams Rebels back to town." **P**

Ohio School Facilities Commission is financing the District's \$1 billion construction initiative. This co-funding has made projects like John Adams and other schools in the Cleveland system possible. John Adams' construction costs totaled \$30 million.

Other contractors include The Albert M. Higley Company. The community


has also played an integral role as well as John Adams alumni.

Coming together

In order to begin construction on the new John Adams, the site underwent five months of remediation. Demolition debris was removed and premium soil filled to prepare the property for con-

Congratulations to the
Cleveland Municipal School District

*We have been proud to serve as
General Contractors for the new
John Adams High School*



The Albert M. Higley Co.
CONSTRUCTION MANAGERS ▲ GENERAL CONTRACTORS
2926 CHESTER AVENUE, CLEVELAND, OHIO 44114 | 216-861-2050 | WWW.AMHIGLEY.COM

*Architectural & Standard
Masonry Units of
Today & the Future*

**Proud to have provided the masonry units
for JOHN ADAMS HIGH SCHOOL.
Our thanks goes out to Foti Construction
for their excellence in concrete masonry.**



216.662.5200
chassvecinc@brightdsl.net

CLEVELAND | CHAGRIN FALLS | ELYRIA | MEDINA | MENTOR | MIDDLEFIELD | WOOSTER

The Cleveland Plumbing Supply Co.

PROUD SUPPLIER OF RESIDENTIAL AND LARGE COMMERCIAL
MUNCHKIN BOILERS, WHICH USE MODULATING FIRING RATES
TO PROVIDE 92% ENERGY SAVING OPERATION EFFICIENCY.







www.clevelandplumbingsupply.com

The Official Photographer for the World Champion St. Louis Card's Stadium



M Maguire Photographics
Digital Photography Specialists

See the digital difference at www.maguirephoto.com or give us a call at 330.630.9050.

Words That Bind



ALEC J. PACELLA

Last month, we began the first of a two-part discussion on legal documents in the sale process and reviewed the Letter of Intent (LOI). This month, we move onto the LOI's big brother, that being the Sale Contract. Before we begin this discussion, I need to again insert my requisite disclaimer, which is that I am not an attorney nor am I trying to be one in this article. The best advice that I can give is to consult a good attorney prior to entering into any type of binding agreement.

A Sale Contract simply is a legal document that governs the procedure by which a property is to be sold. It can be anywhere from a single page to several hundred pages but the common components that any Sale Contract has is who, when and how much. These business

terms typically have been hashed out beforehand, either verbally or in a LOI but it is the sales contract that gives them 'teeth.' It also introduces a whole host of other items that help to define the pending sale. In no particular order, the most common items include:

Closing costs

There are numerous items associated with the sale of a property, such as title exam fees and insurance, transfer taxes, escrow fees, brokerage fees, etc. Language needs to be included that dictates how these costs are to be divided between Buyer and Seller.

Title policy

A new title policy is needed upon a new owner taking possession. However,

most Buyers want the ability to review this policy prior to accepting it, in case there are title defects present such as liens, easements, etc. Language needs to be included that dictates the timing of the title review process and what occurs in the event of title issues being present.

Representations and warranties

This section is often one of the most hotly contested areas of a Sale Contract and for good reason. It governs exactly what the Seller is disclosing with regards to the property and can include items such as pending legal action, environmental condition, condemnation, existing lease agreements and service contracts that will survive closing, among others. It can also place governance on the Buyer, namely that it has the ability and authority to enter into the Sales Contract.

Casualty and condemnation

As the TV commercial says, "Accidents happen." This section governs the steps to be taken in the event of a casualty (such as a fire or natural disaster) or condemnation (such as an eminent domain taking) occurs. If this seems like a remote possibility, consider that when Hurricane Katrina hit last year, there were over 7,500 properties that were under contract to be sold.

Default and remedies

This section defines the events that can constitute a default and details what

WARREN ROOFING & INSULATING CO.



Telephone: 440/439-4404
Fax: 440/439-7523

7015 Krick Road
Walton Hills, Ohio 44146

Commercial/Industrial Roofing and Sheet Metal

Linda K. Chittock
Residential & Commercial

(216) 287-6616

18760 Shaw Road • Hiram, Ohio 44234
fax: (440) 834-1456 • email: lcstudio1@yahoo.com

"B" SAFE LOCKSMITHS

"B" Safe Locksmiths provides fast, reliable, professional 24-hour emergency lock, key & door service at extremely competitive pricing. We stand behind our workmanship - 100% client satisfaction guaranteed. We have a fully equipped machine shop, & we service most major lock brands & associated door hardware, including brands we sell.

For quality service performed by licensed, insured & bonded professionals at the most competitive rates, call us today.

440.884.4400 • 216.373.3597

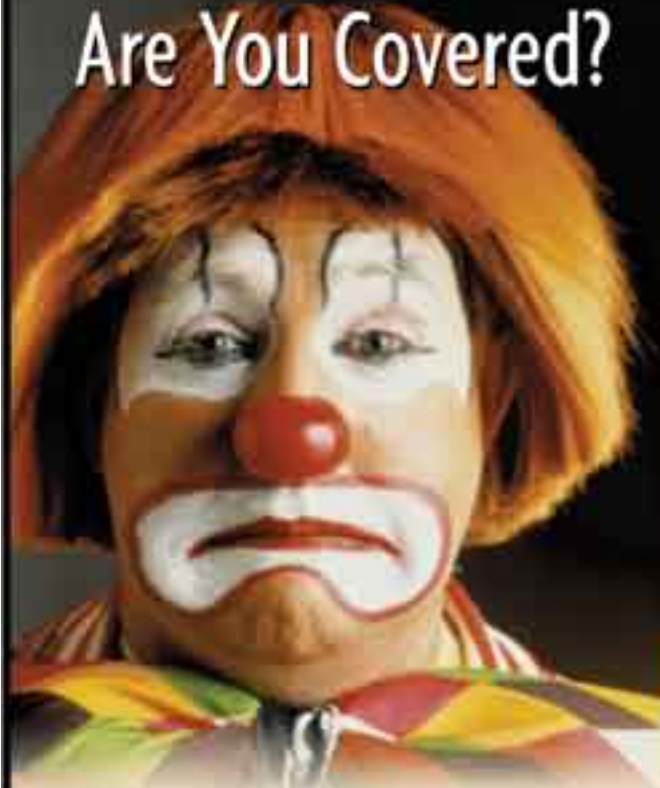
Special Offer
for *Properties* readers
when you mention this ad!

Medeco keys as low as \$4 each,
security door special.
Call today for details.

(Offer expires 60 days
after issue.)



Are You Covered?



Your association's Replacement Cost Insurance coverage = \$20 Million

A weather or other natural disaster places strain on local building supplies and labor force. Prices inflate. Your immediate Replacement Cost Now = \$27 million.

Who is going to pay the additional \$7 million?

CAU offers customized insurance protection for residential condominiums, office condominiums, cooperative apartments and homeowners associations. Our policies include coverages that are optional, or not offered with other insurance programs.

This year, compare your present association insurance coverage with the policy created exclusively for community associations by one of the world's largest providers of this specialized insurance.

Call Charles Nail today at 1-800-228-1930 ext. 7175.

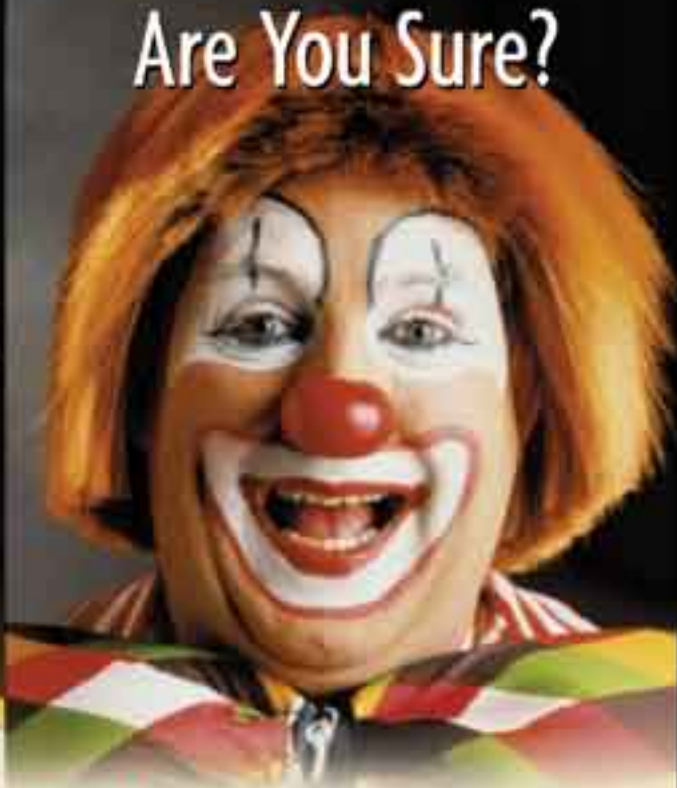
We'll send you an insurance survey to compare your present coverage with CAU. Then call us to arrange for an insurance evaluation.



Community Association Underwriters of America, Inc.

2000 Auburn Drive, Suite 200, Beachwood, OH 44122
Phone: 800-228-1930 • Fax: 216-360-9968 • Email: cnail@cauinsure.com • www.cauinsure.com

Are You Sure?



YES! CAU's True Guaranteed Replacement Cost Coverage pays to repair or replace damaged property with new property of the same quality regardless of dramatic increases in the cost of materials and labor. And there is no deduction for age or wear and tear. **CAU's True Guaranteed Replacement Cost Coverage** is a standard feature of all CAU's community association insurance policies.

happens should a default occur. The most obvious defaults are either a Buyer not buying or a Seller not selling. But there can be any number of other defaults along the way, such as a Buyer not adhering to the contract timeline or the Seller not providing specified information.

Brokerage disclaimer

This is a section near and dear to my heart, as it clearly establishes what, if any, brokerage companies are a party to the transaction. It can also define whether the Buyer or the Seller is responsible for any commission due, although this can be covered in the Closing Costs section.

Notices

There are often many parties involved in a transaction, including the principals and their respective legal counsel. The Notices section dictates who is to receive any and all correspondence specific to the Sale Contract, including address, fax and phone.

This ensures that all of the relevant parties are "in the loop."

Heard Thru the Grubvine

New Faces Downtown could see as many as four new office landlords by the end of the year, as May Company, 1717 E. 9th Street (the former East Ohio Gas building), Fifth Third Centre and 45 Lakeside/AT&T Building are all expected to transfer in the next couple months.... **Coming out on Topps?** One of the many interested parties in the Topps supermarket saga is Edens & Avant. Included among the South Carolina-based company's holdings are six local Topps-anchored shopping centers. The value of these centers will be directly affected by the ultimate fate of Topps.—AP

1031 transaction

With tax-deferred trades becoming increasingly popular, it has become commonplace to see a section included disclosing that the Buyer may be involved in a 1031 trade. This is merely a disclaimer that the Buyer may be operating under the timing guidelines set by the IRS.

Time of the essence

Similar to Reps and Warranties, a Time of the Essence section can be very hotly contested. Time of the Essence is a legal term that compels both Buyer and Seller to strictly adhere to all of

the timing guidelines set forth in the Sales Contract. Although it sounds innocuous and the Section is often only one sentence, it is not uncommon to see contract negotiations come to a grinding halt when this term is introduced.

You may have noticed that words such as "dictate," "compel" and "govern" appear throughout my definitions. This is to emphasize that a Sales Contract is a legal document that needs to be followed to the letter. All too often, Buyers and/or Sellers take these obligations way too lightly and simply use the contract as a platform for further negotiations. In doing so, they jeopardize not only the chances of a successful transaction but their reputation for future transactions as well. Perhaps the best advice I can give is the same that I offer my children; be smart, be fair, follow the rules and good things will happen. **P**

Alec J. Pacella is a vice president of investment sales at Grubb & Ellis. He can be reached at alec.pacella@grubb&ellis or 216.453.3098.

SJS LandServices

- Commercial & Residential Design/Build Landscaping
- Irrigation Systems Installation & Design
- Stone Patios & Retaining Walls
- Low Voltage Landscape Lighting
- Ponds, Waterfalls & Fountains
- Commercial Snow Removal

440-428-0988 • Fax: 440-428-0059
P.O. Box 97, Madison, Ohio 44057

Specializing in commercial carpets and all soft furnishings



We use a patented dry foam extraction system to safely and thoroughly clean carpet. Approved by all major carpet manufacturers, it makes your carpet brighter, cleaner and drier right after cleaning... and it stays that way longer!

Free Maintenance Program
If your carpet gets a spill or spot on it, we'll remove it at no additional charge. Offer good for two months after cleaning or throughout the length of your contract.



216-939-8741 | www.deltacarpetclean.com

Red Lights on Red Light District Businesses?



DAVID W. WOODBURN

Over the years, I've often pointed out key changes in the law as determined by cases before the numerous Ohio Appellate Courts and the United States Supreme Court. It is these unique cases that most often effect businesses and landowners within the state and, accordingly, need to be interpreted and understood.

That being said, occasionally a case comes along that is decided in another jurisdiction, which still has an indirect impact on Ohio property owners. In June, the Appeals Court of Massachusetts decided the case of T & D Video, Inc. v. City of Revere, and in doing so rendered a decision that could impact the way cities attempt to deal with adult entertainment-oriented businesses. The T & D Video, Inc. v. City of Revere case arose

out of a series of events where the City of Revere, Massachusetts seemingly undertook significant measures to limit the ability of adult entertainment businesses to operate within their city limits. Such actions ultimately backfired on the city.

In 1993, a shareholder from T & D Video, Inc. signed a lease as a tenant to occupy certain property within the city limits. The intent of the company was to open an adult video store. When the company went to the City to request appropriate paperwork, they were informed that in order to obtain a business certificate for a video store, they would have to complete additional paperwork from the City Solicitor's office. This additional paperwork was essentially an agreement stating that no adult videos or material would be sold.

Despite the fact that they refused to sign such an agreement, a business certificate was issued. However, two weeks later, City Council proposed an Adult Entertainment Amendment to their zoning ordinances, which placed significant restrictions on where such adult businesses could locate. In particular, the ordinance limited such businesses to locations only in general industrial districts and with significant setback restrictions and minimum lot sizes. Additionally, a special permit was also to be required for any such business.

When the corporation attempted to obtain a sign permit

for their store, they were notified by the local authorities that the store failed to comply with the newly enacted adult entertainment ordinance and that they could not operate their business. T & D Video filed an action against the City alleging that the ordinance had violated the First Amendment of the United States Constitution and the Massachusetts Constitution. In particular, T & D Video focused on the fact that the restraints set forth under the adult entertainment ordinance impermissibly restricted their ability to operate a business and engage in free speech. This argument was based primarily on the reality that the ordinance left only one site in the entire city where the contemplated business could legally operate. This site turned out to be along the highway in an area "patently unsuitable for the operation of a retail business" because it was part of a larger parcel that would have to be subdivided and such land was also environmentally contaminated by petroleum.

The court determined that since the ordinance effectively banned the business' protected speech completely, leaving no reasonable alternative avenue of communication for its content, the ordinance was unconstitutional both as an impermissible prior restraint on speech and as an impermissible time, place and manner regulation. The lower court then entered an order barring the City from enforcing the ordinance against T & D Video, Inc.

The City, of course, appealed from this decision. In affirming the decision

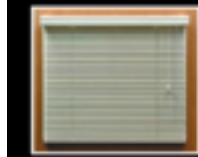
of the lower court, the Appeals Court of Massachusetts agreed with the testimony of the T & D Video, Inc. experts at the lower level. The Appellate Court concluded that the ordinance effected an impermissible prior restraint on protected speech and that, by limiting the location where the business could operate in such a drastic manner, it prevented the corporation from lawfully carrying out its communication activities. In essence, the key deciding point was that the ordinance effectively denied T & D Video, Inc. from having any legitimate place to operate the business.

Although this case only addressed one particular ordinance and set of circumstances in the City of Revere, Massachusetts, its applicability to Ohio law and local ordinances is very relevant. A close examination of local ordinances reveals that in many circumstances, adult entertainment businesses are relegated to very limited areas of the city. This in and of itself is not impermissible. A government may take steps to regulate reasonably anticipated secondary affects of the businesses' activities, such as increased traffic, reduced property values, or the impact on the character of a neighborhood.

However, where a city enacts an ordinance that effectively precludes the business from having any viable location, the ordinance will likely be deemed unconstitutional. Municipalities need to take care to avoid being "too cute" with their attempts to limit such businesses. If they fail to act properly, the lessons learned in T & D Video, Inc. v. City of Revere could easily be applied in Ohio. Similarly, governmental agencies need to be very cautious when they try to significantly limit other types of businesses through zoning restrictions, as the T & D Video, Inc. analysis could easily be applied to other business operations. **P**

The material appearing in this article is meant to provide general information only and not as a substitute for legal advice. Readers should seek the advice of their attorney or contact David Woodburn at dwoodburn@bdblaw.com or 800.686.2825.

From beds to windows, we can help you keep them covered.



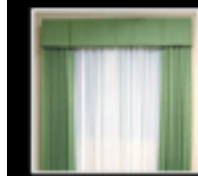
Mini Blinds: Horizontal blinds are available in 1/2", 1" or 2" slat widths.



Vertical Blinds: Vertical blinds are manufactured in our own plant in a variety of textures and finishes.



Shades: Spring roller or clutch roller shades are available with sunscreen, light reducing, or blackout fabrics.



Drapery: Window treatments are made to measure with our flame resistant fabrics in a wide array of patterns, colors and textures. These are available with a blackout lining for total privacy, or our safety lining, to reduce the sun's harmful rays. Top treatments are manufactured to fit all décor and budgets.



Bedspreads: Bedspreads and coverlet fabrics coordinate with our drapery fabrics. They are manufactured in a variety of styles and fiberfill weights.



Cubical Curtains: Cubical curtains are custom made in a wide range of fabrics and colors.

45 Aurora Industrial Parkway
Aurora, OH 44202
800-322-6555 • Fax: 330-995-9207
www.milldist.com
e-mail: salesdept@milldist.com



www.woodhillsupply.com

Woodhill Supply, Inc. is Northeast Ohio's largest stocking distributor of Peerless commercial & residential Boilers, including the **HOT SELLING Pinnacle Residential Boiler, 92% Efficient & ASME Rated.**

Call Woodhill today for more information and a list of reliable contractors.

440.269.1100 216.229.3900

4665 Beidler Rd.,
Willoughby 44094

1862 E. 123rd St.,
Cleveland 44106



Series 211A
Commercial Atmospheric Gas Boiler

- Packaged, Assembled Block or Individual Sections
- Natural Draft Venting
- 630 to 9,450 MBH Input
- Steam or Hot Water Boilers
- Natural or LP Gas

Improvement in Most Commercial Sectors



JOLYN BROWN

The latest quarterly commercial real estate forecast of the National Association of Realtors (NAR) has noted that most commercial real estate markets can expect tightening vacancy rates and rising rents, and large investors are pouring funds into commercial sectors. NAR notes that commercial real estate markets move in response to changes in fundamental demand, which remains solid as a result of sustained job creation and economic growth. Except for some weakness in the retail sector, the commercial market is benefiting from lower vacancies and higher rents.

Below is NAR's forecast for various commercial sectors.

Office market

With a slowdown in speculative construction, office market vacancy rates are expected to drop to an average of 13% in the fourth quarter from 13.6% during the same quarter of last year, and will be the lowest since 2001. Office rents are likely to rise 5.5% for all of 2006.

Net absorption of office space in 56 markets tracked, which includes the leasing of new space coming on the market as well as space in existing properties,

is projected at 74.5 million square feet this year, compared with 90.3 million in 2005.

Office building transaction volume in the first seven months of this year has risen to a record \$55.7 billion, which is 12% higher than the same period in 2005.

Industrial market

Vacancy rates in the industrial sector should decline to an average of 9.7% in the fourth quarter from 9.9% a year earlier, and will be at the lowest level in five years; rents are forecast to rise 1.5% in 2006. Although the greatest demand remains in port markets, new construction is popular in secondary markets and other areas with lower land values and fewer site remediation concerns.

Net absorption of industrial space in 54 markets tracked is expected to be 201.2 million square feet in 2006, down from 295.8 million last year.

