

**ABSTRACT**

**OF**

**TITLE**

**TO**

*Pl 289*  
\_\_\_\_\_

**IN**

*Township*  
\_\_\_\_\_ **OF** \_\_\_\_\_

**County of Stark and State of Ohio**

**MADE BY**

**The Eggert Abstract Co.**

**1109 GEO. D. HARTER BANK BLDG.**

**Canton, Ohio**

Plain Township

Historical Society

ABSTRACT of TITLE to a part of the South East Quarter of Section #29, Township #11, (Plain), Range #8, Stark County, Ohio, beginning for the same at an iron pin at the south west corner of said Quarter Section; thence eastwardly on and along the south line of said Quarter a distance of 240 feet to a stake and being the true place of beginning for the tract to be hereby abstracted; thence North 5° 48' East and parallel with the west line of said Quarter a distance of 201.38 feet to a stake; thence South 83° 40' East a distance of 240 feet to a stake; thence South 5° 48' West and parallel with the west line of said Quarter a distance of 199.76 feet to a stake on the south line of said Quarter; thence westwardly on and along the south line of said Quarter a distance of 240 feet to the place of beginning, containing 1.105 acres, reserving therefrom for roadway purposes, a strip 20 feet wide off the entire south side, a strip 17 feet wide off of the entire north side, a strip 17 feet wide off of the entire west side and a strip 17 feet off of the entire east side.

# HISTORY

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The original title to the lands now included in Stark County, Ohio, was in the hands of the Indians, insofar as title can be held by an uncivilized people. France claimed title by right of La Salle's discoveries and England because of discoveries on the Eastern Seaboard.

By the treaty of Utrecht in 1713 England released to France all claim of title to lands north of the Ohio River. Following the Old French and Indian War, France, by the treaty of Paris, 1763, ceded to England all lands East of the Mississippi. By the treaty of Versailles, following the Revolution, September 3, 1783, all lands now included in Ohio became the property of the American Colonies.

The Iroquois Indians, claiming lands east of the Tuscarawas River, released their title by treaty of Ft. Stanwix (now Rome, N. Y.) October 27, 1784, and the Delawares released title to the land west of that river by treaty at Greenville, Ohio, in 1794.

Certain Eastern States claimed lands in Ohio, but these, insofar as Stark County, Ohio, is concerned, were ceded to the General Government, after the formation of the Union.

The boundaries of Ohio were fixed by Act of Congress, April 30, 1802, the Act providing that the title to Section No. 16 of each township should be fixed

in the State for the use of the common schools, thus carrying out the terms of the Ordinances of 1785 and 1787, which set apart 1-36 of all land for school purposes. The title to all other lands was to remain in the General Government. The Constitutional Convention, meeting at Chillicothe November 29, 1802, assented to this and Ohio was admitted as a State by Act of February 10, 1803.

Section No. 16 was at first leased, but under the Act of the General Assembly of Ohio, January 29, 1829, most of these sections were sold, netting about \$4,000,000.00. This money was promptly spent, to the last dollar, and Ohio's school fund is now wholly imaginary, existing only on the books of the State, "interest" on the "fund" being raised by general taxation, and the proceeds distributed among the various school districts.

The western boundary line of Pennsylvania was surveyed in 1784. In 1786 Thomas Hutchins, Geographer of the United States, planted his Jacobstaff on the Pennsylvania line, on the north bank of the Ohio (see diagrams "A" and "B") and ran a line due west, forty-two miles, later known as the "Geographers' Line." A township corner was located every six miles, and from these corners Range lines were run south to the Ohio River. Township lines were run east and west, at six-mile intervals, and each Township divided into Sections. Seven Ranges were surveyed. This was the first land survey in history in which a rectangular system was used. The Ranges were numbered from the Pennsylvania

