

State of Indiana)
(SS:
County of Noble)

IN THE NOBLE CIRCUIT COURT
OF NOBLE COUNTY
STATE OF INDIANA
No. 13798

Churubusco State Bank,
Trustee,

Vs

Charles Lock,
John Singleton, Guardian
of Charles Lock,
Francis M. Sondag

PROOF OF POSTING
OF NOTICE OF
SHERIFF'S SALE.

Marion Galloway, Sheriff of Noble County, Indiana, being first duly sworn, upon his oath, says that on the 10th day of June, 1941, he posted written notices of a Sheriff's sale in this proceeding, of which the attached written notice is a true and exact copy, at the following public places in Green Township, Noble County, Indiana:

1. One on a telephone pole on the public highway at the southeast corner of Section Four (4).
2. One on a telephone pole on the public highway at the southeast corner of Section Nine (9).
3. One on a telephone pole on the public highway at the southeast corner of Section Eight (8).

He further says that on the same date he posted one of said notices on the bulletin board at the East door of the Court House in Albion, Noble County, Indiana.

Further affiant saith not.

Marion Galloway

Subscribed and sworn to before me this 12th day of July, 1941.

Claude V. Barker
Notary Public

My commission expires

Jan 1, 1943

C O P Y
SHERIFF'S SALE.

CHURUBUSCO STATE BANK, TRUSTEE)	No. 13798.
)	
VS.)	In the Noble Circuit Court
)	
CHARLES LOCK)	of Noble County,
)	
JOHN SINGLETON, Guardian of)	State of Indiana.
Charles Lock)	
)	
FRANCIS M. SONDAY)	

By virtue of an Order of Sale, to me directed and delivered by the Clerk of said Court, in the above entitled cause, I have levied upon and will expose for sale by PUBLIC AUCTION, at the Court House Door, East entrance first floor in the Town of Albion, Noble County, Indiana, between the hours of 10 o'clock A. M. and 4 o'clock P. M., on the 12th day of July, 1941, the following described real estate in Noble County, Indiana, to-wit:

The East Half of the Northeast Quarter of Section Twenty-nine (29), Township Thirty-three (33) North, Range Ten (10) East, said real estate being and lying in Noble County, Indiana.

Commencing at a point ninety-nine (99) rods, Twenty-seven (27) feet and twelve (12) inches west of the Northeast corner of the North Half of the Southeast Quarter of Section Nineteen (19), in Township Thirty-three (33) North of Range Ten (10) East; thence South Eighty (80) rods; thence West Forty-three (43) rods, eleven (11) feet and six (6) inches; thence North Eighty (80) rods; thence East Forty-three (43) rods, Eleven (11) feet and Six (6) inches to the place of beginning, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide is to be used for the purpose of a road and driveway along and over the South side thereof.

Commencing Eighty-five (85) rods, Eighteen (18) feet and Eight (8) inches West of the Northeast corner of the North Half of the Southeast quarter of Section Nineteen (19) and running thence South Eighty (80) rods; thence West Fourteen (14) rods nine (9) feet and four (4) inches; thence North Eighty (80) rods; thence East Fourteen (14) rods, Nine (9) feet and Four (4) inches by parallel lines, containing Seven (7) acres and Fifty-seven (57) rods, more or less, it being a part of the North Half of the Southeast Quarter of Section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the south side of said land.

Commencing Seventy-one (71) rods, Nine (9) feet and Four (4) inches West of the Northeast corner of the North Half of the southeast quarter of Section Nineteen (19) and running thence south Eighty (80) rods; thence West Fourteen (14) rods, Nine (9) feet and Four (4) inches; thence North Eighty (80) rods; thence East Fourteen (14) rods, Nine (9) feet and

four(4) inches to the place of beginning, by parallel lines containing Seven (7) acres and Fifty-seven (57) rods more or less, being a part of the North Half of the Southeast Quarter of Section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the south side of said land;

together with rents, issues, income and profits thereof, said property taken as the property of the defendants to satisfy said order of sale pursuant to and by virtue of the provisions of the acts of Chapter 90 of the Acts of the General Assembly of the State of Indiana for 1931.

