

NOTICE OF SHERIFF'S SALE  
OF REAL ESTATE.

State of Indiana,  
County of Noble, ss:  
Cause No. 14110.  
City of Kendallville, Indiana,  
vs.

Curtis Rutledge  
Notice of Sheriff's Sale of Real  
Estate.

By virtue of a certified copy of a decree to me directed from the Clerk of the Noble Circuit Court in the cause wherein City of Kendallville, Indiana, is plaintiff, and Curtis Rutledge is defendant, requiring me to make the sum of \$34.02, with interest and costs, I will offer for sale at public auction to the highest bidder, on the 29th day of November, 1941, between the hours of 10:00 o'clock A. M. and 4:00 o'clock P.M., at the east door of the Court House, in the Town of Albion, Indiana, the rents and profits for a term not exceeding seven (7) years, the following described real estate in said County and State, to-wit:

Lot No. 9, in Block No. 1, in Oakdale Addition to the City of Kendallville, Indiana.

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 and costs.

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

Dated this 3rd day of November, 1941.

MARION G. GALLOWAY,  
Sheriff of Noble County, Indiana.  
Porter D. Crowell,  
Attorney for Plaintiff.  
(Nov 4 11 18)

STATE OF INDIANA }  
NOBLE COUNTY } ss

Noble Circuit Court November 26, 1941

Personally appeared Hellie D. Shaffer, bookkeeper  
of THE KENDALLVILLE DAILY NEWS-SUN; a daily newspaper of general circulation, published in the City of Kendallville, in the county aforesaid, who, being duly sworn, upon her oath says that the notice, of which the attached is a true copy, was duly published in said paper for 3 weeks successively, to-wit:

On the 4 day of Nov. 1941 On the 18 day of Nov. 1941

On the 11 day of Nov. 1941 On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Signed Hellie D. Shaffer

Subscribed and sworn to this 26 day

of November 1941

[SEAL]

Lorraine Seidel nee Kaden

My commission expires August 28, 1944

# SHERIFF'S CERTIFICATE OF SALE

I, Marion G. Galloway Sheriff of Noble County, in the State of Indiana, certify that I have this day sold by virtue of an order of execution to me directed from the Clerk of the Circuit Court of Noble County, Indiana, issued on the 21st day of October, 1934 in a case wherein City of Kendallville, Indiana plaintiff and Curtis Rutledge

defendant wherein judgment was rendered on the 6 day of June, 1934 for the sum of \$18.06 dollars and cents, principal and interest to date of judgment, and the further sum of dollars and cents, costs accrued to that date, upon which there has accrued interest and \$31.37 dollars and cents costs making in all \$49.43 dollars and cents principal and interest, and cents cost to date of sale; making total amount due

And the said Marion G. Galloway as Sheriff aforesaid, advertised for sale, according to law, or levied said upon the following described real estate as property of defendant on the 5th day of November, 1941, to-wit: Lot No. 9 in Block 1 in Oakdale Addition to the City of Kendallville, Indiana.

And said sale was set for the 29th day of November, 1941 and the said Marion G. Galloway Sheriff as aforesaid, did upon said day, between the hours prescribed by law, at door of the Court House of Noble County, offer for sale at public auction,

(Over)

# SHERIFF'S CERTIFICATE OF SALE

Sheriff Noble County  
- TO -

## CERTIFICATE OF SALE

**FILED**  
DEC - 4 1941  
*Barton R. Black*  
CLERK NOBLE CIRCUIT COURT

SHERIFF.

the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefore, he did then and there offer for sale at public auction the fee-simple of said real estate, and City of having bid the sum of \$49.43 dollars and cents, and no persons bidding more, the same was, in due form openly struck off to the said City of Kendallville, Indiana being the highest and best bidder therefore, and that being the highest and best price paid for the same; and the said paid the amount so bid by City of Kendallville, Indiana The aforesaid certificate will entitle the said City of Kendallville, Indiana the purchaser of said real estate as aforesaid, to deed in fee-simple to said premises in one year from date of sale, if the same is not redeemed by the defendant or any other person entitled thereto, paying the purchase money, with interest at eight per centum per annum, before the expiration of one year from date of sale aforesaid.

NOV. 29 1934  
By Marion G. Galloway Sheriff of Noble County.  
Deputy.

# RETURN ON ORDER OF SALE.

AND on the... 5th ..... day of... November ..... 19. 41 in pursuance to the command of this... Court ..... I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the... 29th ..... day of... November ..... 19. 41, by publication in the... Kendallville News Sun ..... a weekly and daily newspaper of general circulation printed and published in the... City ..... of... Kendallville ..... 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, ... Albion, 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 thereunto attached and made a part of this return.

