

No. 8121

Aaron Rouser Estate
To/Division Decree
Mary Ann Rouser,
Laura Moore,
Fannie Forbes,
William Rouser,
Sarah Horn

Filed for record the 16th day of May,
1922 at 2 o'clock P.M.

Recorded the 16th day of May, 1922.

This cause coming on to be heard on motion of all the parties interested, to confirm the report of the Commissioners, appointed at a former Term of this Court to partition this land among the several owners thereof, and it appeared that the commissioners, W.F. Battley, R.L. Atkinson, and E.E. Tucker have performed this duty in all respects, and that they complied with the law, and the directions of this Court in partitioning said land among the several owners thereof, parties to this suit.

And it appearing further to the Court that said land was divided into five (5) separate lots, or parcels, and that R.H. Covington, a competent surveyor, was employed by the Commissioners to survey said land, and did survey same into five (5) separate lots or parcels all of which will fully appear by reference to the Report of Commissioners, and plat of said land on file in this cause.

And it further appears to the Court that at the request of Mary Ann Rouser, lot 5 or the Home-stead, lot, was set apart to her, with the residence, and other improvements thereon. And that the other four (4) lots were drawn as directed by the Statutes, and in compliance with the decree of this Court ordering said partition and appointing said Commission and the result was as follows:

Lot No. 1 was drawn by Laura Moore.

Lot No. 2 was drawn by the heirs of Fannie Forbes.

Lot No. 3 was drawn by William Rouser.

Lot No. 4 was drawn by Sarah Horn.

And there further appearing to the Court that the Commissioners employed R.H. Covington, an engineer to survey and plat said lands and his bill of \$20.00 for his services rendered, is a reasonable charge, and same should be allowed.

And there further appeared to the Court that W.F. Battley served one (1) day and is entitled to expenses for telephone message, and affidavit, as shown by said report, \$0.85, and that R.L. Atkinson is entitled to one (1) days services, and \$0.50 for affidavit, and that E.E. Tucker is entitled to two (2) days services, and \$0.50, and that Joe Hilliard, and L. Gibbs are entitled to one (1) days services, as chain-bearers; all of said fees were necessary in making said partition.

It is therefore ordered, adjudged, and decreed by this Court that Lot 1 described as follows:

"10 acres off the East side of SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 30 acres off East side of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 7, R. 1, E."

drawn by said Laura Moore shall hereafter be held, and owned by her in fee simple as her separate property; free from all the rights, title, and interest or demands of every nature and kind of all of the other parties to said suit.

And that Lot No. 2, described as:

"S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ of 10 acres off West side NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, and 15 acres off of East side of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 15 T. 7, R. 1 E- and 15 acres off East side SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T. 7, R. 1, E."

containing _____ acres drawn by the heirs of Fannie Forbes, who are _____

shall be held, and owned by the above named heirs of said Fannie Forbes in equal parts in fee simple, as tenants in common; free from all the rights, titles, and interests or demands of all of the other parties to said suit.

And that Lot No. 3, described as:

"NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ of 10 acres off West side NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 5 acres off South end SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 12 $\frac{1}{2}$ acres off West side NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15 T. 7, R. 1, E., and 12 $\frac{1}{2}$ acres off West side SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T. 7, R. 1, E.

containing _____ acres, was drawn by William Rouser, and shall hereafter be held by him, the said William Rouser, in fee simple; free from all the rights, titles, and interests or demands of all of the other parties to this suit.

And that Lot No. 4, described as:

"35 acres off North End of SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 12 $\frac{1}{2}$ acres off East side of 25 acres off West side NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, T. 7, R. 1, E. and 12 $\frac{1}{2}$ acres off East side off 25 acres off West Side SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T. 7, R. 1, E.

containing _____ acres, which was drawn by Sarah Horn shall be held, and owned by her in fee simple, as her own separate property; free from all the rights, titles, and interest or demands of all of the other parties to this suit.

And that Lot No. 5, or the homestead Lot, described as:

"30 acres off West side SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, T. 7, R. 1, E., was allotted to Mary Ann Rouser as her separate interest in said estate, to be held and owned by her in fee simple; free from all the rights titles, interests or demands of all the other parties to this suit.

And it is further ordered, adjudged and decreed by this Court that the several parts here set apart and allotted to each of the parties to this suit, shall from henceforth be held and owned in severalty by them in fee simple; together with a reasonable _____ of way over other shares necessary to travel from share to road or other parts of such share free from all of the rights, titles, interests, and demands, of all of the other parties to this suit.

It further appeared to the Court that H.B. & J.M. Greaves, Attorneys for all parties interested, are entitled to receive as their fee for their services rendered \$100.00 to be taxed as a part of the cost to be paid by each of the heirs, 1/5 of said sum or \$2.00, which \$20.00 is declared to be a lien on each of said separate lot of said land, until said sum is paid.

It is further ordered, adjudged, and decreed that W.F. Battley is entitled to recover \$3.35; R.L. Atkinson \$3.00; and E.E. Tucker \$5.50; R.H. Covington \$20.00; L. Gibbs \$1.50; and Joe Hilliard \$1.50, all of which shall be charged as a part of the cost of this suit.