

To Whom It May Concern,

I am writing to formally register my opposition to the proposal put forth by Jan and Jitka Kapsa before the town council, seeking acquisition of the access road connecting to our properties via Coons Road.

A segment of our property, situated along Coons Road, is accessed through the subject township access road. This access route has remained wholly neglected by the township, and up to this point has been exclusively utilized by myself, my spouse Curt, and our neighbors Kyle Hope and Sarah Eggleton, who also possess property adjoining this road.

Since our acquisition of the property in 2021, and potentially prior to that period, the parcel of land contiguous to our own, owned by the Kapsas, has been marketed for sale, primarily due to the access-related predicaments associated with it. The contentious nature of access to this land has been public knowledge, contributing to its prolonged listing duration.

Subsequent to their acquisition, Jan and Jitka made an introductory visit to our residence, apprising us of their recent property acquisition and articulating their intentions to secure access to it. Notably, they conveyed an attitude suggestive of unilateral progression, asserting that advancements would transpire regardless of our opposition, thereby urging our compliance.

Initially, their proposed course of action entailed petitioning the township for the opening and maintenance of said road—a proposition patently improbable. Subsequently, they proffered to purchase from us the requisite parcel to facilitate driveway construction to their property. Regrettably, the sole feasible route for such a driveway, sans marshland reclamation, traverses our cultivated fields—an option categorically rebuffed by us, given the adverse implications for our agricultural operations.

Their latest proposal entails acquisition of the township access road, thereby assuming ownership thereof, while granting us access rights. However, this alternative is suboptimal, given our reliance on heavy-duty equipment for agricultural pursuits, coupled with our aversion to subjecting ourselves to the authority of a private landowner. Presently, we benefit from unimpeded access without interference from neighbors, fostering a harmonious coexistence. Maintenance concerns, such as fallen trees or snow accumulation, are managed promptly and independently, ensuring uninterrupted access—a service whose continuity under Jan's stewardship remains uncertain.

The access route in question holds historical significance for our property, predating our tenure, and ought to be preserved as such.

We regard the Kapsas' actions as presumptuous and overbearing, predicated on their financial leverage to coerce ingress either onto our property or the access road. Notably absent from their approach was any attempt at dialogue or negotiation, their acquisition premised solely on the presumption of our acquiescence. We are steadfast in our resolve to maintain the tranquil lifestyle we cherish, devoid of neighborly discord—an outcome jeopardized by ceding control of our access route to external ownership.

Ours is a modest family endeavor, embarked upon with the aspiration of rehabilitating a dilapidated property and revitalizing its agricultural potential. Unlike the Kapsas, our financial resources are limited, engendering apprehensions regarding the equitable resolution of this matter.

We have had multiple conversations with members of the township office as well as the Kapsas themselves, and have heard out all of the options laid out before us. We stated in the first conversation and still maintain to this day the opinion that the Kapsa's knew what they were getting into when they purchased this property. The fact that they can not access the land to build as they desire, is not our issue, and it should not have been assumed that we would make concessions to facilitate their access. The amount of time we have spent talking about this, worrying about this, and debating about this is more than we wished to invest. We urge the council to consider the impact this will have on our operations, as well as our quiet and peaceful existence.

Respectfully,  
Curt and Brandi Magill