

STATE OF OHIO)
COUNTY OF CUYAHOGA)

IN THE LAKEWOOD MUNICIPAL COURT

SEARCH WARRANT

TO: Chief Lawrence Mroz, Fire Marshal Scott Gilman and/or any member of the Lakewood Fire Department, and any member of the Lakewood Division of Housing & Building, and the Lakewood Police Department.

WHEREAS: Affiant has exhibited probable cause to search the below listed premise as shown in the incorporated affidavit, attached hereto: inspectors and law enforcement officers as set forth herein are commanded to search said premises forthwith and to comply with applicable requirements of execution, seizure, inventory and return. Said search to be made in the Day Season.

WHEREAS: The premise known as 1549-1559 Lakewood Avenue Lakewood, Ohio, parcel # 315-11-114, further described as a two story six family brick and wood apartment house with basement located on the southeast corner of Franklin Blvd. and Lakewood Avenue, its common areas and curtilage.

WHEREAS: There is now being kept, concealed and illegally possessed: Conditions that violate the Fire, Building, Health, Safety, and Sanitation codes, and/or other laws of the City of Lakewood and State of Ohio.

THEREFORE: I am satisfied that there is probable cause to believe the property described is being concealed on the premises above described, and that probable cause exists for the issuance of a search warrant.

Given under my hand this 5th day of November 2009.

Judge PK CA
Patrick Carroll, Judge
Lakewood Municipal Court
Cuyahoga County, Ohio

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IN THE LAKEWOOD MUNICIPAL COURT

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AFFADAVIT FOR SEARCH WARRANT

EXHIBIT A

Before me, Patrick Carroll, Judge of the Court of Lakewood Municipal Court, appears the undersigned Scott Gilman, a member of the Lakewood Fire Department, who being first duly sworn deposed and says that according to information he has received and has good cause to believe, that on the premises known as: 1549-1559 Lakewood Avenue Lakewood, Ohio, parcel # 315-11-114, further described as a two story six family brick and wood apartment house with basement located on the southeast corner of Franklin Blvd. and Lakewood Avenue, is common areas and curtilage.

Lakewood, Ohio there is now being kept, concealed and possessed:
Conditions that violate the Fire, Building, Safety and/or other laws of the City of Lakewood and State of Ohio, and/or an illegally possessed items or contraband.

The facts upon which affiant bases such belief are as follows:

In 2005, one Oscar Graham, who resides at 23-2990 3rd Street East Elmhurst, NY 11369 acting as Agent for 1549-1559 Lakewood Avenue, LLC purchased the above-mentioned property. The building has been partially occupied since that time. On October 13, 2009 the water service to the property was shutoff due to an outstanding water bill totaling \$ 6,211.58. On October 7, 2009 the Lakewood Fire Department responded to the because of vandalism to the gas lines. The Division of Housing & Building order the property vacated after the water was disconnected on October 13, 2009.

The management company hired to run the building by 1549-1559 Lakewood Avenue, LLC terminated their management agreement for failure to pay bills. Attempts to gain access to the property by contacting Mr. Graham directly and through his attorney have been unsuccessful.

The lack of maintenance, repair and vandalism has caused the property to deteriorate to a point that it is a potential haven for vermin and unsanitary conditions.

In its current condition, the property threatens the health, safety and sanitation of the surrounding neighborhood.

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Affiant avers that it is urgently necessary that the above-described premises be searched forthwith, in the Day Season, to allow authorities to address the multiple violations of law, unsafe and unsanitary conditions, and to secure the property.

In its current condition, the property threatens the health, safety, and sanitation of the surrounding neighborhood.

Affiant avers that it is urgently necessary that the above-described premises be searched forthwith, in the Day Season, to allow authorities to address the multiple violations of law, unsafe and unsanitary conditions, and to secure the property.

Scott D. Gilmour
Affiant

Sworn to and subscribed before me this 5th day of November, 2009.

Patrick Carroll
Patrick Carroll, Judge
Lakewood Municipal Court
Cuyahoga County, Ohio

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