Marion Galloway
Sheriff Noble County, Indiana

Perry E. Ort
Barrett, Barrett & McNagney
Attorneys

FILED
JUL 1 1931
CLERK OF COURT
Noble County, Indiana

CAME TO HAND, June 10th, 1941, at 9:00 o'clock A. M., and I advertised the within described Real Estate, by first giving due and legal notice of the time and place of sale, by posting printed notices thereof in three public places in Green Township, and one at the Court House door of Noble County, Indiana; and also by publication once each week for three successive weeks in The Albion New Era, a weekly newspaper of general circulation, printed in the English language and published in said County, the first of which publication was at least thirty days before the date of sale. Said sale was set for the 12th day of July, 1941, and the amount of the judgment, interest and costs for the payment or satisfaction which the sale was ordered, not having been paid, I did, on said day, at the door of the Court House of said County, between the hours prescribed by law, at public auction, sell the following described Real Estate, together with rents, issues, income and profits thereof, to-wit:

The East Half of the Northeast Quarter of Section Twenty-nine (29), Township Thirty-three (33) North, Range Ten (10) East, said real estate being and lying in Noble County, Indiana.

Commencing at a point ninety-nine (99) rods, Twenty-seven (27) feet and twelve (12) inches west of the Northeast corner of the North Half of the Southeast Quarter of Section Nineteen (19), in Township Thirty-three (33) North of Range Ten (10) East; thence South Eighty (80) rods; thence West Forty-three (43) rods, eleven (11) feet and six (6) inches; thence North Eighty (80) rods; thence East Forty-three (43) rods, Eleven (11) feet and six (6) inches to the place of beginning, said real estate being and lying in Noble County, Indiana. A space twelve (12) feet wide is to be used for the purpose of a road and driveway along and over the South side thereof.

Commencing Eighty-five (85) rods, Eighteen (18) feet and Eight (8) inches West of the Northeast corner of the North Half of the Southeast quarter of Section Nineteen (19) and running thence South Eighty (80) rods; thence West Fourteen (14) rods nine (9) feet and four (4) inches; thence North Eighty (80) rods; thence East Fourteen (14) rods, Nine (9) feet and Four (4) inches by parallel lines, containing Seven (7) acres and Fifty-seven (57) rods, more or less, it being a part of the North Half of the Southeast Quarter of Section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the south side of said land.

Commencing Seventy-one (71) rods, Nine (9) feet and Four (4) inches West of the Northeast corner of the North Half of the southeast quarter of Section Nineteen (19) and running thence south Eighty (80) rods; thence West Fourteen (14) rods, Nine (9) feet and Four (4) inches; thence North Eighty (80) rods; thence East Fourteen (14) rods, Nine (9) feet and Four (4) inches to the place of beginning, by parallel lines containing Seven (7) acres and Fifty-seven (57) rods more or less, being a part of the North Half of the Southeast Quarter of Section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the South side of said land, all of said real estate being located in Noble County, State of Indiana.

and Churubusco State Bank, Trustee, did then and there bid the sum of Four Thousand One Hundred Six Dollars and Forty-four Cents (\$4106.44), and no person bidding more, the same was in due form openly struck off to the said Churubusco State Bank, Trustee, it being the highest and best bidder therefor, and that being the highest and best price bid for the same, and the said Churubusco State Bank, Trustee, having paid said sum I executed and delivered to it a Deed of conveyance of said premises, and I have paid Porter Black, Clerk

One Hundred Six Dollars Forty Four Cents
~~Forty-two Dollars and Four Cents (\$42.04)~~ (10644) all costs

made and accrued hereon, except ~~Sixty-four Dollars and Forty Cents (\$64.40)~~, which I retain as my own cost, and this writ is returned

fully satisfied.

Marion Galloway
Sheriff Noble County.

Advertising	\$24.04
Sheriff Mileage	1.70
D + R.	.20
Costs to issue	18.00
Deed	1.00
Sheriff Commission	61.50
	<u>\$106.44</u>

FILED

CLERK NORTHERN COUNTY

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13798 Churubusco State Bank, Trustee)

vs

Foreclosure.

