

RE•SOLVE

Real Estate Appraisal, Counseling & Mediation

ANTHONY GIBBONS, MAI, CRE

Mr. Gibbons graduated from King's College, University of London with a Bachelor Degree in Geography in July 1982. He graduated top of his Geography class, with a First Class Honors degree, and a diploma in Religion and Medical Ethics. At University, Mr. Gibbons was awarded the 1980 Barry Prize for top score in his class for Religion/Medical Ethics finals; the 1981 Leathes Prize for second highest score in Religion/Medical Ethics finals; the Stamford Geographical Prize in 1981 for the most promising geography student; and the Geoid Prize, also in 1981, by the *London School of Economics–King's College Joint School of Geography Association* for his work on behalf of the Association.

Mr. Gibbons entered private appraisal practice with the firm of Shorett & Riely in January of 1983 and formed the company of Wronsky Gibbons & Riely in December 1994. With his partners retiring in 1998 and 1999, in July of 1999 Mr. Gibbons formed **RE•SOLVE** – a company providing real estate appraisal, counseling, mediation and arbitration services.

Completed American Institute of Real Estate Appraisers Courses 1A-1, Real Estate Principles and 1A-2, Basic Valuation Procedures in May of 1983. Completed Courses 1B-A and 1B-B, Capitalization Theory & Techniques in June of 1984. Completed Course 2-1, Case Studies in Real Estate Valuation, and 2-2, Valuation Analysis and Report Writing in March of 1985. Completed Course 2-3, Standards of Professional Practice, in April of 1986. Received credit for Demonstration Appraisal Report in August of 1987, and a passing grade on the Comprehensive Examination in September of 1987. Awarded the MAI designation by the American Institute of Real Estate Appraisers (AIREA) on June 14, 1988, Member Number 7857.

Mr. Gibbons was elected President of the Seattle Chapter, in 1999, and served on the Chapter Board for eight years. He is past Chairman of the local chapter Education Committee, and currently a Regional Member for the Counseling and Ethics Administration Division of the Appraisal Institute. As of the date of this report, Mr. Gibbons has completed the requirements of the continuing education program of the Appraisal Institute, and is certified through 12/31/2012. He is licensed as a certified real estate appraiser, general classification, by the State of Washington, license no. 1100854.

Mr. Gibbons was invited to join The Counselors of Real Estate in December of 1997. Membership in the Counselors is by invitation based on an individual's reputation for knowledge, integrity, experience and judgment in rendering advice on real estate matters. The approximate 1,000 or so individuals holding the CRE designation have pledged to maintain the highest standards of professional conduct and service in the field of real estate counseling. Mr. Gibbons is past President of the Pacific Northwest Chapter of the Counselors of Real Estate.

Mr. Gibbons has participated as faculty in Washington State Bar Association and Law Seminars International seminar offerings. He is an instructor for the University of Washington's Certificate Program in Real Estate, and has taught in the lecture series for the years 2001 through 2009. Mr. Gibbons was also the lead instructor for the University of Washington's (Tacoma) Certificate Program in Real Estate for 2006 to 2009, and continues to instruct in that series.

A partial list of clients follows:

Prudential Insurance Company
Teachers Insurance & Annuity Association
Equitable Real Estate
Citicorp
Key Bank
Bank of America
Washington Mutual Savings Bank
Wells Fargo Bank
First Bank of Alaska
Allied Shopping Centers, Northwest
Cadillac Fairview US Western Region
Sabey Corporation
Pope Resources
Urbis Partners
Seattle Marina, Inc.
Kennedy Associates
Bellevue Square Managers, Inc.
Ocean Crest Resort
The Boeing Company
Weyerhaeuser Company
Weyerhaeuser Venture Co.
Washington Transit Authority
Pfizer, Inc.
King County
Pierce County
Kitsap County
Snohomish County
Thurston County
Mason County
Lawyers Title
First American Title
Commonwealth Title
Pacific Northwest Title
Chicago Title
Fidelity Title (National Law Group)
United States Postal Service
Federal Deposit Insurance Corporation
Pine Street Development
Vulcan

