

IN THE COURT OF COMMON PLEAS  
WOOD COUNTY, OHIO

Lynn Sylvain \* Case No. 2024CV0125  
Plaintiff, \* Judge Mary "Molly" L Mack  
-vs- \* **PLAINTIFF'S RESPONSES TO  
DEFENDANT VILLAGE OF GRAND  
RAPIDS' FIRST SET OF  
INTERROGATORIES, REQUESTS  
FOR PRODUCTION OF DOCUMENTS  
AND REQUESTS FOR ADMISSIONS  
DIRECTED TO PLAINTIFF LYNN  
SYLVAIN**  
Village of Grand Rapids, et al. \*  
Defendants. \*  
\*  
\* Jeffery J. Dennis (0101792)  
\* STEARNS & HAMMER  
\* 112 East Oak Street  
\* Bowling Green, Ohio 43402  
\* Telephone: (419) 352-1581  
\* Facsimile: (419) 257-4902  
\* jeff@stearnsandhammer.com  
\* Attorney for Plaintiff Lynn Sylvain  
\*

\*\*\*\*\*  
Pursuant to Rules 26, 33, 34, and 36 of the Ohio Rules of Civil Procedure, Defendant, Village of Grand Rapids submits the following interrogatories, requests for production of documents, and requests for admissions ("Discovery Requests") to Plaintiff, Lynn Sylvain, to be answered and responded to in accordance with the following instructions and in the manner and within the time described in the above-mentioned rules or by order of the Court.

## INSTRUCTIONS

1. These Discovery Requests are continuing in nature and any response or information coming to your attention, or any of your agents or attorneys, after the initial responses are served shall be supplied promptly in supplemental answers as provided in Civil Rule 26(E).
2. Answers and responses to these Discovery Requests shall be served on or before twenty-eight (28) days after service of this document or as otherwise ordered by the Court.
3. All information is to be divulged which is in your possession, custody or control, or within the possession, custody or control of your attorneys, investigators, agents, employees, or other representatives of you or your attorneys.
4. Where an Interrogatory calls for an answer in more than one part, each part should be separated in the answer so as to be fully understandable.
5. All answers and responses must be made separately and fully. Under Civil Rule 37(A)(4), an incomplete or evasive answer or response is a failure to answer or respond.
6. If you object to any Discovery Requests, or any portion of the same, state the precise legal objection and the factual and legal basis for it.
7. When an Interrogatory asks for the name of a person, or for a person to be identified, the answer shall state, in addition to the full name of each such person, his present employer and job title, if known. If not known, the answer shall so state the employer and job title of such person at the time of the event or occurrence to which the Interrogatory relates and if there has been any changes since that time, his present residence address, and if that not be known, the answer shall state his last known address and the last known date when he resided there.
8. The documents requested below shall be produced for inspection and copying twenty-eight (28) days after service of this document, or as otherwise ordered by the Court, at the

offices of Gressley, Kaplin & Parker, LLP, One SeaGate, Suite 1645, Toledo, Ohio 43604, in separate numbered folders corresponding to the numbered document requests set forth below. Alternatively, production may be made electronically by e-mail to Ali A. Nour at [anour@gkplaw.net](mailto:anour@gkplaw.net).

9. Pursuant to Rule 26(B)(6)(a), if any responsive information or document is withheld on account of the attorney-client privilege, attorney work product doctrine, or any other purported privilege or claimed exemption from discovery, set forth: (i) the nature of the document (e.g. letter, handwritten note, memorandum, etc.); (ii) the identity of the person who prepared the document; (iii) the date of the document; (iv) the location of the document; and (v) a description of the general subject.

10. If any document responsive to a Request for Production is no longer in your possession or custody, subject to your control or in existence, state whether it: (i) is missing or lost, (ii) has been destroyed, (iii) has been transferred, voluntarily or involuntarily to others, or (iv) has been disposed of otherwise. In each instance, explain the circumstances surrounding this disposition of the document, state the date it happened and state the name, address, and phone number of the person(s) directing or authorizing such disposition. If the documents (or copies) are still in existence, state the name, address, and phone number of the present custodian and state the present location of each such document and copy.

#### **DEFINITIONS**

1. "Communication." The term "communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise).

2. "Document." The term "document" is to be construed in its broadest sense consistent with Rule 34(A) of the Ohio Rules of Civil Procedure and shall include, but not be limited to, any letter, handwritten note, diary, calendar, file, canceled check, e-mail, income tax

return, memorandum, report, correspondence, inter-corporate or intra-corporate communication, notebook, photograph, print, drawing, plan, sketch, computerized datum, printout, printed form, manual, brochure, list, publication, advertisement, cablegram, telegram, microfilm, and microfiche, and any other written or otherwise recorded matter, as well as any draft or copy thereof that is not identical because of handwritten notes or markings (including but not limited to underlining) or any other difference. Any draft of any document shall be considered a separate document and shall be produced.

3. "Person." The term "person" is defined as any natural person or any business, legal or governmental entity or association.

4. "Identify" (with respect to Persons). When referring to Persons, "to identify" means to give, to the extent known, the person's full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this paragraph, only the name of that person need be listed in response to the subsequent discovery requesting the identification of that person.

5. "Parties." The terms "plaintiff" and "defendant," as well as a party's full or abbreviated name or a pronoun referring to a party, mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to this litigation.

6. "Third-parties" shall mean any other party not subject to the lawsuit captioned herein.

7. "Concerning." The term "concerning" means relating to, referring to, describing, evidencing, or constituting.

8. The following rules of construction apply to all discovery requests:

(1) "All/Each." The terms "all" and "each" shall be construed as all and each.

(2) "And/Or." The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

(3) The use of the singular form of any word includes the plural and vice versa.

9. "Sylvain" and/or "Plaintiff" shall mean Plaintiff, Lynn Sylvain.

10. "Grand Rapids" and/or "Defendant" shall mean Defendant, Village of Grand Rapids.

11. "You" or "Your" shall mean Plaintiff, Lynn Sylvain.

12. "Complaint" shall mean the Petition for Court Ordered Vacation of Street and Complaint to Quiet Title filed by Plaintiff, Lynn Sylvain, on Thursday, February 22, 2024.

13. "Answer" and/or "Answer and Counterclaim" shall mean the Answer and Counterclaim for Declaratory Judgment and Other Relief filed by Defendant, Village of Grand Rapids, on April 24, 2024.

14. "Reply" shall mean the Reply to Counterclaim filed by Plaintiff, Lynn Sylvain, on May 22, 2024.

15. "Sylvain Property" shall mean Inlot 100 on the Grand Rapids Plat Map which is the residential real property situated at 24308 Front St., Grand Rapids, OH 43522. This property is owned by Plaintiff, Lynn Sylvain.

16. "Town Hall" shall mean Inlot 101 on the Grand Rapids Plat Map which is situated at 24282 Front St., Grand Rapids, OH 43522

17. "Bass St." shall mean the inlot dedicated as public street on the Grand Rapids Plat Map that is situated between the Sylvain Property and Town Hall.

18. "Accessory Building" shall refer to the accessory building referenced in ¶ 7 of Plaintiff's Complaint.

19. "Disputed Strip of Land" shall refer the piece of real estate referenced in ¶ 23 of Plaintiff's Complaint.

### **INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify all persons who assisted in the preparation of the answers to these interrogatories.

**ANSWER:**

1. Lynn Sylvain;  
24399 Front Street, Grand Rapids, Ohio 43522
2. Attorney Jeffery J. Dennis  
112 E. Oak Street, Bowling Green, OH 43402

**INTERROGATORY NO. 2:** Identify all persons that You intend to call as any lay witness and/or expert witness at trial in this matter.

**ANSWER:**

- a) Lay Witnesses
  1. Lynn Sylvain  
24308 Front St, Grand Rapids, Ohio 43522  
Village of Grand Rapids
  2. Cynthia Doss  
16500 92<sup>nd</sup> Avenue N, Unit 321, Maple Grove, Minnesota 55311

Retired

3. Kevin Olman

17764 Bridge St., Grand Rapids, Ohio 43522

Employer presently unknown – will supplement as appropriate.

4. Rachel Smith

17755 Mill St., Grand Rapids Ohio 43522

Village of Grand Rapids

5. John Berry

23891 E. Third St., Grand Rapids, Ohio 43522

Village of Grand Rapids

6. Jeff Gensler

24365 Front St., Grand Rapids Ohio 43522

Employer presently unknown – will supplement as appropriate.

7. Chad Beyer

22157 W. State Rt. 65, Grand Rapids, Ohio 43522

Village of Grand Rapids

8. Louise Estep

17590 Woodburn Ave., Grand Rapids, Ohio 43522

Village of Grand Rapids

b) Expert Witnesses

Currently unknown – will supplement as appropriate.

**INTERROGATORY NO. 3:** Please provide for inspection and copying any pictures which evidence that the Disputed Strip of Land is, or has been, enclosed with a fence for at least twenty-one (21) years immediately preceding the filing of Your Complaint.

**ANSWER:**

With the exception of documents already provided in pleadings or otherwise already in the possession of or readily accessible to the Defendant, not applicable – will supplement as appropriate.

**INTERROGATORY NO. 4:** Please provide for inspection and copying any documents/traffic studies/traffic reports/expert reports that support the notion that vacating the Bass St. right of way conduces to the general interests of the Village of Grand Rapids and the citizens thereof.

**ANSWER:**

Not applicable – will supplement as appropriate.

**INTERROGATORY NO. 5:** Please provide for inspection and copying any reports/documents that support the notion that vacating the Bass St. right of way conduces to the general interests of the Village of Grand Rapids and the citizens thereof “1) by adding to the real estate tax rolls that portion of land which Plaintiff and her predecessors in title have now maintained for at least twenty-one (21) years prior to the filing of this Complaint; and by allowing the citizens of the Village of Grand Rapids to avoid the additional expense that would come with maintaining the land and accessory building which Plaintiff and her predecessors in title have used and maintained for at least twenty-one (21) years prior to the filing of this Complaint,” as alleged in ¶ 20 of Your Complaint.

**ANSWER:**

With the exception of documents already provided in pleadings or otherwise already in the possession of or readily accessible to the Defendant, not applicable – will supplement as appropriate.

**INTERROGATORY NO. 6:** Please provide for inspection and copying verification that You “served notice upon the municipal corporation and notice has been given by publication in a newspaper of general circulation for four consecutive weeks as required by R.C. § 723.10,” as alleged in ¶ 21 of Your Complaint.

**ANSWER:**

Attached.

**INTERROGATORY NO. 7:** Please provide for inspection and copying any documents that You intend to introduce at trial in this matter.

**ANSWER:**

With the exception of documents already provided in pleadings or otherwise already in the possession of or readily accessible to the Defendant, not applicable – will supplement as appropriate.

**INTERROGATORY NO. 8:** Please Identify all civil lawsuits to which You have ever been a party and identify all the parties involved, include the case number and court.

**ANSWER:**

I have not been involved in any civil lawsuits that did not involve the Village of Grand Rapids.

**INTERROGATORY NO. 9:** Please Identify any and all criminal charges filed against You, include the case number and court.

**ANSWER:**

None.

**REQUESTS FOR ADMISSIONS**

**REQUEST FOR ADMISSION NO. 1:** Admit that the Disputed Strip of Land has not been enclosed with a fence for at least twenty-one (21) years immediately preceding the filing of Your Complaint. If your answer to this request for admission is anything other than an unqualified admission, then please state<sup>274</sup> with particularity the factual basis of your assertion.

**RESPONSE:**

At all relevant times, the boundary of the disputed strip of land has been clearly defined by a split rail fence that has been used and maintained by Plaintiff and her predecessors in title for the purpose of demarcating that portion of the public right-of-way to which Plaintiff asserts ownership.

**REQUESTS FOR PRODUCTION**

**REQUEST FOR PRODUCTION NO. 1:** Produce all documents that You intend to use at the trial of this matter.

**RESPONSE:**

All relevant documents are attached – will supplement as appropriate.

**REQUEST FOR PRODUCTION NO. 2:** Produce all Documents that support Your answers to the Interrogatories herein.

**RESPONSE:**

All relevant documents are attached – will supplement as appropriate.

**REQUEST FOR PRODUCTION NO. 5:** Produce all Documents that support Your answers to the Request for Admissions herein.

**RESPONSE:**

All relevant documents are attached – will supplement as appropriate.

**REQUEST FOR PRODUCTION NO. 6:** Produce all Documents that support the affirmative defense that the Village “has failed to state a claim upon which relief can be granted” as alleged in ¶ 10 of Your Reply.

**RESPONSE:**

All relevant documents are attached – will supplement as appropriate.

Respectfully submitted,

/s/ Jeffery J. Dennis  
Jeffery J. Dennis (0101792)  
Attorney for Lynn Sylvain

*VERIFICATION AND SIGNATURES TO APPEAR ON FOLLOWING PAGE*

**VERIFICATION**

STATE OF OHIO            )  
  ) SS:  
COUNTY OF WOOD        )

The undersigned, being first duly sworn according to law, deposes and states that the Answers to the foregoing Defendant Village of Grand Rapids' First Set of Interrogatories, Requests for Production of Documents, and Requests for Admissions Directed to Plaintiff Lynn Sylvain are true to the best of my knowledge and belief.

  
\_\_\_\_\_  
Lynn Sylvain

SWORN TO BEFORE ME, a Notary Public, and subscribed by Lynn Sylvain, in my presence this 30th day of August, 2024.

  
\_\_\_\_\_  
Notary Public

 KRISTEN L ENDICOTT  
Notary Public, State of Ohio  
My Commission Expires 10/31/27



01.31.2025

## Parking Analysis

Bass Street  
Village of Grand Rapids,  
Wood County, Ohio



### On behalf of:



### Contact:

Ali A. Nour, Esq.  
Gressley, Kaplin & Parker, LLP  
Suite 1645  
One SeaGate  
Toledo, OH 43604-1584

### Preparation Date:

01/31/2025



# Parking Analysis

**CLIENT** Gressley, Kaplin & Parker, LLP

**STORE #** \_\_\_\_\_

**LOCATION:** Bass Street

**ADDRESS** 24282 Front Street

**COUNTY** Wood

**CITY, STATE** Grand Rapids, OH

**PREPARED BY** Robert Matko

CESO Inc

**ADDRESS** 13060 S. US. Hwy. 27, Suite D

**CITY, STATE** DeWitt, MI 48820

**PHONE** 517.243.1295

**DATE** January 31, 2025

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## 1. Introduction

CESO was retained by Gressley, Kaplin & Parker, LLP to review the Bass Street lot and its need for parking and use by the Village of Grand Rapids employees and local Village residents.

Bass Street is an unpaved Inlot dedicated public street that extends north from Front Street and is situated between Inlots 100 and 101 on the Grand Rapids Plat Map. Grand Rapids Town Hall is situated at 24282 Front Street, Grand Rapids, OH 43522 and is labeled as Inlot 101. A residential home is situated at 24308 Front Street, Grand Rapids, OH 43522 and is labeled as Inlot 100.

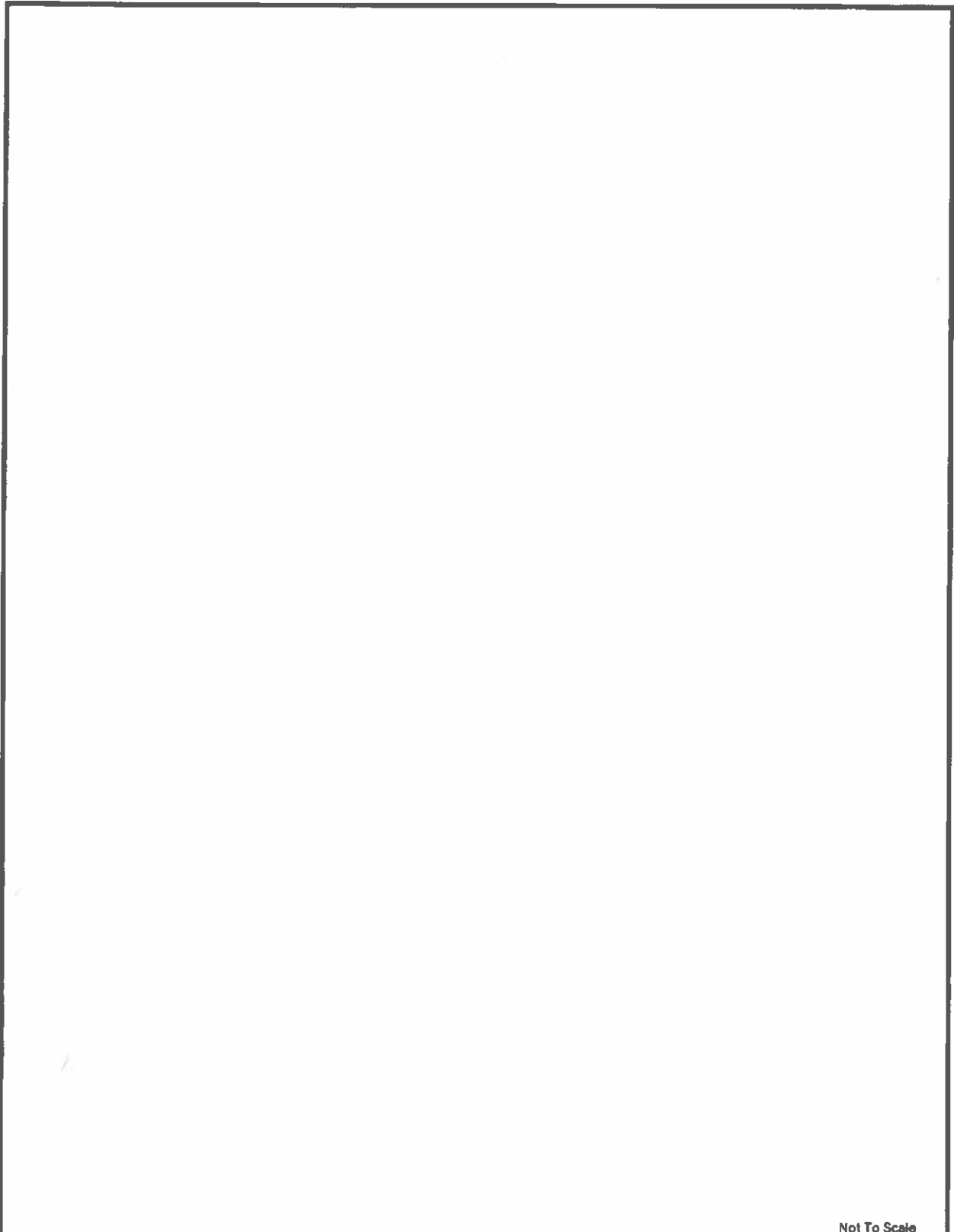
Figure 1 shows the location of Bass Street in relation to the Village of Grand Rapids overall street system and Figure 2 illustrates the location of Bass Street in relation to Inlot 100 and 101. Figure 3 provides a street view of the Bass Street Inlot. Figure 4 shows the existing transportation system.

Bass Street currently provides the Village with the following:

- Parking for Townhall events that include:
  - a) Grand Rapids Art Council
  - b) Grand Rapids Historical Society
  - c) Applebutter Festival
  - d) Village snow plow and other Village owned vehicle parking
  - e) Light Up the Night Festival
  - f) A Little Bit of Hocus Pocus
  - g) Harvest Moon Benefit for the Arts
  - h) Community Tree Lighting
  - i) Christmas Open House
  - j) Christmas Sign Along
  - k) Parking for Village Employees
- Access to an existing canal located immediately adjacent to Inlot 100. The Village periodically dredges the canal to remove brush and debris.

The Village of Grand Rapids has plans to demolish an existing building that currently straddles the west Bass Street lot line and the existing residential east property line located on Inlot 100 in order to pave Bass Street that would facilitate an increase in parking and provide further access to the Village Town Hall.

The following sections of this report provide information and an analysis on the need for Bass Street parking and access.



Not To Scale



[Empty box for drawing title]

**Car Wash Facility**

City of Commerce City

Adams County, Colorado

**FIGURE**

Date: April 15, 2024

Job No. 784099-01


Designed By: REM

Drawn By: REM

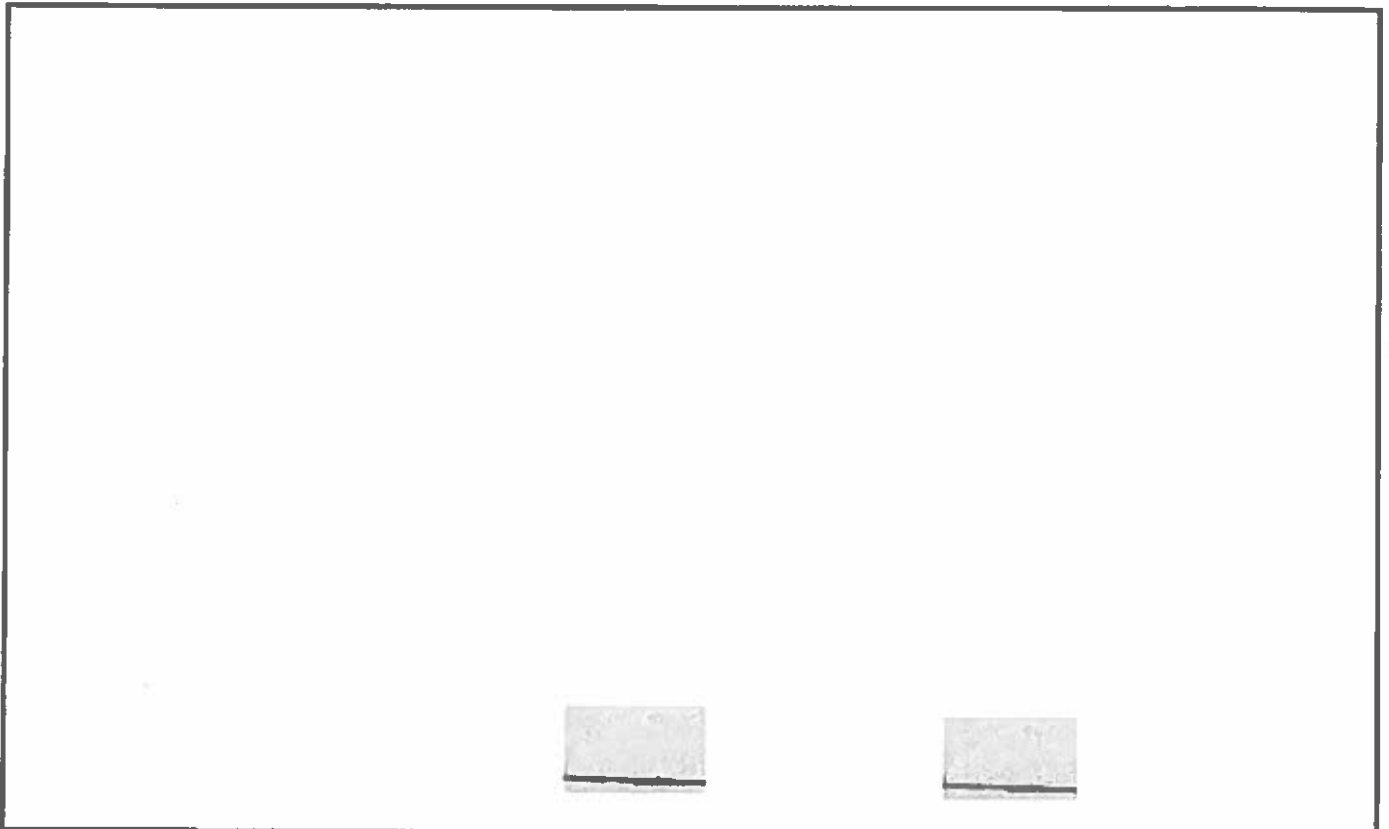
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## 2. Parking Analysis

### 2.1 Light Up the Night (Christmas Sign-a-Long) Event

At the time CESO was retained to review Bass Street parking, the Village of Grand Rapids Light Up the Night (Christmas Sign-a-Long) was about to take place.

The Village of Grand Rapids 3<sup>rd</sup> Annual Light Up the Night (Christmas Sign-a-Long) is an event with performances by Defying Gravity and a skit featuring the Village’s Volunteer of the Year. Additionally, there are Christmas carolers throughout the day, shoppe specials, cookies, crafts, and a free hot cocoa bar.

CESO retained our traffic count subconsultant (GHA, Inc) to video Bass Street parking on Friday, December 13, 2024 between the hours of 4:00 PM to 9:00 PM. Figure 5 illustrates the traffic volumes associated with the events peak parking hour.

Table 1 provides a summary of the parking from the Light Up the Night (Christmas Sign-a-Long).

