

RETURN ON ORDER OF SALE.

AND on the 31st day of August 1950, in pursuance to the command of this..... I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the 16th day of October, 1950, by publication in the Noble County American a weekly and ~~daily~~ newspaper of general circulation, printed and published in the Town of Albion in said county, and nearest to where said Real Estate is situate, for more than three weeks successively, immediately before the day of sale, and by posting up a printed notice thereof at the Court House door of said County, of Noble, State of Indiana, and by posting up like printed notices thereof at three public places of the Township, where the said Real Estate is situate, which was done more than twenty days immediately preceding the day of sale, a copy of said notice being hereunto attached and made a part of this return.

And on the day set for the sale of said Real Estate, to-wit:..... October 16 1950, between the hours of 10 o'clock a. m., and 4 o'clock p. m., at the Court House door of said County, at the Town of Albion, I first offered to the highest and best bidder for cash in hand.....

..... the rents and profits of said Real Estate for a period not exceeding seven years by the year, and receiving no bid therefor, I did then and there offer to the highest and best bidder for cash in hand.....

the fee simple right of the defendant.. of, in and to said Real Estate as described in said Order of Sale.....

..... James B. Schutt and Marie Schutt.....

bid therefor... the sum of Nine Hundred Twelve and 54/100 (\$912.54) DOLLARS.

and that being the highest and best bid then and there offered for the fee simple of all of the above described Real Estate,

the same was openly struck off and sold to James B. Schutt and Marie Schutt.....

for the sum, there being present at and during all the time of said sale more than three competent bidders; and purchaser

having paid over to me the amount so bid by....., I executed ~~to a deed~~ ~~my certificate of purchase~~

~~there~~, bearing even date herewith. Paid over to plaintiff, as per..... receipt hereon

..... DOLLARS.

Paid over to Clerk..... \$ 891.48 dollars, original costs, and

retained \$ 21.06 dollars, my fees,

Printer fee.

Done..... October 27 1950.

Charles F. Haase Sheriff

By..... Deputy

Judg. From Pltff- 818.01
Int. to date - 12.68

Shew. Fee - 44.69

" Deced - 1.00

" in illis - 1.60

Law. copy & D+R - .85

\$ 891.48

Charles F. Pratt
Sherriff

NOTICE OF SHERIFF'S
SALE OF REAL ESTATE

State of Indiana,
County of Noble, SS:
In the Noble Circuit Court,
September Term, 1950.
Cause No. 15896

Noble County Credit Union, Plaintiff,
vs..

Madeline M. Damon, Defendant.

By virtue of a certified copy of a decree, to me directed, the clerk of the Noble Circuit Court, in the cause wherein Noble County Farm Bureau Credit Union is plaintiff, and Madeline M. Damon is defendant, requiring me to make the sum of Eight Hundred and Eighteen (\$818.00) Dollars, with interest and costs, I will offer for sale, at public auction, to the highest bidder, on the 16th day of October, 1950, between the hours of 10 o'clock A. M. and 4 o'clock P. M. of said day, at the east door of the court house in the Town of Albion, County of Noble, State of Indiana, the rents and profits for a term not exceeding seven years, the following real estate in said county and state, to-wit:

A parcel of ground in the southeast quarter of section 28, township 35 north, range 9 east, described by metes and bounds as follows, to-wit: Commencing 198 feet south of the southeast corner of lot 17 in Tibbett's first addition to the village of Wawaka, Indiana, the said point being at the southwest corner of a piece of land formerly owned by Elkhart Township; thence east 12 rods to the east section line of said section 28; thence south along said section line to the intersection of said section line and the highway running in a southeasterly direction through said southeast quarter of the southeast quarter of said section; thence running northwesterly along said highway to the place of beginning.

Also the following real estate described by metes and bounds as follows, to-wit: Commencing at a point on the section line between sections 27 and 28 in township 35 north, range 9 east, 3.06 chains north of the southeast corner of said section 28, running thence west, parallel with the south line of said section 28, 3.92 chains; thence north parallel with the east line of said section 8.78 chains; thence east parallel with the south line of said section 2.59 chains to the center of the Wawaka and Brimfield Road; thence in a southeasterly direction along the center of said road, 9.35 chains to a point .52 chains east of the place of beginning; thence west to the place of beginning, containing 3.25 acres of land, more or less.

