

DULY ENTERED  
FOR TAXATION

66 15773

MAR 3 0 1966

WARRANTY DEED

Project I-70-3-(5-)  
Code 0536  
Parcel 6

*Chase*

*John T. Sutton*  
COUNTY AUDITOR

THIS INDENTURE WITNESSETH, that MIDLAND BUILDING INDUSTRIES, INC. of Marion County, in the State of Indiana, Convey and Warrant to the STATE OF INDIANA for and in consideration of Ninety-one Thousand (\$91,000.00) Dollars, the receipt whereof is hereby acknowledged, the following described real estate in Marion County in the State of Indiana, to-wit:

100.10

Part of lot or block A in McCarty's Subdivision of the West part of out lot 120, according to the plat of said subdivision as recorded in the office of the Recorder of the said county of Marion in plat Book 7, Page 74, bounded and described as follows:

Beginning at the Northeast corner of said lot or block A; thence South on the East line of said lot or block, 390 feet to the Southeast corner of said lot or block; thence West on the South line of said lot or block, 195 feet; thence Northeastwardly to a point in the North line of said lot or block, 103.3 feet west from said Northeast corner of said lot or block; thence East on the North line of said lot or block, 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in cause #69205 of the Superior Court of Marion County, Indiana, more particularly described as follows:

Beginning at a point in the South line of said block A, 198.97 feet Easterly from the Southwest corner of said block A; thence North 13 degrees 34 minutes East 176.26 feet; thence northerly 222.35 feet along the line of a curve whose radius is 1875.08 feet, to a point in the North line of said block A; thence Easterly along the North line of said block A 70.52 feet; thence Southerly 238.60 feet along the line of a curve whose radius is 1945.08 feet; thence South 13 degrees 34 minutes West 159.58 feet to a point in the South line of said block A; thence Westerly along the South line of said block A 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

The grantor shall clear and convey free of all leases, licenses, or other interests both legal and equitable, and all encumbrances of any kind or character on, in and under said land as conveyed.

It is understood between the parties hereto, and their successors in title, and made a covenant herein which shall run with the land, that all lands hereinbefore described (excepting any parcels specifically designated as easements or as temporary rights of way) are conveyed in fee simple and not merely for right of way purposes, and that no reversionary rights whatsoever are intended to remain in the grantor(s).

And further states that said grantors do hereby represent and state that they are each citizens of the United States of America, and that said citizenship has existed continuously since prior to April 8, 1940; that they have been domiciled and residing continuously within the United States since prior to April 8, 1940; that they are not acting directly or indirectly in any capacity whatsoever for any foreign country or national thereof; that there is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, during grantors ownership that these representations and statements are made under oath to induce the acceptance of this deed of conveyance.

Paid by Warrant No. A-89833 - A-89832

Dated 3.21.66 66 15773

*M. J. ...*  
FEB 4 1966



RECEIVED FOR RECORD

1966 MAR 30 AM 9:25

MARCIA M. HAWTHORNE  
RECORDER OF MARION COUNTY

IN WITNESS WHEREOF, the said MIDLAND BUILDING INDUSTRIES, INC.  
has hereunto set its hand and seal this 24 day of January, 1966.

MIDLAND BUILDING INDUSTRIES, INC. (Seal)

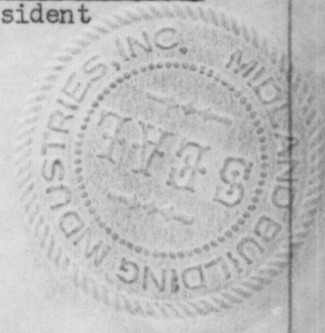
ATTEST:

*George N. Ross*

George N. Ross - Secretary

by:

*Samuel D. Nelson*  
Samuel D. Nelson - President



This Instrument Prepared by George N. Ross, Attorney-at-Law  
907 East Michigan Street,  
Indianapolis, Indiana.

STATE OF INDIANA, MARION COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said County and  
State, this 24 day of January, A. D., 1966; personally appeared  
the within named MIDLAND BUILDING INDUSTRIES, INC. by SAMUEL D. NELSON,  
ITS PRESIDENT AND GEORGE N. ROSS, ITS SECRETARY Grantor, in the above  
conveyance, and acknowledged the same to be their voluntary act and  
deed, for the uses and purposes herein mentioned.

I have hereunto subscribed my name and affixed my  
official seal.



*Charles E. Battram*  
Charles E. Battram - Notary Public

My commission expires April 30th, 1966.

DULY ENTERED  
FOR TAXATION

MAR 30 1966

*John T. Sutton*  
COUNTY AUDITOR

*OKO  
1-25-66*

*M. D. [Signature]*  
FEB 4 1966

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

4/3 ✓

March 28, 1966 19

To Midland Building Industries, Inc.  
907 East Michigan  
Indianapolis, Indiana 46206

GENTLEMEN:

We enclose State Warrant No. A-89832 v 3-21-66 19  
in settlement of the following vouchers: Transmittal #75

DESCRIPTION	AMOUNT
Purchase  <i>For the purchase of Right of Way on State Road</i> No. I-70 in Marion County I Project 70-3 Section (52) as per Grant dated January 24, 1966  Parcel 6	\$ 82000.00

PLEASE RECEIPT AND RETURN

MIDLAND BUILDING INDUSTRIES, INC.

Received Payment: By *George N. Ross*  
George N. Ross - Secretary

Date March 29, 1966

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

March 28, 1966 19

To Midland Building Industries Inc.  
907 East Michigan  
Indianapolis, Indiana 46206

## GENTLEMEN:

We enclose State Warrant No. A-89833 3-21-66 19  
in settlement of the following vouchers: Transmittal #75

DESCRIPTION	AMOUNT
Purchase	
<i>For the purchase of Right of Way on State Road</i>	
No. I-70 in Marion	
County I Project 70-3	
Section (52) as per Grant dated	
January 24, 1966	
Parcel 6	\$ 9000.00
Escrow	

## PLEASE RECEIPT AND RETURN

Midland Building Industries, Inc.

George N. Ross, Secretary

Received Payment: *George N. Ross*

Date May 25th, 1966

Control

APPRAISAL REVIEW FORM

Division of Land Acquisition  
Indiana State Highway Commission

Project I-70-3(52)  
Parcel No. 6  
Road I-70  
County Marion  
Owner Midland Bldg. Industries, Inc.  
Address 907 East Michigan St.  
Address of Appraised Property: 314 W. Wilkins St.

I have reviewed this parcel and appraisal for the following items:

1. I have personally checked all Comparables and concur in the determinations made. yes
2. Planning and Detail Maps were supplied appraisers. yes
3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. yes
4. Necessary photos are enclosed. yes
5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. yes
6. Plats drawn by the appraisers are attached. yes
7. I have personally inspected the Plans. yes
8. I have personally inspected the site on June 15, 1965 and familiarized myself with the Parcel.
9. The computations of this parcel have been checked and reviewed. ✓
10. To the best of my knowledge, non-compensable items are not included in this appraisal. yes
11. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. yes

I have made a determined effort to consider all competent information that I have secured and that is documented by the appraisers including any comments by the property owner along with any recent awards by condemnation juries, that have been brought to my attention, that is relevant to this matter.

This is to certify that I have no present or contemplated future interest in this property, nor have I entered into collusion with the property owner or an agent of the property owner.

It is my opinion as of February 10, 1965:  
(Date)

(a) The fair market value of the entire property before the taking is: \$ 91,000.00

(b) The fair market value of the property after the taking, assuming the completion of the improvement is: \$ 0

The total value of taking is: (a minus b) TOTAL \$ 91,000.00

(1) Land and/or improvements \$ 91,000.00

(2) Damages \$ 0

(3) Other damages and/or temp. R.O.W. \$ 0

(4) Estimated Total Compensation \$ 91,000.00

APPROVED BY:

Approved	Date	Signed
Rev. Appr.	6-18-65	[Signature]
Asst. or Chief Appr.	6-18-65	Richard E. [Signature]

(All comments and additional information will be shown on the reverse side of this page and/or by use of supplemental sheets.)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT #

PROJECT # I-70-3(52)

PARCEL # 6

COUNTY Marion

NAME & ADDRESS OF OWNER Thillard Building Industries Inc

907 East Michigan St Indianapolis PHONE #

NAME & ADDRESS OF PERSON CONTACTED Mr Ross

PHONE #

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED June 18, 1965

DATE OF CONTACT January 24, 1966

OFFER \$ 91,000<sup>00</sup>

TIME OF CONTACT 2:00 PM

YES NO N/A (Circle N/A if all questions are not applicable)

- 1. ( ) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. ( ) ( ) ( ) Showed plans, explained take, made offer, etc.?
- 3. ( ) ( ) ( ) Any mortgage? (Is it VA\_\_\_\_, FHA\_\_\_\_, FNMA\_\_\_\_, Fed.Ld. Bk.\_\_\_\_, Conv'l.\_\_\_\_?)
- 4. ( ) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) ( ) ( ) Filled out RAAP Form?
- 6. ( ) ( ) ( ) Walked over property with owner ( or who? \_\_\_\_\_ )
- 7. ( ) ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) ( ) ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. ( ) ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Received the original copy of the deed and then executed also agreement for possession starting 60 days from receipt of final check shall be the excess period.

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what?

Distribution Made

- (1) Parcel (1) Weekly Summary
- (1) Owner ( ) Other, Specify:

Luther C Hopkins  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 5

PROJECT # I-70-3(57) PARCEL # 6 COUNTY Marion

NAME & ADDRESS OF OWNER Midland Building Industries Inc  
907 East Michigan St. Indianapolis PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Mr. Ross  
PHONE # \_\_\_\_\_

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED \_\_\_\_\_ DATE OF CONTACT January 13, 1966

OFFER \$ 91000<sup>00</sup> TIME OF CONTACT 3:30

YES NO N/A (Circle N/A if all questions are not applicable)

- 1. ( ) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. ( ) ( ) ( ) Showed plans, explained take, made offer, etc.?
- 3. ( ) ( ) ( ) Any mortgage? (Is it VA \_\_\_\_\_, FHA \_\_\_\_\_, FNMA \_\_\_\_\_, Fed.Ld. Bk. \_\_\_\_\_, Conv'l. \_\_\_\_\_?)
- 4. ( ) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) ( ) ( ) Filled out RAAP Form?
- 6. ( ) ( ) ( ) Walked over property with owner ( or who? \_\_\_\_\_)
- 7. ( ) ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) ( ) ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. ( ) ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Made five copies of the proposal letter for Mr Ross to forward to the directors.

The agreement for possession should read 60 days from date of receipt of first check instead of 30. This arrangement was approved by Mr Cole 1/13/66

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what? \_\_\_\_\_

Distribution Made  
(1) Parcel (1) Weekly Summary  
( ) Owner ( ) Other, Specify:

Letta C Hopson  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 4

PROJECT # I-70-3(52) PARCEL # 6 COUNTY Marion

NAME & ADDRESS OF OWNER Midland Building Industries Inc  
907 E. Michigan St. Indianapolis PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Mr. Cole Property Management  
PHONE # \_\_\_\_\_

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED \_\_\_\_\_ DATE OF CONTACT January 13, 1966

OFFER \$ \_\_\_\_\_ TIME OF CONTACT 9:45

YES NO N/A (Circle N/A if all questions are not applicable)

- 1. ( ) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. ( ) ( ) ( ) Showed plans, explained take, made offer, etc.?
- 3. ( ) ( ) ( ) Any mortgage? (Is it VA \_\_\_\_\_, FHA \_\_\_\_\_, FNMA \_\_\_\_\_, Fed.Ld. Bk. \_\_\_\_\_, Conv'l. \_\_\_\_\_?)
- 4. ( ) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) ( ) ( ) Filled out RAAP Form?
- 6. ( ) ( ) ( ) Walked over property with owner ( or who? \_\_\_\_\_ )
- 7. ( ) ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) ( ) ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. ( ) ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Obtained approval of Mr Cole to extend  
the possession agreement from 30 to 60 days.

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what? \_\_\_\_\_

Distribution Made  
(1) Parcel (1) Weekly Summary  
( ) Owner ( ) Other, Specify:

Luther C. Deper  
(Signature)





INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 3

PROJECT # I-70-3(52) PARCEL # 6 COUNTY Marion

NAME & ADDRESS OF OWNER Midland Building Industries, Inc  
907 E Michigan Indianapolis PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Mr Nelson & Mr Ross  
Jane PHONE # \_\_\_\_\_

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED June 18, 1965 DATE OF CONTACT January 7, 1965

OFFER \$ 91,000<sup>00</sup> TIME OF CONTACT 2:45

YES NO N/A (Circle N/A if all questions are not applicable)

1. ( ) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
2. ( ) ( ) ( ) Showed plans, explained take, made offer, etc.?
3. ( ) ( ) ( ) Any mortgage? (Is it VA \_\_\_\_, FHA \_\_\_\_, FNMA \_\_\_\_, Fed.Ld. Bk. \_\_\_\_, Conv'l. \_\_?)
4. ( ) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
5. ( ) ( ) ( ) Filled out RAAP Form?
6. ( ) ( ) ( ) Walked over property with owner ( or who? \_\_\_\_\_ )
7. ( ) ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
8. ( ) ( ) ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
9. ( ) ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Check with the appraisal department  
concerning the cost of moving the inventory  
and machinery. on Mr Ross  
Phone Mr. Nelson no later than Tuesday  
noon about the information.

Check the property on the East side of  
Pine between Michigan and Vermont.

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what? \_\_\_\_\_

Distribution Made  
(1) Parcel (1) Weekly Summary  
( ) Owner ( ) Other, Specify: \_\_\_\_\_

Luther C Hepler  
MI-3-6630 (Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 2

PROJECT # I-70-3(52) PARCEL # 6 COUNTY Marion

NAME & ADDRESS OF OWNER Midland Building Industries, Inc  
907 W. Michigan St, Indianapolis PHONE # ME7-3381

NAME & ADDRESS OF PERSON CONTACTED Mr Nelson, Pres & Mr Ross, Sec. & VP  
Same as above PHONE # Same

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 6-18-65 DATE OF CONTACT 6-23-65

OFFER \$ 91,000.<sup>00</sup> TIME OF CONTACT 9:30 AM

YES NO N/A (Circle N/A if all questions are not applicable)

- 1. () ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. () ( ) ( ) Showed plans, explained take, made offer, etc.?
- 3. ( ) () ( ) Any mortgage? (Is it VA\_\_\_, FHA\_\_\_, FNMA\_\_\_, Fed.Ld. Bk.\_\_\_\_, Conv'l.\_\_\_\_?)
- 4. () ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) () ( ) Filled out RAAP Form?
- 6. ( ) () ( ) Walked over property with owner ( or who? \_\_\_\_\_)
- 7. () ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) () ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. () ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Called on Mr Nelson and Mr Ross and discussed  
the take and the offer. The officers will  
discuss the offer and contact me for  
further discussion.

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what? Hold for call

Distribution Made

- (1) Parcel (1) Weekly Summary
- ( ) Owner ( ) Other, Specify:

[Signature]  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 1

PROJECT # I-70-3(52) PARCEL # 6 COUNTY Marion

NAME & ADDRESS OF OWNER Midland Building Industries, Inc  
907 W. Michigan St., Indianapolis PHONE # ME7-3381

NAME & ADDRESS OF PERSON CONTACTED Mr Nelson and Mr Pass, Pres & VP  
Same as above PHONE # Same

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 6-18-65 DATE OF CONTACT 6-22-65

OFFER \$ 91,000.00 TIME OF CONTACT 3:00 PM

YES NO  N/A (Circle N/A if all questions are not applicable)

- 1. ( ) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. ( ) ( ) ( ) Showed plans, explained take, made offer, etc.?
- 3. ( ) ( ) ( ) Any mortgage? (Is it VA \_\_\_\_, FHA \_\_\_\_, FNMA \_\_\_\_, Fed.Ld. Bk. \_\_\_\_, Conv'l. \_\_?)
- 4. ( ) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) ( ) ( ) Filled out RAAP Form?
- 6. ( ) ( ) ( ) Walked over property with owner ( or who? \_\_\_\_\_ )
- 7. ( ) ( ) ( ) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) ( ) ( ) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. ( ) ( ) ( ) Explained Eminent Domain Procedures?

REMARKS: Contacted Mr Nelson and Mr Pass and  
made an appointment to discuss the offer  
with them on Wednesday, June 23rd at  
9:30 AM.

91,000      319,000  
40,000  
51,000

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned  
( ) Other, awaiting what? Make appointment

Distribution Made  
(1) Parcel (1) Weekly Summary  
( ) Owner ( ) Other, Specify:

[Signature]  
(Signature)

66-1616A

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. I70

PROJ. I70-3 (52)

COUNTY Marion

Names on Plans

Names in Trans Book

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Pt. Block A McCarty's Sub.					
O.L. 120					

LAST OWNER OF RECORD

Deed Record p. Recorded Dated Deed

Grantor None

Grantee

Address of Grantee

MORTGAGE RECORD

Mortgage Record p. Amount Dated

Mortgagor None

Mortgagee

JUDGMENT RECORD Yes ( ) None ( X ) LIS PENDENS RECORD Yes ( ) None ( X )

MISCELLANECUS RECORD Yes ( ) None ( X ) EASEMENTS Yes ( ) None ( X )

If answer to any of above is yes, clarify on back of sheet or on attached sheet

TAXES Current Paid ( X ) Delinquent ( )

CERTIFICATE

I, the undersigned certify that the above and the attached copies include all transfers of the above described real estate as shown by the records in the office of Recorder of the above county from the date of the earliest entry shown in this search to date, except as otherwise noted, and that all liens, judgments and other matter of record hereinbefore requested for the same period are set forth.

PIONEER NATIONAL TITLE INS. CO. UNION TITLE DIVISION

Dated this 26th day of January 195-1966

Abstractor Walter W. McLean VICE PRESIDENT & DIVISION MANAGER

Prel. Approval of Title Date

By Deputy Attorney General

Final approval of Abstract of Title

BY Date Deputy Attorney General

66-1616A

The following is an Extension of the original search by Union Title Company under No.64-17419A.