**Table 1  
 December 13, 2024: Light Up the Night (Christmas Sign-a-long) Parking Summary**

|                          | Time Vehicle Arrived/Departed | Vehicle Arrived | Vehicle Departed      | Total Vehicles Parked |
|--------------------------|-------------------------------|-----------------|-----------------------|-----------------------|
| <b>5:00 PM – 6:00 PM</b> | 5:39:00                       | X               |                       | 1                     |
|                          | 5:42:50                       | X               |                       | 2                     |
|                          | 5:48:01                       | X               |                       | 3                     |
|                          | 5:50:01                       | X               |                       | 4                     |
| <b>6:00 PM – 7:00 PM</b> | 6:02:36                       | X               |                       | 5                     |
|                          | 6:05:41                       | X               | X                     | Vehicle Turned Around |
|                          | 6:07:48                       | X               | X                     | Vehicle Turned Around |
|                          | 6:09:27                       | X               |                       | 6                     |
|                          | 6:10:34                       | X               |                       | 7                     |
|                          | 6:13:08                       | X               |                       | 8                     |
|                          | 6:14:50                       | X               |                       | 9                     |
|                          | 6:15:50                       | X               |                       | 10                    |
|                          | 6:16:32                       | X               |                       | 11                    |
|                          | 6:17:32                       |                 | X                     | 10                    |
|                          | 6:22:38                       | X               |                       | 11                    |
|                          | 6:24:53                       | X               |                       | 12                    |
|                          | 6:28:33                       | X               |                       | 13                    |
|                          | 6:31:00                       | X               | X                     | Vehicle Turned Around |
|                          | 6:31:12                       | X               | X                     | Vehicle Turned Around |
|                          | 6:37:36                       | X               |                       | 14                    |
|                          | 6:39:04                       | X               |                       | 15                    |
| 6:41:33                  | X                             |                 | 16                    |                       |
| 6:43:37                  | X                             | X               | Vehicle Turned Around |                       |
| 6:44:54                  | X                             |                 | 17                    |                       |

**Table 1 (Continued)**  
**December 13, 2024: Light Up the Night (Christmas Sign-a-Long) Parking Summary**

| Time Vehicle Arrived/Departed | Vehicle Arrived | Vehicle Departed | Total Vehicles Parked |                       |
|-------------------------------|-----------------|------------------|-----------------------|-----------------------|
|                               | 6:45:35         | X                | X                     | Vehicle Turned Around |
| 6:00 PM – 7:00 PM             | 6:48:01         | X                |                       | 18                    |
|                               | 6:48:10         | X                |                       | 19                    |
|                               | 6:53:27         | X                | X                     | Vehicle Turned Around |
|                               | 6:53:32         | X                |                       | 20                    |
|                               | 6:55:50         | X                | X                     | Vehicle Turned Around |
|                               | 6:57:20         | X                |                       | 21                    |
|                               | 6:57:58         |                  | X                     | 20                    |
| 7:00 PM – 8:00 PM             | No Vehicles     |                  |                       |                       |
| 8:00 PM – 9:00 PM             | 8:10:04         |                  | X                     | 19                    |
|                               | 8:12:00         |                  | X                     | 18                    |
|                               | 8:13:40         |                  | X                     | 17                    |
|                               | 8:15:34         |                  | X                     | 16                    |
|                               | 8:15:50         |                  | X                     | 15                    |
|                               | 8:17:47         |                  | X                     | 14                    |
|                               | 8:18:24         |                  | X                     | 13                    |
|                               | 8:20:50         |                  | X                     | 12                    |
|                               | 8:23:26         |                  | X                     | 11                    |
|                               | 8:24:41         |                  | X                     | 10                    |
|                               | 8:28:32         |                  | X                     | 9                     |
|                               | 8:36:01         |                  | X                     | 8                     |
|                               | 8:37:12         |                  | X                     | 7                     |
|                               | 8:38:12         |                  | X                     | 6                     |
|                               | 8:40:58         |                  | X                     | 5                     |
|                               | 8:41:09         |                  | X                     | 4                     |
|                               | 8:44:32         |                  | X                     | 3                     |
| 8:44:45                       |                 | X                | 2                     |                       |
| 8:45:44                       |                 | X                | 1                     |                       |
| 8:46:15                       |                 | X                | 0                     |                       |

**2.2 General Observations**

Based on the results shown in Table 1, parking for the Light Up the Night (Christmas Sign-a-Long) Parking provides the following facts:

- Peak parking is 21 vehicles parked at 6:57:20 PM.
- Parking for the event began at 5:39:00 PM and ended at 8:46:15 PM
- Parking exceeded 10 vehicles parked from 6:15:50 PM to 8:24:41 PM
- On-Street parking reached capacity at or near Bass Street parking lot.



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The results from the Light Up the Night (Christmas Sign-a-Long) event clearly indicate the need for and use of parking on the Bass Street lot. CESO also observed during the video that on-street curb parking was maxed out supporting the need for providing additional parking on the Bass Street Inlot.

Should the Bass Street right-of-way be vacated, the parking that is currently provided would be relegated to Front Street on-street parking increasing safety concerns created by the additional parallel parking maneuvers. On-street parking typically increases positive "friction" along a street and can narrow the effective crossing width. In peak times or events, searching for available parking can contribute to congestion on busy streets, leading to traffic jams and frustration.

CESO observed that during the Light Up the Night (Christmas Sign-a-Long) event on-street parking was completely full. It appears that vehicles were using both the Bass Street parking and on-street parking equally. The following is a picture taken from the video showing different stages of the event.



This Picture was taken at 6:00:05 PM and shows how vehicles are parking at both Bass Street and the On-Street Parking equally



This Picture was taken at 6:24:28 PM and shows Bass Street parking and the On-Street Parking nearing half capacity. 11 vehicles are currently parked within the Bass Street parking lot.



This Picture was taken at 6:57:22 PM and shows Bass Street parking and the On-Street Parking nearing at capacity. 21 vehicles are currently parked within the Bass Street parking lot.

### 3. Conclusions

The parking analysis clearly identifies the need for Bass Street parking for the following reasons:

- CESO reviewed a typical Village event and found that up to 21 vehicles were parked in the Bass Street lot.
- Should the Bass Street lot be vacated, more vehicles will be relegated to using on-street parking along Front Street increasing safety concerns created by the additional parallel parking maneuvers.
- The Village currently uses the Bass Street lot for employee parking, festivals, and to provide access to the existing canal.

The Village has plans to improve Bass Street by paving the lot to further increase parking for Town Hall.

Based on the analysis and experience with both on-street and off-street parking, CESO believes that Bass Street parking is critical to the Village of Grand Rapids and should not be vacated.

Composite Exhibit "A"



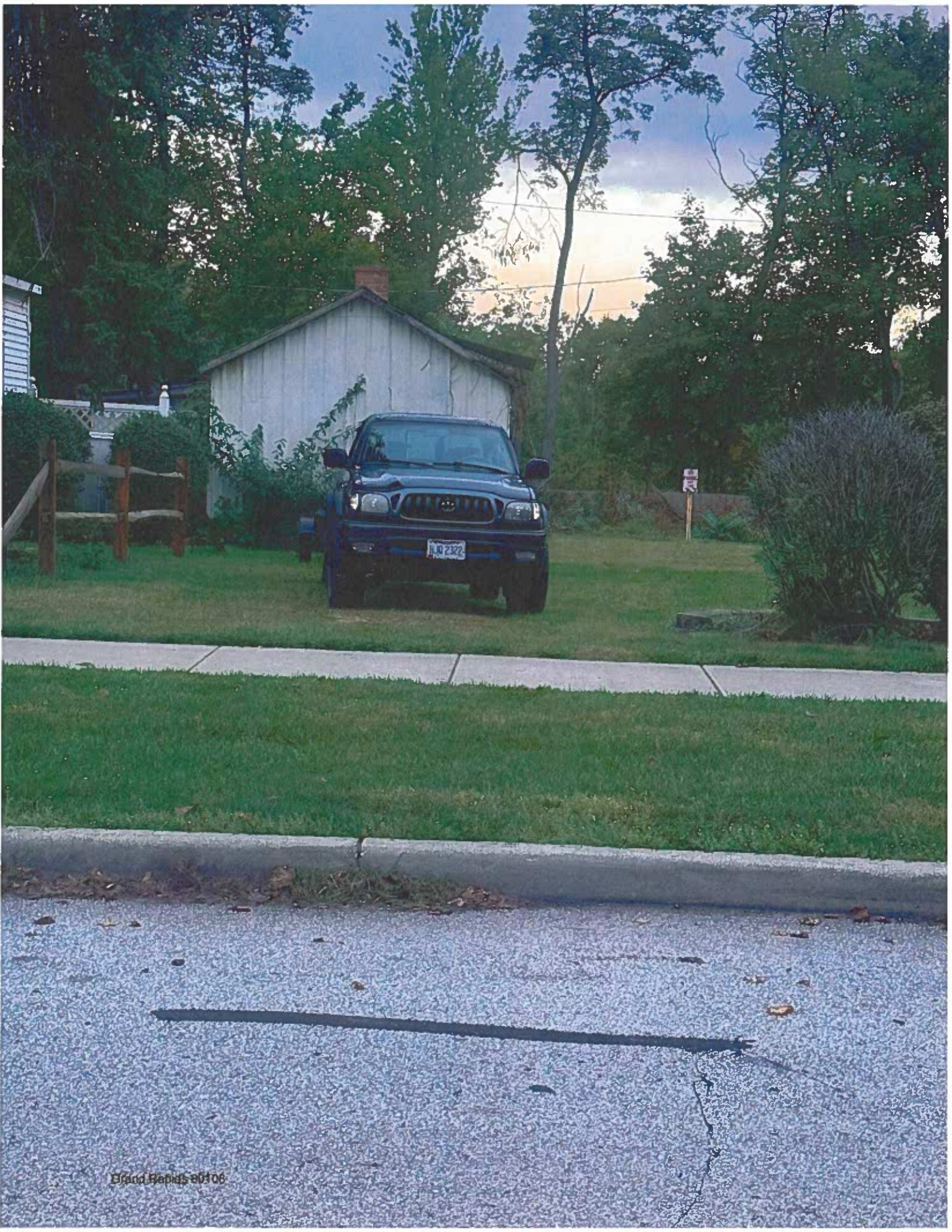


Grand Rapids 00093

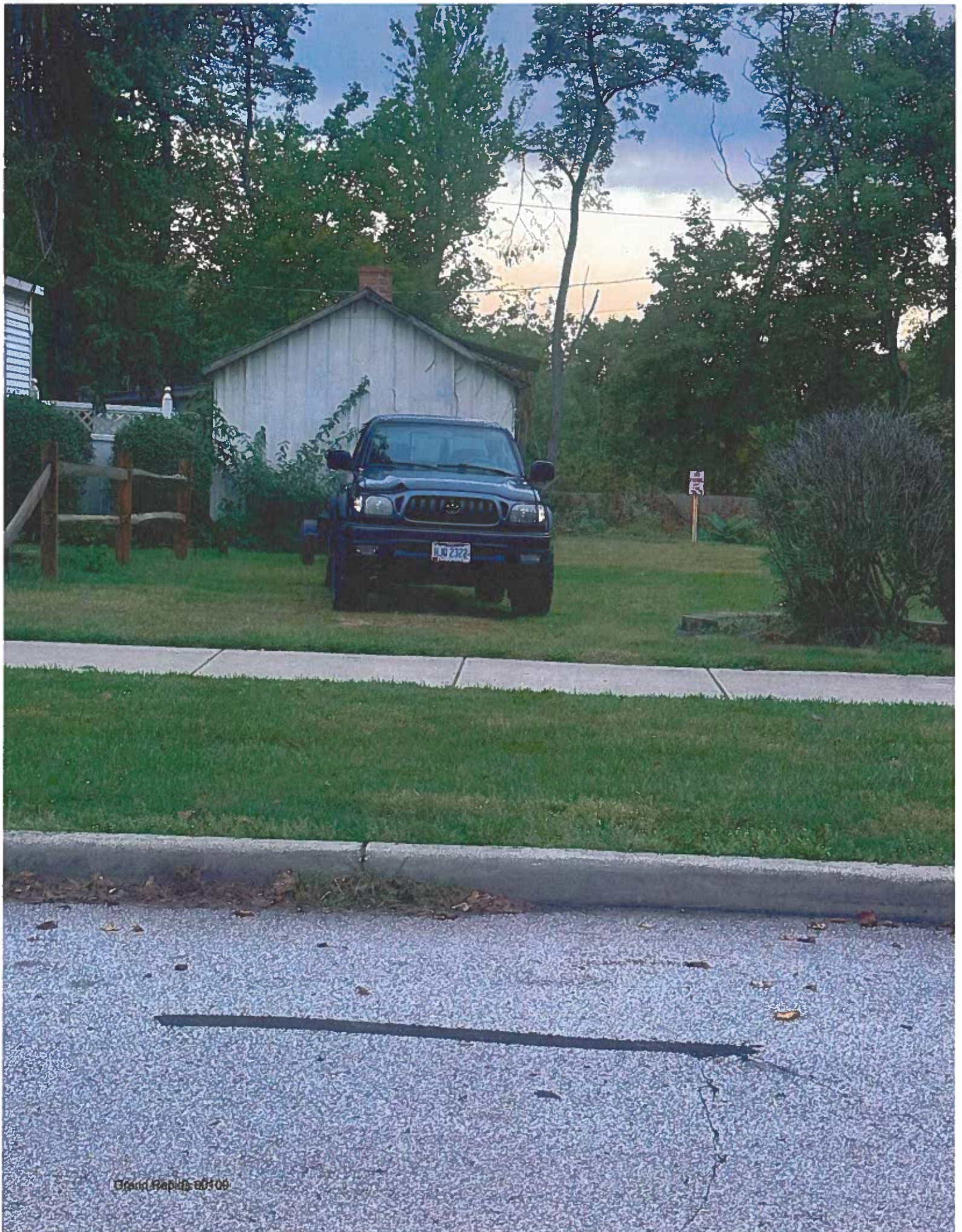


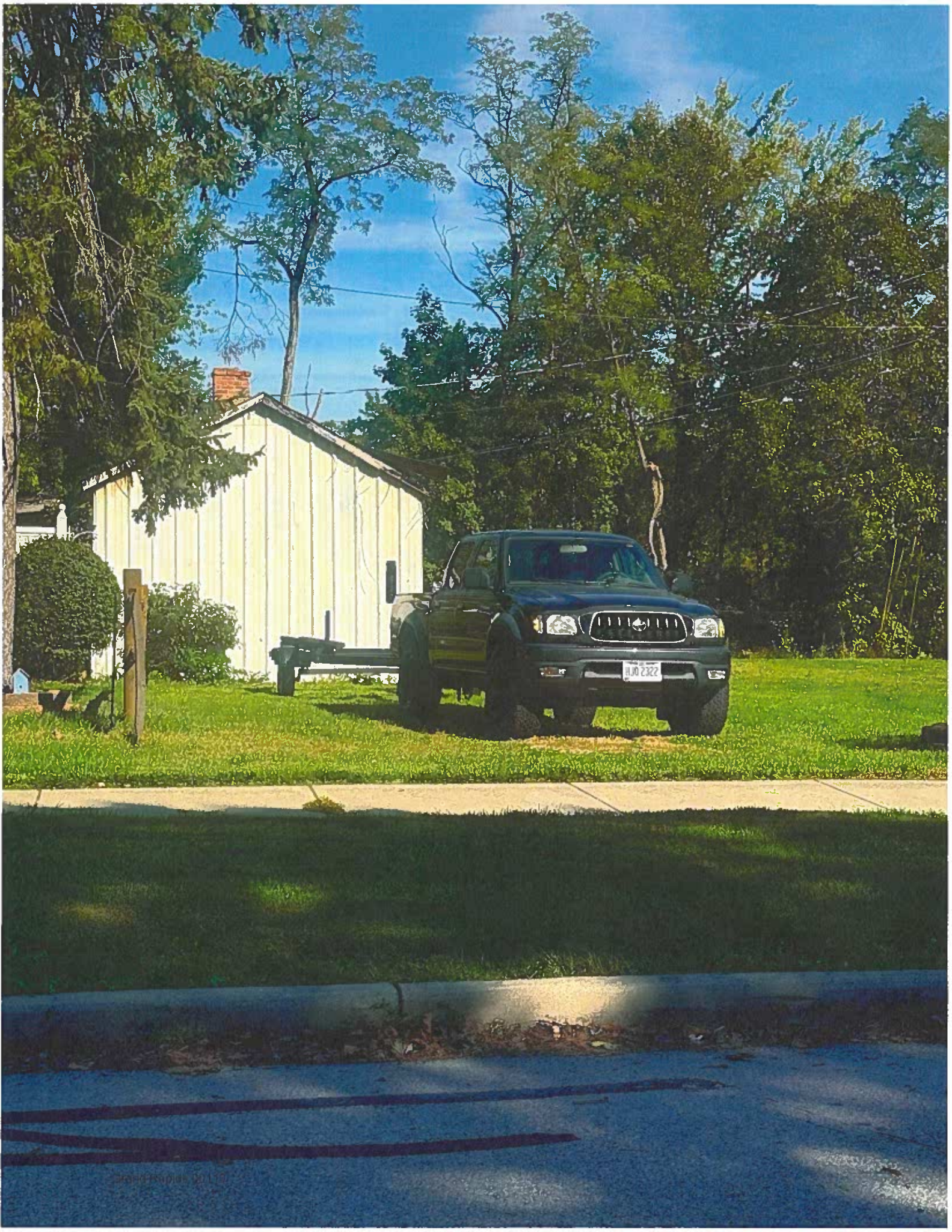
© 2014 Toyota Motor Sales, U.S.A., Inc.