Industrial transaction volume so far in 2006 totaled \$23.6 billion, with a record possible this year. The highest industrial market rent per square foot is in San Diego; Orange Country, California; and Los Angeles. The highest prices being

EDUCATIONAL EQUIPMENT

Serving Cleveland and Northeast Ohio Since 1936

We are specialists in:

- Operable Panel Partitions
- Accordion Doors
- Chalk/Marker Boards
- Bulletin Boards
- Trophy & Display Cases
- Signage
- Directories

SALES

INSTALLATION

SERVICE

845 Overholt Rd., P.O. Box 154, Kent, Ohio 44240 — Phone (330) 673-4881 Fax ((330) 673-4915)



AUCTION

BENJ. E. SHERMAN & SONS™

established 1922

DECEMBER 14, 2006

DEVELOPER DIRECTS PORTFOLIO SALE 4 SHOPPING CENTERS & 5-100% LEASED RETAIL PROPERTIES

NORTHEAST OHIO & TENNESSEE

Parcel 100
85% Leased
44,550 Sq. Ft.
Shopping Center



155-275 Lincolnway West
Massillon, Ohio

OPENING BID: \$3,000,000

- Gross Potential Income over \$562,000
- Quality Built in 1995
- 76% National/Regional Credit Tenants
- Major Tenants include Rent-A Center, Buffalo Wild Wings, Bob Evans, Deal\$ & Quiznos
- Well Located 50 min. to Cleveland

Parcel 104
100% Leased
14,343 Sq. Ft.
Retail Property



4750-4764 W. Tuscarawas
Canton, OH

OPENING BID: \$700,000

- Gross Income over \$ 118,000
- National Tenant: Dollar Tree
- High traffic location

Parcel 101
New Wal*Mart Shadow
28,060 Sq. Ft.
Shopping Center

1340-1370 N. Ellington Pkwy.
Lewisburg, TN

- Gross Potential Income over \$300,000
- 78% Leased in Initial Lease-Up
- Adjoining 155,000 Sq. Ft. Wal*Mart Super Center
- Quality Built in 2006
- 60% National/Regional Credit Tenants: Dollar Tree, Shoe Show and Cato Fashions
- 45 minutes to Nashville

Parcel 105
Advanced Auto Parts
Land Lease



1310 Wooster Ave.
Akron, OH

OPENING BID: \$250,000

- NOI \$48,000
- Quality Built in 1996
- Triple-Net Leased to Fortune 500 Tenant

Parcel 102
100% Leased
25,017 Sq. Ft.
Shopping Center



13501-13519 Euclid Avenue
East Cleveland, OH

OPENING BID: \$2,000,000

- Gross Income Over \$350,000
- Quality Built in 1988
- Historically High Occupancy and Tenant Retention
- Tenants include H&R Block and Just One Dollar
- Over 200,000 Population in 3-Mile Radius

Parcel 106
100% Leased
7,084 Sq. Ft.
Retail Property



1135-1137 Market Ave. NW
Canton, OH

OPENING BID: \$200,000

- Gross Income over \$71,000
- Prime High Visibility Downtown Canton Location

Parcel 103
Belden Village
23,403 Sq. Ft.
Shopping Center



4603-4631 Everhard Road NW
Canton, OH

OPENING BID: \$1,000,000

- Gross Potential Income over \$295,000
- Prime Belden Village location
- Owner/User Opportunity

Parcel 107
100% Leased
2,400 Sq. Ft.
Retail Property

1324 Wooster Ave.
Akron, OH

OPENING BID: \$100,000

- Gross Income over \$32,000
- High Traffic Location

Parcel 108
100% Leased
7,500 Sq. Ft.
Retail Property

1565 S. Hawkins Ave.
Akron, OH

OPENING BID: \$100,000

- Gross Income Over \$61,000
- Good Retail Location

- National and Regional Credit Tenants
- To be Offered Individually
- 1031 Exchange Buyers Invited
- Extensive Bidder Packages Available



AUCTION SERVICES GROUP • 888-442-8008

Kelly T. Frank, Robert Roggeveen • Ohio Brokers and Auctioneers

LUCKY SAND & GRAVEL CO.

WASHED SAND • LIMESTONE • SLAG
SCREENED TOPSOIL • ROOF & LANDSCAPING GRAVEL
STONE SLINGER PLACEMENT
SERVICE AVAILABLE

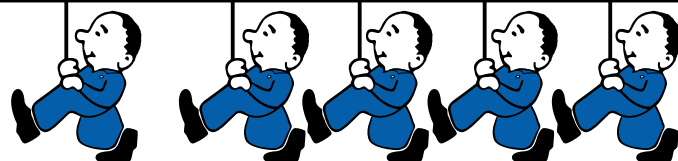
— We Deliver Anywhere —

330-562-6196

12018 FROST ROAD • MANTUA 44255
ALVIN UDELSON & BERNARD UDELSON

Night or Day We're On Our Way!

W.F. Hann & Sons



HAVSCO

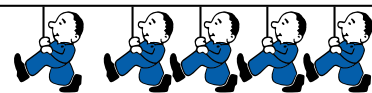
Residential & Commercial

Heating • Cooling • Plumbing

W.F. Hann & Sons/HAVSCO provides comprehensive, single source contracting for commercial HVAC services. When you need help, we're there!

• COMMERCIAL AIR CONDITIONING • HEATING • UPGRADES AND RENOVATIONS
• PLUMBING SERVICES & INSTALLATION • FULL-SERVICE MAINTENANCE AND REPLACEMENT PLANS • COMMERCIAL PROPERTIES • SCHOOLS • CHURCHES

W.F. Hann & Sons



HAVSCO

Residential & Commercial • Heating • Cooling • Plumbing

visit us online at www.wfhann.com

5108 Richmond Road • Bedford Heights, Ohio
PHONE (216) 831-4200 FAX (216) 464-2523

paid for industrial properties, outside of Manhattan, are in Northern Virginia; San Jose, California; and Las Vegas.

Retail market

Retail is the only commercial sector currently experiencing a decline in fundamentals. Higher interest rates and fluctuating oil prices are impacting consumer confidence, with some fallout in the retail market. Vacancy rates are likely to rise to 8.1% in the fourth quarter from 7.2% in the fourth quarter of 2005. Average retail rent will probably decline 1.4% this year before gaining traction in 2007. Mergers continue to impact regional malls and main streets in many areas.

Net absorption of retail space in 54 tracked markets should be 3.9 million square feet this year, down from 30.5 million in 2005.

The highest-priced retail real estate is in Manhattan and Washington, while the highest gross rents are in Riverside, California; San Jose; and Orange County, California. During the first seven months of 2006, a total of \$22.3 billion was invested in retail real estate.

Multifamily market

The apartment rental market – multifamily housing – is benefiting from weaker home sales as potential homebuyers remain in rental housing. Vacancy rates in the fourth quarter are expected to average 5.2%, down from 6.2% during the fourth quarter of 2005. Average rent is projected to increase 4.8% in 2006, compared with 2.9% last year.

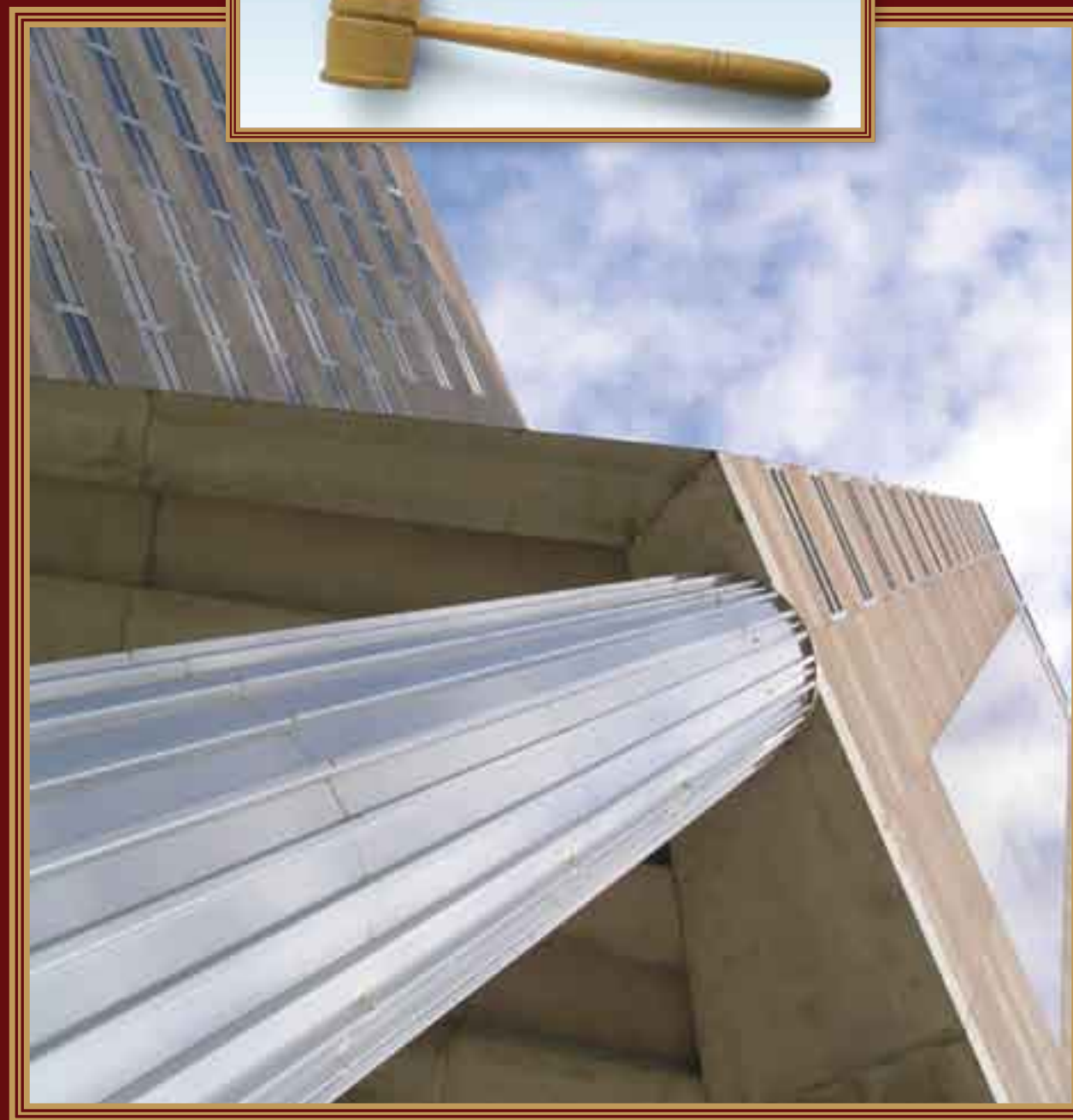
There has been a notable decline in condo conversion activity, with some properties reverting back into rentals.

The areas with the lowest apartment vacancies currently include Albuquerque; Los Angeles; Las Vegas; Orlando; Norfolk, Virginia; Northern New Jersey; San Francisco; San Jose; and Washington, all with vacancy rates of 2.5% or less.

Multifamily net absorption should be 262,800 units in 59 tracked metro areas in 2006, compared with 351,000 last year. So far this year, \$41.5 billion worth of multifamily properties changed hands. **P**

Jolyn Brown, ABR, LTG, is chairman of the board for the Cleveland Area Board of Realtors.

LAW RULES IN REAL ESTATE



HIGHLIGHTING THE LEGAL EXPERTS BEHIND REAL PROPERTY DEVELOPMENT, TRANSACTIONS & MORE

Properties
NORTHEAST OHIO'S MONTHLY REALTY, CONSTRUCTION & ARCHITECTURE MAGAZINE

Strategic Planning for Day-to-Day Decision-Making

Benesch, Friedlander, Coplan & Aronoff LLP offers real estate experience

When companies and individuals need advice in commercial real estate and environmental law, Kevin Margolis, Norman W. Gutmacher, Michael Swarengen and Jeffrey Wild are the go-to guys. They are partners in the Real Estate and Environmental Practice Group of Benesch, Friedlander, Coplan & Aronoff LLP, a firm that has been serving property owners, developers, builders, tenants and landlords for more than 60 years.

The full-service practice and its staff of 19 can handle issues requiring a lawyer with respect to real property, says Margolis, who chairs the Real Estate and Environmental Practice Group.

“Because we have depth and breadth of experience, we are able to address a wide variety of projects such as retail and residential developments, condominiums, hotels, and commercial and industrial property transactions,” he explains.

“Many of the Real Estate and Environmental Practice Group’s clients are shopping centers, developers and investors,” Swarengen says.

In these deals and others, the Groups’ lawyers bring their experience in everything from acquisitions to land assembly, to development, leasing, construction and financing. The diversity of skills within the Practice Group offers clients assistance in areas they may have failed to consider.

“Our attorneys are willing and able to get into the business aspects of a transaction and offer guidance and input and sometimes even challenge a client’s assumptions in order to make an overall deal more beneficial to the client,” Gutmacher explains.



GO-TO GUYS (Clockwise from top left) Jeffrey Wild, Norman W. Gutmacher, Kevin Margolis and Michael Swarengen are partners in Benesch, Friedlander, Coplan and Aronoff’s Real Estate and Environmental Practice Group

That can sometimes mean completely restructuring a deal from what the client was expecting in order to take advantage of tax incentives and other opportunities, Gutmacher adds.

“Often we have more experience in a certain type of transaction than our client,” Wild says, “so we are able to offer advice on structure as well as legal issues.” **P**

Benesch, Friedlander, Coplan & Aronoff LLP is a business law firm dedicated to building a deep understanding of its clients, their businesses and their industries. It develops client-focused teams to ensure first class legal service, views business issues from its clients’ perspectives, and assists in discovering the best legal services to address its clients’ needs, drawing upon the strengths of diverse, knowledgeable and experienced lawyers. Beyond real estate, the firm’s practice areas include Business Reorganization; Compensation and Benefits; Corporate and Securities; Environmental; Estate Planning and Probate; Intellectual Property; Labor and Employment; Litigation; Public Law; and Tax. Some of the industries the firm concentrates in include Banking; Healthcare; China; Polymer, Plastics & Packaging; Transportation and Logistics; and Franchising. For more information, visit www.bfca.com or call the firm’s Cleveland office at 216.363.4500.



A levelheaded approach.

A balance of rapid response and thoughtful consideration is required in today’s changing real estate market. Organizations need experienced, insightful advisors to seize opportunities, guide decision-making and respond sensibly to new and recurring challenges.

We represent stakeholders from developers and contractors to lenders, tenants and investors. Development, leasing, purchases and sales, mortgage and construction financing, construction contracting, syndications, 1031 like-kind exchanges, sale/leaseback transactions, environmental and land use issues and brownfield redevelopment are significant parts of our practice.

By drawing on our many years of real estate and environmental law experience, we will help you succeed in an industry that’s constantly changing—and requires a levelheaded approach.

For more information on our experience and services in real estate and environmental law, please contact:

Kevin D. Margolis,
Chair of Real Estate and
Environmental Practice Group
216-363-4161
kmargolis@bfca.com

BENESCH
Friedlander Coplan & Aronoff LLP
Attorneys at Law

Cleveland
2300 BP Tower | 200 Public Square | Cleveland, Ohio 44114-2378
Phone: (216) 363-4500 | Fax: (216) 363-4588

Columbus
88 East Broad Street, Suite 900 | Columbus, Ohio 43215-3506
Phone: (614) 223-9300 | Fax: (614) 223-9330

www.bfca.com

Commitment to Client Service

Buckingham, Doolittle & Burroughs' Real Estate & Construction Law Practice Group represents clients regionally, nationally and internationally

Since 1913, Buckingham, Doolittle & Burroughs, LLP has served its clients by providing excellent and effective legal services, according to Practice Group Leader John Slagter. It is this commitment to client service and excellence that has provided a solid foundation for what the firm is today, he says, adding that with over 170 lawyers in six offices, Buckingham, Doolittle & Burroughs is recognized as a high quality regional law firm in both Ohio and South Florida.

"It is this same commitment to client service and excellence that has supported the growth and success of our Real Estate and Construction Law Practice Group," Slagter says.

Buckingham's Real Estate & Construction Law Practice Group has over 30 lawyers that represent regional, national and international clients in every facet of the real estate and construction industry. Its experience comes from the firm's commitment to this industry.

Many of its attorneys serve as leaders to several of the industry's trade associations and organizations.

Its attorneys are also often called upon to author publications, make presentations and teach others about the intricacies of construction and real estate related matters at local, state and national seminars and at colleges and universities.

The firm's attorneys distinguish themselves in a variety of ways. Many of them were named as Ohio and Florida Super Lawyers® and Best Lawyers in America®.

Henry Reder, Cleveland, was elected president of the American Institute of Architects Ohio, while he and Donald Leach, Columbus, were recognized as two of the leading construction attorneys in the State of Ohio by Chambers USA: America's Leading Lawyers for Business 2006.

Brent Rosenthal, Columbus, who is certified as a specialist by the Ohio



FAMILIAR FACES Buckingham, Doolittle & Burroughs attorneys are often called upon to author publications to educate others about the intricacies of construction and real estate related matters. (From left) John Slagter and David Woodburn, for instance, are contributing writers for *Properties*.

State Bar Association in the areas of Business, Commercial and Industrial Real Property Law, served as the chair of the Columbus Bar Association Real Property Law Committee, and Robert Hager, Cleveland, has served as chair-

Buckingham, Doolittle & Burroughs, LLP has provided "effective legal services" for nearly a century.

man of the Ohio State Bar Association Construction Law Committee.

Practice Group Leader, John Slagter, Cleveland, was honored as Associate

Supplier of the Year by the Home Builders Association of Portage and Summit Counties for his volunteer work assisting the association with drafting their form contracts.

President and CEO of the firm, Nick George, Akron, is a past recipient of the University of Akron Alumni Honor Award.

"If you are looking for a solid law firm that is dedicated to excellent client service, call Buckingham, Doolittle & Burroughs and an attorney can help lay the foundation for your next real estate or construction project," Slagter says. **P**

B Experience. Service. Excellence.™

Clients in the real estate and construction industry demand the highest level of service from experienced and knowledgeable professionals. **Buckingham, Doolittle & Burroughs** can help guide you through the legal complexities of real estate transactions and construction projects.

Experience.

- Founded in 1913, providing excellent client service for over 90 years.
- Over 170 lawyers, including 30 who are dedicated to the real estate and construction industry.
- Professional staff includes a registered architect and a professional civil engineer.

Service.

- We put our clients first and become part of your team.
- We recognize that timely communication is critical to the success of your project.
- We offer comprehensive services from **AIA** documents to **Zoning**.

Excellence.

Many of our lawyers have received the following distinctions:

- "Best Lawyers in America" as voted by their peers in construction and real estate law.
- AV rating by Martindale-Hubbell, which indicates very high to pre-eminent legal ability and very high ethical standards.
- Florida and Ohio Super Lawyers and Rising Stars in Construction and Real Estate Law.



www.bdblaw.com • www.buildonthis.com
800.686.2825

Akron • Boca Raton • Canton • Cleveland • Columbus • West Palm Beach



Buckingham Akron
Top Row L - R: Jim Fisher, David Woodburn, Ed Buehrle
Bottom Row L - R: Duane Morris, Fred Lombardi, Nick George



Buckingham Boca Raton
Top Row L - R: Jeff Weinstock and Scott Topolski
Seated: Michael Mopsick and Rana Gorzeck



Buckingham Canton
L - R: John Ross, John Van Abel and Rick Lolli



Buckingham Cleveland
Top Row L - R: Mike Cosgrove, Henry Reder, David Lindner, Mark Craig, Anthony Vacanti
Bottom Row L - R: David Drechsler, John Slagter, Bob Hager and Alan DiGiolamo



Buckingham Columbus
L - R: Susan Sheridan, Don Leach, Brent Rosenthal, Jodi Diewald and Mike Passella

Communication Not Litigation

Kaman & Cusimano educates and assists condo and homeowner associations

Condominium and homeowner associations face issues involving many areas of law including real estate, fair housing and civil rights, corporate, employment, collections, contracts, bankruptcy and construction litigation.

"Since I started this practice, I have seen so many changes in the law, making it increasingly difficult for volunteer board members to avoid missteps, unless they have the necessary support," Partner David W. Kaman says.

As a result, the attorneys at Kaman & Cusimano, based at 2000 Terminal Tower, join together as a team to promote a philosophy of "communication, not litigation" within the associations they represent.

Educating and assisting board members is a major part of Kaman & Cusimano's practice. Board members are always changing and need to be informed. The firm provides a 52-page "Guide for Board Members of Community Associations" to every new director. Kaman & Cusimano also offers three educational seminars per year; each one presented several times in different locations. Additionally, the firm publishes a newsletter entitled *The Kaman Report*, with each of the attorney's authoring articles to explain the very latest in legal issues affecting community associations. And, because the firm strongly believes in communicating to prevent problems, the attorneys offer free telephone consultations with board members and property managers.

"We don't just represent clients, we represent communities," adds Partner Joseph "Jay" Cusimano.

Each of the four partners and five associates works closely with boards to help them interpret, understand and, if necessary, amend the provisions of the governing documents. The attorneys frequently attend association meetings to provide assistance, make presentations, moderate and ensure compliance with the corporate election procedures.

"We work together on projects," Cusimano says. "The importance we

place on teamwork separates us from other lawyers. Every attorney in our firm has input."

With over 100 years of combined legal experience, the attorneys focus on different areas of law to better serve community associations' legal needs throughout Ohio.