Charles Lock, et al. }

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

Be it remembered that on the 31st day of May, 1940 the same being the
17th judicial day of the May, 1940 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, 1940, the Honorable
Fred L. Dodenhafer, 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 fore-
going cause, to-wit:

This Judgment June 10th 1941 is exempt from Intangibles
Tax by reason of:
~~Having Actual Business Situs outside Indiana~~
Being Specifically Exempted under Sec. 1 (b)

Porter R. Black
Clerk of Noble Circuit Court

No. 13798.

State of Indiana

Noble County, SS:

In the Noble Circuit Court

CHURUBUSCO STATE BANK, TRUSTEE

VS.

DECREE

CHARLES LOCK, ET AL

Comes now Churubusco State Bank, Trustee, by Perry Ort and Barrett, Barrett & McNagney, its attorneys, and come now the defendants, Charles Lock and John Singleton, Guardian of Charles Lock, by Ralph Probst, their attorney and withdraws demurrer filed herein and file their joint and several answers of general denial to plaintiff's complaint, which answers are in the following words and figures, to-wit: (H.I.). And comes now the defendant, Francis M. Sonday, and waives the issuance and service of summons and enters his appearance herein in person and files disclaimer herein, which written waiver, appearance, and answer are in the following words and figures, to-wit: (H.I.) And this cause now being at issue on the plaintiff's complaint and the answers of the defendants is now submitted to the Court for hearing and trial without the intervention of a jury.

And the Court having heard the evidence adduced and the argument of counsel and being duly advised in the premises now finds for the plaintiff on its complaint and that the allegations thereto are true and duly proven.

The Court further finds that the plaintiff is the owner and holder of the notes and mortgage described in its complaint and that there is due the plaintiff on said notes and mortgage the principal sum of Two thousand nine hundred sixty six and 59/100 dollars (\$2966.59), the further sum of Seven hundred eleven and 98/100 dollars (\$711.98) as interest to the date of this judgment, the further sum of three hundred ninety seven and 21/100 (\$397.21) as taxes on said real estate paid by plaintiff, and the further sum of One hundred ninety two and 27/100 dollars (\$192.27) for the services of plaintiff's attorneys, amounting in all to the aggregate sum of Four thousand two hundred sixty eight and 05/100 Dollars (\$4268.05), all with interest at the rate of six per cent (6%) per annum from the date of this judgment until paid, and costs, all without relief from valuation and appraisement laws.

The Court further finds that said aggregate sum above found to be due to the plaintiff to-wit: (\$4268.05), is secured by the mortgage described in plaintiff's complaint upon the following described real estate situated in Noble County, Indiana, to-wit:

The East Half of the northeast quarter of section Twenty-nine (29), Township Thirty-three (33) north, Range Ten (10) East, said real estate being and lying in Noble County, Indiana.

Commencing at a point ninety-nine (99) rods, Twenty seven (27) feet and twelve (12) inches west of the northeast corner of the north half of the southeast quarter of section Nineteen (19) in township thirty three (33) north of range Ten (10) East; thence south eighty (80) rods; thence West Forty-three (43) rods, eleven (11) feet and six (6) inches; thence north eighty (80) rods; thence East forty-three (43) rods, Eleven (11) feet and six (6) inches to the place of beginning, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide is to be used for the purpose of a road and driveway along and over the South side thereof.

Commencing Eighty-five (85) rods, Eighteen (18) feet and eight (8) inches west of the northeast corner of the north half of the southeast quarter of section nineteen (19) and running thence south Eighty (80) rods; thence West fourteen (14) rods, nine (9) feet and four (4) inches; thence North Eighty (80) rods; thence East fourteen (14) rods, nine (9) feet and four (4) inches by parallel lines, containing seven (7) acres and fifty-seven (57) rods, more or less, it being a part of the north half of the southeast quarter of section nineteen (19), Township Thirty-three (33) north of range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the South side of said land.

