

History
of
Middlebranch properties

PARTIAL ABSTRACT

OF

TITLE

to parts of Lots 17, 18 and
19 in Central Middlebranch,
Plain Township, Stark County,
Ohio.

HUBER J. SNYDER, ATTY.

Plain Township Historical Society

PARTIAL ABSTRACT OF TITLE

Partial abstract of title to the following described premises: Situated in Plain Township, Stark County, Ohio, known as and being a part of the Southeast Quarter of Section 2, Township 11, Range 8, and described as follows: Being parts of Lots 17, 18 and 19 in Central Middlebranch as recorded in Plat Book 3, page 7 of the plat records of Stark County, Ohio, and also portions of vacated alleys. Beginning at an iron stake marking the northeast corner of Lot No. 17 as recorded; thence southwardly with the east line of Lot No. 17 as recorded a distance of 76.50 feet to an iron stake and being the true place of beginning for the parts of said lots herein to be described; thence continuing southwardly with the east line of Lot No. 17 a distance of 94.50 feet to an iron stake in the center of a 20 foot vacated alley; thence westwardly with the center line of said vacated alley a distance of 151.60 feet to an iron stake in the center of another vacated alley; thence northwardly with the center line of said vacated alley a distance of 85 feet to an iron stake, said stake being 105 feet south of the south line of Depot Street; thence eastwardly across the east half of said vacated alley and also across Lots 17, 18 and 19 a distance of 142.60 feet to the true place of beginning.

No. 1

The Village of Central
Middlebranch

Plat

Dated Aug. 9, 1881

Rec. for Rec. Sept. 5, 1881

Plat Rec. 3, page 7

Plat laid out on the Northeast Quarter of Sec. No. 11, and the Southeast Quarter of Sec. No. 2, Twp. No. 11, Range No. 8, Stark County, Ohio.

STATE OF OHIO)

SS:

STARK COUNTY)

Before me the undersigned authority within and for said County personally appeared the following named persons, viz: George Wise, proprietor of Lots No. 12 to 22 inclusive and No. 52 to 67 inclusive, also Lot No. 94 and joint proprietor with Boswell E. Wise of No. 10, 11 and 68, also as joint proprietor with Christian Wise of Lots No. 24 to 28; Boswell E. Wise proprietor of Lots No. 1 to 9 inclusive, 69 to 93 inclusive and 95 to 113 inclusive; Christian Wise proprietor of No. 23 and of No. 29 to 57 inclusive; also of Out Lot F; Peter C. Wise proprietor of Out Lots A, B, C, D, and E and severally acknowledged that they laid out Village for the purpose of making a town in compliance with the requirements of the Statutes of Ohio, in such cases made and provided.

In Witness Whereof, thereunto set my hand and official seal this 9th day of August, A.D. 1881.

R.A. Wise, County Surveyor,
Stark County, Ohio.

George Wise and
wife
to
Boswell E. Wise

Warranty Deed \$300
S.&A. Nov. 30, 1881
Rec. for Rec. April 18,
1882
Vol. 187, page 123

Conveys Lots No. 17, 18 and 19 in the Village of Central Middlebranch.

No. 3

Application for letters of administration states that Basil E. Wise died December , 1928, leaving Mary J. Wise, his widow, and the following persons his only next of kin:

Hugo Paul Wise - Son - Baltimore, Maryland.

No. 4

Estate of
Basil E. Wise,
dec'd.

Admr. Doc. V, page 526
Probate Court
Stark County, Ohio

12/13/28 Application for letters filed.
The First National Bank of Canton, Ohio, Admr.
12/13/28 Bond not required.
12/13/28 Letters issued.
1/15/29 Proof of publication filed.
1/24/29 Inventory and appraisement filed.
12/16/29 First account filed.
4/21/31 Representation of insolvency filed. 9/11/31 Hearing had, estate declared insolvent and commissioners appointed.
1/13/32 Report of insolvency filed. 2/19/32 Hearing had, distribution of dividend ordered.
1/13/32 Second account filed.
2/ 6/32 Exceptions to second account filed. 2/6/32 Hearing set for Feb. 12, 1932 at 9 o'clock A.M. and notice ordered. 2/6/32 Notice issued.
2/18/32 Hearing had, exceptions partly sustained and Admr. ordered to account according to law.
12/22/42 Application for allowance of attorney fees and extra compensation filed. 12/22/42 Hearing had, fees allowed.
2/25/42 Petition to determine inheritance tax filed.
3/ 3/42 Hearing had, estate found not subject to tax.
11/ 9/44 Third and final account filed.
12/11/44 Account approved.

