

Property of  
Plain Township  
Historical Society



Abstract  
of  
Title  
to

Part of the Southwest Quarter of  
Section 27, Township 11, (Plain  
Range 8, Stark County, Ohio.

RETURN TO - CITIZENS SAVINGS ASSN  
CANTON OHIO  
CAVALIER: Joseph H. 6-30-72  
CAVALIER: Saleme 21-81307  
3116-3118 Martindale Road N. E.  
Canton, Ohio 44714  
\$30,000. 7 1/2% 20yr \$21.68  
3124 Martindale Road N. E.



Plain Township Historical Society

Property of Plain Township Historical Society  
05.09.01  
Section 27. SW 2

ABSTRACT of the TITLE to part of the South-west Quarter of Section 27, Township 11 (Plain) Range 8, Stark County, Ohio, described as follows: Beginning at an iron pin at the Southeast corner of said Quarter; thence with the South line of said Quarter N. 85 degrees 30 minutes W. 1885.15 feet to an iron pin in the center line of Martindale Road; thence with said center line N. 23 degrees 38 minutes E. 623.26 feet to the true place of beginning of the tract to be described; thence with said center line N. 23 degrees, 38 minutes E. 60 feet; thence S. 66 degrees 22 minutes E. 190 feet; thence S. 23 degrees 38 minutes W. 60 feet; thence N. 66 degrees 22 minutes W. 190 feet to the true place of beginning and containing 0.262 acre. Reserving however, a strip of ground 30 feet wide off the entire West end of the same for Martindale Road.

Said premises being also known as Lot #277 in the unrecorded Plat of "Brexley Addition".

are regular in form and properly executed and all necessary laws have been complied with.

No. 3.

The State of Ohio  
County of Adams  
Michael Spangler, President.

Recorded  
Book 1, 1811.  
Page 10, 1830

Michael Spangler  
Patent for the Southwest Quarter of Section 27, Town-  
ship 11 Range 8, of the lands directed to be sold at Steubenville,  
by Act of Congress.  
NOTE: Patent not signed.

Vol. 207, P. 373.

No. 4.



32 nd. S. N. E.

Recorded  
Book 1, 1811.  
Page 10, 1830  
Vol. 207, P. 373.

Michael Spangler, President

The Southwest Quarter of Section 27, Town-  
ship 11 Range 8, of the lands directed to be sold at Steubenville. This  
tract is for a patent intended to have been granted  
in 1811.

No. 5.

No will or estate of Michael Spangler appears in the  
Probate Records of said County, and the names of his heirs are not  
obtainable from records in said County. See, however, Sections 48  
to 48 inclusive of this Abstract.

31 st. S. N. E.

Marriet Spangler.  
To  
Miller H. Spangler.

Recorded  
Book 1, 1811.  
Page 10, 1830

Conveys to Miller H. Spangler, one half of the Southwest  
Quarter of Section 27, Township 11, Range 8, of Adams County, Ohio.

No. 6.

William Lewis  
Catherine Lewis  
husband and wife,  
Tom Lewis  
Mary Lewis  
husband and wife,  
Margaret Lewis and  
E. L. Spangler.  
To  
Miller H. Spangler.

Recorded  
Book 1, 1811.  
Page 10, 1830  
Vol. 207, P. 373.  
The grantors are married.

Quit claim deed to the undivided four eighths part  
of the premises described at Section 27.

No. 8.

Miller H. Spangler and  
Catherine A. Spangler,  
husband and wife.

Recorded  
Book 1, 1811.  
Page 10, 1830

Plain Township Historical Society

Unless otherwise noted all instruments shown herein are regular in form and properly executed and all deeds convey a fee simple estate.

No. 3.

The United States of  
America, by James  
Madison, President.

To

Michael Spangler

Patent.

Dated Oct. 1, 1811.

Rec. Sept. 10, 1890

Vol. 267. P. 375.

Patent for the Southwest Quarter of Section 27, Town-  
ship 11, Range 8, of the lands directed to be sold at Steubenville,  
by Act of Congress.

NOTE: Patent not signed.

No. 4.

Calvin Coolidge, President  
of the United States of  
America.

To

Michael Spangler

Patent.

Dated Feb. 12, 1924.

Rec. Mar. 25, 1924

Vol. 815. P. 547

Patent for the Southwest Quarter of Section 27, Town-  
ship 11, Range 8 of lands directed to be sold at Steubenville. This  
patent is granted as and for a patent intended to have been granted  
and issued October 1, 1811.

No. 5.

No will or estate of Michael Spangler appears in the  
Probate Records of said County, and the names of his heirs are not  
obtainable from records in said County. See, however, Sections #6  
to #8 inclusive of this Abstract.

No. 6.

Harriet Spangler.

To

Miller M. Spangler.

Gen. War. Deed.

S. & A. Mar. 16, 1839.

Rec. Apr. 1, 1839.

Vol. "V". P. 352.

Does not state that Grantor  
is unmarried.

Conveys "all my undivided sixth part of the Southwest  
Quarter of Section 27, Township 11, Range 8, Stark County, Ohio.

No. 7.

William Leman and  
Catherine Leman,  
husband and wife,  
Tom Leman and  
Mary Leman,  
husband and wife,  
Margaret Miller and  
B. L. Spangler.

To

Miller M. Spangler.

Quit Claim Deed

S. & A. Mar. 8, 1839.

Rec. Mar. 28, 1839

Vol. "V". P. 355.

Does not state that last  
two Grantors are unmarried.

Quit Claim Deed to the "undivided four sixths part"  
of the premises described at Section #6.

No. 8.

Miller M. Spangler and  
Deborah A. Spangler,  
husband and wife.

Gen. War. Deed.

S. & A. Mar. 8, 1839.

Rec. Mar. 28, 1839.

To  
Jacob Essick.

Conveys the Southwest Quarter of Section 27, Township 11, Range 8, Stark County, Ohio.

No. 9.

Jacob Essig and  
Elizabeth Essig,  
husband and wife.

Gen. War. Deed.  
S. & A. Mar. 6, 1845.  
Rec. Apr. 6, 1852  
Vol. 49. P. 481.