Partner and Founder David W. Kaman is the first attorney from Ohio inducted into the National College of Community Association Lawyers. For seven years, he lived in a condominium and served as board president for a 160-unit owners' association, providing him with the advantage of having perspective as an owner, board member and practitioner. A graduate of Cleveland Marshall College of Law, he has focused his entire career representing community associa-

*"We don't serve clients,
we serve communities"*

*Joseph "Jay" Cusimano
Partner, Kaman & Cusimano*

tions and prides himself in bringing together a team of attorneys and staff dedicated to this purpose.

"At the end of the day, I feel good about the fact that this firm has helped people," Kaman says. "Every one of our attorneys is interested in making a difference."

Partner Jay Cusimano, a cum laude graduate of Case Western Reserve University School of Law, has a distinctive personable style and effective communication skills that are in high demand with associations facing conflicts that put their sense of community at risk. In 2006, he became the second Ohio attorney inducted into the National College of Community Association Lawyers.

"We get communities to operate as a neighborhood," Cusimano says. "In communities that work, you can agree to disagree. We want what's best for that community."

Cusimano's skills are currently challenged helping communities deal with issues such as a fire in a Rocky River condominium where two residents were killed and flooding in Lake County where the homes may not be re-built.

Named as partners in 2006, Robert "Bob" Kmiecik and Darcy Good add their talents to the team. Kmiecik currently lives in a homeowners association and has practiced as a litigator since his graduation from Cleveland Marshall College of Law. He served as an assistant prosecutor and assistant director of law for the City of Cleveland for four years and later handled complex civil litigation, providing him with a background he now uses to assist associations with successful enforcement of covenant restrictions. Kmiecik also takes pride in helping associations remedy construction defect issues and resolve other disputes with developers.

Good extends her personal experience from six years as a condominium owner and board secretary to her legal practice dealing with association operations and collections. She is a graduate of The University of Notre Dame and CWRU School of Law and has been with the firm since becoming an attorney. Good oversees the firm's collections department, which successfully collects payment in full in over 95% of the accounts it handles. She also helps boards draft rule booklets and amend governing documents to enable smoother operations.

The attorneys, paralegals and staff of Kaman and Cusimano all value their relationships with board members, many dating back to the origination of the firm, noting that, "Community association board members are not paid, not because they are worthless, but because they are priceless."

This level of respect resonates with the community associations, many of whom learn of the firm through word-of-mouth from other clients that have benefited from Kaman & Cusimano's successful team approach. **P**

COMMUNITY ASSOCIATIONS RELY ON

KAMAN & CUSIMANO

THE TEAM OF ATTORNEYS WITH OVER
100 YEARS COMBINED EXPERIENCE



ROBERT E. KMIECIK • JOSEPH J. CUSIMANO • DAVID W. KAMAN • DARCY MEHLING GOOD

PARTNERS

KAMAN & CUSIMANO

2000 TERMINAL TOWER, 50 PUBLIC SQUARE, CLEVELAND, OH 44113

(216) 696-0650

TOLL FREE: (888) 800-1042

FAX: (216) 771-8478

WWW.OHIOCONDOLAW.COM

WWW.OHIOHOALAW.COM

Recent Transactions

Representation of major local developer with the reorganization of its capital structure, including approximately 50 retail properties valued in excess of \$220 million

Representation of fast food franchise operator in leasing and purchase of 30 properties throughout Ohio and Florida

Representation of international developer in the acquisition and development of a mixed-use project of nearly 1,000 acres in Northern Ohio, including acquisition, and tax increment financing

Representation of a developer and investor in commercial office buildings in Northeast Ohio, including acquisition and financing of over 300,000 square feet in Downtown Cleveland

Representation of local hotel developer/operator in the acquisition and financing of several hotel properties in the eastern U.S., in excess of \$60 million

Negotiating and drafting anchor "big box," in-line and outparcel leases on behalf of landlords and tenants in shopping centers throughout the U.S.

Representation of local developer in site acquisition, leasing, construction and financing of multiple store locations for a major national drug store chain

Representation of multi-family developer regarding a new condominium development in Lorain County, including entity formation, preparation of condominium documents, and financing

Representation of developer/investor regarding the sale of multi-family residential portfolio in excess of \$60 million

Representation of local developer/property manager in the refinancing of various multi-family residential properties

Representation of local developer in sale of historic tax credits

Negotiating and drafting the lease for a major Cleveland law firm's new headquarters

Representation of local developer in the sale of a former manufacturing facility to one of the world's foremost pharmaceutical companies

Service & Solutions

Kohrman Jackson & Krantz focuses on delivering creative, innovative legal strategies

Kohrman Jackson & Krantz is a Cleveland-based law firm representing individuals and companies throughout Northeast Ohio and the United States. Founded in 1969, Kohrman Jackson & Krantz is dedicated to providing its clients with the resources and knowledge needed to solve their legal issues, and has the expertise to handle the most sophisticated business transactions and complex litigation.

At Kohrman Jackson & Krantz, the focus is on delivering results to its clients. Part of the company's philosophy is that its attorneys never lose sight that they represent clients with their own objectives and ambitions, and make the extra effort to understand their businesses and the issues that affect them on a daily basis. This focus enables Kohrman Jackson & Krantz to deliver creative and innovative legal strategies to help its clients achieve their goals.

Kohrman Jackson & Krantz is engaged in a comprehensive real estate practice representing a wide array of clients. Its attorneys counsel buyers and sellers, landlords and tenants, and borrowers and lenders in all categories of real estate transactions, as well as builders and developers of all kinds, including residential, retail, commercial and hospitality.

The firm is involved in every phase of the process, from land acquisitions through construction financing, lease-up and permanent financing. Following project completion, it assists in the leasing and management of properties, from negotiating the leases to dealing with problem tenants. The firm also assists in refinancing and negotiates workouts on behalf of borrowers and lenders.

The firm's real estate practice group is led by partner Mark B. Schildhouse, with over 25 years of experience advising and representing developers, investors, landlords, contractors and individuals with their development, transactional, financing and leasing matters.

Of counsel, Stephen D. Richman, with over 20 years of experience representing commercial developers and owners, provides significant experience in industrial and commercial real estate and the unique leasing issues associated with such properties.

Associate Gary L. Jones, with over nine years of experience in transactional and leasing practice, brings a wealth of experience in documenting and closing deals, with a particular emphasis on corporate, title and financing issues.

Associate Connie S. Carr brings over 15 years of experience, with an emphasis in transactions, private and public financing and entity and deal structuring.

Of counsel, Stephen C. Weingrad, with over 30 years experience representing commercial developers, investors, landlords and lenders, brings a unique and extensive experience in HUD-assisted multi-family housing, and FHA-approved lending. **P**

Kohrman Jackson & Krantz is involved in every phase of real estate, from land acquisitions through construction financing.

It's About Results.



STEPHEN C. WEINGRAD, OF COUNSEL • MARK B. SCHILDHOUSE, PARTNER • CONNIE S. CARR, ASSOCIATE • STEPHEN D. RICHMAN, OF COUNSEL

ONE CLEVELAND CENTER, 20TH FLOOR
1375 EAST NINTH STREET
CLEVELAND, OH 44114-1793
WWW.KJK.COM
V 216.696.8700
F 216.621.6536
888.696.8700

**Kohrman
Jackson &
Krantz**^{PLL}
ATTORNEYS AT LAW

Comprehensive Legal Representation

Roetzel & Andress incorporates an integrated approach

Serving both established and emerging businesses, Roetzel & Andress attorneys offer legal counsel throughout the region in real estate, finance, land use and construction law services, including commercial leasing, eminent domain and real estate finance. Additionally, the firm counsels entities regarding real estate development, assets and transactions in cases where these matters affect the overall operations of the company but may not be the company's primary business.

Real estate is often an integral component of other commercial and financial transactions.

The firm's real estate, finance, land use and construction team regularly draws upon the capabilities of its colleagues in the Environmental, Public Law and Finance, Business Services, Tax, and Intellectual Property practice groups.

Adopting this integrated approach enables Roetzel & Andress to offer clients in-depth understanding and insight into peripheral matters affecting their real estate transactions.

The firm advises clients of alternative strategies for expanding, renovating or disposing of existing real estate holdings.

Its local, regional and national clients include public and private companies; hospitals; real estate investment trusts (REITs); financial institutions; investment funds; architects, engineers, and contractors; landlords and tenants; developers (shopping center, mixed use, housing, office, industrial, residential, community, and multi-family); retailers; homeowner cooperative and condominium associations; buyers and sellers; brokers; public sector and governmental entities; and utility companies.

Many of the firm's attorneys are nationally recognized as "Best Lawyers in America" in real estate law and are active leaders in local industry and related civic associations.

Several of its attorneys offer unique insight into the complexities of real



LEADING LAWYERS Brian Moore (left) and Michael Haas, co-practice managers of the Roetzel & Andress Real Estate Group, lead an experienced team of 21 attorneys throughout Ohio and Washington, D.C., who offer counsel in all aspects of real estate law.

The firm's real estate, finance, land use and construction team regularly draws upon the capabilities of its colleagues in the Environmental, Public Law and Finance, Business Services, Tax, and Intellectual Property practice groups.

estate law, having experience as law directors, city attorneys and assistant county attorneys representing develop-

ers and local governments on growth management issues.

Roetzel & Andress attorneys act as advocates for their clients before state

and federal courts and represent their interests before administrative agencies and city governments.

Beyond providing comprehensive legal counsel, the firm's attorneys recognize the importance of partnering with their clients to develop an understanding of their business operations, strategies and objectives.

This approach allows its attorneys to serve not only as legal counsel but also as trusted business advisors, highly valued by their clients.

This approach of "partnering for success" differentiates Roetzel & Andress and serves as its mission. **P**



In real estate, it's all about choosing the right location. And choosing legal representation is just as important.

With offices in ten cities, including five right here in Ohio, Roetzel & Andress is positioned to provide full service legal representation in real estate and over 40 other practice areas. No matter where you are located, our goal is to represent our clients as trusted advisors and partners.

For additional information, please contact Real Estate co-chairs:

Brian J. Moore bmoore@ralaw.com 330.849.6616

Michael J. Haas mhaas@ralaw.com 216.615.4837

www.ralaw.com



PARTNERING FOR SUCCESS

Passing on Paperwork

Herbruck Alder focuses on simplifying insurance application process

Providing medical insurance coverage continues to be a challenge for many small business owners. Premiums fluctuate greatly from year to year and from carrier to carrier. To say the least, the market is volatile.

To receive a quote is not difficult. To receive a firm quote is another matter.

To receive a firm quote, employers with 50 or fewer employees must fill out more paperwork than large group employers. Though insurance companies will provide quotes offering an approximation of what might be available, these rates often change when the insurance company receives detail on the health conditions within the group. Firm offers from the carriers require each employee to provide health information on behalf of themselves and their family members. Further complicating the process, carriers

require each employee to complete its specific application.

Herbruck Alder manages benefit plans for more than 350 "small group" clients.

"It is a market that we are committed to and proud to serve," says Herbruck Alder President Mark Alder. "We know first hand the challenges and frustrations our clients face each year when applying for medical insurance."

To help alleviate this frustration, Herbruck Alder spent nearly three years developing a confidential online tool that streamlines the medical insurance application process. The new service, FormFire, is designed to efficiently collect the data all insurance companies require.

With FormFire, employees login at a secure website and fill out one questionnaire. FormFire then maps the

information to each carrier's specific application. With this complete information, the carrier can issue a firm quote upfront. When the next renewal approaches, employees simply update their data online – no need to re-enter all new information.

"By using FormFire, we are producing more firm quotes upfront, which saves employers time and money," Alder says. "We then spend time more productively by discussing strategy for lowering costs through creative plan design, funding options and health and productivity programs."

"Herbruck Alder strives to provide innovative solutions for our clients. FormFire is just another way to alleviate some of the stress associated with the annual medical insurance renewal." **P**



See the waterfall down the left channel?

When it comes to employee benefits nobody knows how to navigate rough waters better than Herbruck Alder. We can help you find the best course, avoiding the obstacles and recognizing opportunities. Take advantage of the experience of a totally focused, very creative Herbruck Alder employee benefits expert. Call **Alison Muth** today at 216-623-2600 to discover how Herbruck Alder can help your company.

HERBRUCK **A** ALDER
COMMITTED • CREATIVE
www.herbruckalder.com

Your company has become a leader in the industry by making smart decisions.

Continue the trend.

If you're looking to make a decision on your company's commercial security provider, think Gillmore - the smart choice for integrated security solutions to safeguard your employees, tenants, assets and property.

- Access Control
- Digital Video Systems
- Intrusion Detection
- Environmental Monitoring
- Fire Systems
- Emergency Systems

Call us today for a comprehensive consultation at (440) 232-1000 or toll-free at 1-800-899-8995. Or if you prefer, email us at commercial@gillmoresecurity.com.

We look forward to protecting your business!

be|certain. GILLMORE SECURITY

www.gillmoresecurity.com | 3155 Broadway Ave. | Cleveland, OH 44115

The ABCs of Ohio Mechanics Lien Law

By Stuart Larsen and Bob Valerian

When someone improves property and is not paid for the work or materials provided, Ohio law grants that creditor a lien upon the improved property in the amount of the unpaid billing. That is the simple concept behind Ohio's Mechanics Lien Statute, Chapter 1311, Ohio Revised Code. However, as the saying goes, "the devil is in the details," and the details of the simple concept of the mechanics lien can be daunting. Most professionals in the real estate industry require at least some degree of familiarity with the mechanics lien law. Owners need to know how to avoid mechanics liens on their property and how to eliminate liens once they are filed. Conversely, parties who have provided improvements to real property must understand the requirement for filing a lien in order to maximize their chances of getting paid.

This article outlines the general operation of the statute, and provides a framework for analyzing particular situations which commonly arise on real estate projects. The first part of the article focuses on parties who have provided improvements and want to obtain a valid lien and owners who want to know the "impact" of a mechanics lien. Part two is more relevant to property owners who want to know how to avoid a lien being placed against their property, or how to get rid of one which does get recorded.

Part One: How can a contractor obtain a mechanics lien for work or materials it provided?

What is a "mechanics lien"? Ohio law provides contractors, laborers and materialmen with mechanics lien claims to secure priority in payment for the value of work performed and materials furnished in constructing, improving, or repairing a building or other structure. A mechanics lien attaches to the land as well as buildings and improvements to the land.

Who is entitled to file a mechanics lien?

Ohio Revised Code §1311.02 provides a mechanics lien to contractors, laborers or materialmen who do work in furtherance of a contract to improve real estate entered into with the property owner, a lessee or a general contractor. Specifically, the statute provides: "[e]very person who performs work or labor upon or furnishes material in furtherance of

any improvement undertaken by virtue of a contract... and every person who as a subcontractor, laborer, or materialman, performs any labor or work or furnishes any material to an original contractor... has a lien to secure the payment therefore upon the improvement and all interests... in the land... to which the improvement was made or removed." In addition, mechanics liens can be obtained by architects, engineers, and demolition companies.

How does a claimant perfect its mechanics lien?

In order to perfect a mechanics lien, the lien claimant must prepare and timely file an affidavit with the county recorder in the county where the property is located. The affidavit must state the following:

- the amount due over and above all legal setoffs,
- a description of the property to be charged with the lien,
- the name and address of the person to or for whom the labor or work was performed or material was furnished,
- the name of the owner, part owner, or lessee, if known,
- the name and address of the lien claimant, and
- the first and last dates that the lien claimant performed any labor or furnished any material to the property.

Blank form affidavits are generally available in many form books. In fact, the statute itself provides the form of affidavit.

When must the affidavit of mechanics lien be filed?

In order to be effective, mechanics lien claimants must comply with the time limits set by Ohio law. Claimants must record their mechanics lien affidavits within the following time parameters:

- within 60 days of the date the claimant last performed work for a one or two-family dwelling or a residential unit of condominium property (As to separate dwelling units on contiguous lots, if construction is complete on a particular lot and the lot has already been conveyed to a purchaser for value, mechanics lien rights expire on the earlier of 60 days after the last performance date or after the deed is recorded);
- within 120 days of the date the claimant last performed work for oil and gas liens; and
- within 75 days of the date the claimant last performed work for any other liens. This would include work on any commercial property.

How must the mechanics lien be served on the owner?

The lien claimant must send a copy of the affidavit to the property owner within 30 days of its recording. The contractor may serve the mechanics lien by certified or registered mail, over-

GEM ELECTRIC, INC.

LICENSED ELECTRICAL CONTRACTOR

INDUSTRIAL • COMMERCIAL
Electrical Service • Construction
BONDED & INSURED

Over 25 Years Experience

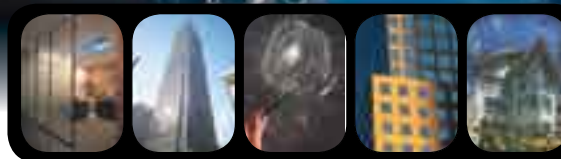
FREE ESTIMATES

216•486•6688

INDUSTRIAL & COMMERCIAL SPECIALIST

- ◆ New Construction
- ◆ Motor Control Work
- ◆ Lighting Design
- ◆ Telephone Wiring
- ◆ Circuit Breakers
- ◆ Industrial Machines
- ◆ Computer Wiring
- ◆ Security Lighting
- ◆ Panel Upgrades
- ◆ Plant Relocations

Is Your Building Protected?



Providing security, sun control & decorative glass coating solutions in the commercial & residential marketplace for over 19 years. For a free estimate, call 216.738.7070 or toll free 800.295.TINT



3M
Authorized Window Film Dealer
Prestige Dealer Network

5005 Rockside Road, Suite 600 • Cleveland, Ohio 44131 • www.sunrayfilms.com

night delivery, hand delivery, or any other method which includes a written receipt.

Service on the owner is complete upon receipt.

Certified mail service is complete upon mailing. If the contractor is unable to perfect service on the owner by mailing or hand delivery, the subcontractor must post the notice on the job site within 10 days after the 30 day period expires.

How long does a mechanics lien remain in effect?

Absent any action by the property owner to clear title to the property or a court determination as to the merits of the claim, mechanics liens continue in force for 6 years after they are filed with the County Recorder.

What priority in payment do mechanics liens have with regard to other liens on the real property?

Generally, mechanics liens are junior in priority to previously filed bank liens. Mechanics liens generally take priority based on the date of their filing just as any other liens on real estate, i.e., first in time is first in right. However, liens of subcontractors take precedence over prior liens by their general contractors. If several mechanics liens are filed on a property, upon foreclosure, all liens of a same class have the same priority, regardless of date filed.

What is a notice of commencement? Why is it important that property owners understand this concept?

The filing of a notice of commencement protects an owner from "hidden liens" – liens filed by subcontractors which the owner may be unaware are working on the project. If the owner records a notice of commencement, subcontractors on the job must provide the owner with a "notice of furnishing" form to advise the owner that they are furnishing materials or performing work on the property. In this way, the owner can insure that the contractor is paying all subs on the job.

On commercial construction jobs, as well as in connection with "home pur-

chase contracts," the mechanics lien statute requires that a project owner:

- file a "notice of commencement" with the county recorder,
- post the notice at the job site, and
- serve it on any general contractors for the job.

Prior to the performance of any work or the furnishing of any materials for an improvement on the property, the owner that contracts for the labor or materials must record a notice of commencement with the county recorder for each county in which the property is located. Significantly, the notice of commencement requirement does not apply to any improvement made pursuant to "home construction contracts" as defined in section 1311.01.1 of the Revised Code. Notably, however, this "home construction contract" exception does not include new construction, i.e., "home purchase contracts." The statute distinguishes between a contract for home improvements and a contract to purchase a home. The owner's notice of commencement must contain all of the following information:

- a legal description of the real property,
- a brief description of the improvement,
- the name, address, and capacity of the owner,
- the name and address of the owner's designee, if any,
- the name and address of all original contractors,
- the date the owner, part owner, or lessee first executed a contract with an original contractor,
- the name and address of all lending institutions which provide financing for the improvements,
- the name and address of all sureties on any bond,
- the name and address of the person preparing the notice, and
- An affidavit of the owner which verifies the notice.

The notice of commencement must also contain a statutory warning to lien claimants and subsequent purchasers.

Owners are liable to lien claimants for the loss of lien rights resulting from incorrect information contained in a notice of commencement. If the owner has provided incorrect information, the

lien claimant may file an amended lien with correct information.

What additional steps must the owner take after filing the notice of commencement with the county recorder? The owner must also: (1) post the notice of commencement at the job site, and (2) serve it on any general contractors for the owner. The owner must serve the



www.woodhillsupply.com

We Custom Fabricate Cast Iron Radiators!



Woodhill Supply is your One Stop source for:

- Pipes, Valves & Fittings
- Water Heaters
- Complete Line of HVAC Equipment & Parts
- Tools – Ridgid, Milwaukee and More
- Full Range of Plumbing Fixtures & Parts
- Kitchen Cabinets
- Countertops

440.269.1100

4665 Beidler Rd., Willoughby 44094

216.229.3900

1862 E. 123rd St., Cleveland 44106

notice by certified mail, registered mail, overnight delivery service, hand delivery, or any other method which includes written evidence of receipt. The owner may also have the county sheriff serve the notice.

