

CHAS. A. KOOP,  
Buyer and Seller of Real Estate,  
CANTON, OHIO.

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ABSTRACT OF TITLE to part of the N.W., S.W., and S.E.  
Quarters of Sec. #20, Tp. 11, R. #8. *Stark Co. Ohio*

FIRST TRACT:- Being part of the N.W. Qr. of Sec. 20, Tp. 11, R. 8,

and beginning for the same at a stone at the S.W. corner of said quarter section; thence N. 4 deg. 30 min. E. and along the west line of said quarter section 1897.5 ft. to an iron pin in the center line of the Public Road, running west from the Canton and Akron Public Road to Massillon; thence S. 83 deg. 30 min. ~~W.~~ E. and along the said center line of said Public Road 898ft. to an iron pin; thence S. 4 deg. 30 min. W. and parallel with the west line of said quarter section 1870.5 ft. to an iron pin in the south line of said quarter section; thence N. 85 deg. 30 min. west and on and along the south line of said quarter section 898 ft. to the place of beginning, excepting a seven acre tract out of the N. W. corner heretofore sold and conveyed ~~by~~ by Martin Wikidai to Anton Schweitzer, as recorded in the deed records of said county, in Vol. 128, page 339 and 340, and described as follows: Commencing at a point in the center of the road running west from the Canton and Akron Public road to Massillon, where it crosses the section line between sections #19 and #20 in Plain Township, Stark County, Ohio; thence east 20 rods; thence south 56 rods; thence west 20 rods to said section line; thence with said section line, North 56 rods, containing seven acres of land excepting one half acre in a square form out of the north west corner of said tract now used for a school house lot. The tract of land hereby conveyed contains 31 84/100 acres.

~~Second Tract~~: - Being part of the S.W. and part of the S.E. Qr.  
Sections #20, Tp. #11, (Plain) R. #8, Stark  
County; Ohio, and beginning for the same at a stone  
at the N.W. corner of said S. W. Qr. Section; thence  
S. 4 deg. 30 min. W. and <sup>on out</sup> along the west line of said  
S. W. Qr. 1326 ft. to <sup>a stone</sup> an iron pin; thence S. 85 deg.  
30 min. E. 2524 ft. to an iron pin, thence ~~XXXXXXXXXX~~  
N. 4 deg. 30 min. E. and parallel with the east line of  
said south west quarter section, 591.5 ft. to an iron pin  
said pin being the N. W. corner of one acre  
tract now owned by Wm. H. Schneider as conveyed to  
him by T. Elijah Festerly and recorded in the deed  
records of said county in Vol. 299, page 362-3;  
thence S. 85 deg. 30 min. E. 347 ft. and along the  
north line of said W. H. Schneider's tract, to an  
iron pin in the center line of the Canton and Akron  
Public Road, said pin being the N.E. corner of the  
said Wm. H. Schneider's tract; thence N. 3 deg. 30  
min. W. and <sup>on out</sup> along the center line of said public  
road 744 ft. to an iron pin in the north line of  
said S. E. Qr. Section; thence north 85 deg 30 min.  
W. and <sup>on out</sup> along the north line of said S. E. and S. W.  
Quarter Sections, 2711 ft. to the place of beginning  
and containing 91 33/100 acres.

No. 2.

We can find no patent for the North West Quarter of Section #20, Township #11, Range #8, in the Stark County Recorders Office.

We first find the title to this quarter section in Henry Everhard as recited in deed from John Everhard to Philip Everhard as noted at Sec. #4 following.

No. 3.

We can find no will or administration on the estate of Henry Everhard in the Stark County Probate Office.

No. 4.

John Everhard	Quit Claim Deed,
to	D. & Ack'd. Sept. 3, 1849
Philip Everhard,	Rec. Sept. 6, 1849
Henry Everhard,	Vol. 44, page 170
Susan Everhard,	Two witnesses,
Mary Everhard,	John P. Bruok. J. P.
Lydia Ruthrauff,	Julia Ann Everhart releases
Rachel Welsheimer,	dower.
John Stough Everhard,	
all of whom are my bro thers	
and sisters except said	
John S. Everhard.	

Quit Claims all the interest which grantor has or ought to have in the estate real and personal of his father Henry Everhard.

Said real estate being described as follows, towit:-  
Situatad in the County of Stark and State of Ohio and being the  
N.W. Qr. of Sec. #20, Tp. 11, R. #8.

No. 5.

Henry Everhard and Rebecca  
Everhard, his wife,  
Philip Everhard and Nancy  
Everhard, his wife,  
Henry Ruthrauff and Lydia  
Ruthrauff, his wife,  
Edwin Welsheimer and Rachel  
Welsheimer, his wife,  
and John S. Everhard,

Quit Claim Deed,  
D. & J. 4. Sept. 6, 1849  
Rec. Mar. 9, 1850.  
Vol. 45, page 53.  
Two witnesses,

to

Henry Bechile, J. P.

Susanna Everhard and  
Mary Everhard,.

Conveys part of the N. W. Qr. of Sec. 20, Tp. 11,  
R. 8, beginning at a point in the quarter section line 15 chains  
W. of the S. E. corner of said quarter section; thence N. 40 chains  
to a post in the North line of said quarter; thence W. to the north  
west corner of said quarter; thence S. to the S. W. corner of said  
quarter; thence E. to the place of beginning, containing 100 acres  
more or less and other premises.

No. 6.

We can find no will or administration on the estate  
of Mary Everhard in the Stark County Probate Office.

No. 7.

John S. Everhard and Mary  
Everhard, his wife,  
to  
Henry S. Everhard.

Quit Claim Deed.

D. & Ack'd. Jan. 13, 1857  
Rec. Jan. 30, 1857.  
Vol. 67 page 101.  
Two witnesses,  
W. S. Radenstine, J. P.  
Grantor signs "J. S. Everhard"

Conveys the undivided the undivided one seventh of an  
undivided one half of the premises described at sec. #6 above.

No. 8.

Jehu S. Everhard and Mary  
Everhard, his wife,  
to  
Henry S. Everhard.