To

Christena Essig.

Conveys part of the Southwest Quarter of Section 27, Township 11, Range 8, beginning at the Northwest corner of said Quarter; thence South 24 chains; thence East 17.25 chains; thence North 19° East 7.87 chains; thence East 20.2 chains to the East line of said Quarter; thence North 16.56 chains to the North line of Quarter; thence West 48 chains to the place of beginning, containing 80 acres.

No. 10.

Christena Essig was married to James H. Speakman, April 18, 1850. Marriage Rec. "B". P. 352.

No. 11.

James H. Speakman and  
Christena Speakman,  
husband and wife.

Gen. War. Deed.  
S. & A. Mar. 31, 1852.  
Rec. Sept. 3, 1853.  
Vol. 55. P. 360

To

William H. Essig.

Conveys a part of the Southwest Quarter of Section 27, Township 11, Range 8, beginning at a stone 5 chains 74 links South of the Northeast corner of said Quarter; thence West along J. H. Speakman's line 16 chains 52 links to a stone in the center of the Marlboro Road; thence South 20° 45" along said road so far that by running East parallel with the North line to the East line of said Quarter; thence North along said line to the place of beginning that the tract shall contain 20 acres of land.

No. 12.

Jacob Essig and  
Elizabeth Essig,  
husband and wife.

Gen. War. Deed.  
S. & A. Mar. 6, 1845.  
Rec. July 28, 1859.  
Vol. 72. P. 290

To

William H. Essig.

Conveys a part of the Southwest Quarter of Section 27, Township 11, Range 8, beginning at the Southwest corner of said Quarter; thence North 16 chains to a post; thence East 17 chains 25 links to a post; thence Northeast 19° with the Randolph Road 7 chains 87 links to a post; thence East 20 chains 20 links to a post; thence South 23 chains 44 links to the Southeast corner of said Quarter Section; thence West with the South boundary of said Section 40 chains to the place of beginning, containing 80 acres of land.

No. 13.

William H. Essig and  
Ann Eliza Essig,  
husband and wife.

Gen. War. Deed.  
S. & A. Mar. 17, 1865.  
Rec. Mar. 25, 1865.  
Vol. 88. P. 166.

To

Hiram R. Wise.

Conveys the premises described in Sections 11 and 12 hereof being in all 100 acres of land.

Hiram R. Wise and  
Rachel S. Wise,  
husband and wife.

To  
John Calbeck.

Gen. War. Deed.  
S. & A. Sept. 20, 1866.  
Rec. Oct. 17, 1866.  
Vol. 95. P. 88.

Conveys a part of the Southwest Quarter of Section 27, Township 11, Range 8, Stark County, Ohio, beginning at the Southeast corner of said Quarter; thence North 88° West 28 chains 50 links to a stone in the center of the Randolph Road; thence North 21 $\frac{1}{2}$ ° East 36 chains 67 links to a stone in said road; thence South 88° East 16 chains 55 links to a stone in the East line of said Quarter; thence South 2° West along the East line of said Quarter 34 chains 70 links to the place of beginning, containing 78.14 acres of land.

No. 15.

John Calbeck's  
Will and Estate.

Will dated Dec. 2, 1867  
Will probated Dec. 7, 1867.  
Will Rec. "D". P. 171  
Joseph Calbeck qualified as  
Executor Dec. 7, 1867  
Bond filed. Letters issued  
Dec. 7, 1867.  
Final account filed Apr. 5,  
1870. Admr. Doc. "E". P.  
138.

JOHN CALBECK'S WILL:

ITEM I: "I desire that all my real estate be sold and that out of the proceeds of said sale, 1st that all my just debts be paid.

ITEM II: "I give and devise to my beloved wife Eliza Calbeck in lieu of her dower the one-third of all property and money to be held for her use and benefit by my son Joseph Calbeck, who is hereby authorized to pay her the interest only on the property and money during her natural life. At the death of my said wife the property and money aforesaid I give and devise to my sons William Calbeck, Joseph Calbeck, John Calbeck and to my daughters Mary Chick an Ann Calbeck and to their heirs. I also devise and bequeath all my household goods and furniture to my wife Eliza Calbeck and to my daughter Ann Calbeck to be divided between them. I also give to my said wife, 20 bushels of wheat and other provisions to be set off to her by my Executor for her year's support.

ITEM III: "I do hereby give and devise to my sons William Calbeck, Joseph Calbeck and John Calbeck and my daughters Mary Chick and Ann Calbeck the remainder of all my property of every description to be divided equally between them to be enjoyed by them and their heirs forever.

ITEM IV: "I do hereby nominate and appoint my son Joseph Calbeck Executor of this my last Will and Testament, hereby authorizing and empowering him to compromise, adjust, release and discharge in such manner as he may deem proper the debts and claims due me.

I do also empower him to sell by private sale or in such manner, upon such terms of credit or otherwise as he may think proper all my real and personal estate and to execute deeds of my real estate to purchasers in fee simple.

"I do hereby revoke all former wills by me made."

(Signed) John Calbeck

(Dated) Dec. 2, 1867

Joseph Calbeck, Executor  
of the last Will and  
Testament of John Calbeck,  
deceased.

To  
James F. Williams.

Executor's Deed.  
S. & A. Jan. 8, 1868.  
Rec. Apr. 1, 1868.  
Vol. 99. P. 253.

Recites authority of said will and conveys the prem-  
ises described in Section #14 hereof.

No. 17.

James F. Williams.  
To  
Charles Martin.

Gen. War. Deed.  
S. & A. July 24, 1871.  
Rec. July 24, 1871  
Vol. 114. P. 288.

Conveys part of the Southwest Quarter of Section 27,  
Township 11, Range 8 in Stark County, Ohio, described as follows:  
Beginning at the Southeast corner of said Quarter; thence North  
88° West, 28.50 chains to a stone in the center of the Randolph  
Road; thence North, 21½° East, 36.67 chains to a stone in the Ran-  
dolph Road; thence South, 88° East, 16.55 chains to a stone in  
the East line of the Quarter; thence South 2° West, along said  
East line, 34.70 chains to the place of beginning, containing  
78.14 acres more or less.