The owner need only record one notice of commencement per improvement. Subsequent notices of commencement

are deemed to be "amendments to the original notice." However, if the owner contracts with additional contractors, lenders or sureties not named in the original notice of commencement, the owner must amend the original notice of commencement to list them. The date of the filing of the amendment is deemed

to be the filing date of the original notice of commencement.

Others, such as general contractor or mortgagees, may record and serve a notice of commencement if the owner fails to file it. The owner must pay them the expense for the preparation and recording of the notice.

Does the owner or general contractor have a duty to provide copies of the notice of commencement to subcontractors?

An owner, as well as any general contractor who receives a copy of the notice of commencement from the owner, must provide copies of the notice of commencement to contractors. Generally, the owner or the general contractor, as the case may be, has 10 days to provide a copy of the notice of commencement to one making a written request for it.

Owners may be penalized if they fail to record or post a notice of commencement, or if they fail to serve the notice of commencement on a subcontractor that has requested a copy. The owner may be required to pay the cost of obtaining the information which should have been included in a notice of commencement.

What must a subcontractor do to protect its lien rights if the owner records a notice of commencement?

If an owner properly records a notice of commencement, subcontractors must timely serve a notice of furnishing on the owner or its agent within 21 days after first performing labor or furnishing materials in order to protect their lien rights. Otherwise, they may lose their lien rights. Notably, although this requirement applies to "home purchase contracts," it does not apply to contracts for home improvements.

Is there any required form for a notice of furnishing?

The subcontractor's notice of furnishing must be in substantially the same form as set forth in R.C. §1311.06(C). The notice of furnishing must provide:

- the contractor's name and address,
- the owner's name and address,

- the date that labor or materials were first provided,
- the last date that labor or materials were provided,
- the amount due and owing above all legal setoffs, and
- a description of the property.

Generally, the contractor need not serve an amended notice of furnishing once an original notice of furnishing is filed based on information contained in the notice of commencement. A single affidavit may be used for multiple laborers if it itemizes each laborer's claim.

How does Ohio law limit a contractor's lien rights if it does not timely serve a notice of furnishing?

A timely served notice of furnishing preserves a lien for any amounts owing from the beginning of the contractor's performance. However, if the subcontractor serves its notice of furnishing late, i.e., more than 21 days after its first work or its first materials were provided, the contractor's lien may only include the amounts owing for past work or materials furnished within 21 days before service of the notice. An untimely notice of furnishing has no effect on lien rights for work performed or materials provided after the filing and service of the notice of furnishing.

How must the subcontractor serve the notice of furnishing on the owner?

The subcontractor must serve a notice of furnishing on the owner by certified mail, registered mail, overnight delivery service, hand delivery, or any other method which includes evidence of receipt. If the contractor serves the notice by certified mail, it is deemed complete on the date of mailing. When the contractor attempts service on the owner at the address set forth in owner's notice of commencement and it is later returned as unclaimed or refused, service is deemed complete when first attempted.

Are there any exceptions to the requirement that subcontractors provide a notice of furnishing? The requirement does not apply to original contractors or

CUI



"Tops in Building Services Since 1984"

CUI will change your mind about how service firms operate. We serve as a consistent, reliable partner to our clients 24 hours, 365 days a year!

Your one source for:

- Complete Janitorial Services
- Landscaping

440.439.5455 | Fax 440.439.5110 | www.CUIServices.com
26285 Broadway Road, Bldg B, Oakwood Village, OH 44146

UNIQUE REQUEST?

The Geist Company specializes in architecturally distinctive sheet metal roofs, siding, fascias, and cornices. Yes, we're great for the basics, but you'll be impressed by what we can do with your custom projects.

Have a challenge for us in copper, galvanized steel, aluminum, stainless steel, or composites? Give us a call at 216.771.2200 and let us show you how we can take your project to new heights while keeping your bottom line planted on the ground.



1615 Merwin Ave. • Cleveland, Ohio 44113
216.771.2200
216.771.7112 FAX
www.geistco.com
info@geistco.com

THE SKY'S THE LIMIT.



Real Growth is Never a Solo Act



Vorys' attorneys regularly team with developers, lenders, contractors, investors and public agencies in the full range of real estate development matters. Vorys has the experience and knowledge to bring value to your business.

- Named a Cross Practice Powerhouse Law Firm by Fortune 1000 companies in the 2006 BTI Consulting Survey - one of only 25 law firms that have earned this national distinction.
- Named in the top tier of "Leading Firms" for Real Estate by Chambers & Partners.
- Named a Go-To Law Firm™ by Fortune 500 general counsel surveyed by Corporate Counsel.
- Trusted counsel to more than half of the Ohio-based Fortune 500 companies.

Call us today to find out how Vorys can partner with you to develop your legal solutions.

1375 East Ninth Street
2100 One Cleveland Center
Cleveland, OH 44114
216.479.6100
www.vssp.com

Cleveland, OH
Akron, OH
Cincinnati, OH
Columbus, OH
Alexandria, VA
Washington, DC



materialmen who have a contract with the owner. Nor does it apply to laborers. In addition, the requirement for serving a notice of furnishing on an original contractor is inapplicable for subcontractors or materialmen who are in direct privity of contract with that original contractor.

Part Two: Dealing with a mechanics lien once it has been filed.

Contractors, subcontractors and material suppliers are most concerned with following the statute so as to obtain a valid lien upon property they have improved. Property owners on the other hand, are most concerned with protections and remedies afforded them, once a mechanic's lien has been recorded.

How can a homeowner clear title to property after the filing of a mechanics lien?

If a homeowner pays his or her general contractor in full on a home purchase contract before the owner receives a copy of the mechanics lien, the mechanics lien is void. The homeowner may clear title to the property by filing an affidavit with the county recorder in the county where the property is located attesting to the fact that it paid its general contractor in full before it received a copy of the mechanics lien.

What other methods exist for a property owner to clear title to property encumbered by mechanics liens?

A written notice to commence suit served on a mechanics lien claimant may also provide the owner with clear title to the property. Ohio law provides for a summary procedure which requires a mechanics lien claimant to "put up or shut up." The procedure is known as the filing of a notice to commence suit. Unlike the procedure set forth in Ohio Revised Code Section 1311.01.1, this procedure is not limited to homeowners.

The service of a notice to commence suit starts the clock ticking for a lien claimant to commence suit on its lien. If the claimant fails to commence a foreclosure suit on the mechanics lien

within 60 days after service of the notice to commence suit is completed, the lien is void and the property is "wholly discharged from the lien." Notably, the mechanics lien claimant may not merely file a garden variety lawsuit to preserve its lien. Absent an action for foreclosure, the fact that the contractor has filed a claim for breach of contract or unjust enrichment within the 60 day period will not preserve the lien. However, the claim underlying the lien survives—only the security is lost.

How must the notice to commence suit be served on the lien claimant?

The sheriff must serve the notice to commence suit prepared by the owner on the lien claimant. The owner may request that the sheriff serve the notice to commence suit by certified mail. The sheriff's certified mail service is completed on the date when the contractor signs the certified mail card.

In circumstances where the post office returns the certified mail card reflecting a failure of service, the owner must request that the sheriff serve the notice to commence suit by ordinary mail. If the regular mail envelope containing the notice to commence suit is not returned within 14 days after it is sent by ordinary mail, service is deemed complete as of the date when the envelope was placed in the mail.

What must owners do to provide public notice that it has followed the statutory procedure for serving a notice to commence suit?

The owner must file an affidavit along with a copy of the notice to commence suit reciting facts which indicate that proper service of notice to commence suit was completed by the sheriff. The property owner must file the affidavit with the county recorder within 30 days after service is complete.

Is there any other mechanism for clearing title to real property?

An owner may also request that a common pleas court substitute a surety bond or other collateral for the lien against the real property. The owner

must file an application to "bond off" the mechanics lien with the common pleas court. The owner may file the application whether or not the mechanic's lien claimant has commenced suit upon the lien, and whether or not the owner has served a notice to commence suit.

For mechanics lien claims less than or equal to \$5,000, the owner must post a surety bond in double the amount of the lien. For larger liens, the owner must post a surety bond equal to one and one-half times the amount of the lien, conditioned upon payment of any judgment and costs.

The court must hold a hearing on the bond. However, the only issue before the court is the sufficiency of the bond proposed to be substituted as security. If the court grants the application, any action on the lien is terminated automatically and any pending action must proceed against the bond after the claimant joins any additional necessary parties.

What if a contractor files a mechanics lien against the property based on a contract it entered into with a tenant?

Is there anything an owner can do to clear title to the property? If a mechanics lien claimant contracts with a lessor, the may only assert a mechanics lien against the tenant's leasehold interest. A letter by the owner to the lien claimant advising the claimant that it is slandering the owner's title should persuade the contractor to release the lien.

Construction disputes happen. No amount of planning can eliminate all possible disputes. Nevertheless, whether you are a party to a construction contract or a provider of labor or materials under a construction contract, an ounce of prevention can be worth a pound of cure. Owners and contractors alike should be well aware of the provisions of the mechanics lien statute to ensure they take timely action to protect their rights. **P**

Robert J. Valerian and Stuart L. Larsen are principals with the Cleveland-based law firm of Kahn Kleinman, LPA.



Talk about your
prime real estate
opportunity.

Ranked as a top real estate practice by *Chambers USA 2006.*

Recognized as a top 5 Midwest Real Estate Law Firm by *Midwest Real Estate News 2006.*

Seven real estate attorneys listed in *The Best Lawyers in America 2007.*

Locally.
Regionally.
Nationally.

The reviews are in and clients are sold on Ulmer & Berne LLP's real estate practice group. With offices in Cleveland, Cincinnati, Columbus and Chicago – **Ulmer & Berne stands primed and ready to handle all your real estate needs.**

Contact Real Estate Group Chair
Bill J. Gagliano at bgagliano@ulmer.com
216.583.7046

ulmer | berne | llp

ATTORNEYS

www.ulmer.com

Cleveland

Columbus

Cincinnati

Chicago

Remedy for Risks

The Allen Thomas Group helps protect companies from unexpected, crippling events

By Jeanne Bluffstone

When companies suffer a major loss, only one out of two recover. This is the startling industry statistic cited by Joseph Race, principal of The Allen Thomas Group, specialists in risk management.

One of the reasons for the high mortality rate is inadequate insurance coverage, he says. Managing risk involves preparing for and protecting your company against unexpected events that can damage or, worse yet, cripple your company. Each business is different and each has needs that are unique, but all businesses need to protect themselves against risks.

The flooding last summer in Lake County is one example of how companies can suddenly be faced with major losses, he explains. When the water rose

swiftly and unexpectedly, companies were exposed to a wide variety of unanticipated expenses including, in some cases, loss of income or even worse.

"Our people are very skilled and good at what they do," Rice says. "One of our agents was actually in a basement with [a] client in Lake County until 10:30 p.m. trying to help get their goods out and salvage some of their property when they were flooded."

Another type of coverage Race cites is liability, which protects against unforeseen occurrences such as when a manufacturer builds a defective part or a contractor causes damage to property while working on it. Occasionally something is not installed properly or a patron comes into a retail store and slips on a

wet floor and falls. The potential for loss in those instances can become financial catastrophes.

Race, whose forte is business insurance, started The Allen Thomas Group after working in a captive insurance environment where he was only able to offer one insurance company to his clientele. Since insurance companies focus on specific industries or types of businesses, Race explains that he was not always able to best serve the needs of his clients. For example, some insurers prefer contractors and do not want to work with manufacturers, while others focus on manufacturers and avoid service businesses.

"Every company has its own appetite and we really did not have a choice as to where to take the business and find the best coverage at the best premium," he says.

Further, in representing only one insurance company he was not able to meet the comprehensive needs of clients.

"I was unable to manage the due diligence necessary to serve clients effectively, so I started a risk management firm that represents multiple insurance

companies and addresses all of the aspects needed by small to mid-sized businesses," he says. "Now when we sit down with our clients, we are able to find the insurance company that is the best fit for their needs."

As a service to their clients, The Allen Thomas Group also offers life, health, auto and homeowners insurance.

The majority of The Allen Thomas Group's clients are contractors.

"We do a lot with contractor bonds and when a contractor is doing business in various cities they need bonds in each of those locales," Race says. "Often those bonds are needed at the last minute. We can issue bonds immediately. Our customer service department has someone on site who issues bonds."

In addition to contractors, The Allen Thomas Group works with machine shops, building owners, bars, restaurants, welding and machine shops, retail stores, distribution companies and wholesalers.



JANCE CONSTRUCTION LLC.

Established 1970

- General Contractor
- Construction Manager
- Design – Build

"Building Confidence"

8666 Tyler Boulevard
Mentor, Ohio 44060

(440) 255-5800
(440) 255-1508 Fax

www.jance.com

HUGE INVENTORY

We offer over 95 selections of stone to choose from!

Visit our showroom to see all the possibilities.



Mason Structural Steel, Inc.

7500 Northfield Rd.
Walton Hills, Ohio 44146

440.439.1040

Cultured Stone® products are an ideal complement for any type of commercial building, from office buildings and country clubs to retail spaces, restaurants and hotels.

www.masonsteel.com

"Serving Northeast Ohio Since 1958"



We work for you



Specialists in Real Estate Insurance Since 1949

Schneider-Dorsey & Rubin insures over two-billion dollars in property values with a single focus in mind... you!

As independent agents, we have the flexibility to provide customized real estate insurance specific to your needs.

At Schneider-Dorsey & Rubin, we don't work for the insurance companies - we work for you.

3 Commerce Park Square • 23230 Chagrin Blvd. • Cleveland, OH • (216) 831-7272 • Fax (216) 292-9179



County Fire Protection

A full service fire safety company providing:

- Division 10 fire extinguishers/cabinets/fire safety products to the construction trades
- Fire protection contracting services to property owners/managers



www.county-fire.com

888.528.0928 • Cleveland/Akron: 330.633.1014

Fax: 330.633.2779

310 Geneva Ave., Tallmadge, OH 44278

CHEMTRON CORPORATION



Your Complete Environmental & Abatement Specialists

Commercial Industrial Residential

Expert Environmental Solutions...

- Property Assessment & Mitigation Services - Phase I, II & III
- Hazardous & Non-Hazardous Waste Disposal
- Environmental Remediation - Total Site Decontamination & Restoration
- Mold, Mercury, Lead & Asbestos Abatement
- Demolition
- Analytical Testing & Identification
- OSHA, RCRA & DOT Training Programs
- 24-Hour Emergency Response
- Transportation



... Your Single Source Provider

Member of Ohio Contractors' Association

35850 Schneider Ct.
Avon, Ohio 44011

Visit our website!
www.chemtron-corp.com

Ph: (440) 933-6348
Fax: (440) 933-9500

24-Hour Emergency Phone Number: (440) 937-5950

"Cleveland is filled with commercial buildings and also vacant buildings and we can write policies that protect against any type of exposure for business owners," he explains.

The firm also acts as a counselor to its clients and spends time getting to know them and the needs of their businesses. This enables the firm to best manage the risks that are involved.

"Most small to medium sized businesses do not have the time to sit down and assess their own risks, so we come in and do a full assessment of risks associated with their business and make recommendations," Race says.

"I think in the past a lot of insurance agencies tried to do things over the

"Most small to medium sized businesses don't have the time to sit down and assess their own risks. We come in and do a full assessment of risks associated with their business and make recommendations."

Joseph Race

The Allen Thomas Group

phone," Race says. "We do not do that, we come into your company, assess your situation and educate you.

One of the coverages clients should consider is loss of income. If your company has a major loss and you have to spend time in court, or the business is shut down because of a fire, the business revenues that you lose would be covered. Many companies do not sit down and figure out the risks associated with the business.

Since businesses change on a year-to-year basis, it is important to reanalyze the risks involved for the business. For this reason, coverages should be reviewed annually. **P**

Joseph Race, principal of The Allen Thomas Group, can be reached at 7002 Engle Road Suite 103 in Middleburg Heights. You can also reach him locally at 440.826.3676 and toll free at 800.247.1760. Or you can e-mail him at jrace.thoma35@insuremail.net.

Tax Credits for Real Estate Businesses

By Jim Komos, CPA

Many components of the Energy Tax Incentives Act signed into law by President Bush in 2005 took effect in 2006 and impact those in the real estate industry. Beginning in 2006, individuals and businesses that make certain energy-conscious choices may be eligible for tax credits.

A summary of the tax incentives included in the Act are detailed below.

Tax incentives for businesses

Contractors who build new, energy-efficient homes are eligible for the energy efficient new home construction credit of \$2,000 per dwelling unit.

The dwelling unit must be certified as having an annual heating and cooling energy consumption that is at least 50% below that of a comparable dwelling unit constructed in accordance with certain standards.

Manufactured homes that meet a 30% energy efficient standard are eligible for a \$1,000 credit.

This credit applies only to new home construction, which for this purpose includes substantial reconstruction and rehabilitation. In order to be eligible for the credit, the construction of a new energy efficient home must be substantially completed after the date of enactment and must be located in the United States. Also, the new home must be acquired after December 31, 2005 and before January 1, 2008 to be eligible.

The energy efficient commercial buildings deduction is an immediate deduction for major energy-saving improvements to commercial building property as part of the interior lighting, heating, cooling, ventilation or hot water systems.

These improvements must meet the 50% energy-reduction standard, and the maximum deduction is typically \$1.80 per square foot.

The deduction is effective for property placed in service after December 31, 2005 and before January 1, 2008.

In addition, manufacturers of energy efficient appliances are eligible for a temporary credit.

Tax incentives for consumers

The tax incentive that will affect the most consumers is the residential energy conservation property credit. This credit is for the purchase of significant energy-efficient improvements and property to a taxpayer's permanent residence. The credit is equal to 10% of significant energy efficiency improvements to existing homes and residential energy property expenditures.

The credit has a lifetime limit of \$500 across all tax years and can be applied to property placed in service after December 31, 2005 and before January 1, 2008. (A maximum of \$200 of the \$500 may be attributed to window expenditures.)

Typically, if the following improvements meet certain energy conservation codes, they qualify for the 10% credit.

- Any insulation material or system mainly designed to reduce heat loss or gain
- Exterior windows, including skylights and doors
- Metal roofs coated with heat-reducing pigments

Residential energy property expenditures are also included in this tax credit. The credit for qualified energy property equals 100% of its cost up to the \$500 limit. However, qualified energy property has three parts, each with its own dollar limitation.

1. Advanced main air circulating fans – credit cannot exceed \$50
2. Natural gas, propane or oil furnace or hot water boilers – credit cannot exceed \$150
3. Energy-efficient building property (includes electric and geothermal heat

pumps and central air conditioners) – credit cannot exceed \$300

The taxpayer's basis in the property is reduced by the amount of the credit.

The residential energy efficient property credit allows individuals who install solar hot water, photovoltaic equipment or fuel cell property in their homes to be eligible for a 30% tax credit. The maximum credit for any tax year is \$2,000 for solar hot water heating equipment or photovoltaic property and \$500 for each 0.5 kilowatt of capacity for fuel cell property.

This nonrefundable credit applies to property placed in service after December 31, 2005 and before January 1, 2008. The taxpayer's basis in the property is reduced by the amount of the credit. This tax credit is restricted to personal residential use and cannot be used for equipment used to heat swimming pools and hot tubs.

Credits for consumers & businesses

Under the new law, a credit is available for qualified clean fuel vehicles (green vehicles), which include hybrid vehicles, advanced lean-burn technology vehicles, vehicles powered by fuel cells and alternative fuel vehicles. Purchasers of hybrid or other clean fuel vehicles were eligible for a \$2,000 deduction under prior law. The Energy Incentives Act of 2005 provides a higher credit for vehicles placed in service beginning January 1, 2006 and will replace the current clean fuel vehicle deduction on the same date.

The Energy Tax Incentives Act allows those in the real estate business to obtain tax credits for making certain energy-conscious purchases. **P**

For more information on the Act, send an email to Author Jim Komos, CPA, Ciuni & Panichi, Inc. CPAs and Business Advisors, at jkomos@cp-advisors.com or call 216.831.7171.



Call us to discuss your facility's environmental concerns or to arrange an informal site visit.

7118 Industrial Park Blvd.
Mentor, OH 44060-5314
(440) 951-3514
(800) 875-3514
www.eagroup-ohio.com

WE SPECIALIZE IN:

- Indoor Air Quality assessments
- Asbestos and lead-based paint hazard management
- Mold assessment and remediation
- Environmental site assessments



NAWIC Works With Greater Cleveland Habitat for Humanity

The Cleveland Chapter #156 of the National Association of Women in Construction (NAWIC) is currently working with The Greater Cleveland Habitat for Humanity Women Build program. NAWIC volunteers have worked on two houses in Cleveland since August. They are committed to this project until completion in April 2007.



Local NAWIC volunteers have worked on two Habitat for Humanity homes since August.