Quit Claim Deed,

D. & Ack'd. Nov. 28, 1858  
Rec. Mar. 23, 1859  
Vol. 72, page 160  
Two witnesses,  
Jos. Heckman, J. P.

Conveys the same premises as described in sec. #7  
above and recites that this conveyance is made <sup>to</sup> correct an error  
in a deed to this grantee rec. in Vol. 67, page 101.

No. 9.

Henry Everhard and Rebecca E.  
Everhard, his wife,  
to  
Henry Everhard

Quit Claim Deed.

D. & Ack'd. Oct. 9, 1858  
Rec. in Vol. 88, page 607  
Rec. July, 8, 1865.  
Two witnesses,  
Henry Bachtel, J. P.

Conveys the undivided 2/7 part of the undivided 1/2 of the west part of the N. W. Qr. of Sec. 20, Tp. 11, R. 8, beginning at a post on the quarter section line, 15 chains west of the S. E. corner of said quarter; thence N. 40 chains to a post in the north line of said quarter; thence west to the N.W. corner of said quarter section; thence south to the S.W. corner of said quarter section; thence east to the place of beginning, containing 100 acres more or less and other premises.

The premises hereby conveyed on the two undivided sevenths part of land owned by Mary Everhard, now deceased, she being a sister of said Henry Everhard, now deceased, died intestate.

No. 10.

John Everhard  
to  
Henry Ruthrauff.

Quit Claim Deed.  
D. & Ack'd. Aug. 1, 1865  
Rec. Aug. 3, 1865  
Vol. 61, page 514.  
Two witnesses,  
J. J. Hoffman, N. P.

Julian Everhard releases dower

conveys the undivided one seventh of an undivided one half of the same premises as described in sec. #9 above.

No. 11.

Henry Ruthrauff a  
to  
Susan Everhard,

Quit Claim deed.  
Dated Jan. 17, 1867  
Rec. Mar. 8, 1867  
Vol. 93, page 490  
Two witnesses,  
Reuben Holl, J. P.  
Lydia Ruthrauff releases  
dower.

Conveys the undivided 2/7 part of the undivided 1/2 of the same premises above, being the property owned by Mary Everhard, now deceased, and being the sister of said Henry Ruthrauff's wife, she having died intestate.

No. 12.

Philip Everhard,  
to  
Susanna Everhard.

Quit Claim Deed.

D. & Ack'd. July 17 1869

Rec. Aug. 23, 1869

Vol. 108, page 65.

Two witnesses,

Geo. W. Raff, N. P.

Nancy Everhard releases  
dower.

Conveys the undivided 1/7 of the undivided 1/2 of the same premises described in sec. #11 above.

No. 13.

W. S. Stafford and Emma  
Stafford, his wife,  
to  
Martin Wikidal

Quit Claim Deed.

D. & Ack'd. July 17, 1869

Rec. aug. 23, 1869

Vol. 108, page 65.

Two witnesses,

E. T. Sneldker, J. P.

Conveys the grantors interest in and to the following described premises:- Being part of the N.W. Qr. of Sec. 20, Tp. 11, R. 8, beginning at a post in the quarter line, 15 chains west of the S.E. corner of said section; thence N. 40 chains to a post in the north line of said quarter; thence west to the N.W. corner of said quarter; thence S. to the S.W. corner of said quarter; thence east to the place of beginning, containing 100 acres, more or less.

Martin Wikidal

Petition for Partition.

-vs-

1872, Nov. 7, Petition filed.

Susan Everhard and

" Sept. 24, Partition ordered.

Mary S. Welsheimer.

" " 26, Writ issued.

1873, Jan. 7, Writ returned and cont.

" Feb. 10, Report approved.

x x x x x

Appearance Docket "T2", page 299,

Record 59, page 345.

Stark County Clerk's Office.

Petition recites that the petitioner is seized of an undivided 1/28 part of the following described lands situated in the county of Stark and State of Ohio, to-wit:- Part of the N.W. r. of Sec. 20, Tp. 11, R. 8, beginning at a post in the quarter line 15 chains west of the S.E. Qr. of said Quarter Section; thence N. 40 chains to a post in the north line of said quarter section; thence W. to the north west corner of said quarter section; thence S. to the S.W. corner of said quarter; thence east to the place of beginning containing 100 acres, more or less.

Prays that his part may be set off to him and that he hold his undivided 1/28 part in severalty. The court decesses partition and appoints Peter J. Trump, John Correll and Benedict Danemiller, commissioners to partition. Commissioners set off to Martin Wikidal part of the S.W. Qr. of Sec. 20, Tp. 11, R. 8, commencing for the same at apoint in the center of the road Ruthrauffs Mill to Massillon where it crosses the section line between sec. 19 and 20 thence E. 20 rods; thence S. 56 rods; thence W. 20 rods to the section line; thence on said section line N. 56 rods, containing 7 acres of land, except 1/2 acre out of the N.W. corner of said tract, now used for school house purposes.



NOTE:- This partition suit disposes of the interest of Emma Stafford one of the heirs at law of Mary Everhard, dec'd., in the premises in question.

No. 15.

Susanna Everhard's Estate. 1881, Aug. 6, Application request of heirs filed.  
" " " Andrew Pontius admr. Bond filed and letters issued.  
1882, Feb. 1, Inventory and appraisal filed.  
" " " Sale bill filed.  
" May 4, Final and distributive account filed. Docket "F", page 374.  
Stark County Probate Office.

No. 16.

Andrew Pontious, Admr of the estate of Susan Everhard, 1881, Nov. 24, Petition filed.  
" Dec. 15, Waiver of notice and answer of Adeline Welty

-vs-

Henry Everhard, Philip Everhard, R. T. Sneider, Henry Everhard  
Philip Everhard, J.B. Everhard, Henry Ruthrauff  
Lydia Ruthrauff, John W. Everhard, filed.  
Henry Ruthrauff, John Welty Everhard,  
John Welty Everhard,  
Adeline Welty,  
Joseph Welty,  
Jehu S. Everhard,  
Mary S. Welsheimer,  
Emma Stafford,  
Julian Sneider,  
Isabella Gillis,  
Alexander Gillis.

1881, Dec. 19, Answer of Emma and W. F. Stafford filed.  
" " " Answer of Mary S. Welsheimer now East and S. East filed.