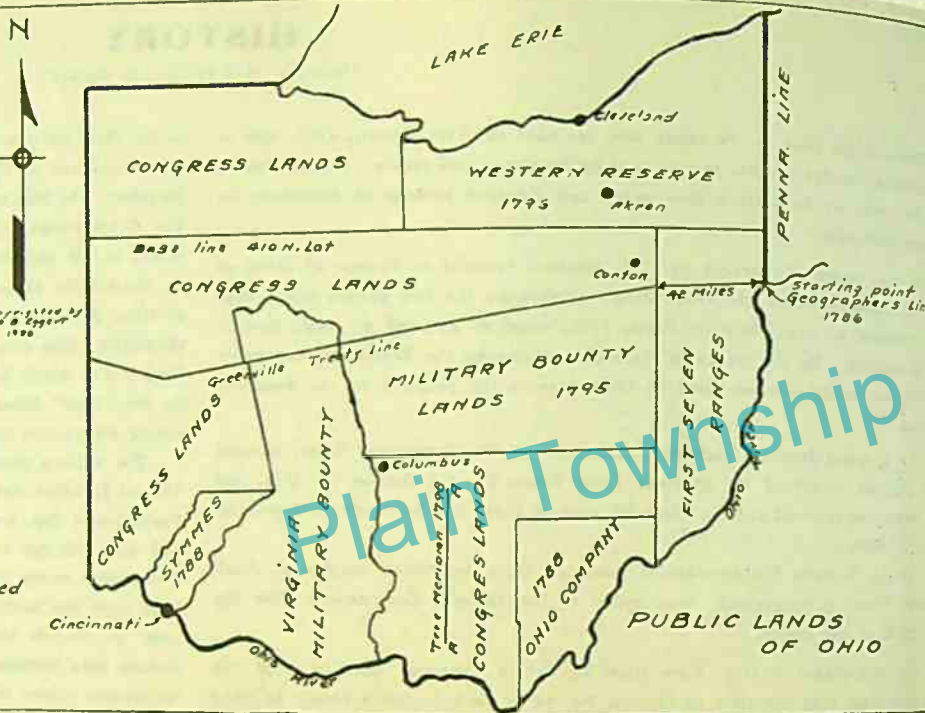
SECTION NUMBERING

6	5	4	3	2	NW/4 SW/4
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29 X	28	27	26	25
31	32	33	34	35	36

SEC 29 TWP # 11 RANGE # 8

X Shows location of land Abstracted

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1926



line westward and the Townships from the Ohio River northward. In 1786 the forty-first parallel was located and finally surveyed in 1796, forming a permanent base line, and further surveys made. (See diagrams "A" and "B.")

In the early surveys no account was taken of the variation of the needle which in 1786 was 2 degrees east. Going south the departure westward would be 16.8 chains for each Township. Neither was any account taken of the divergence of the meridians, which, in working southward, amounted to eight chains in each degree of 60.25 miles. Later surveys were run on true lines. A-A on diagram "A" shows true meridian line run in 1798. Some corrections were made later. For these and other reasons certain Townships contain more than 36 square miles, others less.

In what is now Stark County the numbering of the Sections began at the northeast corner for Section No. 1, run westward along the north line, thence continuing back on second tier, etc., and ending with 36 at southeast corner.

Stark County was established by Act of the General Assembly of Ohio in 1809, and the various Townships were named and organized soon thereafter. (See diagram "B.") In the early days, however, lands were conveyed by Section, Range and Township number, no reference being made to Township or County by name. All the lands in what is now Stark County were Congress lands (see diagram "A") and were by Act of Congress authorized to be sold from the Steubenville

Land Office, established in 1801, and later Acts established Land Offices at Canton and Wooster, and authorized sales to be made therefrom.

RECORDS.

All records herein referred to are to be found in the various offices in Stark County, Ohio. All deeds, mortgages and other instruments of record are regular on their face, are properly acknowledged, have two witnesses to the signatures, and fully comply with the law of the State in which they are executed, unless otherwise noted.

The date of filing of any instrument is given as the date of record.

ABBREVIATIONS:

Gen. War. Deed—General Warranty Deed.