CAPTION

-1-

Continuation of Abstract of Title to Part of Lot or Block "A" in McCarty's Subdivision of the West part of Out Lot 120 according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion in Plat Book 7 page 74 bounded and described as follows, to wit:

Beginning at the northeast corner of said lot or block lettered "A" running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said Lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning. Except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No.69205 of the Superior Court of Marion County, Indiana, more particularly described as follows:

Beginning at a point in the South line of said Block "A" 198.97 feet easterly from the southwest corner of said Block "A" thence North 13 degrees 34 minutes East, a distance of 176.26 feet, thence northerly along the line of a curve whose radius is 1875.08 feet a distance of 222.35 feet to a point in the north line of said Block "A", thence easterly along the north line of said Block "A", a distance of 70.52 feet, thence southerly along the line of a curve whose radius is 1945.08 feet, a distance of 238.60 feet; thence south 13 degrees 34 minutes West, a distance of 159.58 feet to a point in the south line of said Block "A", thence westerly along the south line of said Block "A" a distance of 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

Since August 3, 1964, 8 A.M.

Prepared For: Indiana State Highway Commission  
Division of Land Acquisition

66-1616A

Uniform Commercial Code Search has been made of the records in the Office of the Recorder of Marion County, Indiana, which search discloses no financing statements as required by the Uniform Commercial Code (Chapter 317, 1963 Acts of Indiana General Assembly) with respect to any Security Interest in crops or in fixtures containing an adequate description of real estate herein, except None.

Judgment Search Examination made for judgments entered against the following named parties, the search being made and limited according to the names exactly as set forth herein and not otherwise:

Midland Building Industries, Inc. from August 3, 1964  
8 A.M. to date and  
against none other.

Taxes for the year 1963 and prior years paid in full.

Taxes for 1964 payable 1965 on McCarty's W. Sub. E of Pogues Run Ex. TR of W Y L A, O.L. 120 in name of Midland Bldg. Industries, Inc.

Duplicate No. 320007, MNO, Indianapolis, Center Township, Code No.1-01, Parcel No.10838.

May Installment \$1,270.66 Paid

November Installment \$1,270.66 Paid

Assessed Valuation

Land \$8,200.00 Improvements \$19,050.00 Exemptions None

Taxes for 1965 now a lien in name of Midland Bldg. Industries, Inc.

KOTHE & SHOTWELL

LAW OFFICES

1500 FLETCHER TRUST BUILDING

INDIANAPOLIS 4, INDIANA

HERMAN W. KOTHE  
GRIER M. SHOTWELL

SHUBRICK T. KOTHE

CHARLES N. THOMPSON  
COUNSEL

*Ray Street Mill*

June 24, 1948

Midland Building Industries, Inc.  
Indianapolis, Indiana

Gentlemen:

We have examined the attached abstract of title to part of Lot lettered "A" in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said lot or block lettered "A"; running thence South on the east line of said lot or block 390 feet to the southeast corner of said lot or block; thence West on the south line of said lot or block 195 feet; thence Northeastwardly on a line to a point in the north line of said lot or block 103.3 feet West from the said northeast corner of said lot or block; thence East on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana;

dated June 15, 1948, and find same shows WOODCRAFT PRODUCTS CORPORATION to be the owner in fee simple thereof subject to the following:

*e.k. by  
augmentation  
as required  
Shut.*

*plat between pages 2 & 3*

1. Plat on page 14 should be augmented by impressing thereon the four sides of Block A of McCarty's Subdivision aforesaid.

*2/20 off  
Affidavit  
State the  
date*

2. We are under the impression that there is an affidavit of record disclosing the fact that Susanna McCarty Day, heir at law of Nicholas McCarty, grantee at Entry 2, had no child born on or after August 31, 1873, the date of her will. Same should be shown by abstractor. We call attention to the fact that said will at Entry 12 is shown on page 6 to have been executed on August 21, 1873. Abstractor should correct the discrepancy and certify to correction.

*O.K. by  
correction  
Shut.*

3. In view of improper reference to Plat Book 3 rather than 7, in descriptions at Entries 19 and 20, abstractor

*2/20 off  
e.k. by  
addendum  
Shut.*



should certify that there is no McCarty's Subdivision of the west part of Out Lot 120 other than that noted at Entry 15 and recorded in Plat Book 7 page 74.

*O.K. See  
Plat between  
pages 2 & 3.  
4.  
Plat*

Abstracter should attach plat of McCarty's Subdivision platted as noted at Entry 15, with the lines of Out lot 120 impressed thereon, as well as the 70 foot strip of land condemned by Indianapolis Southern Railway by proceedings noted at Entry 24.

5. We call your attention to contract at Entry 25 of Ballweg and Company with Indianapolis Southern Railroad Company. It will be noted that said contract and the conveyance thereof run with the land "upon which the tract is now located".

*O.K. See  
Summary of Handled  
dated March 31, 1947  
A.C.*

(a) The land not being described at Entry 25 but being disclosed by "as shown by Red lines on the Exhibit" thereto attached, said exhibit should be set forth by abstracter.

(b) We find no conveyance from Indianapolis Southern Railway of land condemned as noted at Entry 24, to Indianapolis Southern Railroad Company, contract party at Entry 25.

(c) Said contract at Entry 25 should be examined by you in view of the liability which will be incurred by you thereunder.

*O.K.  
by  
Correcting  
deed  
A.C.*

6. Conveyance at Entry 2 is defective in that subdivision is described as recorded in Plat Book 3 page 74 rather than Plat Book 7 page 74, and by naming the grantee as "Woodcraft Products Corporation" rather than "Woodcraft Products Corp.", its true corporate name, as noted in articles of incorporation at Entry 3 of the continuation dated November 17, 1947. Correcting deed should be obtained.

7. In view of the fact that conveyance by Ballweg and Company constitutes disposition of a capital asset and the object of said corporation is not to buy and sell real estate, a resolution of the stockholders of said corporation confirming said conveyance is essential. (We assume in this connection that this conveyance did not constitute disposition of property constituting the entire assets of said corporation)

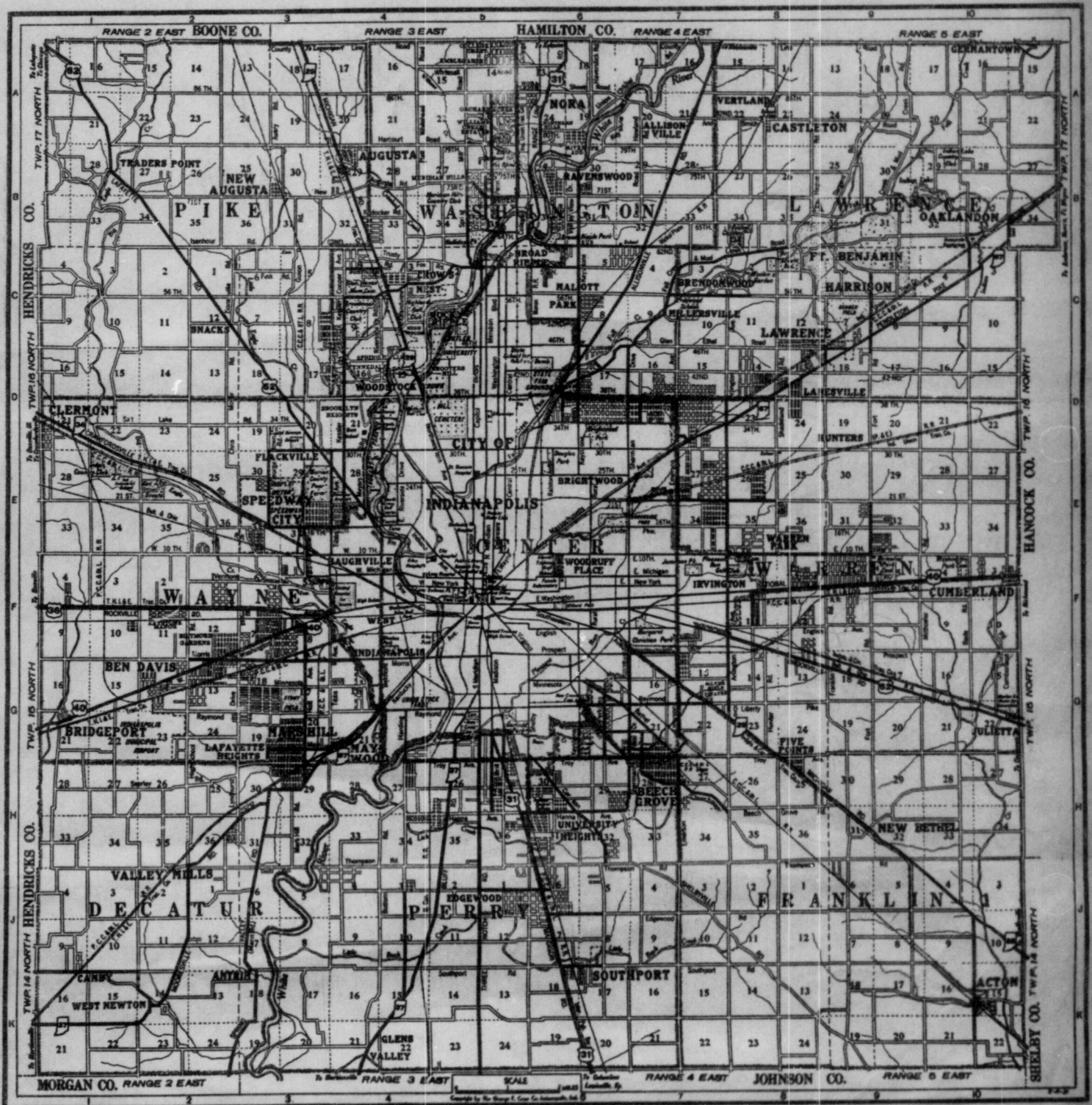
*You may pass  
this stuff,*

8. At Entry 5 of the continuation last aforesaid we note amended articles of Woodcraft Products Corporation rather than Woodcraft Products Corp. If mistake of abstracter correction should be made.
9. <sup>lien</sup> Mechanics to Francis A. Wilhelm securing \$36,000.00, M. R. 358 page 571.
10. Mortgage to Francis A. Wilhelm securing \$33,000.00, M. R. 1456 p. 136.
11. *Out to be released  
stuf* Mechanic's lien, Ready-Mixed Concrete Corporation, \$55.25, Misc. Record 409 page 146.
12. *How paid* Taxes for 1946 and first installment of taxes for 1947 unpaid and delinquent with penalty.
13. Second installment of taxes for 1947 and taxes for 1948.
14. A survey would be advisable.
15. A certified copy of resolution of directors supporting conveyance should be obtained.
16. Rights of any one in possession.
17. Subject to adverse rights in the event that a petition in bankruptcy resulting in an adjudication of bankruptcy of any grantor named in said abstract was filed subsequent to his acquisition of title and prior to his conveyance thereof.
18. Real estate within the City of Indianapolis, or without the City and within Marion County, is subject to zoning ordinances, respectively, of city and county.
19. In view of Executive Order #8785 promulgated by the President of the United States on June 14, 1941, effective as of April 8, 1940, it would be well, either by affidavit or by verified representation in the deed, to be assured that conveyance to you is not in violation of said order.

KOTHE & SHOTWELL

by *Harman W. KOTHE*

233036  
MAP  
OF  
MARION COUNTY



L. M. BROWN ABSTRACT COMPANY  
INDIANAPOLIS

233036

# ABSTRACT OF TITLE

To

The Real Estate more particularly described  
on the following page of this Caption Sheet.

PREPARED BY

## L. M. BROWN ABSTRACT COMPANY

INCORPORATED

150 East Market Street

INDIANAPOLIS, MARION COUNTY, INDIANA

TELEPHONES: MARKET 3448-3449

Plant Established 1868

Capital Stock, \$150,000, Fully Paid

RUSSELL A. FURR, President and Manager

EDSON T. WOOD, Jr., Secretary

VOLNEY M. BROWN, Vice-President

CORNELIUS O. ALIG, Treasurer

FRED G. APPEL, Vice-President

JACOB F. DELKER, Assistant Manager

### HISTORICAL NOTES

Showing Original Title from earliest times down to the organization  
of Marion County and the location of Indianapolis, County Seat.

The land Northwest of the Ohio River was first a part of Louisiana and was governed by the officers of the French King. The French in 1763 ceded the land North of the Ohio to the British, who retained it until 1783, when they surrendered the country South of the Great Lakes to the United States, by whom the land in Marion County was purchased of the Miami Indians.

The Indians who made any claims to the lands South of the Wabash River were primarily the Miami Nation. The Delawares occupied this immediate region, and were considered as having a title by grant or permission from the Miami Nation, which was at least a title by permanent occupation.

Cessions were made at St. Mary's, Ohio, in October, 1818, as follows:

By the Weas, in general terms, October 2—U. S. Statutes at Large, Vol. 7, page 186.

By the Delawares, in general terms, October 3—U. S. Statutes at Large, Vol. 7, page 188.

By the Miamis, by boundaries, October 6—U. S. Statutes at Large, Vol. 7, page 189.

The Weas, or Ouiatenons, were properly a part of the Miami Nation. So were also the Kickapoos, who relinquished their claims, in general terms, July 30, 1819—U. S. Statutes at Large, Vol. 7, page 200. These four treaties covered all tribes having any claims to lands in Marion County. The record in the Statutes at Large is the official one, including the signatures of the parties.

American State Papers, 2 Indian Affairs, page 169.

By authority of Congress, Indiana Territory was organized May 7, 1800, and the State government, under authority of Congress superseded the territorial government in November of 1816, and Indiana was fully admitted into the Union December 11, 1816. Marion County was organized December 1821 and the boundary lines of the County were established January 7, 1824—Acts of 1824, page 52.

By clause 5 of Section 5 of the Enabling Act of Congress of April 19, 1816, four sections of land were granted to the new State of Indiana, to be selected by the legislature, "for the purpose of fixing the seat of government thereon."

3 U. S. Statutes at Large, page 290.

By the Act of March 3, 1819, the Indiana legislature was authorized to select for that purpose any contiguous parts of sections, "not to exceed in the whole the quantity contained in the four sections."

3 U. S. Statutes at Large, page 516.

January 11, 1820, the Indiana legislature appointed commissioners to locate the seat of government. Act of 1820, page 18.

January 6, 1821, the legislature approved the selection of "sections 1 and 12 east and west fractional sections numbered 2, east fractional section numbered 11, and so much of the east part of west fractional section numbered 3, to be set off by north and south lines as will complete four entire sections, or 2560 acres of land in township 15 North and range 3 East of the Second Principal Meridian."

Three commissioners were appointed to lay off the town site, and to offer lots for sale. The office of the agent was created to sell and convey lots, and the site was named Indianapolis.

Acts 1821, page 44.

By the original survey section one contained 658.20 acres; section 2, 611.53 acres; section 12, 640 acres, and section 11, East of White River, contained 448.20 acres, leaving 202.07 acres to be taken out of the east side of section 3.

233036

The original survey of the city of Indianapolis, as made in the year 1821, is included within North, South, East and West Streets, embracing Squares numbered 1 to 101 inclusive, which were subdivided into lots.

In pursuance of an Act of 1824, Out-lots numbered 1 to 10 on the North, and 11 to 20 on the South side of the city were laid off, and in 1825 an additional survey of Out-lots, including 21 to 30 on the South, and 31 to 40 on the North side of the City was also authorized. "H" is a square of two acres laid out and sold for a brick yard.

The seat of government was permanently established at Indianapolis, January 20, 1824.  
R. S. 1824, page 370.

January 26, 1827, the alleys in certain squares were vacated, and the "steam mill" lot authorized.  
Acts 1827, page 5.

February 9, 1831, a survey of the remaining part of the donation was authorized and a plat of such survey was filed in the Recorder's office of Marion County, July 5, 1831, embracing Out-lots numbered 41 to 184 inclusive, and Out-lots numbered 1 to 18 inclusive, west of White River.

The office of Agent of State, created by the Act of 1821, was continued until 1844, when it was abolished and the papers and records of the Agent were transferred to the Secretary and Auditor of State, who are at present their custodians.

Land in Townships 14, 15, 16 and 17, North of Base Line and in ranges 2, 3, 4 and 5, East of the Second Principal Meridian are within Marion County.

While the lands outside the original donation were patented by the United States to those entering the same or their assigns at the Land Offices that had been established by the General Government at Brookville, Indianapolis or Crawfordsville, the squares or out-lots within the boundaries of the donation itself were sold by the Agent of the State of the Town of Indianapolis, duly appointed by an Act of the Legislature.

