

State of Indiana,  
Noble County, ss:

NOTICE OF SHERIFF'S SALE  
OF REAL ESTATE

By virtue of a certified copy of a judgment and decree to me directed from the Clerk of the Noble Circuit Court of Noble County, in the state of Indiana, in a cause wherein Farmers & Merchants Bank is plaintiff and Gladys Christlieb and others are defendants, numbered 13481 upon the dockets of said court, requiring me to make the sum of two hundred fiftyone dollars & seventyeight cents (\$251.78) upon the judgment for the plaintiff upon its complaint, together with interest, costs and the costs of this sale, I will expose at public sale to the highest bidder on Saturday, the 8th day of April, 1939, between the hours of ten o'clock A. M. and four o'clock P. (M. of said day at the door of the Court House in the town of Albion, in Noble County, in the state of Indiana, the rents and profits for a term not exceeding seven (7) years of the following real estate in said Noble County, in the state of Indiana, to-wit:

The undivided one-fourth ( $\frac{1}{4}$ ) of the following: The west half ( $W\frac{1}{2}$ ) of the northeast quarter ( $NE\frac{1}{4}$ ) of section sixteen (16), in township thirty-three (33) north, range eleven (11) east; and, also of sixteen (16) acres off the north end of the west half ( $W\frac{1}{2}$ ) of the southeast quarter ( $SE\frac{1}{4}$ ) of said section sixteen (16), township thirty-three (33) north, range eleven (11) east, the south line of said sixteen acre tract being parallel with the north line of said southeast quarter of said section.

If the rents and profits will not sell for a sum sufficient to satisfy said decree, interest and costs, I will at the same time and place expose at public sale the fee simple of said real estate, or so much thereof as may be sufficient to discharge said decree, interest and costs.

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

ROSCOE RIMMEL,  
Sheriff of Noble County, Indiana.  
Glenn E. Thrapp, Attorney for plaintiff.

10-12

B. R. Matteson, being duly sworn, on oath, says that he is the Publisher of THE NOBLE COUNTY DEMOCRAT, a weekly newspaper of general circulation, published in Noble County, and that the notice, of which the annexed is a copy, was published in

said paper 2 weeks successively, and on the days following, to-wit:

On the 9th, 16th,

and 23rd days

of March, 1939.

Signed B. R. Matteson

Subscribed and sworn to before me this 24th day of

March 1939.

David Huntis

Clerk—Notary Public

My Commission Expires \_\_\_\_\_ 19\_\_

Printer's fees, \$ 14.04



# SHERIFF'S CERTIFICATE OF SALE

I, Roscoe Rimmel Sheriff of  
Noble County, in the State of Indiana, certify that I have this day sold by virtue of a certified copy of a  
judgment and decree  
to me directed from the Clerk of the Circuit Court of Noble County, Indiana, issued on  
the 24th day of February, 1939 in a case wherein Farmers and  
Merchants Bank was

plaintiff and Gladys Christlieb and others were  
defendant 9 wherein judgment was rendered on the 28th day of January, 1939  
for the sum of 251 dollars and 78 cents,  
principal and interest to date of judgment, and the further sum of 17  
dollars and 15 cents, costs accrued to that date, upon which there has accrued  
4 dollars and 18 cents  
interest and 22 dollars and 82 cents  
costs making in all 255 dollars and 96 cents  
principal and interest, and 39 dollars  
and 97 cents cost to date of sale; making total amount due  
295 dollars and 93 cents  
And the said Roscoe Rimmel as Sheriff aforesaid, advertised for sale,  
according to law, ~~the following~~  
upon the following described real estate ~~as property~~

on the 8th day of March  
1939, to-wit: The following in Noble County, state of Indiana:  
The undivided one-fourth ( $\frac{1}{4}$ ) of: The west half ( $W\frac{1}{2}$ ) of the north-  
east quarter ( $NE\frac{1}{4}$ ) of section sixteen (16), in township thirty-three (33)  
north, range eleven (11) east; and also, of sixteen (16) acres off the  
north end of the west half ( $W\frac{1}{2}$ ) of the southeast quarter ( $SE\frac{1}{4}$ ) of said  
section sixteen (16), township thirty-three (33) north, range eleven (11)  
east, the south line of said sixteen acre tract being parallel with the  
north line of said southeast quarter of said section;

And said sale was set for the 8th day of April, 1939 and the said  
Roscoe Rimmel 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

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 Farmers and  
Merchants Bank  
having bid the sum of 295 dollars and 93 cents, and no persons bidding more, the same was, in due form openly  
struck off to the said Farmers and Merchants Bank  
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 Farmers and Merchants Bank  
The aforesaid certificate will entitle the said Farmers and Merchants Bank  
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.  
Apr 11 8, 1939  
By Roscoe Rimmel Sheriff of Noble County.  
Deputy.