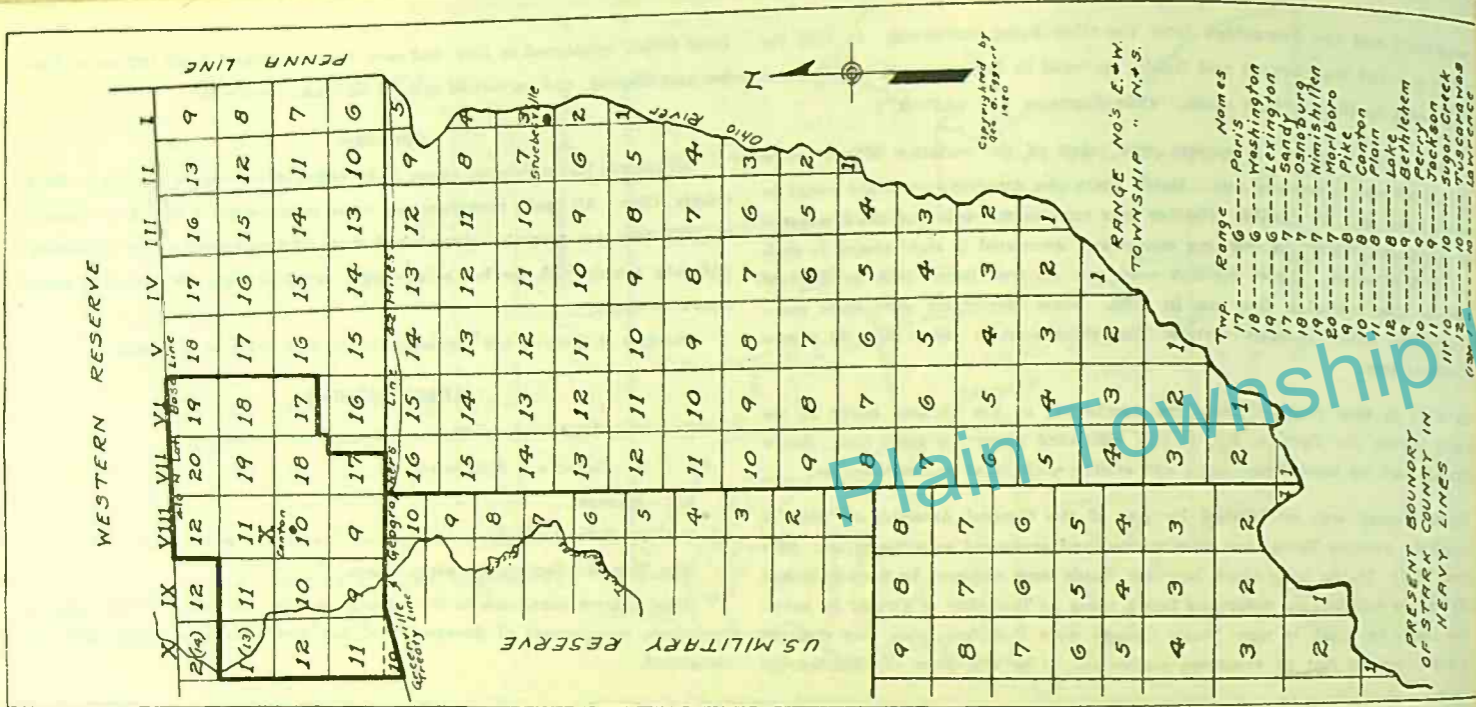
S. & A.—Signed and Acknowledged.

Rec.—Recorded.

Vol. P.—Volume, Page.

Sec., Twp. R.—Section, Township, Range.

Other abbreviations, such as for calendar months, the points of the compass, variations, measurement of distances, etc., are such as are generally used and recognized.



The United States of America, by James Madison, President.  
 To Mathias Springer.

Patent.  
 Dated Oct. 1, 1811.  
 Rec. Nov. 7, 1814.  
 Vol. "B", P. 388.

Patent for the South East Quarter of Sec. #29, Twp. #11, R. #8 of the lands directed to be sold at Steubenville by Act of Congress.

Note:- This patent is for land in Township #11, North of Ohio River Base in Range #8 west of Pennsylvania Meridian, which is now Plain Township, Stark County, Ohio.

III

Mathias Springer, and  
Susannah Springer,  
husband and wife.

To  
John Arentz.

Gen. War. Deed.  
S. & A. Aug. 19, 1826.  
Rec. Mar. 6, 1828.  
Vol. "G", P. 317.

Conveys a tract of land in the County of Stark and  
State of Ohio, and "in Section #29, Twp. #11, R. #8, the part  
hereby conveyed being the South East Quarter of said Sec. #20  
of Twp. #11, R. #8."

IV

Amanda Young,  
Plaintiff.

vs.

Mathias Springer,  
John Arentz, Et Al.  
Defendants.

Decree

Certified copy dated Mar. 3,  
1921.

Rec. Mar. 18, 1921.

Vol. 656, P. 369.

Stark County Deed Records.

"The Court finds that The United States of America, by James Madison, President, issued a patent for the South East Quarter of Sec. #29, Twp. #11, R. #8, which thereafter became Plain Township, Stark County, Ohio, to Mathias Springer; that said Mathias Springer conveyed said land, in fact, to one John Arntz; that by a mistake of the scrivener the name of John Arentz was written in said deed, and by a further mistake the land was described as the South East Quarter of Sec. #20 instead of Sec. #29; that said conveyance, was, in fact, a conveyance of the South East Quarter of said Sec. #29, to said John Arntz; that said deed was recorded in Vol. "G", P. 317, Stark County Deed Records."

IV (Continued)

It is therefore ordered that said deed be corrected to comply with the above findings of this Court; that this decree operate as a reformation thereof; that the Clerk of this Court issue a certified copy thereof; and that the Recorder of this County enter a reference thereto on the margin of the record of said deed.

Plain Township Historical Society



John Arrantz, and  
Elizabeth Arrantz,  
 husband and wife.