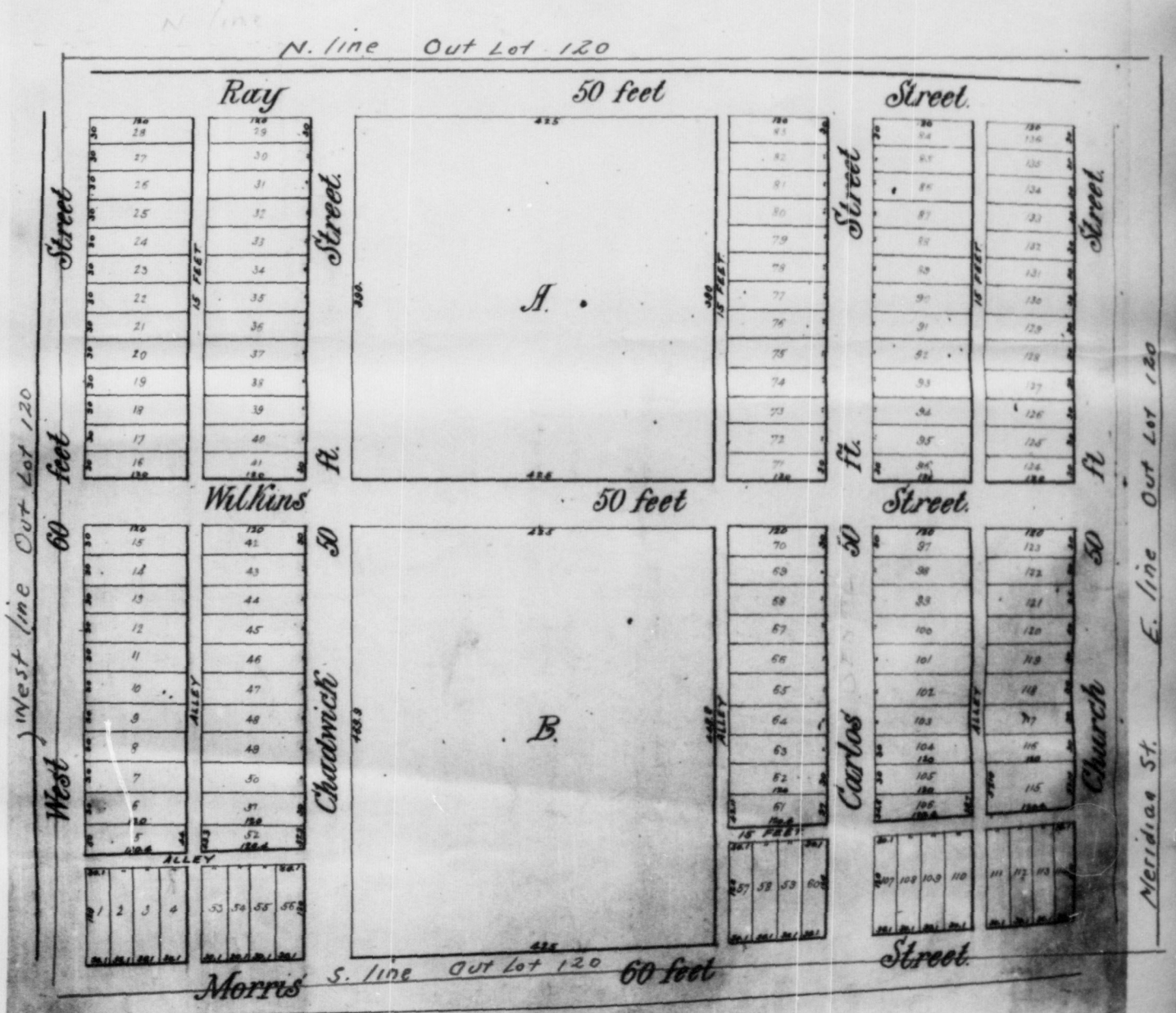
#### Caption Description

1. Part of Lot lettered "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:  
Beginning at the north east corner of said lot or block lettered "A", running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana.

PREPARED FOR: BALLWEG AND COMPANY.

vacation 1st et al. S. of Wilkins St. p. n. of Chadwick St. p. n. of Carlos St. p. n. of Church St.

PLAT  
Book 7 Page 14



L. M. BROWN ABSTRACT CO.

*James L. Brown*  
Pres. - Md.

Deed Record  
D Page 533  
May 2, 1834  
Recorded  
June 21, 1834

2.

ABSTRACTS OF TITLES IN INDIANAPOLIS

CONVEYANCES.

Ebenezer Sharpe, Agent of the State of Indiana, for the Town of Indianapolis, for and in behalf of the State of Indiana in pursuance of the laws of Indiana, entitled "An Act appointing Commissioners to lay off a town on the site selected for the permanent seat of Government", approved January 6, 1821, and in consideration of \$1390.50 which has been paid to said State of Indiana, to Nicholas McCarty, his heirs and assigns forever.

Agent's Deed

All the following described lots in the Town of Indianapolis, viz:

Lot 116 containing 7.80 acres.  
Lot 107 containing 26.25 acres.  
Lot 110 containing 3.63 acres.  
Lots 7 and 10 West of White River, containing 13.54 acres.  
Lot 109 containing 2.60 acres.  
Lot 120 containing 52.33 acres.  
Lot 111 containing 4.14 acres.  
Lot 6 West of White River, containing 5.85 acres, and the North half of Lot 108, which half contains 14.56 acres; containing in the aggregate 130.60 acres; and all the estate, right, title and interest of the said State of Indiana, in and to the above described lots.

NOTE: Above deed not acknowledged.

3.

Nicholas McCarty died intestate May 17, 1854.

COMMON PLEAS COURT OF MARION COUNTY.

Complete Record  
11 page 66.

Nicholas McCarty Estate

4.

June 3, 1854, Bond filed and letters of administration issued to Margaret McCarty.  
July 7, 1854, Approved by the Court.  
Jan. 7, 1860, The estate was finally settled, distribution was made to Margaret McCarty, the widow, and to Nicholas McCarty, Junior, Margaret R. McCarty, Frances McCarty and Susanna McCarty Day, said four persons being the only children and heirs of said decedent.

L. M. Brown Abstract Co.,

Misc. Record  
17 page 11  
Sept. 7, 1881  
Recorded  
Jan. 23, 1893

5.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

Henry Day

Affidavit

Affiant says, that ever since the year 1857, he was acquainted with the family of Nicholas McCarty, to whom the agent of State deeded Out Lot 120, City of Indianapolis, that said Nicholas McCarty died previous to the Fall of 1854; that he left Margaret McCarty, his widow, surviving him; that the only children he left surviving him were:

Nicholas McCarty, Junior, Margaret R. McCarty, Frances J. McCarty and Susanna McCarty, who subsequently married affiant; that he left surviving him no grandchildren by deceased sons or daughters; that the said Nicholas McCarty, Junior, Frances J. McCarty and Margaret R. McCarty were of age and unmarried on Feb. 9, 1864, and said Susanna McCarty affiant's wife, was of age on Feb. 9, 1864.

Henry Day.

COMMON PLEAS COURT OF MARION COUNTY.

Complete Record  
4 page 159

6.

*L. M. Brown Abstract Co.,*

Margaret McCarty

Vs.

Susan McCarty  
Margaret R. McCarty,  
Nicholas McCarty,  
Francis J. McCarty.

June 23, 1854, Petition filed, reciting death of Nicholas McCarty, leaving as heirs-at-law him surviving the petitioner, Margaret McCarty, his widow, and children Susan McCarty, Margaret R. McCarty, Nicholas McCarty and Francis J. McCarty, (said Nicholas and Francis J. being then and now infants); decedent left personal property sufficient to pay all of his debts and died owning many tracts of Land (including the homestead, Out Lot 25 of Indianapolis), and including Out Lot 120 in Indianapolis set out in the petition.

Petitioner is owner of one-third of said realty in fee simple, and said children are joint owners of the other two-thirds, thereof.

Partition is asked.

All of the defendants are served by reading of summons. Susana and Margaret R. McCarty default; Lucien Barbour is appointed Guardian ad litem for Nicholas Jr. and Francis J. McCarty, who are infants, and files answer.

July 21, 1864, Interlocutory Decree entered; Court finds that matters alleged in the petition are true; partition is decreed and one-third part of all of said realty is ordered set off to said petitioner in severalty. Court appoints James Blake, Andrew Wilson and James Wood, Commissioners to make partition.

October 13, 1854, said Commissioners file report setting off to said Margaret McCarty, her heirs and



INDIANAPOLIS

assigns in severalty forever, for and in full of the one-third part of the premises aforesaid, certain lots and tracts being a portion of the realty described in the petition, and including the homestead.

NOTE: No portion of Out Lot 120 in Indianapolis, is set off to the widow by the Commissioners.

7.

Margaret McCarty died intestate February 18, 1873.

TITLE

MARION CIRCUIT COURT.

Appearance Doc. of Estates 8 page 283

Margaret McCarty.

Estate

8.

February 23, 1885, Order of Court entered amending affidavit of death, showing that said decedent died on February 18, 1873.

Order Book 69 page 542.

March 14, 1874, Bond filed and letters of administration granted to Nicholas McCarty, Administrator.

Order Book 34 page 551.

September 12, 1899, Final report approved and estate settled and closed.

Order Book 140 page 121.

In an Entry of July 14, 1884, the Court finds that Margaret McCarty, at the time of her death, on February 18, 1873, left as her only heirs at law, her four children Susanna McCarty Day, (wife of Rev. Henry Day), Margaret McCarty Harrison (wife of John C. S. Harrison), Nicholas McCarty and Frances J. McCarty, all then of full age.

Order Book 64 page 496.

In the entry approving the final report September 12, 1899, the Court finds that said decedent left surviving her, as her sole and only heirs at law, her children: Nicholas McCarty, Margaret McCarty Harrison, Frances J. McCarty and her grandchildren, Henry McCarty Day, and Margaret McCarty Day.

Order Book 140 page 121.

ABSTRACTS OF

*L. M. Brown Abstract Co.,*

Marriage Rec. 6 page 659 Dec. 9, 1857

Susanna McCarty and Henry Day.

Marriage

9.

Marriage Record  
10 page 30  
Oct. 2, 1867

Margaret R. McCarty  
and  
John C. S. Harrison.

Marriage

10.

11.

Susanna McCarty Day, died testate August 30, 1873.

Will Record  
E page 123  
Aug. 21, 1873  
Probated  
Sept. 19, 1873

Susanna McCarty Day

Will

12.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
L. M. Brown Abstract Co.,

I, Susanna McCarty Day, daughter of Nicholas McCarty, and Margaret McCarty, both deceased, sister of Margaret R. McCarty Harrison, Nicholas McCarty and Francis J. McCarty, wife of Rev. Henry Day and mother of Henry McCarty, Day and Margaret McCarty Day of the City of Indianapolis, County of Marion and State of Indiana, of sound mind and disposing memory, though sick of body, do make this my last will and testament intending thereby to dispose of all the property of which I shall die seized or possessed.

I give and bequeath to my brother, Nicholas McCarty all my personal property (except that in the dwelling house occupied by me which I give and bequeath to my husband, Rev. Henry Day) and the crops growing upon my lands at the time of my death, but on condition that he within sixty days after the probate of this my Will does not pay to my Executor the sum of Five Thousand Dollars and execute his two promissory notes payable to my Executor, with interest, without relief from valuation or appraisement laws, each in the sum of Seven Thousand Five Hundred Dollars, one on or before one year after date, one on or before two years after date, then said devise to him shall fail and then and thereupon I give and bequeath said personal property and growing crops and the proceeds of any thereof, dispose of by said Nicholas in the mean time, the one-third thereof to my said husband, Rev. Henry Day, one-third to my son, Henry McCarty Day and one-third to my daughter, Margaret McCarty Day.

I give and bequeath to my said brother Nicholas McCarty, the undivided one-fourth of the real estate situate in the County of Marion and State of Indiana, described as follows, to-wit:

The North half of the North West quarter of Section 22, in Township 15 North of Range 3 East, but on condition that he does not within sixty days after the probate of this my will, pay to my Executor the sum of twenty-five hundred Dollars and execute his three promissory notes payable to my Executor each in the sum of Twenty-five Hundred Dollars, with interest, without relief from valuation or appraisement laws, one, one year, one, two years, and one, three years after date, this bequest shall fail and then and thereupon, I give said described real estate the one-third to my said husband, Rev. Henry Day,

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

one-third to my son, Henry McCarty Day, one-third to my daughter, Margaret McCarty Day.

I give and bequeath the moneys which may be paid and the notes which may be executed by my said brother Nicholas McCarty in compliance with the conditions attached to the bequests or either of them hereinbefore set forth and I give and bequeath all the residue of my real property of whatever description and wherever situate the one-third of said moneys, notes and real property to my said husband, Rev. Henry Day, the one-third to my son, Henry McCarty Day and the one-third to my daughter, Margaret McCarty Day.

I hereby appoint my said husband, Rev. Henry Day Executor of this my last will and testament and direct that no bond be required of him for the discharge of his duties, I also appoint him the Guardian of our said children, Henry McCarty and Margaret McCarty Day.

Hereby revoking all wills, testament and codicils heretofore made by me.

In Witness Whereof, I, the said Susanna McCarty Day have this 21st day of August A. D. 1873, set my hand and seal.

Susanna McCarty Day.

Signed, sealed, published and declared by the said Susanna McCarty Day, as her last will and testament in the presence of us, who at her request, in her sight and presence and in the presence of each other, have subscribed our names as attesting witnesses. The interlineation of the words "and growing crops", was made before signing by the testatrix, Also the the interlineation in the fifteenth line of the words, "Except that in the dwelling house occupied by me, which I give and bequeath to my husband, Rev. Henry Day", was made before signing by the testatrix.

Margaret A. Wood  
John S. Tarkington.

CORRECTION MADE 6-29-48  
BY *[Signature]*  
Pres. McGr.

*L. M. Brown Abstract Co.,*

MARION CIRCUIT COURT.

Appearance Doc.  
of estates  
8 page 248  
13.

Susanna McCarty Day Estate

Oct. 15, 1873, Bond filed and letters testamentary granted to Henry Day, Executor.  
Order Book 34, page 309.  
October 17, 1874. Final report filed and approved  
Executor discharged and estate settled and closed.  
Order Book 35 page 80.

L. M. Brown Abstract Co.,  
ABSTRACTS OF TITLE INDIANAPOLIS

Guardian's Doc. 3 pages 30 & 135  
Order Book 34page 309  
14. MARION CIRCUIT COURT.  
Henry McCarty Day, aged 14 on October 19, 1873,  
Margaret McCarty Day, aged 10, on June 16, 1874. Guardianship

October 15, 1874, Bond filed and Court appoints Henry Day, Guardian.  
September 11, 1885, Final report filed and approved and Guardian discharged.  
Order Book 72 page 284.  
Costs all paid.

Flat Book 7 page 74  
April 10, 1875  
Recorded April 13, 1875  
15. McCARTY'S SUBDIVISION OF PART OF OUT LOT 120 Plat

The annexed is a plat of McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, in Marion County, in the State of Indiana, divided into 136 lots consecutively numbered and 2 blocks lettered respectively "A" and "B" and into streets and alleys; the names of the streets are designated on the plat.

The width of the streets and alleys are designated by figures in feet and width and depth of the lots are designated by figures in feet and inches and the size of Lots "A" and "B" are designated by figures in feet and inches.

Nicholas McCarty, Frances J. McCarty  
John C.S. Harrison, Margaret McCarty Harrison  
Henry Day, for himself and as Guardian of  
Henry McC. Day and Margaret McC. Day.

Misc. Record 71 page 357  
May 1, 1912  
Recorded May 14, 1912  
16. Nicholas McCarty Affidavit

Affiant says that he was acquainted during his lifetime with one Henry Day, who was the husband of Susanna McCarty Day, who was formerly the owner of the North half of the Northwest quarter of Section 22, Township 15, Range 3 in Marion County, State of Indiana, which ground was subsequently subdivided and known as McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, and that the said Henry Day, who together with Nicholas McCarty, and others, conveyed by Warranty Deed the undivided 5/6 part of Lot 109 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, said deed bearing date of April 28th, 1875, and recorded in Town Lot Record 114, at page 234, was at that time an unmarried man and that the said Henry Day never remarried after the death of his wife, Susanna McCarty Day, but died a widower.

Further affiant sayeth not.  
Nicholas McCarty.

Misc. Record  
74 page 241  
Nov. 22, 1912  
Recorded  
Nov. 23, 1912

17.

INDIANAPOLIS

Nicholas McCarty

Affidavit

Affiant says, that he is the son of Nicholas McCarty deceased, who formerly owned in his life time Out Lot 120 in the City of Indianapolis, Indiana. That this affiant is now 78 years of age and that he is the brother of Margaret R. McCarty, Frances J. McCarty and Susannah McCarty Day; that affiant has never been married, and that Margaret R. McCarty was married on the 3rd day of October 1867 to John C. S. Harrison.

Nicholas McCarty.

Misc. Record  
8 page 258  
May 26, 1886  
Recorded  
June 1, 1886

18.

TITLE

Margaret R. McCarty  
Harrison and John C.S.  
Harrison, her husband,  
Frances J. McCarty, unmarried,  
Henry Day, unmarried,  
Margaret McCarty Day, unmarried  
Henry McCarty Day, unmarried

Power of Attorney

ABSTRACTS

to  
Nicholas McCarty.  
Constitute, appoint and empower Nicholas McCarty the true and lawful attorney for us and each of us and in the name, place and stead of us and each of us in the full and only discretion of the said Nicholas McCarty to divide, subdivide and lay out and plat &c. Lot or Block lettered "A" in McCarty's Subdivision of the west part of Out Lot 120 &c.

To bargain, sell and convey for cash or upon credit and upon such terms as he shall determine, to make, sign, seal, acknowledge and deliver conveyances by Quit Claim or Warranty Deed. In his name or the name of us or any of us to take all and singular evidence of indebtedness, mortgages or other securities for the payment of the purchase money or rent of said real estate or any part thereof, &c.

Deed Record  
Town Lots  
242 page 192  
May 10, 1892  
Recorded  
May 11, 1892

19.

L. M. Brown Abstract Co.,

Nicholas McCarty, unmarried  
Margaret R. McCarty Harrison  
and John C.S. Harrison, her husband  
Frances J. McCarty, unmarried  
Henry Day, unmarried  
Henry McCarty Day, unmarried  
Margaret McCarty Day, unmarried  
By, Nicholas McCarty, their attorney  
in fact.

Warranty Deed

to  
Frederick W. Ballweg and  
William Blizard.

Part of lot or Block "A" in McCarty's Subdivision of the west part of Out Lot 120 according to the plat of

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

said Subdivision as recorded in the office of the Recorder of the said County of Marion in Flat Book 3, page 74, bounded and described as follows, to wit:

Beginning at the north east corner of said lot or block lettered "A" running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence north-eastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, excepting and reserving to the grantors and their heirs and assigns, the right to deepen and clean the channel of Pogues Run on said premises hereby conveyed and for said purpose to enter on the 20 feet in width off of the west side of said described premises.

Deed Record  
Town Lots  
250 page 257  
Jan. 11, 1893  
Recorded  
Jan. 17, 1893  
20.

