

65 48576

WARRANTY DEED

CODE 0536
PROJECT 1-70-3(52)
PARCEL 3

Check

This Indenture Witnesseth, That

80-110-75

Strohm Warehouse and Cartage Company, Inc., an Indiana corporation

of Marion County, in the State of Indiana
Convey and Warrant to the STATE OF INDIANA

of County in the State of Indiana for and in consideration
of TWO HUNDRED TWENTY THOUSAND AND 00/100 (\$220,000.00) Dollars
the receipt whereof is hereby acknowledged, the following described Real Estate in Marion
County in the State of Indiana, to-wit:

LOTS 14, 15, 16, 17, 18, AND 19 IN BALLWEG AND COMPANY'S - McCARTY'S SUBDIVISION OF THE WEST PART OF OUT LOT 120 OF THE DONATION LANDS OF THE TOWN, NOW CITY OF INDIANAPOLIS, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 10, PAGE 175 IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, TOGETHER WITH SUCH STRIPS OF GROUND AS MAY HAVE BEEN ADDED OR BECOME APPURTENANT TO SAID LOTS BY REASON OF THE VACATION OF PUBLIC HIGHWAYS. EXCEPTING, HOWEVER, FROM THE PREMISES AFORESAID ALL RAILWAYS AND RAILWAY PROPERTY RIGHTS.

RECEIVED FOR RECORD
1965 SEP 23 AM 9:07
MARCIA M. HAWTHORNE
RECORDER OF MARION COUNTY



DULY ENTERED
FOR TAXATION

SEP 23 1965

John T. Sutton
COUNTY AUDITOR



242.00

Paid by Warrant No A 063861

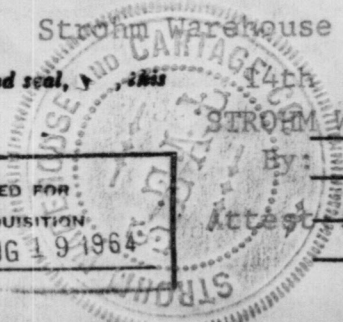
Dated 9-14-1965

THE GRANTOR SHALL PAY ALL TAXES THAT ARE NOW A LIEN, AND 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.

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.

In Witness Whereof, the said Strohm Warehouse and Cartage Company, Inc. has hereunto set its hand and seal, this 14th day of July 1965

THIS INSTRUMENT PREPARED FOR
THE DIVISION OF LAND ACQUISITION
BY L.W. King AUG 19 1964



By: B.A. Strohm (President)
Attest: Helen S. Pidgeon (Secretary)
HELEN S. PIDGEON (SEC)

J.L.O.
7-21-65
EAR
8-10-65

65 48576

AUG 9

WARRANTY DEED

DUFROMENTERED
FOR TAXATION

SEP 23 1965

John T. Sutton
COUNTY AUDITOR

Received for record this _____

day of _____, 19____

at _____ o'clock _____ m., and

Recorded in Book No. _____ page _____

Recorder _____ County _____

Duty entered for taxation this _____

day of _____, 19____

Auditor's fee \$ _____

Auditor _____ County _____

BERBAUGH ENGINEERING SUPPLY CO.
INDIANAPOLIS

State Highway 9

65 48576

My Commission expires _____

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

_____ in the above conveyance, and acknow-
ledged the same to be _____

_____ personally appeared the within named
_____ A. D. 19____

Before me, the undersigned, a Notary Public in and for said County and State, this _____
_____ State of Indiana, _____ County, ss:

My Commission expires _____

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

_____ in the above conveyance, and acknow-
ledged the same to be _____

_____ personally appeared the within named _____
_____ A. D. 19____

Before me, the undersigned, a Notary Public in and for said County and State, this _____
_____ State of Indiana, _____ County, ss:

and Garage Company, Inc. by B. H. Strohm, its President and Helen S. Strohm Warehouse
Secretary

Marion

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

September 15, 1965

19

To

Strohm Ware House &
Cartage Co., Inc.

