

FIFTH DEFENSE

Defendant for his fifth defense incorporates each and every allegation in his first, second, third, and fourth defenses as though the same were re-written herein in full.

Defendant says that the home purchased was for the service and the protection of the defendant and his family from the forces of nature, predatory animals and the whims of mankind.

SIXTH DEFENSE

Defendant for his sixth defense incorporates each and every allegation in his first, second, third, fourth, and fifth defenses as though the same were re-written herein in full.

Defendant says that the Logan Development Company dedicated the platted land to a definite and particular servitude which servitude was a guarantee to the purchasers that they would be secure from risks of purchasing unrestricted home site.

SEVENTH DEFENSE

Defendant for his seventh defense incorporates each and every allegation contained in his first, second, third, fourth, fifth, and sixth defenses as though the same were re-written herein in full.

Defendant says that a commercial building will increase the hazards to himself and his family; defendant further says that the restrictive covenants were relied upon to protect the defendant against the hazards surrounding residents in a commercial district.

EIGHTH DEFENSE

Defendant for his eighth defense incorporates each and every allegation contained in his first, second, third, fourth, fifth, sixth, and seventh defenses as though the same were re-written herein in full.

Defendant says Logan Development Company created the restrictions and sold the lots subject to the restrictions.

NINTH DEFENSE

Defendant for his ninth defense incorporates each and every allegation contained in his first, second, third, fourth, fifth, sixth, seventh, and eighth defenses as though the same were re-written herein in full.

The defendant says that the plat contains streets and alleys dedicated to the city of Logan, and accepted as dedicated by the City of Logan.

TENTH DEFENSE

Defendant for his tenth defense incorporates each and every allegation contained in his first, second, third, fourth, fifth, sixth, seventh, eighth, and ninth defenses as though the same were re-written herein in full.

The defendant admits that the Logan Development Company; Nathan L. Davis and Betty Lou Davis; Barton Sparnon Holl and Regina Lee Holl; Robert E. Auflick and Stella S. Auflick; John J. Voits and Olga Voits; Fred Hollis Meadows and Gladys Mae Meadows; and James Comstock and Mary Comstock, are titular holders for all of the lots in Graceland Addition to the City of Logan, Ohio, as shown by the recorded plat on file in the Recorder's Office of Hocking County, Ohio. Defendant further admits that the Logan Development has its principal place of business at Logan, Ohio. Defendant further admits that the Graceland Addition to the City of Logan, Ohio, was formerly part of Fractional Lot 13, Section 14, Township 14, and Range 17, that it was originally considered of approximately 13 acres, that the land was in the corporate limits of Logan, Ohio, that the addition was properly laid out, dedicated and accepted by duly authorized public officials and that the streets and alleys were properly laid out and dedicated.

ELEVENTH DEFENSE

Defendant for his eleventh defense incorporates each and every allegation contained in his first, second, third, fourth, fifth, sixth, seventh, eighth, and ninth defenses as though the same were re-written herein in full.

Defendant denies each and every other allegation in applicant's petition not otherwise herein specifically admitted to be true or herein specifically denied.

WHEREFORE, defendant prays that petition be dismissed that he may go hence without day and for his costs herein expended.

LESLIE G. JOHNSON Attorney for James Comstock

STATE OF OHIO SS: HOCKING COUNTY James Comstock, being first duly sworn, deposes and says that he is the Plaintiff, and the facts stated and allegations contained in the foregoing Answer are true as he verily believes.

JAMES H. COMSTOCK

Sworn to before me and subscribed in my presence this 25th day of July, 1957.

LESLIE G. JOHNSON Notary Public, State of Ohio My Commission Expires 3/20/60

Filed: July 31, 1957 Hocking County Common Pleas Court Thelma Keyes, Clerk

PRECISE FOR SUBPENA -- IN CIVIL CASE

IN RE: THE VACATION AND ALTERATION OF PART OF PLAT OF GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO, WHICH PART OF THE PLAT TO BE VACATED AND ALTERED IS PARTICULARLY DESCRIBED AS BEING THE WEST HALF OF LOTS NOS. 12, 25 AND 50, AND ALL OF LOTS NOS. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 AND 52 IN SAID GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO.

No. 11,404

COMMON PLEAS COURT

TO THE CLERK:-- ISSUE SUBPENA FOR

- 1. Nathan L. Davis West Front Street, Logan, Ohio
2. Betty Lou Davis West Front Street, Logan, Ohio
3. Barton Sparnon Holl West Front Street, Logan, Ohio
4. Regina Lee Holl West Front Street, Logan, Ohio
5. Robert S. Auflick West Front Street, Logan, Ohio
6. Stella S. Auflick West Front Street, Logan, Ohio
7. John J. Voits West Front Street, Logan, Ohio
8. Olga Voits West Front Street, Logan, Ohio
9. Fred Hollis Meadows West Front Street, Logan, Ohio
10. Gladys Mae Meadows West Front Street, Logan, Ohio

to appear as witnesses in the above named case, on Friday, August 30, A. D. 1957, at 9:30 o'clock A. M. Required on behalf of the Applicants.

Filed: August 26, 1957 Hocking County Common Pleas Court Thelma Keyes, Clerk. HUBERT D. LAPPEN Attorney for the Applicants.

PRECISE FOR SUBPENA ----IN CIVIL CASE

IN RE: THE VACATION AND ALTERATION OF PART OF PLAT OF GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO, WHICH PART OF THE PLAT TO BE VACATED AND ALTERED IS PARTICULARLY DESCRIBED AS BEING THE WEST HALF OF LOTS NOS. 12, 25 AND 50, AND ALL OF LOTS NOS. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 AND 52 IN SAID GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO.