Nicholas McCarty, unmarried  
Margaret R. McCarty Harrison  
and John C. S. Harrison, her  
husband.  
Frances J. McCarty, unmarried  
Henry McCarty Day, unmarried  
Margaret McCarty Day, unmarried  
Henry Day, unmarried,  
By, Nicholas McCarty, their  
attorney in fact  
to  
Frederick W. Ballweg and  
William Blizard.

Quit Claim Deed

Part of Lot or Block lettered "A" in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion in Plat Book 3, page 74, bounded and described as follows: Beginning at N.E. corner of said lot or block lettered "A", running south on E. line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning.

Deed Record  
Town Lots  
322 page 473  
Mar. 9, 1900  
Recorded  
Mar. 10, 1900

21.

INDIANAPOLIS  
TITLE  
OF

Frederick W. Ballweg, unmarried  
William Blizard, unmarried  
to  
Ballweg and Company.

Warranty Deed

Part of lot or Block "A" in McCarty's Subdivision of the west part of Out Lot 120 according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion in Plat Book 3, page 74, bounded and described as follows, to-wit:

Beginning at the north east corner of said lot or block lettered "A" running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning.

(With other realty.)

Misc. Record  
52 page 395  
Mar. 9, 1900  
Recorded  
Feb. 18, 1907

22.

ABSTRACTS

Ballweg and Company

Articles

The object of the formation of this company is to engage in the manufacture and sale of boxes, crates, shooks and wooden articles of every kind and nature.

The term of existence of this Company is Fifty Years.

Misc. Record  
296 page 345  
Feb. 2, 1939  
Recorded  
Feb. 2, 1939

23.

*L. M. Brown Abstract Co.,*

Ballweg and Company

Articles of Re-organization.

This Corporation accepted the General Corporation for Profit Act 1921 on February 27, 1928.

The purpose or purposes for which it is organized are as follows:

(A) To own, hold, use, lease and improve real estate and personal property.

(B) To engage in business generally and to do any and all things and to exercise all of the powers conferred upon corporations by the Indiana General Corporation Act as now or hereafter amended.

The period during which it is to continue as a re-organized corporation is perpetual.

The amount of paid in capital with which this re-organized corporation will continue in business is \$500.00.

The names and addresses of the first Board of Directors of the re-organized corporation are as follows:

F. S. Ballweg, 5234 N. Capitol Ave. Indpls. Ind.  
P. B. Gray, 5173 Kenwood " Indpls. Ind.  
R. N. Britton, Indiana Trust Co. " "

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

SUPERIOR COURT OF MARION COUNTY.

Cause No. 69205  
Filed  
May 31, 1905  
Order Book  
262 page 295

Indianapolis Southern  
Railway  
Vs.  
Ballweg & Company.

Condemnation

24.

By the above proceedings the following real estate was appropriated:

A strip of land 70 feet wide in Block "A" of McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, Marion County, more particularly described as follows:

Beginning at a point in the South line of said Block "A" 198.97 feet easterly from the southwest corner of said Block "A", thence North 13° 34 minutes East, a distance of 176.26 feet, thence northerly along the line of a curve whose radius is 1875.08 feet a distance of 222.35 feet to a point in the north line of said Block "A", thence easterly along the North line of said Block a distance of 70.52 feet, thence southerly along the line of a curve whose radius is 1945.08 feet, a distance of 238.60 feet; thence south 13° 34 minutes West, a distance of 159.58 feet to a point in the south line of said Block "A", thence westerly along the south line of said Block "A" a distance of 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

A certified copy of the decree in the foregoing cause was recorded Dec. 27, 1905, in the office of the Recorder of Marion County, Indiana, in Deed Record of Town Lots 395 page 30.

Misc. Record  
60 page 280  
Feb. 17, 1909  
Recorded  
Aug. 5, 1909

*L. M. Brown Abstract Co.,*

Indianapolis Southern Railroad  
Company (Corp. Seal)  
By, I. G. Rawn, Vice President  
Attest: Burt A. Beck, Asst.  
Secretary, hereafter called the  
Railroad Company

Contract

25.

with  
Ballweg and Company (Corp. Seal)  
By, Frederick W. Ballweg, President  
Attest: William Blizzard, Secretary  
hereafter called the Shipper.

WHEREAS, the Shipper in order to facilitate the carrying on of its business, at the place aforesaid, desires to have a spur or side track, hereinafter called the track, constructed so as to connect with the tracks of the Railroad Company as shown by Red lines on the Exhibit hereto attached and made a part hereof it is now mutually agreed as follows:

1. Shipper shall furnish free of cost to the railroad Company, all of the ground needed for the construction, use and maintenance of the Track in case and so far as the



Track shall extend beyond the waylands used or occupied by the Railroad Company, and shall give the Railroad Company secure and exclusive possession of the said grounds and shall maintain the Railroad Company in such possession and its quiet and peaceable enjoyment so long as this contract shall continue in force.

In case the Track shall be laid on any road, street or alley, the shipper shall, before performance of this Contract by the Railroad Company secure all necessary permission and authority for constructing, maintaining and using the Track.

2. The Shipper shall maintain the Track in good condition so long as the Track shall be used for its benefit or accomodation. All work done and material furnished under this contract by the Shipper shall be satisfactory in all respects to the Chief Engineer of the Railroad Company.

3. The Railroad Company shall be the owner of and have sole control of the Track and shall have the right to use the Track for any lawful purpose.

The Shipper shall not acquire or have any right to, interest in, or lien upon, the Track or the material used in its construction.

In case and so far as the Track shall extend beyond the way lands used or occupied by the Railroad Company the Track shall remain personalty and shall not become a part of the realty.

The Railroad Company shall have the right at any time in its discretion to abandon the use of, and to take up and remove the Track upon giving the Shipper written notice of the Railroad Company's intention to remove the track 30 days before such removal shall be commenced; but the right to remove the Track herein reserved by the Railroad Company shall be exercised only in event that it shall cease to be used for the handling of the business of the Shipper and in case the Railroad Company shall at any time exercise the right of removal herein reserved the Shipper shall have the right to retain the Track at the location aforesaid, by payment of the entire cost of the Track to the Railroad Company within 30 days from the time notice by the Railroad Company shall have been given to the Shipper as above provided of the Railroad Company's intention to remove the Track.

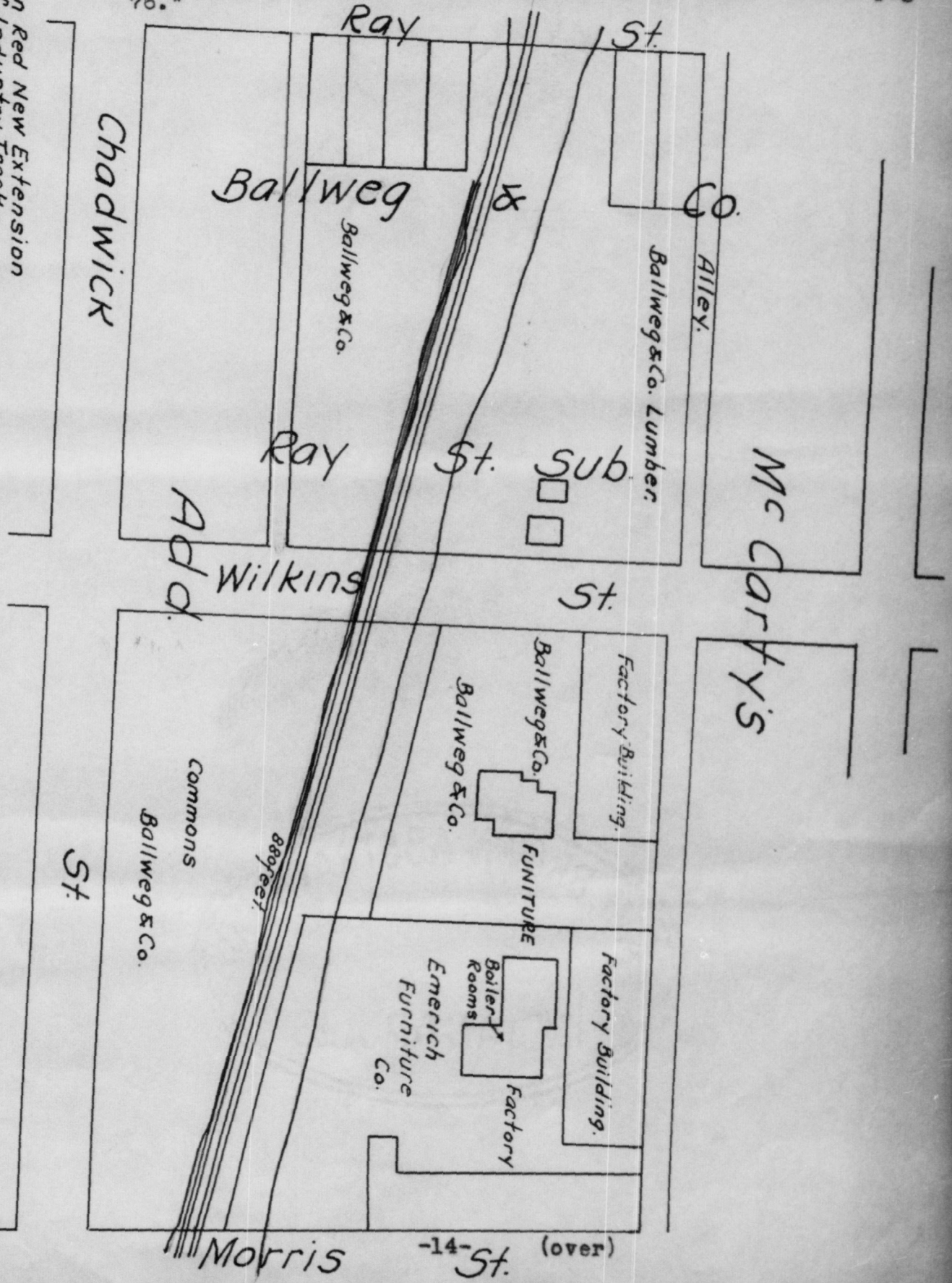
4. The Shipper shall indemnify the Railroad Company and save it harmless from liability for death, damage or injury to any person or property caused by a breach of the contract on the part of the Shipper, and from any liability for damage or injury by fire, which in the use or operation of the Track or Tracks aforesaid, may be communicated to any building or structure on the premises belonging to or occupied or used by the Shipper at the place aforesaid, or to any goods, wares, merchandise or property of any kind which may be located therein, or upon said premises, not caused by the negligence of the Railroad Company, its agents or servants.

5. This contract and the covenants thereof, so far as they lawfully may, shall run with the land upon which the Track, is now located, and with the said premises belonging to or occupied or used by the Shipper at the place aforesaid, as shown by the said exhibit.

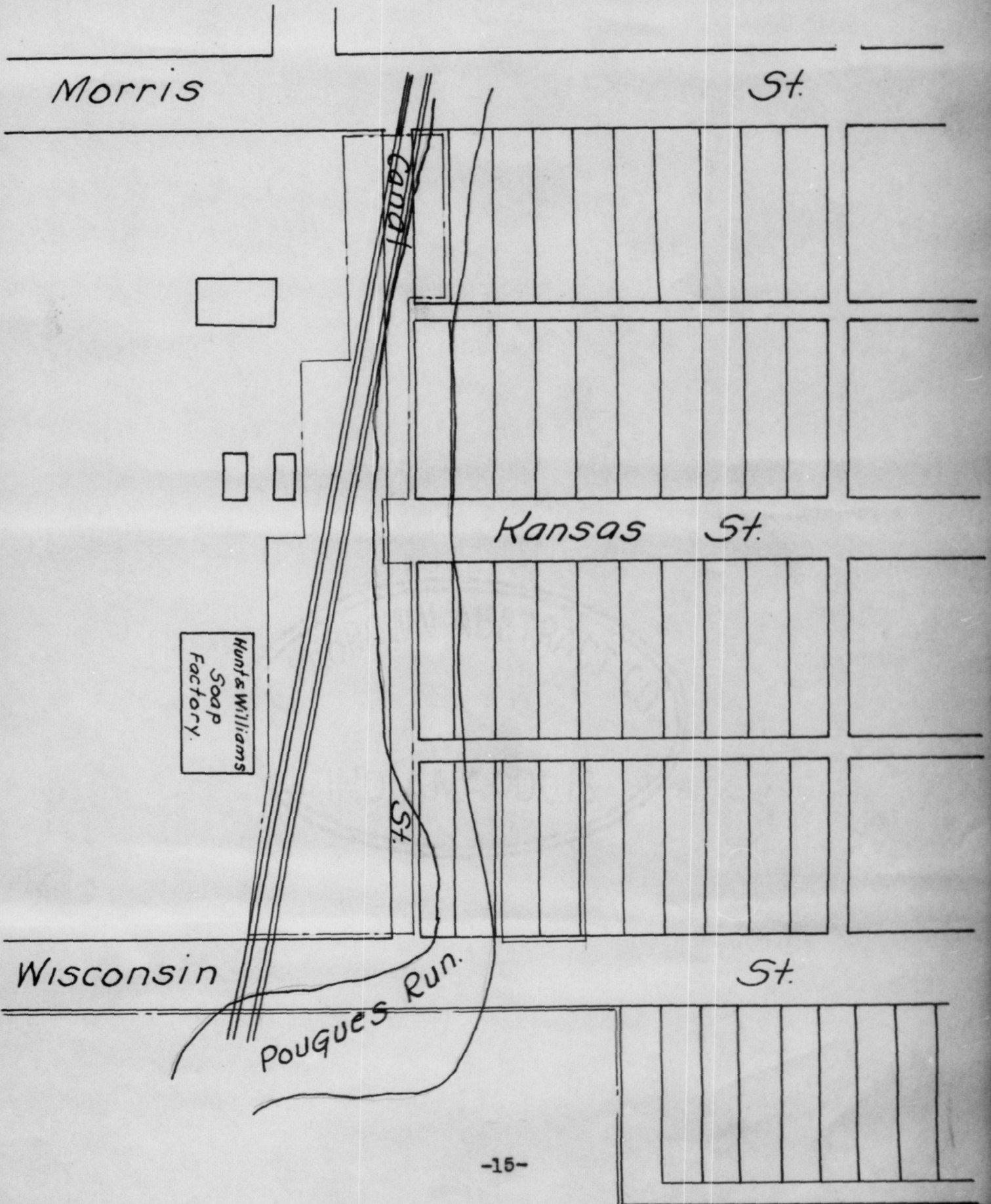
This contract shall also be binding on the successors and assigns of the parties hereto. (over)

6. The Railroad Company hereby agrees to pay and construct the Track and to furnish all the material needed therefor.  
 ON MARGIN: "For Plat of this Contract, See Plat Book 15 page 76."

Showing in Red New Extension  
 of Industry Track.  
 Office of Road Master Indianapolis, Ind.  
 Scale 1"=100'  
 April 14, 1907.



I. S. R. R.



26.

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

MORTGAGES.

27.

TITLE

None found unsatisfied of record filed within the period of this search.

MECHANIC'S LIENS.

28.

OF

None found unsatisfied of record filed within the period of this search.

ABSTRACTS

JUDGMENTS.

29.

Search is made, and strictly limited, for judgments, which may have been entered against the following party, solely under the name as herein written, and not otherwise, and the General Certificate hereto appended is accordingly limited.

Ballweg and Company, for 10 years last past.

(None found unsatisfied.)

ASSESSMENTS.

30.

None found unsatisfied of record which became a lien within the period of this search.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TAXES.  
ABSTRACTS  
OF  
TITLE

31.

Taxes for year 1944 Paid in Full.

32.

Taxes for year 1945, assessed in name of Ballweg and Co. were due and payable the first Monday in May and the first Monday in November, 1946.

General Tax Duplicate No. 435490.

Indianapolis, Center Township.

Parcel No. 10838.

May installment \$98.30 Paid.

Nov. installment \$98.30 Paid.

33.

Taxes for year 1946 became a lien March 1st and are due and payable in May and November of the year 1947.

*L. M. Brown Abstract Co.,*

233036  
ZONING

34.

INDIANAPOLIS

Zoning Ordinance #114, prepared by City Plan Commission, Council Proceedings of 1922, page 655, introduced November 6, 1922, passed by the Common Council November 20, 1922, signed by the Mayor December 4, 1922, and effective December 20, 1922.

TITLE

General Ordinance #79, 1939, an ordinance to amend General Ordinance #114, 1922. Council Proceedings of 1939, page 645, introduced October 2, 1939, passed by the Common Council, October 16, 1939, and signed and approved by the Mayor, October, 1939, and effective January 10, 1940.

OF

Provides for the establishing of a Zoning Plan for the City of Indianapolis to regulate and restrict the height, area, bulk and use of all buildings, to regulate and determine the area of yards, courts, and other open spaces, to specify and regulate the location of industries, commercial enterprises and the location and character of buildings designed for special uses, to establish building lines, and for all such purposes to divide the City into the following districts:

ABSTRACTS

Being five Classes of Use Districts termed respectively, Class U-1, or Dwelling House Districts; Class U-2, or Apartment House Districts; Class U-3, or Business Districts; Class U-4, or First Industrial Districts; and Class U-5, or Second Industrial Districts.

And into four Classes of Height Districts, H-1, 50 foot height limit; H-2, 80 foot height limit; H-3, 108 foot height limit; and H-4, 180 foot height limit; and

Eight Classes of Area Districts, Class AAA, 30,000 square feet per family; Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 4,800 square feet per family; Class A-3, 2,400 square feet per family; Class A-4, 1,200 square feet per family; Class A-5, 600 square feet per family; Class A-6, unlimited.

Provides for its administration by the Building Commissioner, and for penalties for violation of its provisions and authorizes the creation of a Board of Zoning Appeals, and that no building or apartment shall be erected or used except in conformity with the regulations prescribed in said Ordinance.

The real estate herein abstracted appears in Use District, Class **U-4** ; Height District, Class **H-2** ; and Area District, Class **A-4** ; all as shown by said Ordinance and on the Zoning Map of the City, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

*L. M. Brown Abstract Co.,*

## CERTIFICATE

35.

