

Plain Township Historical Society

EXTRACT

OF

TITLE

27 Feb to 28 March 1880
on 30 11
1880

ABSTRACT OF TITLE to Lot #13 in Oakwood Park #1 to the City of Canton, Stark County, Ohio, located in the Southeast Quarter of Section #27, Township #11 (Plain), Range #8, Stark County, Ohio, as shown on Plat Rec. 17, page 76, Stark County Recorder's Office.

Lot #13 fronts 47 feet on the north side of 30th St. N. E. and extends northwardly, a uniform width, a distance of one hundred forty-five (145) feet. Six feet off the north end is reserved for public utilities.

No. 2.

All Deeds, Mortgages and other instruments of writing set forth in the following sections are properly executed unless otherwise noted therein, and all cancelations of Mortgages and other instruments are regular unless otherwise noted.

When the husband or wife joins in the granting clause, the name will appear as at Sec. No. 4, but when dower only is released it will appear as "husband" or "wife" only.

No. 3.

I find no patent for the south east quarter of Section #27, Township #11, (Plain), Range #8, on record in the Stark County Recorder's Office.

No. 4.

Hugh Cunningham &
Jane, his wife,
to
David Cunningham.

Warranty Deed \$120.00
Dated June 9, 1813,
Rec. for rec. --- ----
Vol. "B", page 252.

Conveys part of the south east quarter of Section #27, Twp. #11, Range #8, beginning at the quarter section post on the east and west line between said section #27 and #34; thence north 100 perches to a post; thence east 71.8 perches to a post in Nimishillen Creek which runs thru said quarter section; thence down the creek by lands of John Snider Jr. south 33.2 perches to a post; thence south 29 degrees east 19.3 perches

No. 4 (Continued).

to a post; thence south 7 degrees east 18 perches to a post; thence south 64 degrees east 18 perches to a post; thence south 6 degrees west 18.5 perches to a post; thence south 35 degrees east 8.9 perches to a post on the above mentioned line between said sections #27 and #34; thence east on said line 102.6 perches to the place of beginning, containing 58 acres more or less, which said quarter section was conveyed unto the said Hugh Cunningham, by Patent from the United States bearing date the 20th day of Jan. 1812.

No. 5.

David Cunningham,
Mary, his wife,
to
Samuel Coulter.

Warranty Deed \$1160.00
Dated Feb. 2, 1816.
Rec. for Rec. Mar. 12, 1816.
Vol. "C", page 79.

Conveys the 58 acres described in Sec. #4 giving the direction in the last course as "west" instead of "east" as in Sec. #4 which was an error.

Said premises being the same which were conveyed unto said David Cunningham by deed of conveyance from Hugh Cunningham and Jane, his wife, 9th day of July 1813.

No. 6.

Sam'l. Coulter,
and wife,
to
Joseph Goodman,
Anna M.D., his wife.

Warranty Deed \$696.00
Dated Aug. 8, 1828.
Rec. for rec. Aug. 9, 1828
Vol. "G", page 490.

Conveys same as Section #5.

No. 7.

Jacob Goodman,
Anna M.D., his wife,
to
Conrad Kriebatt &
Louisa, his wife.

Warranty Deed \$800.00
Dated Jan. 14, 1832
Rec. for rec. Jan. 30, 1832
Vol. "J", page 40.

Conveys same as Section #5.

NOTE: The distance in the 2nd course in this description is given as "71 perches and 8 links" instead of "71.8 perches" as in Section #5.

No. 8.

I find no will nor the administration of any estate of Louisa Kriebatt or Grebast on record in the Stark County Probate Court.

No. 9.

Conrad Grebast's
Will.

Dated Jan. 11, 1866.
Rec. for rec. Feb. 15, 1866.
Will Rec. "D", page 99.
Stark County Probate Court.

It is my will that all my just and honest debts be paid.
(After making special bequests of money the following appears:)

That after my death, my remaining personal and real property be sold, either at private or public sale, on such terms and conditions as my executor hereinafter named may think just and right for the best interest of my children interested and to convey the same in fee simple or otherwise to the purchaser or purchasers of the same.

Lastly, I hereby constitute and appoint Louis Schaefer of Canton, Ohio, as the Executor of this my last will and testament revoking any and all former wills by me made, and declaring this as my only will and testament.

No. 10.

Conrad Grebast's
Estate.

1866 Feb. 15" Louis Schaefer, Exr.
" " " Bond filed.
" " " Letters issued.
" June 30" Inventory and sale
list filed.
1868 Aug. 10" First account filed.
1872 Sept. 19" Final account filed.

Admr. Doc. "E", page 87.
Stark County Probate Court.

No. 11.

Louis Schaefer, Exr.
of C. Grebast,
to
Jacob F. Barnett.

Exor's. Deed \$3600.00
Dated June 8" 1866.
Rec. for rec. June 8" 1866.
Vol. 89, page 403.

Conveys same as Section #5.

No. 12.

Jacob F. Barnett,
Hannah, his wife,
to
John W. Sissle.

Quit Claim Deed \$3900.00
Dated Mar. 30" 1867
Rec. for rec. Apr. 8" 1867
Vol. 95, page 340.

Conveys same as Section #5.

No. 13.

John W. Sissler
and wife,
to
John J. Henry.

Warranty Deed \$6862.87
Dated Mar. 24th 1883
Rec. for rec. Mar. 27th 1883
Vol. 195, page 68.

Conveys part of the Southeast Quarter of Section #27, Township #11 (Plain), Range #8, Stark County, Ohio, beginning at the southwest corner of said quarter section; thence north 2 1/2 degrees east 25.41 chains; thence south 87 1/2 degrees east 17.95 chains to a post in creek, thence along said creek south 2 1/2 degrees west 8.30 chains; thence south 26 1/2 degrees east 4.82 1/2 chains; thence south 4 1/2 degrees east 4.50 chains; thence south 61 1/2 degrees east 4.50 chains; thence south 8 1/2 degrees west 4.62 chains; thence south 32 1/2 degrees east 2.22 chains to south line of section; thence north 87 1/2 degrees west 25.65 chains to place of beginning, containing 62.55 acres.