NOTE: Does not state that Grantor was unmarried.

No. 18.

No deed to any part of said premises from Charles  
Martin is of record.

No. 19.

Charles Martin's  
Will and Estate.

May 11, 1897. Date of Will.  
Mar. 9, 1899. Will probated.  
Mar. 9, 1899. Citation to  
Widow to elect.  
Mar. 16, 1899. Widow elects  
to take under the Will.  
Mar. 16, 1899. Application  
filed.  
Mar. 16, 1899. Delilah  
Martin appointed Executrix.  
Mar. 16, 1899. Bond filed  
and approved.  
Mar. 16, 1899. Letters  
issued.  
Apr. 24, 1899. Inventory  
and appraisement filed.  
Aug. 19, 1899. Proof of  
Publication filed.  
Aug. 19, 1899. Final  
account filed.  
Admr. Doc. "I". P. 469  
Will Rec. "P". P. 353.

Devises to his wife, Delilah Martin all his real estate  
wherever situated to be hers in fee simple,

The application states that Charles Martin died Feb.  
27, 1899, leaving Delilah Martin his widow and the following named  
persons all his next of kin:

William H. Martin                      Son

Mary Houser                              Daughter

Appoints Delilah Martin his Executrix.

No specific description of real estate is given but the inventory lists the following:

"Seventy eight and fourteen hundredths acres of land situated in the Southwest Quarter of Section twenty seven, Township number 11 Range number eight (Stark County, Ohio,) being all the real estate belonging to said Charles Martin, dec'd", appraised at \$11721.00.

No. 20.

Charles Martin, dec'd.

To

Delilah Martin.

Affidavit for Transfer.

Signed Aug. 27, 1925.

Rec. Aug. 28, 1925.

Vol. 880. P. 155

The affiant William H. Martin being duly sworn, states that by the terms of the Will of Charles Martin, deceased, all real estate belonging to said decedent was devised to Delilah Martin without any specific description being given and that the real estate so devised is described as follows: (the description is the same as that shown at Section #17 hereof).

Affiant states further that all provisions of said Will have been duly complied with upon the part of said devisee and prays for transfer upon the duplicate to the name of Delilah Martin.

No. 21.

Delilah Martin's  
Will and Estate.

May 22, 1899. Will dated.

Dec. 14, 1910. Will pro-

bated. Dec. 19, 1910.

Application filed.

Dec. 19, 1910. William H. Martin appointed Executor.

Dec. 19, 1910. Bond filed and approved.

Dec. 19, 1910. Letters issued.

Jan. 14, 1911. Proof of publication filed.

Mar. 29, 1911. Inventory and appraisement filed.

Mar. 29, 1911. Sale bill filed.

Apr. 1, 1911. Statement to County Auditor issued.

Dec. 24, 1912. First Partial Account filed.

Jan. 9, 1914. Final account filed.

July 27, 1914. Distributive account filed.

Admr. Doc. "L". P. 563.

Will Rec. "Z". P. 429.

Devises all her real estate wherever situated, to her children Mary C. Houser and William H. Martin, share and share alike with the provision that if either devisee shall attempt by law to set aside said will, his or her said share shall go to his or her children share and share alike.

Appoints her son William H. Martin her executor.

The application states that Delilah Martin died Dec. 4, 1910 "leaving the following person all her next of kin resident in the State of Ohio:



Wm. H. Martin Son  
Mary C. Houser Daughter".

(No statement relative to a widower is of record).

Notice of the application to probate was duly served on Mary C. Houser and William H. Martin filed the application.

No specific description of real estate devised is given but the inventory lists the following: Lot #9646 in the City of Canton, Ohio and a "farm of 78 acres more or less in Plain Township, Stark County, Ohio," valued at \$23,113.74.

No. 22.

Delilah Martin, deceased.

To  
William H. Martin and  
Mary C. Houser.

Certificate to Recorder.  
Signed Dec. 14, 1910.  
Rec. Dec. 23, 1910  
Vol. 429. P. 254.

Certifies that by the terms of the Will of Delilah Martin all real estate of said decedent was devised share and share alike to William H. Martin and Mary C. Houser.

(signed) Chas. C. Bow, Probate Judge.

No. 23.

Delilah Martin, deceased.

To  
Mary C. Houser and  
William H. Martin.

Affidavit for transfer.  
Signed Aug. 27, 1925  
Rec. Aug. 28, 1925  
Vol. 880. P. 156.

The affiant, William H. Martin, being duly sworn, states that by the terms of the will of Delilah Martin, deceased, "all the real estate belonging to said decedent was devised to himself and others without any specific description being given and that the real estate so devised is described as follows": (description same as at Section #17 hercof). States further that all provisions of said will have been complied with upon the part of said devisee.

Prays for transfer upon the duplicate to the names of Mary C. Houser and William H. Martin.

No. 24.

MARY C. HOUSER'S  
WILL & ESTATE

Mar. 12, 1925 Date of will  
Aug. 28, 1929 Application to  
Probate filed.  
Aug. 28, 1929 Waiver of  
Notice filed.  
Aug. 28, 1929 Hearing had.  
Will admitted to Probate.  
Will Record 59 p. 456.  
Aug. 28, 1929 Bond waived  
by will.  
Aug. 28, 1929 Letters  
issued.  
Sept. 13, 1929 Inventory  
and appraisment filed.  
Sept. 20, 1929 Proof of  
Publication filed.  
Jan. 9, 1930 Statement to  
County Auditor issued.  
Apr. 28, 1930 Petition to  
determine Inheritance Tax.

Apr. 28, 1930 Final and  
Distributive account filed.  
Apr. 28, 1930 Tax determined.  
May 2, 1950 Waiver of Tax  
Commission filed.  
May 2, 1930 Waiver of next  
of kin filed.  
May 10, 1930 Acknowledgment  
of receipt of Inheritance  
Tax by State Auditor filed.  
Admr. Doc. "W" p. 320.

