

NOTICE OF SHERIFF'S SALE
OF REAL ESTATE.

State of Indiana,
County of Noble, ss:
Cause No. 14111.
City of Kendallville, Indiana,

vs.
John Mulholland and et. al.
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 John Mulholland and et. al., are defendants, requiring me to make the sum of five hundred forty-nine and 23-100 dollars (\$549 23), 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 A.M. and 4:00 P.M., at the east door of the Court House, in the Town of Albion, Indiana, the rents and profits for a term of not exceeding seven (7) years, the following described real estate in said County and State, to-wit:

Lot No. 7, in Creager's Addition to the City of Kendallville, Indiana, excepting 60 feet off the south end of said lot.

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 Karlen

My commission expires August 28, 1944

521.55
36.50
558.05

SHERIFF'S CERTIFICATE OF SALE

I, Marion G. Hallway 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 31 day of October, 1941, in a case wherein City of Kendallville, Indiana

plaintiff and John Mulholland et al

defendant... wherein judgment was rendered on the 6 day of June, 1941, for the sum of \$521.55 dollars and 15.95 cents, principal and interest to date of judgment, and the further sum of

\$11.75 dollars and 24.77 cents, costs accrued to that date, upon which there has accrued

interest and \$521.55 dollars and 36.50 cents costs making in all

principal and interest, and \$558.05 dollars and 05 cents cost to date of sale; making total amount due

And the said Marion G. Hallway as Sheriff aforesaid, advertised for sale, according to law, or levied said

upon the following described real estate as property of

on the 5 day of November, 1941

1941, to-wit:

Lot no 7 in Creagis Addition to Kendallville, Indiana, except 60 feet off the south end of said lot.

And said sale was set for the 29 day of November, 1941, and the said

Marion G. Hallway 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)

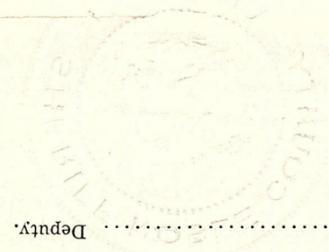
SHERIFF'S CERTIFICATE OF SALE

Sheriff Noble County

CERTIFICATE OF SALE

FILED DEC - 4 1941 Porter R. Blank CLERK NOBLE CIRCUIT COURT

SHERIFF



By Marion G. Hallway Sheriff of Noble County, 1941 Deputy

The aforesaid certificate will entitle the said City of Kendallville, Indiana paid the amount so bid by

being the highest and best bidder therefore, and that being the highest and best price paid for the same; and the said struck off to the said City of Kendallville, Indiana

cents, and no persons bidding more, the same was, in due form openly having bid the sum of \$558.05 dollars and

and there offer for sale at public auction the fee-simple of said real estate, and City of Kendallville, Indiana the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefor, he did then

and there offer for sale at public auction the fee-simple of said real estate, and City of Kendallville, Indiana the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefor, he did then

and there offer for sale at public auction the fee-simple of said real estate, and City of Kendallville, Indiana the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefor, he did then

RETURN ON ORDER OF SALE.

AND on the 5th day of November 1941, 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 1941, 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 1941, 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. 7 in Creager's addition to Kendallville, keeping 60 feet off the south end of said lot

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. 7 in Creager's addition to Kendallville, keeping 60 feet off the south end of said lot

advertising	11.70
costs to issue	15.95
certificates	1.00
Commission	5.05
sheriff mileage	5.60
D.P.R.	20
<u>Total</u>	<u>\$ 36.50</u>

the fee simple right of the defendant^s of, in and to said Real Estate as described in said order of Sale to me directed and City of Kendallville, Indiana bid therefor. 558.05 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 it, I executed to its my certificate of purchase, bearing even date herewith. Paid over to plaintiff, as per its receipt hereon

~~\$ 558.05~~ \$ 521.55 DOLLARS.
Paid over to Clerk. \$ 36.05 dollars, original costs, and retained dollars, my fees,

Printer fee.
Done November 29 1941.
Marion G. Yellowway Sheriff
Deputy

No. 14111 The City of Kendallville, Ind.
vs
John Mulholland, et al.

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 defendants John Mulholland, et al have 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 defendants 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 \$451.58 and that the value of the services of plaintiff's attorney in this action is \$30.00; that there is due the plaintiff on the assessment, as made and set out in the complaint \$521.55; 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 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 \$521.55 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 7 in Greager's addition to the City of Kendallville, excepting 60 feet off the south end of said lot, 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 defendants as their interest may appear.

Dated this 6th day of June, 1941.

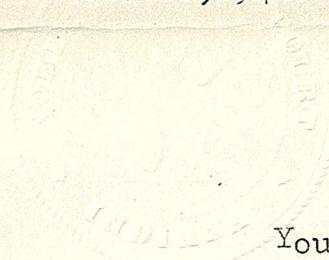
Fred L. Dodenhafer
Judge of Noble Circuit Court.

State of Indiana,

Noble County, SS:

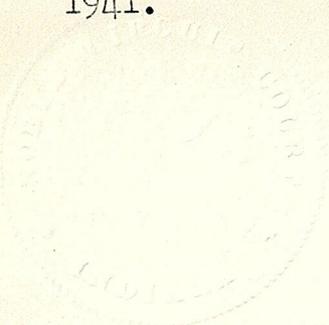
I, Porter R. Black, Clerk of the Noble Circuit Court of Noble County in the State of Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 6th day of June, 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 21st day of October, 1941.


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 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 21st day of October, 1941.


Porter R. Black
Clerk Noble Circuit Court.

In the Noble Circuit Court October
Term, 1941

No. - 14111 The City of Kendallville, Ind.)
vs) To foreclose assessment lien.
John Mulholland, et al)

STATEMENT OF COSTS.

Clerk's costs.....	\$ 8.50
Sheriff's fee.....	\$ 3.45
Docket fee.....	\$ 2.00
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 21st day of October, 1941.

Porter R. Black
Clerk Noble Circuit Court.

Cause No. 141111
Ex. No. 3210

No. 141111 The City of Kendallville, Ind.

vs

John Mulholland, et al

Judge favor plff.....	\$ 521.55
Costs to issue.....	\$ 15.95
Interest to issue.....	\$ 11.73
Total.....	\$ 549.23

O.B. 74 P. 617-18 J.D. 17 P. 201

Ed. 34 P. 302 Ex. D. 12 P. 153

Porter D. Crowell, Attorney

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