1881, Dec. 22, Answer of A. C. Gillis  
and Isabella L. Gillis  
filed.

" " 27, Hearing had and appraisal  
ordered.

Order of sale made.

" " 28, Appraisements returned.  
Appraisements approved  
and public sale ordered.  
Order of sale issued.

1881, Feb. 1, Notice and affidavit  
filed. Order of sale  
returned. Sale approved  
and deed ordered.

Civil Docket "C", page 106,

Record # "F", page 182,

Stark County Probate Office.

The petition recites that Susan Everhard died seized  
in fee simple of the following described real estate: Situated in  
the country of Stark and State of Ohio and being the westpart of  
the N.W. Qr. of Sec. 20, Tp. II, R. 8, beginning at a post in  
the quarter section line, 15 chains west of the S. E. corner of  
said quarter section; thence N. 40 chains to a post in the north  
line of quarter; thence west to the N.W. corner of said  
quarter section; thence south to the south west corner of said  
quarter section; thence east to the place of beginning, containing  
100 acres, more or less, except one undivided twenty-eighth part  
of the foregoing described tract of land belonging to defendant  
Mary S. Welsheimer as heir at law of Mary Everhard, deceased.

and one undivided twenty eight of said tract owned by the defendant Emma Stafford and . . . Stafford, her husband, as heirs at law of said Mary Everhard, deceased, and by them conveyed to Martin Wikidal, and by him conveyed to Martin Schweitzen.

Petition further represents that Susann Everhard, di ed leaving the following persons her heirs at law, having the nextestate of inheritance in said real estate, Henry Everhard Philip Everhard, Lydia Ruthrauff and her husband Henry Ruthrauff Philip M. Everhard, Mary S. Welsheimer, Emma Stafford, and....Stafford her husband, John Wesley Everhard, Adeline Welty and Joseph Welty her husband, Julia Sneider, Isabella Gillis and her husband Alexander Gillis, and R. T. Sneider, husband of said Julia Sneider.

Prays that said premises be sold according to law. All defendants waive summons and enter their appearance, and consent to said sale. Administrator ordered to sell said premises. Property appraises at \$8440. Administrator reports sale of said premises to Joseph Wackerly for \$9737.36, which sale was approved and deed ordered.

No. 17.

I certify that on the 24th day of Nov. 1881, Daniel East and Mary S. Welsheimer, were legally married by me a minister of the Gospel. Marriage Rec. #9, page 596. Signed J. M. Kuehn.

We can find no record of the marriage of Emma Welsheimer and W. S. Stafford, but in Section No. 18 above the petition recited that she was one of the heirs at law of Mary and Susan Everhard, dec'd.

No. 18.

Andrey Pontious, Admr,  
of estate of Susan  
Everhard,  
to  
Joseph Wackerly,

Admrs. Deed.  
D. & Ack'd Feb. 1, 1882.  
Rec. Apr. 3, 1882.  
Vol. 122, page 507.  
Two witnesses,  
Geo. Baldwin, N. P.

Being the west part of the North west Part of the  
Quarter of Section No. 20 Twp. No. 11. Range No. 8, beginning at  
a point in the quarter line 15 chains west of the South East corner  
of said quarter section; thence North 40 chains to a post in the  
North line of said quarter; thence west to the north west corner  
of said quarter section; thence South to the south west corner of  
said quarter section; thence south to the south west corner of  
said quarter; thence east to the place of beginning. Excepting a  
piece heretofore conveyed by Emma Stafford and W.S. Stafford her  
husband to Martin Wikidal, and by him conveyed to Anton Schwertner,  
which last deed is recorded in Vol. 128 page 539 of the deed records  
of said county. The tract hereby conveyed containing 93 1/2 acres  
more or less, and containing within its boundaries the tract herein  
described as FIRST TRACT.

No. 19.

Daniel East and  
Mary S. East  
his wife  
to  
Joseph Wackerly.

Quit Claim deed.  
D. & Ack'd. Mar. 11, 1882.  
Rec. Apr. 3, 1882.  
Vol. 122, page 308.  
Two witnesses.  
Geo. S. Baldwin. N.P.

Conveys part of the west part of the North West Quarter  
of section No. 11, Twp. No. 11, Range No. 8, beginning for the same  
at a post in the quarter line 15 chains west of the south east  
corner of said Quarter Section; thence 40 chains to a post

in the North linne of said Quarter; thence west to the North West corner of said Quarter Section; thence South to the South West corner of said Quarter; thence East to the place of beginning. Containing about ... acres of land more or less. This now brings the title to the first tract herein described down to Joseph Wackerly.

No. 20.

SECOND TRACT.

James Madison, Pres.  
of the United States,

to

John Slingsluff.

Government Patent.

Dated June 1, 1810.

Rec. (No date)

Vol. "c" page 139.

Conveys the South West Quarter of Section No. 20 Twp.  
No. 11, Range No. 8, of the lands directed to be sold at Steubenville, Ohio.

No. 21.

John Slingsluff, and  
Elizabeth, his wife.

to

Philip Zeigler.

Warranty Deed.

D. & Ack'd. Jan 12, 1811.

Rec. Dec. 22, 1815.

Vol. "C" Page 139

Two witnesses.

Edward Johnson, Mayor of  
Baltimore Md.

Conveys the South West Quarter of Section No. 20 Twp.  
No. 11, Range No. 8, of the lands directed to be sold at  
Steubenville Ohio.

No. 22.

Philip Zeigler,  
to  
Abraham Zeigler.

Warranty Deed.  
D. & Ack'd. Dec. 4, 1815,  
Rec. Dec. 29, 1815.  
Vol. "C". Page 144.  
Two witnesses,  
James Drennan, J.P.

Conveys the North Half of the South West Quarter of  
Sec. #20, Tp. #11, R. #8, beginning at the Quarter Section  
post between Section 19 and 20 aforesaid; thence East 40 chains and  
20 L. to the Center of said section 20; thence South 19 ch. 80 L.  
to a post; thence west 40 ch. 20 L. to a post in the line between  
Sections 19 and 20; thence North on said line 20 ch. to the place  
of beginning, containing 79.9971 /2/ 100 Acres.