SHERIFF'S RETURN ON ORDER OF SALE.

The within decree and order of sale came to hand February 24, 1939, and in obedience to its command I advertised the real estate therein described for sale at public auction at the door of the court house of the county of Noble, in the state of Indiana, on the 8th day of April, 1939, between the hours of 10 o'clock A.M. and 4 o'clock P.M. of said day, by publication in the Noble County Democrat, a weekly newspaper of general circulation, printed in the English language, printed and published in the town of Albion, in said Noble County, Indiana, for more than three weeks successively, which notice<sup>was</sup>/so published in said newspaper on the 9th day of March, 1939, the 16th day of March, 1939, and on the 23rd day of March, 1939, and a copy of which notice, together with due proof of the due publication thereof is hereto attached and made a part of this return; that I further advertised said real estate for sale by posting printed notices thereof on the 8th day of March, 1939, as follows: One at the door of the court house of said Noble County, in the town~~x~~ of Albion, Noble County, Indiana, and by posting at the three following public places in Swan Township, in said Noble County, state of Indiana, said Swan Township being the civil township in which said real estate is situated, to-wit:

One on a pole in the highway near the Hopewell Church;

One on a pole in the highway near the F. D. Renkenberger farm in section 7 in said township;

One on a pole in the public highway at the intersection of the north line of section 11 in said township with State Road Number 3.

That I poseted each of said notices in public places in said township and that a copy of said notices so posted, is attached to this return and is made a part hereof and is marked Exhibit A;



That on the day set for said sale, to-wit: April 8, 1939, between the hours of 10 o'clock A. M. and 4 o'clock P.M. at the door of the court house in said town of Albion, Noble County, Indiana, I then and there offered for sale at public auction, to the highest and best bidder for cash, the rents and profits of the land described in the within decree, to-wit:

The following real estate in Noble County, state of Indiana:

The undivided one-fourth ( $\frac{1}{4}$ ) of the following: The west half ( $W\frac{1}{2}$ ) of the northeast quarter ( $NE\frac{1}{4}$ ) of section sixteen (16), township thirty-three (33) north, range eleven (11) east; and also of sixteen (16) acres off the north end of the west half ( $W\frac{1}{2}$ ) of the southeast quarter ( $SE\frac{1}{4}$ ) of said section sixteen (16), township thirty-three (33) north, range eleven (11) east, the south line of said sixteen acre tract being parallel with the north line of said southeast quarter of said section; for the separate terms of one, two, three, four, five, six and seven years, and I received no bid therefor.

Thereupon I offered for sale at public auction, for cash, to the highest and best bidder, the fee simple right and title in and to said real estate and thereupon Farmers and Merchants Bank, of LaOtto, Indiana, bid for said real estate the sum of Two hundred ninety five dollars and ninety three cents (\$295.93) and said sum being the highest and best bid received therefor, said real estate was then and there openly struck off and sold to said Farmers and Merchants Bank, of LaOtto, Indiana.

And the purchaser then paid to me the amount of its bid and I thereupon executed and delivered to it my certificate of purchase of even date herewith.

And the said sum so received I paid as follows:



Farmers and Merchants Bank, of LaOtto, Ind.

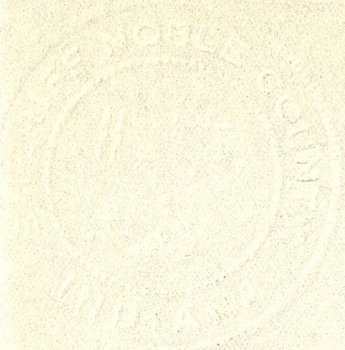
judgment and interest-----\$ 255.96

Harold V. Curtis, Clerk, costs as follows:

Costs to issuance of sale order-----	17.15
Printer's fee-----	14.04
Sheriff's commission-----	3.98
" mileage-----	3.20
" service, docket and return-----	.60
" Certificate of sale-----	<u>1.00</u>
Total accounted for-----	\$ 295.93

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And I return the above order of sale thus satisfied this  
8th day of April, 1939.