MARY C. HOUSER'S WILL:

ITEM: I: I give and devise unto my son, Charles J. Houser, his heirs and assigns, the property owned by me in the City of Canton, Ohio, located between Cleveland Avenue, N. W. and Shorb Avenue, N. W. and known as Out Lot #245 in said city, together with any lots adjoining the same to which I may have title at the time of my death.

ITEM II: I direct my executor to convert into money all of the property, real and personal, of which I should be the owner at the time of my death, other than that described in Item I of this will, excepting however so much as is already in the form of securities or notes and mortgages. Said conversion shall be accomplished as soon after my death as in the judgment of my executor shall be for the best interest of my estate. To that end I authorize, empower and direct my executor to sell and convey any and all real estate or personal property for such sums and on such terms of payment as to him shall seem best, and authorize and empower him to execute and deliver deeds and any instruments of transfer for conveyance of the same. From my personal property and the proceeds of said real and personal property directed to be sold, I direct my executor to pay:

(FIRST) All just debts and charges against my estate, together with costs of administration and any and all taxes or assessments against my estate, and any and all devisees and legatees, for Federal Estates Taxes and State Inheritance Taxes.

(SECOND) A Trust Fund shall be established for the benefit of my grand-daughter, Mary Elizabeth Stolberg, from securities, mortgages and funds belonging to said part of my estate, amounting to \$40,000.00 over and above Federal Estates Taxes and Inheritance Taxes thereon. Said fund shall be held by my executor until final settlement of my estate when a Trust Company or other suitable person shall be appointed by the Probate Court as Trustee thereof, unless my executor desires such appointment to be made at an early date. From said Trust Fund there shall be paid at convenient intervals from time to time out of the income, and out of the principal in case of necessity, such sums of money as are necessary and proper for the maintenance, support, education and reasonable and proper recreation and pleasure of my said grand-daughter, Mary Elizabeth Stolberg, until she becomes 21 years of age, at which time the remainder of said fund and property in the hands of said trustee shall be turned over to her. Until said fund can be established by my executor, he shall pay for such maintenance and support, education, recreation and pleasure, out of my estate from the time of my death, charging the same up to said fund. In the event said Mary Elizabeth Stolberg shall not live until she is 21 years of age, but shall leave issue of the body, said trust fund shall be maintained in like manner for her issue until the same become 21 years of age and then turned over to such issue. If my said grand-

daughter shall not survive me, or if her death occur without issue before she becomes 21 years of age, or if such issue die before reaching the age of 21 years, then no such trust fund shall be created, or if created, said trust shall at once terminate and said property and fund shall at once be turned over to and become the property of my son Charles J. Houser or his heirs.

(THIRD) The remainder of my estate I give and bequeath to my son, Charles J. Houser and his heirs.

ITEM III: I nominate and appoint my son Charles J. Houser, executor of this will, with power and authority as hereinbefore provided, and exempt him from giving bond as such executor.

In testimony whereof I have hereunto set my hand at Canton, Ohio this 12th day of March, 1925.

MARY C. HOUSER

(3 witnesses)

The application states that Mary C. Houser died August 21, 1929 leaving no widower and the following named persons her only next of kin:

CHARLES J. HOUSER - son - Canton, Ohio  
Waiver of notice was signed by Charles J. Houser  
The Inventory (sched. "H") lists the following:  
Decedent's undivided one-half of the Southeast part of the Southwest quarter of Sec. 27 Plain Township, Stark County, Ohio described as follows: The whole of said quarter section lying East of the center of Martindale Road (or Middle-branch Rd.) excepting 8.90 acres off the North end thereof and 45/100 acre conveyed to Nelle H. Allen by deed dated ----- 1925 recorded in Vol. 880 P. 156 Deed Records of said County, 277/1000 of an acre conveyed to Hilda C. Bowen by deed dated June 2, 1926 and recorded in Vol. 902 p. 70 Deed Records and 16 tracts averaging 177/1000 of an acre each conveyed to Canton Finance and Discount Company by deed dated January 4, 1928 and recorded in Vol. 820 p. 498 leaving remaining 74 56/100 acrcs.  
Appraised at \$15,000.00.

No. 25.

MARY ELIZABETH STOLBERG'S  
ESTATE (INTESTATE)

Nov. 28, 1927 Application filed.  
Nov. 28, 1927 Charles J. Houser appointed Administrator.  
Nov. 28, 1927 Bond filed.  
Nov. 28, 1927 Letters issued.  
Dec. 22, 1927 Proof of Publication filed.  
Oct. 1, 1928 Inventory and appraisal filed.  
Oct. 1, 1928 Petition to determine Inheritance Tax filed.  
Oct. 3, 1929 Tax determined.  
Nov. 2, 1929 Acknowledgment of receipt from Auditor of State of the whole tax filed.  
Oct. 1, 1929 Final Account filed.  
Admr. Doc. "V" p. 49.

The Application states that Mary Elizabeth Stolberg died intestate August 28, 1927 leaving no widower and the following named persons her only next of kin:

Sara Stolberg half-sister (3 yrs. of age) Canton, Ohio.  
Charles J. Houser Uncle Canton, Ohio.  
(heir at law of  
ancestral estate)

No. 26.

Mary Elizabeth Stolberg, Affidavit for Transfer  
deceased Dated Oct. 1, 1929  
to Rec. Oct. 1, 1929  
Charles J. Houser Vol. 1031 p. 215  
Heirs at Law.

The affiant, Charles J. Houser, being first duly sworn, states that he is heir at law of Mary Elizabeth Stolberg, deceased; that on the 28th day of August 1927 the said Mary Elizabeth Stolberg died intestate, residing at Canton, Ohio, leaving the persons herein designated, all her heirs at law and next of kin, with their age, address, relationship and portion inherited by them in the real estate hereinafter described:

Name	Age	Address	Relationship	Portion inherited.
Charles J. Houser	-	Canton, Ohio	Uncle	Whole

That on the 28th day of Nov. 1927, Charles J. Houser was duly appointed administrator of her estate by the Probate Court of Stark County and thereafter filed his final account in execution of said trust. That said Mary Elizabeth Stolberg at the time of her death was seized of the following described real estate:

(Describes a lot in the City of Canton)

\* \* \* \* \* Said Mary Elizabeth Stolberg died intestate at above mentioned date leaving surviving her no father or mother, or husband or brother or sister, of the whole or half blood who was of the blood of Mary D. Stolberg, her mother, but left surviving her Charles J. Houser, only brother of Mary D. Stolberg."