359 West Ray St.

Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A 063862 9/14/65 19
in settlement of the following vouchers:

DESCRIPTION	AMOUNT	
<p><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 July 14, 1965 Parcel 3</p>	28000	00
esc.		

PLEASE RECEIPT AND RETURN

Received Payment:

Strohm Warehouse Co

Date:

Sept 21-1965

Strohm Pres

Control

APPRAISAL REVIEW FORM
Division of Land Acquisition
Indiana State Highway Commission

Project I-70-3(S2)
Parcel No. 3
Road F-70
County Marion
Owner Stratton Warehouse & Storage Co.
Address 359 W. Kay St.
Address of Appraised Property: 359 W. Kay 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 10, 1965 and familiarized myself with the Parcel.
9. The computations of this parcel have been checked and reviewed. see attachment
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 October 31, 1964 :
(Date)

- (a) The fair market value of the entire property before the taking is: \$ 220,000.00
- (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 \$ 220,000.00

(1) Land and/or improvements	\$ <u>220,000.00</u>
(2) Damages	\$ <u>0</u>
(3) Other damages and/or temp. R.O.W.	\$ <u>0</u>
(4) Estimated Total Compensation	\$ <u>220,000.00</u>

APPROVED BY:

Approved	Date	Signed
Rev. Appr.	6-25-65	<i>[Signature]</i>
Asst. or Chief Appr.	6-28-65	<i>[Signature]</i>

N65

(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 # 3 COUNTY MARION

NAME & ADDRESS OF OWNER STROMM WAREHOUSE
359 WEST RAY PHONE # ME 5-5513

NAME & ADDRESS OF PERSON CONTACTED MR. BUENETT A STROMM PRINCIPAL STOCK HOLDER
AND PRESIDENT 359 WEST RAY PHONE # _____

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

DATE ASSIGNED 7-6-65 DATE OF CONTACT 7-12-65

OFFER \$ 220,000⁰⁰ TIME OF CONTACT 11:05 AM

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

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

REMARKS: #7 MR STROMM WILL MAIL IN 6513 TAX REC FOR XEROX AND RETURN
TO HIM. DISCUSSED ABOUT SUBJECTS - ARE STRE

MADE DEFER- MR STROMM WOULD LIKE MORE TIME
TO CONSIDER AND DISCUSS THE MATTER WITH HIS
ATTORNEY AND OTHERS.

I LEFT WARRANTY DEED ^{AND} AGREEMENT FOR POSSESSION
WITH MR STROMM B.H. Strom Pres Stromm Warehouse Co.

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

Distribution Made

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

CLAWICK G HALL
1105 STATE OFFICE BLDG

ME 3-6630

Clawick G Hall
(Signature)

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. I-70

PROJ. I-70-3 (52)

COUNTY Marion

Names on Plans _____

Names in Trans Book _____

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Lots 14 to 19 incl. Ballweg & Co's 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 () LIS PENDENS RECORD Yes () None ()

MISCELLANEOUS RECORD Yes () None () EASEMENTS Yes () None ()

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

TAXES Current Paid () 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.

UNION TITLE CO.

Dated this 28th day of July 195 1965 BY C. Edward Blinn
Abstractor

Prel. Approval of Title _____ Date _____ BY _____
Deputy Attorney General

Final approval of Abstract of Title _____ BY _____
Date _____ Deputy Attorney General

65-15841A

The following is an Extension of the original search by Union Title Company under No. 64-17773A.

CAPTION

-1-

Continuation of Abstract of Title to Lots 14 to 19 both inclusive in Ballweg and Company's Ray Street Subdivision of the West part of Block A in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175, in the Office of the Recorder of Marion County, Indiana.
Since August 4, 1964, 8 A.M.

Prepared For: Indiana State Highway Commission
Division of Land Acquisition

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".

65-15841A

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:

Strohm Warehouse and
Cartage Company
and
Strohm Warehouse and
Cartage Co., Inc.

from August 4, 1964,
8 A.M. to date and
against none other

-4-

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

-5-

Taxes for 1964 payable 1965 in name of Strohm Warehouse and Cartage Company.

Duplicate No. 354145, Indianapolis, Center Township, Code No. 1-01, Parcel No. 5954.