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens and Federal Tax Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is  
from **DATE OF AGENT'S DEED** to and including  
**January 14, 1947** and covers Paragraphs No. 1 to **35**

both inclusive, and Sheets No. 1  
to **-19-** both inclusive.



L. M. BROWN ABSTRACT COMPANY

By *Russell A. J...*  
President & Mgr.

Established 1868

OFFICERS

RUSSELL A. FURR  
PRES. & MANAGER  
VOLNEY M. BROWN  
VICE-PRESIDENT  
FRED G. APPEL  
VICE-PRESIDENT  
CORNELIUS O. ALIG  
TREASURER  
EDSON T. WOOD, JR.  
SECRETARY  
JACOB F. DELKER  
ASST. MGR.

L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND

233036

DIRECTORS

CHAS. R. YOKE  
EDSON T. WOOD, JR.  
FERMOR S. CANNON  
VOLNEY M. BROWN  
FRED G. APPEL  
CORNELIUS O. ALIG  
FRED WUELFING  
ALLAN P. VESTAL  
ALBERT E. UHL  
RUSSELL A. FURR  
SAMUEL B. SUTPHIN  
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

BALLWEG & CO.

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond and New Albany.

The undersigned L. M. BROWN ABSTRACT CO., of Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named seven divisions of the United States District Courts for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including Jan. 14, 1947 and all other Divisions of the State of Indiana, down to and including Jan. 11, 1947

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

Ballweg and Company

Dated ..January..14.,..1947.....

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*  
President and Manager

LB



1.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

Continuation of Abstract of Title to Part of Lot lettered "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the north east corner of said lot or block lettered "A", running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana.

Prepared for F. A. Wilhelm, since date of January 14, 1947.

CONVEYANCES.

Deed Record  
1248 page 346  
Jan. 31, 1947  
Recorded  
Feb. 8, 1947

2.

*L. M. Brown Abstract Co.,*

Ballweg and Company  
(Corp. Seal)  
By Virginia D. Krieg,  
President  
Attest: Frederick S. Ballweg,  
Secy-Treas.

Warranty Deed  
Revenue Stamps  
Attached.

to  
Woodcraft Products Corporation

Part of lot or Block 'A' in McCarty's Subdivision of the west part of Out Lot 120 according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion in Plat Book 3, page 74, bounded and described as follows, to wit; Beginning at the north east corner of said lot or block lettered "A" running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, Except that part thereof owned by Indianapolis Southern Railway Company under

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

condemnation proceedings in Cause Number 69205 of the Superior Court of Marion County, Indiana, more particularly described as follows; Beginning at a point in the South line of said Block "A" 198.97 feet easterly from the southwest corner of said Block "A" thence North 13 degrees 34 minutes East, a distance of 176.26 feet, thence northerly along the line of a curve whose radius is 1875.08 feet a distance of 222.35 feet to a point in the north line of said Block "A", thence easterly along the north line of said Block "A" a distance of 70.52 feet, thence southerly along the line of a curve whose radius is 1945.08 feet, a distance of 238.60 feet; thence south 13 degrees 34 minutes West, a distance of 159.58 feet to a point in the south line of said Block "A", thence westerly along the south line of said Block "A" a distance of 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

Subject to the taxes for 1946 payable in 1947, and thereafter.

The officers who execute this deed of conveyance in behalf of said grantor corporation do hereby represent and state that said corporation has no preferred stock outstanding; that this deed of conveyance is executed in pursuance of direction and authority contained in a resolution of the Board of Directors of said corporation. Said grantor, by its officers, does hereby state that it is a corporation organized pursuant to the laws of Indiana; that since April 8, 1940, no part of its stock or other securities have been owned or controlled by any foreign country or by any national thereof, nor does it act for the benefit of any national of any foreign country.

Note: Deed contains usual citizenship statement by Grantors.

Misc. Record  
392 page 123  
Dec. 23, 1946  
Recorded  
Dec. 27, 1946

Woodcraft Products Corp.

Articles of  
Incorporation.

The name of this corporation shall be Woodcraft Products Corp.

The purpose of purposes for which it is formed are as follows: to manufacture, wholesale and retail building material and wood products; to buy, sell, make, manufacture, distribute or otherwise dispose of any and all kinds of wood products and building material; to acquire, own, hold, use, lease, mortgage, pledge, sell convey, or otherwise dispose of property, real or personal, tangible and intangible, and to have the general powers of corporations organized for pecuniary profit.

The period during which it is to continue as a corporation is perpetual years.

The total number of shares into which its authorized capital stock is to be divided is 300 consisting of shares as follows:

INDIANAPOLIS

TITLE

OF

ABSTRACTS

e

e

*L. M. Brown Abstract Co.,*

Misc. Record  
392 page 126  
Dec. 23, 1946  
Recorded  
Dec. 27, 1946

4.

300 shares without par value.

None other than common stock of No Par value is issued. A majority of the stock elects the Directors. The Directors are invested with the authority to transact all the business. The Board of Directors may at any time convey limited power to any of the officers.

The amount of paid in capital with which this corporation will begin business is \$30,000.00.

The number of directors of this corporation shall be three.

The names and addresses of the first board of directors are as follows:

Ira O. Gumerson, 1635 Leonard St. Indpls., Marion County, Ind.  
Guy M. Dillman, 2021 Prospect St., Indpls., Ind.  
F. L. Hutcherson, Indpls., Ind.

Ira O. Gumerson,  
Guy M. Dillman  
Frances L. Hutcherson

Affidavit.

Affiants say that the amount of paid in capital with which this corporation "Woodcraft Products Corp." will begin business is \$30,000.00, which amount of \$30,000.00 has been fully paid in.

Ira O. Gumerson  
Guy M. Dillman  
Frances L. Hutcherson.

Misc. Record  
399 page 71  
May 12, 1947  
Recorded  
May 16, 1947

5.

Woodcraft Products Corporation

Amended Articles

Ira O. Gumerson, President and Guy M. Dillman, Secretary respectfully show that Article 5 of the Incorporation is to be amended by increasing authorized capital stock from 300 shares at no par value to 1000 shares at no par value.

The Board of Directors of said Corporation at a duly called (or regular meeting) of said Board held on April 30, 1947 adopted said resolution of Articles of Amendment of the Articles of Incorporation and submitted the proposed amendment to a vote of the shareholders at a special meeting held May 10, 1947.

6.

WE FIND NO FURTHER CONVEYANCES.

INDIANAPOLIS

ENCUMBRANCES.

MORTGAGES.

7.

None found unsatisfied of record filed within the period of this search.

TITLE

MECHANIC'S LIENS.

Misc. Record  
358 page 571  
Oct. 6, 1947  
Recorded  
Oct. 6, 1947

Francis A. Wilhelm  
By A. L. Case

Mechanic's Lien

to  
Woodcraft Products Corporation

Part of Block A in Lot No. 120, as follows:  
Beginning at the northeast corner of said Block A, thence South 390 feet to the southeast corner of said Block A thence West along south lines to a point 195 feet west of the Southeast corner of Block A thence Northeastwardly to a point 103.3 feet west of the northeast corner, thence East along the north line 103.3 feet to the Northeast corner, of said Block A the point of beginning; in the City of Indianapolis, Marion County, Indiana, also known as 310 to 314 West Wilkins Street.

For the sum of \$36,000.00.

8.

*Release filed  
Rel Rec #117 #38297  
wm*

ABSTRACTS OF

JUDGMENTS.

9.

Search is made, and strictly limited, for judgments, which may have been entered against the following parties, solely under the names as herein written, and not otherwise, and the General Certificate hereto appended is accordingly limited.

Ballweg and Company from January 14, 1947 to February 8, 1947 inclusive.

Woodcraft Products Corporation from December 23, 1946 to date.

None found unsatisfied.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
L. M. Brown Abstract Co.,

ASSESSMENTS.

10. None found unsatisfied of record which became a lien within the period of this search.

TAXES.

11. Taxes for the year 1945 paid in full.

12. Taxes for year 1946 assessed in name of Ballweg and Co. are due and payable the first Monday in May and the first Monday in November, 1947.

General Tax Duplicate No. 435446  
Parcel No. 10838  
Indianapolis, Center Township

May installment \$116.73 paid - See extension of Abstract  
Nov. installment \$116.73 unpaid - + Del.

13. Taxes for year 1947 became a lien March 1st and are due and payable in May and November of the year 1948.

## CERTIFICATE

14.

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is  
 from January 14, 1947 to and including  
 November 17, 1947 and covers Paragraphs No. 1 to 14

both inclusive, and Sheets No. 1  
 to 6 both inclusive.



L. M. BROWN ABSTRACT COMPANY

By *Russell A. Jern*

President & Mgr.

mo

Established 1868

OFFICERS

RUSSELL A. FURR  
PRES. & MANAGER  
VOLNEY M. BROWN  
VICE-PRESIDENT  
FRED G. APPEL  
VICE-PRESIDENT  
CORNELIUS O. ALIG  
TREASURER  
EDSON T. WOOD, JR.  
SECRETARY  
JACOB F. DELKER  
ASST. MGR.

# L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND

248892

DIRECTORS

CHAS. R. YOKE  
EDSON T. WOOD, JR.  
FERMOR S. CANNON  
VOLNEY M. BROWN  
FRED G. APPEL  
CORNELIUS O. ALIG  
FRED WUELFING  
ALLAN P. VESTAL  
ALBERT E. UHL  
RUSSELL A. FURR  
SAMUEL B. SUTPHIN  
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

F. A. Wilhelm

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond and New Albany.

The undersigned L. M. BROWN ABSTRACT CO., of Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named seven divisions of the United States District Courts for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including November 17, 1947 and all other Divisions of the State of Indiana, down to and including November 15, 1947

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

Ballweg and Company

Woodcraft Products Corporation

Dated ..... November 17, 1947.

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*  
President and Manager

MO

1.

INDIANAPOLIS  
TITLE  
OF

Continuation of an abstract of title to part of Lot lettered "A" in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said lot or block lettered "A" running thence south on the east line of said lot or block 390 feet to the south east corner of said lot or block, thence west on the south line of said lot or block, 195 feet; thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana.

Prepared for Fountain Square State Bank,  
since date of November 17, 1947.

2.

ABSTRACTS

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

MORTGAGES

Mtg. Record  
1456 page 136  
Jan. 19, 1948  
Recorded  
Mar. 19, 1948

Woodcraft Products Corporation  
(No Corp. Seal)  
By Grover C. Hutcherson, President  
Attest: Frances L. Hutcherson,  
Secretary

to  
Francis A. Wilhelm

SATISFIED OF RECORD  
L. M. BROWN ABSTRACT CO.  
Mortgage  
L.M.B. & MGR.

3.

*Release filed  
Plat Rec 117  
mm*

*L. M. Brown Abstract Co., #38298*

Part of Lot lettered "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the north east corner of said lot or block lettered "A", running thence south on the east line of said lot or block 390 feet to the south east corner of lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block 103.3 feet west from the said north east corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana

(over)



INDIANAPOLIS

TITLE OF

ABSTRACTS

To secure the payment of one principal note in the sum of \$5,000.00 payable 60 days after date, and one principal note in the sum of \$28,000.00 payable at the expiration of one year from date at the office of The Fountain Square State Bank with 4½% interest payable on the 19th day of the months of July and January in each year, with ten per cent attorney's fees.

The principal indebtedness may be pre-paid at the first or any subsequent interest paying date by payment of \$100.00 or multiples thereof.

This mortgage is given to secure certain note obligations, which said note obligations are not in payment of the debt due Francis A. Wilhelm, because of certain construction upon the mortgaged property, but as evidence of such debt and the mortgage herein is given as further security for the payment of such debt. Nothing herein contained, nor the notes herein given shall have the effect of waiving, extending, or releasing the Mechanic's Lien filed by Francis A. Wilhelm on October 6, 1947.

MECHANICS' LIENS

Misc. Record  
409 page 146  
May 29, 1948  
Recorded  
May 29, 1948

4.

Ready-Mixed Concrete Corporation,  
by Ernest Horne,  
To  
Woodcraft Products Corporation,  
Part of Lot No. "A" in Outlot 120 in McCarty's  
West Sub. of Pogue's Run, except for right of way,  
also known as No. 319 West Ray Street in City of  
Indianapolis in Marion County, State of Indiana.  
For the sum of \$55.25.

SATISFIED OF RECORD  
L. M. BROWN ABSTRACT CO.  
PRES. & MGR.

*L. M. Brown Abstract Co.,*

JUDGMENTS

5.

Search is made and strictly limited for judgments which may have been entered against the following party, solely under the name as herein written, and not otherwise, and the general certificate hereto appended is accordingly limited:

Woodcraft Products Corporation, from November 17, 1947 to date.

None found unsatisfied.

INDIANAPOLIS

ASSESSMENTS

- 6. None found unsatisfied of record which became a lien within the period of this search.

TITLE

TAXES

- 7. Taxes for the year 1946, May installment paid, Nov. installment unpaid and delinquent.

As shown of record taxes are now  
 FULLY PAID.  
 L. M. Brown Abstract  
 BY: *[Signature]*  
 PRES. & MGR.

OF

ABSTRACTS

- 8. Taxes for the year 1947 assessed in the name of Woodcraft Products Corp. General Tax Duplicate No. 442568 Parcel # 10838 Indianapolis, Center Township, are due and payable the first Monday in May, and the first Monday in November 1948.

- ✓ May installment \$115.86 unpaid & delinquent,
- ✓ Nov. installment \$115.86 unpaid.

As shown of record taxes are now  
 FULLY PAID.  
 L. M. Brown Abstract  
 BY: *[Signature]*  
 PRES. & MGR.

L. M. Brown Abstract Co.,

- 9. Taxes for the year 1948 became a lien March 1st, and are due and payable in May and November of the year 1949.

SEE SUBSEQUENT CONTINUATION

10.

## CERTIFICATE

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is  
 from **November 17, 1947** to and including  
**June 15, 1948** and covers Paragraphs No. 1 to **10**  
 both inclusive, and Sheets No. 1  
 to **4** both inclusive.



L. M. BROWN ABSTRACT COMPANY

By *Russell A. Furr*  
 President & Mgr.

Established 1868

OFFICERS  
RUSSELL A. FURR  
PRES. & MANAGER  
VOLNEY M. BROWN  
VICE-PRESIDENT  
FRED G. APPEL  
VICE-PRESIDENT  
CORNELIUS O. ALIG  
TREASURER  
EDSON T. WOOD, JR.  
SECRETARY  
JACOB F. DELKER  
ASST. MGR.

# L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

DIRECTORS  
CHAS. R. YORK  
EDSON T. WOOD, JR.  
FERMON S. CANNON  
VOLNEY M. BROWN  
FRED G. APPEL  
CORNELIUS O. ALIG  
FRED WUELFING  
ALLAN P. VESTAL  
ALBERT E. UHL  
RUSSELL A. FURR  
SAMUEL B. SUTPHIN  
J. ALBERT SMITH

258508

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

**Fountain Square State Bank**

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond and New Albany.

The undersigned L. M. BROWN ABSTRACT CO., of Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named seven divisions of the United States District Courts for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including **June 15, 1948** and all other Divisions of the State of Indiana, down to and including **June 8, 1948**

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

**Woodcraft Products Corporation**

Dated **June 15, 1948**

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*  
President and Manager

GM

259110

INDIANAPOLIS

1.

Matters appended to the foregoing abstract at the instance of the examining counsel.

TITLE

Prepared for The Fountain Square State Bank.

OF

2.

ABSTRACTER'S NOTE:

ABSTRACTS

An inspection of the plats of record in the office of the Recorder of Marion County, Indiana discloses, and we hereby certify, that there is only one McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of said subdivision being recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana.

*L. M. Brown Abstract Co.,*

L. M. BROWN ABSTRACT CO.

By

*W. C. Jones*  
President and Manager

June 25, 1948  
AS

259207

1.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

Continuation of Abstract of Title to part of Lot Lettered "A" in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:-

Beginning at the northeast corner of said Lot or Block lettered "A" running thence south on the east line of said lot or block, 390 feet to the southeast corner of said Lot or block, thence west on the south line of said lot or block, 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block, 103.3 feet west from the said northeast corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana.

Prepared for Midland Building Industries, Inc., since date of June 15, 1948.

CONVEYANCES

Deed Record  
1305 page -  
Inst. #38295  
June 29, 1948  
Recorded  
June 30, 1948

2.

*L. M. Brown Abstract Co.,*

Ballweg and Company,  
a corporation, (Corp. Seal),  
By, Virginia B. Krieg, President,  
Attest: Frederick S. Ballweg, Sec'y.,

Warranty Deed

To  
Woodcraft Products Corp.

Part of Lot or Block A in McCarty's Subdivision of the west part of Out Lot 120 according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion, in Plat Book 7 page 74, bounded and described as follows, to-wit:-

Beginning at the northeast corner of said lot or block lettered A running thence south on the east line of said lot or block, 390 feet to the southeast corner of said lot or block, thence west on the south line of said lot or block 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block, 103.3 feet west from the said northeast corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning. Except that part thereof owned by Indianapolis Southern Railway Company

(over)

INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*

under condemnation proceedings in Cause #69205 of the Superior Court of Marion County, Indiana, more particularly described as follows:-

Beginning at a point in the south line of said Block A, 198.97 feet easterly from the southwest corner of said Block A, thence north 13 degrees 34 minutes east, a distance of 176.26 feet, thence northerly along the line of a curve whose radius is 1875.08 feet, a distance of 222.35 feet to a point in the north line of said Block A, thence easterly along the north line of said Block A, a distance of 70.52 feet, thence southerly along the line of a curve whose radius is 1945.08 feet, a distance of 238.60 feet, thence south 13 degrees 34 minutes west, a distance of 159.58 feet to a point in the south line of said Block A, thence westerly along the south line of said Block A, a distance of 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

Subject to the taxes for 1946 payable in 1947, and thereafter.

