

Range No. 17, of the City of Logan, Ohio, as though the same had never been platted as a part of said Graceland Addition.

The Court further finds from the evidence that James H. Comstock, who is the sole proprietor not assenting to the vacation, has sustained some damage. The Court further considers in the rendition of a judgment in favor of the said James H. Comstock, that though his wife, Mary June Comstock, did not join as the owner of undivided one-half interest in Lot No. 10, nor appear in court, the damage has been to the whole and not the half.

The Court further finds and has taken judicial notice thereof, that at the time this petition was filed, that the value of the property owned by the petitioners as it stands taxed on the tax list of Hocking County, Ohio, is as follows:

Lot Number	Owner	Tax Valuation
1,5,6,8, and 11 to 59 inclusive	The Logan Development Co.	\$16,610.00
2	Fred H. and Gladys M. Meadows	3,510.00
3	John J. and Olga Voits	3,510.00
4	Robert C. and Stella S. Auflick	3,510.00
7	Barton S. and Regina L. Holl	3,650.00
9	Nathan L. and Betty L. Davis	3,510.00

Therefore, it is the order, decree and judgment of this Court that of the plat of the Graceland Addition to the City of Logan, Ohio, the west half of lots numbered 12, 25 and 50, and all of lots numbered 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 and 52, together with the streets and alleys abutting and adjacent thereto, be vacated and that such lots and alleys be known and recognized as a plat of part of fractional lot No. 13, Section No. 14, Township No. 14, Range No. 17, of the City of Logan, Ohio, as though the same had never been platted as a part of said Graceland Addition.

That judgment is hereby rendered against the petitioners in favor of James H. Comstock in the sum of \$685.00, assessed ratably against the said petitioners at the rate of \$2.00 per thousand of the listed tax valuation, and more specifically as follows:

The Logan Development Company	\$332.20
Fred H. and Gladys M. Meadows	70.20
John J. and Olga Voits	70.20
Robert C. and Stella S. Auflick	70.20
Barton S. and Regina L. Holl	73.00
Nathan L. and Betty L. Davis	70.20

That the petitioners pay the costs of this action, to be assessed as follows:

The Logan Development Company to pay one-half of said costs; the other five lot owners, one-tenth each.

That the judgment of this Court so vacating the lots and areas enumerated shall be conditioned upon the payment of the damages and costs thus assessed.

That the Clerk of the Court of Common Pleas of Hocking County shall make and certify under the seal of the court, a record of these proceedings as provided by law in Revised Code, Section 711.20, and to be included as part of the costs herein.

Exceptions noted in behalf of all parties.

DELBERT L. TEDRICK
JUDGE

Approved:
HUBERT D. LAPPEN
PHIL A. HENDERSON
Attorney for Petitioners

Journal 37 Page 395
Filed Sept. 23, 1957
Hocking County
Common Pleas Court
Thelma Keyes, Clerk.

Attorney for James H. Comstock

STATE OF OHIO, COUNTY OF HOCKING, SS:
IN THE COURT OF COMMON PLEAS

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 JOURNAL ENTRY

This matter came on for hearing before the Court on August 30, 1957, on the written petition of the parties herein, making application for the vacation of certain lots and areas, being a part thereof of Graceland Addition to the City of Logan, Ohio, said applicants being two-thirds of the proprietors of land described in the plat, and upon an answer thereto filed by James H. Comstock, owner of an undivided one-half interest of Lot No. 10 in said Addition. Evidence was adduced as to said vacation, the Court reserving decision thereon, and by agreement of the parties the hearing proceeded as to damages to the said James H. Comstock. After close of evidence and argument of counsel, the Court reserved decision.

The parties hereto at the outset of the hearing agreed that the matter was being presented under Revised Code Sections 711.17 to 711.23 inclusive.

The Court has given careful and full consideration to the statutory requirements, the evidence, argument and briefs of counsel.

The Court finds from the evidence that more than two-thirds of the applicant for vacation of the lots enumerated in the petition are proprietors of the land described in the plat; that said applicants filed their petition in writing with the Clerk of the Court of Common Pleas of Hocking County; that said applicants gave thirty days' notice by publication in a newspaper of lawful circulation; and that the Court has jurisdiction over the parties in the matter.

The Court further finds that the application is well-taken and that of the plat of the Graceland Addition to the City of Logan, Ohio, the west half of lots numbered 12, 25 and 50, and all of lots numbered 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51 and 52, together with the streets and alleys abutting and adjacent thereto, be vacated and that such lots and alleys be known and recognized as a plat of part of fractional lot No. 13, Section No. 14, Township No. 14,

CLK. 412-1 (COPY) BARNETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Certificate for Court Stenographer's Fees

General Code, Sec. 1549, 2906

The State of Ohio, Hocking County, Common Pleas Court
August 30, 1957

To the Clerk of Courts of said County:

I HEREBY CERTIFY, That I have taken shorthand notes of the oral testimony or other oral proceedings, by order of the Court in the case of In Re: The vacation and alteration of part of plat of Graceland Addition to the City of Logan, Ohio.

vs.