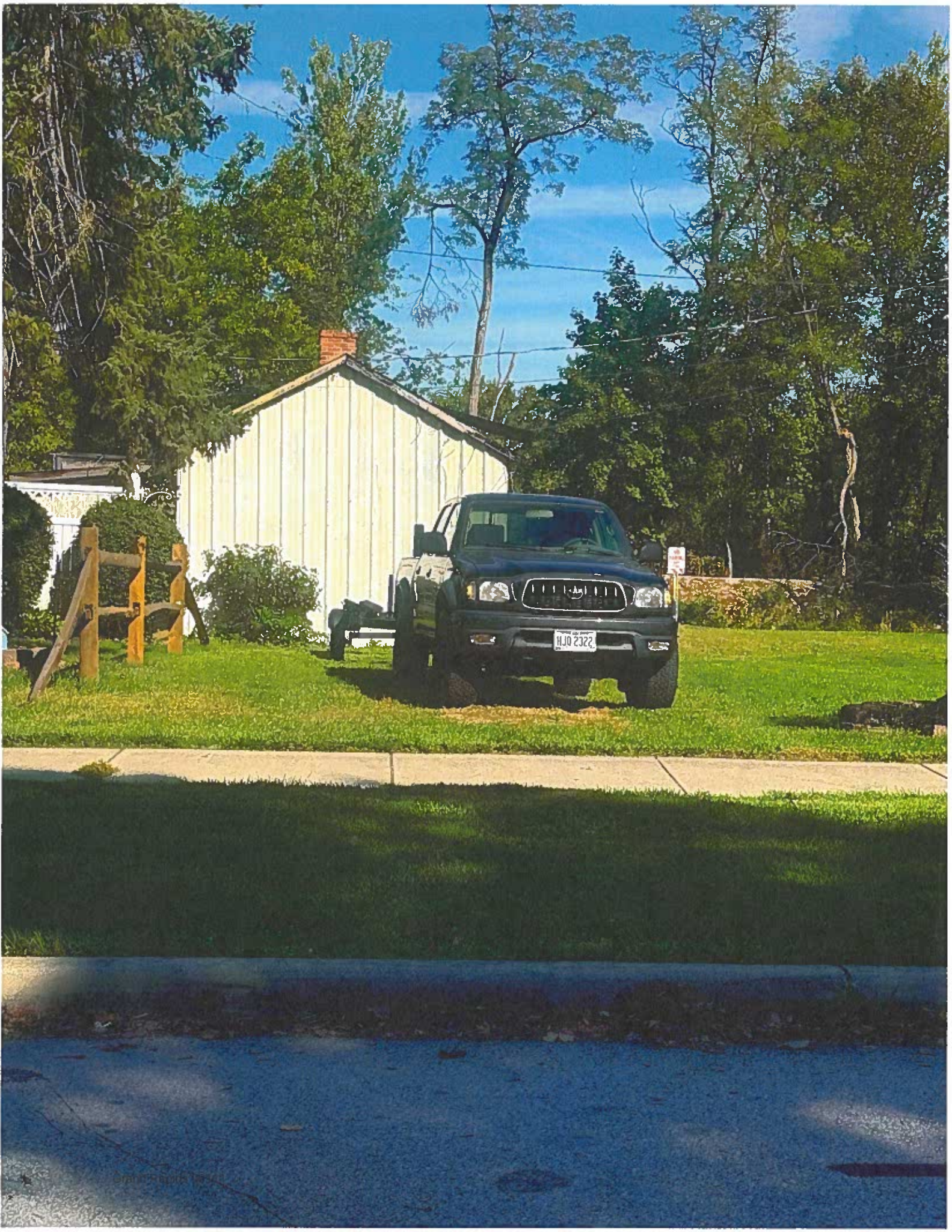




Elmad Hapiqs 90106

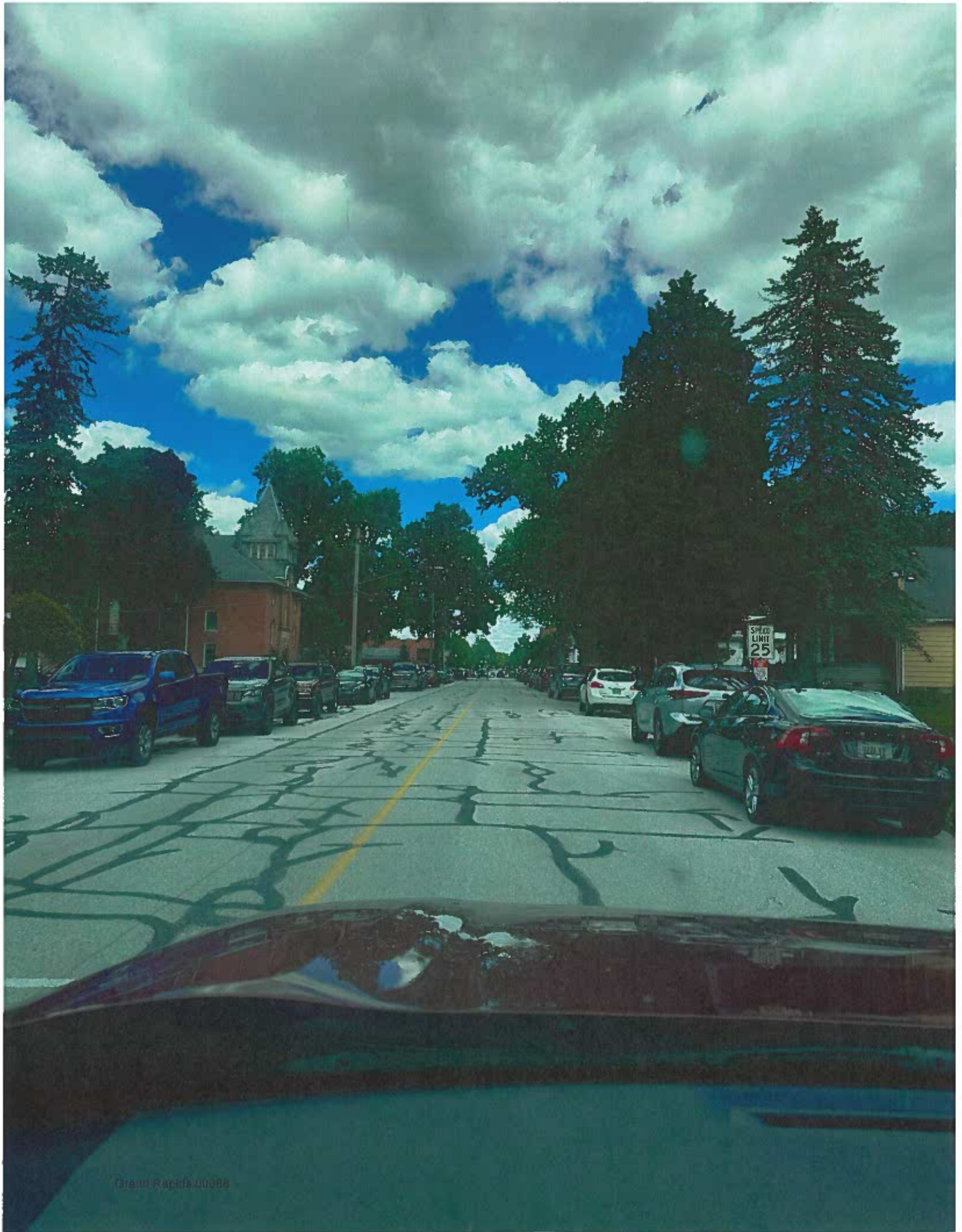








**Composite Exhibit "B"**





Grand Rapids 00089



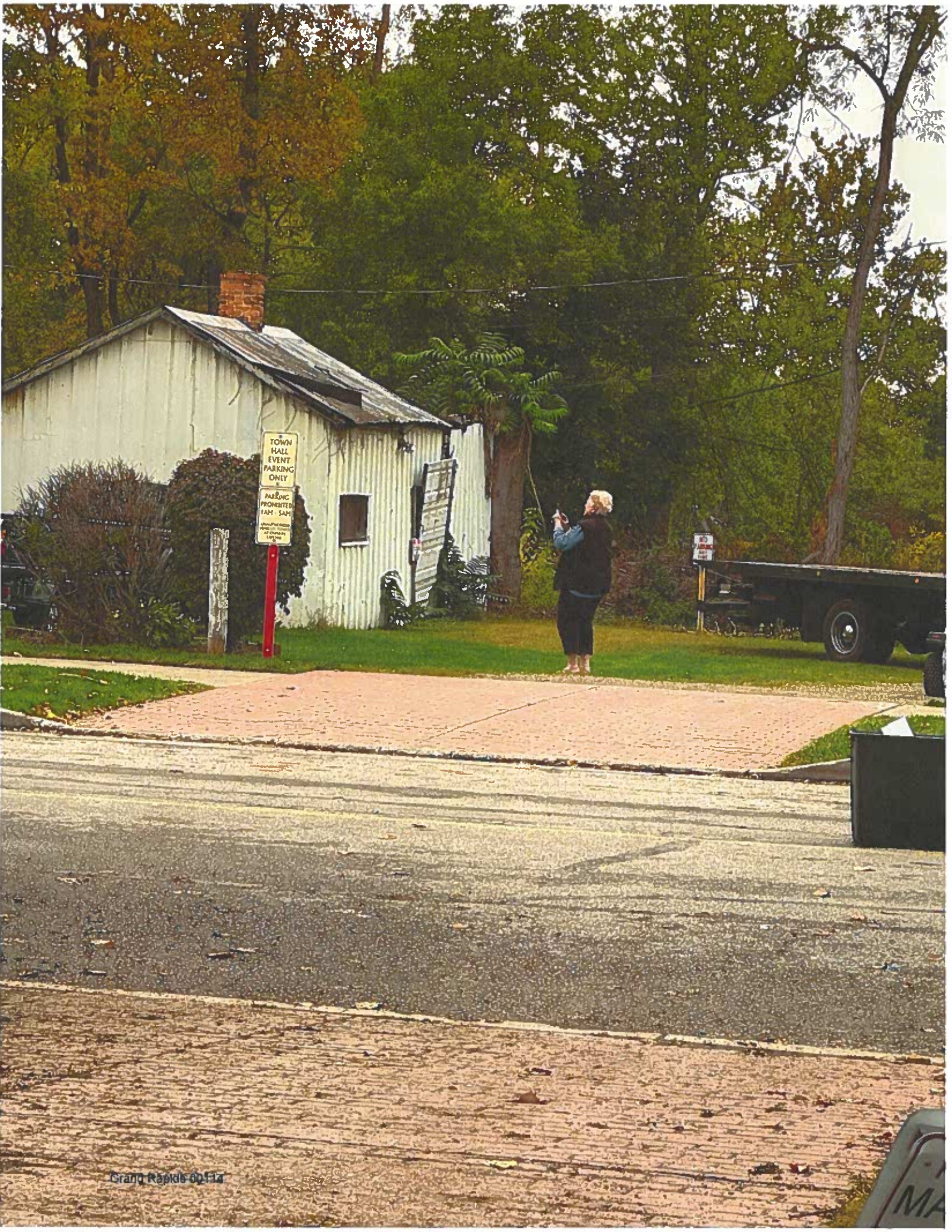
Grand Rapids 00090



Grand Rapids 00101



Grand Rapids 00113

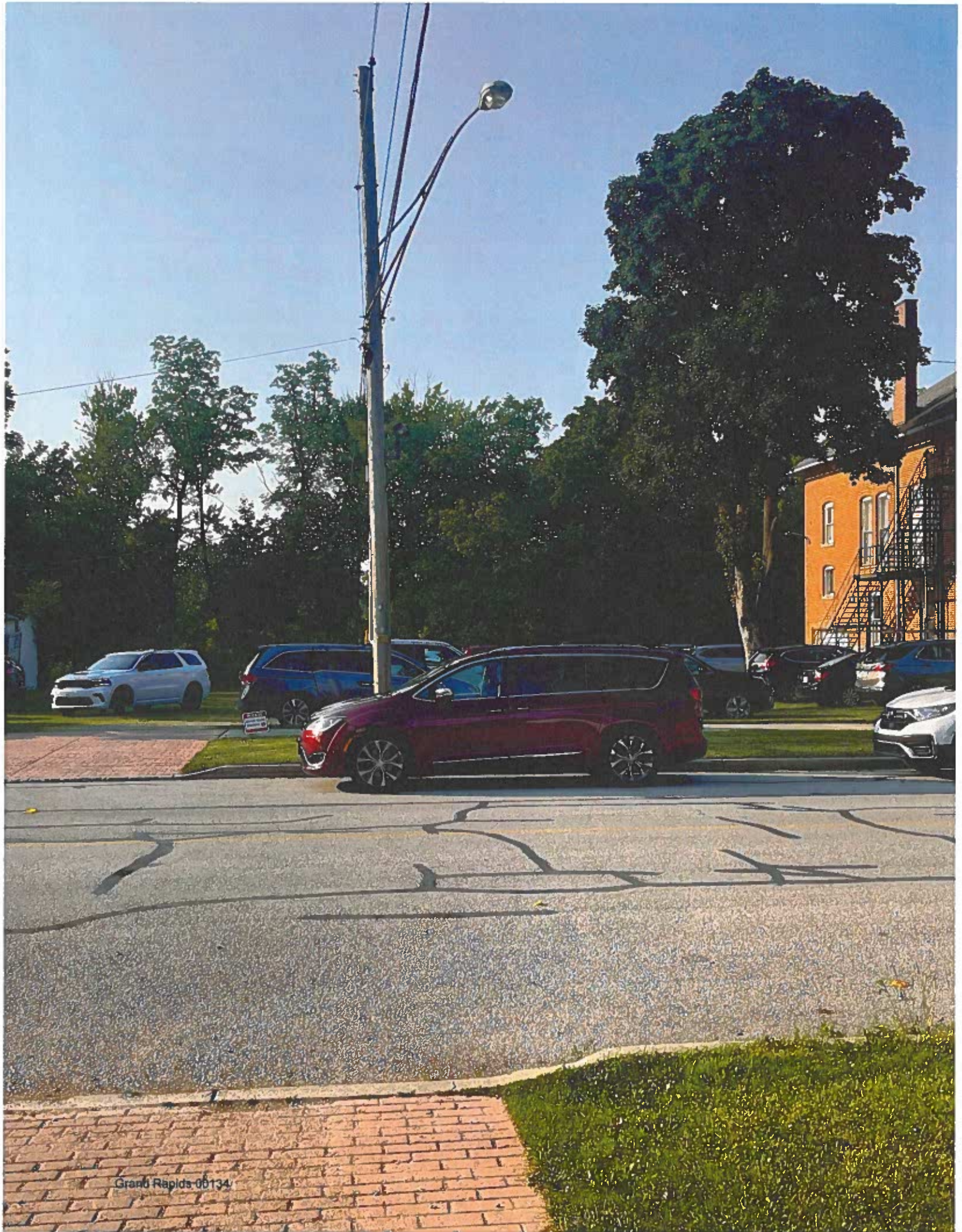




Grand Rapids 00118



Grand Rapids 00119



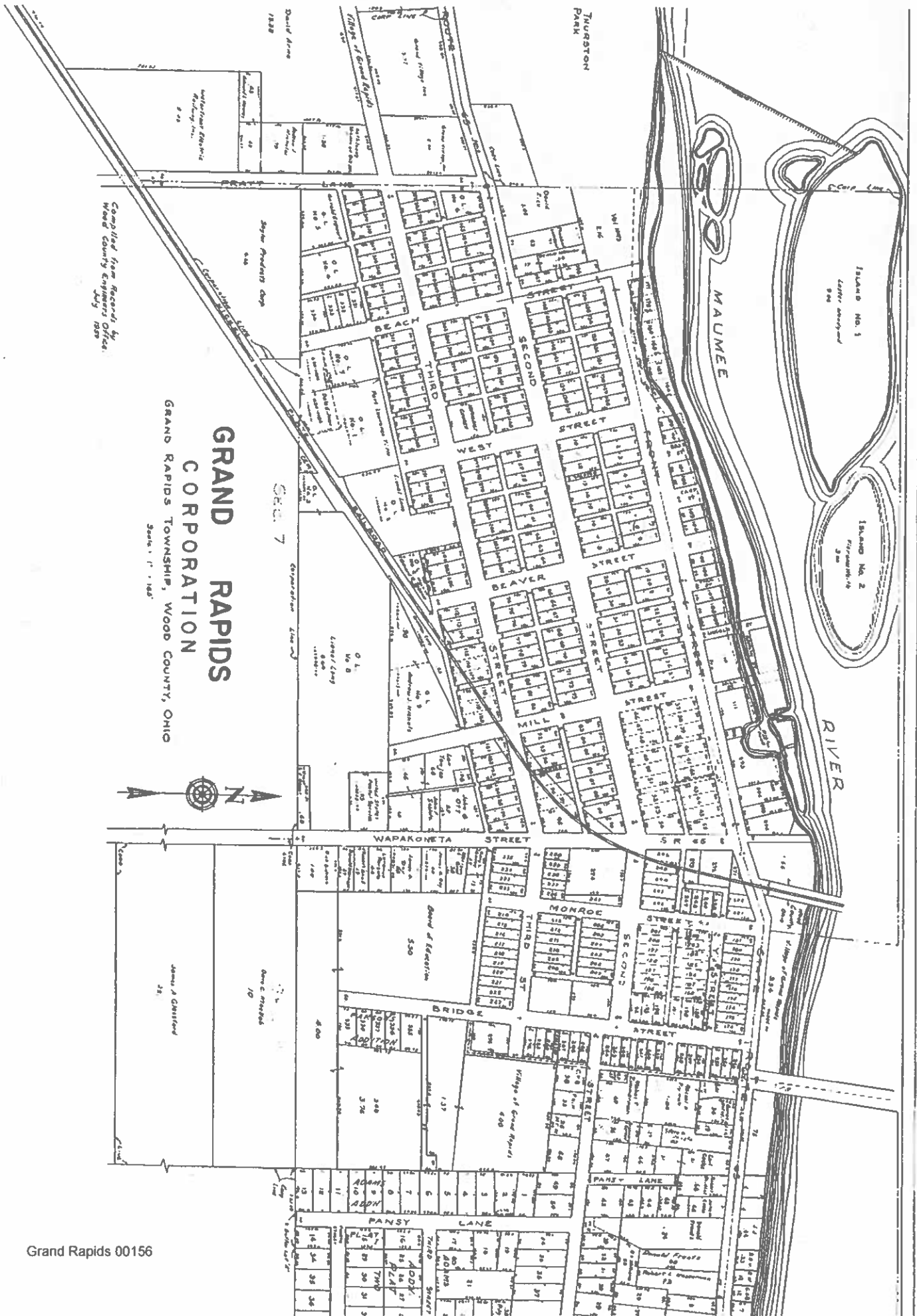
Grand Rapids 00134







## Exhibit "C"



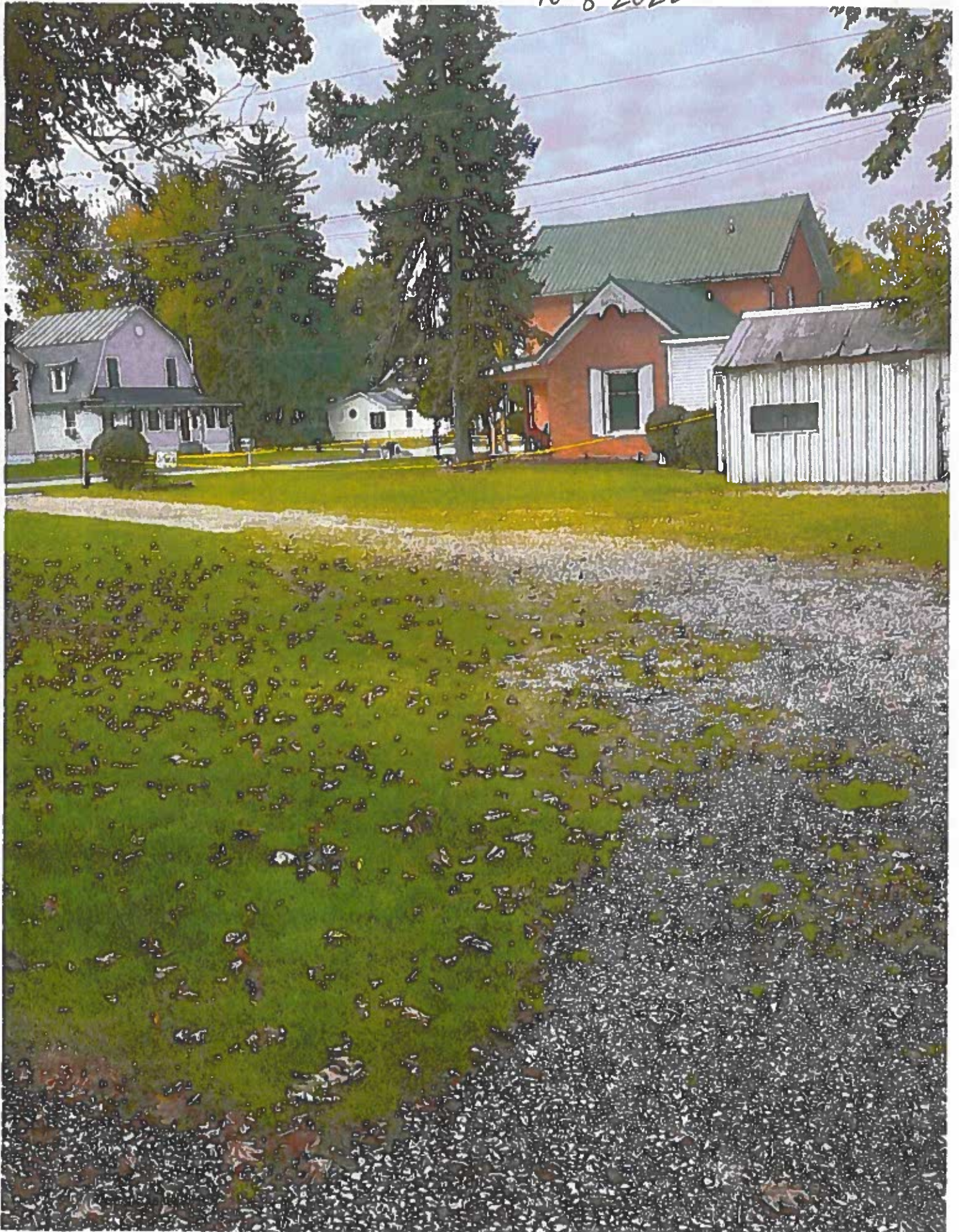
**GRAND RAPIDS CORPORATION**  
**GRAND RAPIDS TOWNSHIP, WOOD COUNTY, OHIO**  
 Book 17, Page 15



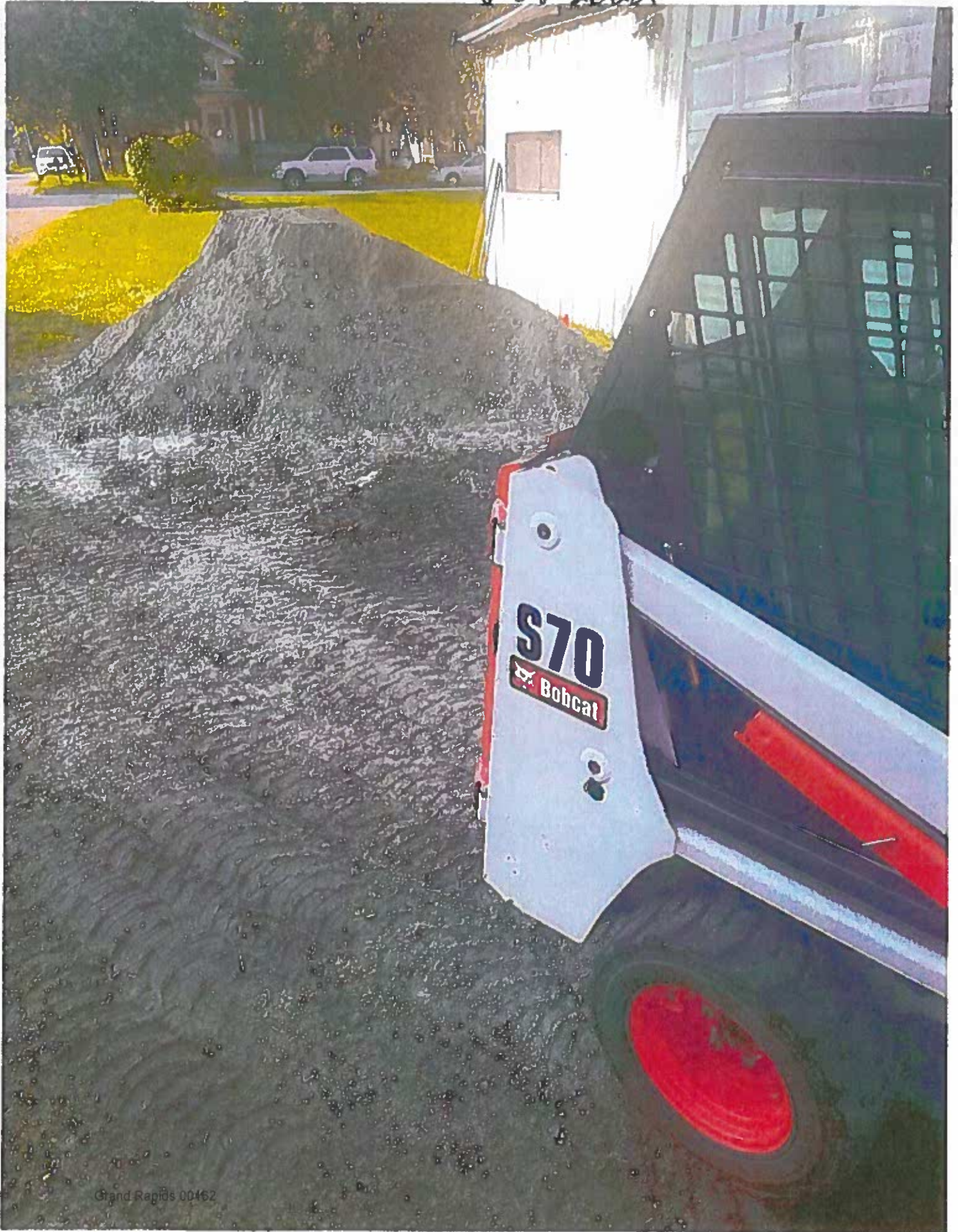
Compiled from Records by  
 Wood County Engineers Office  
 July 1899

Composite Exhibit "D"