NOTE: Name of Grantors appears "Sissle" in granting clause and acknowledgment, but signature is as above shown.

No. 14.

John J. Henry,
to
A. B. Stuber.

Power of Attorney.
Dated Mar. 18, 1924.
Rec. for Rec. Apr. 4, 1924
Power of Atty. Rec. 1, page --73

Constitutes and appoints A. B. Stuber, his true and lawful attorney for him and in his name, place and stead to grant, bargain and sell his farm consisting of about 53 acres of land in the south east quarter of Sec. #27, and about 27 acres of land in the north east quarter of Sec. #34, Plain Twp., Stark County, Ohio, upon such terms and conditions and for such price as his said attorney may deem fit and proper, he to have the right to designate the manner of payment, security and all terms relating thereto.

This power of attorney to be irrevocable excepting upon agreement by both parties hereto.

No. 15.

John J. Henry
to
The Ohio Power Co.

Easement.
Dated Mar. 22nd 1921
Rec. for rec. Sept. 16th 1924
Vol. 830, page 140.

Grants an easement to erect, construct and maintain a line or lines for the transmission of electric energy thereover for any and all purposes for which electric energy is now or may hereafter be used and a telegraph and telephone line or lines over and upon our lands and along the public highways upon which said lands adjoin or abut. Situate in Plain Township, Stark County, Ohio, and part of Section #27, Township #11, Range #8, bounded as follows:

On the north by lands of Mrs. Schumaker.
" " east " " " Minerva Martin.
" " south " " " Highway
" " west " " " Martin and Martin.

Oakwood Park #1,
Southeast Quarter
of Sec. #27, Twp.
#11, R. #8,
Stark County, Ohio.

Plat.
Dated Dec. 8th 1925
Rec. for rec. Dec. 16th 1925
Plat Rec. 17, page 78.
Stark Co. Recorder's Office.

Above Plat laid out on part of the premises described at Sec. No. 13 and definitely described as follows; Part of the Southeast Quarter of Section #27, Township #11, Range #8, beginning at an iron pin at the southwest corner of the Southeast Quarter of Sec. #27; thence north with quarter line north 2 degrees 16' east 360 feet; thence east and parallel to the south line of said quarter, 1281 feet; thence south and parallel to the west line of said quarter, 360 feet; thence west with section line north 86 degrees 54' west 1281 feet to an iron pin at the southwest corner of the southeast quarter of said section and place of beginning, containing 10.688 acres of land.

Dedicates the streets and avenues shown thereon to public use forever and dedicates also the 12 foot reservations shown thereon for public utilities for the transmission of electricity, heat, light, power and telephone service, also the park and playgrounds for public use forever.

Plat consists of lots numbered from 1 to 48 inclusive.

No. 17.

K. A. Most and
Laura H., his wife,
to
The Ohio Power Co.

Easement
Dated Jan. 8th, 1928
Rec. for rec. Feb. 2nd 1928
Vol. 834, page 307.

An easement for the transmission of electric energy over part of Section #27, Township #11, Range #8, bounded as follows:-
On North by lands of Harry Schumacher
" east " " " Hiram Sell, E. I. Hines, et al.
" south " " " John J. Henry's Allot. #1 and Reifsnyder's Park Allotment.
" west " " " Martindale Allotment.

No. 18.

John J. Henry,
Karl A. Most,
-vs-
David Cunningham and the
unknown heirs, devisees
and assigns of David
Cunningham, deceased,
Joseph Goodman and the
unknown heirs, devisees
and assigns of Joseph
Goodman, deceased,
Anna M. D. Goodman and
the unknown heirs, devisees
and assigns of Anna M. D.
Goodman, deceased,
Conrad Kriebatt and the
unknown heirs, devisees

EQUITY
1928 Mar. 24th Petition filed.
" " " Motion filed.
" " " Entry making parties
defendant.
" " " Affidavit for pub-
lication filed.
" " " Publication ordered.
" July 1st Decree quieting title.
App. Doc. 129, page 46582.
Rec. Vol. 291, page 20.
Stark County Clerk's Office.

and assigns of Conrad
Krebbatt, deceased,
Louisa Krebbatt and the
unknown heirs, devisees
and assigns of Louisa
Krebbatt, deceased,
John W. Sissle and the
unknown heirs, devisees
and assigns of
John W. Sissle, deceased.

This was an action to quiet title to part of the Southeast Quarter of Sec. #27, Twp. #11 (Plain), R. #8, Clark County, Ohio, beginning for the same at the southwest corner of said quarter section; thence north $2\frac{1}{2}$ degrees east 25.41 chains; thence south $87\frac{1}{2}$ degrees east 17.95 chains to a post in the Creek; thence along said Creek south $2\frac{1}{2}$ degrees west 8.41 chains; thence south $26\frac{1}{2}$ degrees east 4.82 $\frac{1}{2}$ chains; thence south $4\frac{1}{2}$ degrees east 4.50 chains; thence south $6\frac{1}{2}$ degrees east 4.50 chains; thence south $8\frac{1}{2}$ degrees west 4.82 chains; thence south $82\frac{1}{2}$ degrees east 2.22 chains to the south line of said section; thence north $87\frac{1}{2}$ degrees west 25.65 chains to the place of beginning, containing 52.55 acres of land. Said tract including lots #1 to #48 in Oakwood Park Addition #1 to the City of Canton, Ohio. Lots 12, 31, 42, 43, 44, 45 in said Addition are the exclusive property of the Plaintiff Karl A. Most; the legal title to the balance of said premises being held by John S. Henry and the equitable title to the same by said Karl A. Most.

Plaintiff says that the defendants have or claim to have some interests in said premises adverse to the title of these plaintiffs, wherefore plaintiffs pray that the above named defendants may be made parties, that they be required to set up their claims and plaintiff's title quieted against each and every one of them.

Affidavit for publication sets forth that service of summons cannot be made upon the above named defendants within the State of Ohio; that their residence is unknown and cannot be ascertained with reasonable diligence, and that this action was one of those mentioned in Sec. 11292 General Code of Ohio.

Publication ordered by the Court.

An affidavit of Publication recites that publication was made in The Wilmot Review, a newspaper of general circulation in said County, for six consecutive weeks beginning Apr. 1st 1926.