No. 23.

Abraham Zeigler, and  
Rachel, his wife,  
to  
John Delhower

Quit Claim Deed.  
D. & Ack'd. Nov. 9, 1832/  
Rec. Sep. 25, 1833  
Two witnesses,  
Henry D. Delhower, J.P.  
Vol. "K". Page 592.

Conveys the North Half of the south west Quarter of  
Sec. #20, Tp. #7, R. #8, which land was confirmed unto Slingluff  
of Baltimore by patent from the U. S. dated the 1st. day of  
June, 1810 and confirmed unto said Philip Zeigler by the said John  
Slingluff and Elizabeth his wife, by deed of conveyance dated the  
12 th day of Jan. 1811 and afterwards sold and conveyed by Philip

Zeigler to the above named Abraham Zeigler by deed of conveyance dated the 4th. day of Dec. A. D. 1811 and rec. in Stark County, Ohio Book "C" page 144.

No. 24.

We can find no deed or conveyance from John Delhower to Isaac Bachtel in the Stark County Recorders Office, but the tax records show the title to said premises in Isaac Bachtel about 1844.

No. 25.

James Madison, Pres.  
of the United States,  
to  
Frederick Oberlin.

Patent.  
Dated Dec. 23, 1812.  
Rec. (no date)  
Vol "B", page 116.

Conveys the S. E. Qr. of Sec. 20, Tp. 11, R. 8,  
of the lands directed to be sold at Steubenville.

No. 26.

Frederick Oberlin and Mary  
Oberlin, his wife  
to  
Frederick Rodacker

Gen. War. Deed.  
D. & Ack'd. Jun. 8, 1812.  
Rec. (no date)  
Vol. "B", page 117.

Conveys part of the S. E. Qr. of Sec. 20, Tp. 11,  
R. 8, of lands directed to be sold at Steubenville and bounded as  
follows:- Beginning at the section post on the north and south line  
between said section #20 and #21; thence W. 40 chains and 20 links  
to the center post of said section; thence S. 19 chains and 30 links  
to a post; thence E. 40 chains and 20 links to a post on said north  
and south line between secs #20 and #21; thence N. on said line, 19  
chains, 87 1/2 links to the place of beginning, containing 79.75  
acres more or less.

No. 27.

We can find no deed or conveyance from Frederick Rodocker to any person or no will or administration on his estate in the Stark County Offices.

No. 28.

Valentine Dewalt's Estate. 1816, Dec. 10, Letters testamentary to Philip and Magdalena Dewalt. No further record. Administration Dec. "A", page 26, Stark County Probate Office.

No. 29.

Valentine Dewalt's Will. Dated Oct. 28, 1816  
Probated (no date)  
Will Rec. "A", page 14.

ITEM

Provides that all just debts and funeral expenses be paid after making certain bequests to his wife, Magdalena Dewalt, will recites, the one quarter of land as my property bought from Rodacre Bazell and do hereby order to be rented yearly and every year till the said quarter of land is paid, which is to be paid out of rents and after the said place is paid it shall be the choice of my said widow and heirs to sell the same or continue it in renting as they shall agree.

Nominates and appoints Philip Dewalt to be executor and Magdalena Dewalt to be the executrix of his last will and testament.



No. 30.

Samuel Baer, and Catherine  
Baer, his wife,  
Henry Rovart and Margaret  
Rovart, his wife,  
Henry Lair, and Pally Lair,  
his wife, heirs at law of  
Valentine Dewalt, dec'd.,  
to  
Philip Dewalt.

Quit Claim Deed.  
D. & Ack'd. Nov. 12, 1882.  
Rec. (no date)  
Vol. "E", page 467.  
Two witnesses,  
Geo. Dunbar, J.P.

Conveys the north half of the S.E. Qr. of  
Sec. #20, Tp. 11, R. 8.

No 31.

Magdalena Dewalt, widow of  
Valentine Dewalt, dec'd.,  
to  
Philip Dewalt.

Quit Claim Deed.  
D. & Ack'd. Mar. 12, 1882.  
Rec. (no date)  
Vol "E", page 472.

Conveys the north half of the S.E. Qr. of Sec.  
20, Tp. 11, R. 8.

No. 32.

Philip Dewalt and Eva  
Dewalt his wife,  
to  
Isaac Kutzner,

Gen. War. Deed.  
D. & Ack'd Nov. 22, 1822.  
Rec. May 7, 1851  
Vol 40, page 136  
Two witnesses,  
Orlando Metcalf, N.P.  
Eva Dewald releases dower.

Conveys the north half of the S.E. Qr. of Sec. 20,  
Tp. 11, R. 8, containing 80 acres of land more or less.

No. 33.

Isaac Kutzner and Mary  
Kutzner, his wife,  
to Isaac Bachtel.

Gen. War. Deed.  
D. & Ack'd. Aug. 12, 1843.  
Rec. May, 27, 1856  
Vol. 54, page 372  
Two witnesses,  
John Feathers, J.P.

Part of the S.E. Qr. of Sec. 20, Tp. 11, R. 8,  
bounded as follows:- Beginning for said tract of land at the N.W.  
corner of the S.E. Qr. of said section; thence S. 44 perches, 5  
links to a post; thence E. 13 perches 12 1/2 links to a post; thence  
N. 14 deg. W. 45 perches and 1/2 link to a post; thence W. 2 perches  
to the place of beginning, containing 2 acres and 20 perches and  
being part of the second tract hereby abstracted.

NOTE:- The title to the Second Tract hereby abstracted now  
appears to be in Isaac Bachtel.

No. 34.

Isaac Bachtel's Will.

Dated Feb. 10, 1865  
Probated June 11, 1866  
Will Rec. "B", page 92-3.

Provides first that his just debts be paid.

Second, gives to his wife Susanna Bachtel in lieu of  
dower part of the N. W. Qr. of Sec. 17, Tp. of Plain, containing  
about 50 acres. Also part of the S. W. Qr. of same section.

Item 3:- I give, devise and decree to my son, Wm. H.H.

