

RETURN ON ORDER OF SALE.

AND on the 8th day of June 1942 in pursuance to the command of this decree I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the 18th day of July 1942 by publication in The Albion New Era 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, 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 thereunto attached and made a part of this return.

And on the day set for the sale of said Real Estate, to-wit:.....

Albion, Indiana. July 18, 1942, 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.....

Received of Marion G. Galloway, Sheriff of Noble County, Indiana, the sum of \$2234.37 to apply on attached order of sale.

Federal Farm Mortgage Corporation.....

By George L. Foote Its Attorney.

| | |
|--------------------|--------------|
| Costs to issue | 15.45 |
| Sheriff costs | 2.80 |
| Sheriff commission | 13.65 |
| Return order sale | 1.00 |
| Advertising | 10.76 |
| | <u>43.66</u> |

~~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^s of, in and to said Real Estate as described in said decree and order of sale..... and Federal Farm Mortgage Corporation...

bid therefor... Twenty Two Hundred Seventy Eight and 03/100 ----- 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 Federal Farm Mortgage Corporation

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 it, I executed to it my Deed certificate of purchase, bearing even date herewith. Paid over to plaintiff...., as per its receipt hereon

Twenty Two Hundred Thirty Four and 37/100 ----- DOLLARS.

Paid over to Clerk.. Forty Three and 66/100 ----- dollars, original costs, and retained dollars, my fees,.....

Printer fee.

Done..... July 18, 1942

Marion G. Galloway Sheriff
Deputy

THE STATE OF INDIANA, } SS:
NOBLE COUNTY,

NOTICE OF SHERIFF'S SALE
OF REAL ESTATE

By virtue of a certified copy of a judgment, decree and order of sale, to me directed from the Clerk of the Noble Circuit Court of Noble County, Indiana in cause of action wherein Federal Farm Mortgage Corporation is Plaintiff and Clara B. Zimmeman, et. al., are defendants, being Civil Cause No. 14120 in said Court requiring me to make the sums of money in said decree provided, and in manner and form as therein provided with interest and costs, I will expose and offer for sale at public auction to the highest and best bidder on Saturday, July 18, 1942 between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day and date, at the east door of the Court House in the town of Albion, Noble County, Indiana, the fee simple together with the rents issues, incomes and profits, of the following described real estate situated in Noble County, Indiana, to-wit:

The west half of the south-west quarter of Section No. 3 in Township 34 north, Range 11 East, containing 80 acres, more or less, but subject to all legal highways or so much thereof as may be necessary to satisfy said judgment and decree, interest and costs.

Said sale will be made without relief from valuation or appraisement laws, and subject to first Mortgage lien held by The Federal Land Bank of Louisville.

MARION G. GALLOWAY,
Sheriff of Noble County, Indiana
Estate & Surety Attorneys

RCP Prickett

being duly sworn, on oath says that he is the publisher of "THE ALBION NEW ERA," a weekly newspaper of general circulation, published in said County, and that the notice of which the annexed is a full, true and complete copy, was published in said paper 3 weeks successively and on the days following, to-wit:

On the 10th, 17th and 24th of June 1942

RCP Prickett

Subscribed and sworn to before me, this 25 day of June 1942.

Dexter R Black Clerk
Noble Circuit Court

Printer's Fee \$ 107⁶

State of Indiana,
County of Noble, SS:

In the Noble Circuit Court,

No. 14120

Federal Farm Mortgage Corporation

vs.

PROOF OF POSTING NOTICE

Clara B. Zimmerman, et al.

Marion G. Galloway being duly sworn upon his oath says that on the 9th. day of June, 1942, he posted a Notice of which the attached Notice is a full, true and exact copy at each of the following public places in Noble County, Indiana, to-wit: One at the east door of the Court House in the town of Albion, Indiana; One in the public highway at the southwest corner of section 3, township 34 north, range 11 east; One at the intersection of the highway in the southeast quarter of the southwest quarter of section 4 in said township; One in the public highway at the northwest corner of the northeast quarter of the southwest quarter of said section 4.

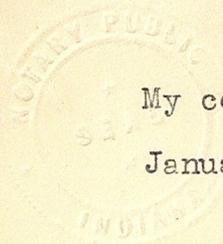
Marion G. Galloway

Subscribed and sworn to before me this 11th. day of June, 1942.

George L. Foote
Notary Public

My commission expires

January 6, 1945.