No. 5

The First National Bank,
Admr. estate of Basil
E. Wise, dec'd.
vs.
Mary J. Wise
Hugo Paul Wise
John Graber

Probate Court
Stark County, Ohio
Civil Doc. U, page 447

Sale of Real Estate

10/10/29 Petition to sell real estate filed.
 11/20/29 Answer of Hugo Wise filed.
 11/20/29 Waiver of service of summons of Hugo Wise filed.
 11/20/29 Waiver of summons and consent to sell by Mary J. Wise filed.
 11/30/29 Answer and cross petition of John Graber filed.
 12/ 6/29 Answer of Mary J. Wise, widow, filed.
 1/ 6/30 Appraisement ordered.
 1/ 6/30 Order of appraisement issued.
 2/21/30 Order of appraisement returned. Property appraised at \$21715.
 2/21/30 Motion to sell real property at private sale filed.
 2/21/30 Appraisement confirmed and sale ordered.
 2/21/30 Hearing had, appraisement confirmed and private sale ordered.
 2/21/30 Order for private sale issued.
 10/21/30 Motion for leave to sell real estate at public sale filed.
 10/21/30 Hearing had, public sale ordered.
 10/21/30 Order of public sale filed.
 11/21/30 Proof of publication filed.
 1/16/31 Partial of public sale of Lots 17, 18 and 19 sold to L.B. Snyder for \$1200.
 1/16/31 Hearing had, sale confirmed, deed and distribution ordered.
 Recorded in Civil Record Vol. 76, page 21.

No. 6

The petition alleges that it is a Corporation and was duly appointed administrator of the estate of Basil E. Wise, Dec. 13, 1928 and is the acting administrator; that the total value of the personal estate is insufficient to pay debts and costs; that Basil E. Wise died seized in fee simple of real estate situated in Central Middlebranch, Stark County, Ohio. Here is described Lots No. 17, No. 18 and No. 19 along with many other parcels located in Central Middlebranch. Plaintiff represents that the real estate was appraised by the appraiser of said estate of said decedent free from any dower estate at \$21580.00; that decedent died leaving the Defendant, Mary J. Wise, his widow, entitled to dower in said premises; that Defendant, Hugo Paul Wise, is the only child and heir at law of said decedent; that Defendant, John Graber, claims to have a mortgage lien on said premises.

The Plaintiff prays that the dower of Mary J. Wise be assigned and set off to her unless she files an answer consenting to sale free of dower; that the amount and priority of mortgage of John Graber be determined and the petitioner be authorized to sell said premises.

Waiver of service of summons filed for Hugo Paul Wise. Answer of Hugo Paul Wise says he voluntarily enters appearance and consents to sale as prayed for. Answer of Mary J. Wise says she consents to sale free of her dower and that the value of same be paid to her in money from proceeds of sale.

Answer and cross petition of John Graber sets up a mortgage in the amount of \$6000 covering Lot 95. He prays the premises be sold and his mortgage claim be paid out of the proceeds.

Premises appraised as follows: Lot No. 17-\$300, Lot No.18-\$250 and Lot No. 19-\$150. Many other lots were appraised, all free of dower of Mary J. Wise.

First National Bank of
Canton, Ohio,
Administrator of the
estate of Basil E. Wise, dec'd.

Warranty Deed \$1200
S. & A. Jan. 16, 1931
Recorded March 12, 1931
Vol. 1071, page 193

to

L.B. Snyder

Conveys the following described real estate situated in Stark County, State of Ohio and in the Central Middlebranch Addition to the Village of Middlebranch, Ohio, and bounded and described as follows: Lots Number Seventeen (17), Eighteen (18) and Nineteen (19) as the same are numbered on the plat of said Addition recorded in Vol. 9, page 35 of the Plat Records of Stark County, Ohio. Said Addition being laid out on parts of the Southeast Quarter of Section No. 2 and the Northeast Quarter of Section No. 11, Township 11 (Plain), Range 8 of said County and State.

This deed recites the judicial proceedings in Probate Court by which the Grantor Bank was authorized to sell the above lots and deliver a deed.

No. 8

Stark County Commissioners
to
M. Graening

Vacation of an Alley in
Middlebranch
Resolutuion Adopted
November 29, 1939
Recorded Dec. 26, 1939
Mis. Vol. 1241, page 193

"Be it resolved upon motion by Mr. Kuhn, seconded by Mr. Biddle that the Board of Commissioners hereby determine that the interest of the public will best be served if said petition is modified and only the north and south alley as petitioned for be vacated along the following lines to-wit: Beginning at the south line of an east and west 20 foot alley at the north line of Lots 26 and 27 of said village plat; thence southerly a distance of 670 feet, more or less, to the north line of an east and west alley between Lots 64 and 65 and Lots 12 and 13 and being that portion of said alley on which the following lots abut: Lots No. 26 and 27, 19 and 20, 61 and 16, 62 and 15, 63 and 14, and 64 and 13."

