

Burco Employees Federal Credit Union
of Fort Wayne, Indiana

vs

Fred C. Stanley, and Loraine Stanley
Rome City, Indiana

Foreclosure

The State of Indiana, to the Sheriff of Noble County, Greeting:

Be it remembered that on the 23rd day of September, 1949
the same being the 11th Judicial day of the September, 1949
term of the Noble Circuit Court of Indiana, held in the Court
House in the town of Albion in said County and State, commenc-
ing on the second Monday of September, 1949, the Honorable
Fred L. Bodenhafer, Judge of said court presiding, the following
proceedings were had and findings, judgment, 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, SS:

In the Noble Circuit Court,
September Term, 1949.
Cause No. 15928.

Burco Employees Federal Credit Union
of Fort Wayne, Indiana,
Plaintiff

ORDER OF FORECLOSURE.

vs

Fred C. Stanley and Loraine Stanley,
Rome City, Indiana.
Defendants.

Comes now Burco Employees Federal Credit Union, Plaintiff by counsel, and it appearing to the Court by the summons herein, and the return of the Sheriff endorsed thereon, that said defendants have been served with process more than ten days before the first day of the present term of this court, and before the _____ day of _____, 1949, being the date endorsed on plaintiff's complaint for the return day of summons thereon, which said summons and return thereon are in the words and figures as follows, to-wit:
(h i)

And now said defendants, Fred C. Stanley and Loraine Stanley, each being three times audibly called in open court, comes not but herein wholly make default.

And the Court having heard the evidence, and being duly advised in the premises, finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that there is due the plaintiff from defendants on the note sued upon in the complaint the sum of Six Hundred Twenty Dollars (\$620.00), and the further sum of Fifty Dollars (\$50.00), as fees for services of plaintiff's attorney, and which sum plaintiff is entitled to recover from the defendants and each of them, together with the costs of this action, all without relief from valuation or appraisement laws;

And the Court further finds that the sums due plaintiff are secured by the chattel mortgage upon the goods and property described in the complaint; the Court further finds that the said mortgage was duly recorded in the office of the Recorder of Noble

County within ten days after execution, and that at the time of its execution, and at the time it was so recorded, the defendants resided, and ever since have resided, in said Noble County;

And the Court further finds that the plaintiff is entitled to have his mortgage foreclosed and said property sold for the payment and satisfaction of said debt.

It is, therefore considered and adjudged by the Court that the plaintiff have and recover of said defendants, Fred C. Stanley and Loraine Stanley, the said sum of Six Hundred Seventy Dollars (\$670.00), together with the costs and charges paid, laid out and expended.

It is further considered, adjudged and decreed by the Court that the plaintiff's mortgage be foreclosed, and that the goods and property therein named and described as follows, to-wit: One, 1937 Buick Sedan, Serial No. 2876428, Engine No. 830 30649; One, 3 piece Living Room Suite; Two bedroom suites; One Studio Couch; One Philco Radio; One Electric Washer; Oil Stove; Table and Lamp, or so much thereof as may be necessary for that purpose be sold by the Sheriff of Noble County, State of Indiana, as other goods, chattels, and personal property are sold on execution, and the sale to be without any relief from valuation or appraisement laws.

The proceeds arising from said sale to be applied as follows, to-wit:

First, to the payment of the costs and accruing costs herein;

Second, to the payment of the amount found due plaintiff on the claim sued upon herein, being the amount of the judgment hereinbefore rendered, together with interest from this date at the rate of 6% per annum;

Third, the overplus, if any there be, be paid by the Sheriff to the Clerk of this Court for the use of the parties lawfully entitled and authorized to receive the same.

In the event said mortgaged goods and chattels shall fail to sell for a sum sufficient to pay and satisfy said judgment, interest,

costs, and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels and lands and tenements of said defendants, Fred C. Stanley and Loraine Stanley, subject to execution; and sale thereof shall be made without any relief whatever from valuation or appraisement laws.

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, judgment, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 23rd day of September, 1949, 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 6th day of October, 1949.

Dorabelle Frymier
Clerk Noble Circuit Court.

You are therefore commanded, after giving the notice required by law, to sell the said personal property 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, Fred C. Stanley and Loraine Stanley, subject to execution, you levy without relief from valuation and appraisement laws, any balance remaining unpaid of the judgment 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 6th day of October, 1949.

Dorabelle Frymier
Clerk Noble Circuit Court.

In the Noble Circuit Court, Sept. Term, 1949.

No.-15928 Burco Employees Federal Credit
Union of Fort Wayne, Indiana
vs
Fred C. Stanley and Loraine Stanley,
Rome City, Indiana

Statement of costs

Clerk's Costs\$10.00
Sheriff's Fees\$ 2.85

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 Whereof, I hereunto subscribe my name and hereto affix the seal of said court, this 6th day of October, 1949.

Dorabelle Frymier
Clerk Noble Circuit Court.

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Judg. vs deft. 670.00

Int.to date 1.45

Costs to date

$$\begin{array}{r} 12.85 \\ \hline 684.30 \end{array}$$

Ed. 37 P. 373 Ex. 12 P. 232

0.B.78 P.462 JD.18 P.269

FILED
MAY 9 1950

MAY 9 1950

Abigail Thurner

CLERK NOBLE CIRCUIT COURT

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) or 2 weeks out
McKinde Found
P. O. M. 1.

Sheriff Noble County

Sheriff's Fees:

Mileage 2.00

Service .40

D & R. .20

~~2.60~~