Bachtel the following described real estate, to wit:-

The north half of the S.W. Qr. of Sec. 17, in said township of  
Plain except so much thereof as I have attached to the homestead  
of my wife,

Also the North half of the S.W. Qr. of Sec. 20, in said township of Plain except about 2 1/2 acres sold by me to Isaac Kutzner. Also about 2 1/2 acres out of the S.E. QR. of Sec. 20 in said township deeded to me by Isaac Kutzner which I give to Wm H. H. Bachtel in lieu of land excepted in preceding tract. All devises to Wm. H.H. are made subject to the payment by him of the sum of \$150. annually to my wife should she require it during her widowhood.

Nominates his said son Jacob E. Bachtel and Wm. H. H. Bachtel, executors of his last will and testament.

No. 35.

Isaac Bachtel's Estate. 1866, June 11, Jacob E. Bachtel and Wm. H. H. Bachtel ,exrs. Bond filed and letters issued.

" " " The exrs. are sole legatees in the will and no account is necessary.

1881, Dec. 16, Final account filed.

" Mar. 28, Appraisers of personal estate appointed.

Order to appraise issued

" July 5, Inventory and appraisal filed.

" " " Sale bill filed.

Doc. "E". page 83.

Stark County Probate Office.

No. 36.

Wm. H. H. Bachtel's Estate. 1880, Nov. 17, Declaration and request of heirs filed.

Application filed.

Peter Bartlett, admr.

Bond filed and letters issued.

" Dec. 16, Inventory and appraisement filed.

1881, Apr. 3, Sale bill filed.

1882, Jan. 15, First partial account filed.

" Oct. 2, Final account filed.

" Dec. 20, Distributive account filed.

Docket "F", page 326,

The application recited that Wm. H. H. Bachtel died on or about Oct. 13, 1880 intestate, leaving said Sarah E. Bachtel, his widow and Chas. E. Bachtel, a son and Marie E. Bachtel, a daughter his children and only heirs at law.

No. 37.

Chas. E. Bachtel

to

Sarah E. Bachtel.

Quit Claim Deed.

D. & Ack'd. Apr. 1, 1882.

Rec. Apr. 3, 1882.

Vol. 182, page 521.

Two witnesses.

Chas. E. Miller, N.P.

Conveys the undivided one half of the north half of the S.W. Qr. of Sec. 20, Tp. 11, R. 9, except about 2 1/2 acres conveyed to Isaac Bachtel to Isaac Kutzner. Also part of the S.E. Qr.

of Sec. #20, bounded and described as follows, Beginning for the same at the N.W. corner of said quarter; thence S. 44.05 perches to a post; thence E. 13. 12 1/2 perches to a post; thence N. 14 deg. W. 45.01 perches to a post; thence W. 2 perches to the place of beginning containing 2 1/3 acres.

All of said premises above being subject to the dower estate of Sarah E. Bachtel therein.

No 39.

Maude E. Bachtel's Guardian. 1865, Jan 8, Application filed, ~~with~~ Daniel Hoover, guardian, bond filed and approved.

Letters issued.

" Mar. 7, Inventory filed.

1867, Mar. 21, Bond for sale of real estate filed.

May 14, First account filed.

1891, Jan. 29, Final Account filed.

Guardian Docket "E", page 321.

No 39.

Daniel Hoover, guardian of 1867, Mar. 2, Petition filed hearing set for Mar. 3, 1867 at 10:00 A.M.  
Maude E. Bachtel, vs-

Maude E. Bachtel and " " 5, Notice to ward and proof of service filed.  
Sarah E. Bachtel

" " 8, Hearing and appraisement ordered.

Order of appraisement issued.

" " 21, Order for appraisement returned and bond for sale of real estate filed

1887, Mar 21, Hearing had, appraisement  
and bond approved and  
private sale ordered.

" " " Order of private sale  
returned, property sold to  
Jos. Wackerly for \$40000.

" " 24 Sale approved and deed  
ordered.

Civil Docket "E" page 350,

" Record "E" page 455.

Stark County Probate Office.

Petition recites that the said is the owner of the  
undivided one half of the north half in the S.W. Qr. of Sec. 20,  
Tp. 11, R. 8, except 2 1/8 acres, conveyed by Isaac Bachtel to  
Isaac Kutzner. Also part of the S.W. Qr. of Sec. 20, bounded and  
described as follows:- Beginning at the N.W. corner of said quarter;  
thence S. 44.05 perches to a post; thence E. 3.12 1/2 perches to a  
post; thence N/ 14 deg. W. 40.01 perches to a post; thence W. 2  
perches to the place of beginning, containing 2 1/8 acres.

That Sarah E. Bachtel, widow of Wm. H. Bachtel  
has a dower estate in said lands & asks that dower be set  
off to said Sarah E. Bachtel and that plaintiff may be ordered to  
sell said premises subject to said dower.

Sarah E. Bachtel by answer waives assignment of dower  
and asks that premises be sold and in lieu of said dower the court  
award her such sum of money as may be just and equitable.

Premises appraised at \$3400. and guardian ordered to  
sell free of dower at private sale.

Guardian reports sale of said premises to Jos. Wackerly for ~~XXX~~  
\$4000. which sale was approved and deed ordered.

No 40.

Daniel Hoover, guardian of

Maude E. Bachtel

to

Joseph Wackerly.

Guardian's Deed.

D. & Ack'd. Mar, 14, 1887

Rec. Mar. 14, 1887.

Vol. 223, page 18

Two witnesses,

John Lann, N.P.

Conveys the undivided  $1/2$  of the north half of the S.W. Qr. of Sec. 20, Tp. 11, R. 2 except about  $3 1/2$  acres conveyed by Isaac Bachtel to Isaac Kutzner. Also part of the S.E. Qr. of Sec. 20, beginning for the same at the S.W. corner of said quarter; thence S. 44.05 perches to a post; thence E. 13.12  $1/2$  perches to a post; thence N. 14 deg. W. 45.01 perches to a post; thence W. 2 perches to the place of beginning containing  $2 1/8$  acres.

No. 41.

Sarah E. Bachtel, single,

to

Joseph Wackerly.

Quit Claim Deed.

D. & Ack'd Mar. 24, 1887

Rec. Mar. 24, 1887

Vol. 223, page 18

Two witnesses,

John Lann, N.P.