NOTICE OF SHERIFF'S SALE OF REAL ESTATE

By virtue of a certified copy of a judgment, decree and order of sale, to me directed from the Clerk of the Noble Circuit Court of Noble County, Indiana in cause of action wherein Federal Farm Mortgage Corporation is Plaintiff and Clara B. Zimmeman, et. al., are defendants, being Civil Cause No. 14120 in said Court requiring me to make the sums of money in said decree provided, and in manner and form as therein provided with interest and costs, I will expose and offer for sale at public auction to the highest and best bidder on Saturday, July 18, 1942 between the hours of 10 o'clock a. m. and 4 o'clock p. m. of said day and date, at the east door of the Court House in the town of Albion, Noble County, Indiana, the fee simple together with the rents issues, incomes and profits, of the following described real estate situated in Noble County, Indiana, to-wit:

The west half of the south-west quarter of Section No. 3 in Township 34 north, Range 11 East, containing 80 acres, more or less, but subject to all legal highways or so much thereof as may be necessary to satisfy said judgment and decree, interest and costs.

Said sale will be made without relief from valuation or appraisement laws, and subject to first Mortgage lien held by The Federal Land Bank of Louisville.

MARION G. GALLOWAY,
Sheriff of Noble County, Indiana
Foote & Spangler, Attorneys
for Plaintiff.

Dated: June 8 1942

47w3

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana
No. 14120 Federal Farm Mortgage Corp.)
vs) To Foreclose Mortgage
Clara B. Zimmerman,)
William W. Zimmerman)

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

Be it remembered, that on the 7th day of October, 1941, the same being the 2nd Judicial day of the October, 1941, term of the Noble Circuit County of Indiana, held in the Court House in the town of Albion, in said County and State, commencing on the First Monday of October, 1941, 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:

~~This Judgment~~ June 5, 1942 is Exempt from Intangibles
Tax by reason of:
Having Actual Business Situs outside Indiana
~~Being Specifically Exempted under Sec. 1(b)~~

Patric R. Black
Clerk of Noble Circuit Court

Melrose Printing 2.60
D & R 20
2.80

October 7, 1941 2nd day

State of Indiana,
County of Noble, SS:
Federal Farm Mortgage
Corporation, Plaintiff

In the Noble Circuit Court,
October Term, 1941.

No. 14120

vs

Decree

Clara B. Zimmerman,
William W. Zimmerman,
defendants

Comes now the plaintiff, Federal Farm Mortgage Corporation, by its Attorney's Foote & Spangler, and files affidavit required by Federal Act for relief of persons in Military Service, and the court now finds that the defendants in this action are not in the military service of the United States.

Comes now again the plaintiff, Federal Farm Mortgage Corporation, by its Attorney's Foote & Spangler, and shows to the satisfaction of the court by the summons heretofore issued in this behalf upon its complaint herein, and the ~~xxxx~~ return of the Sheriff thereon endorsed, and the court now finds, that the defendants, Clara B. Zimmerman, and William W. Zimmerman, have been duly and legally served with due and legal summons in this cause more than ten days prior to the 4th day of August, 1941, the return day of said summons, which said summons and the return thereon endorsed are severally in the following words and figures, to-wit: (here insert).

And there being no appearance by, or on behalf of said defendants, Clara B. Zimmerman and William W. Zimmerman, thereupon, on motion of said plaintiff, said defendants, Clara B. Zimmerman and William W. Zimmerman, are three times duly called in open court, Come not but herein wholly make default.

And this cause of action is now submitted to the court for trial without the intervention of a jury upon the default of said defendants Clara B. Zimmerman and William W. Zimmerman and William W. Zimmerman, and the Court having heard the evidence, the argument of counsel and being duly advised in the premises, finds for the plaintiff, upon its complaint herein that the Allegations thereof are true; that there is due plaintiff from the defendants Clara B. Zimmerman and William W. Zimmerman, upon the note, Mortgage, and advancements made by plaintiff under the terms thereof, all as set forth, described and sued upon in plaintiff's complaint, the sum of Two Thousand Two Hundred Eleven Dollars and Fifty Five Cents (\$2211.55), together with the further sum of Forty Dollars (\$40.00), fee for Plaintiff's Attorneys, and the costs of this action, with interest at the rate of five per cent (5%) per annum from the date hereof until paid, without relief from valuation and appraisement laws. And the court further finds that said sums are secured by the mortgage sought to be foreclosed by plaintiff in its complaint, that said mortgage was recorded on the 5th day of October, 1934, in Mortgage Record 89, pages 573-4-5, in the Noble County Recorders Office and constitutes a lien on the mortgaged property prior and superior to all other interests in and or claims on said property, excepting a mortgage given to and held by The Federal Land Bank of Louisville, asserted by any and all of the defendants herein; that any interest in or claim against the mortgaged property asserted by the defendants, Clara B. Zimmerman and William W. Zimmerman, is junior and inferior

October 7, 1941 2nd day

to the lien of plaintiff; that plaintiff is entitled to have said mortgage foreclosed, and one year after the filing of the complaint herein, the mortgaged property sold and the proceeds of the sale applied to the amounts found due the plaintiff.