To  
 Joseph Henry, Jr.

Gen. War. Deed.  
 S. & A. Apr. 12, 1831.  
 Rec. Apr. 12, 1831.  
 Vol. "I", P. 498.

Conveys a part of the South East Quarter of Sec.  
 #29, Twp. #11, R. #8, "beginning at the old half mile stake between  
 said Sections #29 and #32, running east 92.5 perches; thence  
 North  $24\frac{1}{2}^{\circ}$  West 28.3 perches; thence west 80.8 perches to  
 the west line of Quarter; thence south 26 perches to the place  
 of beginning, containing 14 acres and 6 perches."

VI

No Will or Estate of Joseph Henry, Jr. appears of record, but it would appear his children and heirs were John, Jacob, William, Philip and Kate Henry, see following sections.

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VII

John Henry, and Susan  
Henry, husband and wife,  
Philip Henry, and Catherine  
Henry, husband and wife.

To  
Jacob Henry.

Quit Claim Deed.  
S. & A. Apr. 29, 1863.  
Rec. June 8, 1863.  
Vol. 81, P. 232.

Quit Claim Deed to the undivided  $\frac{2}{5}$ th part of the  
premises described at Section V.

VIII

William Henry, and  
Maria Henry,  
husband and wife.

To  
Jacob Henry.

Quit Claim Deed.  
S. & A. Mar. 5, 1866.  
rec. Mar. 21, 1889.  
Vol. 249, P. 545.

Quit Claim Deed to the undivided one fifth part of  
premises described at Section V.

IX

Kate Henry's  
Estate.

July 27, 1888. Application filed.  
July 27, 1888. A. J. Fulmer  
qualified as administrator,  
bond filed, letters issued.  
Aug. 4, 1888. Inventory and app-  
raisement filed.  
Aug. 24, 1888. Proof of publi-  
cation filed.  
July 27, 1889. Final account filed.  
Admr. Doc. "G", P. 373.

The application states that Kate Henry died January 1, 1888, intestate leaving William, John and Jacob Henry her brothers and only heirs.

A. J. Fulmer, Administrator  
of Kate Henry, deceased.

Plaintiff.

vs.

Jacob Henry, William Henry,  
John Henry, Josiah Henry,  
Sophia Oswalt and the unknown  
heirs of Philip Henry,  
deceased.

Defendants.

Sept. 3, 1888. Petition filed.  
Summons served.

Sept. 12, 1888. Affidavit for  
publication filed.

Oct. 19, 1888. Proof of publi-  
cation filed.

Nov. 5, 1888. Hearing had, sale  
ordered.

Feb. 27, 1889. Premises sold to  
Jacob Henry, sale confirmed and  
deed ordered.

Civ. Doc. "E", P. 16.

Civ. Rec. "J", P. 72.

The petition states that Kate Henry died seized of the undivided one fifth interest in the premises described at Section V; that the defendants herein named are the next of kin, and asks order of sale.

X (Continued)

Summons was served on John Henry, William Henry, and Jacob Henry personally and on Josiah Henry, Sophia Oswalt, and the unknown heirs of Philip Henry deceased by publication by order of the Court on affidavit filed.

On final hearing said premises were ordered appraised and sold and were sold at private sale by order of the Court to Jacob Henry for more than 2/3 of the appraised value, which sale was confirmed and deed ordered.

XI

A. J. Fulmer, Administrator  
of the estate of Kate Henry,  
deceased.

To  
Jacob Henry.

Administrator's Deed.  
S. & W. Feb. 27, 1889.  
Rec. Feb. 27, 1889.  
Vol. 249, P. 307.

Conveys the undivided one fifth part of the premises  
described at Section V.



XII

Jacob Henry's  
Estate.

May 14, 1892. John Henry  
qualified as Administrator,  
bond filed, letters issued.  
Apr. 7, 1894. Final account  
filed.  
Admr. Doc. "H", P. 221.

The application states that Jacob Henry died  
intestate Nov. 8, 1890, leaving no widow and Mary, Elizabeth,  
Barbara, Jacob, Peter, John and Kate Henry and Theresa Struble  
his children and only heirs.

XIII

Theresa Struble.

vs.

Jacob Henry, Peter Henry,  
John Henry, Mary Henry,  
Barbara Henry, Kate Henry,  
and Elizabeth Henry.

May 5, 1892. Petition filed.  
Summons served on all defendants.  
July 6, 1892. Partition ordered.  
July 26, 1892. Sale ordered.  
Sept. 30, 1892. Sale confirmed,  
deed ordered.  
App. Doc. 65, P. 8343.  
Rec. 123, P. 157.  
Stark County Clerk's Office.