The officers who execute this deed of conveyance in behalf of said grantor corporation do hereby represent and state that said corporation has no preferred stock outstanding. That this deed of conveyance is executed in pursuance of direction and authority contained in resolutions of the stockholders and of the Board of Directors of said corporation. Said grantor, by its officers, does hereby state that it is a corporation organized pursuant to the laws of Indiana. That since Apr. 8, 1940, no part of its stock or other securities have been owned or controlled by any foreign country or by any national thereof, nor does it act for the benefit of any national of any foreign country.

That this deed is given to correct the corporate name of the grantee, and to correct the Plat Book Number in a certain deed recorded in Deed Record 1248 page 346.

(Deed contains grantors usual citizenship statement.)

Deed Record  
1305 page -  
Inst. #38296  
June 29, 1948  
Recorded  
June 30, 1948

3.

Woodcraft Products Corp.,  
a corporation, (Corp. Seal),  
By, Grover C. Hutcherson, Pres.,  
Attest: Guy M. Dillman, Sec'y.,

Warranty Deed  
Revenue Stamps  
Attached

To  
Midland Building Industries, Inc.

Part of Lot or Block A in McCarty's Subdivision of the west part of Out Lot 120, according to the plat of said Subdivision as recorded in the office of the Recorder of the said County of Marion in Plat Book 7 page 74, bounded and described as follows, to-wit:-

Beginning at the northeast corner of said lot or block lettered A, running thence south on the east line of said lot or block, 390 feet to the southeast corner of said lot or block, thence west on the south line of said lot or block, 195 feet, thence northeastwardly on a line

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
*L. M. Brown Abstract Co.,*

to a point in the north line of said lot or block, 103.3 feet west from the said northeast corner of said lot or block, thence east on the north line of said lot or block, 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause #69205 of the Superior Court of Marion County, Indiana, more particularly described as follows:-

Beginning at a point in the south line of said Block A, 198.97 feet easterly from the southwest corner of said Block A, thence north 13 degrees 34 minutes east, a distance of 176.26 feet, thence northerly along the line of a curve whose radius is 1875.08 feet, a distance of 222.35 feet to a point in the north line of said Block A, thence easterly along the north line of said Block A, a distance of 70.52 feet, thence southerly along the line of a curve whose radius is 1945.08 feet, a distance of 238.60 feet, thence south 13 degrees 34 minutes west, a distance of 159.58 feet to a point in the south line of said Block A, thence westerly along the south line of said Block A, a distance of 71.96 feet to the place of beginning, said strip of land containing an area of 0.64 of an acre, more or less.

Subject to the first installment of taxes for the year 1948, payable in 1949 and all taxes thereafter.

This conveyance is likewise subject to the lien of a certain mortgage in favor of Francis A. Wilhelm, dated January 19, 1948, and recorded in Mortgage Record 1456 page 136, in the original principal sum of \$33,000.00.

The officers who execute this deed of conveyance in behalf of said grantor corporation, do hereby represent and state that said corporation has no preferred stock outstanding. That this deed of conveyance is executed in pursuance of direction and authority contained in resolutions of the stockholders and of the Board of Directors of said corporation. Said grantor, by its officers, does hereby state that it is a corporation organized pursuant to the laws of Indiana. That since April 8, 1940, no part of its stock or other securities have been owned or controlled by any foreign country or by any national thereof, nor does it act for the benefit of any national of any foreign country.

(Deed contains grantors usual citizenship statement.)



Misc. Record  
29 page 548  
July 2, 1898  
Recorded  
July 2, 1898

4.

Misc. Record  
50 page 426  
July 24, 1906  
Recorded  
July 24, 1906

5.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE

Greer-Wilkinson Lumber Co.

Articles

The corporate name of said company shall be, Greer-Wilkinson Lumber Company.

The object of the formation of said Company is to buy, sell and manufacture lumber and all kinds of building materials, including the operation of planning and other mills and machinery for the purpose, and to buy and sell coal, and to purchase and own all property, real and personal, necessary or usefull, to that end, and to dispose of same as occasion may require.

The amount of Capital Stock of said company shall be \$150,000.00 divided into shares of \$100.00 each.

The term of existence of said company shall be 50 years.

OF  
ABSTRACTS

Greer-Wilkinson Lumber Company

Articles of  
Incorporation.

The corporate name of such corporation shall be the Greer-Wilkinson Lumber Company.

The objects of such company are to manufacture and sell raw wood and other materials for building supplies and other purposes; to manufacture lumber for any uses in building any kind of structure or construction and for that purpose to own or lease, maintain and operate saw mills, planing mills or other means for the manufacture of wood and other products and in connection with such manufacturing to buy and sell timber, lumber, boards, planks, beams, joists, shingles, studding, laths, plaster, cement and any other kind of building and other materials necessary and incidental to the carrying out of the objects of such company and to sell such merchandise when manufactured and to buy and own, sell or lease real estate necessary to carry out the objects of such company and to do all things necessary and incidental to the carrying out of the foregoing objects.

The amount of the capital stock of such company shall be \$1,000,000.00 of which \$500,000.00 shall be common stock and \$500,000.00 shall be preferred stock and such common stock shall be divided into 5,000 shares of \$100.00 each and said preferred stock shall be divided into 5,000 shares of \$100.00 each.

The term of existence of such company shall be 50 years.

The board of directors of such company shall consist of 4 members but the same may be decreased to 3 members or increased to not to exceed 7 members and the names of those who shall manage the affairs of such company for the first year are Square R. Greer, Allen A. Wilkinson, Alexander Stewart, Walter Alexander.

The preferred stock of such company as fixed by these articles of association shall be subject to

INDIANAPOLIS  
TITLE  
OF

redemption at not less than par at such time or times and upon such terms and conditions as shall be expressed in the certificates thereof and the holders of such preferred stock shall be entitled to receive and the said company shall be bound to pay thereon such quarterly semi-annual or annual sum or dividend as may be expressed in the certificates but not to exceed in all 8% per annum before any dividend shall be set aside or paid on the common stock of such company and in no event shall the holders of such preferred stock be individually or personally liable for the debts or other liabilities of such company but in case of insolvency or upon the dissolution of such company, such debt or other liabilities shall be paid in preference to such preferred stock. Such preferred stock however shall at all times have priority in payment out of the assets of such company, over the common stock thereof for the full face value together with all arrearages of interest or dividends due thereon.

MARION CIRCUIT COURT

Cause #27199  
Filed  
Dec. 2, 1916

In Re:- Change of Name of  
Greer-Wilkinson Lumber Company.

Petition for  
Change of Name

6.

ABSTRACTS

Your petitioner, the Greer-Wilkinson Lumber Company, a corporation, duly organized and incorporated under the laws of the State of Indiana, respectfully prays the court that its name be changed to the Allen A. Wilkinson Lumber Co. That its principal office is in the City of Indianapolis, Marion County, Indiana.

Greer-Wilkinson Lumber Company,  
By, Allen A. Wilkinson,  
Secretary and Treasurer.

State of Indiana,  
Marion County, SS:-

Allen A. Wilkinson of said County and State, being duly sworn upon oath says, that he is Secretary and Treasurer of the Board of Directors of the Greer-Wilkinson Lumber Company, the above named petitioner. That at the annual meeting of the Board of Directors of said company, it was unanimously ordered that the name of the Greer-Wilkinson Lumber Company be changed to the Allen A. Wilkinson Lumber Co.

Allen A. Wilkinson.

Subscribed and sworn to before me, this 2nd day of December, 1916.

Cecilia Brach Luther, (LS),  
Notary Public.

My Commission expires August 12, 1918.

C. N. Thompson,  
Attorney for Petitioner.

December 2, 1916, Comes now the Greer-Wilkinson Lumber Company, a corporation, by counsel, and files its

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
L. M. Brown Abstract Co.,

verified petition herein for change of its name and on motion it is ordered by the court that notice of such petition shall be given by said petitioner, as provided by statute, that such petition will be heard by this court on the 23rd day of January, 1917. That being the 20th judicial day of the January Term of said court, or as soon thereafter as the court can hear the same.

January 24, 1917, Proof of publication, notice of change of name filed.

January 24, 1917, Comes now the petitioner by Charles N. Thompson, its attorney, and also comes Alvah J. Rucker, Prosecuting Attorney, and the petition herein coming on to be heard, and the court being advised in the premises, finds for the petitioner that there exists proper and reasonable cause for changing its name as prayed for, and that due notice of the application and the filing of said petition has been given by three weekly publications in the Indianapolis News, a newspaper of general circulation, printed and published in the City of Indianapolis, in the County of Marion, State of Indiana, the last of which publications was made 30 days prior to the 23rd day of January, 1917, which day or as soon thereafter as the court could hear the same was the time which this court fixed when such petition should be heard. Proof of such publication is now submitted to the Court and is as follows:- (H.I. publication and proof thereof on Order Book.)

It is therefore considered, ordered and adjudged by the court that the name of the petitioner Greer-Wilkinson Lumber Company be, and it hereby is changed to Allen A. Wilkinson Lumber Co., as prayed for in said petition.

It is further ordered that the petitioner pay the cost of this proceeding.

Order Book 207 page 263.  
Costs paid.

Misc. Record  
200 page 413  
Aug. 13, 1928  
Recorded  
Oct. 12, 1928

7.

United States of America,  
State of Indiana, Office  
of the Secretary of State.

I, F. E. Schortemeier, Secretary of State of the State of Indiana, hereby certify that the following and hereto attached is a full, true and complete copy of that certain single instrument in re:- Greer-Wilkinson Lumber Company, bearing file date as of October 25, 1918, as the same appears on file as the law directs in this office.

In Testimony Whereof, I hereunto set my hand and affix the Great Seal of the State of Indiana.

Done at my office in the City of Indianapolis, this 13th day of August, 1928.

F. E. Schortemeier,  
Secretary of State, (Seal).

L. M. Brown Abstract Co.,  
ABSTRACTS OF TITLE INDIANAPOLIS

State of Indiana,  
Marion County, SS:-

Be It Known, that on the 24th day of January, 1917, being the 21st judicial day of the January Term, 1917, of the Circuit Court of Marion County, held at the Court House in the City of Indianapolis, County of Marion, and State of Indiana, before the Honorable Louis B. Ewbank, Judge of said Court, the following proceedings were had in the cause of:-

January 24, 1917,

21st Judicial Day January Term, 1917, Present:-  
Hon. Louis B. Ewbank, Judge.

In Re, Change of Name of  
Greer-Wilkinson Lumber Company.

Comes now the petitioner by Charles N. Thompson, its attorney, and comes also Alvah J. Rucker, Prosecuting Attorney, and the petition herein coming on to be heard, and the Court being advised in the premises, finds for the petitioner that there exists proper and reasonable cause for changing its name as prayed for, and that due notice of the application and the filing of said petition has been given by three weekly publications in the Indianapolis News, a newspaper of general circulation, printed and published in the City of Indianapolis, in the County of Marion, State of Indiana, the last of which publication was made 30 days prior to the 23rd day of January, 1917, which day or as soon thereafter as the court could heard the same was the time this Court fixed when such petition should be heard. Proof of such publication is now submitted to the Court and is as follows:- (H.I.)

It is therefore considered, ordered and adjudged by the Court, that the name of the petitioner Greer-Wilkinson Lumber Company be, and it hereby is changed to Allen A. Wilkinson Lumber Co., as prayed for in said petition.

It is further ordered that the petitioner pay the costs of this proceeding.

O.K., Arthur A. Stettler,  
Deputy Prosecutor.

State of Indiana,  
Marion County, SS:-

I, Theodore Stein, Jr., Clerk of the Circuit Court of Marion County, in the State of Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings had in said Court, and entered on the records thereof, in the above entitled cause, on the day and year first aforesaid as appears of record in my office.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Circuit Court, at my office, in the City of Indianapolis, this 24th day of October, 1918.

Theodore Stein, Jr., Clerk of  
Circuit Court, Marion County.

(Seal)

Misc. Record  
296 page 249  
Jan. 25, 1939  
Recorded  
Jan. 25, 1939

8.

INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*

Allen A. Wilkinson Lumber Co.

Articles of  
Reorganization.

The above named corporation, desiring to accept the provisions of "The Indiana General Corporation Act", approved March 16, 1929, Chapter 215 of the Acts of the Indiana General Assembly of 1929, and entitled, "An Act concerning domestic and foreign corporations for profit, providing penalties for the violation hereof, and repealing all laws or parts of laws in conflict herewith," in force July 1, 1929, and the act amendatory thereof and supplemental thereto, and desiring to reorganize pursuant to the provisions of said Act, Articles of Reorganization having first been duly approved by its Board of Directors and thereafter duly adopted by the affirmative votes of 2/3 or more of all of the outstanding shares entitled to vote in respect thereof as provided by law, does now hereby by L. W. Holbrook, its President, and George N. Ross, its Secretary, sign, acknowledge and verify by the oaths of the above mentioned officers the following, its Articles of Reorganization.

The exact name of this corporation is Allen A. Wilkinson Lumber Co., Inc.

This corporation was incorporated July -, 1906.

This corporation was incorporated under the Act of May 20, 1852, entitled, "An Act for the Incorporation of Manufacturing and mining Companies and Companies for Mechanical, Chemical and Building Purposes."

This corporation hereby accepts all of the terms and conditions of "The Indiana General Corporation Act," approved March 16, 1929, Chapter 215 of the Acts of the Indiana General Assembly for 1929."

The provisions of the original Articles of Incorporation or Association are hereby restated in conformity with "The Indiana General Corporation Act," approved March 16, 1929, Chapter 215 of the Acts of the Indiana General Assembly for 1929, as follows:-

The name of this corporation shall be, Allen A. Wilkinson Lumber Co., Inc.

The purpose or purposes for which it is reorganized are as follows:-

To carry on the business of wholesaling timber, lumber in various forms and all kinds of building and builders' materials and supplies; to trade and deal, as wholesalers and jobbers, in all kinds of lumber, exterior and interior finish, plaster, cement, hardware, paints, roofing, and builders' and building material and supplies; to grow and produce trees and timber suitable for manufacture into lumber; to cut, own and sell wood and timber of every kind and description; to manufacture, produce, buy, sell, deal and trade, at wholesale and at retail, as principal, factor or agent, in all kinds of raw wood, timber, lumber, boards, planks, beams, joists, studding, shingles, lath, doors, windows, exterior and interior finish, plaster, cement, hardware, paints,

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
*L. M. Brown Abstract Co.,*

roofing, and builders' and building materials and supplies; to own, lease, maintain and operate saw mills, planing mills, yards and other means for the manufacture, production, storage or sale of timber, lumber, boards, planks, beams, joists, studding, shingles, lath, doors, windows, exterior and interior finish, plaster, cement, hardware, paints, roofing, and all kinds of builders' and building materials and supplies.

The period during which it is to continue as a reorganized corporation is in perpetuity.

The total number of shares into which its authorized capital stock is to be divided is 7,000 consisting of shares as follows:- 7,000 shares having a par value of \$100.00 each and no shares having no par value.

Each share of the common stock of the corporation (whether or not issued and outstanding) authorized immediately prior to the time when this reorganization becomes effective shall by virtue of this reorganization be, and become a like share (whether or not issued and outstanding) of the common stock of the reorganized corporation.

A. The authorized capital stock of the corporation shall be divided into two classes; 5,000 shares thereof shall be common stock and 2,000 shares thereof shall be preferred stock. The shares of both the common stock and the preferred stock shall have a par value of \$100.00 each.

B. The holders of the preferred stock shall be entitled to priority as to dividends over the holders of the common stock and shall be entitled to receive, when and as declared by the Board of Directors of the corporation, out of the earned surplus of the corporation arising from its net profits, whether heretofore or hereafter earned, dividends on their shares of preferred stock at the rate of 5% of the par value thereof per annum, and no more, payable quarterly on the first days of January, April, July and October of each year so long as their shares of preferred stock shall be outstanding. The corporation agrees that said dividends shall be declared and paid as long as there are current earnings or earned surplus available for the payment of the same, January 1, 1939, and shall be payable before any dividends are declared or paid on the common stock, so that if at any time dividends on the preferred stock shall not have been paid as hereinbefore provided, no dividends shall be payable on the common stock until the deficiency in the payment of dividends on the preferred stock shall have been fully met and paid.

C. The holders of preferred stock shall be entitled to priority over the holders of the common stock as to assets, and in the event of any dissolution, liquidation or winding up, whether voluntary or involuntary, of the corporation, the holders of the then outstanding preferred stock shall be entitled to receive on account thereof \$100.00 per share plus the amount of all accrued and unpaid

cumulative dividends thereon, before any payment or distribution shall be made on account of the common stock. After the above mentioned sum of \$100.00 per share plus the amount of all accrued and unpaid dividends thereon shall be paid on the preferred stock, all of the remaining assets and funds of the corporation shall be divided and distributed among the holders of the common stock pro rata, in accordance with the number of shares then held by them.

D. The corporation shall and hereby agrees to redeem and retire on the 1st day of January of each year, so long as any of the preferred stock shall remain outstanding, beginning on the 1st day of January, 1940, 200 shares of the preferred stock of the corporation at the par value thereof plus all accrued and unpaid cumulative dividends thereon. In addition to the preferred stock which the corporation is obligated to retire, as hereinabove provided, the corporation shall have the right at its election to redeem and retire in each year beginning with the year 1940, on the same terms and conditions as stated above and upon notice as hereinafter provided, all or any part of 200 additional shares of the preferred stock of the corporation, such additional right of the corporation to be cumulative so that if in any year the corporation shall not retire all or any part of such additional 200 shares of preferred stock, it shall have the right in any subsequent year or years to redeem and retire the additional shares it shall have failed to redeem and retire in any past year or years. If the corporation shall redeem and retire in excess of 200 shares of preferred stock in any year or years, it shall have the right in any subsequent year or years to credit against its obligation to redeem and retire preferred stock in such year all or any part of the excess number of shares of such stock which shall have been theretofore redeemed and retired and which shall not have been credited against the obligation of the corporation to redeem and retire preferred stock in any prior year or years.