If such rents and profits will not sell for a sum sufficient to pay and satisfy said decree, interest and costs, I will at the same time and place offer for sale, at public auction, the fee simple of said real estate, or so much thereof as may be necessary to pay and satisfy said decree, interest and costs.

Said sale to be made without any relief from valuation and appraisal laws.

Dated this 22nd day of August, 1950.

CHARLES F. HAASE,
Sheriff of Noble County.
Porter D. Crowell,
Attorney for Plaintiff.

35-37

PUBLISHER'S AFFIDAVIT

State of Indiana
Noble County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned B. H. Mattheson who, being duly sworn, says that he is owner of the

The Noble County American
a weekly newspaper of general circulation printed and published in the English language in the city of Albion, Indiana town }

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 3 times, the dates of publication being as follows:

August 31st, September 7th and 14th, 1950.

Subscribed and sworn to before me this 21st day of September, 1950

My commission expires 8-27-51

Notary Public

STATE OF INDIANA, NOBLE COUNTY, SS:

IN the Noble Circuit Court of I_ndiana

No.- 15896 Noble County Farm Bureau
Credit Union, Plaintiff

VS

Madeline M. Damon, Defendant.

To Foreclose Mortgage.

The State of Indiana, to the Sheriff of Noble County, Indiana.

Greeting:

Be It Remembered, that on the 18th day of May, 1950, the same being the 10th Judicial day of the May, 1950, term of the Noble Circuit Court of Indiana, held in the Court House in the town of Albion, in said County and State, commencing on the Second Monday in May, the Honorable Fred L. Bodenhafer, Judge of said Court presiding, the following proceedings were had and findings, judgments, decrees and orders of sale made, rendered and entered by said court in the above and foregoing cause, to-wit:

State of Indiana,
County of Noble.

In the Noble Circuit Court
May Term, 1950

No.- 15896 Noble County Farm Bureau)
Credit Union, Plaintiff)
vs)
Madeline M. Damon, Defendant.)

fore
Decree for/Closing Mortgage.
w.e. furnished by counsel

Comes now the plaintiff by Porter D. Crowell, its attorney, and comes also the defendant Claude V. Barker, her attorney, and it appearing to the satisfaction of the Court that a sheriff's return of summons issued in this cause, which summons and the return of the sheriff endorsed thereon are in words and figures as follows, to-wit: (h.i.). that the defendant, Madeline M. Damon, has been duly served with process more than ten days before the first day of the present term of this court, and it further appearing to the satisfaction of the court that the defendant has filed an answer in words and figures as follows, to-wit: (h.i.). and the issues now being closed, said cause is submitted to the court for trial without the intervention of a jury.

The Court being fully advised in the premises finds that there is due the plaintiff from the defendant, Madeline M. Damon, upon the note sued on, the sum of \$721.01, and the further sum of \$97.00 Dollars as a fee for plaintiff's attorney, without relief from valuation and appraisement laws. The Court further finds that said sums are secured by the mortgage which was sought to be foreclosed by the complaint herein, that said mortgage was duly recorded on the 9 9th day of July, 1946, and that the plaintiff is entitled to have said mortgage closed as against said defendant.

It is therefore considered and adjudged by the Court that the plaintiff recover of the defendant, Madeline M. Damon the sum of \$818.01, together with its costs laid out and expended taxed at \$_____, without any relief from valuation or appraisement laws.

It is further considered and decreed by the Court that the equity of redemption of the defendant, Madeline M. Damon, and all persons claiming from, under or through her, in and to said mortgaged premises, to-wit:

The following described real estate in Noble County, State of Indiana, to-wit: A parcel of ground in the southeast quarter of the southeast quarter of section 28, township 35 north, range 9 east described by metes and bonds as follows, to-wit: Commencing 198 feet south of the southwest quarter of lots 17 in Tibbott's ^{first} Addition to the Village of Wawaka, Indiana, the said point being at the southwest corner of a piece of land formerly owned by Elkhart Township; thence east 12 rods to the east section line of said section 28; thence south along said section line to the intersection of said section line and the highway running in a southeasterly direction through said south-east quarter of the southeast quarter of said section; thence running ~~west~~ northwesterly along said highway to the place of beginning;

Also the following real estate described by meters and bounds as follows, to-wit: Commencing at a point on the section line between sections 27 and 28 in township 35 north, range 9 east; 3.06 chains north of the southeast corner of said section 28; ~~running chains north of the southeast corner of said section 28;~~ ~~running~~ thence west parallel with the south line of said section 28 3.92 chains; thence north parallel with the east line of said section 8.78 chains; thence east parallel with the south line of said section 2.59 chains to the center of the Wawaka and Brimfield Road; thence in a southeasterly direction along the center of said road 9.35 chains to a point .52 chains east of the place of beginning, thence west to place of beginning containing 3.25 acres of land more or less.

