

Merhle Covell (Liber 840, folio 37), Clarence Covell (Liber 840, folio 35), John William Cromwell (Liber 840, folio 29), James Cromwell (Liber 840, folio 31), Ruth Duvall (Liber 840, folio 57), Allen Baer (Liber 840, folio 40), Grace Shafer (Liber 840, folio 53), Louis Baer (Liber 840, folio 47), Charles Baer (Liber 840, folio 51), Ruth Grossnickle (Liber 840, folio 45), Irene Virts and Viola Minnick (deeds recorded among the aforesaid land records on October 13, 1971); certified copies of said deeds are attached hereto as Exhibits D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, and T, and are incorporated herein by this reference and prayed to be made a part hereof;

6. That by virtue of the conveyances from F. Russell Young and those set forth in paragraph 5 of his Petition, your Plaintiff is a tenant in common of the subject property with Alta Cline, Elizabeth Simmons, and Pearl Flohr, the Defendants in this action; and that your Plaintiff has an interest in the subject property equal to ninety-two percent (92%) of the fee ownership of said property, while all of the Defendants collectively own a total of eight per cent (8%).

7. That the subject property is not capable of division in kind because such division will seriously effect its market value and destroy its usefulness.

WHEREFORE TO THE END THAT:

1. This court take jurisdiction of this action;
2. This court appoint a receiver to take possession of the subject property, have the property sold at a public sale and divide the proceeds from the sale among the parties hereto according to their respective interests; and