Wright Runstad & Company
NANA Development Corporation
Swedish Hospital Medical Center
Group Health
Fred Hutchinson Cancer Research Center
Cairncross & Hempelmann
K&L Gates
Tousley Brain Stephens
Foster, Pepper & Shefelman
Witherspoon, Kelley, Davenport & Toole
Hornsby & Whisenand
Culp Guterson & Grader
Williams, Kastner & Gibbs
Riddell Williams Bullitt & Walkinshaw
Davis Wright Tremaine
Lane Powell Spears Lubersky
Perkins Coie
Miller Nash
Heller Ehrman
Rodgers Deutsch & Turner
University of Washington
Seattle Pacific University
Bainbridge Island School District
Mercer Island School District
Bellevue School District
City of Seattle
City of Kirkland
City of Bainbridge Island
City of Woodinville
Washington State Liquor Board
Washington State Department of Transportation
Washington State Dept of Natural Resources
Port of Seattle
Port of Grays Harbor
Port of Everett
Port of Olympia
Port of Allyn
Port of Shelton
Port of Edmonds

Court Experience:

King Co., Washington Superior Court
Snohomish Co., Washington Superior Court
Pierce Co., Washington Superior Court
Kitsap County Superior Court
Skagit County Superior Court
Federal Court
US Bankruptcy Court

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September 20, 2011

EXPERT TESTIMONY

ANTHONY GIBBONS, MAI, CRE

Mr. Gibbons has provided testimony in the following cases (4+-year history). Those cases in **bold** involved actual court or arbitration testimony. *Italicized* entries went to the deposition stage.

<u>Date</u>	<u>Proceeding</u>	<u>Client</u>
2011	<i>OPUD v. WA State DNR</i>	State AG's office
2011	<i>Banchero v. Banchero</i>	Scruggs & Mackin
2011	Zema v. Ehling – arbitration	Savitt, Bruce & Willey (for Ehling)
2011	WSDOT v. Cocusa – sup court	Cairncross & Hempelmann (for Cocusa)
2011	BPCLP v. BP Tower COA	Tousley Brain Stephens (for BPTCOA)
2010	Monteiff v. Herbrand – sup court	Groth Murphy (for Herbrand)
2010	<i>KCPHD#4 v. MHC LTRA</i>	Foster Pepper (for Hospital District)
2010	HTK adv. Ampco - arbitration	Hillis Clarke (for HTK)
2010	<i>Olson v. Hirji</i>	Marten Law (for Hirji)
2010	<i>Snohomish County v. Duane Smith</i>	Williams Kastner (for Smith)
2010	Hogan v. Borders – sup court	Vandeberg Johnson (Hogan)
2010	<i>Hogan v. Key Bank</i>	Vandeberg Johnson (Hogan)
2010	White v. First American - arbitration	Socius Law Group (First American)
2010	Seattle v. Eitel - hearing	Schwarbe Williamson (Eitel)
2010	<i>ST v. Broadway Investments</i>	Williams & Williams (Broadway)
2010	<i>ST v. Bonney Watson</i>	Richard Bersin (Bonney Watson)
2009	Seattle v. Bon Stables - hearing	Gordon Durr (Bon Stables)
2009	MDA v. George Scott – sup court	Jameson Babbitt (Scott)
2009	<i>Trinity vs. Port of Tacoma</i>	Hall Baetz (for Trinity)
2009	<i>Seattle v. T&L Enterprises</i>	Williams Kastner (for T&L)
2009	<i>First American v. River Bend LLC</i>	Stoel Rives (for First American)
2009	<i>Snohomish County v. YG3</i>	Lane Powell (for YG3)
2009	Doherty v. Sissons - arbitration	Martin Ziontz (for Sissons)
2009	<i>WSDOT v. Suelo Marina</i>	State AG's office
2009	<i>WSDOT v. Clark</i>	State AG's office
2009	<i>Jefferson Square v. Seattle School District</i>	Kipling Law Group (for SSD)
2008	<i>Kitsap PUD v Orr</i>	Waldo (for Orr)
2008	<i>Struthers/Otrubova v. Seattle</i>	Savitt & Bruce (Seattle)
2008	<i>Frank v. Seattle</i>	Seattle
2008-10	Woodinville v. Hollywood Vineyards - sc	Hollywood Vineyards
2008	<i>Pierce Transit v Schuh</i>	K&L Gates (Pierce Co. Transit)
2008	<i>Miller Shingle v. MAP</i>	Brewe Layman (for MAP)
2007	Swinomish Tribe Rental Arbitration - arb	Graham & Dunn (for Tribe)
2007	Landmark v. Sakai – sup court	Jeff Laveson (for Landmark)
2009	Puyallup v. Hogan – sup court	Vanderberg Johnson (for Hogan)
2005	<i>Harbor Square vs. Port of Edmonds</i>	Perkins Coie (Port of Edmonds)
2005	Fiorito - Denny's JC Allocation – sup ct	Graham & Dunn (Fiorito)
2006	<i>ST vs. Freighthouse Square</i>	Rodgers Deutsch & Turner (for FH Sq)
5/05	Qualis vs. Cochran - arbitration	Linda Youngs (Qualis)
2005	<i>Cohanim vs. Aecon</i>	Dorsey Whitney LLP (for Cohanim)
2006	<i>Norbut v. Jeager</i>	Alexander & Bierman (for Norbut)
2006	<i>Port of Tacoma v. Weyerhaeuser</i>	Graham & Dunn (for Weyerhaeuser)
2005	<i>Monorail v. Allright</i>	Rodgers Deutsch & Turner (for Allright)