NOTE: This affidavit does not directly affect the premises here abstracted but is shown as supplemental to section 25 preceding.

No. 27.

Mary C. Houser, dec'd. Application for Transfer.  
To Signed Apr. 26, 1930  
Charles J. Houser. Rec. May 8, 1930  
Vol. 1045. P. 50

The applicant Chas. J. Houser, represents to the County Auditor that by the terms of the last will and testament of Mary C. Houser, deceased (also known as Mary A. Houser) whose will was duly admitted to Probate Aug. 28, 1929, all certain real estate belonging to said decedent was devised to him, said Charles J. Houser without any specific description being given.

That the real estate so owned and devised is as follows: The undivided half of the Southeast part of the Southwest Quarter of Section 27, Township 11 (Plain) Range 8 Stark County, Ohio, described as follows: The whole of said Quarter Section lying East of the center of Martindale Rd. (or Middlebranch Rd.) Excepting 8.90 acres off the North side thereof now owned by John A. Patterson as shown by deed recorded in Vol. 844. P. 248 Stark County Deed Records. Also 45/100 of an acre out of said tract conveyed to Nelle H. Allen by deed recorded in Vol. 880. P. 156. Also

excepting 277/1000 of an acre conveyed to Hilda C. Bowen by deed recorded in Vol. 902, P. 70, and conveyed by deed in Vol. 940, P. 372, and 16 tracts averaging 177/1000 of an acre each, conveyed to The Canton Finance & Discount Company by deed recorded in Vol. 820, P. 498 and by said Company conveyed to D. V. Bennett, Trustee, Vol. 993, P. - leaving 74.77 acres more or less.

"Your Petitioner represents that all the provisions and conditions of said will have been fully complied with upon the part of said devisee. Wherefore, he prays for the transfer of said real estate upon the tax duplicate to Charles J. Houser's Name."

Note: The citation of volume and page of the conveyance to Canton Finance Discount Company is wrong. Deed appears in Vol. 978, P. 146.

No. 28.

The 8.90 acre tract noted as the first exception at Section 27 is described as follows: Beginning at the Northeast corner of said Quarter Section; thence South 5.74 chains to a stone; thence West, parallel with the North line of said Quarter Section, 16.62 chains to a stone; thence North, 20 3/4° East, 5.86 chains along the road leading from Canton to Randolph to a stone; thence East along the North line of said Quarter Section, 14.68 chains to the place of beginning. (Vol. 844, P. 248).

The Second exception 0.45 of an acre sold to Nelle H. Allen is described as follows: beginning at the Southeast corner of the Quarter Section; thence West along the Quarter line 1885.15 feet to an iron pin in the center of Martindale Road; thence North 23° 38' East along the center of said road 276.75 feet to the true place of beginning; thence continuing North, 23° 38' East, 125.38 feet to the South line of 31st Street N. E.; thence South, 85° 30' East, parallel with the South line of said Quarter Section, 140.59 feet to a point of curve in the line of said 31st Street N. E.; thence in a Southeasterly direction with the South line of 31st St. N. E., and on the arc of a curve with a radius of 150 feet a distance of 58 feet; thence South, 23° 38' West, parallel with the West line, 113.28 feet; thence North, 85° 30' West parallel with the South line of the Quarter, 201.1 feet to the center of Martindale Road and place of beginning. (Vol. 880, P. 157).

The third excepted parcel, "sold to Hilda C. Bowen is described as follows: beginning at the Southeast corner of said Quarter Section; thence West along the Quarter line, 1885.15 feet to an iron pin in the center of Martindale Road; thence North, 23° 38' East along the center line of said road, 1079.06 feet to the true place of beginning; thence South 66° 22' East along the South line of 33rd Street N. E., 109.39 feet to the point of curve of a 12 degree curve to the left; thence on the arc of a 12 degree curve to the left, a distance of 81.05 feet; thence South, 23° 38' West, parallel with Martindale Rd. a distance of 66.92 feet; thence North, 66° 22' West, 190 feet to the center line of Martindale Road; thence North, 23° 38' East, along said center line 60 feet to the true place of beginning, containing 0.277 of an acre. (Vol. 902, P. 70)

The last exception "16 tracts conveyed to The Canton Finance & Discount Company" are all described by notes and bounds, but also by lot number in the unrecorded plat of Brexley.

This plat is available for examination in the office of the abstractor.

Said lots are numbered as follows: 195, 196, 197, 201, 202, 203, 204, 205, 206, 210, 221, 268, 280, 333, 340 and 389. (Vol. 978, P. 146).

William H. Martin and  
Almina P. Martin,  
husband and wife.

To  
Charles J. Houser.

Gen. War. Deed.  
S. & A. Apr. 14, 1936  
Rec. Apr. 15, 1936  
Vol. 1152. P. 420

Conveys and undivided one-half interest in and to the following: part of the Southwest Quarter of Section 27, Township 11, (Plain) Range 8, Stark County, Ohio, beginning at an iron pin at the Southeast corner of said Quarter Section; thence North,  $4^{\circ} 43'$  East, along the East line of the Quarter Section, a distance of 335 feet to the center of a proposed street and true place of beginning; thence along the center of said proposed street the three following courses: North,  $85^{\circ} 30'$  West, parallel with the South line of the Section a distance of 1471.8 feet; thence on the arc of a curve to the left with a radius of 175 feet, a distance of 163.3 feet to a point of tangent, the chord of said arc bears North  $58^{\circ} 46'$  West a distance of 157.44 feet; thence North,  $85^{\circ} 30'$  West, 133.5 feet to a point in the center line of Martindale Road; thence North,  $23^{\circ} 38'$  East, along the center of said road, 1991.6 feet to an ironpin; thence South  $85^{\circ} 45'$  East 1100.3 feet to an iron pin in the East line of said Quarter Section; thence South,  $4^{\circ} 43'$  West along the East line of the Quarter Section a distance of 1957.5 feet to the true place of beginning and containing 64.04 acres of land. However, a strip of ground 25 feet wide off the entire South side of above described tract to be used for a public road or street in connection with a like strip 25 feet wide off the entire North side of the tract lying immediately South, said two strips to form a 50 foot street which is to be dedicated at such time as is proper.