The Women Build program empowers women to build Habitat for Humanity homes, enabling them to positively impact the lives of children by making homeownership an attainable reality for low-income families. Women Build is not about excluding men; it's about including women. By planning projects where the majority of volunteers are women, Women Build involves more women in Habitat's construction efforts, thereby increasing the number of houses Habitat can build. Women can realize, with training and support, that they have the tools to move children out of poverty housing. The Women Build program brings women, from all walks of life, together to recruit, train and empower other women to build Habitat for Humanity homes.

NAWIC is a professional association composed of women working in the construction and related industries, women who are motivated by a desire for self-improvement and eager to learn how to be of greater service to their profession and industry. Its membership is diverse and embraces women in all phases and responsibility levels of construction.

DAS Construction Co. Appoints Project Manager

DAS Construction Co. has appointed Dennis Jalowiec as project manager. Jalowiec brings over two decades of construction experience to DAS. His first assignment is the Antares executive conference room renovation for Medical Mutual in Beachwood.

Jalowiec received a Bachelor of Science Degree in Mechanical Technology and an Associate of Applied Science Degree in Surveying and Construction Technology from the University of Akron.

Founded in 1986, Cleveland-based DAS

Construction Co. is a full service commercial construction firm with over 100 full time employees. Major repeat clients include Ohio Savings, National City Bank, Starbucks, House of Blues, Walgreens, The City of Parma, The Cleveland Clinic, Medical Mutual, The Ferchill Group, Visconsi Companies LTD, and Philips Medical Systems.

Cleveland Heights Honors Courtyards of Severance

The Courtyards of Severance, Cleveland Heights' growing community of newly built townhomes, has recently added to its cache of awards. The devel-

opment was singled out with a Special Committee Award at The City of Cleveland Heights' recent Community Improvement Awards.

"We are very pleased that the Courtyards has received a Community Improvement Award," Mayor Edward J. Kelley says. "The development has enhanced the area at Severance Town Center, created a new neighborhood for our City and has attracted many new residents to Cleveland Heights."

Community Improvement Awards are given to individual residences, multi-residential properties, institutions and commercial properties. The program recognizes individual and collective efforts to

improve Cleveland Heights' physical environment and preserve its excellence. Nominations for the awards are made by members of the Cleveland Heights community.

The Courtyards of Severance is a project of local developer The Coral Company. Built on land formerly belonging to John L. Severance, the community comprises 68 new townhome residences with five different floor plans. Located on Mayfield Road between South Taylor and Warrensville Center Roads, the homes are configured in unique European-style courtyards that emphasize neighborliness.

The community has won many awards since its beginning, among them Greater Cleveland Home Builders Association awards and Smart Growth Community Excellence Awards.

To schedule a tour of The Courtyards of Severance or for more information, call at 216.765.8822 or visit www.thecoralcompany.com.

Crocker Park Celebrates Westhampton Sales Center Opening

The next chapter in the history of Crocker Park is beginning to unfold. Local developer The Coral Company has opened its sales center for Westhampton, the brand new 116-unit residential community that occupies the westernmost portion of Crocker Park.

"It is such an exceptional opportunity for The Coral Company to be building the

MID STATE RESTORATION, INC.

MASONRY RESTORATION SPECIALISTS SINCE 1954



Specializing in:

- Brick Repairs
- Stone Restoration
- Building Cleaning
- Concrete Restoration
- Caulking/Tuckpointing
- Water Repellents
- Total Repairs & Replacement of Lintels, Parapet & Terra Cotta

PRESERVING THE PAST WITH PRIDE AND COMMITMENT FOR THE FUTURE!

2521 MONROE AVENUE • CLEVELAND, OHIO 44113-4121
 (216) 771-2112 • FAX (216) 771-0508
 VISIT OUR WEB PAGE @ www.midstaterestoration.com



- High Performance Energy Management
- High Commitment to Sustainability
- High Efficiency HVAC Equipment
- High Integrity Service & Maintenance
- High Quality Parts

www.jacco.com
 330:463-0100 Cleveland
 330: 342-9400 Akron
 Fax: 330-463-0101
 61 Milford Drive
 Hudson, OH 44236

first homes for sale at Crocker Park, a development we consider one of the most phenomenal mixed-use projects in the country," says Peter L. Rubin, CEO of The Coral Company.

Crocker Park, a lifestyle center in Westlake, opened in the fall of 2004 under the leadership of developer Bob Stark of Stark Enterprises. The development is home to many upscale attractions, including restaurants, shops, and entertainment venues, as well as for-lease residences.

The new Westhampton will offer the first for-sale residences at Crocker Park. Homebuyers can choose from one of four different floor plans. Each designed to

accommodate a wide variety of lifestyles, ranging from the urban-style City Loft, a three-story Townhome, to the luxurious, four-bedroom Estate Home.

Now open and accepting visitors, the sales center for Westhampton is located off Crocker Park Boulevard in the heart of Crocker Park across from Arhaus Furniture at 19 Garden Court.

IFMA Elects Board Of Officers

The Northern Ohio Chapter of the International Facility Management Association (IFMA) has elected its new Board of Officers for the 2006-2007 year. Serving as president



(From left) Greg McDonald, Tom Miller, David Meyer and Christopher Rosati

will be Thomas Miller, CFM, RPA, FMA, of National City Bank. David Meyer, CHMM, of CTG Environmental, LLC will serve as vice president and treasurer. Second vice president will be Christopher Rosati, of Patcraft Commercial Carpet.

The Northern Ohio Chapter of IFMA is comprised of over 150 members

from the facility management industry, with close to 100 facility managers who oversee some of the finest properties in the Cleveland, Akron and Canton areas. For more information on IFMA visit www.ifmanorthernohio.org or call 440.892.7620.

ThenDesign Architecture Appoints Senior Project Architect

ThenDesign Architecture recently announced that Phillip J. Schroeder, AIA, has been hired as a senior project architect. In this position, Schroeder is responsible for designing and managing large-scale projects. Schroeder, AIA, comes to TDA after

TIRED OF BEING RIPPED OFF?

Then stop hiring fly-by-night "roofing contractors" whose only office address is wherever their pick-up truck happens to be parked at the time!

The no-insurance, irresponsible operators are driving the few remaining honest roofing contractors out of business. Unless the consumer gets wiser, ultimately there will be no one responsible left! We are looking for a few wise consumers.

If you fill the bill, call

CAREY ROOFING CORPORATION (216) 881-1999

— FOUNDED IN 1946 —
www.careyroofing.com

MEMBER OF THE NATIONAL ROOFING CONTRACTORS ASSOCIATION

NO EXCUSE.

For Not Having AIA Documents.
 Order Your Supply Today.

Clear and legally sound agreements between you and the other members of the building team can help prevent a lot of worry and potential liability by clarifying construction project responsibilities. Make sure you have the AIA Documents you need for all your projects. We carry the full stock of documents, so there's no excuse to run out. Call us today to order your supply.



documents
 THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Cleveland
 1001 Huron Road
 Suite 101
 Cleveland, Ohio 44115
 (216) 575-1224/FAX (216) 575-1244

©1990, AIA

It's time to review your cleaning standards!

- ✓ Experienced
- ✓ Knowledgeable
- ✓ Affordable
- ✓ Dedicated
- ✓ Services Guaranteed

ESTABLISHED IN 1970



AJAX

Commercial Cleaning, Inc.

"Dedicated in Providing Quality Cleaning Services"

Cuyahoga Falls • 330-928-4543
www.ajaxcommercialcleaning.com

BILLBOARD

News about people, products, places & plans

28 years with Westlake Reed Leskosky where he provided design, production and contract administration services. His portfolio of work includes healthcare, performing arts, corporate, restoration and educational projects, among others.

"We wanted to bring on additional experienced talent to meet the needs of our expanding client-base," says Robert A. Fiala, managing partner of TDA. "His expertise involving complex planning and design issues will be of great value to our firm."

Schroeder, AIA, is a graduate of Kent State University and Case Western Reserve University, where he earned Bachelor of Architecture and

Civil Engineering degrees, respectively.

ACHA Honors Ayars with Board Certification

The American College of Healthcare Architects (ACHA) has honored William C. Ayars, AIA NCARB, principal and co-founder of Cleveland-based Perspectus Architecture, with board certification.

ACHA recognizes board certification for architects who practice as healthcare specialists. The organization's more than 300 members include healthcare architects throughout the United States and Canada with specialized skills and proven expertise. Ayars is one of five in Greater



William C. Ayars

Cleveland and one of 16 in Ohio to hold the certification.

"We're very proud of Bill's recognition among a select group of national specialists in healthcare architecture," says Larry Fischer, AIA NCARB, principal and co-founder of Perspectus Architecture. "He

is dedicated to providing the latest creative solutions and patient-focused designs for a wide range of healthcare institutions."

ACHA's mission is "to improve the quality of medical care facilities by offering board certification in the specialized field of healthcare architecture." Before earning the ACHA Board Certificate, healthcare architects must document their experience and demonstrate their skills through a computer-based examination. ACHA requires its members to work towards the improvement of healthcare architecture on behalf of the public, to practice in an ethical manner, to maintain high standards of specialized continuing educa-

Installation, Fabrication & Service

Serving Northeast Ohio with commercial & industrial services for 30 years

LISCO

HEATING & COOLING

440.237.1777 • liscovac@netscape.net
12608 State Rd., N. Royalton, OH 44133

CLEVELAND'S LARGEST INVENTORY OF BRICK
CLAY BRICK • EXPERT BRICK MATCHING • CONCRETE MASONRY

BRUDER.INC
BUILDING MATERIALS



9005 Woodland Avenue, Cleveland, Ohio 44104
Phone: 216.791.9800 • Fax: 216.791.5116



decorative surfaces

Northern Ohio's proud distributor of these commercial wallcovering brands:

Arbor Series | TASSOGLAS

Koroseal® | Vicrtex® | Studios | Walltalkers® | Korogard®

Sanitas | Buffmaster | Sunda Alexander

800.348.7596

decorativesurfacesonline.com

Experts in Quality Construction and Customer Satisfaction for Over 50 Years



We have a half-century of experience in providing excellent client satisfaction on commercial projects, including banks, office buildings, industrial, shopping centers and tenant build outs. We provide consistent quality assurance, project planning, scheduling and cost management.

CARNEY
Construction
General Contractors

440.473.0482 | www.carneyonline.com
19 Alpha Park, Highland Heights



Carpet Mask®



Floorliner®



Floor Mask®

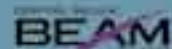
Carpet Mask®, Floorliner® and Floor Mask® are available from your local flooring retailer

Distributed by **SOBOL** Sobol Sales Company



Put allergy relief in your blueprints.

Include a Beam® Central Vacuum System in your new home. A Beam system removes dust and allergens to provide a cleaner, healthier environment and clinically proven allergy relief. As low as \$1,000 installed.



2004-042

ACTION VACUUM

26807 Detroit Rd. • Westlake, OH 44145
440-871-5552 • actionvacuum.com

SPACE COMFORT CO.

Sales And Service Since 1964

HVAC / Pollution Control • Design • Build Services

Space Building Systems

- Managers
- Consultants
- Contractors

Space Environmental Group

- Design
- Build
- Installation

DUST-HOG®
DUST COLLECTION SYSTEMS

SMOG-HOG®
ELECTROSTATIC PRECIPITATOR SYSTEMS

216-281-2000 • 800-203-9645
Fax: 216-281-8420

5201 Clark Avenue • Cleveland, Ohio 44102

tion, and to add to the body of knowledge.

With more than 27 years of architectural experience, predominantly in healthcare design, Ayars co-founded Perspectus Architecture in 2001. Local projects include extensive work at the Cleveland Clinic and Fairview Hospital for more than 20 years designing patient care areas that include surgical and patient diagnostic facilities. Ayars earned a Bachelor of Architecture Degree from Kent State University and a Masters of Business Administration from the Weatherhead School of Management at Case Western Reserve University. He resides in Bay Village, Ohio.

Perspectus Architecture is a full-service architectural firm providing creative solutions in master planning, design and project management. Based in Cleveland's historic Shaker Square, the firm focuses on designing cutting edge healthcare, educational and research facilities in Northern Ohio and beyond.

CABOR Honors Real Estate Leaders

The Cleveland Area Board of Realtors recently honored Northeast Ohio's premier real estate professionals at its annual Awards and Installation Breakfast at the Holiday Inn Cleveland South.

Taking center stage were: Beverly Gates of RE/MAX Beyond 2000, receiving Realtor of the Year honors; Matt Parnell, of Capstone Limited, named as the Commercial Realtor of the Year; Jacqueline Merker, of First American Title, named the Affiliate of the Year; Mary Kocheff, of RE/MAX Traditions, named Rookie Realtor of the Year.

Progressive Urban Real Estate was honored with the J. Howard Battle Equal Opportunity in Housing Award for its continuous work in the community promoting fair housing.

Reggie Evans of Dominick Realty was honored with the special Chairman's Merit

Award for his outstanding contributions to the real estate association over many years.

Additionally, three members were elected at the annual event to be new members of the Cabor Board of Directors. Patrick Murphy of Realty One Real Living and Lucinda Sharp-Gates of Gates Real Estate Concepts were elected as Realtor representatives and Doug Hastings of National City Mortgage was elected as an Affiliate member representative.

Founded in 1892, the non-profit Cleveland Area Board of Realtors is one of the nation's largest Realtor associations with over 5,000 members in Cuyahoga, Geauga, Lake,

Pillars of Success

Education Relationships Leadership

The Society for Marketing Professional Services (SMPS) offers A/E/C marketers opportunities to take their careers to a new level. Member benefits include:

- Marketing/business development educational seminars.
- Monthly programs focused on A/E/C industry trends.
- Certification program.
- Access to national online job bank.
- National marketing conference.
- Networking. Networking. Networking.
- Free Subscription to Properties Magazine.

Get involved. Join today.
Contact Jennifer Wahl, Membership Chair
(216) 621-4610
wahlj@cgbarch.com

www.smpsneo.org



© 2003, clevelandskyscraper.com - All rights reserved

BILLBOARD

News about people, products, places & plans

Lorain, Medina, Portage and Summit counties. Its mission is to be the leading resource and advocate for the real estate community, to enhance the ability, conduct and image of its members and to protect and promote real property rights.

Herschman Architects, Marous Brothers Donate Playhouse to School

Recently, Lake County dignitaries were on hand for the dedication of a new 8-foot by 10-foot donated to Broadmoor School by Herschman Architects (HA) and Marous Brothers construction. The playhouse is the culmination of a project that began last year when



Broadmoor School Playhouse

the March of Dimes wanted designs for playhouses to be auctioned at its annual event. HA purchased its own design and model and made a donation to the March of Dimes. When the firm learned that Broadmoor School needed a new playhouse, it adapted its design for special needs children and contacted Marous Brothers. Together the companies created and built the playhouse.

The playhouse resembles a house built for and by children. Playful, randomly placed tilted cedar lap siding, diagonal cedar shake shingles, wooden shutters and door with diagonal supports, corrugated metal roof, window screening to keep out insects and plywood interior walls make it a mansion as playhouses go. The unique exterior, ample size and sturdy construction are designed for long-term fun, climbing, hiding and other fun activities.

New Restaurants Arrive at Cleveland's East 4th Street

MRN Ltd. recently announced that it will welcome three new restaurants to

East 4th Neighborhood, joining existing restaurants and entertainment venues Lola, House of Blues, Pickwick & Frolic and Flannery's Pub.

La Strada – World Café features Mediterranean food and occupies nearly 3,000 square feet of the historic Woolworth Building's first floor.

Zocalo Cantina, specializing in pan-Mexican fare, will occupy 4,500 square feet in the Frederick on Fourth apartment building.

Lastly, Teresa's Pizza, which has served Cleveland residents since 1969, will integrate its concept into a bistro style setting within 2,400 square feet of space on the WT Grant Building's first floor. **P**

WATER TREATMENT MANAGEMENT FOR BOILERS COOLING TOWERS WASTE WATER

NO CHARGE FOR INITIAL CONSULTATION

STUMP SERVICES, LLC
440-286-1002



Kurtz Bros. has an excellent reputation in serving construction, demolition and recycling needs of industries in Northeastern Ohio. Kurtz Bros. recycles and disposes waste in a responsible manner. "We make the good earth better!"

**what
CAN^{we} do
FOR
YOU?
KB CANdo**

Construction Support Services

- Fill Sand, Fill Dirt, Liner Clay
- Recycled Aggregates
- Excess Soil Removal
- Topsoils, Mulches, Composts
- Erosion Control Filter Berms

Recyclable Materials

- Leaves • Grass Clippings
- Shrubbery • Tree Stumps
- Wood Chips • Sawdust
- Pallets

Construction Debris

- Concrete • Asphalt
- Brick • Roofing Materials
- Stone & Soil • Lumber
- Plaster • Insulation

Soils • Mulches • Composts...and more!

CALL TODAY!

KURTZ BROS., INC. • 6415 Granger Road • Independence, OH 44131 • (216) 986-9000



RES Brilliant Electric Sign Co.

4811 VAN EPPS RD., CLEVELAND, OHIO 44131

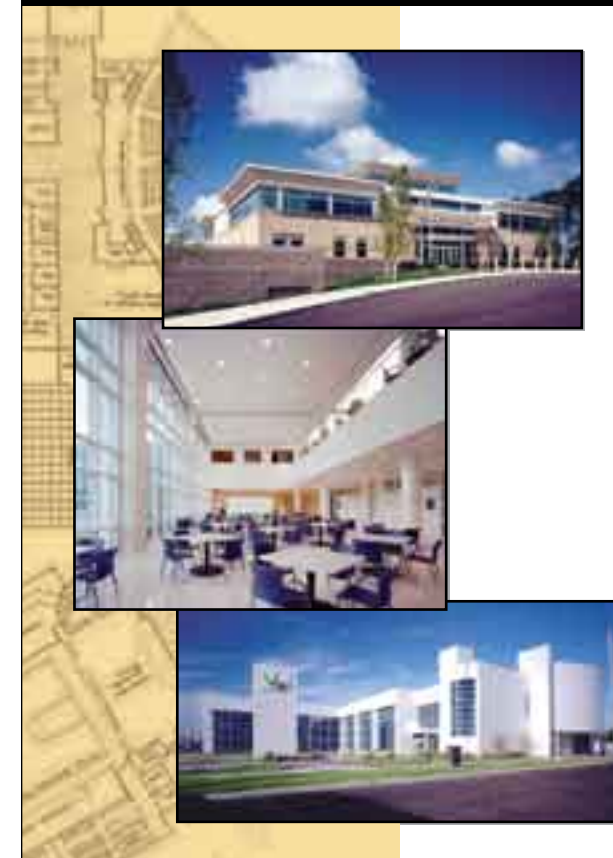
(216) 741-3800 FAX 741-8733

"A Tradition of Quality & Service Since 1929"

**We are a Full-Service Sign Company,
Featuring In-House Sign Design,
Engineering, Quality Manufacturing,
Installation, Service, & Maintenance.**

www.brilliantsign.com

Setting the standard of excellence, from start to finish – since 1910



- ▶ General Contracting
- ▶ Construction Management
- ▶ Design/Build
- ▶ Construction Consulting



Dunlop & Johnston, Inc.

5498 Innovation Drive, Valley City, OH 44280 | www.dunlopandjohnston.com

330.220.2700 • 330.220.2771 fax



Linked to Learning

Cleveland Heights & University Heights Public Library offers contemporary design, technologies

By John Elliot | Photos by Scott Pease

In some communities, the library is just the library. In Cleveland Heights, it's an institution.

As the director of the Cleveland Heights-University Heights Public Library, Steve Wood bears the experiences of a man who has served as a community leader, complete with a grey beard and all of the trials and tribulations that come with managing a major renovation for what in essence is a library/community center complex.

Wood, a longtime resident of Cleveland Heights, recently oversaw the renovation and expansion of the 110,000-square-foot facility at 2345 Lee Rd. in Cleveland Heights, which features 10,000 new materials, self-checkout machines, study rooms, and new teens' and kids' areas.

The renovated building on Lee Road offers a much more visually appealing façade with large, burgundy-colored wood and zinc panels over a brick base, yielding a very modern appearance com-

pared to the former 1950s institutional style building.

But what's most striking to motorists coming from either direction on Lee Road is the bridge that connects the main library to a smaller building across the street, the former YMCA that now serves as a community annex.

The sloping, glass, steel and zinc bridge serves as a gateway between the residential neighborhood that is immediately to the south and Cedar Lee commercial district.

The annex – which has been renovated in a way that preserves most design elements of the original Georgian YMCA building, including the cupola and the curved front windows – now houses Heights Arts (formerly Heights Arts Collaborative on Lee Road), the Heights Parent Center's literacy playroom, and the library's expanded computer center. In the works is a new Dobama Theatre, being built on the site of the YMCA's former gymnasium and swimming pool.

Both Heights Arts and Dobama Theatre are planning to coordinate community outreach programs with the library.

"That structure is going to symbolize that area," says Nick Bobulsky, project manager for The Albert M. Higley Co., the Cleveland-based company that served as construction manager for the project.