May Installment \$2,871.94 Paid.

November Installment \$2,871.94 Unpaid.

Assessed Valuation:

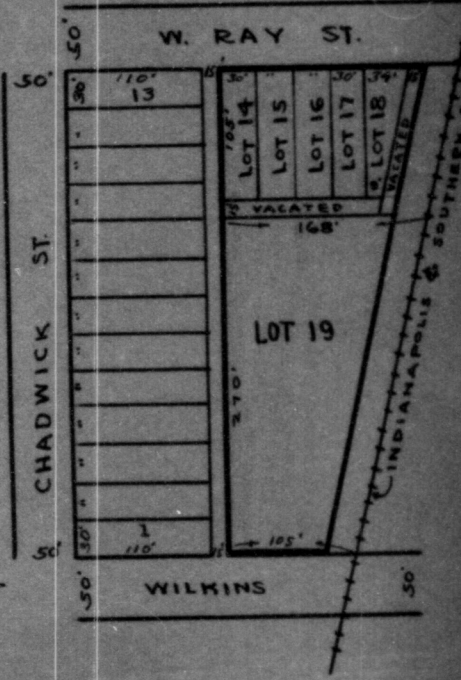
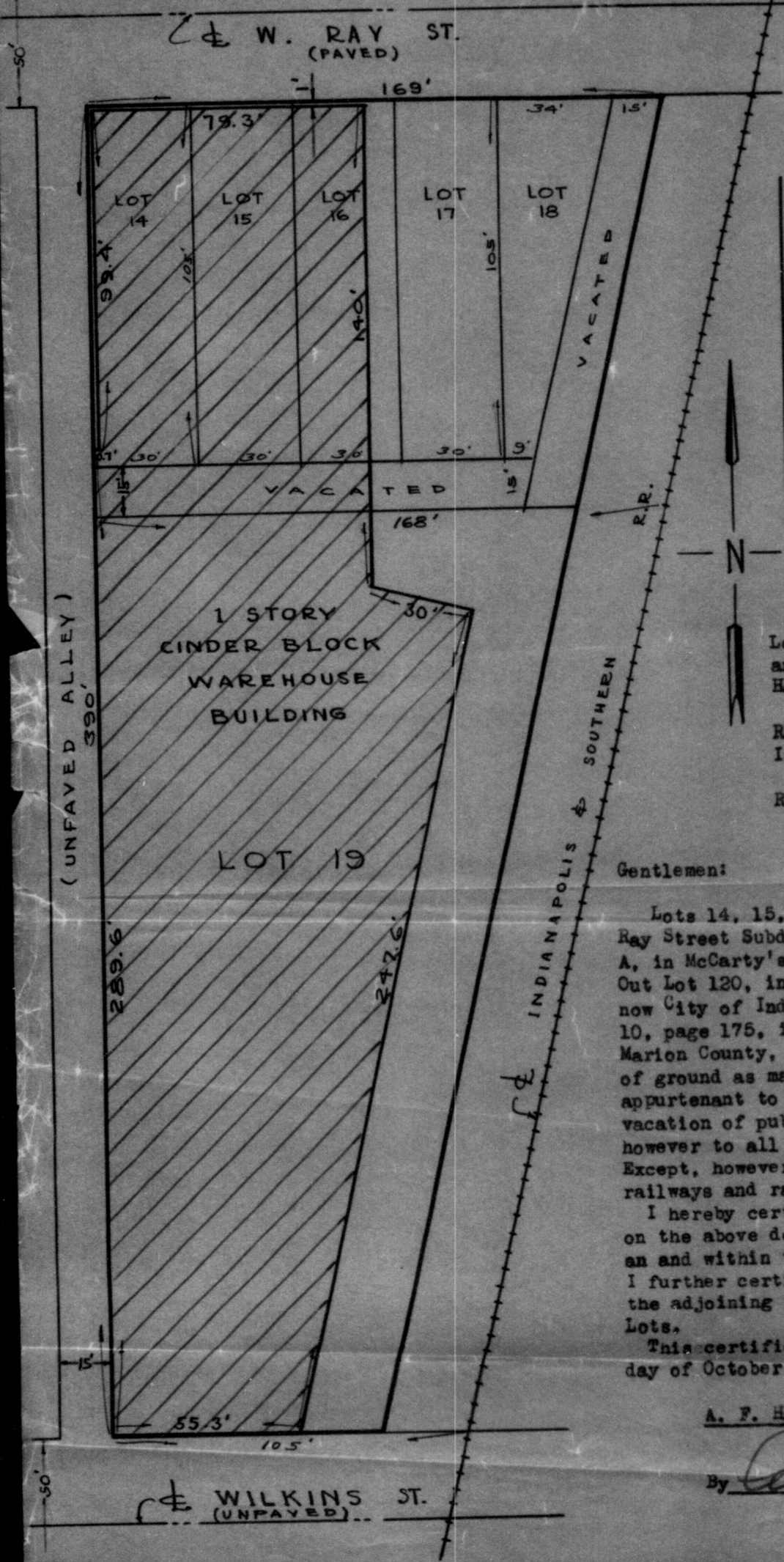
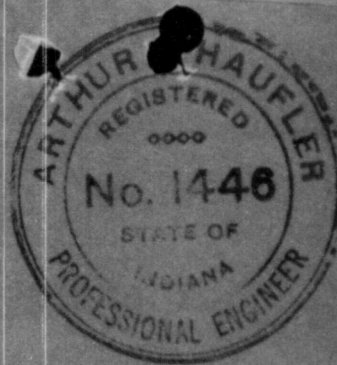
Land \$7,560.00 Improvements \$54,030.00 Exemptions (None)