10-8-2022



8-28-2022



AUG. 26-27 2022



## Composite Exhibit "E"





JAN. 2023



South  
Side

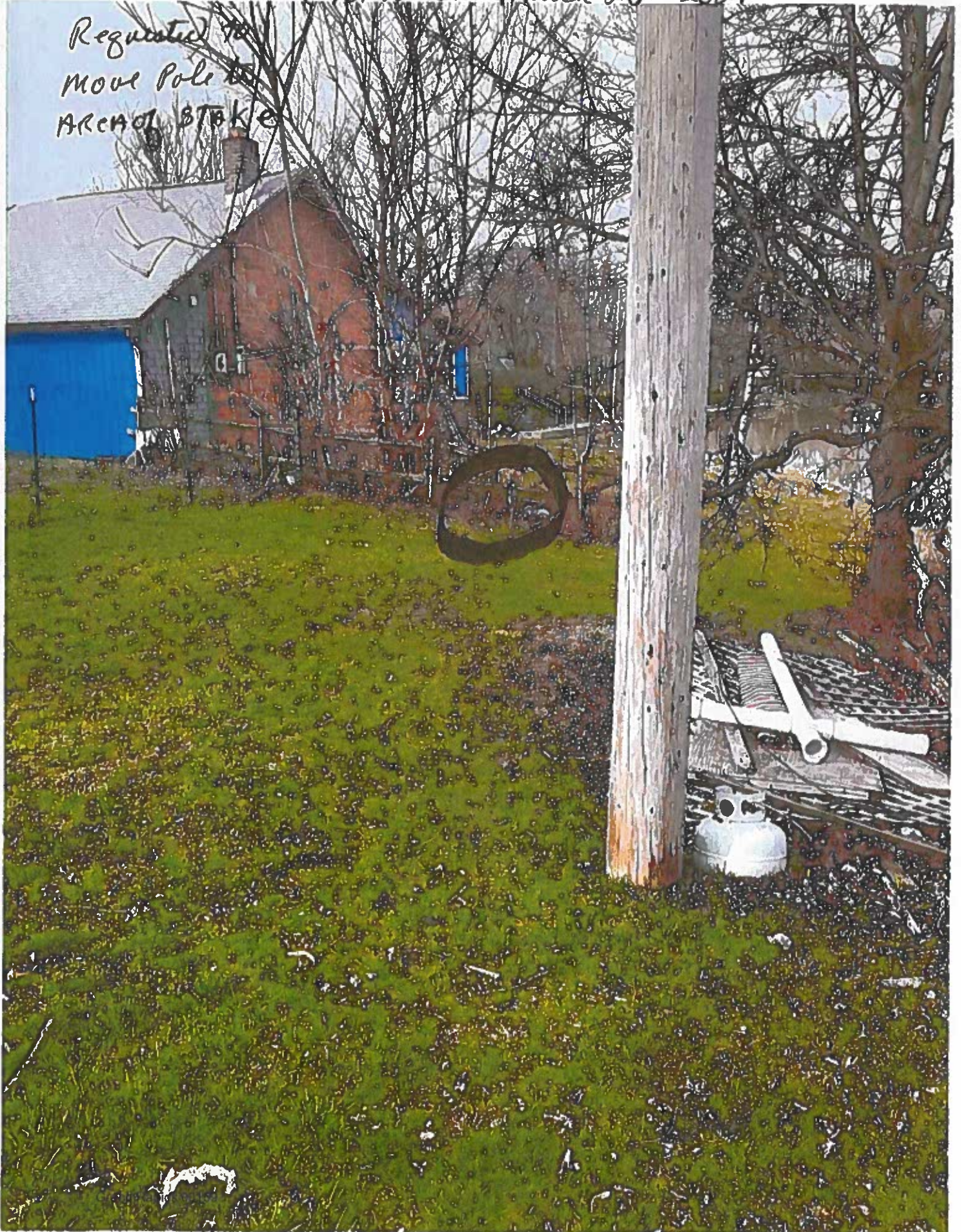
JAN 23

North Side  
of Shed

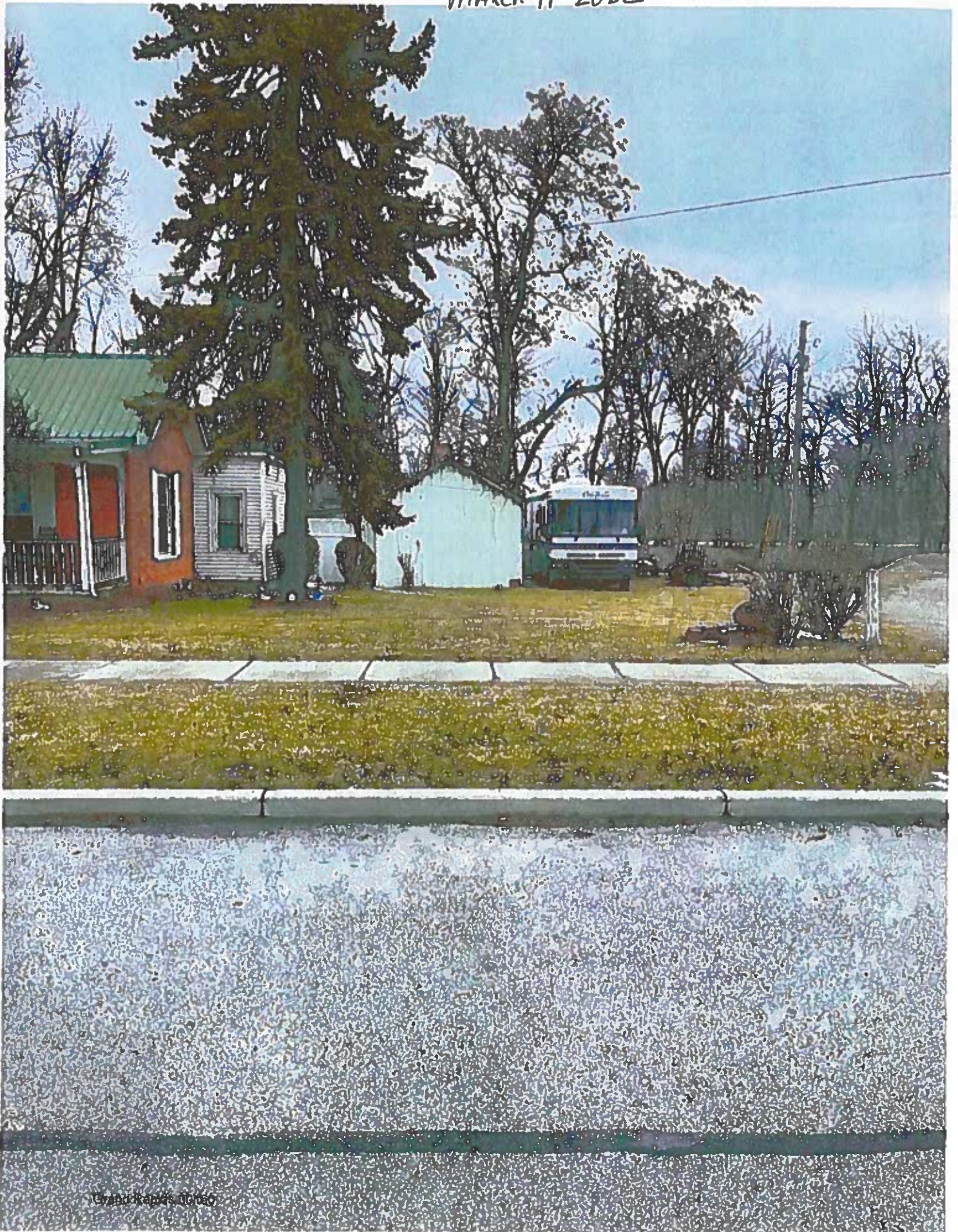


Toledo Edison March 25 - 2021

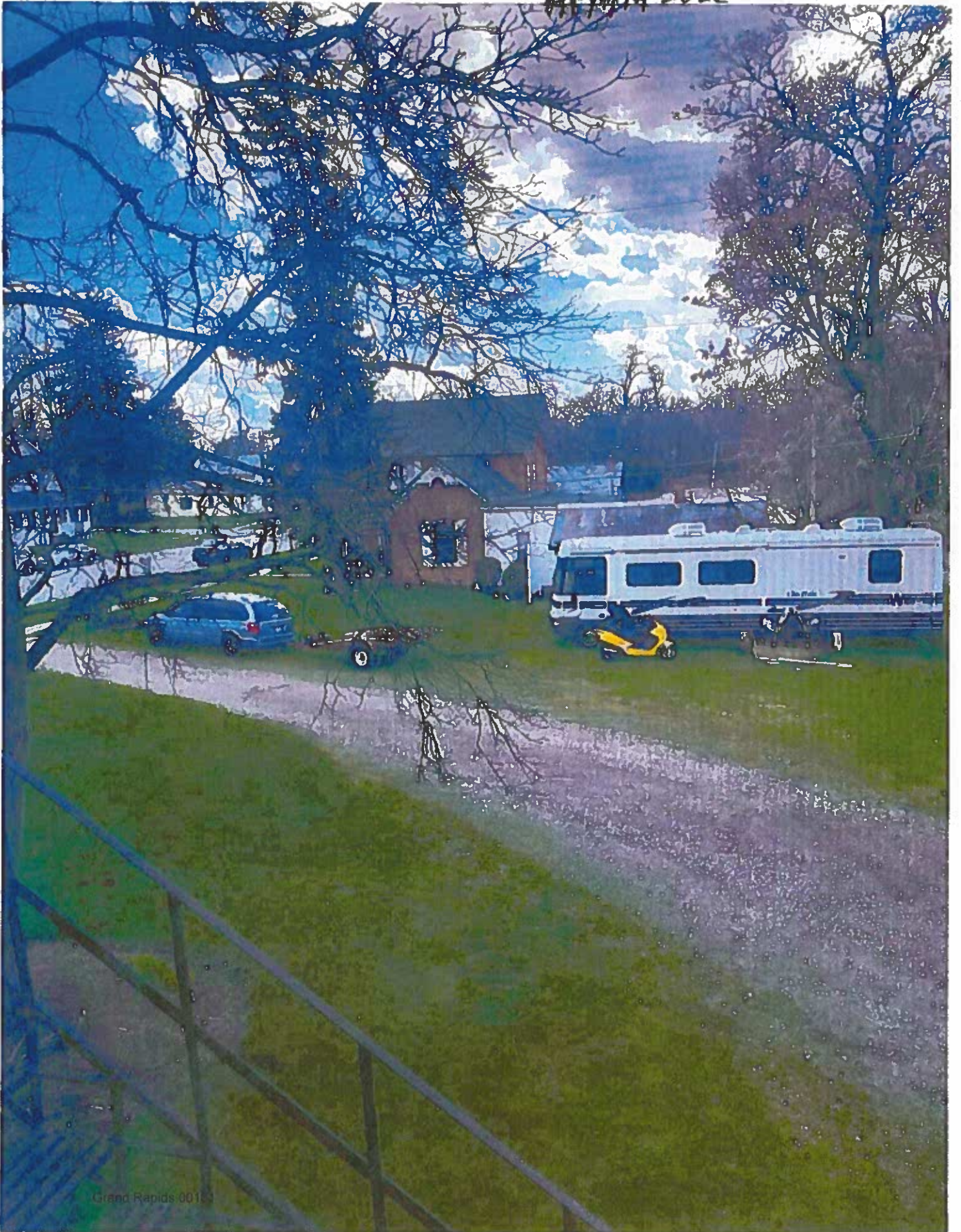
Requested to  
Move Pole to  
Area of Stake



MARCH 11-2022



APRIL 2022



Composite Exhibit "F"

Mary Shoffer

---

**From:** John Berry <Phase\_Electric@frontier.com>  
**Sent:** Friday, August 16, 2024 4:36 PM  
**To:** Lynn Sylvain; Jeff Dennis; Ryan Rothenbuhler; Jody Donsbach; Martha Frantz; Louise Estep; Rick Tolles; Rachel Smith; Chad Beyer; Kristel Beyer  
**Subject:** Re: Toyota & boat trailer

Correction

> On Aug 16, 2024, at 4:25 PM, John Berry <Phase\_Electric@frontier.com> wrote:

>

>

> Good afternoon Lynn, it would be well appreciated if you could move your truck & trailer out of that area for this weekends  
> events. It has been there for about 2 1/2 weeks. I'm sure it would fit on your grass at your home for a few days. There is  
> going to be a need for parking all over the village this weekend. Thank you for your prompt attention.

>

> John Berry, Mayor.

> <image0.jpeg>



Orlando Bag Co. 00186

# WOOD COUNTY SHERIFF'S OFFICE

## Number of Events by Nature

September 2024 - Village of Grand Rapids

| Nature                         | # Events |
|--------------------------------|----------|
| 911 HANGUP CALL                | 1        |
| 911 NON-EMERGENCY              | 1        |
| 911 OPEN LINE                  | 1        |
| ALARM RESIDENTIAL              | 2        |
| ANIMAL - OTHER                 | 1        |
| BREATHING DIFFICULTY           | 2        |
| CARDIAC / PAIN CHEST           | 2        |
| CRASH NON-INJURY               | 1        |
| DEPARTMENTAL INFO / COMPLAINT  | 2        |
| DOA / ACCIDENTAL / NATURAL     | 1        |
| DOMESTIC VIOLENCE              | 1        |
| FALL WITH INJURY               | 1        |
| FIRE UNKNOWN                   | 1        |
| FIREWORKS INCIDENT / COMPLAINT | 1        |
| FOLLOW UP                      | 1        |
| HARASSMENT VIEW                | 2        |
| HEALTH AND WELFARE CHECK       | 1        |
| ILL / SICK PERSON              | 1        |
| KEEP THE PEACE                 | 2        |
| LIFT ASSIST                    | 1        |
| PARKING COMPLAINT/VIOLATION    | 1        |
| PREMISE CHECK                  | 29       |
| PROPERTY DAMAGE / NON CRIM     | 1        |
| PROPERTY LOST / FOUND / RECOV  | 1        |
| RECKLESS OPERATION             | 1        |
| SCAM                           | 1        |
| SEX OFFENSE                    | 1        |
| SUSPICIOUS PERSON              | 2        |
| SUSPICIOUS VEHICLE             | 1        |

| <b>Nature</b>            | <b># Events</b> |
|--------------------------|-----------------|
| THEFT STOLEN VEHICLE     | 2               |
| TRAFFIC VIOLATION        | 9               |
| VEHICLE UNLOCK / LOCKOUT | 1               |
|                          |                 |
| <b>Total</b>             | <b>76</b>       |

# WOOD COUNTY SHERIFF'S OFFICE

## List of Events

September 2024 - Village of Grand Rapids

| Incident #                       | Date/Time           | Street   | City | Additional Location Info                             | Prime Unit |
|----------------------------------|---------------------|--|------|--|------------|
| Nature                           | Priority            | Agcy Dist S/Bt RA Business                     |      |  | Close      |
| 2024101651                       | 09/01/2024 09:18:47 | 17467 WAPAKONETA RD                            | GRP  |  | W61        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 DOLLAR GENERAL-GRAND RAPIDS  |      |  | 104        |
| 2024101694                       | 09/01/2024 10:42:03 | 24282 FRONT ST                                 | GRP  |  | W61        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 GRAND RAPIDS TOWN HALL       |      |  | 104        |
| 2024101819                       | 09/01/2024 18:18:18 | 17467 WAPAKONETA RD                            | GRP  |  | W77        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 DOLLAR GENERAL-GRAND RAPIDS  |      |  | 104        |
| 2024101871                       | 09/01/2024 20:33:51 | 24298 FRONT ST                                 | GRP  |  | W77        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100                              |      |  | 104        |
| 2024101887                       | 09/01/2024 21:03:01 | 24201 W THIRD ST                               | GRP  |  | W77        |
| FIREWORKS INCIDENT 2 / COMPLAINT |                     | WCSSO NW GRAP 100 GRAND RAPIDS CARE CENTER     |      |  | COMP       |
| 2024102057                       | 09/02/2024 08:00:06 | 24282 FRONT ST                                 | GRP  |  | W67        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 GRAND RAPIDS TOWN HALL       |      |  | 104        |
| 2024102124                       | 09/02/2024 10:32:44 | 17468-18 WAPAKONETA RD                         | GRP  |  | W67        |
| THEFT STOLEN VEHICLE             | P                   | WCSSO NW GRAP 100 GRAND RAPIDS VILLAGE ESTATES |      |  | B          |
| 2024102157                       | 09/02/2024 11:56:00 | 23873 W RIVER RD                               | GRP  | LUDWIG RD - S SECT DIST: 59.89 ft                    | W67        |
| FIRE UNKNOWN                     |                     | WCSSO NW GRAP 100                              |      |  | COMP       |
| 2024102524                       | 09/03/2024 11:19:14 | 17557 WOODBURN AVE                             | GRP  |  | W56        |
| PROPERTY DAMAGE / NON CRIM       | P                   | WCSSO NW GRAP 100                              |      |  | B          |
| 2024102550                       | 09/03/2024 13:09:04 | 24010 FRONT ST                                 | GRP  | AKA: RAPIDS MARATHON FRIENDSHIP MARATHON- GRAND RAPI | W56        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100                              |      |  | COMP       |
| 2024102637                       | 09/03/2024 17:28:35 | 17764 BRIDGE ST                                | GRP  |  | W56        |
| HEALTH AND WELFARE CHECK         | 2                   | WCSSO NW GRAP 100                              |      |  | COMP       |
| 2024102959                       | 09/04/2024 14:20:17 | 17726 BRIDGE ST                                | GRP  | GOMEZ, RAYMOND                                       | W52        |
| ALARM RESIDENTIAL                | 2                   | WCSSO NW GRAP 100 GARNET, WARREN               |      |  | COMP       |
| 2024103226                       | 09/05/2024 09:04:31 | 17467 WAPAKONETA RD                            | GRP  |  | W52        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 DOLLAR GENERAL-GRAND RAPIDS  |      |  | 104        |
| 2024103219                       | 09/05/2024 08:52:07 | 24282 FRONT ST                                 | GRP  |  | W52        |
| PREMISE CHECK                    | P                   | WCSSO NW GRAP 100 GRAND RAPIDS TOWN HALL       |      |  | 104        |

| Incident #                    | Date/Time           | Street                       | City                             | Additional Location Info          | Prime Unit |
|-------------------------------|---------------------|------------------------------|----------------------------------|-----------------------------------|------------|
| Nature                        | Priority            | Agcy Dist St/Bt RA           | Business                         |                                   | Close      |
| 2024103451                    | 09/05/2024 21:02:21 | 24201-112 W THIRD ST         | GRP                              | THIRD ST                          | W72        |
| ILL / SICK PERSON             | P                   | WCSO NW GRAP 100             | GRAND RAPIDS CARE CENTER         |                                   | I          |
| 2024105108                    | 09/09/2024 16:06:28 | 24010 FRONT ST               | GRP                              | AKA: RAPIDS MARATHON              | W50        |
| CRASH NON-INJURY              | P                   | WCSO NW GRAP 100             | FRIENDSHIP MARATHON-GRAND RAPIDS |                                   | COMP       |
| 2024105115                    | 09/09/2024 16:26:22 | 24282 FRONT ST               | GRP                              |                                   | W74        |
| DEPARTMENTAL INFO / COMPLAINT | 5                   | WCSO NW GRAP 100             | GRAND RAPIDS TOWN HALL           |                                   | COMP       |
| 2024103714                    | 09/06/2024 12:28:21 | 24282 FRONT ST               | GRP                              |                                   | W53        |
| PREMISE CHECK                 | P                   | WCSO NW GRAP 100             | GRAND RAPIDS TOWN HALL           |                                   | COMP       |
| 2024103836                    | 09/06/2024 17:58:23 | 23893 W RIVER RD             | GRP                              | LUDWIG RD - S SECT DIST: 66.18 ft | NO         |
| BREATHING DIFFICULTY          | P                   | WCSO NW GRAP 100             | RICK TOLLES                      |                                   |            |
| 2024103852                    | 09/06/2024 18:23:35 | 17468-18 WAPAKONETA RD       | GRP                              |                                   | W65        |
| SEX OFFENSE                   | P                   | WCSO NW GRAP 100             | GRAND RAPIDS VILLAGE ESTATES     |                                   | B          |
| 2024104379                    | 09/07/2024 21:37:14 | WAPAKONETA RD/LONG-JUDSON RD | GRP                              |                                   | W27        |
| TRAFFIC VIOLATION             | 1                   | WCSO NW GRAP 100             |                                  |                                   | D          |
| 2024104377                    | 09/07/2024 21:26:39 | 24179 W SECOND ST            | GRP                              |                                   | W27        |
| TRAFFIC VIOLATION             | 1                   | WCSO NW GRAP 100             |                                  |                                   | D          |
| 2024104388                    | 09/07/2024 22:03:16 | 23913 W RIVER RD             | GRP                              |                                   | W27        |
| TRAFFIC VIOLATION             | 1                   | WCSO NW GRAP 100             |                                  |                                   | D          |
| 2024104418                    | 09/07/2024 23:34:37 | W SECOND ST/MILL ST          | GRP                              |                                   | W70        |
| TRAFFIC VIOLATION             | 1                   | WCSO NW GRAP 100             |                                  |                                   | D          |
| 2024104556                    | 09/08/2024 08:58:50 | 17484 SAYLOR LN              | GRP                              |                                   | W39        |
| PREMISE CHECK                 | P                   | WCSO NW GRAP 100             | SAYLOR PRODUCTS                  |                                   | COMP       |
| 2024104628                    | 09/08/2024 12:39:50 | BRIDGE ST/E THIRD ST         | GRP                              |                                   | W39        |
| TRAFFIC VIOLATION             | 1                   | WCSO NW GRAP 100             |                                  |                                   | D          |
| 2024108627                    | 09/18/2024 07:41:16 | 24282 FRONT ST               | GRP                              |                                   | W71        |
| PREMISE CHECK                 | P                   | WCSO NW GRAP 100             | GRAND RAPIDS VILLAGE PARK        |                                   | 104        |
| 2024106756                    | 09/13/2024 17:53:52 | 24130 W SECOND ST            | GRP                              | STEVE CURRENT                     | W77        |
| DOA / ACCIDENTAL / NATURAL    | P                   | WCSO NW GRAP 100             |                                  |                                   | COMP       |
| 2024108849                    | 09/18/2024 17:34:14 | 17556 WAPAKONETA RD          | GRP                              | LUDWIG RD - S SECT DIST: 23.63 ft | W76        |
| SUSPICIOUS PERSON             | 2                   | WCSO NW GRAP 100             |                                  |                                   | B          |
| 2024108967                    | 09/18/2024 22:39:08 | 17733 N PANSEY LN            | GRP                              | LUDWIG RD - S SECT DIST: 86.76 ft | W76        |
| DOMESTIC VIOLENCE             | P                   | WCSO NW GRAP 100             |                                  |                                   | B          |

| Incident #           | Date/Time           | Street                      | City                           | Additional Location Info              | Prime Unit |
|----------------------|---------------------|-----------------------------|--------------------------------|---------------------------------------|------------|
| Nature               | Priority            | Agcy Dist St/Bt RA Business |                                |                                       | Close      |
| 2024109126           | 09/19/2024 11:16:47 | 17733 N PANSEY LN           | GRP                            |                                       | W34        |
| KEEP THE PEACE       | 2                   | WCSO NW GRAP 100            |                                |                                       | COMP       |
| 2024109254           | 09/19/2024 17:09:39 | 24187 FRONT ST              | GRP                            |                                       | W76        |
| ANIMAL - OTHER       | 3                   | WCSO NW GRAP 100            | ANTIQUES ON FRONT              |                                       | COMP       |
| 2024109338           | 09/19/2024 20:47:51 | 17488-26 WAPAKONETA RD      | GRP                            |                                       | W77        |
| RECKLESS OPERATION   | 1                   | WCSO NW GRAP 100            |                                |                                       | G          |
| 2024107859           | 09/16/2024 07:57:45 | 24139 FRONT ST              | GRP                            |                                       | W67        |
| HARASSMENT VIEW      | 2                   | WCSO NW GRAP 100            | OLDE GILEAD BOOKS              |                                       | COMP       |
| 2024107863           | 09/16/2024 08:14:33 | 23541 E FOURTH ST           | GRP                            | LUDWIG RD - S SECT<br>DIST: 93.58 ft  | W61        |
| CARDIAC / PAIN CHEST | P                   | WCSO NW GRAP 100            |                                |                                       | I          |
| 2024107982           | 09/16/2024 11:46:07 | 24282 FRONT ST              | GRP                            |                                       | W67        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | GRAND RAPIDS TOWN HALL         |                                       | 104        |
| 2024108006           | 09/16/2024 13:20:51 | 24282 FRONT ST              | GRP                            |                                       | W67        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | GRAND RAPIDS TOWN HALL         |                                       | 104        |
| 2024105627           | 09/11/2024 01:59:52 | 17485 WAPAKONETA RD         | GRP                            |                                       | W72        |
| SUSPICIOUS VEHICLE   | 2                   | WCSO NW GRAP 100            |                                |                                       | COMP       |
| 2024105782           | 09/11/2024 13:00:22 | 24156 W THIRD ST            | GRP                            | LUDWIG RD - W Sect<br>DIST: 101.83 ft | W244       |
| 911 OPEN LINE        | 1                   | WCSO NW GRAP 100            |                                |                                       | CELL       |
| 2024106046           | 09/12/2024 06:48:08 | 24287 FRONT ST              | GRP                            | 2 LOCATIONS                           | W53        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | RIVER LURES INC                |                                       | COMP       |
| 2024106098           | 09/12/2024 10:14:36 | 24010 FRONT ST              | GRP                            | AKA: RAPIDS MARATHON                  | W53        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | FRIENDSHIP MARATHON-GRAND RAPI |                                       | COMP       |
| 2024106583           | 09/13/2024 11:46:00 | 24282 FRONT ST              | GRP                            |                                       | W71        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | GRAND RAPIDS TOWN HALL         |                                       | 104        |
| 2024106748           | 09/13/2024 17:43:15 | 24132 W SECOND ST           | GRP                            | LUDWIG RD DIST: 85.96 ft              | W239       |
| 911 HANGUP CALL      | P                   | WCSO NW GRAP 100            |                                |                                       | CELL       |
| 2024106842           | 09/13/2024 20:42:57 | 17467 WAPAKONETA RD         | GRP                            |                                       | W77        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | DOLLAR GENERAL-GRAND RAPIDS    |                                       | 104        |
| 2024106986           | 09/14/2024 07:29:16 | 24231 FRONT ST              | GRP                            |                                       | W50        |
| PREMISE CHECK        | P                   | WCSO NW GRAP 100            | HUNTINGTON BANK-GRAND RAPIDS   |                                       | COMP       |
| 2024106993           | 09/14/2024 08:09:19 | 17556 BRIDGE ST             | GRP                            | CONOR EVANS                           | W50        |
| ALARM RESIDENTIAL    | 2                   | WCSO NW GRAP 100            |                                |                                       | COMP       |

| Incident #                    | Date/Time           | Street                      | City | Additional Location Info               | Prime Unit |
|-------------------------------|---------------------|-----------------------------|------|--|------------|
| Nature                        | Priority            | Agcy Dist St/Bt RA Business |      |  | Close      |
| 2024109986                    | 09/21/2024 09:39:27 | 24010 FRONT ST              | GRP  | AKA: RAPIDS MARATHON                   | W67        |
| PROPERTY LOST / FOUND / RECOV | 2                   | WC SO NW GRAP 100           |      | FRIENDSHIP MARATHON-GRAND RAPIDS       | COMP       |
| 2024109734                    | 09/20/2024 17:46:15 | 17700 BEAVER ST             | GRP  |  | W55        |
| LIFT ASSIST                   | P                   | WC SO NW GRAP 100           |      | FIRST PRESBYTERIAN CHURCH-GRAND RAPIDS | I          |
| 2024109840                    | 09/20/2024 22:08:55 | 23865 W RIVER RD            | GRP  |  | W70        |
| TRAFFIC VIOLATION             | 1                   | WC SO NW GRAP 100           |      |  | D          |
| 2024110438                    | 09/22/2024 11:27:05 | 24055 FRONT ST              | GRP  | LUDWIG RD - S SECT DIST: 127.9 ft      | W39        |
| CARDIAC / PAIN CHEST          | P                   | WC SO NW GRAP 100           |      |  | I          |
| 2024110611                    | 09/22/2024 21:20:23 | 24260 W THIRD ST            | GRP  |  | W46        |
| TRAFFIC VIOLATION             | 1                   | WC SO NW GRAP 100           |      |  | D          |
| 2024110748                    | 09/23/2024 09:05:01 | 24282 FRONT ST              | GRP  |  | W53        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      | GRAND RAPIDS TOWN HALL                 | COMP       |
| 2024110755                    | 09/23/2024 09:13:23 | 24010 FRONT ST              | GRP  | AKA: RAPIDS MARATHON                   | W53        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      | FRIENDSHIP MARATHON-GRAND RAPI         | COMP       |
| 2024110798                    | 09/23/2024 10:48:43 | 17525 S PANSEY LN           | GRP  | LUDWIG RD DIST: 470.21 ft              | W231       |
| 911 NON-EMERGENCY             | 9                   | WC SO NW GRAP 100           |      |  | CELL       |
| 2024110950                    | 09/23/2024 17:08:31 | 24282 FRONT ST              | GRP  |  | W76        |
| DEPARTMENTAL INFO / COMPLAINT | 5                   | WC SO NW GRAP 100           |      | GRAND RAPIDS TOWN HALL                 | COMP       |
| 2024111182                    | 09/24/2024 06:52:00 | 24282 FRONT ST              | GRP  |  | W59        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      | GRAND RAPIDS TOWN HALL                 | COMP       |
| 2024111215                    | 09/24/2024 08:51:32 | 17604 BRIDGE ST             | GRP  |  | W59        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      | GRAND RAPIDS SWIMMING POOL             | COMP       |
| 2024111321                    | 09/24/2024 12:28:57 | 24201 W THIRD ST            | GRP  | THIRD ST                               |            |
| FALL WITH INJURY              | P                   | WC SO NW GRAP 100           |      | GRAND RAPIDS CARE CENTER               | JURS       |
| 2024111555                    | 09/24/2024 22:20:06 | 24298 FRONT ST              | GRP  |  | W77        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      |  | 104        |
| 2024111556                    | 09/24/2024 22:20:42 | 24282 FRONT ST              | GRP  |  | W77        |
| PREMISE CHECK                 | P                   | WC SO NW GRAP 100           |      | GRAND RAPIDS TOWN HALL                 | 104        |
| 2024111651                    | 09/25/2024 07:24:12 | 24120 W SECOND ST           | GRP  |  | W55        |
| SUSPICIOUS PERSON             | 2                   | WC SO NW GRAP 100           |      |  | COMP       |
| 2024111724                    | 09/25/2024 10:49:38 | 24139 FRONT ST              | GRP  |  | W55        |
| HARASSMENT VIEW               | 2                   | WC SO NW GRAP 100           |      | OLDE GILEAD BOOKS                      | COMP       |