Plaintiff alleges that she is a daughter of Jacob Henry, deceased; that Jacob Henry died Nov. 8, 1890, seized of the premises described at Section XIV hereof; that the defendants are tenants in common with plaintiff, each being entitled to the one eighth part of said premises, and asks partition.

XIII (Continued)

On hearing the Court found that all defendants were served with summons; that plaintiff and defendants each owned one eighth part of said land, and ordered partition.

Commissioners were appointed and said land appraised at \$1500.00. Sale was ordered and premises advertised, and sold, according to law, to Jacob Henry, Mary Henry, Peter Henry, Kate, Barbara Henry for more than 2/3 of appraised value, which sale was confirmed and deed ordered.

XIV

Charles A. Krider, Sheriff  
of Stark County, Ohio.

To

Jacob Henry, Peter Henry,  
Barbara Henry, Mary Henry,  
and Kate Henry.

Sheriff's Deed.  
S. & A. Sept. 30, 1892.  
Rec. Sept. 30, 1892.  
Vol. 289, P. 423.

Conveys a part of the South East Quarter of Sec.  
#29, Twp. #11, R. #8, bounded on the north by lands of Andrew  
Pontius, on the west by the Quarter Section line, on the south  
by the south Section line; on the east by lands of L. Kister,  
containing 14 acres of land.

Note:- The above are the same premises described in Section  
V, et seq. of this abstract.

Peter Henry, Barbara Henry,  
 Kate Henry, Mary Henry,  
 all unmarried, and Jacob  
 Henry, and Margaret Henry,  
 husband and wife.

To  
 Louis Reich.

Gen. War. Deed.  
 S. & A. May 31, 1904.  
 Rec. June 2, 1904.  
 Vol. 425, P. 399.

Conveys a part of the South East Quarter of Sec. #29,  
 Twp. #11, R. #8, beginning at the south west corner of said  
 Quarter; thence east along the south line of said Quarter Section  
 to a corner of land owned by Louis Kister; thence northwestwardly  
 along the west line of Kister's land to the land of Andrew Pontius;  
 thence west along the south line of Andrew Pontius' land to the  
 west line of said Quarter; thence south on the west Quarter line  
 to the place of beginning, containing 14 acres.

Note:- These are the same premises conveyed in Section V et seq.  
 and Section XIV, and includes premises herein abstracted.

Louis Reich, and  
Margaret Reich,  
husband and wife.

To  
Charles A. Kolp.

Power of Attorney.  
S. & A. Aug. 12, 1921, and  
July 6, 1921.  
Rec. Aug. 18, 1922.  
Vol. 761, P. 24.

Empowers said attorney to sell and convey said  
premises.

Plain Township Historical Society

XVII

Louis Reich.

To

The Ohio Power Co.

Easement.

S. & A. Mar. 11, 1921.

Rec. Apr. 27, 1922.

Vol. 761, P. 13.

Grants easement for poles and wires over the tract described in Section XIV.

L I E N S

Plain Township Historical Society



1.

CANCELED MORTGAGES.

Mortgage, John Arentz to Paul Rider, Et Al,  
\$911.75, Apr. 5, 1827, Vol. "G", P. 136. Canceled.

Mortgage, Jacob Henry to Philip Henry, \$200.00,  
Apr. 11, 1863, Vol. 80, P. 373. Canceled.

Mortgage, Louis Reich to Lizzie Van Vooris, \$700.00,  
Apr. 1, 1909, Vol. 472, P. 129. Canceled.

Mortgage, Louis Reich to Lizzie Van Vooris, \$500.00,  
Apr. 1, 1911, Vol. 492, P. 389. Canceled.

2.

Louis Reich.  
To  
Bert Bixby.

Mortgage, \$600.00.  
S. & A. Apr. 1, 1908.  
Rec. Apr. 2, 1908.  
Vol. 450, P. 391.  
Not canceled on the record.

Plain Township Historical Society

No mechanics liens or leases.

There are no suits pending against Louis Reich, nor no judgments against him or against any of the preceding owners of said premises which are liens thereon.

No foreign executions.

We have made no search for street or sewer assessments, liquor taxes or other special assessments, nor for conveyances, agreements or mechanics liens not filed for record at the date hereof, nor the rights of parties in possession not shown of record.

TAXES:- Paid to and including June payment, 1922.

We hereby certify that the foregoing ABSTRACT was collated by us from the Official Records of Stark County, Ohio, and we 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.

Canton, Ohio.  
September 15, 1922.

THE EGGERT COMPANY.

*Geo. B. Eggert*  
.....  
J.C.