It is therefore considered, ordered, adjudged and decreed by the court that the plaintiff, Federal Farm Mortgage Corporation, recover of and from the defendants, Clara B. Zimmerman and William W. Zimmerman, the sum of Two Thousand ~~xxx~~ Two Hundred Fifty One Dollars and Fifty Five Cents (\$2251.55), and the costs of this action, with interest at the rate of five per cent (5%) per annum from date hereof until paid, without any relief from valuation or appraisal laws.

And it is further ordered, adjudged and decreed by the court that the equity of redemption of the defendant, Clara B. Zimmerman and William W. Zimmerman, and all persons claiming from, under or through them, in and to said mortgaged premises, the following described real estate, situated in Noble County, State of Indiana, and described as follows, to-wit:

The west half of the southwest quarter of section No. 3, in Township 34 north, Range 11 east, containing 80 acres of land, more or less, but subject to all legal highways, be and the same hereby is forever barred and foreclosed; and the said real estate and all right, title, interest and claim of the defendants, Clara B. Zimmerman and William W. Zimmerman, and of all persons claiming from, under or through them in and to the same, or so much thereof as may be necessary to pay and satisfy plaintiffs judgments herein, to-wit: Two Thousand Two hundred Fifty One Dollars and Fifty Five Cents (\$2,251.55) and costs, shall after one year from the date of filing of the complaint herein, be sold by the Sheriff of Noble County, Indiana, as other lands are sold on execution, said sale to be made without any relief whatsoever from valuation and appraisal laws.

And the proceeds arising from ~~xxx~~ such sale said Sheriff is authorized and directed to apply in the following manner, to-wit:

First: To the payment of all costs accrued in this cause and the costs of sale.

Second: To the payment of the amount found due the plaintiff Federal Farm Mortgage Corporation, being the amount of plaintiff's judgment herein before rendered, together with interest at five percent (5%) per annum from this date.

Third: The overplus, if any, remaining after the payment of the foregoing judgment, interest and costs, shall be paid by said Sheriff to the Clerk of this Court for the use of parties lawfully entitled to receive the same.

It is further ordered that execution and order of sale be withheld until after the expiration of one year from the time of filing complaint herein.

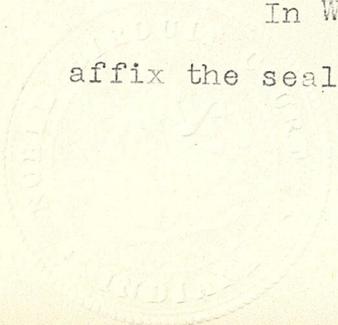
It is further ordered and adjudged by the court that in the event there is no redemption of property as now by law provided, a deed shall be made by the Sheriff at the time of sale to the Purchaser and after the purchaser of said property at Sheriff's Sale shall present to the Clerk of the Noble Circuit Court an affidavit showing that he has exhibited to the occupants of said property the Sheriff's Deed so made to him and demanded the possession of said property from the occupants thereof and that the occupants thereof have refused to deliver possession of said property, the Clerk of the Noble Circuit Court shall issue a Writ of Possession directed to the Sheriff of Noble County Indiana, ordering him to remove said occupants from the possession of said property and place said purchaser or purchasers in possession thereof.

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 attached and foregoing is a full, true and complete copy of the proceedings had and of the finds, judgments, decrees and orders of sale, made, rendered and entered in and by said court in said cause on said 7th day of October, 1941, 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 5th day of June, 1942.



Porter R. Black

Clerk Noble Circuit Court

You are therefore commanded, after giving the notice required by law, to sell the said 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 return this writ with your proceedings indorsed thereon within one hundred and eighty 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 June, 1942.



Porter R. Black

Clerk Noble Circuit Court.

In the Noble Circuit Court

No. 14120 Federal Farm Mortgage Corp.

vs

Clara B. Zimmerman, et al

Statement of Costs

| | |
|---------------------|--------|
| Clerk's Costs..... | \$8.00 |
| Docket fee..... | \$2.00 |
| Sheriff's fee..... | \$3.45 |
| Transcript Fee..... | \$2.00 |

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 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 5th day of June, 1942.



Porter R. Black
Clerk Noble Circuit Court.

No. 14120

In the Noble Circuit Court

No. 14120 Federal Farm Mortgage Corp.
vs
Clara B. Zimmerman
William W. Zimmerman

Judg. favor plft.....\$2251.55
Int. to issue..... 74.75
Costs to issue..... 15.45
Total..... 2341.75

Ed. 34 P.312 OB.75 P.33-36
J.D.17 P.355 Ex.D.12 P.154

Foote & Spangler, attorneys

FILED
JUL 25 1942
Robert R. Black
CLERK NOBLE CIRCUIT COURT