No. 11,404

COMMON PLEAS COURT

TO THE CLERK:-- Issue Subpna for

- 1. Loren Schorr West Front Street, Logan, Ohio

to appear as witness in above named case, on Friday, August 30, A. D. 1957, at 1:00 o'clock P. M. Required on behalf of the Applicants.

Filed: Aug. 26, 1957 Hocking County Common Pleas Court Thelma Keyes, Clerk.

HUBERT D. LAPPEN Attorney for the Applicants.

Clk. 17

Subpna in Civil Case

General Code, Sec. 11501, 3

THE STATE OF OHIO

Hocking County

COMMON PLEAS COURT

Table with columns: To, Residence, Miles, How Served, Day Served. Row 1: John Green, Logan, Ohio, City, Per, 8/29/57

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of August A. D. 19 57, at 1:00 o'clock P. M.

IN RE: THE VACATION AND ALTERATION OF PART OF PLAT OF GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO, WHICH PART OF THE PLAT TO BE VACATED AND ALTERED IS PARTICULARLY DESCRIBED AS BEING THE WEST HALF OF LOTS NOS. 12, 25 AND 50, AND ALL OF LOTS NOS. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 AND 52 IN SAID GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO.

Said Court requires your said attendance on behalf of the Defendant. Witness my hand and the seal of said Court, this 28th day of August 19 57. Thelma Keyes Clerk, Linda M. Mundy Deputy

Clk. 17

Subpna in Civil Case

Revised Code Sec. 2311.11-13

THE STATE OF OHIO

Hocking County

COMMON PLEAS COURT

Table with columns: To, Residence, Miles, How Served, Day Served. Rows for Nathan L. Davis, Betty Lou Davis, Betty Sparnon Holl, Regina Lee Holl, Robert E. Auflick, Stella S. Auflick, John J. Voits.

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of August A. D. 19 57, at 9:30 o'clock A. M.

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Said Court requires your said attendance on behalf of the Applicants. Witness my hand and the seal of said Court, this 26th day of August 19 57. Thelma Keyes Clerk, Linda M. Mundy Deputy

Clk. 16

COPY

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Precipe for Subpna--In Civil Case

General Code, Sec. 2867, 11501, 3

IN RE: VACATION AND ALTERATION

etc.

vs. Plaintiff

Defendant

No. 11,404

Common Pleas COURT

To the Clerk:--Issue Subpna for

RESIDENCE

Table with columns: To, Residence. Row 1: John Green, Logan, Ohio

to appear as witnesses in above named case, on August

A. D. 19 57, at 1:00 o'clock P. M. Required on behalf of the

Leslie G. Johnson

Att'y for the Defendant

IN THE COURT OF COMMON PLEAS, HOCKING COUNTY, OHIO

IN RE: THE VACATION AND ALTERATION OF PART OF PLAT OF GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO, WHICH PART OF THE PLAT TO BE VACATED AND ALTERED IS PARTICULARLY DESCRIBED AS BEING THE WEST HALF OF LOTS NOS. 12, 25, AND 50, AND ALL OF LOTS NOS. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51, AND 52 IN SAID GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO.

11404

PRECISE FOR SUBPENA-- DUCES TECUM

TO THE CLERK:

On behalf of James Comstock issue Subpna Duces Tecum for the following named person:

Fred Jurgensmier

to appear on the 30th day of August A. D. 1957, at 10:30 o'clock A. M., and testify as a witness in the above case, and to bring and produce at the time aforesaid all of the books and records of the Logan Development Company.

Filed: Aug. 30, 1957 Hocking County Common Pleas Court Thelma Keyes, Clerk.

LESLIE G. JOHNSON Attorney for the Defendant

Clk. 17

Subpna in Civil Case

General Code, Sec. 11501, 3

THE STATE OF OHIO

Hocking County

COMMON PLEAS COURT

Table with columns: To, Residence, Miles, How Served, Day Served. Row 1: Loren Schorr, W. Front St. Logan, Ohio, City, Res, 8/28/57

You are hereby required to be and appear before the Common Pleas Court at the Court House in said County, on the 30th day of August A. D. 19 57, at 1:00 o'clock P. M.

IN RE: THE VACATION AND ALTERATION OF PART OF PLAT OF GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO, WHICH PART OF THE PLAT TO BE VACATED AND ALTERED IS PARTICULARLY DESCRIBED AS BEING THE WEST HALF OF LOTS NOS. 12, 25, AND 50, AND ALL OF LOTS NOS. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 AND 52 IN SAID GRACELAND ADDITION TO THE CITY OF LOGAN, OHIO.

Said Court requires your said attendance on behalf of the Applicants. Witness my hand and the seal of said Court, this 26th day of August 19 57. Thelma Keyes Clerk, Linda M. Mundy Deputy

Clk. 17

Subpna in Civil Case

Revised Code Sec. 2311.11-13

THE STATE OF OHIO

Hocking County

COMMON PLEAS COURT

Table with columns: To, Residence, Miles, How Served, Day Served. Rows for Olga Voits, Fred Hollis Meadows, Gladys Mae Meadows.

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Said Court requires your said attendance on behalf of the Applicants. Witness my hand and the seal of said Court, this 26th day of August 19 57. Thelma Keyes Clerk, Linda M. Mundy Deputy