Culmination of a lengthy project

Seated in his second-floor office with a spacious view overlooking Lee Road in the new administration wing, Steve Wood is a man with an air of accomplishment. The completion of the new building marks the end of a process that began in the 1990s as the library was recognizing the need for new space. The process of identifying the needs and the design was a lengthy one.

"We just couldn't find enough space in this building to do what we wanted to do," Wood says.



Congratulations to the
Cleveland Heights-University Heights
Public Library



We have been proud to serve as Construction Manager for the Main Library & Cultural Arts Center renovation



The Albert M. Higley Co.
CONSTRUCTION MANAGERS ▲ GENERAL CONTRACTORS

2926 CHESTER AVENUE, CLEVELAND, OHIO 44114 | 216-861-2050 | WWW.AMHIGLEY.COM



KEY CONNECTION A notable design feature is a sloping bridge between the main library and annex across the street.

role as a community center where residents could visit and interact.

“An increase of space was going to be necessary,” he says.

Wood realized that it made sense for the library to acquire the YMCA building.

“I realized that the Y was an opportunity,” he says.

Community wanted change

The library board held community meetings to solicit feedback from the residents on what they needed from the library. The overwhelming sentiment was for the library to expand its activities.

“There were a significant number of people that said, ‘you need to focus on the community,’ especially for children and especially for after school,” Wood says.

The library happens to be on the way home for both elementary school and high school students, so it made sense to provide more activities for youngsters.

Initially, the annex was not part of the picture. The renovation estimate for the library was between \$3 million and \$4 million, far less than what eventually transpired.

In the meantime, residents were vocalizing their wish for the library to acquire the YMCA building, which had become vacant when the YMCA closed. Wood researched library uses and evol-

ing technologies, and he was beginning to realize that libraries were meeting new community uses in response to changing needs.

“The Internet has had a societal impact like nothing we’ve seen,” he notes. Libraries needed to allocate more space to Internet stations. But the Internet was also an isolating force in society, so libraries were assuming an increasing

studioTECHNE Architects
 1774 lee road cleveland ohio 44118 216.397.3117 216.397.3118
 www.technearchitects.com

areas of practice
 · education · places of worship · libraries ·
 · civic institutions · urban planning ·
 · housing · mixed use development ·
 · graphics ·

Wood realized that many youngsters didn’t have parents waiting for them at home after school, due to the rising number of single-parent homes and household with both parents working.

“This is where the kids come,” he says. “We’ve got to do programming after school to give the kids something to do.”

In the meantime, the Dobama Theatre was looking to relocate to a better space than the basement it had long occupied on Coventry Road. A theater board member contacted Wood about the library housing a new theater.

“I was beginning to think in terms of trying to create something that was more than a library here,” Wood says. “We talked quite a bit about the use of space.”

He also realized there was no public art gallery in Cleveland Heights, a city that is home to many artists.

The annex brought issues

In 2000, the library purchased the YMCA building. Incorporating the YMCA building presented some immediate challenges. Lee Road is a busy thoroughfare, and there was no easy way to connect the two buildings.

“We had to have a way to connect the two buildings,” Wood says.

An underground tunnel would be difficult since a sewer line ran below Lee Road. Plus, the ground consisted of heavy shale and would not support the boring process.

A bridge made more sense. The design team developed a physical model of a redesigned library with a walkway connecting the two buildings and made it available for residents to view.

By late 2001, the board determined that the total renovation would require a \$9.5 million bond issue.

The community approved the bond issue overwhelmingly that year, but the library’s cause for celebration was short-circuited by concerns about the design itself.

“There was no sense of opposition at all until after the bond issue was passed,” Wood says.

The opposition came mainly from local architects. The design opponents made their views known to the architec-



BIG ENTRANCE The front of the library has a patio for reading, sitting and waiting, along with new landscaping, sidewalks and streetlights.

tural board of review, which rejected the initial design. In 2002, the project hit a standstill over the design. Meanwhile, costs were rising.

The problem was resolved thanks to the help of a private owner’s representative. Project Management Consultants (PMC), a subsidiary of the Cleveland law firm Thompson Hine LLP, was hired

in 2004 to manage the project for the library.

Meeting design concerns

PMC recognized the validity of the objections to the design, voiced by a group that called itself Promoting Design Quality (PDQ). The group wanted the design to fit the fabric of the community. They were especially concerned about the design of the walkway.

“The bridge was a lightning rod on this project,” says Jeff Appelbaum, managing director of PMC and a Thompson Hine partner.

PMC asked veteran architect Paul Ricciuti, a now-retired principal at Youngstown-based Ricciuti Balog & Partners Architects, which specializes in libraries, to meet with PMC. Ricciuti was able to come up with concepts that met both PDQ concerns and the library’s needs.

After Ricciuti addressed the city’s architectural review board, the board suggested he expand his review to include programming issues in addition to design. Ricciuti noted there was some concern about the amount of change in the YMCA building.

He suggested a design that minimized the amount of change in the YMCA building and preserved its Georgian design. He also suggested using masonry and zinc panels.

Your Real Estate & Construction Insurance Professional

THE HOFFMAN GROUP

Insurance Placement
 Risk Consulting

Serving Northeast Ohio Since 1919

CONVENIENTLY LOCATED

BEREA MEDINA
 ELYRIA BRUNSWICK

800.826.4006
 www.thehoffmangrp.com



CONTRACTORS

The Contractor of Choice®



For the Cleveland Heights-University Heights Public Library, we are pleased to have provided:

- Metal Stud Framing
- Insulation
- Acoustical Ceilings
- Specialties Ceilings
- Drywall

3900 Ben Hur Avenue, Suite 10, Willoughby, Ohio 44094
(440) 951-9727 • www.ocp-contractors.com

**You won't believe
how good we can
make you look!**



BUCKEYE SWEEPING, INC.

330.798.9200

www.buckeyesweeping.com

"Our direction was to minimize the amount of money spent on the YMCA portion and downsize the work that was going on there," Ricciuti says.

The architectural review board eventually provided preliminary design approval of the plan.

"They kept the idea of using the zinc," Ricciuti says.

"[Ricciuti] was able to appeal both to the PDQ group and the architectural review board," Appelbaum says.

Appelbaum said his group also devised a novel approach to getting the project back on track, whereby a construction manager would provide a guaranteed maximum price. Appelbaum referred to this approach as a project delivery system.

"In this particular case, it was a great financial benefit to the owner," Appelbaum says.

Library hires Studio Techne

Once the plan had preliminary approval, the library hired Studio Techne, a Cleveland Heights-based design firm, as the architect in 2004. Studio Techne redesigned the library



OPEN SPACE The interior of the main library has a lot more light than before, thanks to the large windows, light colored walls and fewer rooms.

and walkway, keeping the programming changes and zinc panels from the previous efforts.

"Once we got Studio Techne on board, we were getting a better design concept," Appelbaum says. "We also had a good structural engineer. We were

able to get the review process completed with the city."

The end result has been a better design, Woods surmises.

"Without [PDQ], we would not have near as good of a project as we have today," he says.



Construction News Corporation

**Ohio Construction News
Michigan Construction News**

Construction News Corporation provides timely, valuable and accurate planning, bid and bid results information to its customers through a daily online and bi-weekly hard copy trade newspaper with a physical and online plan room with scan capabilities.

Covering Northeast Ohio, Central Ohio, Northwest Ohio, Southern Ohio and the 41 counties of Southern Michigan, CNC reports private- and public-sector commercial, environmental, industrial, institutional and multi-family construction bid information.

Call us today to subscribe.

7261 Engle Road, Suite 304
Cleveland, Ohio 44130
phone: 800.969.4700
fax: 800.622.8234
www.cncnewsonline.com



Proud to be part of the team that completed the Cleveland Heights - University Heights Public Library

**JOHN G. JOHNSON
CONSTRUCTION COMPANY**

GENERAL CONTRACTORS • CONSTRUCTION MANAGERS
DESIGN/BUILD



SINCE 1943

440-543-9856
Fax 440-543-1024
8360 E. Washington St.
Chagrin Falls, OH 44023

AN EQUAL OPPORTUNITY EMPLOYER



Distinctive Dimensional Signage

- Carved Signs & Graphics
- Entrance/Monument Signs
- Creative Signage Solutions
- Interior & ADA Compliant

**Proud contributor to the
Cleveland Heights Library
renovation projects**

On the Web @
www.northcoastsignworks.com

330-659-5080

#1 IN SERVICE



Waste collection you can depend on!

*Apartments Commercial
Municipalities Industrial*



216-441-6300

8123 Jones Rd., Cleveland, Ohio 44105

COMMERCIAL RESIDENTIAL INDUSTRIAL

HOTT
Associates, Inc.

The Engineered Approach To Cleaning

HOTT combines professional service with over a half-century of experience.

We excel in the cleaning of medical and office buildings, apartment complexes and construction sites.

SERVING ALL OF NORTHEAST OHIO

Call the HOTT LINE TODAY!
216.696.3914

Complete Abatement & Environmental Services



COMMERCIAL — INDUSTRIAL

Committed to Excellence . . .

- ASBESTOS & LEAD ABATEMENT
- ENVIRONMENTAL REMEDIATION
- SELECTIVE DEMOLITION
- INDOOR AIR QUALITY
- CONCRETE SAWING AND DRILLING
- FLOOR COVERING REMOVAL
- SURFACE PREPARATION

. . . Dedicated to quality and performance

Member of Construction Employers' Association

5722 Schaaf Road
Independence, Ohio 44131

(216) 642-6040
Fax: (216) 642-0891

Emergency Response Service Available

Marc Ciccarelli, a principal at Studio Techne, along with his business partner, Jim Duber, project architect for the library, says a main concern was not to emphasize the size of the building. Because the library sits between a residential and commercial area, they didn't want the design to be overwhelmingly institutional. An equally important goal was to turn the walkway into a piece of art, a gateway to the commercial district, that celebrated the new library and cultural arts center.

The design fits the needs

The wood and zinc veneer panels sit over a brick masonry base, separated by a band of glass, which reduces the mass of the building. Sitting adjacent to a neighborhood of 1920s-style homes, the building needed warmth and texture, Ciccarelli notes, yet it still needed to respond as a new building.

The patterns of the panels and coursing in the brick – a banding – ensure that the building has a texture of shadows throughout the day, providing scale and warmth to the facade.

"It was not an easy problem at all," he says, noting that the zinc panels will produce a patina – a change in appearance produced by age, which will continue to develop the character of the building.

Another concern in making a building that responds to the neighborhood was to allow the building to be more transparent to passersby.

"It was too closed in," Ciccarelli says of the former building, which was built in 1932 and renovated in 1968. The openness has been accomplished by large exterior windows.

"We wanted to make sure the building was very light and very transparent," he says. "People walking and driving past the building need to see the activity inside."

The front of the library also has a larger entrance patio for reading, sitting and waiting, Ciccarelli notes, along with new landscaping, sidewalks and streetlights.

Higley becomes construction manager

In 2005, Albert M. Higley Co. was awarded the bid as construction manager with a guaranteed maximum price of \$11 million. Ground broke in April of that year.



J.V. Janitorial Services, Inc.

Provides **STEAM CARPET CLEANING** to
Commercial and Residential Clients

Window Cleaning

1230 Schaaf Road
Brooklyn Heights, OH 44131

216-749-1150
www.jvjanitorial.com



Scott Pease Photography



440-724-5510

Visit our online gallery at
www.peasephotography.com

**Architectural &
Interior Photography**

Ask how to receive a **FREE** in-depth evaluation
of your current or proposed photography





Let Us Take Care of Your
Landscaping and
Grounds Maintenance
COMMERCIAL
LANDSCAPE ARCHITECTS
- SINCE 1948 -

R.B. STOUT INC.
LANDSCAPE CONTRACTORS

Bath, Ohio
(330) 666-8811 1-800-896-8811



On-Time Performance
Quality Workmanship
Customer Satisfaction

www.northcoastconcrete.com
Phone: 216-642-1114 • Fax: 216-642-3346
6061 Carey Drive, Valley View, Ohio 44125

We help Property Investments

Zinner & Co. LLP is renowned for our real-estate financial services. In fact, our clients rely on Zinner & Co. LLP for real-estate expertise and know-how and to advise them on the implications of any real-estate transaction.

We're Zinner & Co. LLP, a full-service accounting, tax and wealth-management consulting firm focused on the success of each of our clients

You can trust the professionals at Zinner & Co. LLP to be an essential financial partner for your commercial real-estate investments.

Your success is our business.



29125 Chagrin Boulevard • Cleveland, OH 44122
Phone: 216.831.0733 • Fax: 216.765.7118

SOAR



"They've been wonderful to work with," Wood says. "They bend over backwards to succeed."

The project was back on track, but there was plenty of work ahead. All of the books, CDs, DVDs and video-cassettes were relocated to the former Taylor elementary school, which was vacant. The gym and cafeteria areas of the vacant school offered space to store materials.

Wood says material from about 64,000 square feet of space at the library relocated to about 26,000 square feet at Taylor elementary school in a two-week period.

"That school came along at exactly the right time for the relocation," Wood said.

The shells of both the main library and YMCA building have remained intact, but both have been expanded. The center section of the old YMCA building was completely rebuilt to support the bridge.

Nick Bobulsky, project manager for Higley, says the finished floor elevations are different heights. In addition, the walkway had to maintain a 14-and-a-half-foot clearance above the road.

The YMCA was in worse condition than many had thought, Bobulsky says. The main library building's front exterior was completely removed, an entire section was added at the north end of the building, and another addition was added to the second floor at the south end.

"It gives them more space to do what they want to do," Bobulsky says.

New plumbing and HVAC systems

Both of the buildings' HVAC and plumbing systems were replaced with more modern ones.

Dan Austrian, owner of Cleveland-based Austrian & Associates, the mechanical engineer on the project, says high performance, energy efficient systems were installed. An absorption chiller powered by steam boilers was replaced with modular type, electric chillers. A new cooling tower was added for the chillers. A hot water boiler replaced steam boilers, resulting in 85% energy efficiency.

Greater zone control was achieved by replacing air vent units with a multi-zone system with air handling units with variable speed drives managed by a fan-

NEW HEIGHTS A railed balcony overlooks the main entrance of the community annex.

powered, verbal air volume system. This resulted in improved comfort and energy efficiency.

Austrian said the pneumatic temperature control was replaced with a direct digital control system.

To achieve improved energy efficiency in the plumbing system, low-flow, waterless urinals were installed.

Replacing the basement air-handling unit was difficult, Austrian says. It was necessary to cut a hole in the floor to install the necessary equipment.

"It's always a challenge to adapt new systems into an existing structure," he says, giving "special thanks" to the project mechanical engineer, Kirk A. Fry, and project plumbing engineer, Gary E. Skalecki.

A more user-friendly library

The interior of the main library has a lot more light than before, thanks to the large windows, the light colored walls and fewer rooms.

The big checkout area was removed in the main first floor lobby. There is now a vast open space with six self-checkout stands.

"As you come in, you've got that space to get acclimated," Wood says.

There is also a staffed customer service desk for paying fines and applying for a library card.

Instead of waiting in long checkout lines like they used to, patrons use bar-code-embedded library cards to scan their books. This frees up more library staff to be on the floor assisting patrons.

"It's a way to allow us to grow our circulation without having to grow the entire staff," Woods says.

Ciccarelli, the architect, notes that the staff will eventually be able to access the library's catalog using personal digital assistants.

"[Wood] wanted the library to be forward thinking as to how service was provided," he says.

The reference staffers wear special badges so they can easily be identified. They carry wireless phones to stay in touch with each other. The building is 100% wireless. The area between the front and back entrances also offers copy machines, a fax machine, a coin changer,



Photo courtesy Studio Techno

a plasma screen listing events, and an ATM machine is on the way. One section of the area has seating benches, a bulletin board and rest rooms.

There is an enclosed kitchen in one section of the first floor, along with a storage area containing book lockers that patrons can rent.

There are also four meeting rooms on the first floor, in addition to a few conference rooms on the second floor.

The exterior along one side of the building has a drive-up book drop-off.

Patrons can also have books waiting for them in the drop off, which they open any time of the day or night using a key code.

"Let's make it as easy to the customer as we possibly can," Wood says.

The library has long boasted an outstanding collection of CDs and DVDs, but the new audiovisual area is bigger and easier to navigate. Many of the CDs and DVDs are now displayed in "face out" versus "spine out" fashion, making it easier to browse the collection.



YOUTHFUL ENERGY The teen area features computer stations, a lounge area, a performing stage and refreshment vending machines.

Another feature section is the 3,000-square-foot teen area, featuring computer stations, a lounge area, a small performing stage and refreshment vending machines.

The kids' area features a big enclosed circle called the "story time" room, complete with cabinet and sink, where kids can go after school. Big illustrations of the covers of kids' books can be found in the area, which also has "book trucks," which are essentially portable bookshelves. There is also a big aquarium, stroller parking areas and family bathrooms.

"We've tried to ensure that everything can change," Wood says.

The second floor can be easily accessed from the main checkout area by means

of a railed stairwell or an elevator. The rectangular stairwell in the center of the building is bordered by balconies, allowing patrons on the second floor to oversee the first floor.

The second floor houses the administrative wing, one of the few separated areas in the building. There is a reception desk inside the administrative area, along with a series of private offices and conference room, all of which have large windows overlooking Lee Road.

The second floor also has a six private study rooms that are available on a first-come, first-serve basis. There is also a large study area equipped with comfortable chairs and worktables that is soundproofed but not secluded, thanks to a glass divider.

Many of the walls on both the first and second floors bear digital graphics designed by Studio Techne and the library's art department and prepared by Mayfield Heights-based Sign-A-Rama, including quotes from books and pictures of famous authors. The design team chose photos and book covers to reproduce, and Sign-A-Rama produced vinyl copies and installed them on the walls.

Victor Baskin, co-owner of the Sign-A-Rama franchise, says the most challenging section was a 900-square-foot area on the egg-shaped wall in the children's area, which has colorful book covers reproduced several feet large.

"With the curvature on the wall and the fact that the ceiling drops, that posed a real engineering challenge," Baskin says.

Signs were also installed in the teen, fiction and non-fiction areas. Signs in the fiction and non-fiction areas feature figures such as Shakespeare, Hemingway, Martin Luther King, Jr., as well as some literary characters.

Additional signage was provided by Northcoast Signworks, including plaques, ADA signage and custom vinyl layouts.

"We also retrofitted all three existing branch locations with new exterior illuminated sign faces to coincide with the grand opening of the new Lee Road facility," Northcoast Signworks' David Pruce says.

"One of the major elements that makes this building really cool is the graphics," Wood says.

New library furniture, much of which is the esteemed Herman Miller brand, was provided by Library Design Associates of Columbus. There are also modern display shelves highlighting special books.

"We're really trying to do something different with libraries," Wood says. "We've tried to be a little bit more proactive."

Much of the woodwork was customized. The teen area, reserve checkout section and the administrative wing all had substantial customized millwork.

The millwork along the two walls in the checkout area features pre-finished, cherry wood book shelves with custom glass display panels, noted Steve Endrek, a project manager for Cleveland-based Reserve Millwork, which did the custom millwork. He says the wood was fabricated using a computerized router and preassembled in the shop. There are two 13-foot custom stainless steel transaction counters with outside edges welded and ground smooth.

In the administrative wing, Reserve Millwork prepared radius cherry, panel dyewalls and custom stainless steel transaction tops and standoffs. The company also did custom end panels for bookshelf units and casework cabinets.

Endrek said there were 300 hours invested in the book shelving units in the checkout area and about 420 hours in the two desks for the administrative wing.

"The whole space of the library came out very nice," Endrek says.

The area just outside to the entrance to the bridge has a café called Walkway Café, complete with comfortable chairs, a counter with a hot beverage vending machine serving Phoenix Coffee coffee, a vending machine with "better for you" snacks and cold beverages, a sink and cabinets. Snacks and beverages follow the USDA's "Dietary Guidelines for Americans 2005."

The inspiration for the walkway is Cleveland's unique history and typology of bridges, says Ciccarelli, the architect.

HMH RESTORATION

SPECIALIZING IN EXTERIOR MASONRY REPAIR & RENOVATION SINCE 1972

- COMPLETE INSPECTION/ASSESSMENT OF FAÇADE CONDITIONS
- TUCKPOINTING/CAULKING
- BRICK & STONE REPAIR/REPLACEMENT
- SEALING/WATERPROOFING
- CLEANING/PRESSURE WASHING

216-881-4142
Fax: 216-881-6557

4408 St. Clair Ave.
Cleveland, Ohio 44103

216.663-0801
1.800-466-tint (8468)
5060 Taylor Road, Unit 1
Cleveland, Ohio 44128
www.suntrol.com

SUNTROL Co.
GLASS ENHANCING FILMS

Suntrol window film prevents fading and glare, reduces heat loss and reduces air conditioning costs by 55% to 73%. UV rays are reduced 99% while improving aesthetics. Balance your heat/cold spots in your building.