And on the day set for the sale of said Real Estate, to-wit:.....  
 .... November 29th ..... 19. 41 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.. Lot No. 9 in Block 1 in .....  
Oakdale Addition to the City of .....  
Kendallville, Indiana .....

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.....  
Lot No. 9 in Block 1 in Oakdale Addi- .....  
tion to the City of Kendallville, Indiana. .....

the fee simple right of the defendant.. of, in and to said Real Estate as described in said ... order of .....  
sale to me directed ..... and ... City of Kendallville, Indiana .....

bid therefor..... \$ 49.43 ..... 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 .. City of Kendallville, Indiana .....

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

..... \$ 18.06 ..... DOLLARS.

Paid over to Clerk..... \$ 51.37 ..... dollars, original costs, and retained ..... dollars, my fees,.....

Printer fee.

Done..... November 29 ..... 19. 41

*Manion Galloway* Sheriff  
 Deputy

<i>adv.</i>	<u>\$ 11.00</u>
<i>Cost to view</i>	<u>15.55</u>
<i>Cost of</i>	<u>1.00</u>
<i>Comm.</i>	<u>1.02</u>
<i>Mileage</i>	<u>2.60</u>
<i>DDK</i>	<u>.20</u>
	<hr/>
<u>\$</u>	<u>51.37</u>



No. 14110 The City of Kendallville, Ind.

vs  
Curtis Rutilidge

Comes now the plaintiff by counsel, Porter D. Crowell, and it appearing to the court by summons herein and the return of the sheriff indorsed thereon, that the defendant/ Curtis Rutilidge has been served with process more than ten (10) days (before the 5th day of June, 1941, being the date endorsed on plaintiff's complaint for the return day thereon, which said summons and returns thereon are in words and figures as follows, to-wit; (H.I.).

And now said defendant are three times audibly called in open court come 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; that the plaintiff is the owner and holder in due course of improvement bonds issued for the improvement of certain streets in the city of Kendallville, as in the complaint set forth; that the value of the services and materials in the construction of said work is \$13.06 and that the value of the services of plaintiff's attorney in this action is \$5.00; that there is due the plaintiff on the assessment as made and set out in the complaint \$18.06; and the court further finds that the plaintiff has and holds a lien upon the real estate described in plaintiff's complaint for the value of the said services and attorney's fees, and to the amount of said assessment, and that the plaintiff is entitled to have its lien foreclosed and the same enforced against the real estate described in plaintiff's complaint.

It is therefore considered, adjudged and decreed by the court that the plaintiff have judgment for the sum of \$18.06 together with the costs of this action and that its lien and assessment be foreclosed as against all claims and interests of the defendants in and to the following described real estate in the County of Noble, State of Indiana, to-wit: Lot No. 9 in Block 1 in Oakdale Addition to the City of Kendallville, Indiana; and that a copy of this order and decree, duly certified by the clerk of this court, issue to the sheriff of said Noble County, directing and commanding him to sell said real estate as upon execution, without relief, from valuation or appraisement laws, and to apply the proceeds thereof, first to the payment of costs and accruing cost, then to the payment of the judgment herein, with interest at the rate of six (6%) per annum and that any balance remaining be paid to the defendant as their interest may appear.

Dated this 6th day of June, 1941.

Fred L. Bodenhafer  
Judge Noble Circuit Court.



In the Noble Circuit Court, October Term,  
1941.

No. 14110 The City of Kendallville, Ind.)  
vs )  
Curtis Rutledge ) Foreclose assessment lien.

STATEMENTS OF COSTS.

Clerk's costs.....\$ 10.50  
Docket fee.....\$ 2.00  
Sheriff's fee.....\$ 3.05

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 affix the seal of said court this 21st day of October, 1941.

  
*Porter R. Black*  
Clerk Noble Circuit Court.

Cause No. 14110  
Ex. No. 3209

No. 14110 The City of Kendallville, Ind.

vs  
Curtis Rutledge

Judg. favor pltf.....\$18.06  
Costs to issue.....\$15.55  
Interest to issue.....\$ .41  
*total* 34.02

O.B. 7<sup>1</sup>/<sub>4</sub> P.617 Ed. 34 P. 301  
J.D. 17 P.255 Ex. 12 P. 132

Porter D. Crowell, Attorney

**FILED**  
DEC - 4 1941  
*Porter D. Crowell*  
CLERK NOBLE CIRCUIT COURT