(b) And the same is forever barred and foreclosed, and that said real estate and all the right, title, interest and claim of the said Madeline M. Damon, and all persons claiming from, under or through her, in and to the same, or so much thereof as may be necessary for that purpose, shall be sold by the sheriff of this county as lands are sold on execution and the proceeds arising from said sale, the sheriff is ordered and directed to apply in the following manner, to-wit:

(a) First to the payment of all costs accrued in this cause, and the costs of said sale;

(B) Second to the payment of the amount found to be due plaintiff herein; in the amount of the judgment herein before rendered, together with interest from this date;

(c) The overplus, if any, remaining after payment of the foregoing judgment, interests and costs, to be paid by the sheriff to the clerk of this court for the use of the defendant, and in the event said mortgaged premises shall fail to sell for sum sufficient to pay and satisfy said judgment, principal, interests and costs, the residue thereof remaining unpaid shall be levied upon the goods, chattels, lands and tenants of the said defendant, Madeline M. Damon, subject to execution, and said sale shall be made without any relief from valuation or appraisement laws.

It is further ordered by the Court that a duly certified copy of this decree under the hand of the clerk and seal of this court shall be sufficient authority to the sheriff to execute the same.

State of Indiana, Noble County, ss:

I, Dorabelle Frymier, Clerk of the Noble Circuit Court of Noble County, in the State of Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, Judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 18th day of May, 1950, as the same appears of record in my office in the Court House at the town of Albion, in said County and State.

In Witness Whereof, I hereunto subscribe my name and hereto affix the seal of said court at my said office this 22nd day of August, 1950.

Dorabelle Frymier
Dorabelle Frymier
Clerk Noble Circuit Court.

You are therefore commanded, after giving the notice required by law, to sell the real estate in the foregoing judgment and decree described as therein directed and as provided by law, without relief from valuation and appraisement laws, and apply the proceeds arising therefrom as therein ordered, and that then of any other property of said defendants, subject to execution, you levy, without relief from valuation and appraisement laws, and balance remaining unpaid of the judgments rendered against said defendant, together with interest and costs and have the same at my office to satisfy said judgment, interest and costs and return this writ with your proceedings endorsed thereon within sixty days from this date.

In Witness whereof, I hereunto subscribe my name and hereto affix the seal of said court at my office in the court house at the town of Albion, in said county and state, this 22nd day of August, 1950.

Dorabelle Frymier
Dorabelle Frymier
Clerk Noble Circuit Court

In the Noble Circuit Court

No.- 15896 Noble County Farm Bureau
Credit Union

vs

Madeline M. Damon

Statement of Costs

Clerk's Costs	\$8.00
Docket Fee	2.00
Sheriff's Fee.....	2.65
	<hr/>
	12.65

State of Indiana, Noble County, ss;

I, Dorabelle Frymier, Clerk of the Noble Circuit Court of Noble County, in the State of Indiana, do hereby certify that the above and foregoing is a full, true and complete statement and list of all the accrued costs in the above entitled cause as the same appears of record in my office.

In Witness Whereas, I hereunto subscribe my name and hereto affix the seal of said court this 22nd day of August, 1950.

Dorabelle Frymier
Dorabelle Frymier

Clerk Noble Circuit Court.

No.- 15896

Noble County Farm Bureau,
Credit Union

vs

Madeline M. Damon

Judg. favor pltf.....	\$818.01
Int. to Issue	12.68
Costs to issue	12.65

Total\$843.34

Ed. 37-P.341

Ob.79-- p.36

J.D.18-66

Ex.12-p.249

FILED
OCT 27 1950

Dorothy Frymier
CLERK NOBLE COUNTY COURT

Porter D. Crowell Attorney