It is ordered that title to premises herein described is hereby quieted against the defendants and each and every one of them and all persons claiming under them or any of them.

No. 19.

John J. Henry,
By A. B. Stuber,
Attorney in Fact,
to
Karl A. Most.

Warranty Deed \$1.00
Dated Sept. 1927
Rec. for rec. Oct. 11, 1927
Vol. 933, page 594.

Conveys premises described in heading of Abstract and other premises.

Free and clear from all incumbrances except taxes and assessments becoming due and payable hereafter.

L I E N S

No. 20.

Jacob F. Barnett,
to
Louis Schaefer.

Mortgage \$2400.00
Dated June 8" 1868
Vol. 91, page 497.

Canceled July 10" 1868, signed, "L. Schaefer, Exor. of
C. Grabast."

No. 21.

John W. Sissle
and Wife,
to
Jacob F. Barnett.

Mortgage \$2100.00
Dated Mar. 30", 1867
Vol. 94, page 450.

Canceled Mar. 29" 1863, signed "Jacob F. Barnett."

No. 22.

John J. Henry,
to
John W. Sissle.

Mortgage \$1962.00
Dated Mar. 27" 1883
Vol. 192, page 438.

Canceled Apr. 1" 1884, signed, "John W. Sissle."

No. 23.

NO LEASES OR MECHANIC'S LIENS.

No. 24.

TAXES due JUNE, 1928,

No. 25.

I have made no search for street, sewer or other special assessments.

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

I hereby certify that the foregoing ABSTRACT OF TITLE consisting of 26 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 premises described in heading of Abstract, as shown by the General Indexes in the several County Offices in and for Stark County, Ohio.

Canton, Ohio.

August 24th 1926.

Russell W. Van Meter

Attorney and Abstractor.

STATE OF OHIO)
) (SS:
STARK COUNTY)

Niles A. Sponseller being first duly sworn according to law says that he is personally acquainted with John J. Henry, who owned about 52 acres of land situated in Stark County, Ohio, and that he has personal knowledge of the fact, that said John J. Henry has been a widower for more than three years prior to the date of this Affidavit. In witness whereof the said Niles A. Sponseller has hereunto set his hand this 17th day of August, 1926.

Niles A. Sponseller

Sworn to before me and subscribed in my presence this 17th day of August, 1926.

H. Clifton Graybill (SEAL)

Notary Public.

ADDENDA to the foregoing ABSTRACT OF TITLE showing all changes affecting the title to the premises described in the heading thereof since and including August 24, 1928.

SECTION 1.

Russell J. VanNostran
as Receiver of Karl A.
Most,
to
Hugh Harter and Viola
Harter.

Receiver's Deed.
Dated and Ack'd. June 18, 1934.
Received for Record June 19, 1934.
Volume 1110, Page 25.

Conveys the premises described in the heading of this Abstract. Deed recites qualification, application and authority of Receiver to convey said Lot No. 13 at private sale, free and clear of all encumbrances.

SECTION 2.

No MORTGAGES have been filed for record since August 24, 1928.

SECTION 3.

No LEASES or MECHANICS LIENS.

SECTION 4.

No other JUDGMENTS, FOREIGN EXECUTIONS or PENDING SUITS except those hereinafter shown.

SECTION 5.

TAXES paid including June 1934.

SECTION 6.

No FEDERAL TAX or RECOGNIZANCE LIENS.

SECTION 7.

I have made no search for STREET, SEWER or other SPECIAL ASSESSMENTS.

L I E N S.

SECTION NO. 1-A.

The Canton Morris Plan
Bank, Canton, Ohio,
-vs-
Karl A. Most.

EQUITY

1930 Apr. 11" Petition and praecipe
filed.
" " " Notice filed.
" " " Summons and copy of
notice issued.
" " " Answer May 10, 1930.
" " 14" Summons returned.
" " " Russell VanNostran
appointed Receiver.
Bond \$2000.00.
" " 18" Bond of Receiver filed.
" " 28" Application for
appraisers filed.
" " " Appraisers appointed.
" May 8" Oath and report of
Appraisers filed.
" " 20" Petition for sale of
real estate filed.
" " 23" Praecipe filed.
" " " Summons issued.
" " 27" Waiver of Blum Plumbing
& Heating Co., Kintz &
Visinger, Charles E.
Long, The Metropolitan
Life Insurance Co.,
The Schram-Rossiter-
Crawford Co., Canton
Morris Plan Bank, The
Canton Structural Steel
Co., Canton Cabinet &
Lumber Co., Baltic Bend-
ing Co. and J. A. McGowan
filed.
" " 28" Leave to The Canton Bank
& Trust Co. and The
Baltic Bending Co. to
plead by June 7, 1930.
" " 29" Answer, cross petition
and praecipe of Stark
Marble & Tile Co. filed.
" " " Summons issued.
" June 2" Answer, cross petition
of the Preston Clay Co.
filed.
" " " Summons returned.
" " 4" Answer and cross petition
and praecipe of Blum Plumbing
& Heating Co. filed.
" " " Summons issued.

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1930 June 5" Summons returned.

" " " Answer and cross petition of The Canton Cabinet & Lumber Co. filed.

" " 10" Summons returned.

" " " Answer of Hursh & Schory Coal Co. filed.

" " 14" Answer and cross petition of The Baltic Banding Co. filed.

" " " Leave to defendant, The Canton Bank & Trust Co., to file answer by 8/1/30.

" " 16" Answer and cross petition of C. M. Willey & Son filed.

" " 25" Answer and cross petition of Edward Fulk filed

" July 9" Application for supplemental appraisal filed.

" " 10" Paul VanNostran, S. S. Shaffer and H. J. Bowman appointed appraisers.

" " 24" Oath and report of appraisers filed.

" " " Petition for sale of personal property filed.

" " 29" Receiver ordered to sell personal property.

" Aug 7" Application of Receiver to complete land contract and convey title filed.

" " " Receiver authorized to complete land contract and execute a deed.

" " 11" Partial return of order of sale filed.

" " " Sale confirmed and bills of sale ordered.

" " " Application for compensation filed.

" " " Partial compensation allowed Receiver and attorneys for Receiver.

