

ORIGINAL

In the Supreme Court of Ohio

Barbara Andersen
Michael McCarthy
Relators

vs

State of Ohio City of Cleveland
Respondent

Case No. 2015-0393

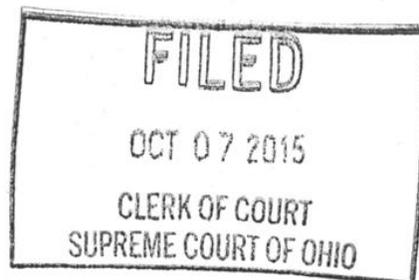
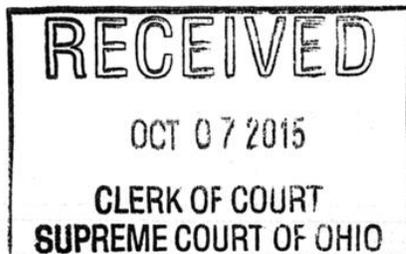
Relators' Motion for Amendment
for the Substitution of Two
Photographs to Replace the
Photograph Previously Labeled
'Attachment II'

**Relators' Motion for Amendment for the Substitution of Two Photographs to
Replace the Photograph Previously Labeled 'Attachment II'**

Relators, (Pro Se), hereby move this honorable Court to accept as submission two photographs to replace the previously submitted photograph labeled 'Attachment II' due to the poor clarity of the original copy. The two replacement photographs are labeled Attachment IV and should be viewed in lieu of any citations in the Memorandum of Support referencing Attachment II.

Respectfully submitted,

Barbara Andersen and Michael McCarthy
3802 Bosworth Rd.
Cleveland, Ohio 44111
216-941-9092



Certificate of Service

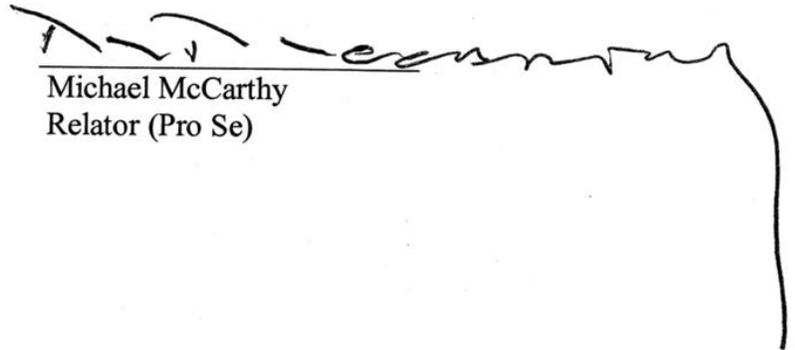
We certify that a true and accurate copy of Relators' Motion for Amendment for the Substitution was served via U.S. Mail on October 5 2015 to:

William H. Armstrong, Jr.
Assistant Director of Law
Cleveland City Hall Room 106
601 Lakeside Ave. E.
Cleveland, Ohio 44114-1077

Counsel for Respondent



Barbara Andersen
Relator (Pro Se)



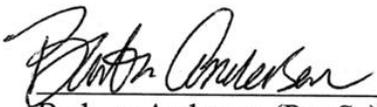
Michael McCarthy
Relator (Pro Se)

Affidavit

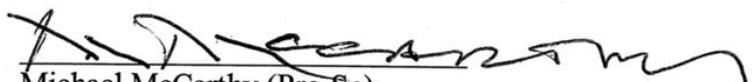
I, Barbara Andersen, and I, Michael McCarthy, do hereby make this affidavit and being first duly sworn state as follows:

1. Attachment IV is an accurate copy of the photographs of the properties at 3806 and 3802 Bosworth Road, illustrating the negative grade condition at 3806 Bosworth Road in opposition of the Ohio Administrative Code 1401:1-18 § 1804.3 Site Grading.

Further Affiants sayeth naught.



Barbara Andersen (Pro Se)



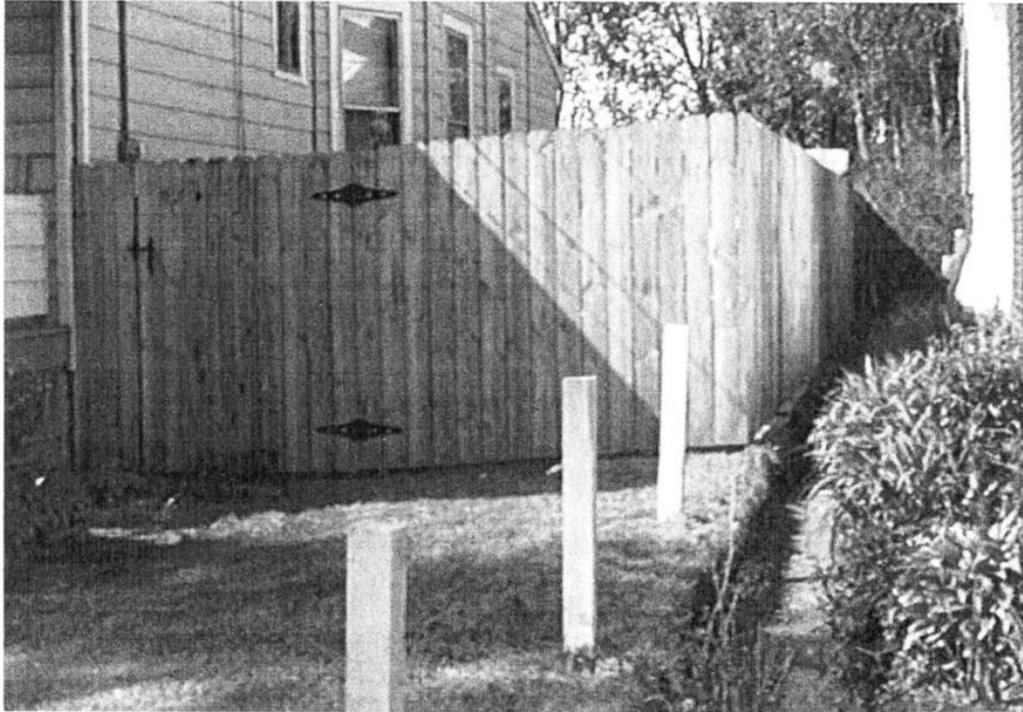
Michael McCarthy (Pro Se)

Sworn to before me and subscribed in my presence this ___ day of October 2015.



Notary Public





This the front view of the 3806 lot,(left). On right is the 3802 swale excavation. Note the 3806's grade that slopes toward the structure in direct contradiction to the OAC 4101: 1804.3 Site Grading. The condition impedes drainage and in violation of statutes of easement, §1 Easement Defined, & §2 Nature and Characteristics of Easement (Ohio Jur 3d), and Ohio's Constitutional rights of Article, 1 §1, and Article, 2 § 26.

ATTACHMENT IV



This is 3806 and 3802 Bosworth Road... Note the swale excavation extends from the back yard to the front yard side flush to the walkway allowing surface water to travel down the properties line per the OAC 4101: 1804.3 Site Grading. The overall width of area foundation to foundation is 17 feet. 12 feet on 3806 and 5 feet on 3802.