| Incident #                  | Date/Time           | Street                     | City | Additional Location Info          | Prime Unit |
|-----------------------------|---------------------|----------------------------|------|-----------------------------------|------------|
| Nature                      | Priority            | Agcy Dist S/Bt RA Business |      |                                   | Close      |
| 2024111842                  | 09/25/2024 16:08:16 | 24024 W SECOND ST          | GRP  |                                   | W55        |
| SCAM                        | 2                   | WCOS NW GRAP 100           |      |                                   | B          |
| 2024111867                  | 09/25/2024 16:45:57 | 24120 W SECOND ST          | GRP  |                                   | W55        |
| FOLLOW UP                   |                     | WCOS NW GRAP 100           |      |                                   | B          |
| 2024112319                  | 09/26/2024 16:56:28 | 24010 FRONT ST             | GRP  | AKA: RAPIDS MARATHON              | W50        |
| VEHICLE UNLOCK / LOCKOUT    | 3                   | WCOS NW GRAP 100           |      | FRIENDSHIP MARATHON- GRAND RAPIDS | I          |
| 2024112427                  | 09/26/2024 22:15:08 | 24022 W SECOND ST          | GRP  |                                   | W70        |
| TRAFFIC VIOLATION           | 1                   | WCOS NW GRAP 100           |      |                                   | D          |
| 2024112468                  | 09/27/2024 00:40:53 | 17643 WAPAKONETA RD        | GRP  |                                   | W70        |
| TRAFFIC VIOLATION           | 1                   | WCOS NW GRAP 100           |      |                                   | D          |
| 2024112543                  | 09/27/2024 07:47:46 | 24282 FRONT ST             | GRP  |                                   | W71        |
| PREMISE CHECK               | P                   | WCOS NW GRAP 100           |      | GRAND RAPIDS TOWN HALL            | 104        |
| 2024112764                  | 09/27/2024 16:07:50 | 24282 FRONT ST             | GRP  |                                   | W25        |
| KEEP THE PEACE              | 2                   | WCOS NW GRAP 100           |      | GRAND RAPIDS TOWN HALL            | COMP       |
| 2024113014                  | 09/28/2024 03:55:27 | 24033 W SECOND ST          | GRP  |                                   | W77        |
| PREMISE CHECK               | P                   | WCOS NW GRAP 100           |      |                                   | 104        |
| 2024113146                  | 09/28/2024 11:38:22 | 17798 WAPAKONETA RD        | GRP  |                                   | W52        |
| PARKING COMPLAINT/VIOLATION | 3                   | WCOS NW GRAP 100           |      |                                   | COMP       |
| 2024113532                  | 09/29/2024 05:19:05 | 24201-209 W THIRD ST       | GRP  | THIRD ST                          | W68        |
| BREATHING DIFFICULTY        | P                   | WCOS NW GRAP 100           |      | GRAND RAPIDS CARE CENTER          | I          |
| 2024113551                  | 09/29/2024 07:19:12 | 24282 FRONT ST             | GRP  |                                   | W61        |
| PREMISE CHECK               | P                   | WCOS NW GRAP 100           |      | GRAND RAPIDS TOWN HALL            | 104        |
| 2024113813                  | 09/29/2024 19:37:39 | 24282 FRONT ST             | GRP  |                                   | W54        |
| PREMISE CHECK               | P                   | WCOS NW GRAP 100           |      | GRAND RAPIDS TOWN HALL            | 104        |
| 2024113927                  | 09/30/2024 07:28:18 | 24282 FRONT ST             | GRP  |                                   | W39        |
| PREMISE CHECK               | P                   | WCOS NW GRAP 100           |      | GRAND RAPIDS TOWN HALL            | 104        |
| 2024114013                  | 09/30/2024 10:38:59 | 24308 FRONT ST             | GRP  |                                   | W39        |
| THEFT STOLEN VEHICLE        | P                   | WCOS NW GRAP 100           |      |                                   | COMP       |

# Events Listed: 76

| VILLAGE OF GRAND RAPIDS - SEPTEMBER 2024 |        |         |          |       | TOTAL HOURS  |
|--|--------|---------|----------|-------|--------------|
| DAY of Month                             | DEPUTY | TIME IN | TIME OUT | HOURS | 210.33       |
| 9-1-24                                   | 77     | 1815    | 2115     | 3.00  |              |
| 9-1-24                                   | 76     | 0230    | 0430     | 2.00  |              |
| 9-7-24                                   | 77     | 0300    | 0415     | 1.25  |              |
| 7-2-24                                   | 67     | 0800    | 1000     | 2.00  |              |
| 9-2-24                                   | 67     | 1030    | 1215     | 1.75  |              |
| 9-2-24                                   | 46     | 2230    | 0200     | 3.50  |              |
| 9-2-24                                   | 27     | 1915    | 2000     | 0.75  |              |
| 9-3-24                                   | 56     | 1115    | 1400     | 2.75  |              |
| 9-3-24                                   | 56     | 1730    | 1815     | 0.75  |              |
| 9-2-24                                   | 56     | 0635    | 0735     | 1.00  |              |
| 9-3-24                                   | 73     | 1900    | 2045     | 1.75  |              |
| 9-4-24                                   | 73     | 0045    | 0315     | 2.50  |              |
| 9-4-24                                   | 61     | 0915    | 1100     | 1.75  |              |
| 9-4-24                                   | 61     | 1130    | 1245     | 1.25  |              |
| 9-4-24                                   | 52     | 0635    | 0805     | 1.50  |              |
| 9-4-24                                   | 76     | 1855    | 2055     | 2.00  |              |
| 9-4-24                                   | 76     | 2220    | 2320     | 1.00  |              |
| 9-5-24                                   | 52     | 0640    | 0940     | 3.00  |              |
| 9-4-24                                   | 54     | 1930    | 2000     | 0.50  |              |
| 9-4-24                                   | 54     | 2130    | 2300     | 1.50  |              |
| 9-5-24                                   | 72     | 2000    | 2115     | 1.25  |              |
| 9-5-24                                   | 72     | 2255    | 2345     | 0.83  |              |
| 9-6-24                                   | 72     | 0145    | 0330     | 1.75  |              |
| 9-6-24                                   | 65     | 1835    | 2050     | 2.25  |              |
| 9-7-24                                   | 65     | 0110    | 0210     | 1.00  |              |
| 9-6-24                                   | 53     | 0645    | 0715     | 0.50  |              |
| 9-6-24                                   | 53     | 0905    | 1120     | 2.25  |              |
| 9-6-24                                   | 53     | 1230    | 1300     | 0.50  |              |
| 9-7-24                                   | 67     | 1245    | 1345     | 1.00  |              |
| 5-8-24                                   | 70     | 2245    | 0115     | 2.50  |              |
| 9-8-24                                   | 39     | 0853    | 1038     | 1.75  |              |
| 9-8-24                                   | 39     | 1145    | 1300     | 1.25  |              |
| 9-8-24                                   | 46     | 1840    | 1940     | 1.00  |              |
| 9-8-24                                   | 46     | 2120    | 0020     | 3.00  |              |
| 9-9-24                                   | 50     | 0735    | 0850     | 1.25  |              |
| 9-9-24                                   | 50     | 1150    | 1250     | 1.00  |              |
| 9-9-24                                   | 50     | 1630    | 1700     | 0.50  |              |
| 9-10-24                                  | 25     | 0634    | 0834     | 2.00  |              |
| 9-10-24                                  | 61     | 1200    | 1300     | 1.00  |              |
| 9-10-24                                  | 74     | 1825    | 1910     | 0.75  |              |
| 9-9-24                                   | 74     | 2010    | 2210     | 2.00  |              |
| 9-10-24                                  | 74     | 0000    | 0215     | 2.25  |              |
| 9-10-24                                  | 72     | 2045    | 2200     | 1.25  |              |
| 9-10-24                                  | 72     | 2345    | 0230     | 2.75  |              |
| 9-11-24                                  | 75     | 1930    | 2130     | 2.00  |              |
| 8-12-24                                  | 75     | 0100    | 0300     | 2.00  |              |
| 9-12-24                                  | 53     | 0645    | 0845     | 2.00  |              |
| 9-12-24                                  | 53     | 0950    | 1050     | 1.00  |              |
| 9-11-24                                  | 55     | 1300    | 1500     | 2.00  |              |
|  |        |         |          |       | <b>80.08</b> |

|   |                           |
|---|---------------------------|
| <b>VILLAGE OF GRAND RAPIDS - SEPTEMBER 2024</b> | <b>TOTAL HOURS 210.33</b> |
|---|---------------------------|

|         |    |      |      |      |
|---------|----|------|------|------|
| 9-11-24 | 55 | 1630 | 1715 | 0.75 |
| 9-13-24 | 71 | 0700 | 0745 | 0.75 |
| 9-13-24 | 71 | 1125 | 1340 | 2.25 |
| 9-13-24 | 77 | 1800 | 1845 | 0.75 |
| 9-13-24 | 77 | 2010 | 2225 | 2.25 |
| 9-14-24 | 77 | 0330 | 0430 | 1.00 |
| 9-14-24 | 50 | 0635 | 0835 | 2.00 |
| 9-14-24 | 50 | 1515 | 1615 | 1.00 |
| 9-15-24 | 50 | 0940 | 1010 | 0.50 |
| 9-15-24 | 50 | 1232 | 1332 | 1.00 |
| 9-15-24 | 50 | 1440 | 1540 | 1.00 |
| 9-16-24 | 72 | 0035 | 0305 | 2.50 |
| 9-15-24 | 74 | 2340 | 0340 | 4.00 |
| 9-16-24 | 67 | 0900 | 0915 | 0.25 |
| 9-16-24 | 67 | 0935 | 1035 | 1.00 |
| 9-16-24 | 67 | 1130 | 1200 | 0.50 |
| 9-16-24 | 67 | 1315 | 1415 | 1.00 |
| 9-16-24 | 65 | 1935 | 2020 | 0.75 |
| 9-16-24 | 65 | 2210 | 0125 | 3.25 |
| 9-11-24 | 70 | 2215 | 2330 | 1.25 |
| 9-11-24 | 70 | 0030 | 0045 | 0.25 |
| 9-17-24 | 39 | 0810 | 0825 | 0.25 |
| 9-17-24 | 39 | 0945 | 1230 | 2.75 |
| 9-17-24 | 73 | 1845 | 1930 | 0.75 |
| 9-17-24 | 73 | 2010 | 2055 | 0.75 |
| 9-18-24 | 73 | 0100 | 0230 | 1.50 |
| 9-18-24 | 71 | 0615 | 0915 | 3.00 |
| 9-18-24 | 77 | 2240 | 2340 | 1.00 |
| 9-19-24 | 52 | 1330 | 1430 | 1.00 |
| 9-19-24 | 25 | 0850 | 1050 | 2.00 |
| 9-18-24 | 76 | 1810 | 1910 | 1.00 |
| 9-19-24 | 76 | 2100 | 2300 | 2.00 |
| 9-19-24 | 76 | 1810 | 1840 | 0.50 |
| 9-19-24 | 77 | 2045 | 2200 | 1.25 |
| 9-19-24 | 77 | 2345 | 0200 | 2.25 |
| 9-20-24 | 70 | 2205 | 2250 | 0.75 |
| 9-20-24 | 70 | 2315 | 0230 | 3.25 |
| 9-21-24 | 73 | 1845 | 2015 | 1.50 |
| 9-21-24 | 73 | 2115 | 2230 | 1.25 |
| 9-21-24 | 73 | 2345 | 0100 | 1.25 |
| 9-20-24 | 55 | 1330 | 1500 | 1.50 |
| 9-22-24 | 39 | 0923 | 1023 | 1.00 |
| 9-22-24 | 39 | 1143 | 1313 | 1.50 |
| 9-21-24 | 67 | 0810 | 0910 | 1.00 |
| 9-21-24 | 67 | 0945 | 1030 | 0.75 |
| 9-21-24 | 67 | 1330 | 1430 | 1.00 |
| 9-22-24 | 46 | 1930 | 2330 | 4.00 |
| 9-23-24 | 52 | 0700 | 0800 | 1.00 |
| 9-23-24 | 52 | 0835 | 1005 | 1.50 |

|              |               |
|--------------|---------------|
| <b>TOTAL</b> | <b>149.33</b> |
|--------------|---------------|



Composite Exhibit "G"

| Sun                             | Mon                             | Tue                             | Wed | Thu                             | Fri                           | Sat                             |
|---------------------------------|---------------------------------|---------------------------------|-----|---------------------------------|-------------------------------|---------------------------------|
| 31                              | 1                               | 2                               | 3   | 4                               | 5<br>Bittersweet Farms Music  | 6                               |
| 7                               | 8                               | 9                               | 10  | 11                              | 12<br>Bittersweet Farms Music | 13                              |
| 14                              | 15                              | 16                              | 17  | 18                              | 19<br>Bittersweet Farms Music | 20<br>All I Ever Really Need to |
| 21<br>All I Ever Really Need to | 22<br>All I Ever Really Need to | 23<br>All I Ever Really Need to | 24  | 25<br>All I Ever Really Need to | 26<br>Bittersweet Farms Music | 27<br>All I Ever Really Need to |
| 28<br>All I Ever Really Need to | 29<br>All I Ever Really Need to | 30                              | 31  | 1<br>All I Ever Really Need to  | 2<br>Bittersweet Farms Music  | 3<br>All I Ever Really Need to  |

| Sun | Mon                       | Tue                       | Wed                       | Thu                       | Fri  | Sat                       |
|-----|---------------------------|---------------------------|---------------------------|---------------------------|--|---------------------------|
| 28  | 29                        | 30                        | 31                        | 1                         | 2  | 3                         |
|     | All I Ever Really Need to | All I Ever Really Need to |                           | All I Ever Really Need to | Bittersweet Farms Music                              | All I Ever Really Need to |
| 4   | 5                         | 6                         | 7                         | 8                         | 9  | 10                        |
|     | All I Ever Really Need to | All I Ever Really Need to |                           | All I Ever Really Need to | Bittersweet Farms Music                              | All I Ever Really Need to |
| 11  | 12                        | 13                        | 14                        | 15                        | 16   | 17                        |
|     | All I Ever Really Need to | All I Ever Really Need to |                           | All I Ever Really Need to | Bittersweet Farms Music                              | All I Ever Really Need to |
| 18  | 19                        | 20                        | 21                        | 22                        | 23   | 24                        |
|     | All I Ever Really Need to | All I Ever Really Need to |                           | All I Ever Really Need to | Bittersweet Farms Music                              | All I Ever Really Need to |
| 25  | 26                        | 27                        | 28                        | 29                        | 1  | 2                         |
|     | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to<br>Bittersweet Farms Music | All I Ever Really Need to |

| Sun                       | Mon                       | Tue                       | Wed                       | Thu                       | Fri  | Sat                       |
|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|--|---------------------------|
| 25                        | 26                        | 27                        | 28                        | 29                        | 1  | 2                         |
|                           | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to<br>Bittersweet Farms Music | All I Ever Really Need to |
| 3                         | 4                         | 5                         | 6                         | 7                         | 8  | 9                         |
| All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to | All I Ever Really Need to<br>Bittersweet Farms Music | All I Ever Really Need to |
| 10                        | 11                        | 12                        | 13                        | 14                        | 15   | 16                        |
| All I Ever Really Need to |                           |                           |                           |                           | Bittersweet Farms Music                              |                           |
| 17                        | 18                        | 19                        | 20                        | 21                        | 22   | 23                        |
|                           |                           |                           |                           |                           | Bittersweet Farms Music                              |                           |
| 24                        | 25                        | 26                        | 27                        | 28                        | 29   | 30                        |
|                           |                           |                           |                           |                           |  |                           |
| 31                        | 1                         | 2                         | 3                         | 4                         | 5  | 6                         |
|                           |                           | Matilda Rehearsal         | Matilda Rehearsal         | Matilda Rehearsal         | Bittersweet Farms Music<br>Matilda Rehearsal         | Matilda Rehearsal         |

| Sun | Mon | Tue                     | Wed   | Thu                     | Fri   | Sat                                    |
|-----|-----|-------------------------|---|-------------------------|---|--|
| 31  | 1   | 2<br>Matilda Rehearsal  | 3<br>Matilda Rehearsal                            | 4<br>Matilda Rehearsal  | 5<br>Bittersweet Farms Music<br>Matilda Rehearsal | 6<br>Matilda Rehearsal                 |
| 7   | 8   | 9                       | 10<br>Matilda Rehearsal                           | 11<br>Matilda Rehearsal | 12<br>Bittersweet Farms Music                     | 13<br>Matilda Rehearsal                |
| 14  | 15  | 16<br>Matilda Rehearsal | 17<br>Matilda Rehearsal                           | 18                      | 19<br>Bittersweet Farms Music                     | 20<br>Honey Creek<br>Matilda Rehearsal |
| 21  | 22  | 23<br>Matilda Rehearsal | 24<br>Dixie Land Jazz Band -<br>Matilda Rehearsal | 25                      | 26<br>Bittersweet Farms Music                     | 27<br>Matilda Rehearsal                |
| 28  | 29  | 30<br>Matilda Rehearsal | 1<br>Matilda Rehearsal                            | 2                       | 3<br>Sound of Music Auditions                     | 4<br>Matilda Rehearsal                 |

| Sun                           | Mon                     | Tue                     | Wed                     | Thu                     | Fri                           | Sat  |
|-------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------------|--|
| 28                            | 29                      | 30<br>Matilda Rehearsal | 1<br>Matilda Rehearsal  | 2                       | 3<br>Sound of Music Auditions | 4<br>Matilda Rehearsal                         |
| 5<br>Sound of Music Auditions | 6                       | 7                       | 8<br>Matilda Rehearsal  | 9<br>Matilda Rehearsal  | 10                            | 11<br>Matilda Rehearsal<br>Poetry Contest - GR |
| 12<br>Matilda Rehearsal       | 13                      | 14                      | 15<br>Matilda Rehearsal | 16<br>Matilda Rehearsal | 17<br>Matilda Rehearsal       | 18<br>Matilda Rehearsal                        |
| 19<br>Matilda Rehearsal       | 20                      | 21                      | 22<br>Matilda Rehearsal | 23<br>Matilda Rehearsal | 24<br>Matilda Rehearsal       | 25<br>Matilda Rehearsal                        |
| 26<br>Matilda Rehearsal       | 27<br>Matilda Rehearsal | 28<br>Matilda Rehearsal | 29<br>Matilda Rehearsal | 30<br>Matilda Rehearsal | 31<br>Matilda Rehearsal       | 1<br>Matilda Rehearsal                         |

| Sun                 | Mon               | Tue               | Wed               | Thu               | Fri                 | Sat                 |
|---------------------|-------------------|-------------------|-------------------|-------------------|---------------------|---------------------|
| 26                  | 27                | 28                | 29                | 30                | 31                  | 1                   |
|                     | Matilda Rehearsal | Matilda Rehearsal | Matilda Rehearsal | Matilda Rehearsal | Matilda Rehearsal   | Matilda Rehearsal   |
| 2                   | 3                 | 4                 | 5                 | 6                 | 7                   | 8                   |
| Matilda Rehearsal   | Matilda Rehearsal | Matilda Rehearsal | Matilda Rehearsal | Matilda Rehearsal | Matilda Performance | Matilda Performance |
| 9                   | 10                | 11                | 12                | 13                | 14                  | 15                  |
| Matilda Performance |                   | Sound of Music    |                   |                   | Sound of Music      |                     |
| 16                  | 17                | 18                | 19                | 20                | 21                  | 22                  |
| Sound of Music      |                   | Sound of Music    |                   |                   | Sound of Music      |                     |
| 23                  | 24                | 25                | 26                | 27                | 28                  | 29                  |
| Sound of Music      |                   | Sound of Music    |                   |                   | Sound of Music      |                     |
| 30                  | 1                 | 2                 | 3                 | 4                 | 5                   | 6                   |
| Sound of Music      | Sound of Music    | Sound of Music    |                   |                   |                     | Sound of Music      |

| Sun                  | Mon                 | Tue                 | Wed                  | Thu                  | Fri                  | Sat                  |
|----------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|
| 30<br>Sound of Music | 1<br>Sound of Music | 2<br>Sound of Music | 3                    | 4                    | 5                    | 6<br>Sound of Music  |
| 7<br>Sound of Music  | 8<br>Sound of Music | 9<br>Sound of Music | 10<br>Sound of Music | 11<br>Sound of Music | 12<br>Sound of Music | 13<br>Sound of Music |
| 14<br>Sound of Music | 15                  | 16                  | 17                   | 18                   | 19                   | 20                   |
| 21                   | 22                  | 23                  | 24                   | 25                   | 26                   | 27                   |
| 28                   | 29                  | 30                  | 31                   | 1                    | 2                    | 3                    |

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|-----|-----|-----|-----|-----|-----|
| 28  | 29  | 30  | 31  | 1   | 2   | 3   |
| 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 11  | 12  | 13  | 14  | 15  | 16  | 17  |
| 18  | 19  | 20  | 21  | 22  | 23  | 24  |
| 25  | 26  | 27  | 28  | 29  | 30  | 31  |

Grand Rapids 00275

| Sun                             | Mon | Tue | Wed                             | Thu                            | Fri                          | Sat                             |
|---------------------------------|-----|-----|---------------------------------|--------------------------------|------------------------------|---------------------------------|
| 1                               | 2   | 3   | 4                               | 5                              | 6                            | 7                               |
| 8                               | 9   | 10  | 11                              | 12                             | 13                           | 14<br>Comedian - GR Historical  |
| 15                              | 16  | 17  | 18<br>"She Kills Monsters" Play | 19                             | 20                           | 21<br>"She Kills Monsters" Play |
| 22<br>"She Kills Monsters" Play | 23  | 24  | 25<br>"She Kills Monsters" Play | 26                             | 27                           | 28<br>"She Kills Monsters" Play |
| 29<br>"She Kills Monsters" Play | 30  | 1   | 2<br>"She Kills Monsters" Play  | 3<br>"She Kills Monsters" Play | 4<br>Bittersweet Farms Music | 5<br>"She Kills Monsters" Play  |

| Sun                        | Mon                        | Tue | Wed                        | Thu                        | Fri   | Sat                        |
|----------------------------|----------------------------|-----|----------------------------|----------------------------|---|----------------------------|
| 29                         | 30                         | 1   | 2                          | 3                          | 4   | 5                          |
|                            | "She Kills Monster's" Play |     | "She Kills Monster's" Play | "She Kills Monster's" Play | Bittersweet Farms Music                               | "She Kills Monster's" Play |
| 6                          | 7                          | 8   | 9                          | 10                         | 11  | 12                         |
|                            | "She Kills Monster's" Play |     | "She Kills Monster's" Play |                            | "She Kills Monster's" Play<br>Bittersweet Farms Music | "She Kills Monster's" Play |
| 13                         | 14                         | 15  | 16                         | 17                         | 18  | 19                         |
| "She Kills Monster's" Play | "She Kills Monster's" Play |     | "She Kills Monster's" Play | "She Kills Monster's" Play | Bittersweet Farms Music                               | "She Kills Monster's" Play |
| 20                         | 21                         | 22  | 23                         | 24                         | 25  | 26                         |
|                            | "She Kills Monster's" Play |     | "She Kills Monster's" Play | "She Kills Monster's" Play | Bittersweet Farms Music                               | "She Kills Monster's" Play |
| 27                         | 28                         | 29  | 30                         | 31                         | 1   | 2                          |
|                            | "She Kills Monster's" Play |     | "She Kills Monster's" Play | "She Kills Monster's" Play | Bittersweet Farms Music                               | "She Kills Monster's" Play |

| Sun                              | Mon                              | Tue                             | Wed                              | Thu                              | Fri  | Sat                             |
|----------------------------------|----------------------------------|---------------------------------|----------------------------------|----------------------------------|--|---------------------------------|
| 27                               | 28<br>"She Kills Monster's" Play | 29                              | 30<br>"She Kills Monster's" Play | 31<br>"She Kills Monster's" Play | 1<br>Bittersweet Farms Music                               | 2<br>"She Kills Monster's" Play |
| 3<br>"She Kills Monster's" Play  | 4<br>"She Kills Monster's" Play  | 5<br>"She Kills Monster's" Play | 6<br>"She Kills Monster's" Play  | 7<br>"She Kills Monster's" Play  | 8<br>"She Kills Monster's" Play<br>Bittersweet Farms Music | 9<br>"She Kills Monster's" Play |
| 10<br>"She Kills Monster's" Play | 11                               | 12                              | 13                               | 14                               | 15<br>Bittersweet Farms Music                              | 16                              |
| 17                               | 18                               | 19                              | 20                               | 21                               | 22<br>Bittersweet Farms Music<br>War of the Worlds         | 23<br>War of the Worlds         |
| 24                               | 25                               | 26<br>Back to Summer            | 27                               | 28                               | 29   | 30                              |

