

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF TUSCOLA

IN CHANCERY

FRANK VANDERBILT and
AMELIA VANDERBILT,
Plaintiffs

-VS-

DECREE

JOHN WEST and RUBY WEST
and the COUNTY OF TUSCOLA,
a municipal corporation
Defendants

At a session of said Court held at the courthouse in the
Village of Caro in said County on the 14th day of April, 1953;

Present: Honorable John G. Libbers, Circuit Judge

This cause having come on to be heard upon the pleadings
and proofs taken therein, and having been argued by counsel for the re-
spective parties, and the Court being fully advised in the premises;

Now, therefore, on due consideration thereof,

IT IS ORDERED, ADJUDGED AND DECREED, and the Court now
here doth ORDER, ADJUDGE AND DECREE, that the deed of conveyance dated
August 3, 1946 made and executed by Frank Vanderbilt and Amelia Vanderbilt
to John West and Ruby West of the premises described therein as follows,
to-wit: all that certain piece or parcel of land situate and being in the
Township of Wisner, County of Tuscola and State of Michigan, and described
as follows, to-wit:

All that part of Lot 1, Section 28, Town 14
North, Range 7 East which is bounded on the
east and north by property deeded to Tuscola
County by deed which is recorded in Liber 230,
Page 275 of Deeds, Tuscola County Register of
Deeds, and bounded on the south by the south
line of said Lot 1, Section 28, Town 14 North,
Range 7 East, and bounded on west by the west
line of said Lot 1;

be, and the same hereby is, referred so as to correctly describe the property
intended to be conveyed as, all that certain piece or parcel of land situate
and being in the Township of Wisner, County of Tuscola and State of Michigan,
and described as follows, to-wit:

All that part of government Lot 1, Section 28,
Town 14 North, Range 7 East, which is bounded
on the north by a highway extending along the
southeasterly side of Vanderbilt Subdivision,
bounded on the east by land deeded to the
County of Tuscola for park purposes and bounded
on the south by the south line of said govern-
ment Lot 1.

It is further ORDERED, ADJUDGED, AND DECREED that the
deed executed by Frank Vanderbilt and Amelia Vanderbilt to the County of
Tuscola on July 14, 1938 and recorded in the Office of the Register of Deeds
of Tuscola County, Michigan in Liber 230 of Deeds on Page 275 erroneously
described the strip of land thirty-three feet wide as,

"Also a strip of land 33 feet wide on each side
of the following surveyed line, Beginning at a
point 640 feet west, 800 feet north and 100 feet
north 15 degrees west of southeast corner of
Lot 1, Section 28, Town 14 North, Range 7 East,
thence south 45 degrees west to the west section
line of Section 28, Town 14 North, Range 7 East."

and that said description be, and the same hereby is, reformed to read as follows:

Also a strip of land 33 feet wide on each side of the following surveyed line, Commencing at a point on the section line 1215.5 feet north of the west quarter part of Section 28, Town 14 North, Range 7 East, thence north 44 degrees east 627.93 feet, thence north 36 degrees 30 minutes east 500 feet to land deeded to Tuscola County for park purposes.

It is further ORDERED, ADJUDGED AND DECREED that Asolia Vanderbilt, surviving plaintiff, pay unto John West and Ruby West, two of the defendants, the sum of Four Hundred Ten Dollars together with interest thereon at the rate of six per cent per annum subsequent to August 20, 1946 and that said sum represents the overpayment made by John West and Ruby West in the computation of the acreage as determined under the erroneous description.

It is further ORDERED, ADJUDGED AND DECREED that the plaintiffs have leave to cause this decree, or a certified copy thereof, to be recorded in the Office of the Register of Deeds of said County of Tuscola.

And it is further ORDERED, ADJUDGED AND DECREED that the defendants John West and Ruby West pay to the plaintiffs or their attorney the costs in this suit to be taxed, and that the plaintiffs have execution for the same.

John G Libbers
Circuit Judge

Approved as to form

CERTIFICATE OF COPY OF RECORD—By Clerk of Court (168)

STATE OF MICHIGAN } ss. I, Fred Mathews
 County of Tuscola }

Clerk of the County of Tuscola and of the Circuit Court for said County, in Chancery, the same being a Court of Record and having a seal, do hereby certify that I have compared the annexed copy DECREE #4255

with the original record thereof now remaining in my office have found the said copy to be and that the same is, a true and correct transcript therefrom, and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at Caro, Mich., this 23rd day of April, A. D. 1953.

Fred Mathews
 Clerk.



Register's Office Tuscola Co., Mich.
 Received for record this 23rd day of April, A.D. 1953 at 10:30 o'clock A.M.
William J. [Signature]
 Register of Deeds

MAURICE C. RANSFORD
 ATTORNEY-AT-LAW
 WILSON-OVER BLOCK
 CARO, MICHIGAN

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