Conveys the undivided one half of the same premises described in sec. 40 above.

No. 42.

Joe Wackerly and Mary

Wackerly, husband and wife,

to

Wendeline Wackerly.

Gen. War. Deed.

D. & Ack'd. Nov. 14, 1888.

Rec. Nov. 17, 1888

Vol. 245, page 372.

Two witnesses,

Peter L. Pearson, N.P.

Conveys part of the S.W. Cr. of Sec. 20, Tp. 11,  
R. 3 and being 30 acres off the east end of the north half of said  
quarter section, together with a triangular strip of land between  
the quarter line and the Cleveland or Canton and New Berlin Road.

No 43.

Wendelin Wackerly's Will.

Dated Feb. 13, 1892

Will probated Sept. 12, 1899

Will Rec. "11" page 67

ITEM ~~333~~ # 4.:- Whereas my son, Joseph Wackerly was indebted to me  
in a large amount of money viz:- \$3750. and whereas said Jos.  
Wackerly did on the 14 th day of Nov. 1892 convey to me certain  
premises in Plain Township Stark County, Ohio, containing 30 acres  
of land in security for said indebtedness to me and whereas the  
said Joseph Wackerly still retaining possession of land, agreed  
to pay to me annually during the period of my <sup>Natural</sup> life from the  
14th of Nov. 1892, \$150. for the use of said land or as interest  
on said amount of money or in case he desires to repurchase said  
land it is therefore my will that as soon ~~as~~ after my death  
as in his judgment of an executor herein named, it is practicable  
and in the best interest in my estate, my said executor shall sell  
either at public or private sale without appraisement said premises  
as he shall think best for the interest of my estate and if said  
executor does not realize upon the sale of said 30 acres tract of  
land, a sufficient amount of money to equal \$3750. and int. remain-  
ing due thereon, then the difference between \$3750. and the int. re-  
maining unpaid thereon and the amount that he shall realize on the  
sale of said 30 acre tract, shall be charged against the interest  
of my said son Joseph Wackerly in my said estate.

Nominates John Eheetz executor of his last will and  
testament and authorizes him to sell without appraisement all his  
property personal and real and to execute and deliver to the  
purchaser or purchasers a good and sufficient deed for said premises



Wendelin Wackerly's Estate. 1898, Sept. 12, Will probated.

" " 13, Application filed.

John Sheetz executor  
Bond filed and approved  
and letters issued.

" Oct. 31, Inventory and appraisement filed.

" Nov. 22, Proof of publication  
filed.

1899, Apr. 5, First partial account  
filed.

Sept. 23, Final distributive  
account filed.

Administration Docket "I" page 411.

Stark County Probate Office.

Application recites that Wendelin Wackerly died Aug. 23, 1898, leaving all the following persons, his next of kin:-  
Jos. Wackerly, son, Mary Schrader daughter, Magdalen Sheetz, daughter, Mary Hill Powell, grand-daughter, Caroline Wernet, grand-daughter, Eliza Nekroade, grand-daughter, Frank Wernet, grandson, Christian DeVille, grand-son, Oscar Wernet, grand-son, Flora Wernet, grand-daughter, Olive Wernet, grand-daughter, Victor Wernet, grand-son, Rosa Wernet, grand-daughter and Dora Wernet, grand-daughter.

John Sheets, executor of

EQUITY.

the last will and testament 1898, Oct. 1, Petition and praec  
of Wendelin Wackerly

filed.

-vs-

Summons issued. Praecipe

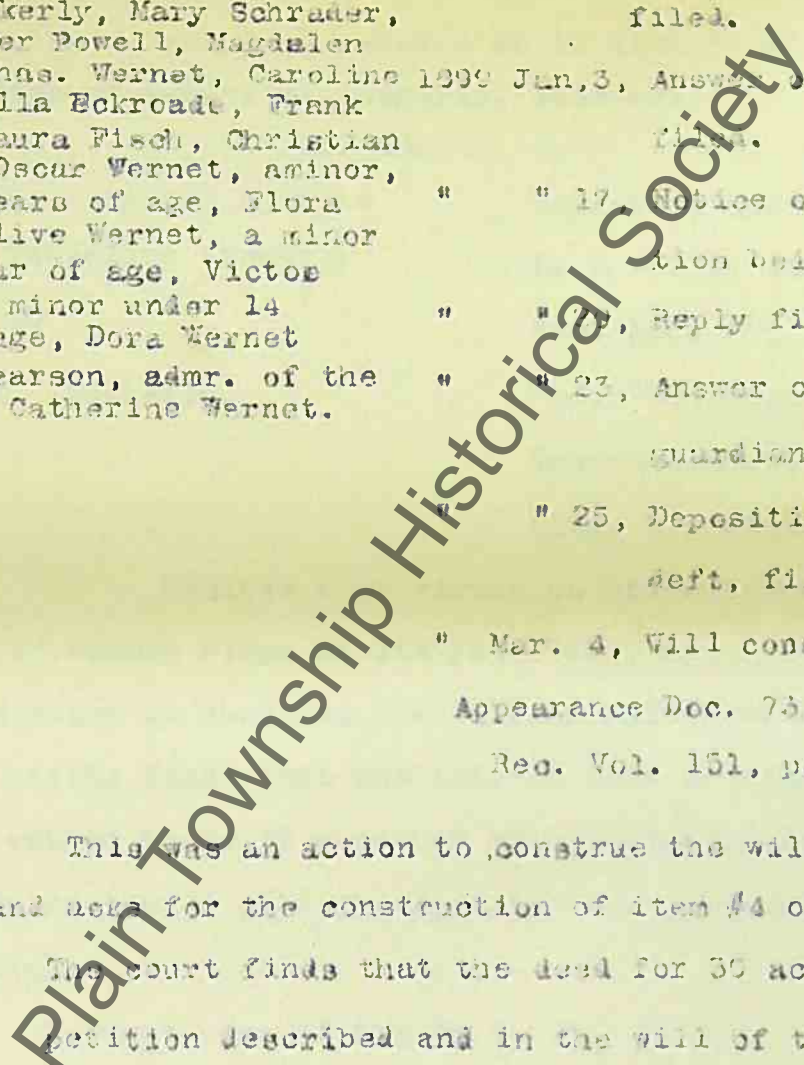
James Wackerly, Mary Schrader,  
Mary Miller Powell, Magdalen  
Sheetz, Chas. Wernet, Caroline  
Wernet, Ella Eckroade, Frank  
Wernet, Laura Fisch, Christian  
DeVillie, Oscar Wernet, a minor,  
over 14 years of age, Flora  
Wernet, Olive Wernet, a minor  
over 1 year of age, Victor  
Wernet, a minor under 14  
years of age, Dora Wernet  
Jos. A. Pearson, admr. of the  
estate of Catherine Wernet.

filed.