"Be it further resolved that said alley is hereby vacated and shall cease to be a public road; and it is further ordered that said land shall revert to the adjoining land owner or owners.

Vote on said Resolution being Frazier - Yes,
Bidde - Yes,
Kuhn - Yes."

No. 9

A 20 foot alley bordering on the south side of Lot 19 and Lot 20 was vacated by the County Commissioners October 11, 1957. See Map of Southeast Quarter, Section 2, Township 11 (Plain), Range 8, in the Stark County Map Office.

Recorded in Journal 45, page 561, of County Commissioner's Records.

No. 10

Levi B. Snyder and
Lizzie M. Snyder,
husband and wife
to
Lettie M. Graening

Warranty Deed \$1.00
S.&A. June 29, 1942
Recorded July 18, 1942
Vol. 1353, page 578

Conveys the premises described in No. 7 above. Also a vacated alley 10 feet by 180 feet west of Lot No. 19 in Central Middlebranch Addition located in Plain Township, Stark County, Ohio.

No. 11

Lettie M. Graening and
Clarence Graening, husband
waives dower
to
Alma E. Brodzenski

Warranty Deed \$1.00
S.&A. May 19, 1965
Recorded May 24, 1965
Vol. 3077, page 372

Conveys premises situated in Plain Township, Stark County, Ohio. Known as and being a part of the Southeast Quarter of Section 2, Township 11 (Plain), Range 8, described as follows: Being parts of Lots 17, 18 and 19 in Central Middlebranch as recorded in Plat Book 3, page 7 of the Plat Records of Stark County, Ohio and also portions of vacated alleys, beginning at an iron stake marking the northeast corner of Lot No. 17 as recorded; thence westwardly with north lines of Lots 17, 18 and 19 and with the south line of Depot Street a distance of 132.40 feet to an iron stake in the center of a 20 foot vacated alley; thence southwardly with the center line of said vacated alley a distance of 105 feet to an iron stake; thence eastwardly across the east half of said vacated alley, and also across Lots 17, 18 and 19 a distance of 142.60 feet to an iron stake in the east line of Lot 17 and being 96.50 feet south of the northeast corner of Lot 17; thence northwardly with the east line of Lot 17 as recorded a distance of 96.50 feet to the place of beginning.

No. 12

Lettie M. Graening and
Clarence Graening, husband
waives dower
to
Leroy Graening

Warranty Deed \$1.00
S.&A. May 19, 1965
Recorded May 24, 1965
Vol. 3077, page 374

Conveys premises described at heading of foregoing Partial Abstract of Title.

No. 13

Leroy Graening, husband
of Lottie M. Graening
to
Lottie M. Graening

Warranty Deed \$1.00 & O.V.C.
S.&A. March 1, 1966
Recorded March 3, 1966
Vol. 3145, page 325

Transfers an undivided one-half interest in premises described in heading of foregoing partial abstract.

No. 14

There are no mortgages against said premises.

No. 15

No leases or mechanic's liens.

No. 16

No federal tax liens, recognizance bonds, unemployment compensation liens, personal property liens, old age pension liens, security agreements or financing statements.

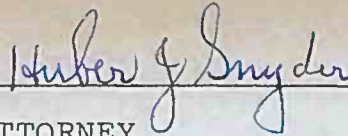
No. 17

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

No. 18

Taxes for June, 1975 - \$70.98 - Paid.

I hereby certify that the foregoing PARTIAL ABSTRACT OF TITLE was collated by me from the Official Records of Stark County, Ohio, and that I believe the same is correct and shows every instrument or matter 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



ATTORNEY

CANTON, OHIO
July 31, 1975
3:00 P.M.

STATE OF OHIO,)
) SS:
COUNTY OF STARK)

Mary J. Wise, being first duly sworn according to law, deposes and says that she is the widow of Basil E. Wise, deceased; that the Boswell Wise given as grantee in a certain warranty deed dated April 1st, 1881 and recorded in Vol. 177, page 203 conveying a certain tract of land in what is now known as the Village of Central Middlebranch, Stark County, Ohio, the Boswell Wise named in the plat of the said Village of Central Middlebranch, said plat bearing date of August 9, 1881 and recorded in Plat Book 3, page 7 of the Stark County Records, the Basil E. Wise, the administration of whose estate appears in Administration Docket "V", page 526 of the records of the Stark County Probate Court, and the Basil E. Wise named in the proceedings to sell real estate to pay debts, the record of which proceedings is found in Civil Docket "U", page 447, of the records of the Stark County Probate Court, are one and the same person.

Further affiant saith not.

MARY J. WISE

Sworn to before me and subscribed in my presence this 13th day of May 1930.

(SEAL)

ELLEN H. DOUBLE

Ellen H. Double,
Notary Public, Stark
County, Ohio.
My Commission expires
Jan. 20, 1935.