Excepting therefrom the following described tracts;  
TRACT I: Beginning at an iron pin at the Southeast corner of said Quarter Section; thence North,  $4^{\circ} 23'$  East along the East line of the Quarter, 360 feet; thence West, parallel with the South line of the Quarter, 1152.5 feet to the true place of beginning; thence continuing West on same line 52 feet; thence North,  $4^{\circ} 23'$  East, 140 feet; thence South,  $85^{\circ} 30'$  East, 52 feet; thence South,  $4^{\circ} 23'$  West, 140 feet to the true place of beginning, containing 0.167 of an acre.

TRACT 2: Beginning at the Southeast corner of the Quarter Section; thence North on the East line of the Quarter Section 640 feet; thence West, parallel with the South line of the Quarter, 1360.5 feet to the true place of beginning; thence South,  $4^{\circ} 23'$  West, 140 feet; thence North,  $85^{\circ} 30'$  West, 51.5 feet; thence North,  $4^{\circ} 23'$  East, 141.12 feet to a point in the arc of a curve; thence in an Easterly direction on the arc of a  $12^{\circ}$  curve to the left, 32 feet to a point of tangent of said curve; thence South,  $85^{\circ} 30'$  East, 19.5 feet to the true place of beginning, containing 0.165 of an acre.

TRACT 3: Beginning at the Southeast corner of said Quarter Section; thence North along the East line of said Quarter Section, 690 feet; thence West, parallel with the South line of the Quarter Section, 1360.5 feet to the true place of beginning; thence continuing West on the same line, 19.4 feet to a point of contact of a curve; thence Westwardly on the arc of a curve to the right with a radius of 466.34 feet, 61.75 feet; thence North,  $23^{\circ} 38'$  East, 138.08 feet; thence South,  $85^{\circ} 30'$  East, 34.45 feet; thence South,  $4^{\circ} 23'$  West, 135 feet to the true place of beginning, containing 0.178 of an acre.

TRACT 4: Beginning at the Southeast corner of said Quarter Section; thence North on the East line of the Quarter Section 960 feet; thence West parallel with the South line of the Quarter

Section, 1256.5 feet to the true place of beginning; thence South,  $4^{\circ} 23'$  West, 135 feet; thence North  $85^{\circ} 30'$  West, 52 feet; thence North,  $4^{\circ} 23'$  East, 136.57 feet to a point on the arc of a curve; thence Eastwardly on the arc of a 12 degree curve to the left, 38.93 feet to the point of tangent of said curve; thence South,  $85^{\circ} 30'$  East, 13.1 feet to the true place of beginning, containing 0.162 of an acre.

TRACT 5: Beginning at the Southeast corner of said Quarter Section; thence North on the East line of said Quarter 1020 feet; thence West, parallel with the South line of said Quarter 1256.5 feet to the true place of beginning; thence continuing West on the same line 13 feet to the point of contact of a curve; thence in a Westwardly direction on the arc of a  $13^{\circ} 44'$  curve to the right, 59.34 feet; thence North,  $23^{\circ} 38'$  East, 137.8 feet; thence South,  $85^{\circ} 30'$  East, 24.5 feet; thence South,  $4^{\circ} 23'$  West, 135 feet to the true place of beginning, containing 0.166 of an acre.

TRACT 6: Beginning at the Southeast corner of said Quarter Section; thence West along the South line of said Quarter Section 1885.15 feet to an iron pin in the center of Martindale Road; thence North,  $23^{\circ} 38'$  East, in the center of said road 1079.6 feet to the true place of beginning; thence South,  $66^{\circ} 22'$  East along the South line of 33d Street N. E., 109.39 feet to the point of a curve of a  $12^{\circ}$  curve to the left, thence on the arc of a  $12^{\circ}$  curve to the left, 81.05 feet; thence South,  $23^{\circ} 38'$  West, and parallel with Martindale Road, 66.92 feet; thence North,  $66^{\circ} 22'$  West, 190 feet to the center line of Martindale Road; thence North,  $23^{\circ} 38'$  East along said center line, 60 feet to the true place of beginning, containing 0.277 of an acre, reserving a strip 30 feet wide off the entire West side.

"This deed conveys 62.925 acres and is a partition deed separating the interests of the Grantor and Grantee in the property herein described."

Warranted free and clear of all incumbrances except taxes and assessments due and payable in June 1936, all of which Grantee assumes and agrees to pay.

No. 30.

On March 23, 1936, Charles J. Houser and wife, conveyed to William H. Martin the undivided one-half of all that part on the original tract (owned jointly) which lies South of 31st Street N.E. Description is by metes and bounds and is recorded in Vol. 1152. P. 415.

L I E N S

No. 31.

Miller M. Spangler,  
et ux.

To  
Jacob Essig.

County, Ohio

Mortgage \$4000.00.  
S. & A. Mar. 8, 1839.  
Rec. Apr. 1, 1839.  
Vol. "V". P. 354

Cancelled by order of the Common Pleas Court of Stark

No. 32.

Jacob Essig.  
To  
Miller M. Spangler.

Mortgage \$2000.00.  
S. & A. Apr. 1, 1839.  
Rec. Apr. 1, 1839  
Vol. "V". P. 355.

Cancelled by "Jacob Miller agent for M. M. Spangler."

No. 33.

William H. Essig.  
To  
Jacob Essig.

Mortgage \$2000.00  
S. & A. Jan. 8, 1853.  
Rec. Jan. 8, 1853.  
Vol. 50. P. 388.  
Canceled.

No. 34.

J. H. Speakman and  
Christena Speakman.  
To  
Jacob Essig.

Mortgage \$8000.00  
S. & A. Feb. 1, 1851  
Rec. Feb. 5, 1851  
Vol. 43. P. 460  
Canceled.