- 1899 Jan, 3, Answer of Jos. Wackerly  
filed.
- " " 17, Notice of amended peti-  
tion being filed, Ack'd.
- " " 20, Reply filed.
- " " 23, Answer of J.A. Bowman  
guardian, filed.
- " " 25, Deposition in behalf of  
deft, filed.
- " Mar. 4, Will construed.
- Appearance Dec. 75, page 13093.  
Rec. Vol. 151, page 10.

This was an action to construe the will of Wendelin  
Wackerly and ask for the construction of item #4 of said will.

Decree:- The court finds that the deed for 30 acres in pl'tff's  
petition described and in the will of the defendant  
decedent, is in fact a mortgage and not a deed absolutely  
that as a mortgage it secured a sum of \$7550. due  
and payable from said Jos. Wackerly to the estate of  
Wendelin Wackerly deceased and that said estate is  
entitled to interest on said sum of \$3750. with int.



at 6% from the 23rd. day of Aug. 1898, being the date of the death of said decedent, Wendeline Wackerly and that said estate is entitled to the unpaid 4% int. up and until the death of said Wendeline Wackerly. # # # and executor is ordered immediately upon the payment of \$3750. With interest as aforesaid to convey a good and sufficient deed said 50 acres of land to Jos. Wackerly by order of this court, being the land referred to in item 4 of the last will and testament of Wendeline Wackerly, deceased.

No. 46.

John Shadis, executor of the estate of Wendeline Wackerly

to

Joseph Wackerly.

Executor quit claim Deed

D. & C. Mar. 17, 1899

Rec. Mar. 17, 1899

Vol. 287, page 553.

Two witnesses,

Chas. Krichbaum, N. P.

Recites that virtue on order heretofore made by the court of Common Pleas at its Jan. Term, in a proceeding begun by said executor to construe the will of said Wendeline Wackerly, the court having found that the int. of said decedent's estate in said real estate to be of a nature of a mortgage and that this deed is given to re-convey said premises to Jos. Wackerly and to discharge said mortgage.

Conveys part of the S. W. Qr. of Sec. 20, Tp. II, R. 8, and being 50 acres off the east end of the north half of said quarter section, together with a triangular strip of land between the quarter line and the Cleveland or Canton and New Berlin road.

LIENS.

No. 47.

Henry Puthrauff and Lydia  
Puthrauff, his wife,  
to  
Edwin Welsheimer.

Mortgage \$3102.93  
D. & Ack'd. Sept. 6, 1849  
Rec. Sept. 7, 1849  
Vol. 43, page 35.  
CANCELLED

Assigned by Philip Everhard and of E. Welsheimer  
to Henry Everhard, guardian of Welsheimer's affairs by him assigned  
to John E. Stoner and by him cancelled.

No. 48.

Philip Everhard,  
to  
Isaac Kutzner.

Mortgage \$1900.  
D. & Ack'd. May 2, 1851  
Rec. May 13, 1851.  
Vol. 47, page 22.

The following appears on the margin of the record:-

"Received payment of the within mortgage which is therefore cancelled.

Signed "Samuel Weaver".

The following was taken from the back of the original  
Oct. 18, 1857.

George Held, Recorder.

No. 49.

Henry Puthrauff  
to  
Julius Whiting.

Mortgage \$2500.  
D. & Ack'd. Jan. 14, 1853.  
Rec. Jan. 26, 1853  
Vol. 53, page 432.  
CANCELLED.

No. 50.

Henry Ruthrauff  
to  
Isaac Harter.

Mortgage \$1600.  
D. & Ack'd Mar. 21, 1867  
Rec. Mar. 23, 1867  
Vol. 94, page 258  
CANCELLED.

No. 51.

Henry Ruthrauff  
to  
Philip Everhard.

Mortgage \$1666.67  
D. & Ack'd. Feb 11, 1860  
Rec Feb. 18, 1860  
Vol., 75, page 175  
CANCELLED.

No. 52.

Charles R. Bachtel  
to  
Maude E. Bachtel's Guardian.

Mortgage \$2500.  
D. & Ack'd. Nov. 3, 1881  
Rec. Nov. 4, 1881  
Vol. 178, page 361  
CANCELLED.

No. 53.

Chas. R. Bachtel  
to  
Maude E. Bachtel's Guardian.

Mortgage \$300.  
D. & Ack'd. Mar 22, 1882  
Rec. Mar. 23, 1882  
Vol. 186, page 25.  
CANCELLED.

No. 54.

Sarah E. Bachtel  
to  
John Krichbaum.

Mortgage \$1500.  
D. & Ack'd Feb. 3, 1883  
Rec. Mar. 10, 1883  
Vol. 194, page 58  
CANCELLED.

No. 55.

Joseph Wackerly  
to  
Andrew Pontius, admr.

Mortgage \$6491.76  
D. & Ack'd. Oct. 28, 1883  
Apr. 3,  
Rec. ~~XXXXXX~~, 1883.  
Vol. 192 page 510  
CANCELLED.

No. 56.

Joseph Wackerly  
to  
Mary A. East.

Mortgage \$240.24  
D. & Ack'd. Mar. 11, 1882  
Rec. Apr. 4, 1882  
Vol. 186 page 104.  
CANCELLED.

No. 57.

Joseph Wackerly  
to  
Daniel Hoover, guardian  
and Sarah E. Bachtel.

Mortgage \$6400.  
D. & Ack'd Mar. 24, 1887  
Rec. Mar. 27, 1887  
Vol. 227, page 375  
CANCELLED.