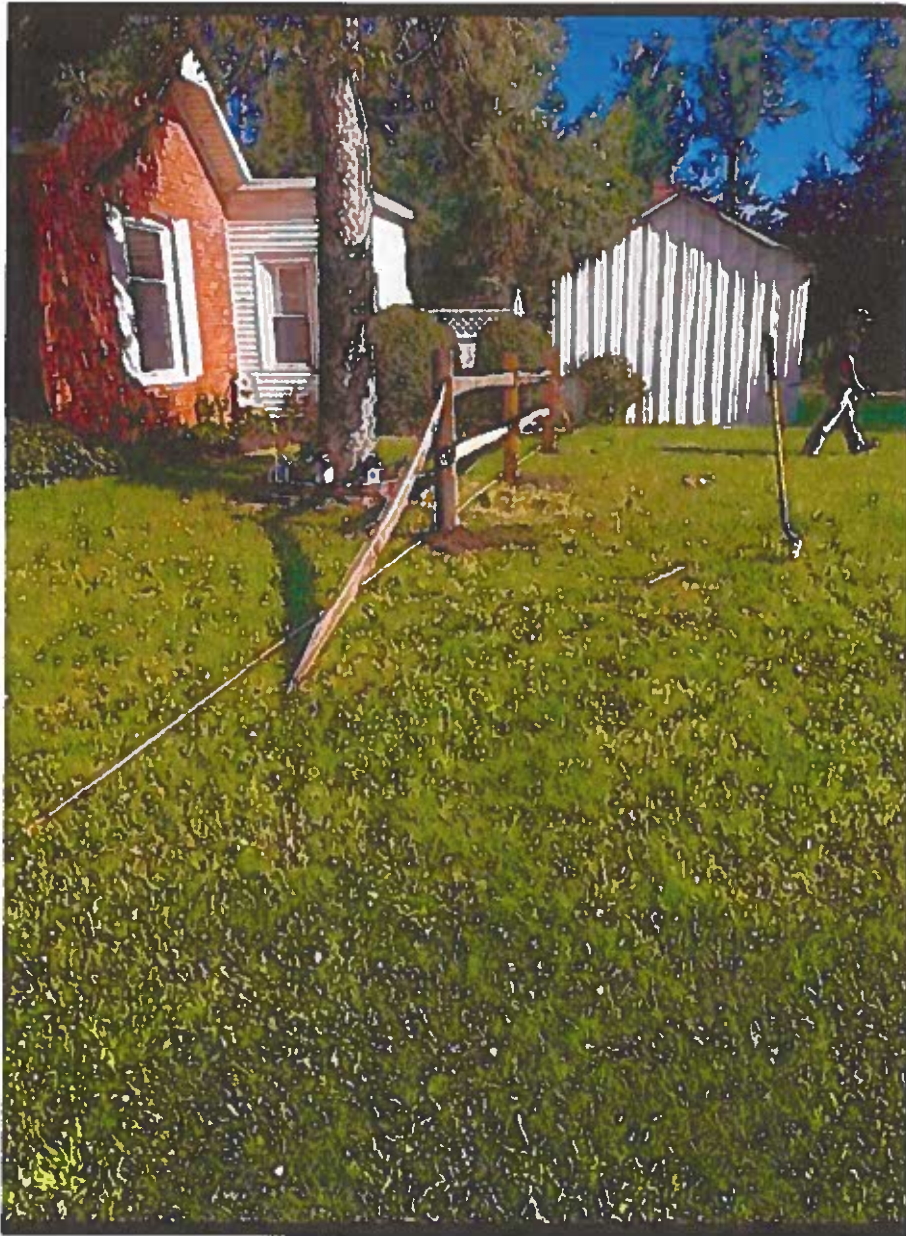
| Sun | Mon                  | Tue                  | Wed | Thu                  | Fri   | Sat |
|-----|----------------------|----------------------|-----|----------------------|---|-----|
| 1   | 2<br>Back to Summer  | 3<br>Back to Summer  | 4   | 5<br>Back to Summer  | 6<br>Bittersweet Farms Music                          | 7   |
| 8   | 9<br>Back to Summer  | 10<br>Back to Summer | 11  | 12<br>Back to Summer | 13<br>Bittersweet Farms Music<br>Christmas Sing-Along | 14  |
| 15  | 16<br>Back to Summer | 17                   | 18  | 19<br>Back to Summer | 20<br>Bittersweet Farms Music                         | 21  |
| 22  | 23<br>Back to Summer | 24                   | 25  | 26                   | 27  | 28  |
| 29  | 30                   | 31                   | 1   | 2                    | 3<br>Bittersweet Farms Music                          | 4   |

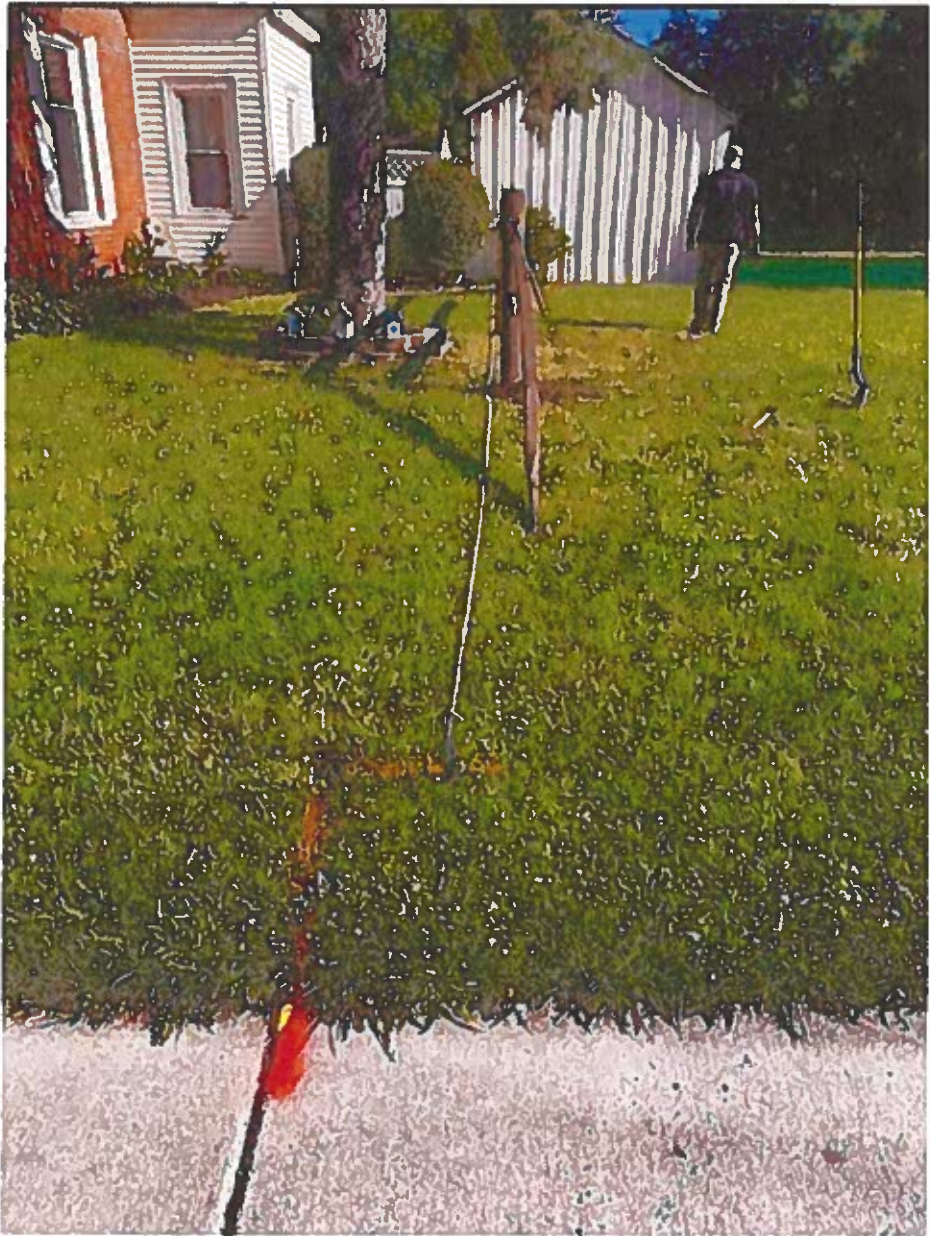
| Sun                       | Mon | Tue | Wed | Thu | Fri  | Sat                       |
|---------------------------|-----|-----|-----|-----|--|---------------------------|
| 29                        | 30  | 31  | 1   | 2   | 3<br>Bittersweet Farms Music                         | 4                         |
| 5                         | 6   | 7   | 8   | 9   | 10<br>Back to Summer Show<br>Bittersweet Farms Music | 11<br>Back to Summer Show |
| 12<br>Back to Summer Show | 13  | 14  | 15  | 16  | 17<br>Bittersweet Farms Music                        | 18                        |
| 19                        | 20  | 21  | 22  | 23  | 24<br>Bittersweet Farms Music                        | 25                        |
| 26                        | 27  | 28  | 29  | 30  | 31<br>Bittersweet Farms Music                        | 1                         |

| Sun | Mon | Tue | Wed | Thu | Fri                           | Sat |
|-----|-----|-----|-----|-----|-------------------------------|-----|
| 26  | 27  | 28  | 29  | 30  | 31<br>Bittersweet Farms Music | 1   |
| 2   | 3   | 4   | 5   | 6   | 7<br>Bittersweet Farms Music  | 8   |
| 9   | 10  | 11  | 12  | 13  | 14<br>Bittersweet Farms Music | 15  |
| 16  | 17  | 18  | 19  | 20  | 21<br>Bittersweet Farms Music | 22  |
| 23  | 24  | 25  | 26  | 27  | 28<br>Bittersweet Farms Music | 1   |

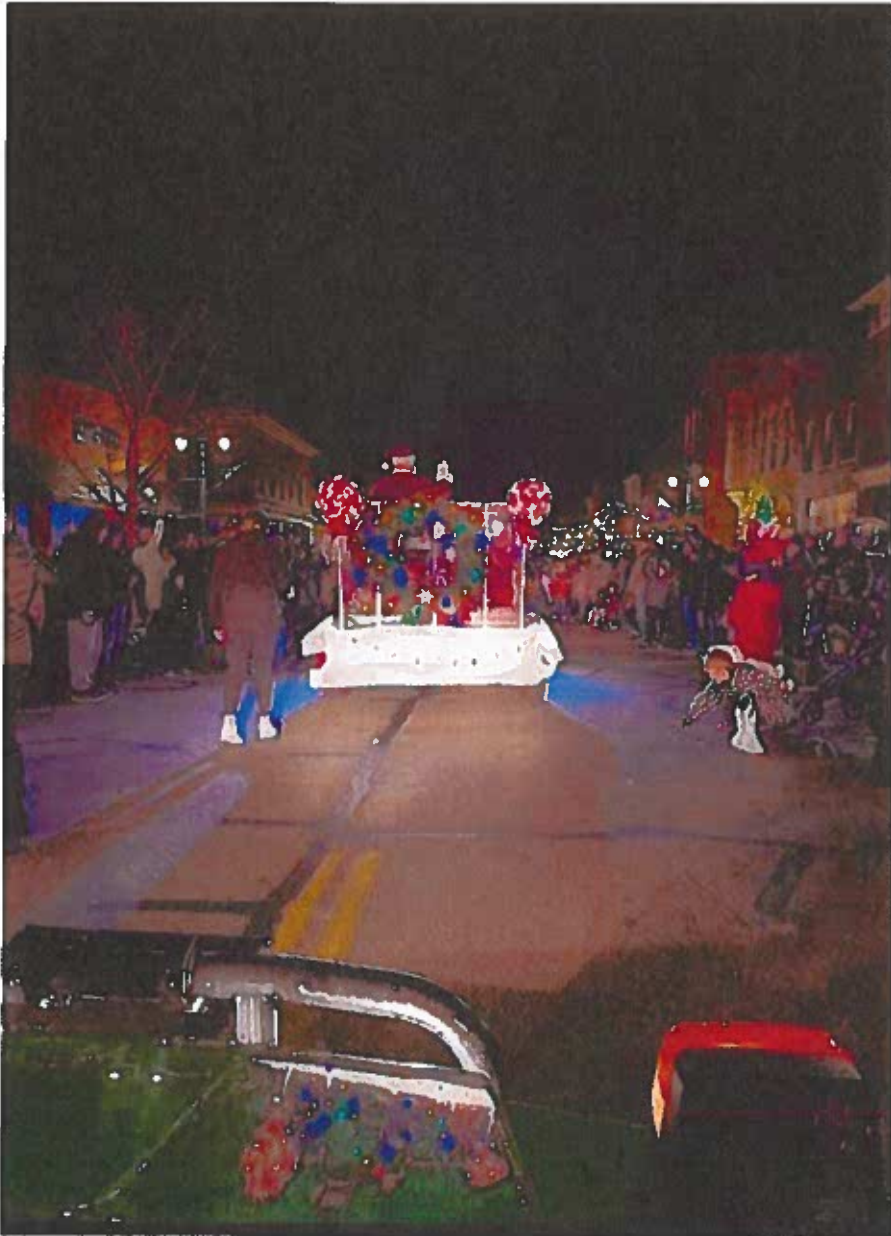
| Sun | Mon | Tue | Wed | Thu | Fri                           | Sat |
|-----|-----|-----|-----|-----|-------------------------------|-----|
| 23  | 24  | 25  | 26  | 27  | 28<br>Bittersweet Farms Music | 1   |
| 2   | 3   | 4   | 5   | 6   | 7<br>Bittersweet Farms Music  | 8   |
| 9   | 10  | 11  | 12  | 13  | 14<br>Bittersweet Farms Music | 15  |
| 16  | 17  | 18  | 19  | 20  | 21<br>Bittersweet Farms Music | 22  |
| 23  | 24  | 25  | 26  | 27  | 28<br>Bittersweet Farms Music | 29  |
| 30  | 31  | 1   | 2   | 3   | 4<br>Bittersweet Farms Music  | 5   |

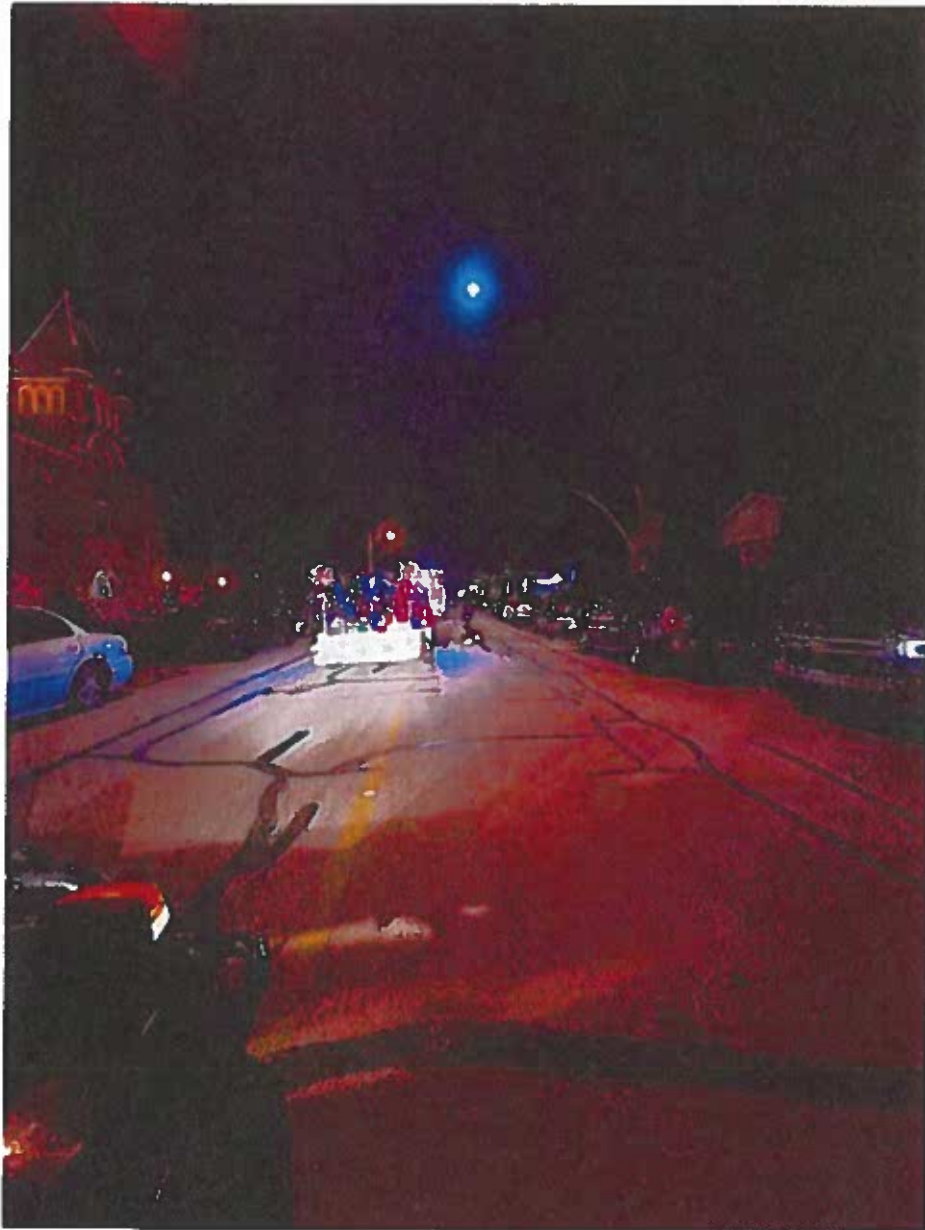
Composite Exhibit "H"