No. 35.

Hiram R. Wise.  
To  
William Essig.

Mortgage \$2000.00.  
S. & A. Mar. 25, 1865  
Rec. Mar. 25, 1865  
Vol. 87. P. 317.  
Canceled.

No. 36.

John Calbeck.  
To  
Hiram R. Wise.

Mortgage \$3677.00.  
S. & A. Oct. 1, 1866.  
Rec. Oct. 1, 1866.  
Vol. 94. P. 71.  
Canceled.

No. 37.

James F. Williams.  
To  
Joseph Calbeck,  
Executer.

Mortgage \$8400.00.  
S. & A. Apr. 1, 1868.  
Rec. Apr. 21, 1868.  
Vol. 102. P. 26.  
Canceled.

No. 38.

Charles Martin.  
To  
James F. Williams

Mortgage \$4000.00.  
S. & A. July 24, 1871  
Rec. July 24, 1871  
Vol. 115. P. 197.  
Canceled.

No. 39.

William H. Martin and wife,  
Charles J. Houser and wife.  
To  
The East Ohio Gas Company

Oil & Gas Lease.  
Dated Feb. 13, 1931  
Rec. Aug. 30, 1931  
Lease Rec. 49. P. 189  
Canceled.

74 acres in Plain Township.

No. 40.

No Mechanics liens, leases, judgments, foreign  
executions or pending suits.

No federal tax, bond liens or delinquent personal  
property tax liens, except as may be noted herein.



Taxes:

Paid to and including December 1936.

We have made no search for street, sewer, liquor, or other special assessments, nor for suits or judgments in Courts other than the Common Pleas Court of Stark County, Ohio.

We hereby certify that we have collated the foregoing ABSTRACT OF TITLE from the Official Records of Stark County, Ohio, and that we believe the same shows every instrument of record affecting the title to said premises as shown by the General Indexes in the various County Offices, since and including said date.

THE SEBRING ABSTRACT COMPANY

*B W Sebring*  
\_\_\_\_\_  
President.

Canton, Ohio  
December 10, 1937.

Plain Township Historical Society

ADDENDA to the foregoing Abstract of Title to premises as described at the heading thereof, showing all changes affecting the title thereto since and including December 10, 1937.

No. 2

Charles J. Houser,  
and Helen Houser,  
husband and wife

Warranty Deed \$1.00  
Dated December 7, 1937  
Rec'd December 31, 1937  
Vol. 1207, Page 91

to

Joseph Freyburger and  
Emma Freyburger

Conveys premises situated in the Township of Plain, County of Stark and State of Ohio: And known as and being a part of the Southwest quarter of Section #27, Township #11, Range #8. Beginning at an iron pin at the Southeast corner of said quarter; thence with the south line of said quarter N. 85 degrees, 30 minutes west Eighteen hundred eighty-five and fifteen hundredths (1885.15) feet to an iron pin in the center line of Martindale road; thence with said center line N. 23 degrees, 38 minutes E. Six Hundred twenty-three and twenty-six hundredths (623.26) feet to the true place of beginning of the tract to be described; thence with said center line N. 23 degrees, 38 minutes E. Sixty (60) feet; thence S. 66 degrees, 22 minutes E. 190 feet; thence S. 23 degrees 38 minutes W. 60 feet; thence N. 66 degrees 22 minutes W. One Hundred ninety (190) feet to the true place of beginning and containing 0.262 acre. Reserving however, a strip of ground 30 feet wide off the entire West end of the same for Martindale Road.

The above description is for Lot #277 in the unrecorded plat of the Brexley addition.

- RESTRICTIONS (a) To be used for private residential purposes only.  
(b) No residence shall be erected on any lot fronting on Martindale Road of which the original cost is less than \$4,500.00. No residence shall be erected on any lots West of Rowland Ave. of which the original cost is less than \$3,500.00, and no residence shall be erected on any lots West of St. Elmo Avenue of which the original cost is less than \$3,000.00. The above residences to be based on cost of labor and materials of the 1936 prices.  
(c) The building line indicated on the plat of said Allotment shall be observed and no building shall be placed, erected or permitted to remain thereon; any part of which except steps and open porches, is nearer to the street line than the building line indicated, and the easement indicated on said plat, for public utilities, is reserved. NOTE: Plat is not of record.  
(d) No fences, railings or hedges more than 42 inches high shall be permitted in front of the front building line and none more than 60 inches high in the rear thereof.  
(e) No billboards or signs except such as used by the owner advertising sale of said lot. Said sign to be placed only in the rear of the building line of said lots.  
(f) Premises never to be owned or occupied by persons who are not of the white race nor by persons who are not citizens of the United States (boni fide servants excepted).  
(g) Conditions and restrictions are covenants running with the land and any breach thereof may be availed of by the Seller, Purchaser or by any persons owning property in said Allotment, by injunction or any other legal or equitable remedy.

L I E N S

No. 4

No mortgages from Joseph Freyburger or Emma Freyburger for the within abstracted premises have been filed for record since and including December 10, 1937.

No. 5

No Leases or Mechanic's Liens.

No. 6

No Personal Tax Liens, Recognizance Bond Liens, Unemployment Compensation Liens or Federal Tax Liens.

No. 7

No Pending Suits, Living Judgments or Foreign Executions which are living liens on said premises.

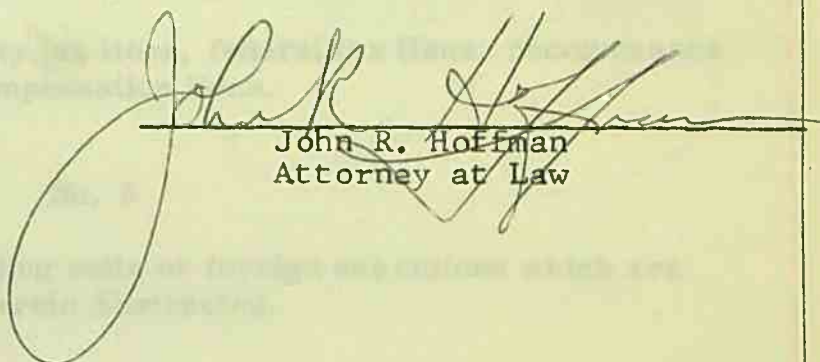
No. 8

TAXES: \$16.19 Due and payable, June, 1966 ~~NOT PAID.~~ 6/66  
\$16.19 Due and payable, DEC., 1966 - PAID - 6/66  
No Assessments appear upon the tax duplicate.