" Sept. 11" Application for supplemental appraisal filed.

" " 26" Oath and report of appraisers filed.

" " 29" Leave to The Canton Bank & Trust Co. to plead by Oct. 4, 1930.

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1930 Oct. 22" Leave to defendants
Kintz and Visinger to
file answer instanter.

" " " Answer of Kintz &
Visinger filed.

" " 24" Petition for sale of
real property filed.

" " 28" Waivers of service filed.

" Nov. 1" Answer and cross petition
of The Preston Clay Co.
filed.

" " 3 Motion for new parties
filed.

" " 5" Leave to make L. H.
Blackstone, Raymond K.
Miller and Laura H.
Most parties defendant.

" " " Praecipe filed.

" " " Summons issued.

" " " Answer and Cross Petition
of The Gamber Lumber &
Construction Co. filed.

" " " Answer and cross petition
of George Starr filed.

" " 7" Summons returned.

" " 12" Leave to defendant The
Dime Savings Bank to
file answer and cross
petition instanter.

" " " Affidavit for publication
filed.

" " " Affidavit of publication
filed.

" " " Answer and cross petition
of The Dime Savings Bank
filed.

" Dec. 1" Receiver's report of
sale filed.

" " 2" Reply of The Metropolitan
Life Insurance Co. filed.

" " " Answer and cross petition
of The Baltic Bending Co.
filed.

" " 1" Judgment for The Dime
Savings Bank vs. Karl A.
Most and Laura H. Most
for \$5529.73 (1st lien)
on lot #4, and also for
the sum of \$3215.27 (1st
lien) on lot #9.

" " 2" Answer and cross petition
of The Baltic Lumber Co.
filed.

- 1930 Dec. 1" Receiver ordered to sell certain property at private sale to Charles M. Marchand.
- " " " Sale confirmed; deed ordered and order of distribution. Deficiency judgment for The Dine Savings Bank vs. Russell J. VanNostran as Receiver for \$2020.65 on Lot #4 and also for sum of \$2013.93 on lot #9.
- " " 5" Receiver authorized to pay appraisers' fee.
- " " 17" Answer, cross petition and process of The Metropolitan Life Insurance Co. filed.
- " " " Summons issued.
- " " 19" Answer and cross petition of The Home Savings & Loan Co. filed.
- " " 24" Affidavit of publication filed.
- " " 29" Summons returned.
- 1931 Jan. 16" Receiver's report of sale of real estate filed.
- " " Judgment for The Home Savings & Loan Co. vs. Karl A. Most and Laura H. Most for the sum of \$3149.73 (1st lien).
- " " Sale confirmed; deed ordered and order of distribution. Deficiency judgment for The Home Savings & Loan Co. for \$951.03 vs. Russell J. VanNostran as Receiver.
- " " " Order to sell lot #10 at private sale to The Home Savings & Loan Co.
- " " 19" Application of Receiver to authorize Receiver to institute suit filed.
- " " " Application allowed.

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- 1931 Feb. 2" Partial report of Receiver filed.
- " Mar. 4" Receiver authorized to sell property.
- " " 16" Affidavit of publication filed.
- " " " Affidavit of publication filed.
- " " 26" Receiver's report of sale of real estate at public auction filed.
- " " " Sale confirmed and deeds ordered.
- " Apr. 23" Application filed.
- " " " Appraisers appointed.
- " " 27" Application for supplemental appraisal and return filed.
- " " " Application of Receiver filed.
- " " " Receiver authorized to complete Land Contract and execute a deed.
- " " 28" Fee of \$10.00 allowed each appraiser.
- " Sept. 12" Application of Receiver for compensation filed.
- " Oct. 6" Leave to The Canton Structural Steel Co. to file answer instanter.
- " " " Answer and cross petition of The Canton Structural Steel Co. filed.
- " " 9" Answer of J. A. McQuown filed.
- 1932 Jan. 15" Leave to The Schram-Rossiter-Crawford Co. to file answer and cross petition instanter.
- " " " Answer and cross petition of The Schram-Rossiter-Crawford Co. filed.
- " June 9" Brief of defendant The Metropolitan Life Ins. Co. filed.
- " " 13" Compensation allowed Receiver and attorney for Receiver.
- " July 1" Answer and cross petition and praecipe of Charles E. Long filed.

1932, July 1	Summons issued.
" " 7	Summons returned.
" " 28	Decree of foreclosure.
	Marshalling of liens and priorities determined.
	Order to sell Tract No. 3 and publish notice to sell.
	Allowance of Attorney fees, etc. Notice of appeal.
	Bond fixed at \$7,000.00.
" Aug. 18	Appeal bond filed.
" " "	Transcript made for Court of Appeals.
1933, Apr. 20	Receiver's report of sale of real estate filed.
" " "	Report of sale confirmed; deed ordered and order of distribution. H7-541.
1934, May 8	Application of Receiver filed.
" " "	Receiver ordered to sell Lot No. 17 at private sale.
" " "	Receiver's report of sale of Lot No. 17 filed.
" " "	Sale confirmed, deed and partial distribution ordered. P7-282.
" June 18	Application of Receiver filed.
" " "	Receiver ordered to sell Lot No. 13 at private sale.
" " "	Receiver's report of sale of Lot No. 13 filed.
" " "	Sale confirmed, deed and partial distribution ordered. K7-433. App. Doc. 149, Page 58720. Stark County Clerk's Office.
1932, Aug. 18	Transcript and original papers from Common Pleas Court filed.
" Sept. 16	Three Briefs of plaintiff in error filed.
" Dec. 12	Decree of foreclosure. Marshalling of liens. Priorities determined. Order to sell Tract No. 3 and publish notice of sale. Allowance of attorney fees.
1933, Mch. 3	Certified copy of Entry from Supreme Court filed. (Motion overruled). Court of Appeals Doc. 3, Page 1317. Stark County Clerk's Office.

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Plaintiff prays that the Court immediately appoint a Receiver to take possession of and protect all of the property of defendant for the benefit of all creditors and lienholders; and further prays that the Receiver be authorized and empowered to make such contracts in relation thereto and incur such indebtedness as may be found necessary to fully administer and preserve said property.

