

Hamilton County Recorder: Ancestral Leases and Liens Now Online

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Additional records from the 1800s are now online at the Recorder's Office website via the general search page,

<http://recordersoffice.hamilton-co.org/hcro-pdi/index.jsp>.

Search instructions were detailed in *The Tracer*, March 2017, page 19. Links in the bottom row of the light blue menu bar near the top of the search page appear as follows:

Deed Books | Deeds A-W2 | Mortgage Books | Lease Books | Mech Lien Books

To understand these records, click on the (?) on each record type search. These help files explain the records, time periods, indexes, where they can be found, etc. A **very** brief summary is given here.

- Deeds: books A-W2, and 21 through 400 (1794-1872).
- Mortgages: books 20 through 300 (1823-1867). There are no direct surname indexes. Mortgages are listed in the Series indexes (geographic).
- Leases: books 1 through 122 (1843-1901). Indexes for books 4 to 122 are on the HCGS website at <https://hcgsohio.org/cpage.php?pt=66>
- Mechanic's Liens: books 1 through 21 (1843-1903). Only book 1 has an index in the rear of the book.

A construction lien (also called a Mechanic's Lien) is a legal tool that a contractor, construction manager, subcontractor, material supplier or laborer can use to secure payment for unpaid labor, materials, expenses and services provided for privately owned property. In Ohio, a construction lien is also called an "Affidavit of Lien" or a "Mechanic's Lien."

Access to the leases is a significant breakthrough for Cincinnati ancestral research. Before the Civil War, city property was controlled by developers such as Nicholas Longworth, Isaac Betts, Israel Ludlow, James Findlay and others. They acquired large acreage from John Cleves Symmes which they surveyed into small house lots. In general, the immigrants from the Atlantic states had little money upon arrival. They often could not purchase

land in the city which was more expensive than rural farm land. Developers preferred to lease the lots over a period of years. They made considerable fortunes from leasing instead of selling the lots.

My ancestor Christopher Nolte was typical of lessees. Unlike farm laborers from towns near Osnabrück in Hannover, he and his relatives were skilled masons, which Cincinnati desperately needed to construct buildings, sewers and streets. When I wrote my family history, I knew where they lived from the city directories but had no idea what their relationship was with the property. By 1864, Christopher Nolte was able to lease a lot in Isaac Betts' subdivision, just northwest of downtown Cincinnati. I found this lease (book 23, pages 563-5) in the indexes on the HCGS website noted above. Since leases and their terms and conditions have not previously been covered in *The Tracer*, I include here the pertinent lease contents verbatim except for usual legal phrases indicated by ... which have no genealogical value.

Isaac Betts & wife Lease Elizabeth Nolte

"This Indenture of Lease made this first day of September A. D. 1864. between Isaac Betts and Mary Betts his wife of Cincinnati Ohio of the first part, and Elizabeth Nolte of the same place of the second part Witnesseth, that the said party of the first part for and in consideration of the rents herein reserved, and covenants and agreements herein after contained; and by the said party of the second part, to be paid and performed have leased and demised, and by these presents do lease and demise unto the said party of the second part her heirs, executors, administrators, and assigns, all the following described Real Estate, to wit:

All that certain lot or parcel of ground in the City of Cincinnati Ohio, situate lying and being on the West side of Dudley street between Everett and Wade Streets and known and designated as Lot Number nine (9) in Isaac Betts Subdivision of Square No. 34 of "Betts Division of Squares" as recorded in Plat Book No. 2 page 70 of the records of Hamilton County, Ohio said lot fronting

