

STATE OF INDIANA

SS:

COUNTY OF NOBLE

To the Sheriff of Noble County:

Be it remembered that on the 9 day of July, 1948, the same being the 53rd judicial day of the Noble Circuit Court, the said court rendered the following judgment in the cause wherein the Salem Bank and Trust Company of Goshen, Indiana was the plaintiff and Art Warble was the defendant, to wit:

"Comes now the plaintiff, by counsel, and it appearing to the Court by the summons herein, and the return of the Sheriff endorsed thereon, that said defendant has been served with process, which proof of service has been heretofore made herein, and the Court having heard the evidence and made a finding for the plaintiff in the amount heretofore entered by the judge of this court upon the records of this Court.

And this Court further finds that the sums due plaintiff are secured by the Chattel mortgage upon the goods and property described in the complaint, and the Court further finds that said mortgage was duly recorded in the office of the Recorder of Elkhart County, Indiana within (10) days after its execution, and that at the time of its execution the defendant had said property in Elkhart County, Indiana and now residing in Noble County, Indiana, and the Court further finds that plaintiff is entitled to have its mortgage foreclosed and said property sold for the payment and satisfaction of his debt.

It is therefore considered and adjudged by the Court that the plaintiff have and recover of and from said defendant, Art Warble, the sum of one hundred forty seven (\$147.00) dollars together with fifty (\$50.00) dollars attorneys fees and the costs of this action and all accruing costs, without relief from valuation and appraisement laws.

It is now, therefore, ordered, adjudged and decreed that plaintiffs have and recover judgment in the sum of one hundred ninety seven (\$197.00) dollars against the following described personal property: -One Service Cycle, motor number 14599, upon strict foreclosure of the mortgage described in plaintiff's complaint and that said mortgage be and hereby is strictly foreclosed and said sum of one hundred ninety seven (\$197.00) dollars is declared to be a first lien upon the above described personal property; and the defendant, Art Warble, is hereby ordered and required to pay the amount of said debt and lien to the plaintiff within ten days from date hereof, and it is further ordered and decreed that upon failure to pay said debt and lien within said time the claim, lien, title, interest and equity of redemption of said defendants and each of them in and to the above described personal property shall thereafter be forever barred and foreclosed and the title of said plaintiffs in said property thereafter by reason of such failure is quieted and set to rest as against the defendants and each of them.

The proceeds arising from said sale of the above mentioned personal property 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 herein, being the amount of the judgment hereinbefore rendered, together with interest from this date; third, the overplus, if any there be, to be paid by the sheriff to the clerk of this court for the

use of the party lawfully entitled and authorized to receive the same.

In the event said mortgaged property 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 defendant, Art Warble, subject to execution; and sale thereof shall be made without any relief whatever from valuation or appraisement laws."

You are therefore hereby commanded after giving the legal notice required by law, to sell the personal property in said decree described and in accordance therewith, and in accordance to law, without relief from valuation or appraisement laws, and have the money arising from said sale at the clerk's office in the courthouse in said county, within ninety days from the date thereof, to satisfy said judgment, interest, and costs, and then and there return this writ, with your proceedings indorsed thereon.

Witness my hand and the seal of said court this 16th
day of August, 1948.

Forster R. Black.
Clerk Noble Circuit Court. - Clerk.

This writ came to hand august 16-1948 and I served
by reading to and within hearing of the within named
Art Warble and not finding motor in my bailiwick
return this writ unsatisfied this 16 day of August 1948

Miles 3.00
Service .40
Copy .25
D&R .20
3.85

Charles F. Haas Sheriff
Noble County

No.-15642 Salem Bank & Trust Company)
Goshen, Indiana) Foreclose Mortgage.
vs)
Art Warble)

statement of Costs

Clerk's Costs.....\$8.00
Docket Fee.....\$2.00
Sheriff's Fee.....\$4.25
\$14.25

State of Indiana, Noble County, SS:

I, Porter R. Black, 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 of 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 16th day of August, 1948.

Porter R. Black

Porter R. Black, Clerk
Noble Circuit Court.

STATE OF INDIANA

COUNTY OF NOBLE

taxed

No.-15642 Salem Bank & Trust
Co., Goshen, Indiana
vs

Art Warble

DECREE - ORDER OF SALE

Ex.D.12 P.218

O.B.78 P.184-5

Ed.37 P.87

J.D.18 P.323

FILED
AUG - 9 1948

Robert R. Black
CLERK NOBLE CIRCUIT COURT

MEHL & MEHL
LAWYERS
SCHAEFER BUILDING
GOSHEN, INDIANA