E. Any and all shares of the preferred stock of the corporation not redeemed as provided in Paragraph D hereof shall be redeemable on or after January 1, 1940 in whole at any time or in part from time to time, upon notice as hereinafter provided, at \$100.00 per share plus all accrued and unpaid dividends thereon to the date fixed for such redemption, plus a premium on the par value thereof determined as follows:-

If such redemption is effected prior to January 1, 1941, a premium of five per cent of such par value, such premium to be successively reduced by one per cent (being one-fifty of the initial premium) on January 1 of each of the years 1941, 1942 and 1943. If the Company desires to redeem any preferred stock on or after January 1, 1944, it shall be redeemable as provided in Paragraph D hereof and no premium shall be payable in respect thereof.

F. In case of any redemption or retirement of preferred shares of the corporation in accordance with the

provisions of Paragraphs D or E hereof, notice of such redemption or retirement shall at least 30 days prior to the date fixed for such redemption or retirement, be sent by registered mail to each of the holders of record of the shares of preferred stock, being redeemed or retired at his address as the same shall appear of record on the books of the corporation. If at any time less than all of the outstanding shares of preferred stock are to be redeemed or retired, the shares to be redeemed or retired shall be determined by the corporation by lot or the corporation may at its election redeem or retire shares of preferred stock of each holder thereof as nearly as practicable in proportion to his holdings. Notice of redemption or retirement having been given as above provided and the corporation having set aside the sums required for such redemption or retirement, the shares of preferred stock so called for redemption or retirement shall, after the redemption date fixed in the notice, no longer be deemed or treated as outstanding, dividends thereon shall cease to accrue and the holder or holders thereof shall cease to have any further rights as a holder or holders of preferred stock of the corporation by virtue of such shares of stock so redeemed, except that such holder or holders shall continue to be entitled upon the surrender to the Company of the certificate or certificates for the shares called for redemption or retirement to receive the redemption price payable on account of such shares. Any of the preferred stock of this issue which shall have been redeemed by the corporation as hereinabove provided shall remain in the treasury of the corporation as treasury stock and shall not be re-issued unless and until all of the 2,000 shares of such preferred stock originally issued shall have been redeemed and retired.

G. The corporation agrees that so long as any shares of the preferred stock shall remain outstanding its current assets as hereinafter defined shall be equal to at least 150% of its current liabilities. Cash on hand and in bank, accounts and notes receivable not more than 3 months overdue, inventories of lumber and supplies (appraised at their market value), and all other items considered and classified as current assets in accordance with recognized accounting practice, shall be treated as current assets for the purpose of this paragraph. Accounts payable and notes and other obligations to pay money due and payable within 12 months (excluding however, more than 1 months' rent payable under leases) and all other items considered and classified as current liabilities in accordance with recognized accounting practice shall be treated as current liabilities for the purpose of this paragraph. Within 30 days after the end of each calendar quarter-year so long as any shares of the preferred stock shall be outstanding, the corporation shall send by mail to each holder of 25% or more in amount of the preferred stock of the corporation then outstanding, a balance sheet of the corporation as of the close of the calendar quarter-year



last ended, which balance sheet shall set forth the current assets and current liabilities of the corporation, in accordance with recognized accounting classifications, in such manner as to enable the stockholder to determine if there has been compliance with this requirement. In any such balance sheet except those as of the close of the calendar year, the amount of the inventories of the corporation may be estimated in accordance with the usual practice of the corporation and in such case a statement to the effect that the amount of the inventories of the corporation have been so estimated shall be noted on the balance sheet. If it shall appear from any such balance sheet that the corporation has failed to maintain the required ratio of current assets to current liabilities, and if the corporation shall fail, within 90 days after the receipt by it from any holder or holders of more than fifty per cent in amount of the shares of preferred stock then outstanding of notice requiring it so to do, to bring about a compliance with the requirement to maintain said ratio of current assets to current liabilities, then at any time after the expiration of said 90 day period and until the corporation shall have complied with said requirement, any holder or holders of preferred stock of the corporation shall have the right to demand and require that the corporation do, and the corporation does under such circumstances agree that it will, within 15 days after receipt of demand to that effect in writing, retire and pay all the shares for retirement, at the principal amount thereof plus accrued and unpaid cumulative dividends to the date of such presentation.

7. The holders of the preferred stock as such shall have no voting rights and the entire voting power shall be vested exclusively in the holders of the common stock who shall be entitled to one vote for each share of stock held by them; Provided however,

(a) That in the event of any default in the payment of quarterly dividends on the preferred stock outstanding or in the event that the corporation fails to retire preferred stock at the average rate of at least 200 shares in each year, the first such retirement (being for the year 1939) to take place on January 1, 1940, and if such default in the payment of dividends or retirement of preferred stock shall continue for one year, then the holders of preferred stock, as a class, shall be entitled to elect a number of directors equal to one less than the smallest majority of the Board of Directors of the Corporation, such election to take place at the next annual meeting of the stockholders of the corporation, of which notice shall be given to the preferred stockholders as well as to the common stockholders, or at a special meeting of the stockholders to be called, as shall be provided in the by-laws, upon the request in writing of the holder or holders of not less than 50% in amount of the then outstanding preferred stock of the corporation. At such special meeting of stockholders, the preferred

stockholders present or represented at the meeting and voting as a class shall elect directors as herein provided. Such directors shall take office in lieu of a like number of directors then holding office who shall be designated by the common stockholders present at such special meeting as the directors to retire. Directors elected by the preferred stockholders shall hold office until the next annual meeting of stockholders and until their successors shall be elected so long as the default in the payment of dividends or in the retirement of preferred stock shall continue. When such default shall have been cured, the tenure of office of the directors elected by the preferred stockholders shall be terminable forthwith and shall in any event terminate at the time the next succeeding meeting of stockholders is held. The common stockholders shall have the right at the annual meeting, or a special meeting of such common stockholders, to fill any vacancy or vacancies created by the termination of the tenure of office of the directors elected by the preferred stockholders.

(b) No preferred stock having a priority to or on a parity with the preferred stock now authorized shall be created, authorized or issued without the prior affirmative vote, or consent in writing, of the holders of at least three-quarters in amount of the preferred stock then outstanding.

(c) No mortgage or other lien shall be placed upon the property of the corporation, nor shall all or substantially all of its assets be sold, without the prior affirmative vote, or consent in writing, of the holders of at least three-quarters in amount of the preferred stock then outstanding; provided however, that the provisions of this paragraph (c) shall not operate or be construed to prevent the corporation from purchasing additional property subject to existing mortgages or liens, or from executing and delivering a mortgage or mortgages on additional property being acquired to secure payment of a portion or all of the purchase price of such additional property.

The amount of paid in capital with which this reorganized corporation will continue in business is \$433,250.00.

The number of directors of this corporation shall be five.

The names and addresses of the first board of Directors of the reorganized corporation are as follows:-

L.W. Holbrook, 401 Union Tr. Bldg., Washington, D.C.  
Walter R. Foltz, 970 E. Michigan Avenue, Indpls., Ind.  
Helen S. Devore, 401 Union Tr. Bldg., Washington, D.C.  
Mary E. Stewart, 401 Union Tr. Bldg., Washington, D.C.  
Anna G. Wilkinson, 3444 Washington Blvd., Indpls., Ind.

No preemptive right to subscribe for, purchase or acquire any additional shares of capital stock of the corporation hereafter sold or issued, whether now or hereafter authorized, shall attach or be incident to the ownership of any shares of the preferred stock or the common stock of the corporation, all such pre-emptive rights being released and waived by each stockholder.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
L. M. Brown Abstract Co.,

All meetings of shareholders of the corporation shall be held at such place, whether within or without the State of Indiana, as shall be specified in the by-laws or in the absence of specification in the by-laws, as shall be determined by the Board of Directors. Unless otherwise so specified or determined, meetings of shareholders shall be held at the principal office of the corporation in the State of Indiana.

In all elections of directors every shareholder shall have the right, after announcement at the meeting in advance of the election, to cumulate his votes, that is, every shareholder shall have the right to multiply the number of shares he may be entitled to vote by the number of directors to be elected, and the product shall represent the number of votes he may cast at such election, and he may cast all such votes represented by such product for one candidate or distribute them among any two or more candidates.

No director of the corporation need be a shareholder.

Witness our hands and seals, this 25th day of January, 1939, at Indianapolis, Indiana.

L. W. Holbrook, President,  
George N. Ross, Secretary.

(Duly Acknowledged.)

Allen A. Wilkinson Lumber Co., Inc.

Amended Articles  
of Incorporation.

L. W. Holbrook and George N. Ross of the above named corporation respectfully show that:-

1. The above named corporation was organized or reorganized under, "The Indiana General Corporation Act," approved March 16, 1929, on January 25, 1939.

2. The above named corporation upon the proposal of its Board of Directors by resolution duly adopted by said Board of Directors setting forth the proposed amendment and directing that the same be submitted to a vote of the shareholders entitled to vote in respect thereof at a designated meeting of such shareholders and upon the adoption thereof by said shareholders at said meeting as provided by law and as hereinafter more specifically set out, does now hereby by L. W. Holbrook, its President, and George N. Ross, its Secretary, execute and acknowledge the following:-

Articles of Amendment of its Articles of Incorporation.

Articles 1 and 5 and Paragraph A of Article 6 of the Articles of Incorporation of this Company as restated in its Articles of Reorganization approved and filed by the Secretary of State of Indiana on January 25, 1939, are amended to read as follows:-

1. The name of this corporation shall be, "The Wilkinson Company, Inc."

Misc. Record  
300 page 88  
May 6, 1939  
Recorded  
June 7, 1939

9.

Misc. Record  
 364 page 82  
 Jan. 18, 1945  
 Recorded  
 Jan. 18, 1945

10.

5. The total number of shares into which its capital stock is to be divided is 17,000 consisting of shares as follows:- 17,000 shares having a par value of \$100.00 each, and no shares having no par value.

Each share (whether or not issued and outstanding), of the common stock and each share of the preferred stock authorized immediately prior to the time when these Articles of Amendment to the Articles of Incorporation become effective, shall remain and be a like share of the common stock and a like share of the preferred stock, respectively, after these Articles of Amendment to the Articles of Incorporation become effective.

A. The authorized capital stock of the corporation shall be divided into two classes, 15,000 shares thereof shall be common stock and 2,000 shares shall be preferred stock. The shares of both the common stock and the preferred stock shall have a par value of \$100.00 each.

The amount or number of shares heretofore authorized are as follows:- 7,000 shares, consisting of 5,000 shares of common stock and 2,000 shares of preferred stock, all of the par value of \$100.00 each.

The additional amount or number of shares authorized by this amendment are as follows:-

10,000 shares of common stock -- so that when this amendment becomes effective there shall be 15,000 shares of common stock and two thousand shares of preferred stock, all of the par value of \$100.00 each.

No reduction in the total authorized amount or number of shares is made by this amendment, nor is any change made by this amendment in the authorized shares other than the increase in the number of shares of common stock as stated above.

The Wilkinson Company, Inc.

Articles

The name of this corporation shall be, The Wilkinson Company, Inc.

The purpose or purposes for which it is formed are as follows:-

To carry on the business of wholesaling timber, lumber in various forms and all kinds of building and builders' materials and supplies; to trade and deal, as wholesalers and jobbers, in all kinds of lumber, exterior and interior finish plaster, cement, hardware, paints, roofing, and builders' and building material and supplies; to grow and produce trees and timber suitable for manufacture into lumber; to cut, own and sell wood and timber of every kind and description; to manufacture, produce, buy, sell, deal and trade, at wholesale and at retail, as principal, factor or agent, in all kinds of raw wood, timber, lumber, boards, planks, beams, joists, studding, shingles, lath, doors, windows, exterior and interior finish, plaster, cement, hardware, paints, roofing and builders' and

building materials and supplies; to own, lease, maintain and operate saw mills, planing mills, yards and other means for the manufacture, production, storage or sale of timber, lumber, boards, planks, beams, joists, studding, shingles, lath, doors, windows, exterior and interior finish, plaster, cement, hardware, paints, roofing, and all kinds of builders' and building materials and supplies, and to construct and erect dwellinghouses, either permanent or demountable at any location, and to carry on the business of the construction and erection of any building for residential, commercial, industrial or agricultural purposes, and all appurtenances thereto that may be desirable or necessary, and to do any and all acts necessary to carry on said business of said corporation.

The period during which it is to continue as a corporation is in perpetuity.

The total number of shares into which its authorized capital stock is to be divided is 1,000 consisting of shares as follows:-

1,000 shares without par value. To be issued for such amount of consideration as may be fixed from time to time by the Board of Directors of the corporation.

The amount of paid in capital with which this corporation will begin business is \$500,00.

The number of directors of this corporation shall be five.

The names and addresses of the first board of directors are as follows:-

- Mary E. Stewart, 401 Union Trust Bldg., Washington, D.C.
- Helen S. Devore, 401 Union Trust Bldg., Washington, D.C.
- D. B. Devore, 401 Union Trust Bldg., Washington, D.C.
- L. W. Holbrook, 401 Union Trust Bldg., Washington, D.C.
- Walter R. Foltz, 907 E. Mich., Indpls., Marion Co., Ind.

All meetings of shareholders of the corporation shall be held at such place, whether within or without the State of Indiana, as shall be specified in the by-laws or in the absence of specification in the by-laws, as shall be determined by the Board of Directors. Unless otherwise so specified or determined, meetings of shareholders shall be held at the Principal office of the corporation in the State of Indiana.

In all elections of directors every shareholder shall have the right, after announcement at the meeting in advance of the election, to cumulate his votes, that is, every shareholder shall have the right to multiply the number of shares he may be entitled to vote by the number of directors to be elected, and the product shall represent the number of votes he may cast at such election, and he may cast all such votes represented by such product for one candidate or distribute them among any two or more candidates.

No director of the corporation need be a shareholder.

Misc. Record  
364 page 85  
Jan. 18, 1945  
Recorded  
Jan. 18, 1945

11.

INDIANAPOLIS

Mary E. Stewart,  
Helen S. Devore,  
D. B. Devore,  
L. W. Holbrook,  
Walter R. Foltz.

Affidavit

The amount of paid in capital with which this corporation will begin business is \$500.00 which amount of \$500.00 has been fully paid in.

TITLE

Mary E. Stewart,  
Helen S. Devore,  
D. B. Devore,  
L. W. Holbrook,  
Walter R. Foltz.

Misc. Record  
364 page 79  
Jan. 18, 1945  
Recorded  
Jan. 18, 1945

12.

OF

The Wilkinson Company, Inc.

Change of Name

ABSTRACTS

L. W. Holbrook, President, and George N. Ross, Secretary of the above named corporation, respectfully show that:-

1. The above named corporation was organized or reorganized under, "The Indiana General Corporation Act," approved March 16, 1929 on January 25, 1939, and that Articles of Amendment of the Articles of Incorporation of Allen A. Wilkinson Lumber Co., Inc., were approved and filed in the office of the Secretary of State for the State of Indiana on June 7, 1939.

2. The Wilkinson Company, Inc., the above named corporation upon the proposal of its Board of Directors by resolution duly adopted by said Board of Directors setting forth the proposed change of name and directing that the same be submitted to a vote of the shareholders entitled to vote in respect thereof at a designated meeting of such shareholders and upon the adoption thereof by said shareholders at said meeting as provided by law, and as hereinafter more specifically set out, does now hereby by L. W. Holbrook, its President, and George N. Ross, its Secretary, execute and acknowledge the following:-

Change of Name of Domestic Corporation Under Indiana General Corporation Act of The Wilkinson Company, Inc.

3. Article I of the Articles of Incorporation of the company as restated in its Articles of Reorganization and Articles of Amendment of the Articles of Incorporation approved and filed by the Secretary of State of Indiana on January 25, 1939, and June 7, 1939, respectively, are amended to read as follows:-

(1) The name of this corporation shall be Midland Building Industries, Inc.

The above amendment was adopted in the following manner and by the following vote, to-wit:-

*L. M. Brown Abstract Co.,*

The Board of Directors of said corporation at a special meeting of said board duly held (pursuant to waiver of notice stating the purposes of the meeting, signed by all of the directors) on December 28, 1944 at 10:00 o'clock A.M. at 2030 24th Street N.W., Washington, D. C., adopted the following resolution to change the name of The Wilkinson Company, Inc., a domestic corporation under Indiana General Corporation Act.

Resolved, that this Board of Directors propose, and by the adoption of this resolution this Board of Directors does hereby propose that Article I of the Articles of Incorporation of this corporation as restated in its Articles of Reorganization and Articles of Amendment of the Articles of Incorporation approved and filed by the Secretary of State of Indiana on January 25, 1939 and June 7, 1939, respectively, be amended in such manner that said Article I, when so amended, shall read as follows:-

(1) The name of this corporation shall be Midland Building Industries, Inc.

Be it further resolved, that the proposed amendment and resolution be submitted to a vote of the shareholders entitled to vote in respect thereof at a special meeting of such shareholders to be held on the 28th day of December, 1944 at 2:00 o'clock P.M. at 2030 24th Street N.W., Washington, D.C. And,

Be it further resolved, that a special meeting of the shareholders entitled to vote on said proposed amendment and resolution is hereby called for the 28th day of December, 1944 at 2:00 o'clock P.M. at 2030 24th Street N.W., Washington, D.C., and the Secretary of the company is hereby directed to give notice thereof as required by law or to procure a waiver of notice of said meeting signed by all of the shareholders.

4. At the shareholders meeting the shareholders entitled to vote in respect of said amendment and resolution upon the call, notice and waiver of notice as required by law was duly presented and adopted by the following vote and in the manner set forth in this certificate:-

Number of shares entitled to vote,	10,947 1/2
Number of shares voting in person	
and by proxy in the affirmative,	10,947 1/2
Number of shares voting in the negative,	None.

5. The share voting in respect of the foregoing resolution and amendment were in compliance with the provisions of Section 24 and 25 of the Indiana General Corporation Act, approved March 16, 1929.