  
Roscoe Rimmel  
Sheriff of Noble County.

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April 8, 1939.

Received of Roscoe Rimmel, as sheriff of Noble County, the sum of  
Two hundred fifty-five dollars and ninety-six cents (\$255.96) in satis-  
faction of the judgment referred to above.

Farmers and Merchants Bank,

By Blair E. Huest  
Its Attorney.



State of Indiana, Noble County, SS: /

In the Noble Circuit Court of Indiana.

No. 13481. Farmers & Merchants Bank,	)	
vs	)	Fcl. Mtg.
Gladys Christlieb, Curtis	)	
Christlieb, her husband and	)	
Eva Frankenberg.	)	

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

Be it remembered, that on the 28th day of January, 1939, the same being the 24th Judicial day of the January, 1939 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 first Monday of January, 1939, the Honorable George L. Foote, Judge pro tem 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 Judge JAN 28 9 1939  
Tax by reason of: is Exempt from Intangibles  
Having Actual Business Situs outside Indiana  
Being Specifically Exempted under Sec. 1 (b)  
Harold Curtis  
Clerk of Noble Circuit Court



1-28-39- 24th day

No. 13481.

Farmers & Merchants Bank,  
Plaintiff,

vs

Pol. Mtg.  
DECREE

Gladys Christlieb, Curtis  
Christlieb, her husband and  
Eva Frankenberg,  
Defendants.

Comes now the plaintiff by its attorney, and it appearing to the court by the summons herein and the return of the Sheriff endorsed thereon, which summons and return are in the words and figures following, to-wit: (here insert) And that the defendants Gladys Christlieb, Curtis, Christlieb, her husband, and Eva Frankenberg have each been duly served with process more than ten days before the day fixed by the plaintiff by endorsement on its complaint, for the defendants to appear and answer said complaint, and more than ten days prior to the present date, each of said defendants are now each three times loudly called in open court, but each and all said defendants come not, but herein wholly make default.

And said cause is now submitted to the court for trial upon said complaint and said defaults, without the intervention of a jury, and the court having heard the evidence and the argument of counsel, and being duly informed in the premises finds for the plaintiff that the allegations of the plaintiff's complaint are true and fully proven; that there is due the plaintiff from the defendants on the note sued on the sum of Two hundred fifty one dollars and seventy eight cents (\$251.78) without relief from valuation and appraisement laws; that said sum is secured by the mortgage which is sought to be foreclosed; that said mortgage was duly recorded on the 21st day of August 1924, and that plaintiff is entitled to have said mortgage foreclosed against all said defendants.

It is therefore considered and adjudged by the court that the plaintiff recover of the defendants Gladys Christlieb, Curtis Christlieb and Eva Frankenberg the sum of <sup>dollars</sup> Two hundred fifty one/and seventy eight cents, without relief from valuation or appraisement laws, such judgment shall bear interest at the rate of eight (8) per cent per annum from the date of rendition thereof.

It is further ordered, adjudged and decreed by the Court that said plaintiff's said mortgage and the mortgage debt secured thereby is a valid and subsisting and first lien on all the real estate hereinbefore described, prior, superior and paramount to any and all rights, titles, interests, liens and claims of each and all of the defendants to this action therein, thereon or thereto and that said mortgage be, and the same hereby is, foreclosed on all said real estate therein described as to and against each and all of the defendants to this cause of action and all persons claiming from, under or through them, or any of them, and that upon default in the full payment and satisfaction of plaintiff's said mortgage debt and costs before the time fixed for such sale, all of the real estate in said mortgage described, to-wit:



said real estate being all situate in Noble County, State of Indiana and described as follows: The west half ( $W\frac{1}{2}$ ) of the northeast quarter ( $NE\frac{1}{4}$ ) of section sixteen (16), in township thirty-three (33) north, range eleven (11) east; and, also, of sixteen (16) acres off the north end of the west half ( $W\frac{1}{2}$ ) of the southeast quarter ( $SE\frac{1}{4}$ ) of said section sixteen (16), township thirty-three (33) north, range eleven (11) east, the south line of said sixteen acre tract being parallel with the north line of said southeast quarter of said section; or so much thereof as may be necessary, and all the rights, titles, interests and claims of the defendants to this cause of action and each of them, and all persons claiming from, under or through them, or any of them, in and to the same, shall be sold as provided by law by the Sheriff of said Noble County upon a duly certified copy of the judgment, order and decree herein under the hand of the Clerk and the seal of this court, after first duly advertising the same as provided by law, in like manner as lands are sold upon execution issued upon judgments at law for the payment of plaintiffs' said mortgage debt and costs; that such sale be made without an relief whatever from valuation and appraisement laws, and that the proceeds arising therefrom shall be applied as follows, to-wit: First, to the payment of all costs accrued in this cause of action including the costs of such sale; Second, to the payment of said mortgage debt and judgment, principal and interest of said plaintiff, and Third, the overplus, if any remaining, shall be paid to the party or parties thereto entitled by law.

And it is further considered, ordered, adjudged and decreed by the court that upon the final consummation of the sale herein ordered and the completed conveyance by the Sheriff to the purchaser or purchasers of the real estate so sold, all the rights, titles, interests, claims and equity of redemption of the defendants to this action and each and every one of them, and of all persons claiming from, under or through them, or any of them, in and to said real estate so sold and conveyed, shall be completely and absolutely and forever barred and foreclosed.

And it is further considered, ordered, adjudged and decreed by the court that in the event all of said mortgaged real estate hereinbefore described shall fail to sell for a sum sufficient to fully pay and satisfy said mortgage debt, judgment lien, principal and interest, costs and accruing costs of said plaintiff, the balance thereof remaining unpaid shall be levied of any property of said defendants Gladys Christlieb, Curtis Christlieb and Eva Frankenburg, subject to execution, and sale thereof shall be made without any relief from valuation and appraisement laws.

It is further ordered that a duly certified copy of this decree, under the hand of the clerk of this court and the seal thereof, shall be sufficient authority to the sheriff to execute the same.

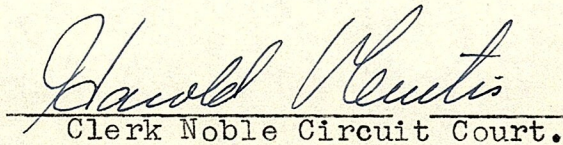
George L. Foote, Judge pro tem.



State of Indiana, Noble County, SS:

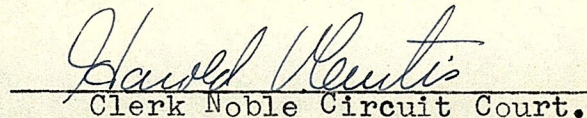
I, Harold V. Curtis, Clerk of the Noble Circuit Court of Noble County in the State of Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 28th day of January, 1939, 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 24th day of February, 1939.

  
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 the said defendants, Gladys Christlieb, Curtis Christlieb and Eva Frankenburg, 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 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 24th day of February, 1939.

  
Clerk Noble Circuit Court.



In the Noble Circuit Court, January Term, 1939.

No. 13481. Farmers & Merchants Bank, )  
vs ) Fcl. Mtg.  
Gladys Christlieb, et al. )

## STATEMENT OF COSTS

Clerk's costs.....	\$10.00
Sheriff's fee.....	5.15
Docket fee .....	<u>2.00</u>
	\$17.15

State of Indiana, Noble County, SS:

I, Harold V. Curtis, 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 24th day of February, 1939.

*Harold Renter*  
Clerk Noble Circuit Court.



No. 3056

*Revised*

In the Noble Circuit Court  
January Term, 1939.

No. 13481. Farmers & Merchants Bank

VS

Gladys Christlieb, et al

Judge. favor Pltff for.....	\$251.78
Interest to issue...6%.....	1.01
Costs to issue.....	17.15
	<u>\$269.94</u>

Judge. favor pltff for \$251.78, fore  
closure of mortgage and sale of real  
estate. Personal judgment vs all defts.

O. B. 73 P. 289	J. D. 17 P. 41
E. D. 32 P. 265	Ex.D. 12 P. 5

FILED  
APR 7 - 1939

*Harold H. Harts*  
CLERK NOBLE CIRCUIT COURT

Glenn E. Thrapp, Atty for Pltff.