Service by Sheriff of Stark County, Ohio, on Karl A. Most.

Russell VanNostran appointed Receiver to take charge of and control all of the property real and personal belonging to said defendant.

Paul VanNostran, John C. Bondure and S. S. Shafer named Commissioners to appraise all of the property of the defendant, Karl A. Most.

Said Commissioners appraise the real estate of said defendant as follows:

Lot #45 in Oakwood Park Addition #1, Plain Twp., Stark County, Ohio, appraised at \$260.00.

Lot #5 in Oakwood Park Add. #1., Plain Twp., appraised at \$300.00.

Lot #7 in Oakwood Park Add. #1., Plain Twp., appraised at \$200.00.

Lot #8 in Oakwood Park Add. #1., Plain Twp., appraised at \$200.00.

Lot #13 in Oakwood Park Add. #1., Plain Twp., appraised at \$175.00.

Lot #17 in Oakwood Park Add. #1., Plain Twp., appraised at \$200.00.

Lot #19 in Oakwood Park Add. #1., Plain Twp., appraised at \$200.00.

Lot #24 in Oakwood Park Add. #1., Plain Twp., appraised at \$50.00.

Lot #6 in Oakwood Park Add. #1., Plain Twp., undivided 1/2 interest appraised at \$50.00.

Lot #15364 in the City of Canton, Ohio, appraised at \$1800.00.

Park Out Lot #425 in the City of Canton, Ohio, appraised at \$11,000.00.

Installment note for \$700.00 due Aug. 22, 1933 and payable in monthly installments of \$7.00 and signed by Wanda G. Robart and Albert L. Robart, secured by mortgage on 30 feet off the east end of Lot #8040 in the City of Canton, Ohio. -----No value.

Total appraisement \$14,425.00.

Service by Sheriff of Stark County, Ohio, on Karl A. Most, Laura H. Most, Edward Fulk, C. M. Willey and E. M. Willey d.b.a. C. M. Willey & Son.

Waiver of service of summons by John A. Blum, d.b.a. Blum Plumbing & Heating Co., Mike Kirtz and Casper Visinger, d.b.a. Kirtz & Visinger, Charles E. Long, The Metropolitan Life Insurance Co., The Schram-Rossiter-Crawford Co., Canton Morris Plan Bank, The Canton Structural Steel Co., The Canton Cabinet & Lumber Co., The Baltic Lending Co., J. A. McQuown, Hursh & Schory Coal Co., The Stark Marble & Tile, Inc., The Smith-Trump Abstract Co., and The Preston Clay Co.

Paul VanNostran, S. S. Shafer and H. J. Bowman named Commissioners to appraise additional property, real and personal, found by Receiver belonging to defendant.

Said Commissioners appraise the following described real estate as follows:-

Lot #4 in Oakwood Park Add. #1 at \$1600.00.

" #9 " " \$1200.00

" #10 " " \$2200.00

" #18 " " \$5200.00

" #25 " " \$2000.00

" #28 " " \$3500.00

" #40 " " \$5800.00

" #26 " " \$2000.00

Receiver prays the Court for authority to complete a land contract for the sale of lot #40 in Oakwood Park Addition #1, and upon the payment to him of the sum of \$467.31 still remaining unpaid on said contract, to convey said premises by warranty deed to Arthur J. and Ethel L. Mulherin free and clear of all encumbrances whatsoever, except a mortgage held by The Home Savings & Loan Co.

Said Receiver ordered to complete said contract and convey said premises as in the application stated.

Paul VanNostran, S. S. Shafer and H. J. Bowman named Commissioners to appraise additional real and personal property coming into the possession of said Receiver.

Lot #23 in Oakwood Park Add. #1 appraised by said Commissioners at \$3000.00.

Said Receiver asks the Court for authority to sell lots #4, 9, 10, 18, 25, 28, 23, & 26 in Oakwood Park Add. #1, free and clear of all encumbrances.

Waiver of service of summons by The Smith-Trump Abstract Co., R. E. Hursh and E. H. Schory, partners, d.b.a. Hursh & Schory Coal Co., Ohio Builders & Milling Inc., Canton Morris Plan Bank, Russell J. VanNostran as Receiver of Karl A. Most, The First Savings & Loan Co. of Canton, Ohio, The Baltic Lumber Co., The Baltic Bending Co., George Starr, The Garver Lumber Co., The Preston Clay Co., Canton Cabinet & Lumber Co., Canton Structural Steel Co., The Home Savings & Loan Co., The Dime Savings Bank, F.C. Nellie and The Taplin-Rice-Clerkin Co. in the Receiver's 2nd petition to sell real property.

L. H. Blackstone, Raymond K. Miller and Laura H. Most made parties defendant.

Answer and cross petition of George Starr claims mechanic's liens on lots #18, 23, 26 & 27 in Oakwood Park Add. #1 to the City of Canton, Ohio.

Notice ordered served on L. H. Blackstone, Raymond K. Miller and Laura H. Most.

The Sheriff of Stark County, Ohio, reports that said parties cannot be found in Stark County, Ohio.

Answer and cross petition of The Dime Savings Bank claims mortgage liens on lots #4, 9 & 25 in Oakwood Park Add. #1 to the City of Canton, Ohio.

Notice ordered served on L. H. Blackstone, Raymond K. Miller, Karl A. Most and Laura H. Most, non-residents of the State of Ohio by publication.

Said Receiver ordered to sell lots #4 & 9 in Oakwood Park Add. #1 to Charles M. Marchand for not less than the appraised value of the same.

Said premises sold to Charles M. Marchand for the sum of \$2700.00.

Sale approved and confirmed and deed ordered.

Answer and crosspetition of The Baltic Bending Co. claims mechanic's liens on lots #23, 24, 25, 26 & 27 in Oakwood Add. #1.

Answer and cross petition of The Baltic Lumber Co. claims mechanic's liens on lots #23, 25 & 28 in Oakwood Park Add. #1.

Answer and cross petition of The Home Savings & Loan Co. claims a mortgage lien on lot #10 in Oakwood Park Add. #1.

Notice served on L. H. Blackstone, Raymond K. Miller, Karl A. Most and Laura H. Most by publication in The Evening Repository for six consecutive weeks from and after Nov. 13, 1930.