Commencing Seventy-one (71) rods, nine (9) feet and Four (4) inches West of the Northeast corner of the North half of the southeast quarter of section Nineteen (19) and running thence South Eighty (80) rods; thence West fourteen (14) rods, nine (9) feet and four (4) inches; thence north eighty (80) rods; thence east Fourteen (14) rods, Nine (9) feet and Four (4) inches to the place of beginning, by parallel lines containing seven (7) acres and fifty-seven (57) rods, more or less, being a part of the north half of the southeast quarter of section nineteen (19), Township Thirty-three (33) north of range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left lying along the South side of said land.

being the real estate described in plaintiff's complaint and supplemental complaint. That the aggregate sum heretofore found due the plaintiff is a first and prior lien upon said above-described real estate, and that plaintiff is entitled to have its said mortgage foreclosed as against each of the defendants to this action upon said above-described real estate and to have said above-described real estate sold for the payment of its said lien.

The Court further finds that the defendant Charles Lock at the time of the institution of this action was the owner of said above-described real estate and that the defendant John Singleton is the duly appointed, qualified, and acting guardian of said defendant Charles Lock, and that said defendant Charles Lock is unmarried and over twenty-one (21) years of age.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiff have and recover of and from the real estate described in plaintiff's complaint and supplemental complaint, the sum of Four thousand two hundred sixty eight and 05/100 Dollars (\$4268.05) together with its costs accrued and accruing in this action laid out and expended, with

interest at the rate of six per cent (6%) per annum from the date hereof until paid, all without relief from valuation and appraisement laws.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the equity of redemption of each and all of the defendants named in this action, and of all persons claiming under, from, or through them, or any of them, in and to said real estate described in plaintiff's complaint and hereinabove described, lying and being in Noble County, State of Indiana, and described as follows, to-wit:

The East half of the northeast quarter of section Twenty-nine (29), Township Thirty-three (33) north, Range Ten (10) East, said real estate being and lying in Noble County, Indiana. Commencing at a point ninety-nine (99) rods, Twenty-seven (27) feet and twelve (12) inches west of the Northeast corner of the North half of the Southeast Quarter of Section Nineteen (19) in Township Thirty-three (33) north of range Ten (10) East; thence South eighty (80) rods; thence West Forty-three (43) rods, eleven (11) feet and six (6) inches; thence north eighty (80) rods; thence East Forty-three (43) rods, Eleven (11) feet and six (6) inches to the place of beginning, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide is to be used for the purpose of a road and driveway along and over the South side thereof.

Commencing Eighty-five (85) rods, eighteen (18) feet and eight (8) inches west of the northeast corner of the north half of the southeast quarter of section nineteen (19) and running thence South Eighty (80) rods; thence West Fourteen (14) rods nine (9) feet and four (4) inches; thence North Eighty (80) rods; thence East fourteen (14) rods, Nine (9) feet and four (4) inches by parallel lines, containing seven (7) acres and fifty-seven (57) rods, more or less, it being a part of the North Half of the Southeast Quarter of Section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the south side of said land.

Commencing Seventy-one (71) rods, nine (9) feet and Four (4) inches West of the Northeast corner of the north half of the southeast Quarter of section Nineteen (19) and running thence South eighty (80) rods; thence West Fourteen (14) rods, Nine (9) feet and four (4) inches; thence North eighty (80) rods; thence East Fourteen (14) rods, Nine (9) feet and Four (4) inches to the place of beginning, by parallel lines containing seven (7) acres and Fifty-seven (57) rods more or less, being a part of the North Half of the Southeast Quarter of section Nineteen (19), Township Thirty-three (33) North of Range Ten (10) East, said real estate being and lying in Noble County, Indiana. A space Twelve (12) feet wide for the purpose of a road to be left along the South side of said land.

be, and the same hereby is forever barred and foreclosed; that said above-described real estate and all right, title, claims, and interest of each and all of the defendants to this action and of all persons claiming from, under, or through them, or any of them, in and to said real estate, or so much thereof as may be necessary for that purpose be sold by the Sheriff of Noble County, State of Indiana, as a whole as other lands are sold on execution, as provided by Chapter 90 of the Acts of the General Assembly of the State of Indiana for the year 1931, entitled, "An Act Concerning Proceedings in Actions to Foreclose Real Estate Mortgages, Providing for the Sale and Custody of the Mortgaged Premises and Repealing all Laws in Conflict Therewith", that said sale shall be without relief from valuation and appraisement laws, and that the proceeds realized from said sale shall be applied as follows:

1. To the payment of costs and accruing costs herein.

2. To the payment of the amount found due the plaintiff, Churubusco State Bank, Trustee, on its complaint and supplemental complaint herein, in the sum of Four thousand two

hundred sixty eight and 05/100 dollars (\$4268.05).

