

TO: Andrew J. Winkel, Law Director, City of Westerville

FROM: Keith Matthew Dunkin Jr, Taxpayer and Resident of Westerville

DATE: 5/13/2026

RE: Formal Taxpayer Demand pursuant to Ohio Revised Code § 753.56 et seq. regarding the sale of 64 E. Walnut St.

Dear Andrew J. Winkel, Law Director,

As a taxpayer and resident of the City of Westerville, I am writing to formally demand that the Law Department take immediate legal action, including seeking an injunction, to prevent the execution of the purchase agreement for the property located at **64 E Walnut St.** (Parcel ID: 080-000105-00) to Continental Development Ventures.


This demand is based on the following grounds:

1. **Misapplication of Public Funds and Abuse of Corporate Power:** The City is reportedly intending to sell the property for approximately **\$2,500,000**, despite the current Franklin County Auditor's valuation of **\$3,418,000**. Selling a public asset for almost \$1,000,000 below its assessed value – without a transparent, competitive process to ensure fair market value – constitutes a waste of public assets and a breach of the City's fiduciary duty to its taxpayers.
2. **Violation of Contracting Procedures:** I believe the City has failed to comply with the competitive bidding and public advertisement requirements set forth in the **Westerville City Code Chapter 132** and the **City Charter**. By negotiating a private sale for significantly less than the property's value, the City has bypassed procedures designed to protect taxpayer interests.
3. **Failure of Public Purpose:** There has been no adequate showing that the almost \$1,000,000 "discount" provided to the developer is offset by a proportional, legally binding public benefit that would justify such a loss of public revenue.

Under **Ohio Revised Code § 733.59**, please be advised that if the Law Department fails to apply for an injunction to stop this sale within a reasonable time, I intend to initiate a taxpayer lawsuit in my own name on behalf of the City of Westerville. In such an event, I will seek all available remedies, including an award of attorney fees and court costs as permitted by law.

I request a written response regarding your intent to act on this demand by **May 18, 2026**, as the first reading of the ordinance authorizing this sale is scheduled for May 19, 2026.

Respectfully submitted,



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