No. 9

I have made no special search for street, sewer, liquor or other special assessments, nor for suits or judgments in Courts other than the Common Pleas Court of Stark County, Ohio.

I hereby certify that I have collated the foregoing Addenda to the Abstract of Title from the Official Records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as shown by the General Indexes in the various County Offices, since and including December 10, 1937.

  
John R. Hoffman  
Attorney at Law

Canton, Ohio  
May 26, 1966  
11:00 A.M.

Redated: June 8, 1966  
4: PM

Joseph Sommer, atty.

ADDENDA to the foregoing Abstract of Title to premises described in the heading of this Abstract of Title, showing all changes affecting the title to said premises, since and including June 8, 1966.

There are no matters in Progress Court which affect the title to the premises in question.

No. 1

Joseph Freyburger  
Emma Freyburger,  
husband and wife

Warranty Deed  
Dated: June 9, 1966  
Rec.: June 13, 1966  
Vol. 3155, page 547

to

Joseph M. Cavalier  
Saleme Cavalier

Conveys premises described in the heading of this Abstract of Title.

No. 2

No mortgages, security interests or financing statements have been filed for record.

No. 3

No leases or mechanic's liens.

No. 4

No personal property tax liens, federal tax liens, recognizance bond liens or unemployment compensation liens.

No. 5

No judgments, pending suits or foreign executions which are living liens on said premises herein Abstracted.

No. 6

There are no matters in Probate Court which affects the title to the premises in question.

No. 7


Taxes due June 1972 in the sum of \$21.47 are paid.

(Parcel 52 - 00322)

Assessments: None

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I hereby certify that the foregoing Addenda, consisting of 7 sections, was collated by me from the Official Records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as shown by the General Indexes in the several County Offices in and for Stark County, Ohio, since and including June 8, 1966.



WILLIAM E. WEISEND  
ATTORNEY AND ABTRACTOR

Canton, Ohio  
October 26, 1972  
8:30 A. M.

Plain Township Historical Society

ADDENDA to the foregoing Abstract of Title to premises described in the heading of this Abstract of Title, showing all changes affecting the title to said premises, since and including October 26, 1972.

No. 1

No deeds from Joseph M. Cavalier or Saleme Cavalier have been filed for record.

No. 2

Joseph M. Cavalier  
and Saleme Cavalier,  
husband and wife

to

Mortgage Deed \$30,000.00  
Dated: October 30, 1972  
Rec.: October 31, 1972  
Vol. 3683 page 222  
Not Cancelled

Citizens Savings Association

Covers premises described in the heading of this Abstract of Title and secures a loan in the sum of \$30,000.00 payable in monthly installments of \$241.68 per month.

No. 3

No security interests or financing statements have been filed for record.

No. 4

No leases or mechanic's liens.

No. 5

No personal property tax liens, federal tax liens, recognizance bond liens or unemployment compensation liens.

No. 6

No judgments, pending suits or foreign executions which are living liens on said premises herein Abstracted.

No. 7

There are no matters in Probate Court which affects the title to the premises in question.

No. 8

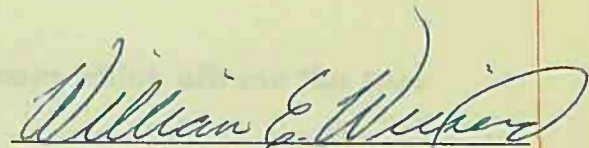
Taxes due June 1972 in the sum of \$21.47 are paid.

(Parcel 52-00322)

Assessments: None

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I hereby certify that the foregoing Addenda, consisting of 8 sections, was collated by me from the Official Records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as shown by the General Indexes in the several County Offices in and for Stark County, Ohio, since and including October 26, 1972.

  
WILLIAM E. WEISEND  
ATTORNEY AND ABTRACTOR

Canton, Ohio  
November 1, 1972  
8:30 A. M.

ADDENDA to the foregoing Abstract of Title to premises described in the heading of this Abstract of Title, showing all changes affecting the title to said premises, since and including November 1, 1972.

No. 1

No deeds from Joseph M. Cavalier or Saleme Cavalier have been filed for record.

No. 2

No mortgages, security interests or financing statements have been filed for record.

No. 3

No leases or mechanic's liens.

No. 4

No personal property tax liens, federal tax liens, recognizance bond liens or unemployment compensation liens.

No. 5

No judgments, pending suits or foreign executions which are living liens on said premises herein Abstracted.

No. 6

There are no matters in Probate Court which affects the title to the premises in question.



No. 7

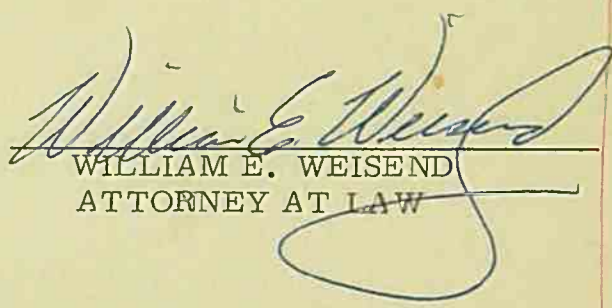
Taxes due December 1975 in the sum of \$232.16 are paid.

(Parcel 52 - 00322)

Assessments: None

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I hereby certify that the foregoing Addenda, consisting of 7 sections, was collated by me from the Official Records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as shown by the General Indexes in the several County Offices in and for Stark County, Ohio, since and including November 1, 1972.

  
WILLIAM E. WEISEND  
ATTORNEY AT LAW

Canton, Ohio  
March 23, 1976  
8:30 A. M.

Plain Township Historical Society