3. The overplus, if any there be after the payment of the claims above set out shall be paid by the Sheriff of Noble County to the Clerk of this Court, for the use of the person or persons lawfully entitled and authorized to receive the same,

It is further ordered and decreed that the remedy and recovery herein be confined to the proceeds arising from the sale of the mortgaged premises.

It is further ORDERED BY the Court that no order of sale shall issue on this judgment until March 23, 1941.

It is further ORDERED by the Court that a duly certified copy of this decree under the hand of the Clerk and the seal of the Court, shall be sufficient authority to the Sheriff of Noble County, Indiana, to execute the same.

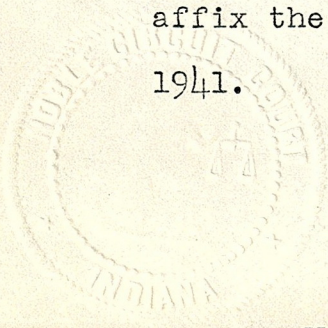
Fred L. Bodenhafer
Judge of the Noble Circuit Court.

State of Indiana,

Noble County, SS:

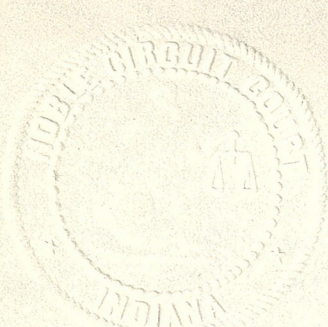
I, Porter R. Black, Clerk of the Noble Circuit Court of Noble County, Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 31st day of May, 1940 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 9th day of June, 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 that then of any other property of said defendant, Charles Lock, et al, subject to execution, you levy, without relief from valuation and appraisement laws, any balance remaining unpaid of the judgments rendered against said defendants, together with interest and costs and have the same at my office to satisfy said judgment, interest and costs and return this writ with your proceedings endorsed thereon within one hundred and eighty days from this date.~~

In Witness Whereof, I hereunto subscribe my name and affix the seal of said court at my office in the Court House at the town of Albion, in said County and State, this 9th day of June, 1941.


Porter R. Black
Clerk Noble Circuit Court.

In the Noble Circuit Court, May Term, 1940.

No. 13798 Churubusco State Bank, Trustee)
vs) Forclosure.
Charles Lock, et al.)

Statements of costs.

Clerk's costs.....\$10.00
Sheriff's fee..... 3.00
Docket fee..... 2.00
Foreign sheriff's fee,,,,,..... 3.00

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 9th day of June, 1941.

Porter R. Black
Clerk Noble Circuit Court



No. 13798
No. 3189

No. 13798. Churubusco State Bank, Trustee

vs

Charles Lock, et al

Judg. favor plttf for-----\$4268.05
Interest to date of issue--\$ 263.19
Costs to issue-----\$ 18.00
\$4549.24

6

Judg. favor plttf for \$4268.05, fore-
closure of mortgage and sale of real
estate ~~No~~ Personal judgment vs Charles
Lock, .

O.B. 74 P.251 J.D. 17 P.175
E.D. 33 P.289 EX.D. 12 P.115

Ort, and Barret, Barret & McNagny

Attys. for plaintiff

FILED
JUL 14 1941

Porter R. Black
CLERK NOBLE CIRCUIT COURT

Proced 6-10-41

1-End door of cement house,

2-Mouth of long fork on Green

Center road on North East

of Cross road of Green

3-Mile at Cross road on

Center East corner of land

North East South of land

4-one mile road on

fork at Cross road

North East corner

Mileage 1.70

Gas .20

Food 1.00

Shuttle Com. 18.00

Costs to issue 18.00

Advertising