We Provide a 10- to 15-Year Warranty and a Free Energy Savings ROI Report

Residential, Commercial & Institutional

Helping Northern Ohio Since 1975

INDUSTRIAL & COMMERCIAL CONSTRUCTION/RENOVATION/REPAIRS

CLOCK ELECTRIC INC.

Bucket Truck Services

216.221.1400

www.clockelectric.com



Parking Lot Lighting
Exterior Lighting & Building
Wall Packs

Pole Removal
and/or Installation

Maintenance
Contracts Available

Sign Repairs
LED & Neon

Call on us for 24-HOUR EMERGENCY SERVICE: 800.837.9550

Proud to have worked on the Cleveland Hts. & University Hts. Library

AUSTRIAN & ASSOCIATES
CONSULTING ENGINEERS

2530 Superior Ave., Suite 202 • Cleveland, OH 44114 • 216.621.6631



LIBRARY'S LEVELS The second floor can be easily accessed from the main checkout area by means of a railed stairwell or an elevator. The rectangular stairwell in the center of the building is bordered by balconies, allowing patrons on the second floor to oversee the first floor.

"We wanted to add to this dialogue by making a sweeping graceful element that twists and almost disappears as it crosses the street," said Ciccarelli. "We placed an emphasis on making the walkway as transparent as possible, and working with Mik Peller of Peller and Associates [the structural engineer] we were able to preserve that ideal."

There is a plaque outside the walkway designating it as "Sam's Way," in honor of a late resident, Sam Wolpert, a businessman who was active in charitable fund raising.

The bridge provides one of the most memorable aspects of visiting the library, particularly at night when the Cedar Lee commercial district is all lit up.

"It's the gateway to Cleveland Heights as far as I'm concerned," Wood says.

The walkway's interior walls have a lot of glass with vertical metal frames. A hanging panel extends the length of the ceiling, containing air conditioning vents, smoke detectors and track lighting.

Bobulsky of Higley notes that power and phone cables had to be relocated underground.

"That was a coordination issue itself," he says.

Miklos Peller Sr., the structural engineer on the project and owner of Westlake-based Peller & Associates Inc., says there were no original architectural

drawings of the former YMCA building to work with and that the masonry in some sections of the building was in worse shape than imagined.

The structural steel for the walkway was fabricated and installed by Cleveland-based Comm Steel. Neal O'Keefe, project manager for the company, says the shape of the walkway is not standard; the pipes were rolled in two different planes due to the uneven shape of the structure, although this is not obvious to the casual observer. The steel was installed over a weekend, during which the road was closed.

Peller is proudest of the pedestrian walkway.

"We were able to detail it very nicely," he says.

Some wires that are placed across the road designate an "eruv," a physical boundary that encircles an area in which observant Jews are permitted to carry items on Shabbat. Some of these wires had to be changed, Bobulsky says. The construction firm consulted with a rabbi on this.

Annex has numerous amenities

Once across the street in the community annex, patrons can choose from a variety of amenities.

One section features "The Community Office," offering personal computers, audiovisual equipment, printers and

scanners for small business owners and organizations in need of free and low-cost support resources. "We wanted to be the community office," Wood explains.

A railed balcony overlooks the main entrance of the community annex, which has brick front steps and an entry vestibule.

The second floor also houses an area for kids known as "Little Heights," which has toy furniture and amenities for preschoolers.

"This really hums on the mornings that they're open," Wood says.

Like the main library, the second floor of the community annex can be accessed via a stairway or an elevator.

The annex's first floor houses the public art gallery, which in early October featured the works of nationally renowned Cleveland artist, Cathie Bleck. The gallery has studio lighting.

The end result has been a building that both meets the design requirements of a very design conscious community and is also functional.

"What I care about is how it functions," Wood says.

If community response is any indication, all of these improvements have not gone unnoticed.

"We get more people using this building than we did before," Wood says. **P**

Inundated with Paper Documents?



Let eBlueprint create an Online Document Storage solution for you.

- All files are saved on the web for instant viewing and ordering 24/7.
- Drawings are databased by discipline, according to title block, making it easy to navigate to the drawings you need. Order a full set or only the pages you need.
- All previous drawing versions remain archived on the website for future reference.

Call eBlueprint today for your free solutions consultation guaranteed to make your job easier.

eBlueprint[®]
...plan on it

Cleveland, OH

4507 Lorain Ave. Cleveland, OH 44102 P: (216) 281-1234

700 West St. Clair Ave. B25 Cleveland, OH 44113 P: (216) 522-0911

Beachwood, OH

23295 Commerce Park Rd. Beachwood, OH 44122 P: (216) 831-1111

Westlake, OH

29225 Center Ridge Rd. Westlake, OH 44145 P: (440) 835-2343

Akron, OH

1915 W. Market St. Ste. 200 Akron, OH 44313 P: (330) 865-4800

Aurora, CO

10733 E. Bethany Dr. Aurora, CO 80014 P: (303) 696-6363

Denver, CO

1408 Wazee St. Ste 100. Denver, CO 80202 P: (720) 974-7444



Or visit www.eBlueprint.com

Checkmating Check Fraud

Protecting your business from a \$9 billion-a-year problem

By Thomas J. Lekan

America has a \$9 billion-a-year problem: check fraud. Most businesses view it as a bank problem, but they're mistaken. Check fraud is now a systemic crime problem, perpetrated across the nation. Your business is at risk from commercial check fraud every day. It's your problem, too.

Check fraud and identity theft drain more dollars from banks than any other crimes. They're often found together, because false checks and false IDs complement each other. Check fraud, in particular commercial check fraud, is exploding. Why? Because it's incredibly easy to do.

Ten years ago, check fraud was harder to commit. Typically, a small group of thieves operating in one city would steal a company's actual checks and make them out to false IDs. These fake checks were hard to pass and easy to detect. Then electronic scanners became more sophisticated, and the preferred method

of check fraud changed. Thieves would scan an actual check and try to pass the image off as real. These fakes could still be spotted quickly.

Today's check fraud perpetrators, however, are a different breed of criminal. They're web-savvy and computer literate. They're part of organized crime. They operate nationwide. There are many more of them, especially in major cities. And they have easy access to every tool they need.

Tools of the trade are ubiquitous: a computer, scanner, software, check paper and magnetic ink, all available at the local office supply store. Throw in a few false IDs (type "fake ID" into your browser – you'll be amazed), add the Internet and any place that will cash a check, and the crooks are in business.

Here's how it works. First, the criminals print a run of checks on protected check paper, using magnetic ink. Both paper and ink came from the office

supply store. The checks carry your business's logo, pulled from a clip art software package or the Internet. They may even be signed with your CFO's name; that came from the Internet, too. All the checks are in the same amount, low enough not to generate concern, made out to similar names and drawn against your corporate payroll account.

Or, the scenario could be even worse: the checks could be made out to names of actual employees in correct payroll amounts. A telephone call would confirm that your business issued a check with the corresponding identification number in the given amount to a particular employee.

How did that happen? Because a bad apple in your organization, someone you haven't yet identified, stole and fenced your payroll information.

Next, the crooks hire people off the streets to cash the checks. These people are known as "mules." The mule takes

Next to your windows, we're the very best.



If you want the very best in design & quality for your building and construction needs, come to us for personal service. We welcome you to visit our showroom, which is equipped with the latest in motorized shades. Open Monday- Friday, 9 am to 5 pm.

- Residential
- Commercial
- Institutional

Design, installation, cleaning & repair experts operating with pride since 1922

Art Window Shade & Drapery Company

3314 Prospect Avenue, Cleveland, OH 44115
Phone 216.361.2330 • Fax 216.361.1080
www.artwindowshade.com

WINDOW CLEANING Div. of KOZLOVICH ENTERPRISES SPECIALISTS

CONSTRUCTION CLEANING SPECIALISTS

COMPLETE FINAL CONSTRUCTION
CLEANING

FROM FLOORS TO SKYLIGHTS

WE CAN HANDLE ANY SIZE PROJECTS

4067 Erie Street, Willoughby, Ohio 44094

Phone: (440) 946-3700 • Akron Phone: (330) 376-7272

Fax: (440) 946-8803

1-888-4WCSWCS

Are you **at RISK?** (and do you really know?)

- ◆ When was your last assessment of security and life safety risks by a certified, credentialed, security pro?
- ◆ Are your security-safety procedures and systems fully functioning? Sufficient to avoid liability?
- ◆ Incident procedures-documentation up to standards? Can you confidently take the stand in court and withstand an attorney's examination?

Explore your questions. Make a call to...

Tom Lekan, C.P.P., Senior V.P.
Security Assessment & Risk Consulting
440-717-7050



SECURITY MANAGEMENT SERVICES
105 Ken Mar Ind. Pkwy. Cleveland, Ohio 44147

www.AtlantisSecurity.com
Approaching our 3rd Decade of Service



DISCOVER THE
POWER OF
BOMA MEMBERSHIP

BOMA
BUILDING OWNERS & MANAGERS ASSOCIATION OF
GREATER CLEVELAND

BOMA Greater Cleveland
1228 Euclid Avenue, Suite 850
Cleveland, OH 44115-1846
Phone: 216.575.0305 • Fax: 216.575.0233
www.bomacleveland.org



The FIRST name in quality electric heating equipment. The industry's referenced standard.

Specify clean, quiet and dependable QMARK Baseboard Sill-line Convectors, Fan-Forced Wall Heaters, Aztec™ Radiant Ceiling Panels and Unit Heaters on your next heating project.



The Installed Heat at Gateway Arena, Society Tower, and the Cleveland Library

Local Chromalox® and QMARK Representative:

ANDERSON-BOLDS

24050 Commerce Park, Cleve. 44122
Phone (216) 360-9800 • Fax 360-0425
www.anderson-bolds.com
For information, call Guy Mercer or Marlene Holderman

Cleveland area stocking distributors:

Don Burger, Inc.	451-0719
Cleveland Hermetic	961-6250
Famous Supply Co.	529-1010
Leff Electric	432-3000
Wolf Bros. Supply	225-2240

the check into any place that will cash one. He or she presents a false ID (or two) or even gives a thumbprint, which on close inspection turns out to be a little blurry from baby oil. The mule comes back out of the store, gives the cash (minus their cut) to the crook, and the transaction becomes part of the \$9 billion check fraud epidemic.

Sooner or later, the mules probably get caught, but they don't know the crook. They seldom have any idea who she is, or where he operates. Mules are the small fry, and they're no help in catching the bigger fish.

Why aren't the police vigorously pursuing commercial check fraud? There are three reasons. First is scope: there are simply too many criminals and bad checks, and not enough police to chase them all. Second is efficiency: it's too costly to go after so many small-time thieves, so only the big check-fraud rings are prosecuted. Finally, there's priority: check fraud is not the top worry for law enforcement today. Their biggest concern is terrorism.

Initially, the bank is responsible for the loss your business may incur through check fraud. If the fraud persists, however, the bank does not have to keep you as a customer. If it does, it may require you to install certain protections. If your company consistently has a bad check problem, the bank can demand that you use "positive pay." Under this process, you tell your bank on a timely basis throughout the day all the checks you write and to whom, with the check numbers and amounts. The bank will only pay those checks, and will send you an exception report for any other checks that show up on your account.

It may occur to you to just switch banks: don't do it. A change of bank only takes the crook a moment to trace. If you were targeted once, you'll be targeted again.

However, you must understand that your bank alone cannot prevent check fraud crimes against your company. There are steps you can and must take to guard against this theft.

Carefully examine your internal systems and procedures. Do your processes place you at risk of check fraud? Do you control your own check stock? Do you rigorously review and reconcile statements? How well do you know your employees – how stringent are your

background checks? Don't take anything for granted!

Train your employees about check fraud warning signs, with clear direction on what to do if they suspect a problem. Don't just train them once; make training a continual process. Put muscle at the front line and in the verification process.

Use proven defensive tools. Collaborate with your bank to use early warning, positive pay, and deposit and transaction verification programs. If you need to invest in fraud-fighting technology, consider it money well spent.

Not all the news about check fraud is grim. Banks have great products in place today, with more on the way, to help stop check fraud. These products include positive pay systems, payee name verification systems, filters, and sophisticated software programs and data mining techniques. Filters can detect transactions that don't conform to customer-permitted actions. Software like ViewDirect lets the bank compare signatures to keep fraud down.

Your should expect five core services from your bank to help address check fraud:

- Aggressive pursuit of losses and loss control
- Great products that protect you and the bank – after all, you share the loss from fraud – and internal software investments to match
- Professional investigative staff
- Special fraud hotlines for corporate accounts
- Willingness to work together

Of the five, the last may be the most important. The key to success in fighting check fraud is to work together with your bank to insure that you never become a victim. Crime follows the path of least resistance; make it as hard as possible for your business to be a victim.

The crooks win when they divide us: partnership and vigilance are your best defense against check fraud. **P**

Thomas J. Lekan is senior vice president of Atlantis Security Management Company (www.atlantissecurity.com). He can be reached at 440.717.7050.

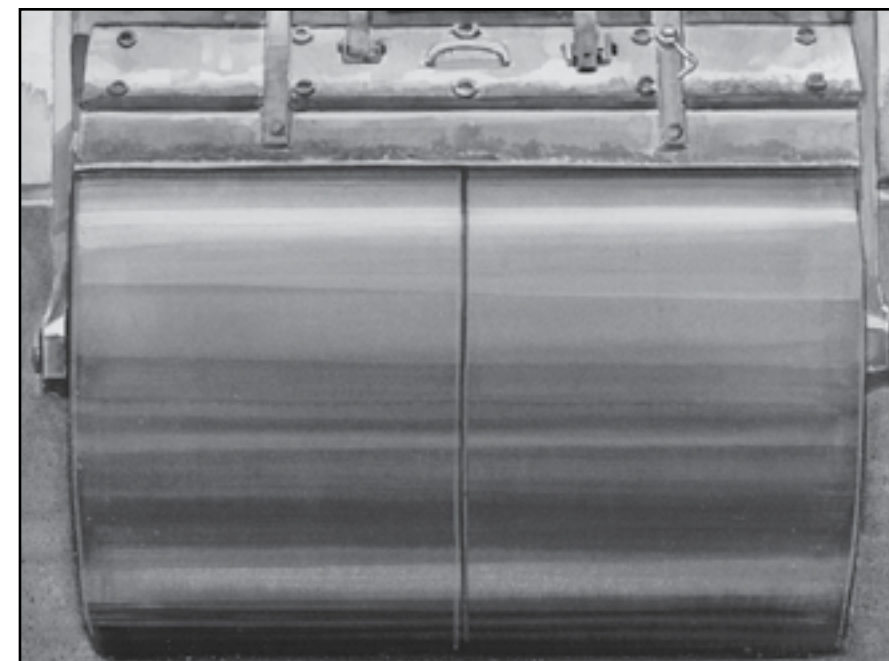
The BBC Electric Company Inc.



TEL 216.721.6733
FAX 216.791.5008

Residential / Commercial / MBE

We move power.



Carron paves the way!

Carron is your full service asphalt paving company. We handle every facet of your project from assessing your needs to the completed pavement. We perform site survey, grading, drainage, lighting, pavement, sealcoating and pavement marking. We can also provide you with an ongoing maintenance program to keep your pavement in excellent condition.

Call us today! Our Carron representative will be happy to meet with you to discuss your paving project needs!

carron
asphalt paving, inc.

440-439-6464

7615 Bond Street, Solon, OH 44139
carronsales@carronasphalt.com

CONSTRUCTION PROGRESS REPORT

Updated info on important projects in the region

ACME FRESH MARKET
Medina, OH (Medina Co.) South Court Street
ESTIMATED AMOUNT: \$9,000,000
CONTRACTING METHOD: G.C. Bids (By Invitation Only) or Negotiated G.C.
UPDATE: Announcing estimated amount; owner is considering site for possible 2007 construction.
OWNER: Acme Markets Inc.
 2700 Gilchrist Road
 P.O. Box 1910
 Akron, OH 44309
 (330) 733-2263
DETAILS: Approx. 75,000 SF, one-story grocery store on 40 acres; sitework; grading; roads; site utilities; concrete slab; EPDM; brick/

PN-R0925002

masonry; steel; aluminum storefront; glass & glazing; asphalt paving; lighting; signage; floor tile; refrigeration; acoustical ceiling; fire suppression equipment; plumbing; electrical; HVAC; landscaping.

ADMINISTRATIVE OFFICE COMPLEX
Cleveland, OH (Cuyahoga Co.) East 9th Street and Euclid Avenue
ESTIMATED AMOUNT: \$100,000,000
CONTRACTING METHOD: Public Bids
UPDATE: Announcing architects; planning is preliminary; construction could begin in 2009.
OWNER: Cuyahoga County Commissioners Office of Procurement & Diversity

PN-R0307006

112 Hamilton Avenue, Annex Bldg.
 Cleveland, OH 44114
 www.cuyahogacounty.us
 (216) 443-7200 FAX (216) 443-7206
OWNER: Cuyahoga County Planning Commission
 323 Lakeside Avenue, Suite 400
 Cleveland, OH 44113
 (216) 443-3700

ARCHITECT (NOT SIGNED): Kohn Pederson Fox
 111 West 57th Street
 New York, NY 10019
 (212) 977-6500 FAX (212) 956-2526

ARCHITECT (NOT SIGNED): Robert P. Madison International
 2930 Euclid Avenue
 Cleveland, OH 44115
 www.rpmdison.com
 (216) 861-8195 FAX (216) 621-5738
AGENT: Cuyahoga County Central Services
 1642 Lakeside Ave.
 Cleveland, OH 44114
 (216) 443-7660
C.M.: R.P. Carbone Co.
 5885 Landerbrook Drive #110
 Cleveland, OH 44124-4031
 www.rpcarbone.com
 (440) 449-6750 FAX (440) 449-5717

ENVIRONMENTAL CONSULTANT: Stephen J. Sebesta & Associates
 17830 Englewood Drive, Suite 18
 Middleburg Heights, OH 44130
 (216) 781-0060 FAX (216) 781-0024
DETAILS: Convert the former Ameritrust Building complex for use as a new administrative office complex for the Cuyahoga County Board of Commissioners; selective demolition; concrete; masonry; finishes; wood and metal framing; drywall; painting; plumbing; mechanical; electrical; lighting.
 Note: Additional details to be determined.

PN-R0905006

ARENA RENOVATIONS
Cleveland, OH (Cuyahoga Co.) One Center Court
CONTRACTING METHOD: To be determined
STATUS: Project is conceptual; no cost estimates or specifics have been determined at this time.
OWNER: Gateway Economic Development Corp.
 758 Boliver Road
 Cleveland, OH 441151222
 (216) 420-4071
LESSEE: Cleveland Cavaliers
 1 Center Court
 Cleveland, OH 44115
 (216) 420-2000
DETAILS: Upgrades to the Quicken Loans Arena could include both external and internal changes, such as exterior facade improve-

ments and changes to seating areas, most notably to the loges.

PN-R0914008

ATHLETIC/ENTERTAINMENT COMPLEX
Avon, OH (Lorain Co.) Route 611 & Interstate 90
CONTRACTING METHOD: Public Bids
STATUS: Owner seeking grant funding; plans are preliminary.
OWNER: City of Avon
 36080 Chester Road
 Avon, OH 44011
 www.cityofavon.com/
 (440) 937-7800
ARCHITECT: To be announced
DETAILS: 42 acres; baseball diamond; soccer fields; swimming pool; tennis courts; amphitheatre; possible bridge to be constructed over French Creek; paving; wood and plastics; fencing; lighting; electrical; painting; sound system; concrete; mechanical; plumbing.

PN-R0911006

CAMPUS EXPANSION
Cleveland, OH (Cuyahoga Co.) West 32nd Street
ESTIMATED AMOUNT: \$15,000,000
CONTRACTING METHOD: To Be Announced
STATUS: Project is conceptual at this time; owner is currently fundraising; no construction schedule has been determined.
OWNER: Providence House, Inc.
 2037 West 32nd Street



Wholesale Distributors Since 1921

Building & Property Management

- Group Contract Pricing
- New & Upgrade Project Planning
- Lighting Audit & Evaluation



1163 East 40th Street • Cleveland, Ohio 44114
 Phone 216-432-3000 • Fax 216-432-3311

George Griffith Ext. 260
 National Accounts Manager

Heating & Air Conditioning | Ventilation Systems | Refrigeration | Control Systems

WESTLAND
 HEATING/AIR CONDITIONING
 A Division of Northeast Mechanical, Inc.

CLEVELAND 440.871.7525
LORAIN 440.934.4400

1010 Center Rd., Avon, OH 44011
 sales@westlandhvac.com
 www.westlandhvac.com

Proud to have worked with Baywest Construction on the Veda & Sons project

Sales • Service • Installation • Replacement • New Construction • Design/Build • Commercial • Industrial

DIPOLE BUILDERS, INC.