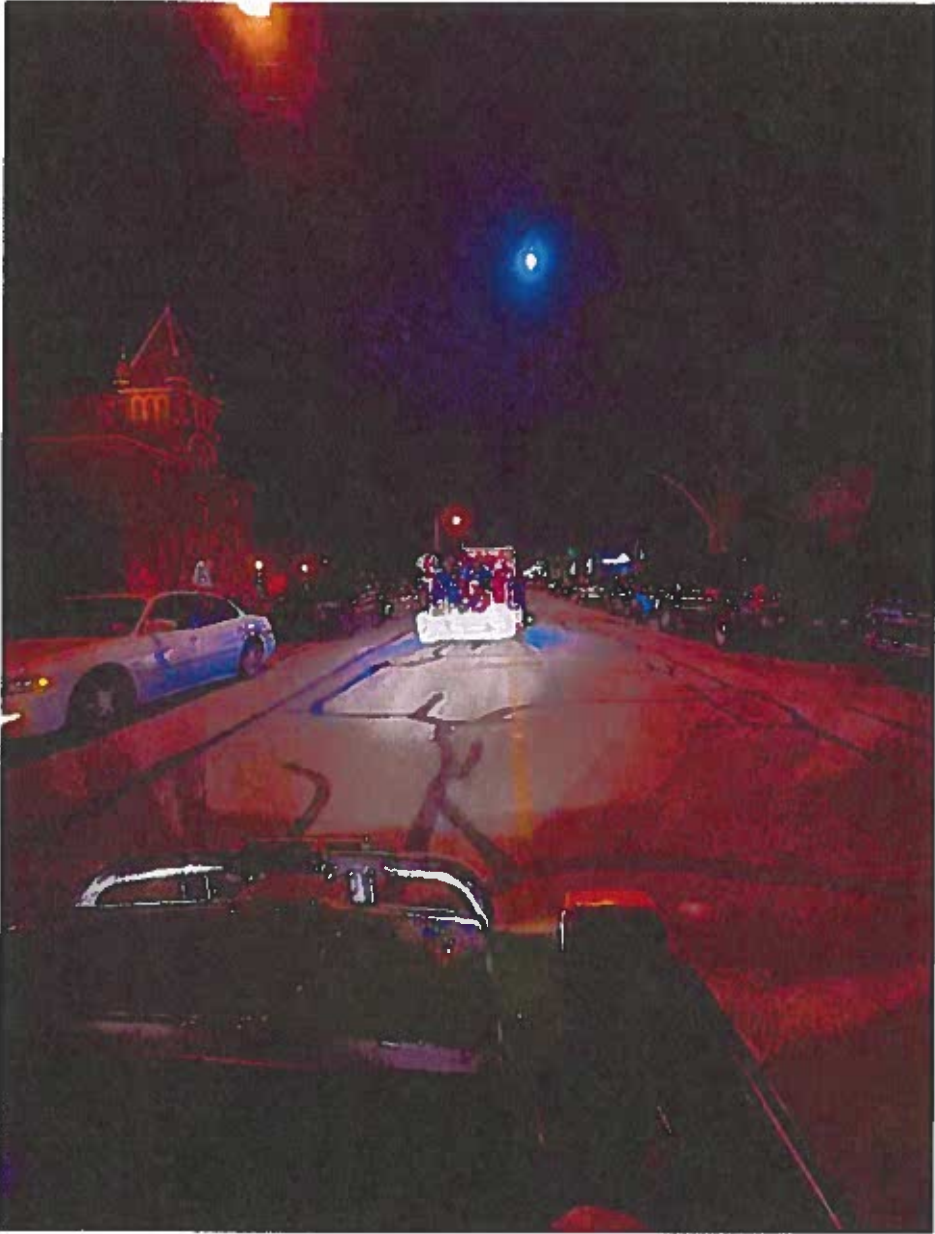


## Composite Exhibit "I"

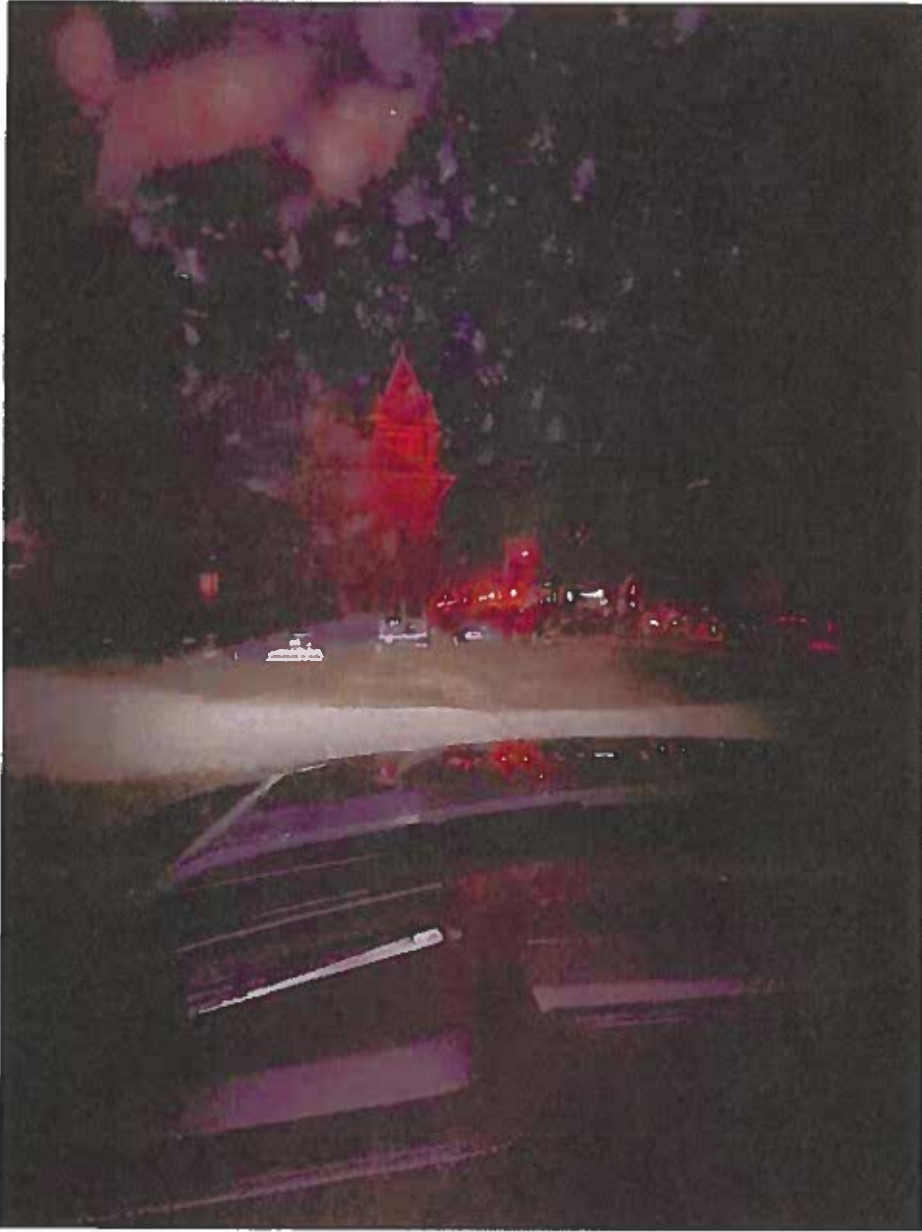




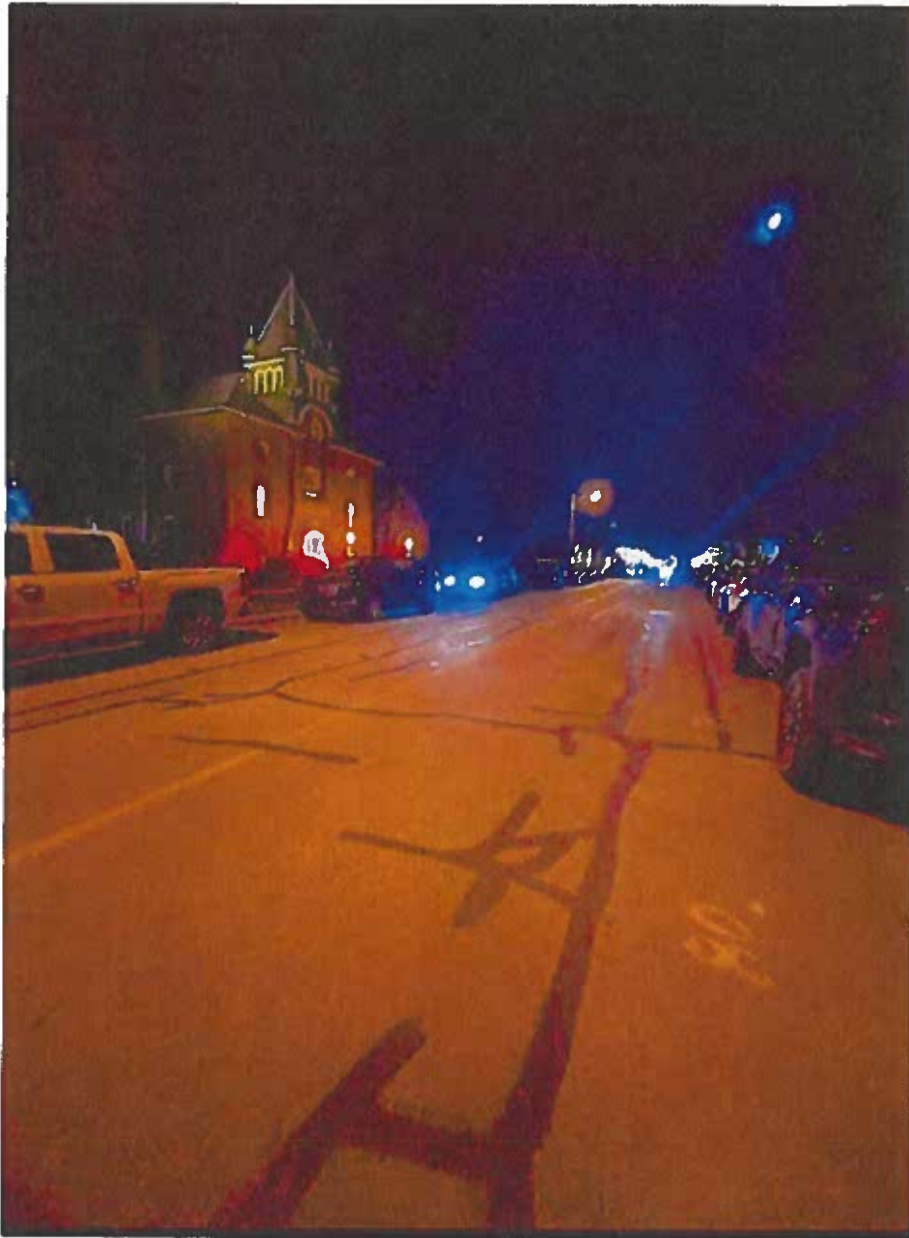
Grand Rapids 00235



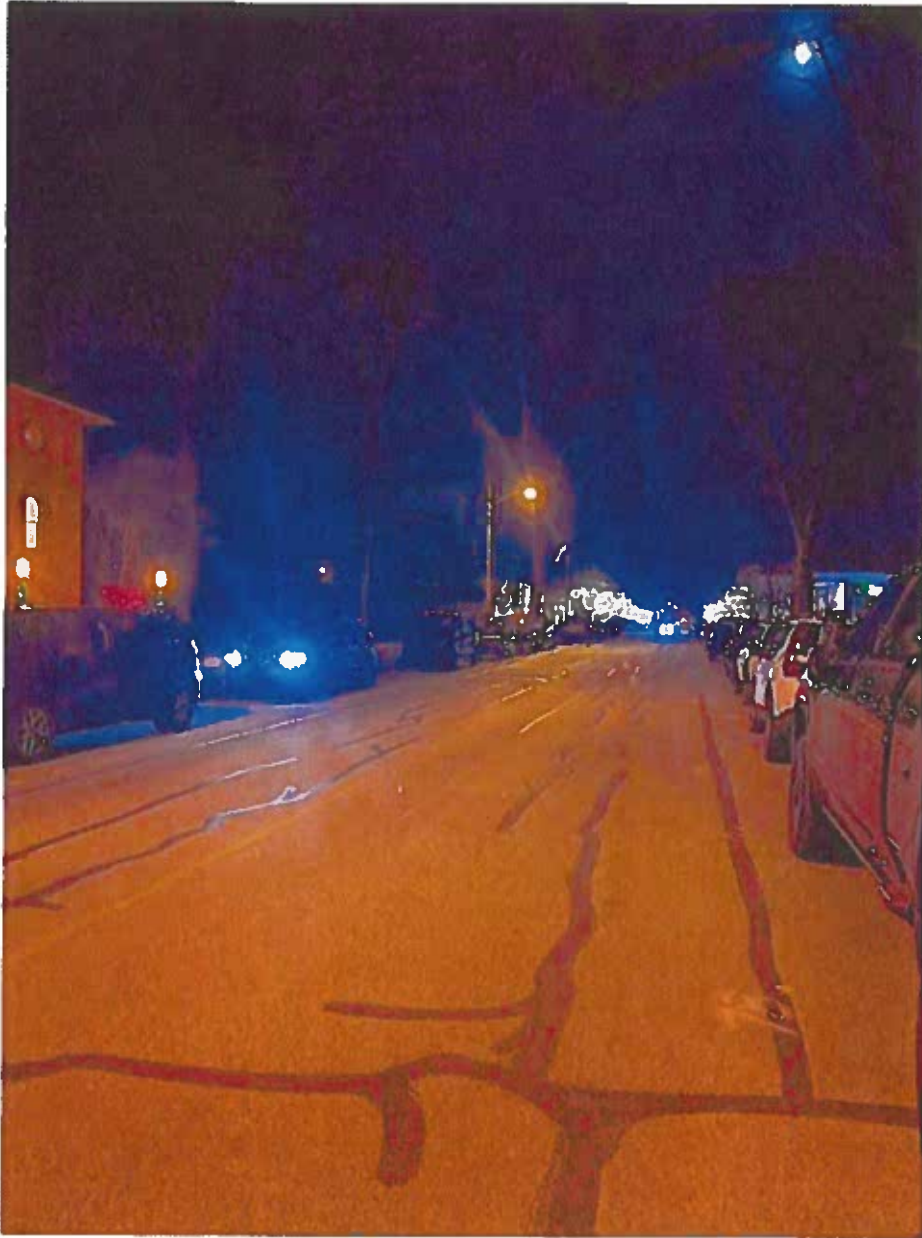
Grand Rapids 00236



Grand Rapids 00237



Grand Rapids 00238



Grand Rapids 00239

**Exhibit "J"**



Dr. Doss.pdf



July 9, 2012

Dr. Daniel Doss  
24308 Front Street  
Grand Rapids, OH 43522

RE: Tree Limb

Dear Dr. Doss:

I have been calling you, but get a message - number no longer in service (832-4405)

I checked on the status of the tree limb in Bass Street

The best way to handle this would be for you to remove the limb. The tree is in the public right-of-way and so is 50% of your garage and car port. Basically, you are trespassing in the right-of-way. If the Village paid to remove the limb, it may open the trespassing issue and you would have to remove the items in the right-of-way.

I don't want this to happen and I am sure you don't either. Lately, there have been cases where items had to be removed from the right-of-way.

I am sorry for the late answer.

If you have any further questions, please feel free to contact our office.

Sincerely,

Chad Hoffman  
Village Administrator

*E-mail me direct at Administrator@GrandRapidsOhio.com*

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

|                                 |   |   |
|---------------------------------|---|---|
| Lynn Sylvain                    | * | Case No. 2024CV0125   |
| Plaintiff,                      | * | Judge Mary “Molly” L. Mack  |
| -vs-                            | * | <b>DEFENDANT VILLAGE OF GRAND RAPIDS’S MOTION FOR SUMMARY JUDGMENT WITH MEMORANDUM IN SUPPORT</b> |
| Village of Grand Rapids, et al. | * |   |
| Defendants.                     | * |   |
|                                 | * | Bruce S. Schoenberger (0019765)   |
|                                 | * | Ali A. Nour (0096243)   |
|                                 | * | Gressley, Kaplin & Parker, LLP  |
|                                 | * | One SeaGate, Ste. 1645  |
|                                 | * | Toledo, OH 43604  |
|                                 | * | Telephone: (419) 244-8336   |
|                                 | * | Facsimile: (419) 720-8504   |
|                                 | * | e-mail: anour@gkplaw.net  |
|                                 | * | <i>Attorney for Defendant/Counterclaim Plaintiff Village of Grand Rapids</i>                      |

\*\*\*\*\*

The defendant/counterclaim plaintiff Village of Grand Rapids (sometimes referred to as “Grand Rapids” or the “Village”) prays the court for summary judgment on all the claims that the plaintiff/counterclaim defendant Lynn Sylvain (“Sylvain”) (collectively, the “Parties”) filed against it in the Petition for Court Ordered Vacation of Street and Complaint to Quiet Title (“Complaint”), and for summary judgment on its Counterclaim for Declaratory Judgment that it filed against Sylvain. For the reasons more fully set forth in the accompanying memorandum in support, Grand Rapids argues under Civ.R. 56(B) that: (i) Sylvain has failed to set forth evidence that vacating the Bass Street right-of-way will conduce to the general interests of Grand Rapids as required by R.C. 723.09; (ii) Ohio’s common law precludes Sylvain from obtaining adverse possession against Grand Rapids pursuant to R.C. 2305.04; and (iii) Sylvain has failed to set

forth the statutory elements for adverse possession under R.C. 2305.05. Grand Rapids further argues that it is entitled to summary judgment under Civ.R. 56(A) on its Counterclaim for Declaratory Judgment because there is an actual controversy between the Parties that requires a decree to declare that Grand Rapids is entitled to demolish the accessory building that encroaches on the Bass Street right-of-way. There is no genuine issue of material fact, and Grand Rapids is entitled to summary judgment on all pending claims as a matter of law.

Respectfully submitted,



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Bruce S. Schoenberger (0019765)  
Ali A. Nour (0096243)  
Gressley, Kaplin & Parker, LLP  
*Attorney for Defendant/Counterclaim  
Plaintiff Village of Grand Rapids*

## MEMORANDUM IN SUPPORT

### I. Introduction

The Village is a municipal corporation that is nestled along the southern bank of the Maumee River, and it is said to be “Ohio’s Grandest of Old Canal Towns.” The Village of Grand Rapids, *Home*, <https://grandrapidsohio.com/> (accessed Mar. 28, 2025) [<https://perma.cc/3B67-LJNU>]. It was established as a canal town in 1833 under its former name Gilead and renamed to Grand Rapids in 1868. The Village of Grand Rapids, *Home*, <https://grandrapidsohio.com/> (accessed Mar. 28, 2025) [<https://perma.cc/3B67-LJNU>]. It relied heavily on the canal system to promote commerce until the introduction of the railroad in 1877. The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. The Side Cut Canal (the “Side Cut”) is the only canal in the Village. *Berry Aff.*, ¶15.

Today, residents and tourists can shop on the Front Street Shopping District for antiques, gifts, and other collectibles in restored historic buildings, some of which are listed on the National Register of Historic Places (“National Register”). The Village of Grand Rapids, *Home*, <https://grandrapidsohio.com/> (accessed Mar. 28, 2025) [<https://perma.cc/3B67-LJNU>] and The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. Front Street is the “main drag” in the Village, and the Front Street Shopping District is obviously situated on Front Street. The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>] The character of the Village can be described as a combination of modern life with a taste of historic charm.

Sylvain sued the Village to capture a portion of an inlot which runs north and south that is dedicated as a public street (“Bass Street”). (See Complaint). Bass Street is a paper street that sits between a commercial property and the town hall. (Complaint, ¶ 3; Answer, ¶ 3). Sylvain owns the real estate situated at 24308 Front St., Grand Rapids, OH 43522, and it sits west of Bass Street on inlot 100 (“Sylvain Property”). (Complaint, ¶ 5) and Ex. C. Bass Street is immediately adjacent to the Sylvain Property. Ex. C. The town hall is a historic building listed on the National Register, and it is situated at 24282 Front St., Grand Rapids, OH 43522. The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. Town Hall sits east of Bass Street on inlot 101. Ex. C and Berry Aff., ¶ 17. Bass Street is immediately adjacent to Town Hall. Ex. C. Bass Street is situated directly between the Sylvain Property and Town Hall (collectively, “all three inlots”). Ex. C.

The Side Cut runs east and west, north of all three inlots. Ex. C. Front Street runs east and west, south of the property lines of all three inlots. Ex. C. Howard Park sits immediately adjacent to the east of Town Hall on inlot 102 (“Howard Park”). The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. Carp Street runs north and south to the east of Howard Park. Ex. \_\_\_. On Front Street, east of the intersection of Front Street and Carp Street, sits the Front Street Shopping District. The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>] and Ex. C.

To the north of Carp Street, sits a foot bridge at the Side Cut southern bank that allows pedestrians to cross the Side Cut to access a towpath that is situated between the Maumee River and the Side Cut. The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. The foregoing towpath runs about 9.5 miles, and it connects the Village to the town of Waterville (the “Towpath”). The Village of Grand Rapids, *Attractions and Events*, <https://grandrapidsohio.com/attractions/village-walk/> (accessed Mar. 28, 2025) [<https://perm.cc/7JCQ-Y9SN>]. The Towpath offers serene views and sounds of nature, and its where the Village’s residents and tourists alike can enjoy the natural beauty of the Maumee River. The Towpath offers an escape from the busy city life that plagues many large cities in America, and the foot bridge that sits “behind” Carp Street is an important access point. Berry Aff., ¶ 18. Residents and tourists alike can park on Front Street in front of Town Hall or Howard Park to access the Towpath. Before the commencement of this litigation, and Sylvain’s defiant behavior in using the Bass Street right-of-way as her own personal parking lot, residents and

tourists were able to park at Bass Street to walk to the foot bridge and access the Towpath. Berry Aff., ¶ 12. However, the Village was forced to change its policy due to the issues caused by Sylvain. Berry Aff., ¶ 12.

The Village uses Bass Street to access the Side Cut to provide necessary maintenance. Berry Aff., ¶ 15. As a small waterway, the Side Cut has issues with vegetation growth, trees, limbs, and other objects being caught in the waterway, and it must dredge the canal periodically to prevent flooding. Berry Aff., ¶ 15. Bass Street is a critical access point for proper maintenance, and the Village last dredged the Side Cut in 1998. Berry Aff., ¶ 16. It is anticipated that dredging will be necessary again soon. Berry Aff., ¶ 15. The Village brought heavy equipment through Bass Street to the Side Cut bank to dredge it, and it will need to pass through Bass Street to dredge it in the future. Berry Aff., ¶ 15,

Due to the small size of the Village, Bass Street is also necessary to provide parking for Town Hall events and other local events. Exs. B, G, I. The Grand Rapids Historical Society, the Grand Rapids Art Council, Bittersweet Farms, and the Horizon Youth Theatre use the Town Hall auditorium regularly to host their events. Ex. G. Not only that, but the auditorium can also be rented to host private events. The Village of Grand Rapids, *Permits and Forms*, <https://grandrapidsohio.com/permits-forms/> (accessed Mar. 28, 2025) [<https://perma.cc/6EH4-FSE8>]. Bass Street is used as the main source for parking for Town Hall events due to the limited parking on Front Street. Berry Aff., ¶ 8.

The Village is home to many annual local events that attract residents and tourists to the Bass Street right-of-way. The Applebutter Festival brings thousands of “fest-goers” each year. Historical Society of Grand Rapids Ohio, *Applebutter Fest*, <https://www.grandrapidshistoricalsociety.org/applebutter-fest.html> (accessed Mar. 28, 2025)

[<https://perma.cc/7GF6-YREX>]. It takes “hundreds of volunteers” to put on the Applebutter Festival. Grand Rapids Applebutter Fest, *Welcome*, <https://www.applebutterfest.org/> (accessed Mar. 28, 2025) [<https://perm.cc/6EPM-G6WZ>]. The Applebutter Festival is a local tradition, and it provides “historical reenactments, handmade crafts, live music, and apple butter.” Historical Society of Grand Rapids Ohio, *Applebutter Fest*, <https://www.grandrapidshistoricalsociety.org/applebutter-fest.html> (accessed Mar. 28, 2025) [<https://perma.cc/7GF6-YREX>]. The focal point for the Applebutter Festival is Howard Park, which, as previously stated, sits immediately east of the Town Hall. Historical Society of Grand Rapids Ohio, *Applebutter Fest*, <https://www.grandrapidshistoricalsociety.org/applebutter-fest.html> (accessed Mar. 28, 2025) [<https://perma.cc/7GF6-YREX>] and The Village of Grand Rapids, *Attractions*, <https://www.grandrapidsohio.com/attractions/> (accessed Mar. 28, 2025) [<https://perma.cc/VDV4-DA9E>]. Banners are put up on the east side of the Town Hall building facing out towards the “fest goers” to highlight the focal point of the Applebutter Festival.

As part of the Applebutter Festival, the Grand Rapids Historical Society organizes the Crafts on Front Street. Grand Rapids Apple Butter Fest, *Front Street Juried Crafts*, <https://www.applebutterfest.org/front-street-crafts.html> (accessed Mar. 28, 2025) [<https://perma.cc/FX7K-HGT9>]. Skilled artisans and craftsmen sell “handmade goods, including home décor, jewelry, textiles, pottery, and seasonal decorations,” in booths on Front Street from the West Street intersection to the Mill Street intersection. Grand Rapids Apple Butter Fest, *Front Street Juried Crafts*, <https://www.applebutterfest.org/front-street-crafts.html> (accessed Mar. 28, 2025) [<https://perma.cc/FX7K-HGT9>]. The Crafts on Front Street runs on Front Street in front of all three inlots. Grand Rapids Apple Butter Fest, *Front Street Juried Crafts*, <https://www.applebutterfest.org/front-street-crafts.html> (accessed Mar. 28, 2025)

[<https://perma.cc/FX7K-HGT9>] and Ex. \_\_. The “fest-goers” use the Bass Street right-of-way for crafts and parking because parking is not permitted Front Street between the intersections of West Street and Mill Street during the Applebutter Festival. Grand Rapids Apple Butter Fest, *Front Street Juried Crafts*, <https://www.applebutterfest.org/front-street-crafts.html> (accessed Mar. 28, 2025) [<https://perma.cc/FX7K-HGT9>] and Berry Aff., ¶ 19.

Sylvain is a member of the Village Council (“Village Council”), and she owns numerous pieces of real estate within the Village. Berry Aff., ¶ 20. As an elected official, she must know the importance of the Bass Street right-of-way, the Side Cut, the Towpath, and the Town Hall to the Village. It is inconceivable that she would purport to represent the collective interest of the local electorate, and then simultaneously engage in such a self-serving attempt to capture Bass Street, or a portion thereof. Regardless, any capture of the Bass Street right-of-way would not conduce to the general interests of the Village, and Sylvain cannot capture any part it through adverse possession as argued herein.

## II. Law and Argument

### a. Summary Judgment Standard<sup>12</sup>.

The principles governing when a court may grant Summary Judgment are well established. Summary Judgment is proper when the Court determines that:

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<sup>1</sup> [Civ.R. 56] mandates the entry of summary judgment if the evidence, properly submitted, shows that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. Civ.R. 56(E) states that when a motion for summary judgment is properly made and supported, the nonmoving party may not rest upon the mere allegations or denials of the pleadings. Instead, the burden shifts to the nonmoving party, and the nonmoving party’s response must set forth specific facts showing that there is a genuine issue for trial. If the nonmoving party does not so respond, summary judgment, if appropriate, may be entered against the nonmoving party. Civ.R. 56

<sup>2</sup> In *Dresher v. Burt* (1996), 75 Ohio St.3d 280, 662 N.E.2d 264, [the Ohio Supreme Court] reviewed the standard for granting summary judgment and held that “the moving party bears the initial responsibility of informing the trial court of the basis for the motion, and identifying those portions of the record before the trial court which demonstrate the absence of a genuine issue of fact on a material element of the nonmoving party’s claim.” *Id.* at 292. Once the moving party satisfies its initial burden, the nonmoving party has the reciprocal burden outlined in the last sentence of Civ. R. 56(E). *Id.*

1. No genuine issue as to any material fact remains to be litigated;
2. The moving party is entitled to judgment as a matter of law; and
3. It appears from the evidence that reasonable minds can come but to one conclusion, and viewing such evidence most strongly in favor of the party against whom the motion for Summary Judgment is made, that conclusion is adverse to that party.

*Temple v. Wean United, Inc.*, 50 Ohio St., 2d 317, 327 (1977).

See also, *Harliss v. Willis Day Warehousing Inc.*, 54 Ohio St. 2d 64 (1978).

Once a party has filed a Motion for Summary Judgment, the adverse party may not rest upon mere allegations or denials in the pleadings but must “set forth specific facts” demonstrating that there is a genuine issue for trial. *Jackson v. Alert Fire and Safety Equipment*, 58 Ohio St. 3d 48, 51-52 (1991). The moving party need not support its Motion for Summary Judgment with evidence negating his opponent’s claim but may simply point out that there is an absence of evidence to support the non-moving party’s claim. *R&R Plastics, Inc. v. F.E. Myers Co.*, 92 Ohio App. 3d 789, 807 (1993). A motion for summary judgment forces the non-moving party to produce evidence on any issue for which the party bears the burden for production at trial. *Wing v. Anchor Media Ltd. Of Texas*, 59 Ohio St. 3d 108, 111 (1991); *Wyatt v. Ohio Department of Transportation*, 87 Ohio App. 3d 1, 5 (1993). A party opposing a motion for summary judgment must set forth “specific facts showing that there is a genuine issue for trial and that those issues are ‘material’ to the substantive elements of the party’s claim. *Wing*, supra, at 111.