No. 11,404 in said Court; for 1 day at a fee of four dollars per day.

The Stenographer's fee of \$4.00 shall be taxed as other costs in this case.

WITNESS my signature, this 31st day of August, 1957

MILDRED M. STEVENS
Official Court Reporter, Common Pleas Court.

IN THE COURT OF APPEALS, FOURTH APPELLATE DISTRICT
STATE OF 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, 23, 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. 233 ENTRY

This 26th day of June, 1957, this cause came on to be heard upon the oral application of the applicants, made in open Court, asking that the notice of appeal be stricken from the files. The Court being fully advised in the premises finds the order appealed from is not a final order and said motion is well taken and it is, ordered, adjudged that said motion is sustained, to which ruling the defendant excepts.

APPROVED: JAMES COLLIER, Judge, Court of Appeals
Phil A. Henderson, Attorney for Applicants
Hubert D. Lappen, Attorney for Defendants
ROY J. GILLEN, Judge, Court of Appeals
WILLIAM D. RADCLIFF, Judge, Court of Appeals

Filed: June 27, 1957
Hocking County Court of Appeals
Thelma Keyes, Clerk

Journal 3 Page 116

Logan
Sept. 26,
12:30 P.M.
1957
Ohio

INSURED NO. Name of Sender CLERK OF COURTS
RETURN TO Street and No. or P. O. Box HOCKING COUNTY
Post Office LOGAN, OHIO
State

POD Form 3811
Apr. 1955

Delivering Employee Deliver Only to addressee.
Show address where delivered.

Filed: Sept. 27, 1957
Hocking County
Common Pleas Court
Thelma Keyes, Clerk

Received from the postmaster the registered, certified, or insured article, the number of which appears on the face of this return receipt.

1. JAMES H. COMSTOCK
Signature or name of Addressee
Date of Delivery 9-26-57

COURT OF COMMON PLEAS

Thelma Keyes, Clerk
Hocking County

Logan, Ohio

Sept. 26, 1957

Mr. James H. Comstock
W. Front St.
Graceland Addition
Logan, Ohio

Case No. 11,404

IN RE: THE VACATION & 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

Dear Sir:-

This is to notify you that I have a check in the amount of \$685.00 for you for the judgment rendered in your favor paid by THE LOGAN DEVELOPMENT COMPANY. Will you please call at my office and collect same? Thanking you I am,

Yours very truly,

Thelma Keyes
CLERK OF COURTS, HOCKING COUNTY, OHIO

Copy sent to Mr. Leslie Johnson, Attorney
31 S. Spring St.
Logan, Ohio

LOGAN
Sept. 26, 1957
OHIO

No. 6627483 Receipt for Certified Mail - 15¢
Sent To Mr. Leslie Johnson, Attorney
Street and No. 31 South Spring St.
City and State Logan, Ohio

If you want a return receipt, check which

7¢ shows to whom 31¢ shows to whom,
X and when delivered when, and address where delivered.

No. 662784 Receipt for Certified Mail - 15¢
Sent To Mr. James H. Comstock
Street and No. W. Front St. Graceland Addition
City and State Logan, Ohio

LOGAN
Sept. 26, 1957
OHIO

If you want a return receipt, check which
7¢ shows to whom 31¢ shows to whom,
X and when delivered when, and address where delivered.

RETURN RECEIPT

POST OFFICE DEPARTMENT
Official Business

Penalty for Private Use to Avoid
Payment of Postage \$300
(GPO)

REGISTERED NO.
CERTIFIED CNO. 6627483

Postmark of Delivering
Office
Logan
Sept. 26 6:30 P. M.
1957
Ohio

INSURED NO.

RETURN TO Name of Sender CLERK OF COURTS
Street & No. or P. O. Box HOCKING CO.
Post Office, Logan, Ohio
State

POD Form 3811
Apr. 1955

Delivering Employee Deliver Only to addressee
Show address where delivered

Filed: Sept. 27, 1957
Hocking County
Common Pleas Court
Thelma Keyes, Clerk

Received from the Postmaster the registered, certified, or insured article, the number of which appears on the face of this return receipt.

1. LESLIE G. JOHNSON
Signature or name of Addressee
Date of Delivery Sept. 26, 1957.

RETURN RECEIPT

POST OFFICE DEPARTMENT
Official Business

Penalty for Private Use to Avoid
Payment of Postage \$300
(GPO)

REGISTERED NO.
CERTIFIED NO. 6627484

Postmark of Delivering Office

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Hocking County, Common Pleas Court
I, the undersigned, Clerk of the Common Pleas Court within and for said County and in whose custody the Files, Journals and Records of said Court are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original now on file in said Court, that said foregoing has been compared by me with the original document and that it is a true and correct copy thereof.

IN TESTIMONY WHEREOF, I hereunto subscribe my name

officially and affix the seal of said Court, at the Court House, in Logan, Ohio, this 11 day of Oct., 1957.

By: [Signature] Deputy