Full Range of Construction Services
 General Contracting • Design/Build • National Contract Services

330.908.1656
 367 W. Aurora Rd., Sagamore Hills, OH 44067

ASPHALT PAVING
ASPHALT REPAIR
SEALCOATING
CRACK FILLING
COMPLETE SITE CONSTRUCTION
EXCAVATION TO COMPLETION

CUNNINGHAM PAVING INC.

- Excellent quality, competitive pricing & reliability
- Cunningham Paving is a family-owned business, with over 15 years of experience
- Licensed, bonded & insured
- Our motto: "Keeping our customers satisfied, keeps them coming back."

Phone 216.581.8600
Fax 216.581.8683
 20814 Aurora Road, Warrensville Heights, OH 44146-1006

“Wiring Homes for the 21st Century!”



- Structured Wiring
- Security Systems
- Whole-House Audio
- Video Modulation
- Home Automation
- Lighting Control
- Touchscreen Controls
- Phone / Intercom Systems
- Home Theater - Plasma / Projection

S.M.I.L.L.E. Inc.
23000 Miles Rd.
Cleveland, OH 44128
Phone: 216.663.1777
Fax: 216.663.2440
www.smileathome.com

Cleveland's Finest Architectural
Art Glass Company

- Custom Frameless Showers
- Stained Glass
- Carved & Etched Glass Mirrors
- Rails & Balconies
- Glass Furnishings & Tabletops
- Sculptures
- Custom Mirrors
- Carved Entry Doors
- Designer Services
- Cast Glass
- Painted Glass Products



• I • L • U • S • I • O • N • S •

architectural art glass

Visit Our Showroom
5120 Richmond Rd. at Miles
216-292-9959

OUTSTANDING

ADJ. projecting, prominent, distinguished, noticeable.

At Crystal Illusions, our commitment to excellence will continue to bring you state-of-the-art products, top-level service and the design assistance required to do the job right.

Cleveland, OH 441134017
www.provhouse.org
(216) 651-5982 FAX (216) 651-0112

ARCHITECT: City Architecture Inc.
3634 Euclid Avenue, Suite 100
Cleveland, OH 44115
www.cityarch.com
(216) 881-2444 FAX (216) 881-6713

DETAILS: Four connected homes to be linked to a child-care center with classrooms and playrooms; convert one of the existing buildings to an education center; build a secure playground behind the two houses; add underground storage for donations; sitework; framing; excavation; plumbing; electrical; HVAC.

PN-R0711004

COLLEGE OF BUSINESS ADMINISTRATION FINANCE LAB

Akron, OH (Summit Co.)
ESTIMATED AMOUNT: \$228,000
CONTRACTING METHOD: Public Bids
STATUS: Architectural RFQs have been received; owner is reviewing proposals; bidding possible October/November 2006 with a December 2006 construction start planned.

OWNER: University of Akron
100 Lincoln St., Room 209
Akron, OH 44325
www.uakron.edu/bids/legalnotices.htm
(330) 972-7340 FAX (330) 972-5564

DETAILS: Project No. 06018
High technology resource for undergraduate and graduate finance courses; furniture; furnishings and equipment; mechanical; electrical; audio-visual technology; advance multi media and multiple display capabilities; select demolition of existing office area.

POC: Mr. Eugene Stephens, Director, purchasing department.

PN-R0530048

COURTHOUSE IMPROVEMENTS

Medina, OH (Medina Co.)
CONTRACTING METHOD: Public Bids
UPDATE: Announcing architect; planning is preliminary; bid date has not been determined.

OWNER: Medina County Commissioners
144 N. Broadway
Medina, OH 44256
www.co.medina.oh.us
(330) 722-9208 FAX (330) 722-9206

ARCHITECT: Bialosky & Partners/Mulle & Assocs., JV
1130 Chester Avenue
Cleveland, OH 44114
(216) 861-5155
DETAILS: 22,000 SF new space; 6,000 SF renovations; sitework; concrete; masonry; structural steel; thermal and moisture protection; finishes; drywall; painting; plumbing; HVAC; electrical; lighting.

PN-R0912039

EDUCATIONAL & PROFESSIONAL CENTER
Brunswick, OH (Medina Co.)
ESTIMATED AMOUNT: \$8,000,000-12,000,000
CONTRACTING METHOD: Public Bids
UPDATE: Architectural and engineering services 50Qs received October 3, 2006; award to be made shortly.

OWNER: City of Brunswick
4095 Center Road
Brunswick, OH 44212
www.brunswick.oh.us
(330) 225-9144 FAX (330) 273-8023

DETAILS: 50,000-60,000 SF, three-story, state-of-the-art facility; sitework; landscaping; paving; concrete; masonry; structural steel; wood and plastics; roofing; doors and windows; painting; finishes; HVAC; plumbing; electrical; lighting.

PN-Q0706002

EMERGENCY DEPARTMENT EXPANSION

Medina, OH (Medina Co.)
ESTIMATED AMOUNT: \$30,000,000
CONTRACTING METHOD: C.M Subcontracts
UPDATE: Rezoning has been approved; owner to seek planning commission approvals; bid date has not been determined.

OWNER: Medina General Hospital
1000 E. Washington Street
Medina, OH 44258-0427
(330) 725-1000

ARCHITECT: CBLH Design Inc.
7550 Lucerne Drive, Suite 207
Middleburg Heights, OH 44130
www.cblhdesign.com
info@cblhdesign.com
(440) 243-2000 FAX (440) 243-3305

C.M.: To Be Determined
DETAILS: 74,000 SF; concrete; masonry; structural steel; miscellaneous metal; various wood & plastics; thermal & moisture protection; finishes; drywall; painting; plumbing; mechanical; electrical; lighting.

PN-N1104003

HEALTH SCIENCE BUILDING

Ashtabula, OH (Ashtabula Co.)
ESTIMATED AMOUNT: \$12,000,000
CONTRACTING METHOD: Public Bids
UPDATE: Announcing adjusted estimated amount; groundbreaking is scheduled for spring 2007; owner is conducting fundraising.

OWNER: KSU - Architect's Office
334 Lowry Hall
Kent, OH 44242
www.kent.edu/facilitiesplanning
univarchitect@kent.edu
(330) 672-3880 FAX (330) 672-2648

ARCHITECT: CBLH Design Inc.
7550 Lucerne Drive, Suite 207
Middleburg Heights, OH 44130
www.cblhdesign.com
info@cblhdesign.com
(440) 243-2000 FAX (440) 243-3305

AGENT: ODAS - State Architect
4200 Surface Road
Columbus, OH 43228
www.state.oh.us/das/gsd/sao/sao.html
renee.keys@das.state.oh.us
(614) 466-4761 FAX (614) 644-7982
DETAILS: KSU - 20323

45,000 SF; laboratories; classrooms to include an auditorium-style classroom; sitework, service drives and 100-150 parking spaces; brick/masonry; utilities; concrete; glass and glazing; HVAC; electrical; mechanical; plumbing; painting;



Construction Management • Project Management • Design Build & Consulting

- Commercial
- Industrial
- Remodeling
- Restoration
- New Construction
- Space Planning
- Building Inspectors
- Furniture

319 Hanna Building • Cleveland, Ohio 44115
216-696-3494

TREE SERVICE • LANDSCAPING • STUMP REMOVAL • TREE TRIMMING



PARRILLA'S TREE SERVICE

440.277.1875
Fax 440.277.1876

1941 E. 34th St., Lorain, OH 44055
www.ptsenderprises.us



Cleveland (216) 475-1200
Akron (330) 650-1400

10000 Aurora-Hudson Rd., Hudson, OH 44236

Proudly Using Union Craftsmen Since 1977

An Equal Opportunity Employer



KAS INTERIORS

COMMERCIAL & RESIDENTIAL DESIGN

46200 Mather Lane
Chagrin Falls, Ohio 44092
440-247-5597



Interior Design • Space Planning • Historic Restoration
Color & Finish Selection • Kitchen & Bath Design



HzW Environmental Consultants, LLC

Our staff includes geologists, biologists, chemists, industrial hygienists, environmental specialists and support staff with the technical expertise and experience to address a wide range of environmental situations:

- environmental compliance
- geological services
- industrial hygiene services
- voluntary action programs
- wetlands/ecological services

www.hzwenv.com

ph 440.357.1260
fx 440.357.1510
6105 Heisley Road
Mentor, Ohio 44060

Sitework • Roads • Grading • Underground Utilities • Sewers • Lakes/Ponds • Trucking • GPS Controlled Machines



Phone 440-774-4578
Fax 440-774-2604

www.earthmovin.com • earthmovin@verizon.net
15804 State Route 58, Oberlin, Ohio 44074
Commercial & Residential Development

drywall; insulation; floor coverings; doors and hardware.

PN-R0915002

MIXED USE BUILDING BW

Crocker Park

Westlake, OH (Cuyahoga Co.)

CONTRACTING METHOD: C.M. Subcontracts

UPDATE: Announcing C.M.; developer seeking final approval.

DEVELOPER: Robert Stark Enterprises
28601 Chagrin Boulevard
Woodmere, OH 44122
(216) 464-2860 FAX (216) 464-1458

ARCHITECT: Bialosky and Partners Architects
2775 S. Moreland Blvd.
Shaker Heights, OH 44120
(216) 752-8750 FAX (216) 752-9437

C.M.: Whiting Turner Contracting Company-Cleveland
22901 Mill Creek, Suite 110
Cleveland, OH 44122
(216) 360-0400 FAX (216) 360-0501

DETAILS: Five stories to include 19,253 SF divided among seven retail spaces on the first floor; 36 residential units on the remaining floors to include eight studio units, eight single-bedrooms, eight two-bedroom units and 12, three-bedroom units for a total 58,442 SF; concrete; masonry; metals; sitework; wood and plastics; utilities; structural and misc. steel; doors and hardware; glass and glazing; mechanical; electrical; plumbing; painting; drywall; insulation; various floor coverings; finishes.

PN-N1204058

MIXED-USE BUILDING

Cleveland Heights, OH (Cuyahoga Co.) Lee Road & Meadowbrook

ESTIMATED AMOUNT: \$21,000,000

UPDATE: Announcing estimated amount and architect; planning is underway.

DEVELOPER: Al Neyer, Inc.
10151 Carver Road, Suite 100
Cincinnati, OH 45227
(513) 271-6400 FAX (513) 271-1350

ARCHITECT: Lowenstein-Durante Architects
3109 Mayfield Road, Suite 201
Cleveland Heights, OH 44118
www.lowensteindurante.com
(216) 932-1890 FAX (216) 932-1891

DETAILS: 98,000 GSF, five stories; 17,050 SF of retail, including one or two restaurants, an Ohio Savings Bank and one to four other businesses on first floor and 32 residential units on floors 2-5; sitework; concrete; masonry; plumbing; electrical; mechanical; HVAC.

PN-Q0324012

MUNICIPAL COMPLEX

Avon, OH (Lorain Co.) Detroit Road

ESTIMATED AMOUNT: \$5,000,000

CONTRACTING METHOD: Public Bids

UPDATE: Announcing estimated amount; planning is underway; bid schedule to be determined.

OWNER: City of Avon
36080 Chester Road
Avon, OH 44011
(440) 937-7800

ARCHITECT: RWL Architects - Elyria
5320 Hoag Drive #C
Elyria, OH 44035
(440) 322-7616 FAX (440) 934-1111

DETAILS: 17,000 SF; police station, city hall and possible post office; former Our Lady of the Wayside property; concrete; masonry; structural steel; various wood and plastics; shingle roof; insulation; steel doors/hardware; glass and glazing; caulking; drywall; painting; plumbing; electrical; lighting; HVAC; landscaping.

PN-Q0221024

MUSEUM

Inland Seas Maritime Museum

Lorain, OH (Lorain Co.)

ESTIMATED AMOUNT: \$17,000,000

CONTRACTING METHOD: G.C. Bids (By Invitation Only)

UPDATE: Announcing estimated amount; groundbreaking could be four or five years away as owner tries to raise money from grants, endowments, and donations.

OWNER: Inland Seas Museum
480 Main Street
Vermilion, OH 44089
(440) 967-3467

ARCHITECT: Not yet selected

DETAILS: 40,000 SF; site of proposed waterfront museum on the Black River; sitework; site utilities; concrete; masonry; structural steel; miscellaneous metal; wood & plastics; roofing; insulation; caulking; glass & glazing; drywall; painting; mechanical; plumbing; electrical; lighting.

PN-R0113002

NEW CLEVELAND AQUARIUM

Cleveland, OH (Cuyahoga Co.)

ESTIMATED AMOUNT: \$33,000,000

CONTRACTING METHOD: To be determined

UPDATE: Planning is preliminary; owner is looking for additional funding and a location.

OWNER: Cleveland Aquarium Inc.
P.O. Box 5368
Willowick, OH 44095
www.clevelandaquarium.org
(216) 861-8619

ARCHITECT: To Be Determined

DETAILS: 75,000-80,000 SF aquarium; sitework; concrete; masonry; sites being considered are the east bank of the Cuyahoga River in the Flats, and Dock 20 and Dock 32, which are on Lake Erie near the Rock and Roll Hall of Fame.



Know Your Customers' Customer

Through identifying, anticipating and servicing their customer's changing needs, on the customer's terms, The Crowley Group is able to deliver projects which help their customers grow and thrive.

+ General Contractors + Construction Managers +
+ Design-Build + Interior Construction +
+ New Facilities + Renovations +
+ Owner Representation +

www.crowleygrp.com
email: sales@crowleygrp.com




Is that nice hot shower leaving you cold lately?



Maybe it's your Water Heater's way of letting you know it should be replaced. Or that it's too small to handle your Hot Water needs. Woodhill carries a complete line of A.O. Smith Commercial and Residential Water Heaters. Whatever your needs, Woodhill can supply the right A.O. Smith Water Heater

A.O. SMITH
Water Heaters

Call Woodhill Supply today for more info

440.269.1100 **216.229.3900**
4665 Beidler Rd., Willoughby 44094 1862 E. 123rd St., Cleveland 44106

Coming in December



Planned Building Maintenance

Battery Park Residential Development

Panzica Construction Company's 50th Anniversary

& much more...

Interested in advertising? Call *Properties* today and an account representative can help you address your advertising needs:

216.251.0035 / 888.641.4241



www.propertiesmag.com
The 2007 Media Planner is now available in downloadable PDF form. Visit us online today!

ADVERTISER INDEX

Action Vacuum	42	Lucky Sand & Gravel Co.....	35
Active Plumbing Supply Company.....	12	Maguire Photographics.....	27
AIA	39	McConnell Excavating, Ltd	68
Ajax Commercial Cleaning, Inc.....	39	McGraw-Hill Construction Network.....	6
All Erection Crane.....	2	Mid State Restoration, Inc.....	38
Anderson-Bolds, Inc.	62	Mill Distributors.....	33
Art Window Shade & Drapery Co.	61	Nelson Contracting	7
Atlantis Company.....	60	New Era Builders.....	23
Atwell-Hicks	72	North Coast Concrete, Inc.....	54
Austrian & Associates.....	56	North Coast Paving	4
Baywest Construction Group, Inc.....	15	North Coast Sign Works.....	51
BBC Electric Company.....	63	Northeast Mechanical/Westland HVAC	64
BFI/Karas Rubbish Removal	52	OCP Contractors	50
BOMA Greater Cleveland	61	OHGR Team.....	20
Brennan & Associates	7	Parrilla's Tree Service	67
Brilliant Electric Sign Co.....	44	Pease Photography	53
Bruder Building Materials, Inc.	41	Pete & Pete Container Service, Inc.	10
B-Safe Locksmiths	29	PlanCycle.com/SE Blueprint, Inc.....	16
Buckeye Sweeping, Inc.	50	Precision Environmental Co.....	52
Cardinal Window Cleaning Co.	15	Precision Technology Alarm	3
Carey Roofing Corporation	38	PSI Engineering, Consulting & Testing	18
Carney Construction Company.....	40	RAF Building Maintenance.....	11
Carron Asphalt Paving, Inc.	63	Ranger Electric Inc.	12
CEDA/ Cleveland Educational Design Alliance.....	24	S.M.I.L.E., Inc.....	66
CertaPro Painters.....	71	Schulz, Charles Building Company	7
Clearview Window & Gutter Cleaning.....	62	Service-Tech Corporation.....	11
Cleveland Plumbing Supply, Co.....	26	SJS LandServices	31
Clock Electric, Inc.....	57	SMPS Northeast Ohio.....	43
CNC Construction News Corp.....	50	Sobol Sales Co.	41
Columbia Building Products.....	18	Space Comfort Co.	42
Comm. Association Underwriters Of America.....	30	Stark Group, The	14
Crowley Group, The.....	69	Stout, R.B. Inc.	54
Crystal Illusions, Inc.	66	Studio Techne Architects	48
Cunningham Paving Inc.....	65	Stump Services.....	45
Dallis Services, Inc.	18	Suntrl Co.....	57
Decorative Surfaces.....	40	Svec, Charles Inc.	26
Delta Carpet Cleaning Inc.....	31	Warren Roofing & Insulating Co.....	28
Delta Industrial Services, Inc.....	18	Window Cleaning Specialists	60
Dipole Builders, Inc.....	64	Woodhill Supply, Inc.	32, 69
Dunlop & Johnston, Inc.	45	Zinner & Co. LLP.....	54
Dun-Rite Construction	16		
eBlueprint.....	59		
Educational Equipment.....	34		
Giambone Masonry, Inc.....	67		
Grout Doctor	11		
Guardian Title & Guaranty Agency, Inc.	19		
H Leff Electric	65		
Havscow/W.F. Hann & Sons.....	35		
Higley, The Albert M. Company.....	27, 47		
HMH Restoration Ltd.	57		
Hoffman Group, The.....	49		
HOTT Associates, Inc.....	52		
HZW Environmental Consultants, Inc.....	68		
Infinity Construction	9		
J.V. Janitorial Services, Inc.	53		
JACCO & Associates Inc.....	38		
John G. Johnson Construction Co.....	51		
KAS Interiors	68		
Kelly Frank Auction Services.....	36		
Korfant & Mazzone Construction	67		
Krill Company, The	13		
Kurtz Bros.....	45		
Linda Chittock Studio.....	29		
Lisco Heating & Cooling, Inc.....	41		

INSERT: LAW RULES IN REAL ESTATE

Allen Thomas Group, The.....	L-20
Benesch Friedlander Coplan & Arnoff LLP.....	L-3
Buckingham, Doolittle & Burroughs LLP.....	L-5
Chemtron.....	L-22
County Fire Protection	L-22
CUI Services	L-17
EA Group.....	L-24
Geist Co., The	L-16
GEM Electric, Inc.	L-14
Gillmore Security	L-12
Herbruck Alder	L-12
Jance Construction, LLC	L-21
Kaman & Cusimano.....	L-7
Kohrman Jackson Krantz.....	L-9
Mason Structural Steel, Inc.....	L-20
Roetzel & Andress LPA.....	L-11
Schneider-Dorsey & Rubin	L-21
Schuemann Architectural Photography.....	L-16
Sunray Window Films LLC.....	L-14
Ulmer & Berne LLP	L-19
Vorys, Sater, Seymour & Pease LLP.....	L-17
Woodhill Supply, Inc.	L-15

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION required by Act of August 12, 1970: Section 3685, Title 39, United States Code. Title of publication: *Properties Magazine*. Frequency of issue: monthly (12 per year). Annual subscription price \$19.95. Company mailing address: P.O. Box 112127, Cleveland, OH 44111-8127. Publication owner: Kenneth C. Krych, same address, Publisher/Editor: Kenneth C. Krych, same address, Managing Editor: Mark Watt, same address. The purpose, function and nonprofit status of this organization and the exempt status for federal income tax purposes has not changed during the preceding 12 months. Average for each issue during the past 12 months: total copies printed, 5,000; total paid and/or requested circulation, 3,774; free distribution, 15; total distribution 3,789; 1,211 copies not distributed. For October 2006: total copies printed, 5,000; total paid and/or requested circulation, 3,774; free distribution, 15; total distribution, 3,789; copies not distributed 1,211. --Kenneth C. Krych, Editor/Publisher

Painting
Managed Properties
with
certainty
★★★★★

We know that inviting a company into a place under your management, and that is 'home' for so many, is a privilege for that company. It requires of us to show our respect for you and everything you manage. It asks of us, at every stage, to confirm that you feel in control of what is happening as we are doing our work. Homes are places of trust, and we will hold that place of trust with you and your clients throughout our relationship. Your satisfaction with us means that CertaPro Painters has added one more happy memory to the homes under your management.

CertaPro Painters[®]
Residential. Commercial. Interior. Exterior.
Call today for a free estimate
216.823.0064
or **800.GoCerta**
www.certapro.com

Seeing Red?



There's a lot of Red Tape between you and your project. Atwell has the right tools to cut through it. Our approach is as aggressive as your development plans.

Get Atwell. Get it Done.



ATWELL-HICKS

DEVELOPMENT CONSULTANTS

440.349.2000 • www.atwell-hicks.com

Land Planning • Civil Engineering
Environmental • Surveying • Water Resources