The Home Savings & Loan Co. having offered to pay said Receiver the appraised value of lot #10 in Oakwood Park Add. #1, therefor, the Court orders said Receiver to sell said lot #10 to said The Home Savings & Loan Co. for said sum of \$2200.00.

Said Lot #10 sold to said The Home Savings & Loan Co. for the sum of \$2200.00.

Sale approved and confirmed and deed ordered.

Upon application, Receiver is authorized to bring all necessary actions and proceedings against Raymond K. Miller, et al, to set aside any fraudulent conveyances made by defendant Karl A. Most to said Raymond K. Miller, et al.

Said Receiver ordered to sell lots #18, 25, 28, 23 & 26 in Oakwood Park Add. #1 at public sale.

Sale approved by Russell J. VanNostran, Receiver of Karl A. Most, Canton Morris Plan Bank, The First Savings & Loan Co., Ohio Builders & Milling, Inc., Huron Schory Coal Co., The Dime Savings Bank, The Baltic Bending Co., The Baltic Lumber Co., The Smith-Trump Abstract Co., The Canton Structural Steel Co., The Canton Cabinet & Lumber Co., Home Savings & Loan Co., The Preston Clay Co. and George Starr.

Notice of sale published in The Evening Repository for two consecutive weeks from and after Mar. 5, 1931.

Said premises sold as follows:-

Lot #18 to The Home Savings & Loan Co. of Canton, Ohio, for the sum of \$4500.00.

Lot #25 to Charles M. Marchand for the sum of \$1400.00.

Lot #28 to The Home Savings & Loan Co. of Canton, Ohio, for the sum of \$2975.00.

Lot #23 to The First Savings & Loan Co. of Canton, Ohio, for the sum of \$1500.00.

Lot #26 to The First Savings & Loan Co. of Canton, Ohio, for the sum of \$1000.00.

Sales approved and confirmed and deeds ordered.

Paul VanNostran, J. Stewart Ake and H. J. Bowman named appraisers to appraise additional property coming into the hands of said Receiver and not heretofore appraised.

Said Receiver prays the Court to authorize him to sell part of lot #55 in Fruitland Gardens, Nimishillen Twp., Stark County, Ohio, to Harry L. and Edith L. Hull, upon the payment by them to him of the sum of \$300.00, title to said premises having stood in the name of Raymond K. Miller but by cause #00938 said title was transferred to said Receiver and said conveyance to said Raymond K. Miller was set aside and vacated on the grounds of fraud.

Lot #47 in the Alliance Improvement Company's North Union Avenue Allotment appraised by Commissioners at \$100.00. Lot #2044 in the City of Canton, Ohio and lot #67 in North Park Add. #2 at \$300.00; part of lot #55 in Fruitland Gardens at \$250.00; part of the west half of the Northeast Quarter of Section #27, Township #19, Range #6 containing 1/2 acre at \$60.00; part of the west half of the Northeast Quarter of Section #27, Township #19, Range #6 containing 1/2 acre at \$60.00; part of the west half of the Northeast Quarter of Sec. #27, Twp. #19, R. #6 containing 1/2 acre at \$60.00.

Said Receiver ordered to sell part of said lot #55 in Fruitland Gardens to Harry L. and Edith L. Mell for the sum of \$300.00, still remaining due on their contract.

This cause coming to the Court of Appeals from the Court of Common Pleas of Stark County, Ohio, The Metropolitan Life Insurance Co. being the appellant, and all other parties hereto being appellees, the Court of Appeals, acting upon the petition of said Receiver to sell said part of Out Lot #425 in the City of Canton, Ohio, as described in the heading of this Partial Abstract, finds that the allegations of said Receiver's petition are true, and that it is necessary and proper that said real estate (being said part of said Out Lot #425) be sold by said Receiver to satisfy the liens and claims thereon.

Said Receiver ordered to sell said premises, free and clear of all liens and encumbrances, for cash at public auction for the highest and best price obtainable.

Order of public sale issued.

Notice of sale published in the Canton Repository for three consecutive weeks prior to Apr. 8, 1933, the day of sale.

Said premises sold to Ross E. Hursh for the sum of \$5200.00.

Sale approved and confirmed and deed ordered.

Said Receiver upon application is ordered and authorized to sell Lot No. 17 to John Salsbury and Josie Salsbury at private sale for a consideration of \$100.00, free and clear of all encumbrances.

Said Receiver upon application is ordered and authorized to sell Lot No. 13 to Hugh Harter and Viola Harter at private sale for a consideration of \$100.00, free and clear of all encumbrances.

L I E N S

No. 1-B.

No Federal Tax or Recognizance Liens.

No. 2-A.

I have made no search for street, sewer or other special assessments.

No. 3-A.

The Smith-Trump Abstract Co.

-vs-

Karl A. Most

1928 Dec. 23" Petition and
praecipe filed.

* * *

1930 Feb. 14" Judgment by
default for
plaintiff for
\$197.75 with 6%
interest from
8/16/29 and costs.

App. Doc. 148, page 57818.
Stark County Clerk's Office.

No. 4-A.

The Preston Clay Co.

-vs-

Karl A. Most.

LAW

1930 Jan. 28" Petition and
praecipe filed.

* * * * *

1930 Apr. 3" Judgment by
default for
plaintiff vs.
defendant for
\$436.11 with interest
from 4/3/30 and costs.

App. Doc. 148, page 58089.
Stark County Clerk's Office.

No. 5-A.

The Canton Cabinet &
Lumber Co.

-vs-

Karl A. Most,
Laura H. Most.

COGNOVIT

1930 Feb. 15" Petition and warrant
filed.
" " " Answer filed.
" " " Judgment for Plaintiff
for \$682.28 and costs
and interest.

App. Doc. 148, page 58249.
Stark County Clerk's Office.

No. 6-A.

The Canton Morris Plan
Bank

-vs-

Evelynne Davis,
Arnold R. Davis,
Karl A. Most,
Walter Burnish.

COGNOVIT

1930 Mar. 19" Petition and warrant
filed.
" " " Answer filed.
" " " Judgment for plaintiff
for \$239.70 and costs
and interest.