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ARBITRATION AND MEDIATION SERVICES

ANTHONY GIBBONS, MAI, CRE

Mr. Gibbons has been involved in real estate appraisal and counseling in the Puget Sound area for 20 years. He became a member of the American Institute of Real Estate Appraisers (MAI) in 1988, and was invited to join the Counselors of Real Estate (CRE) in December of 1997. In the local chapter of the Appraisal Institute, serving most of western Washington, he served as education chairman for a number of years, and pioneered a series of special educational offerings and seminars for his chapter. As a result of this work, the Chapter awarded him a plaque for “*outstanding leadership and services given towards professional advancement*”. He has continued to work for the professional advancement of the Appraisal Institute in his capacities as a chapter board member, Secretary, Treasurer, and Vice-President. In 1999, he was elected to the office of President. In a regional capacity, he has served as an assistant regional chair, and regional member for the Review and Counseling Division of the Institute, and in 1997 was appointed to the post of Regional Member, Region 1, Ethics and Counseling Division.

With the recognition of his peers, Mr. Gibbons is often requested to perform real estate counseling services in connection with real property valuation disputes. This arbitration and mediation work has included the following work:

- Arbitrator for purchase option; north Seattle Industrial Land - *Jointly retained by both parties*
- Arbitrator for professional office space, Downtown Seattle - *Jointly retained by both parties*
- Arbitrator for anchor tenant in Downtown High-rise
- Arbitrator for Downtown Restaurant – market rental determination
- Arbitrator for Suburban Office Building, single tenant lease renewal.
- Arbitrator for Parking Rental Dispute for Downtown Garage - *Jointly retained by both parties*
- Arbitrator for hotel ground lease revaluation - *Jointly retained by both parties*
- Arbitrator for School District Lease – Shopping Center ground lease revaluation - *Jointly retained by both parties*
- 1,000 acre lease negotiation between the Boeing Company and the Tulalip Tribe
- Jointly retained third Mediator/Arbitrator for King County Airport/Boeing Rental dispute involving over 100 acres of airport property - *Jointly retained by both parties*
- Valuation testimony in front of an IRS Hearings Officer on behalf of a property owner
- Arbitrator for Seattle Packaging on purchase option
- Market and rental valuation arbitration on a specialized manufacturing building
- Value Resolution for the Navy and City of Seattle – *Jointly retained by both parties*
- Value resolution for DNR and the Shoreline Water District - *Jointly retained by both parties*
- Ground lease rental rate arbitration for a golf and country club - *Jointly retained by both parties*
- Value resolution for Department of Natural Resources (DNR) and City of Seattle - *Jointly retained by both parties*
- Arbitration between DNR and City of Seattle
- Value resolution for attorneys for First Interstate Bank and a trust - *Jointly retained by both parties*
- Value resolution for DNR and the Bainbridge Island Parks and Recreation District - *Jointly retained by both parties*

- Purchase option arbitration for a log yard depot in Port Townsend - *Jointly retained by both parties*
- Value resolution for US Fish and Wildlife and the Port of Grays Harbor - *Jointly retained by both parties*