twenty one (21) feet and Sixty one hundredths of a foot on the West Side of Dudley Street and extending back Westwardly one hundred and twenty nine (129) feet and sixty one hundredths of a foot more or less to a twenty (20) feet alley: and being twenty two (22) feet and thirty four hundredths of a foot in front on the East line of Said Alley. To have and to hold ... during the full term of Ninety Nine (99) years next ensuing from the first day of September Eighteen hundred and Sixty four fully to be completed, ended and renewable forever. The said party of the Second part, her heirs executors administrators and assigns yielding and paying therefor, yearly and every year during this demise, the Sum of ninety six dollars and Seventy five cents payable in semi annual instalments of Forty eight dollars and thirty seven and a half cents each on the first days of March and September in each and every year during the continuance of this lease And the said party of the Second part for herself & her heirs ... they will well and truly pay ... the yearly rent above reserved ... in addition to the rent aforesaid pay all taxes rates, charges and assessments, that may at any time, during this demise, be levied ... for the better securing payment ... party of the first part ... shall have a first lien, paramount to all others ... and further that she and they will not commit or suffer any waste upon said premises; ... party of first part covenants and agrees that if at any time after the expiration of ten years from the first day of the term ... said party of second part ... shall pay ... the sum of Sixteen hundred and twelve dollars and fifty cents in addition to all rents ... etc... party of first part ... will execute a good and sufficient deed of general warranty in fee simple with release of Dower for the premises aforesaid.” (Then follows typical additional exceptions and conditions etc.) “In witness whereof ... Nina Betts, H. Hunterman, Staughton Lynd. (Stamped U.S. Int Rev (one) Two Dollars. Probate of Will (Countersigned) I. B. Sept - 1 - 1864”

Isaac Betts (seal) Mary Betts (seal)

 her
Elizabeth + Nolte (seal)
 mark

“Received and Recorded 1st Dec. 1864.”

Then follows typical legal phrases and the notary public’s signature.

Several years later, Elizabeth and Christopher assigned this lease to their daughter Charlotte Wulfhorst. This entry was recorded in the lease indexes in lease book 32, pages 346-7.

Elizabeth Nolte & husband Ass[ignmen]t of Lease Charlotte Wulfhorst

“... That Elizabeth Nolte and Christopher Nolte of the City of Cincinnati in consideration of One Dollar to them paid by Charlotte Wulfhorst late Charlotte Nolte of the same place ... hereby bargain sell and convey to the said Charlotte Wulfhorst during her natural life and to the heirs ... described Leasehold Estate ... (as described in previous lease, book 23, p563) ... The Grantors, Elizabeth and Christopher Nolte reserve the right to remain in possession of the above described premises if they or either of them desire to ... Elizabeth and Christopher Nolte have hereunto set their hands and seals 28 May 1867. Signed ... presence of us F. H. Rowekamp, C. Bonnath”

witnessed, signed and sealed etc.

 her
Elizabeth + Nolte C Nolte
 mark

“Recd & Recorded June 3d 1867
See Lease Book page 563”

Then follows typical legal phrases and the notary public’s signature. The dollar paid is the typical “gift” amount in Hamilton County transactions to satisfy a contract by a purchaser having made payment to the seller. The phrase “late Charlotte Wulfhorst” refers to the fact that she previously was known by that name, in this case, before her marriage to Henry Wulfhorst.

By knowing the name of the subdivision owner, Isaac Betts, and the plat book and page number referred to in the original lease above, the original surveyed plat can be seen on the Recorder’s Office web site at: <http://tinyurl.com/ybh9ufaj>

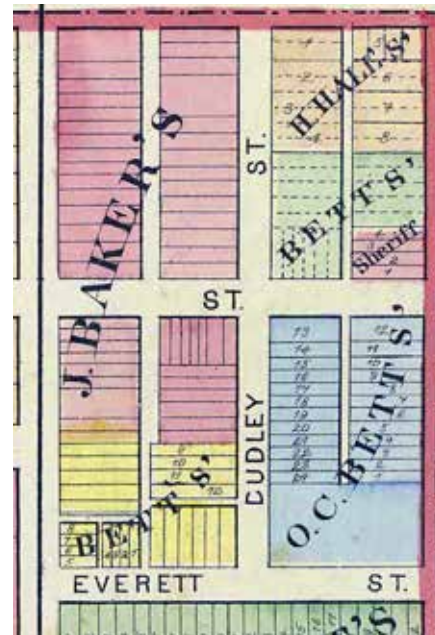
Many of the plats were copied by publishers and can also be accessed on the Public Library of Cincinnati and Hamilton County’s Digital Library,