App. Doc. 149, page 58498.
Stark County Clerk's Office.

No. 7-A.

The Tuplin-Rice-Clerkin
Co.

-vs-

C. E. Long,
Karl A. Most.

COGNOVIT

1930 May 27" Petition and warrant
filed.
" " " Answer filed.
" " " Judgment for plaintiff
for \$352.50 and costs
and interest.

App. Doc. 150, page 59108.
Stark County Clerk's Office.

No. 8.

Fred G. Nellie

-vs-

Karl A. Most,
Laura H. Most.

COGNOVIT

1930 June 4" Petition and warrant
filed.
" " " Answer filed.
" " " Judgment for plaintiff
for \$141.95 and costs
and interest.

App. Doc. 150, page 59185.
Stark County Clerk's Office.

Plain Township Historical Society

The Preston Clay Co.,
-vs-
Karl A. Most, et al.

EQUITY
1930 Aug. 29" Petition and praecipe
filed.

* * * * *
1931 Mar. 23" Judgment for plaintiff
vs. Karl A. Most for
\$121.37 and costs.
Cancellation of
Mechanic's Lien.

App. Doc. 151, page 59804.
Stark County Clerk's Office.

No. 10.

George Starr
-vs-
Floyd E. Dilgard,
Emma M. Dilgard,
Karl A. Most,
The First Savings &
Loan Co. of Canton, Ohio,
Raymond K. Miller.

EQUITY
1930 Sept. 2" Petition and praecipe
filed.

* * * * *
1931 Jan. 20" Judgment for defendant
The First Savings & Loan
Co. of Canton, Ohio, vs.

T. Carl Whissel and Ethel M. Whissel
for \$305.83 with 7% interest from
1/20/31 and costs; for plaintiff vs.
Karl A. Most for \$155.85 with 6%
interest from 1/20/31; for defendant
The Garber Lumber & Construction Co.
vs. Karl A. Most for \$146.55 with 6%
interest from 11/27/29; liens determin-
ed; foreclosure of mortgage and
mechanic's liens; order to sell 1 day.

1931 Jan. 21" Order of sale issued.

* * * * *
1931 June 10" Sale confirmed; deed
ordered and order of
distribution.

App. Doc. 151, page 59814.
Stark County Clerk's Office.

The premises foreclosed were sold for \$2800.00.

No. 11.

The First Savings & Loan
Co. of Canton, Ohio,
-vs-

Karl A. Most,
Laura H. Most,
Oliver P. Brann,
also known as
Oliver P. Braun,
T. Carl Whissel,
Ethel M., wife,
Wm. C. Doerr,
Raymond K. Miller.

EQUITY
1930 Sept. 13" Petition and praecipe
filed.

* * * * *
1931 May 21" Sale confirmed; deed
ordered and order of
distribution. Deficiency
judgment for plaintiff
for \$364.12 vs. Karl A.
Most, Laura H. Most, T.
Carl Whissel, Ethel M.
Whissel and Oliver P.

Brann.

No. 12.

The Home Savings & Loan Co.

-vs-

Karl A. Most,
Laura H. Most,
Roman G. Zwick,
Clara A. Zwick,
Raymond K. Miller.

EQUITY

1931 Jan. 14" Petition and praecipe
filed.

* * * * *
1931 May 14" Judgment for plaintiff
vs. Karl A. Most, Laura
H. Most, Roman G. Zwick
and Clara A. Zwick for \$3059.60 with
7% interest from May 13, 1931 and
costs; foreclosure of mortgage and
order to sell 3 days.

1931 May 28" Order of sale issued.
" July 29" Sale confirmed; deed
ordered and order of
distribution. Deficiency
judgment for plaintiff
for \$361.09.

App. Doc. 153, page 60894.
Stark County Clerk's Office.

No. 13.

The First Savings & Loan
Co. of Canton, Ohio.

-vs-

Raymond M. Bible
and Gladys I., wife,
Arthur Brutto and
May S., wife,
Karl A. Most,
Raymond K. Miller.

EQUITY

1931 Mar. 7" Petition and praecipe
filed.

* * * * *
1932 May 12" Sale confirmed; deed
ordered and order of
distribution. Deficiency
judgment for plaintiff
for sum of \$1392.34 vs.
Raymond M. and Gladys I.
Bible, Karl A. Most,
Arthur and May S. Brutto.

App. Doc. 153, page 61347.
Stark County Clerk's Office.

The Dime Savings Bank Co.

-vs-

Laura H. Most,
Karl A. Most,
Mae Durham.

EQUITY

1931 Apr. 15" Petition and praecipe filed.

* * * * *
1931 Sept. 18" Sale confirmed; deed ordered and order of distribution. Deficiency judgment for plaintiff for \$6325.11 vs. Laura H. and Karl A. Most and Mae Durham.

App. Doc. 154, page 1670.
Stark County Clerk's Office.

No. 15.

I. J. Fulton, Superintendent of Banks of the State of Ohio in charge of the liquidation of The Dime Savings Bank Co. of Canton, Ohio,

-vs-

Karl A. Most,
Laura H. Most,
Walter H. Riggs, et al.

EQUITY

1932 June 19" Petition and praecipe filed.

* * * * *
1932 Nov. 3" Sale confirmed; deed ordered and order of distribution. Deficiency judgment for plaintiff vs. Karl A. Most, Laura H. Most and W. H. Riggs for \$543.73.

App. Doc. 160, page 65244.
Stark County Clerk's Office.

No. 16.

The Home Savings & Loan Co.

-vs-

Karl A. Most,
Laura H. Most,
The Wm. G. Aman Co.,
Martha S. Wolfe,
Ralph W. Wolfe,
Ida S. Cook,
Ida S. Cook and
Thomas H. Leahy as
Trustees and Executors
of the estate of Wm.
F. Cook, deceased,
Wm. H. Lenhart,
and Ida J. Lenhart,
Thomas H. Leahy,
Ethel M. Leahy,
Alvin E. Strang,
Grace L. Strang,

EQUITY

1932 July 6" Petition and praecipe filed.

Pending Suit.

App. Doc. 160, page 65293.
Stark County Clerk's Office.

Dorothy S. Montges,
J. A. Huberty.