-6-

Taxes for 1965 now a lien in name of Strohm Warehouse and Cartage Company.

NOTE: SURVEYS NOT SHOWING STAKES OR PIPE CAN NOT BE USED FOR BUILDING LINES OR SETTLING PROPERTY LINE DISPUTES

ARTHUR F. HAUFLE
 CIVIL ENGINEER & SURVEYOR
 327 PEOPLES BANK BUILDING
 INDIANAPOLIS, INDIANA
 TELEPHONE MA. 8003



Lots 14, 15, 16, 17, 18, 19, in Ballweg and Co's Ray Street Subdivision, House # 359 W. Ray Street

Railroadmen's Fed. Sav. & Loan Indianapolis, Indiana

Re: Strohm Warehouse and Cartage Loan # New loan -Dept. Legal

Gentlemen:

Lots 14, 15, 16, 17, 18, 19, in Ballweg and Co's Ray Street Subdivision of the West part of Block A, in McCarty's Subdivision of the West part of Block 120, in the Donation Lands of the Town now City of Indianapolis, recorded in plat book 10, page 175, in the office of the Recorder, Marion County, Indiana, together with such other of ground as may have been added or become appurtenant to said lots by reason of the vacation of public highways, same being subject however to all legal highways or rights of way. Except, however, from the premises aforesaid, railways and railway property rights.

I hereby certify that the buildings situated on the above described real estate are located on and within the boundaries of said premises. I further certify that the buildings located on the adjoining property do not encroach upon said lots.