continued on page 122

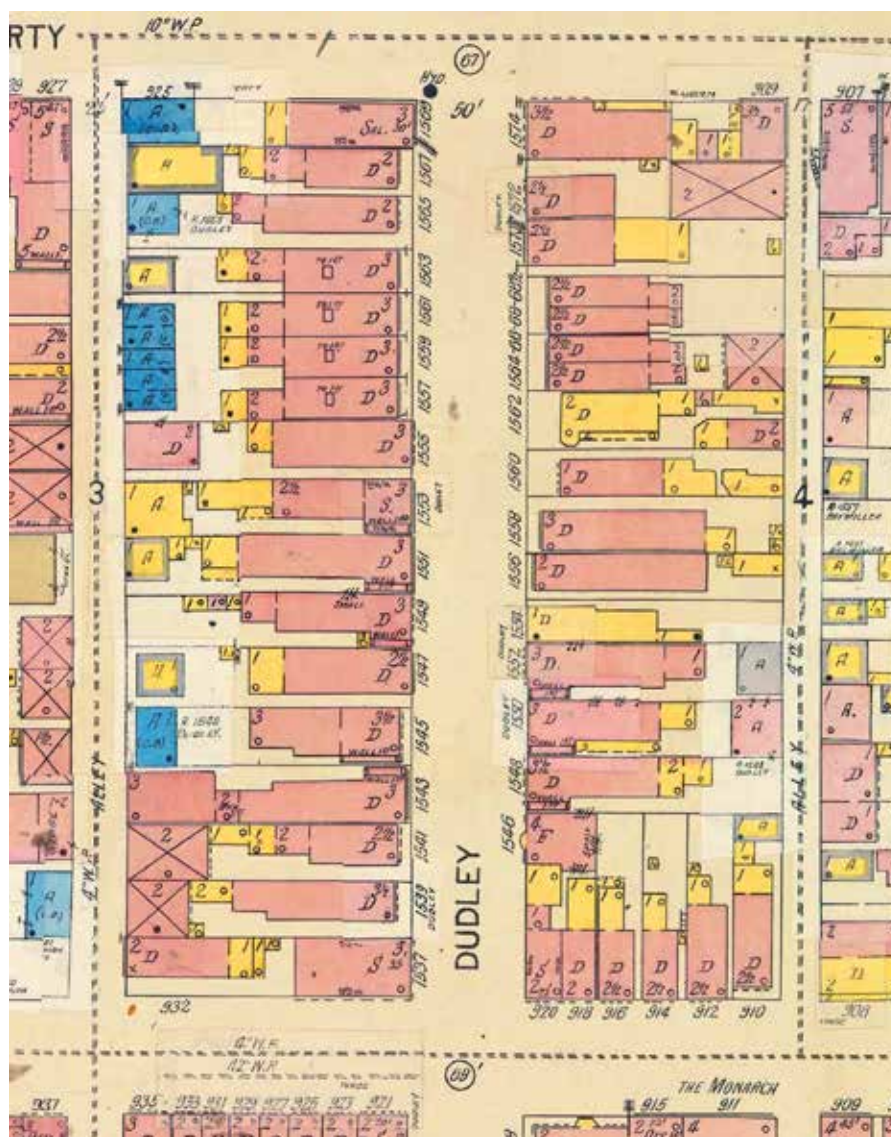
such as *Titus' Atlas of Hamilton Co., Ohio: From Actual Surveys* (1869) at <https://cdm16998.contentdm.oclc.org/digital/collection/p16998coll9/id/4376>.

Another example is the *Insurance Maps of Cincinnati, Ohio, Volume 1*, by Sanborn Map Company (1904) at <https://cdm16998.contentdm.oclc.org/digital/collection/p16998coll9/id/3407>.

See the upcoming March 2018 *Tracer* for more information on using Recorder's Office plats and early Cincinnati maps.



Titus' Atlas of Hamilton Co., Ohio: from actual surveys (1869), 16th ward (From the Collection of The Public Library of Cincinnati and Hamilton County.)



Insurance maps of Cincinnati, Ohio. V.01, by Sanborn (1904), page 79 (From the Collection of The Public Library of Cincinnati and Hamilton County.)