

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 14113 The City of Kendallville, Indiana)

vs)

Etta M. Acker)

To foreclose assessment lien.

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

Greeting:

Be it remembered that on the 6th day of June, 1941, the same being the 23rd Judicial Day of the May, 1941 Term of the Noble Circuit Court of Indiana, held in the Court House in the town of Albion, in said County and State, commencing on the second Monday in May, 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:

No. 14113 The City of Kendallville, Ind.

vs
Etta M. Acker

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, Etta M. Acker, 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 is 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 material in the construction of said work is \$211.82 and that the value of the services of plaintiff's attorney in this action is \$20.00; that there is due the plaintiff on the assessment, as made and set out in the complaint \$231.82; 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 \$231.82 together with the costs of this action and that its lien and assessment be foreclosed as against all claims and interests of the defendant in and to the following described real estate in the county of Noble, State of Indiana, to-wit: Lot 86 in Iddings 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 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 22nd day of October 1941.

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 22nd day of October, 1941.

Clerk Noble Circuit Court.

In the Noble Circuit Court ,October Term,1941.

No.14113 The City of Kendallville,Ind.)
vs) To foreclose assessment lien.
Etta M. Acker)

STATEMENT OF COSTS.

Clerk's costs.....\$ 8.50
Sheriff's fee.....\$ 3.05
Transcript fee.....\$ 2.00
Docket 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 22nd day of October,1941.

Clerk Noble Circuit Court.



No. 14113 The City of Kendallville, Ind.

vs

Etta M. Acker

Judg. favor pltf.....\$231.82

Costs to issue.....\$ 15.55

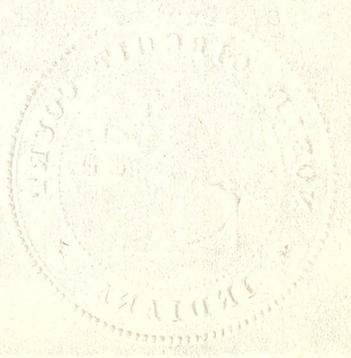
Interest to issue.....\$ 5.23

Total.....\$252.60

O.B. 74 P. 618 Ed. 34 P. 304

J.D. 17 P. 5 Ex. D. 12 P. 135

Porter D. Crowell, Attorney



*Returned by order
of pltf's atty: bond judgment
paid direct*

Oct - 1941