- b. Legal Arguments in support of the Village’s Motion for Summary Judgment on all claims pled by Sylvain pursuant to Civ.R. 56(B).
  - i. Sylvain is not entitled to judgment on her First Claim For Relief (*Petition to Vacate Right-of-Way*) because she has failed to set forth specific facts detailing how vacating the Bass Street right-of-way will conduce to the general interests of the Village under R.C. 723.09<sup>3</sup>.

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<sup>3</sup> Section 723.09 | Vacation or establishment of street or alley by court. “The court of common pleas may, upon petition filed in such court by an person owning a lot in a municipal corporation, for the establishment or vacation of a street or alley in the immediate vicinity of such lot, upon hearing, and upon being satisfied that it will conduce to the general interests of such municipal corporation, declare such street or alley established or vacated, but this method shall be in addition to those prescribed in sections 723.04 to 723.08, inclusive, and section 723.02 of the Revised Code.” R.C. 723.09.

Sylvain's arguments in support of her petition to vacate Bass Street are twofold: (1) capturing the disputed strip of land will add tax payments to the real estate tax rolls; and (2) the Village will not incur the expense of maintaining the disputed strip of land. (Complaint, ¶ 20). Her arguments fail. She thinks that she is entitled to capture a portion of Bass Street because (i) she has maintained the accessory building that encroaches on the Bass Street right-of-way, and (ii) she has maintained the grass on the east side of her lot and the southwest corner of Bass Street. (Complaint, ¶¶ 7, 14, 15, 16). She feels slighted because she has been using the accessory building as her own with Village permission, and now the Village is purportedly discussing the potential for its demolition so it can pave Bass Street. (Complaint, ¶¶ 7, 14, 15, 16). She fails to offer any evidence that paying additional real estate taxes would benefit the Village beyond any nominal tax payments, and/or that the Village would retain any benefit from her continued maintenance accessory building and the disputed strip of land. (Complaint, ¶¶ 19, 20). The undersigned submitted a discovery request to Sylvain, and she has not indicated that she will use an expert witness to offer an opinion regarding the potential value of vacating Bass Street. (See Plaintiff's Discovery Responses).

There are not many cases to turn to in the Sixth District regarding Sylvain's petition to vacate Bass Street, but it highlighted the trial court's findings of fact and conclusions of law in *Duggan v. Village of Put-In-Bay*, 2001 WL 477168 (6th Dist. May 4, 2001). In *Duggan*, the trial court found for the petitioner in that vacating Doller Alley would conduce to the general interests of the Village, and agreed to vacate it because:

“(1) The physical condition of the alley is such that it is impassable by motor traffic and could be made passable only ‘at considerable expense to the Village; (2) the ‘alley’ has been treated by the Foxes and Duggans as part of their respective properties; (3) the village never marked, maintained or used that portion of the alley crossing the Duggan and Fox properties, and it was deemed unneeded for use for utility or police purposes; and (4) the Village was unaware of its property interest in the disputed portion of Doller

Alley for over seventy years and decided, by a vote of the Village council, not to defend that interest.”

*Duggan at*

In the instant case, Bass Street is: (1) open to the general public and open to the public with ingress and egress by way of a curb cut; (2) Sylvain does not use Bass Street as part of her own property without consequences considering the Village had her towed most recently as September 2024 after she refused to move a truck and boat trailer that she illegally parked on Bass Street; (3) Bass street is clearly marked, and Sylvain stipulated to the Village’s ownership of the accessory building in her Complaint; (4) the police and/or utility companies can use Bass Street for parking if no parking is available on Front Street; and (5) the Village has always acknowledged its interest in Bass Street as evidenced by a letter to the predecessors in title from the former Village Administrator, Chad Hoffman. Ex J and Berry Aff., ¶ 8.

The Village took swift action and has spent considerable sums in defending against this matter, and it went so far as to hire an expert to offer an opinion about the importance of Bass Street to the Village. (See The Expert Report of Robert Matko, CESO, Inc., pp. 11). Mr. Matko conducted a traffic study during the Light Up The Night Christmas Sing Along and noted that twenty-three vehicles parked on the Bass Street right-of-way because of the insufficient parking spaces on Front Street. (The Expert Report of Robert Matko, CESO, Inc., pp. 7 - 8). Bass Street is not an abandoned alleyway that exists without ingress and egress, it is a street that is used by Village officials and the public at large. Exs. A, B, D, H and Berry Aff., ¶¶ 7, 8. A hearing is not necessary on this matter because the Village is actively defending against the claims made by Sylvain, it is tendering evidence of the importance of Bass Street to the Village; its citizens; and the public, and the Sixth District does not require a hearing to deny a petition to vacate a street (emphasis added) (see *Kuyoth v. Kelleys Island*, 2016-Ohio-1395, ¶ 19 (6th Dist.), where the

appellate court quoted *Bayer v. City of North College Hill*, 31 Ohio App.3d 208, (1st Dist. 1986), and ruled that “a court may not grant a petition for vacation of a street under R.C. 723.09 upon a motion for summary judgment without holding a hearing and without considering whether the vacation will conduce to the general interests of such municipal corporation.” *Kuyoth* at ¶ 19.). *Kuyoth* does not require that this court hold a hearing to deny a petition, but only that the court hold a hearing to grant a petition. *Kuyoth* at 19. Sylvain has not set forth any evidence that supports vacating the Bass Street right-of-way, so this court must rule in the Village’s favor as a matter of law. (See Plaintiff’s Disc. Resp.).

- ii. Sylvain is not entitled to judgment on her Second Claim For Relief (*Adverse Possession*) under R.C. 2305.04<sup>4</sup> because Ohio’s common law treats a municipal corporation the same as the state, and a petitioner for adverse possession cannot claim adverse possession against the state under R.C. 2305.04.

The Village is a municipal corporation. (Complaint, ¶ 2 and Answer, ¶ 2). Going as far back as 1895, the Ohio Supreme Court determined that an individual cannot adversely possess a public road established by a county. (See *Heddleston v. Hendricks*, 52 Ohio St. 460, (1895).) Obviously, the Village is not a county, but the Sixth District ruled that, “A municipal corporation is not subject to the loss of its property by adverse possession except as set forth under R.C. 2305.05.” *City of Bryan v. Killgallon, et al.*, 1981 WL 5791 (6th Dist. Sept. 25, 1981).

In *City of Bryan*, the appellants erected a fence that encroached upon a right-of-way that was dedicated as a public street, and the City of Bryan filed suit to force the appellants to remove the encroachment. *City of Bryan* at \*1. The appellants claimed ownership of the disputed right-of-way by virtue of adverse possession, and the trial court disagreed. *Id.* Appellants argued from

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<sup>4</sup> Section 2305.04 | Recovery of Real Estate. “An action to recover the title to or possession of real property shall be brought within twenty-one years after the cause of action accrued, but if a person entitled to bring the action is, at the time the cause of action accrues, within the age of minority or of unsound mind, the person, after the expiration of twenty-one years from the time the cause of action accrues, may bring the action within ten years after the disability is removed.” R.C. 2305.4.

an early line of cases that distinguished between a municipal corporation and a county, and the Sixth District ruled that those cases were in applicable and that, “in the absence of legislation to the contrary, title by adverse possession cannot be acquired as against a municipal corporation just as it cannot be so acquired against the state.” *City of Bryan* at \*2. Thus, Sylvain cannot point to any set of facts that would entitle her to relief under R.C. 2305.04.

- iii. Sylvain is not entitled to judgment on her Second Claim for Relief (*Adverse Possession*) under R.C. 2305.05<sup>5</sup> because she failed to set forth specific facts that satisfy the statutory elements for adverse possession of a platted street.

Ohio law allows Sylvain to argue that she is entitled to adverse possession,

“If a street ... laid out and shown on the recorded plat of a municipal corporation, has not been opened to the public use and occupancy of the citizens thereof, ..., and has been enclosed with a fence by the owners of the inlots, ..., and has remained in the open, uninterrupted use, adverse possession, and occupancy of such owners for the period of twenty-one years, and if such street, ..., is a part of the tract of land so laid out by the original proprietors, the public easement therein shall be extinguished and the right of such municipal corporation, ..., to use, control, or occupy so much of such street or alley as has been fenced, used, possessed, and occupied, shall be barred, except to the owners of such inlots .. lying on, adjacent to, or along such streets or alleys who have occupied them in the manner mentioned in this section.”

R.C. 2305.05.

In the instant case, we have Bass Street that is an inlot situated between the Sylvain Property and Town Hall as shown on the Grand Rapids plat map. Ex. C. However, it has been open to the public as far back as anyone can remember. *Berry Aff.*, ¶ y and *Rothenbuhler Aff.*, ¶ 6. Sylvain has not provided any evidence that tends to show that she and/or her predecessors in title

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<sup>5</sup> Section 2305.05 | Real estate dedicated to public uses. “If a street or alley, or any part thereof, laid out and shown on the recorded plat of a municipal corporation, has not been opened to the public use and occupancy of the citizens thereof, or other persons, and has been enclosed with a fence by the owners of the inlots, lots, or outlots lying on, adjacent to, or along such street or alley, or part thereof, and has remained in the open, uninterrupted use, adverse possession, and occupancy of such owners for the period of twenty-one years, and if such street, alley, inlot, or outlot is a part of the tract of land so laid out by the original proprietors, the public easement therein shall be extinguished and the right of such municipal corporation, the citizens thereof, or other persons, and the legislative authority of such municipal corporation and the legal authorities thereof, to use, control, or occupy so much of such street or alley as has been fenced, used, possessed, and occupied, shall be barred, except to the owners of such inlots or outlots lying on, adjacent to, or along such streets or alleys who have occupied them in the manner mentioned in this section.” R.C. 2305.05.

enclosed “a portion of the unimproved Bass St. right-of-way measuring approximately twenty-five (25) feet wide and one hundred (100) feet deep” with a fence. (Complaint, ¶ 23.)

Sylvain makes no mention of capturing any portion of Bass Street with an enclosed fence throughout her Complaint. (Complaint, ¶ 24). She then alleges that the Village owns the accessory building, and that the Dosses changed the locks without Village consent. (Complaint, ¶¶ 9 – 15.) The Dosses actions are immaterial considering Sylvain cannot claim adverse possession under R.C. 2305.04, and she must seek adverse possession under R.C. 2305.05. (See *City of Bryan* at \*2.)

The Village submitted a discovery request to Sylvain, and she had every opportunity to respond with evidence that depicts a fence enclosure encroaching on the Bass Street right-of-way. (See Plaintiff’s Discovery Responses) However, when the undersigned asked Sylvain to admit that the disputed strip of land has not been enclosed with a fence for at least twenty-one (21) years immediately preceding the filing of her Complaint, she responded that,

“At all relevant times, the boundary of the disputed strip of land has been clearly defined by a split rail fence that has been used and maintained by Plaintiff and her predecessors in title for the purpose of demarcating that portion of the public right-of-way to which Plaintiff asserts ownership.”

(See Plaintiff’s Discovery Responses, pp 10).

The only split rail fence currently encroaching on the Bass Street right-of-way is on the south west corner of Bass Street, immediately adjacent to Front Street, and it encroaches approximately one (1) foot east into the Bass Street right-of-way. *Berry Aff.*, ¶ 3; Exs. E, H. Mayor Berry erected this split rail fence last year to delineate where parking is permitted on Bass Street. *Berry Aff.*, ¶ 20. He erected the split rail fence so the public would know not to encroach on the Sylvain Property. *Berry Aff.*, ¶ 20. Sylvain cannot satisfy the requirements of R.C.

2305.05 because she clearly and unequivocally has not enclosed any portion of the Bass Street right-of-way with a fence. Berry Aff., ¶ 20; Exs. A, B, D, H.

- c. Legal Arguments in support of the Village’s Motion for Summary Judgment on its Count One—Declaratory Judgment pursuant to Civ.R. 56(A).
  - i. The Village is entitled to declaratory judgment under R.C. 2721, *et seq.* because an actual controversy exists between the Parties regarding the Village’s right to demolish the accessory building.

Sylvain alleged in her Complaint that the Village owns the accessory building.

(Complaint, ¶ 8.) If this is the case, then the Village can demolish the accessory building to increase access to the Bass Street right-of-way because (i) it is owned by the Village, and (ii) Sylvain cannot claim adverse possession under R.C. 2305.04. (See *City of Bryan* at \*2.) Sylvain cannot capture the accessory building from the Village.

Even assuming arguendo that Sylvain owns the accessory building, the Village still has the right to demolish the accessory building because it would constitute a public nuisance that encroaches on the Bass Street right-of-way, and the Ohio Supreme Court has already ruled in a landmark case from 1877 that an encroachment on a public right-of-way constitutes a nuisance that “no length of time can legalize.” *Little Miami R. Co. v. Commissioners of Greene County*, 31 Ohio St. 338, 339 (1877)<sup>6</sup>. It may seem draconian, but Ohio common law bars Sylvain from owning the accessory building that encroaches on the Bass Street right-of-way.

### III. Conclusion

Sylvain cannot capture any portion of the Bass Street right-of-way with her petition to

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<sup>6</sup> In *Little Miami R. Co.*, the Columbus and Xenia Railroad Company (“Columbus and Xenia”) was authorized to construct and operate a railway spanning from Columbus to Xenia. *Id.* at 338. The Little Miami Railroad Company (“Little Miami”) leased the railway, and it assumed all of Columbus and Xenia’s liabilities. *Id.* Columbus and Xenia laid the track across a sixty feet wide public right-of-way, and it impaired the utility of the public right-of-way when it failed to restore it in a “sufficient manner not to impair its usefulness.” *Id.* at 339. The public could only use eighteen feet of the sixty feet dedicated to the right-of-way because of obstructions that included mason work and dirt in the right-of-way, so the Greene County Board of Commissioners sought injunctive relief to remove the encroachment. *Id.* The Ohio Supreme Court ruled that Little Miami could not claim adverse possession any portion of the right-of-way, and that an encroachment in a public right-of-way constitutes a public nuisance notwithstanding R.C. 2305.05. *Little Miami R. Co. v. Commissioners of Greene County*, 31 Ohio St. 338, (1877).

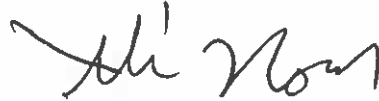
vacate the public street designation under R.C. 723.09. In her Complaint, Sylvain only made conclusory statements that vacating the Bass Street right-of-way would somehow benefit the Village because it would add to the real estate tax roll, and because the Village would not need to pay to maintain the disputed strip of land. Both arguments fail. In the Sixth District, she needs to show the elements outlined in *Duggan* at the very least. Vacating the Bass Street right-of-way would harm the Village for the reasons set forth herein.

Sylvain cannot capture any portion of the Bass Street right-of-way through adverse possession under R.C. 2305.04 and/or R.C. 2305.05. Ohio's common law treats a municipal corporation the same as the state for purposes of adverse possession under R.C. 2305.04, and a private party cannot capture a piece of real estate from the state. Sylvain has failed to satisfy the statutory requirements to capture Bass Street, or a portion thereof under R.C. 2305.05 because neither she, nor her predecessors in title enclosed any portion of it with a fence.

The Village is entitled to demolish the accessory building that is encroaching on the Bass Street right-of-way because it is either (i) owned by the Village, or (ii) it is considered a public nuisance that encroaches on the right-of-way. Sylvain can prove no set of facts to properly defend against the Village's right to demolish the accessory building. There is no genuine issue as to any material fact, and the Village is entitled to judgment on all claims currently before the court as a matter of law.

**WHEREFORE**, the defendant/counterclaim plaintiff the Village of Grand Rapids prays that the court dismiss all counts of the Petition for Court Ordered Vacation of Street and Complaint to Quiet Title filed by the plaintiff/counterclaim defendant Lynn Sylvain with prejudice, and for a decree that acknowledges the Village's right to demolish the accessory building.

Respectfully submitted,



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Bruce S. Schoenberger (0019765)  
Ali A. Nour (0096243)  
Gressley, Kaplin & Parker, LLP  
*Attorney for Defendant/Counterclaim*  
*Plaintiff Village of Grand Rapids*

**CERTIFICATE OF SERVICE**

This is to certify that I sent a copy of the foregoing to Counsel for Plaintiff/Counterclaim Defendant Lynn Sylvain, Attorney Jeffery J. Dennis, via email at jeff@stearnsandhammer.com, on the date of filing.



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Ali A. Nour

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

|                                 |   |   |
|---------------------------------|---|---|
| Lynn Sylvain                    | * | Case No. 2024CV0125   |
| Plaintiff,                      | * | Judge Mary "Molly" L Mack   |
| -vs-                            | * | <b>AFFIDAVIT OF JOHN<br/>BERRY</b>  |
| Village of Grand Rapids, et al. | * |   |
| Defendants.                     | * | Bruce S. Schoenberger (0019765)<br>Ali A. Nour (0096243)<br>Gressley, Kaplin & Parker, LLP<br>One Seagate, Ste. 1645<br>Toledo, OH 4364<br>Telephone: (419) 720-8504<br>Facsimile: (419) 244-1914<br>e-mail: bschoenberger@gkplaw.net<br>anour@gkplaw.net |
|                                 | * | <i>Attorneys for Defendant/Counterclaim<br/>Plaintiff Village of Grand Rapids</i>   |

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State of Ohio

County of Wood, SS

I, John Berry, being first duly sworn according to law, depose and state as follows:

1. I am an adult, over 18 years of age and competent to testify as to all matters recited herein.
2. All the statements contained herein are based upon my personal knowledge.
3. I have resided in the Village of Grand Rapids for approximately thirty-five (35) years.

4. I am the Mayor of the Village of Grand Rapids (“Mayor”). I have been the Mayor for approximately ten (10) years. As Mayor, I have access to and have been entrusted with the care and custody of the records of the Village of Grand Rapids.
5. Lynn Sylvain (“Ms. Sylvain”) is a member of Village Council. There are six (6) council members: (i) Rachel Smith; (ii) Rick Tolles; (iii) Jody Donsbach; (iv) Martha Frantz; (v) Lynn Sylvain; and (vi) Louise Estep.
6. Ms. Sylvain routinely creates issues at Village Council meetings, and she is known to be a disruptor. She routinely makes public records requests, and she fails to retrieve said records after requiring Village employees to compile the same.
7. Bass Street is readily accessible with ingress and egress using a standard curb cut. Vehicles are free to travel in and out using said curb cut. Bass Street is not an abandoned alleyway.
8. The Bass Street right-of-way is crucial to the continued function of the Village, and it has been open to traffic for as far back as I can remember. Town Hall relies on the Bass Street right-of-way for parking for local events. The Grand Rapids Historical Society, the Grand Rapids Art Council, Bittersweet Farms, and the Horizon Youth Theatre use the Town Hall auditorium regularly for its events. The Village Fiscal Officer put together a calendar of events for years 2024 and 2025, and a copy of the same is attached to the accompanying Motion for Summary Judgment.
9. The Village Fiscal Officer has compiled a variety of pictures showing the current state of the Bass Street right-of-way, and vehicles parked in the there from time to time. These pictures show the importance of the Bass Street right-of-way to the Village and those seeking to attend events within the Village.

10. I personally took pictures at the pin which separates the lot lines between the Sylvain Property and the Bass Street right-of-way, and a copy of the same is attached to the accompanying Motion for Summary Judgment.
11. I am at Town Hall regularly for meetings. Parking at the Town Hall is necessary and it is a regular occurrence for anyone seeking to access Town Hall for any purpose.
12. The Village was forced to put up parking signs along the Bass Street right-of-way in calendar October 2024 to deter Ms. Sylvain from storing her truck and boat trailer in the right-of-way for extended periods of time. Ms. Sylvain went as far as to report her truck stolen in September 2024 after it was towed when she refused to move it. A copy of which List of Events from the Wood County Sheriff's Department is attached to the accompanying Motion for Summary Judgment.
13. The Village also hosts numerous events that require parking. Residents, tourists, and other "fest goers" use Bass Street for parking. I recently attended the Light Up The Night Christmas Sing Along on December 13, 2024. I personally saw numerous vehicles parked along the Bass Street right-of-way and I took pictures. A copy of those pictures are attached to the accompanying Motion for Summary Judgment.
14. The Village has maintained the Bass Street right-of-way for at least as long as I have been Mayor. I have it on good authority that all previous administrations have properly maintained the Bass Street right-of-way.
15. The Bass Street right-of-way provides necessary access to the Side Cut Canal (the "Side Cut"). The Side Cut is the only canal in the Village, and it needs to be properly maintained to avoid flooding. The Side Cut needs to be cleaned as proper maintenance,

and this is done through dredging. The Village last dredged the Side Cut in 1998, and it is anticipated that it will need to be dredged soon.

16. It is necessary for the Village to use the Bass Street right-of-way to access the Side Cut with the heavy machinery that is used for dredging because there is no other right-of-way that provides access to the middle of the Side Cut.

17. Town Hall sits east of Bass Street.

18. The foot bridge behind Carp Street is a main access point to the Towpath within the Village.


19. There is no public parking during the annual Applebutter Festival.

20. Ms. Sylvain is a member of Village Council. I erected the split rail fence on the south west portion of the Bass Street right-of-way in calendar year 2024.

Further Affiant sayeth not.

  
John Berry

Sworn to before me and subscribed in my presence this 28<sup>th</sup> day of March 2025

  
Notary Public



KRISTINA A ANDERSON  
Notary Public  
State of Ohio  
My Comm. Expires  
November 2, 2026

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

|                                 |   |   |
|---------------------------------|---|---|
| Lynn Sylvain                    | * | Case No. 2024CV0125   |
| Plaintiff,                      | * | Judge Mary "Molly" L Mack   |
| -vs-                            | * | <b>AFFIDAVIT OF RYAN<br/>ROTHENBUHLER</b>   |
| Village of Grand Rapids, et al. | * |   |
| Defendants.                     | * | Bruce S. Schoenberger (0019765)<br>Ali A. Nour (0096243)<br>Gressley, Kaplin & Parker, LLP<br>One Seagate, Ste. 1645<br>Toledo, OH 4364<br>Telephone: (419) 720-8504<br>Facsimile: (419) 244-1914<br>e-mail: bschoenberger@gkplaw.net<br>anour@gkplaw.net |
|                                 | * | <i>Attorneys for Defendant/Counterclaim<br/>Plaintiff Village of Grand Rapids</i>   |

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State of Ohio

County of Wood, SS

I, Ryan Rothenbuhler, being first duly sworn according to law, depose and state as follows:

1. I am an adult, over 18 years of age and competent to testify as to all matters recited herein.
2. All the statements contained herein are based upon my personal knowledge.
3. I am the Solicitor of the Village of Grand Rapids ("Village Solicitor"). I was appointed Village Solicitor by the Mayor, and approved by Village Council in 2022. As Village Solicitor, I have access to and have been entrusted with the care and custody of the

records of the Village of Grand Rapids. I am not currently defending against the claims in this lawsuit, or prosecuting the counterclaim in this lawsuit.

4. Lynn Sylvain (“Ms. Sylvain”) is a member of Village Council. There are six (6) council members: (i) Rachel Smith; (ii) Rick Tolles; (iii) Jody Donsbach; (iv) Martha Frantz; (v) Lynn Sylvain; and (vi) Louise Estep.
5. Ms. Sylvain routinely creates issues at Village Council meetings, and she is known to be difficult a disruptor. She routinely makes public records requests, and fails to retrieve said records after requiring Village employees to compile the same.
6. The Bass Street right-of-way is crucial to the continued function of the Village, and it has been open for as far back as I can remember. Town Hall relies on the Bass Street right-of-way for parking for local events. The Grand Rapids Historical Society, the Grand Rapids Art Council, Bittersweet Farms, and the Horizon Youth Theatre use the Town Hall auditorium regularly for its events. The Village Fiscal Officer put together a calendar of events for years 2024 and 2025, and a copy of the same is attached to the accompanying Motion for Summary Judgment.
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8. I am at Town Hall regularly because Village Council conducts its meetings at Town Hall. Parking at the Town Hall is necessary and it is a regular occurrence for anyone seeking to access Town Hall for any purpose.

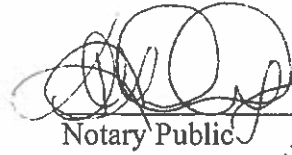
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Further Affiant sayeth not.



Ryan Rothenbuhler

Sworn to before me and subscribed in my presence this 28<sup>th</sup> day of March 2025



Notary Public



KRISTINA A ANDERSON  
Notary Public  
State of Ohio  
My Comm. Expires  
November 2, 2026