No. 58.

Joseph Wackerly

to

Wendeline Wackerly.

Mortgage \$3750.

D. & Ack'd. Mar. 10, 1888.

Rec. Mar. 13, 1888

Vol. 239, page 2

CANCELLED.

No. 59.

Joseph Wackerly

to

Andrew Lothamer.

Mortgage \$1000.

D. & Ack'd. May 1, 1896

Rec. May 1, 1896

Vol. 356, page 159

CANCELLED.

Plain Township Historical Society

No. 60.

There are no mechanics liens or leases on said premises.

No. 61.

There are no judgments against Joseph Wackerly which are liens on the premises in question.

No. 62.

There are no suits pending against Joseph Wackerly.

No. 63.

There are no foreign executions.

No. 64.

We have made no search for street or sewer assessments, water rents, 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.

We hereby certify that the foregoing ABSTRACT of TITLE consisting of 64 sections, 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.  
April 20, 1911.

... Lev. B. Eggert ...  
Abstractor

Plain Township Historical Society



ADDENDA to Abstract of Title to the premises described in the heading to the foregoing abstract, showing changes in the title thereto since and including April 30, 1911.

No. 2.

Joseph Wackerly's  
Will and Estate.

Nov. 16, 1905. Will dated.  
June 16, 1909. Will probated.  
Will Rec. Vol. "y", P. 105.  
July 2, 1909. Application  
filed.  
Edward Wackerly, Henry Wackerly  
and Mary Menegay qualified  
as executors, bond filed,  
letters issued.  
July 2, 1909. Proof of publi-  
cation filed.  
July 25, 1912. Final account  
filed.  
Adm. Dec. "L", P. 293.

Item 2nd:- "The residue of my estate, both real and personal I give and bequeath to my ten children to-wit:- Sophia Wackerly, married to Otto Bernet, Clara Wackerly, married to Peter Maurer, Samuel Henry Wackerly, Mary Wackerly, married to Henry Menegay, Edward Wackerly, Joseph Wackerly, Catharine Wackerly, married to John Wampler, Victor Aaron Wackerly, Charles Wackerly, and Clementine Wackerly, to be equally divided between them."

Item 3rd:- "I hereby appoint my sons Henry Wackerly and Edward Wackerly and my daughter Mary to be the executors of this my last Will, authorizing them to sell and convey by deed to purchasers all my real and personal property the same as I might do if living. That is to say that within 2 years from time of my death, I desire and hereby direct that my estate shall be finally settled."

Item 4th:- "I also desire and so direct that my executors shall use every effort to settle in a friendly business way so that no contention may arise."

Item 5th:- "And I hereby desire and direct that if any of my heirs should make any contention and thereby cause delay in the settlement of my estate I hereby in that case and hereby disinherit such heir entirely."

Item 6th:- I desire and hereby direct that my said executors shall be all reasonably compensated for their services in settling my estate."

No. 3.

Henry Wackerly, Edward  
Wackerly, and Mary Menegay,  
as executors of the last Will  
and Testament of Joseph Wackerly,  
deceased.

Executor's Deed.  
S. & A. Apr. 17, 1911.  
Rec. May 17, 1911.  
Vol. 519, P. 566.

To  
John J. Frank.

Recites the provisions of said Will and  
conveys the premises described in the heading to this abstract.

No. 4.

John J. Frank's  
Will and Estate.

May 25, 1918. Will dated.  
July 20, 1918. Will probated.  
Will Rec. Vol. 36, P. 322.  
Application filed.  
Leo Frank qualified as Executor,  
bond filed, letters issued.  
July 24, 1918. Inventory filed.  
Aug. 20, 1918. Proof of publi-  
cation filed.  
Dec. 19, 1918. First Account  
filed.  
No further record.  
Admr. Dec. " " P. 518.

Item 2nd:- "It is my Will that my executor here-  
inafter named convert all of my property both personal and real  
including any life insurance payable to my estate into money and to  
that end I hereby direct my executor to sell and dispose of any  
and all real estate of which I may die seized, the same to be sold  
by him as a whole or in parts at such time, in such manner and upon  
such terms of credit as in his judgment shall be for the best  
interest of my estate, it being understood that my executor shall  
not be limited in time, but shall use his best judgment as to the  
time and manner for disposing of the real estate."

"Until all real estate shall be sold by the  
executor it is my desire that my executor shall rent or otherwise  
operate and handle my farm and other real estate in such manner  
as to him shall seem best and that net income therefrom shall be  
added to my estate and distributed as other funds."

Item 8th:- "I hereby nominate and appoint my son  
Leo Frank to be the executor of this Will, authorizing and empower-  
ing him to do any and all things necessary in carrying out the  
provisions of this Will according to its true intent and meaning,  
and I hereby authorize and empower him to sell and convey real  
estate and to execute and deliver proper deeds of conveyance for  
the same. I hereby request that no bond be required of said execu-  
tor in the performance of said trust."

The application states that John J. Frank died  
June 12, 1918, leaving no widow, and Anna Wyles, Martha Swanson,  
Bertha Conkol and James Frank, daughters and Leo Frank, Otto Frank,  
and Victor Frank, sons and all his next of kin.

L I E N S

No. 5.

John J. Frank.  
To  
Henry Wackerly, Edward  
Wackerly, and Mary  
Monogay, as executors of  
Joseph Wackerly, deceased.

Mortgage, \$17000.00.  
S. & A. Apr. 17, 1911.  
Rec. Apr. 28, 1911.  
Vol. 498, P. 595.  
Canceled Apr. 4, 1912.

No. 6.

NO MECHANICS LIENS OR LEASES.

No. 7.

There are no suits pending against John J. Frank or his / executor  
nor no judgments against them, which are liens on said premises.

No. 8.

No foreign executions.

No. 9.

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.

No. 10.

**TAXES:-** Paid to and including December payment, 1921.

We hereby certify that the foregoing ADDENDA 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, since and including April 20, 1911, as shown by the General Indexes in the several County Offices.

THE EGGERT COMPANY.

Geo. B. Eggert  
m.c.

Canton, Ohio.  
February 21, 1922.  
1:00 P.M.