In Witness Whereof, the undersigned L. W. Holbrook, President and George N. Ross, Secretary of said corporation have hereunto set their hands and seals, this 18th day of January, 1945.

L. W. Holbrook, President,  
George N. Ross, Secretary.

(Duly Acknowledged.)

13.

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES

MORTGAGES

14.

TITLE

None found unsatisfied of record filed within the period of this search.

MECHANIC'S LIENS

15.

OF

None found unsatisfied of record filed within the period of this search.

JUDGMENTS

16.

ABSTRACTS

Search is made, and strictly limited, for judgments, which may have been entered against the following parties, solely under the names as herein written and not otherwise, and the General Certificate hereto appended is accordingly limited.

Woodcraft Products Corporation, or  
Woodcraft Products Corp., from June 15, 1948 to date.

Allen A. Wilkinson Lumber Co., from June 28, 1938 to January 25, 1939, inclusive.

Allen A. Wilkinson Lumber Co., Inc., from January 25, 1939 to June 7, 1939, inclusive.

The Wilkinson Company, Inc., from May 6, 1939 to January 18, 1945, inclusive.

Midland Building Industries, Inc., from January 18, 1945 to date.

(None found unsatisfied.)

ASSESSMENTS

17.

None found unsatisfied of record which became a lien within the period of this search.

*L. M. Brown Abstract Co.,*



INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co., Inc. Paid as shown year*

**TAXES**

18.

Taxes for year 1946, May Installment, Paid, Nov. Installment, Unpaid & Del.

As shown on record these taxes are now FULLY PAID BY *[Signature]* L. M. Brown Abstract Co. PRES.

19.

Taxes for the year 1947, assessed in the name of Woodcraft Products Corp., are due and payable the first Monday in May and the first Monday in November, 1948.

General Tax Duplicate No. 442568  
Parcel No. 10838

Indianapolis, Center Township

May Installment \$115.86, Unpaid and Delinquent,  
Nov. Installment \$115.86, Unpaid.

As shown on record these taxes are now FULLY PAID BY *[Signature]* L. M. Brown Abstract Co. PRES.

20.

Taxes for the year 1948 became a lien March 1st and are due and payable in May and November of the year 1949.

ATTEST. *[Signature]* IN FULL SINGULAR TITLE CO. BY *[Signature]* PRESIDENT

259207

# CERTIFICATE

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is from **June 15, 1948** to and including **July 1, 1948** and covers Paragraphs No. 1 to **21** both inclusive, and Sheets No. 1 to **21** both inclusive.



L. M. BROWN ABSTRACT COMPANY  
By *Russell A. Jann*  
President & Mgr.

BRK

Established 1868

# L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

259207

## OFFICERS

RUSSELL A. FURR  
PRES. & MANAGER  
VOLNEY M. BROWN  
VICE-PRESIDENT  
FRED G. APPEL  
VICE-PRESIDENT  
CORNELIUS O. ALIG  
TREASURER  
EDSON T. WOOD, JR.  
SECRETARY  
JACOB F. DELKER  
ASST. MGR.

## DIRECTORS

CHAS. R. YOKE  
EDSON T. WOOD, JR.  
FERMOR S. GANNON  
VOLNEY M. BROWN  
FRED G. APPEL  
CORNELIUS O. ALIG  
FRED WUELFING  
ALLAN P. VESTAL  
ALBERT E. UHL  
RUSSELL A. FURR  
SAMUEL S. SUTPHIN  
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

MIDLAND INDUSTRIES, INC.

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond and New Albany.

The undersigned L. M. BROWN ABSTRACT CO., of Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named seven divisions of the United States District Courts for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including July 1, 1948 and all other Divisions of the State of Indiana, down to and including June 26, 1948

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

Woodcraft Products Corporation

Woodcraft Products Corp.

Allen A. Wilkinson Lumber Co.

Allen A. Wilkinson Lumber Co., Inc.

The Wilkinson Company, Inc.

Midland Building Industries, Inc.

Dated ..... July 1, 1948 .....

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*  
President and Manager

BRK

64-17419A

CAPTION

-1-

Continuation of Abstract of Title to Part of Lot Lettered "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said Lot or Block lettered "A" running thence south on the east line of said lot or block, 390 feet to the Southeast corner of said Lot or Block, thence west on the South line of said lot or block, 195 feet, thence northeastwardly on a line to a point in the north line of said lot or block, 103.3 feet west from the said northeast corner of said lot or block, thence east on the north line of said lot or block 103.3 feet to the place of beginning, except that part thereof owned by Indianapolis Southern Railway Company under condemnation proceedings in Cause No. 69205 of the Superior Court of Marion County, Indiana.

Since July 1, 1948.

Prepared For: Midland Building Industries, Inc.

Uniform Commercial Code

-2-

Search has been made of the records in the Office of the Recorder of Marion County, Indiana, which search discloses no financing statements as required by the Uniform Commercial Code (Chapter 317, 1963 Acts of Indiana General Assembly) with respect to any Security Interest in crops or in fixtures containing an adequate description of real estate herein, except none.

-1- scd

64-17419A

Judgment Search

-3-

Examination made for judgments entered against the following named parties, the search being made and limited according to the names exactly as set forth herein and not otherwise:

Midland Building Industries,  
Inc.

for the 10 years  
last past and  
against none other.

-3 1/2-

Judgment for costs in favor of Floyd Janitz vs  
Midland Building Industries, Inc. rendered 3-23-56  
in the Superior Court, Cause no C-6033.  
Order Book 858 page 520.

-4-

Taxes for the year 1962 and prior years paid in full.

-5-

Taxes for 1963 payable 1964 in name of Midland Building  
Industries, Inc.

Duplicate No. 402042, M-N-O, Indianapolis Center  
Township, Code No. 1-01, Parcel No. 10838.

May Installment \$1,219.71 Paid.

November Installment \$1,219.71 Unpaid.

Assessed Valuation:

Land \$8,200.00    Improvements \$19,050.00    Exemptions (None)

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Taxes for 1964 now a lien in name of Midland Building  
Industries, Inc.

64-17419A

INDUSTRIAL ZONING ORDINANCE

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By Ordinance 63-AO-4 adopted November 7, 1963, The Marion County Council amended Ordinance 8-1957, incorporating the Industrial Land Use Map and Industrial Land Use Plan adopted by the Metropolitan Plan Commission for the classification, regulation and development of industrial uses in Marion County, Indiana, including the regulation and limitation of height, area, bulk and floor space of structures, and performance standards, standards of density and traffic distribution therefor.

SECTION 1.00. The following primary INDUSTRIAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County, including the incorporated and unincorporated portions thereof, is hereby classified, divided and zoned into said districts as designated on the INDUSTRIAL ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

- INDUSTRIAL ZONING DISTRICTS
- I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT
- I-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT
- I-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT
- I-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT
- I-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT
- I-2-U LIGHT INDUSTRIAL URBAN DISTRICT
- I-3-U MEDIUM INDUSTRIAL URBAN DISTRICT
- I-4-U HEAVY INDUSTRIAL URBAN DISTRICT

SECTION 2.00 The following regulations shall apply to all land within the INDUSTRIAL ZONING DISTRICTS.

1. With the exception of legally established non-conforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.

2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established non-conforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed 2/3 of the gross floor area of the structures or facilities affected.

3. For purposes of this ordinance, "lot" shall be defined as: any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or parcel of land or site which is occupied, or intended for occupancy by one principal use.

Note: The provisions of the ordinance are too voluminous and detailed to permit adequate reporting herein. This statement is a synopsis only and furnished for general information. For specific details, reference should be had to the complete text of the ordinance.

According to the map filed with the ordinance the real estate described herein appears to lie in District designated I-3-U District.

I-3-U District

64-17419A

SECTION 2.07 I-3-U MEDIUM INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed as an intermediate central city district for industries which are heavier in character than those permitted in the Light Industrial Urban District but which are not of the heaviest industrial types. Because of the nature of these industries, the district will be located away from residential areas and buffered by lighter industrial districts. Where this district abuts residential or business districts, setbacks are large and enclosure of activities and storage is required.

A. PERMITTED I-3-U USES

The following uses shall be permitted in the I-3-U DISTRICT. All uses in the I-3-U DISTRICT shall conform to the I-3-U Development Standards (section 2.07, B hereof) and I-3-U Performance Standards (section 2.07, C hereof).

The following I-3-U uses may also include (as accessory or incidental uses thereto) any of the I-4-U DISTRICT uses specified in section 2.07 A, provided that:

(a) Not more than 25 per cent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said I-4-U uses,

(b) Said I-4-U uses shall conform with all I-3-U Development and Performance Standards, and

(c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.

1. Any use permitted in the I-2-U District.
2. Manufacture and assembly of marine equipment.
3. Canning, bottling, processing, and packaging of food. (Does not include slaughtering of animals or fowl.)
4. Can and container manufacturing.
5. Coffee roasting.
6. Cabinet manufacturing; furniture manufacturing.
7. Manufacture and assembly of major electric and/or gas household appliances.
8. Manufacture of colors, dye, paint, and other coatings, excluding tar products.
9. Manufacture and assembly of communication equipment.
10. Electroplating operations.
11. Manufacture of tools and implements, machinery and machinery components.
12. Manufacture of oleomargarine.
13. Manufacture and assembly of office equipment.
14. Manufacture of musical instruments.
15. Stamping and fabricating metal shops using press, brakes and rolls.
16. Manufacture of malt products; brewing, distillation of liquor and spirits.
17. Machine, welding, tool and die shops.
18. Thermal, electric, steam and/or atomic power plants.
19. Manufacture of glass and glass products.
20. Motor truck terminals less than 10 acres in total area and subject to the regulations of section 2.11, 9.
21. Paper manufacturing.
22. Grainaries, grain processing, starch manufacturing.

RESOLUTION ADOPTING EXISTING MASTER PLANS AND MAKING  
RECOMMENDATIONS TO THE MARION COUNTY COUNCIL

-8- Be it resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in order to consolidate the various existing Master Plans and Zoning and Subdivision control Ordinance now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana, The Metropolitan Plan Commission of Marion County, Indiana, adopts all existing Master Plans now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana.

And to the end that adequate light, air, convenience of access and safety from fire, flood, and other danger may be secured, that congestion in the public streets may be lessened or avoided, that property values may be preserved, and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted, be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that it recommends to The Marion County Council the adoption by it without amendment of all existing zoning and Subdivision control ordinances now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana.

And be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in case any lands within Marion County, Indiana, are not zoned by existing Zoning Ordinances, The Metropolitan Plan Commission of Marion County, Indiana, recommends that the resolution to be adopted by the Marion County Council pursuant to Section 5 of Chapter 184 of the Acts of 1957, set forth the following residential or agricultural zoning classifications for such unzoned land.

If such lands lie inside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned R-3 as that classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance, and

If such lands lie outside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned A-2 as that classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance,

said existing Marion County Master Plan Permanent Zoning Ordinance being one of the aforesaid existing zoning ordinances now in force in Marion County, Indiana, which The Metropolitan Plan Commission of Marion County, Indiana, hereby recommends to The Marion County Council for adoption by it without amendment.

NOTE: Above resolution passed by The Metropolitan Plan Commission of Marion County, at its regular meeting, held March 27, 1957, and certified to the Marion County Council by the Secretary of the Metropolitan Plan Commission and adopted by said Marion County Council as Ordinance #8, 1957.

Effective March 28, 1957.

Copy of above resolution recorded April 1, 1957 in Town Lot Record 1657, page 486.



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July 14, 1964. We hereby certify that no Variance has been granted by the Board of Zoning Appeals of the City of Indianapolis and/or Marion County; affecting the use of the real estate described in the caption hereof, except the following item:

VARIANCE

Case No. 22  
Year 1947

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Records in the Office of City Plan Commission shows that the Board of Zoning Appeals, at its meeting held January 13, 1947 granted a Petition to permit the construction and operation of a woodworking mill, employing the use of motors in excess of three horse-power, at 314 Wilkens Street.

EXCERPTS OF THE "AIRPORT DISTRICT ORDINANCE", ADOPTED BY THE MARION COUNTY COUNCIL, SEPTEMBER 4, 1963.

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by The Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended by the addition of the following provisions:

**SECTION 1.01 AIRPORT DISTRICT**

An AIRPORT DISTRICT, a secondary zoning district, is hereby established for Marion County, Indiana. The AIRPORT DISTRICT shall consist of two parts, the "Airport Approach Area" and the "Airport Circling Area" as each is defined in this ordinance and indicated on the Airport District Map for each public airport (which Map dated November 7, 1962 is a part of this ordinance and incorporated herein by reference).

All land so defined and indicated is hereby zoned and classified as the AIRPORT DISTRICT.

**SECTION 2.01 AIRPORT DISTRICT REGULATIONS**

The following regulations shall apply to land within the Airport District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to said land, and in case of conflict, the more restrictive regulations shall control.

**1. USE**

Within that part of the Airport Approach Area of the Airport District within a horizontal radius of 10,000 feet from the airport reference point, as defined in this ordinance, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, public auditorium, theater, public assembly hall, public swimming pool, picnic grounds, carnival, amusement park, penal institution or sports arena.

**2. HEIGHT**

a. Within the Airport Circling Area and the Airport Approach Area, of the Airport District, no projection of any building, structure, or plant growth hereafter constructed, located or grown, or of any existing building, structure, or plant growth hereafter reconstructed, relocated or enlarged shall penetrate above the approach surfaces, the runway surfaces, the transitional surfaces, the horizontal surface, or the conical surface, whichever is more restrictive.

b. Provided, however, projections may extend to a maximum height of 50 feet above the established airport elevation.

**3. PERFORMANCE STANDARDS**

The following performance standards shall apply within the Airport Circling Area and the Airport Approach Area, of the Airport District, except that part of the Airport Area whose horizontal distance from the airport reference point is greater than the radius of the Airport Circling Area:

Interference with Communication

No use shall create interference with any form of communication whose primary purpose is for air navigation.

Smoke, Dust and Particulate matter

(1) No use shall create or emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the United States Bureau of Mines.

(2) No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the visibility of air crews using the airport in landing, taking off, or maneuvering of aircraft.

NOTE: COPIES OF MAP ABOVE REFERRED TO BEING A DISTRICT MAP FOR INDIANAPOLIS (WEIR COOK) MUNICIPAL AIRPORT ARE ON FILE IN THE OFFICE OF THE METROPOLITAN PLANNING DEPARTMENT: ALSO A COPY FILED OCTOBER 7, 1963, AS INSTRUMENT #59018, IN THE MARION COUNTY RECORDER'S OFFICE.

# GUARANTEED CERTIFICATE

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STATE OF INDIANA }  
 COUNTY OF MARION } ss:

The undersigned hereby certifies, guarantees and warrants to whoever relies upon this certificate, and this certificate inures to the benefit of the present and all future persons in interest and runs with the real estate described in the caption hereof.

**FIRST** That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, and notices of liens for Old Age Assistance entered in the Abstract of Old Age Certificate in said Office, affecting the title to the real estate described in the Caption hereof.

That all instruments abstracted herein appear regular in form, execution, and acknowledgment, unless otherwise noted.

**SECOND** That there are no wills, estates, nor guardianships affecting the title to the real estate described in the caption hereof, except as shown herein.

That there are no notices of Lis Pendens filed in the Lis Pendens Records of Complaints and Attachments, and no judgments against, nor any Recognizance or Replevin Bail signed by any of the parties named above under the caption of judgment search which are now liens upon the real estate described in the caption hereof, as appears from the General Judgment Dockets of the Criminal, Circuit, Juvenile, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, nor any transcripts of judgments of the United States Courts filed in the Office of the Clerk of the Circuit Court of Marion County, as said records and dockets are now entered up, except as herein set out.

**THIRD** That according to the current tax duplicates and special tax duplicates, and the municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes, ditch assessments nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

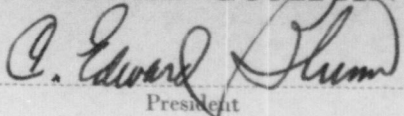
**FOURTH** That there are no liens for unpaid unemployment compensation taxes nor for unpaid gross income taxes as shown by warrants docketed in the judgment docket in the Office of the Clerk of the Circuit Court, nor for unpaid taxes on intangibles entered upon the duplicates for omitted taxes in the Office of the County Treasurer, against any of the parties named above under the Caption of Judgment Search entered within the periods designated in said Judgment Search.

The period of search of the General Judgment Dockets is specifically set forth in the judgment caption and as to all other matters the period of search covered by this abstract is from the date set out in the caption hereof to the date of this certificate, both inclusive, and the foregoing recitals relates and our liability hereunder is limited to matters filed or entered of record within such period.

This certificate covers entries Nos. 1 to 12 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 8 both inclusive.

Dated at Indianapolis, Indiana, August 3, 1964, 8 A.M.

**UNION TITLE COMPANY**

by  President

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# UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

MEIrose 2-2361

Capital Stock \$1,000,000.00

## 64-17419A UNITED STATES DISTRICT COURTS OF INDIANA

### SOUTHERN DISTRICT

Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

### NORTHERN DISTRICT

South Bend Division  
Hammond Division  
Fort Wayne Division  
Lafayette Division

### SEARCH FOR PENDING BANKRUPTCIES INTERNAL REVENUE TAX LIENS

Prepared for: Midland Building Industries, Inc.

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no transcripts of judgments of the United States Courts filed in the office of the Clerk of the Circuit Court of Marion County, Indiana; that there is no notice of lien for unpaid internal revenue taxes or notice of income tax lien constituting a lien on real estate prior to March 4, 1925, the date of the Indiana Recording Act, that there is no notice of lien filed in the Federal Tax Lien Index in the office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the eight divisions of the Federal Courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:

Examination made against the parties named below, the search being made and limited according to the names exactly as set forth herein and not otherwise:

This certificate covers all divisions of both Districts of the State down to and including

July 22, 1964, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

July 23, 1964, 8 A.M.

Midland Building Industries, Inc.

UNION TITLE CO.

BY: *C. Edward Blum*  
PRESIDENT

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