This is an action praying judgment vs. all of said defendants except J. A. Huberty in the sum of \$3651.52 with interest at 7% from June 10, 1932 and costs herein, foreclosure of a mortgage on lot #5 in Oakwood Park Add. #1 and sale of said premises.

No. 17.

Ex Rel I. J. Fulton,
Supt. of Banks of the
State of Ohio in charge
of the liquidation of
The Dime Savings Bank
Co. of Canton

-VS-

Karl A. Most,
Laura H. Most,
George Boydelatour, et al.

EQUITY

1932 July 7" Petition and praecipe
filed.

* * *
1932 Nov. 2" Sale confirmed; deed
ordered and order of
distribution. Deficiency
judgment for plaintiff
for \$1726.33 vs. Karl
A. and Laura H. Most
and George Boydelatour.
App. Doc. 160, page 65305.
Stark County Clerk's Office.

No. 18.

Ex Rel I. J. Fulton,
Supt. of Banks of the
State of Ohio in charge
of the liquidation of
The Dime Savings Bank
Co. of Canton.

-VS-

Karl A. Most,
Laura H. Most, et al.

EQUITY

1932 July 19" Petition and praecipe
filed.

* * *
1932 Nov. 15" Sale confirmed; deed
ordered and order of
distribution. Deficiency
judgment for plaintiff
for \$1137.17 vs. Karl A.
and Laura H. Most and
Russell VanNostran,
Receiver.
App. Doc. 150, page 65394.
Stark County Clerk's Office.

No. 19.

The Home Savings & Loan
Company

vs.

Karl A. Most, et al.

EQUITY.

1934, Mch. 29 Petition and Praecipe filed.
" May 7 Affidavit of Publication
filed.
" June 6 Judgment for plaintiff
versus Karl A. Most and
Laura H. Most for
\$3,562.38, foreclosure and
order to sell.
" June 15 Order of sale issued.
Appearance Docket 167,
Page 69704, Stark County
Clerk's Office.

No. 20.

The Home Savings & Loan
Company

vs.


Karl A. Most, et al.

EQUITY.

1934, Apr. 12 Petition and Praecipe
filed.
" May 26 Affidavit of Publication
filed.
Appearance Docket 167,
Page 69770, Stark County
Clerk's Office.

I hereby certify that the foregoing ADDENDA 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 premises described in heading of Abstract as shown by the General Indexes in the several County Offices in and for Stark County, Ohio.

Canton, Ohio,
June 20, 1934.


Attorney and Abstractor.

ADDENDA to the Foregoing Abstract of Title showing all changes effecting the Title to the premises described in the heading hereof since and including June 20th, 1934.

Sec 1

No deeds have been filed for record since June 20, 1934.

Sec 2

No mortgages.

Sec 3

No leases or mechanics liens.

Sec 4

Easement

Hugh I. and Viola Harter
to
the State of Ohio
Consideration \$1.00

S. & A. April 28, 1936
Rec. for Record October 6, 1936
Recorded October 16, 1936
V. 1167, Page 201

Grants easement for highway purposes described as follows:

Beginning at a point in the property line between the party of the first part and Bessie M. Bowman, which property line is the Lot line between Lots Nos. 11 and 12 in the Oakwood Park Allotment No. 1. Said point of beginning being in the present northerly line of 30th St. at right angles to and 25 feet left of Station 86-18.5 in the centerline of a survey made by the Department of Highways. Thence north $4^{\circ} 46'$ east along said property line 15 feet to a point at right angles to and 40° left of Station 86-18.68 in the said center line. Thence south $85^{\circ} 55'$ east parallel with said centerline a distance of 94 feet to a point in the property line between the party of the first part and Gertrude Wagner, said property line being the Lot line between Lots Nos. 13 and 14 of Oakwood Park Allotment No. 1, said point being at right angles to and forty feet left of Station 87-12.68 in the said centerline. Thence south $4^{\circ} 46'$ west along said property line 15 feet to a point in the present northerly line of 30th St. at right angles to and 25 feet left of Station 87-12.55, said centerline. Thence north $85^{\circ} 55'$ minutes west along the present northerly line of Oakwood Street 94 feet to the place of beginning and containing .03 acres more or less.

Sec 5

Easement

Hugh I. and Viola Harter
to
the State of Ohio

S. & A. November 25, 1955
Consideration \$96.00
Rec. for record January 23, 1956
Recorded January 24, 1956
Vol 2354, Page 511

Grants easement for highway purposes described as follows:

Being parts of Lots Nos. 12 and 13 in the Oakwood Park Allotment No. 1 as follows. Beginning at a point 26 feet left of S. P. W.- 1203 plus 73 in the center-line of a survey for the west bound roadway as shown in the Recorded Plat above referred to, said point being the point of intersection of the existing northerly right of way of U. S. R. 62 with the westerly line of Lot No. 12; thence northerly with the said line to a point 30 feet left of Station W1202 plus 72, thence easterly through, over and across Lots Nos. 12 and 13 with an arc of circular curve deflecting to the left concentric with the centerline of the west bound roadway, radius 7609.44 feet to a point 30 feet left of Sta. W1204 plus 66.5, said point being in the easterly line of Lot No. 13; thence southerly with the said line to a point 24.5 feet left of Sta. W 1204 plus 66, said point being in the aforementioned northerly right of way line; thence westerly with said line to the point of beginning containing 428 square feet.

Sec 6.

No judgments, foreign executions, or pending suits which are liens against the premises in question.

Sec 7.

No recognizance bonds, unemployment compensations or federal tax liens.

Sec 8.

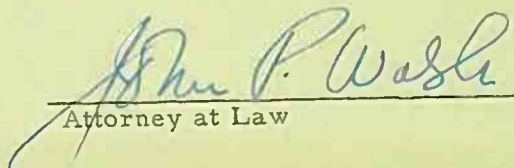
Taxes due in June, 1956 in the amount of \$3.52 paid.

Sec 9.

I have made no search for street, sewer or other special assessments.

I hereby certify that the foregoing Addenda 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 effecting the title to the premises described in the heading hereof as shown by the General Indexes of the several county offices in and for Stark County, Ohio.

Canton, Ohio
July 11, 1956


Attorney at Law