- Rental rate resolution for King County and Manson Construction - *Jointly retained by both parties*
- Mediation assistance for Washington State versus a condemnee
- Mediation assistance for a professional mediator (former superior court judge) in a rental dispute - *Jointly retained by both parties*
- Mediation assistance for a condemnee with the Port of Seattle
- Mediation assistance for market rent dispute concerning over 300,000sf of office space
- Arbitrator for joint venture buyout on downtown office building
- Arbitration for market rental clause concerning 1.5 floors of downtown office space
- Expert for rental rate dispute for 5 floors of downtown office space
- Third Arbitrator for the Oxbow site in South Seattle - *Jointly retained by both parties*
- Arbitration expert for claim of damages in regard to a shopping center site.
- Mediation expert for 15-acre site proximate to Seattle CBD
- Market valuation of superfund site for property trustee and municipal buyer - *Jointly retained by both parties*
- Arbitrator for ground lease renewal rent for Seattle industrial site. *Jointly retained by both parties*
- Arbitrator for lease option buyout clause for auto sales service. *Jointly retained by both parties*
- Arbitrator for Jack-in-the-Box lease renewal.
- Mediator for rental rate adjustment for industrial waterfront property.
- Arbitrator for industrial site rental rate determination.
- Arbitrator for market rent adjustment on truck terminal with parking rights.
- Arbitrator for leasehold purchase option right in commercial shopping center. *Jointly retained by both parties*
- Arbitrator for market rent adjustment in professional suite, Seattle CBD. *Jointly retained by both parties.*
- Arbitrator for shopping center site, ground lease rental adjustment.
- Arbitrator for market rental adjustment for downtown office space. *Jointly retained by both parties.*
- Arbitrator for market rental adjustment for medical clinic space on First Hill. *Jointly retained by both parties.*
- Arbitrator for partnership dissolution on HUD apartment project, Seattle. *Third arbitrator, jointly retained.*
- Arbitrator for parking market rate determination, Seattle. *Sole arbitrator, jointly retained by both parties.*
- Appraiser for WSDOT and Property owner re condemnation valuation. *Jointly retained by both parties.*
- Arbitrator for downtown super-block rental dispute: ground rent determination.
- Arbitrator for downtown restaurant market rental adjustment. *Jointly retained by both parties.*
- Arbitrator for suburban restaurant market rental adjustment. *Jointly retained by both parties.*
- Arbitrator for partnership dissolution on HUD apartment project, Seattle. *Third arbitrator, jointly retained.*
- Arbitrator for branch bank ground lease, Redmond. *Third arbitrator, jointly retained.*
- Arbitrator for specialized industrial property, ground lease. *Third arbitrator, jointly retained.*
- Arbitrator for rent diminution clause for retail property.
- Arbitrator for ground rent determination, downtown tavern. *Appointed by court.*
- Arbitrator for three separate airport properties, ground leases. *Third arbitrator, jointly retained.*
- Arbitrator for branch bank ground lease, Kirkland. *Third arbitrator, jointly retained.*
- Expert for ground lease arbitration for downtown property.
- Arbitrator for ground rent renewal for supermarket.
- Arbitrator for suburban restaurant Market Rent Adjustment. *Third arbitrator, jointly retained.*

In over half of the above cases cited, Mr. Gibbons was selected as the third or sole arbitrator, mediator or expert, hired jointly by both parties to help resolve the value or rental dispute.

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PUBLICATIONS, SEMINARS & EDUCATIONAL LECTURES

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Publications

Mr. Gibbons has authored the following publications:

- 2001 update to Chapter 50, "Real Estate Appraisal", of the Washington Real Property Desk book published by the Washington State Bar Association.
- Seattle Office Market Analysis, published by the Downtown Seattle Association, for the years:
 - 2004
 - 2005
 - 2006
 - 2007
 - 2008
 - 2009
 - 2010
- 2008 update to Chapter 50, "Real Estate Appraisal", of the Washington Real Property Desk book published by the Washington State Bar Association.

Seminars & Lectures

He is a frequent speaker for Law Seminars International, and has spoken in the following lecture series:

- Commercial Leases
- Real Estate Purchases and Sales
- Eminent Domain

Mr. Gibbons has participated as faculty in Washington State Bar Association Seminars:

- 2001 "Condemnations/Takings" Seminar
- 2006 Seminar on the "Arbitration of a Real Estate Case"

University Course Instructor

Mr. Gibbons is an instructor for the University of Washington's Certificate Program in Real Estate, and has taught in the lecture series for the years 2001 through 2009.

Mr. Gibbons was the lead instructor for the University of Washington's (Tacoma) Certificate Program in Real Estate 2006 to 2008, and continues to serve as an instructor in that program.

Boards

Mr. Gibbons is on the Advisory Board of the University of Washington's Runstad Center for Real Estate Studies.

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Contact Information

1. Name of legal entity with whom contract is written:

Gibbons & Riely PLLC, dba RE•SOLVE

2. Principal

Anthony Gibbons, MAI, CRE

3. Contact Information

Anthony Gibbons, Principal

Cell Phone	(206) 909-1046 – forwards to direct dial office numbers
Seattle Direct Dial	(206) 628-0885
Bainbridge Direct Dial	(206) 842-4887

Office Numbers

Julie Riely, Office Manager	(206) 855-0632
Stephen Matthews, Appraiser	(206) 780-7972
Adam Brenneman, Appraiser	(206) 817-7818
Trenton Gibbons, Appraiser Assistant	(206) 842-1334
Taylor Gibbons, Appraiser Assistant	(206) 909-6916
Barbara Chrisman, Researcher	(206) 842-5155

Fax Number

(206) 842-5082

Office Address

**261 Madison Avenue S, Suite 102
Bainbridge WA, 98110-2579**

4. Tax Number; License Number

Employer ID Number	91-1985701
Washington Business License	601 964 216

Fee Structure:

Anthony Gibbons, MAI, CRE	\$285/hour
Stephen Matthews, Appraiser	\$150/hour
Adam Brenneman, Appraiser	\$100/hour
Trenton Gibbons, Appraiser Assistant	\$80/hour
Taylor Gibbons, Appraiser Assistant	\$80/hour
Barbara Chrisman, Researcher	\$90/hour

These hourly rates include all travel costs (Puget Sound Area only) and report production costs. Necessary outside contracts (architects, engineers, etc.) will be directed billed to the client, or added to the cost of the contract, depending upon the type of sub-contact and what has been agreed upon with the client. If lodging or travel services are required outside the region, these costs will be additional.