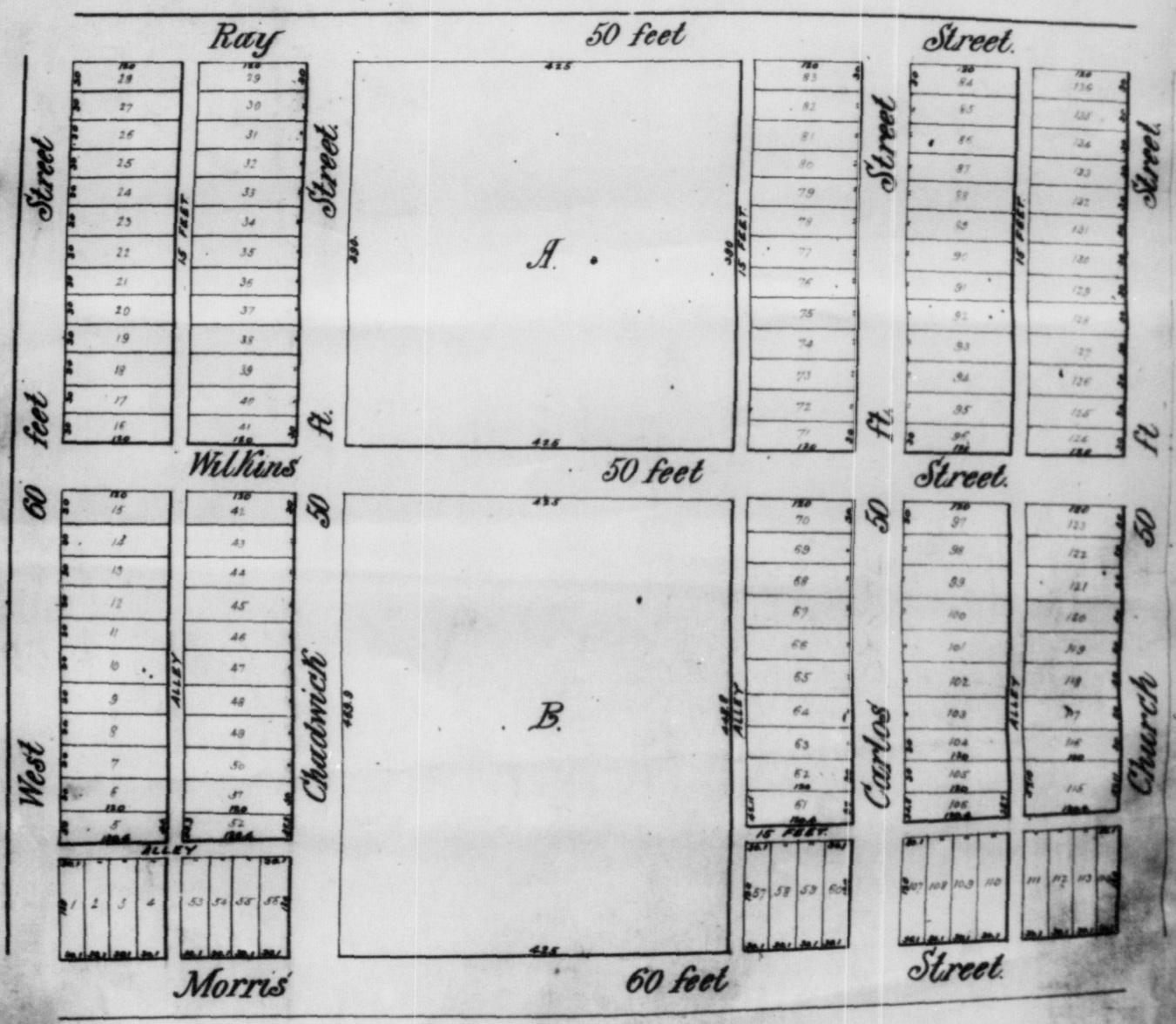
This certification was made by me this 23rd day of October, 1948.

A. F. Haufle,

By *Arthur F. Haufle*

McCartys Sub 6 L 120

See Town Plat Record of 250 page no. 1
for location of al. S. of Wilkins St. fr. W. Pt. of Chadwick St. to E. Pt. of al. S. of Chadwick St. See T. L. 808 pg 524



1-30

FENTON, STEERS, BEASLEY & KLEE
ATTORNEYS AT LAW
108 EAST WASHINGTON BUILDING
INDIANAPOLIS, INDIANA

HARRY A. FENTON
1875-1932
EDWIN STEERS
BERT BEASLEY
ANTHONY J. KLEE
JAMES C. JAY
ARTHUR J. SULLIVAN
C. TOM JOHNSON
EDWIN K. STEERS

TELEPHONES
LINCOLN 4405-4406

March 22, 1947

Mr. Ira C. Strohm,
230 West McCarty St.,
Indianapolis, Indiana.

Dear Sir:

We have examined the abstract of title prepared by L. M. Brown Abstract Company, dated March 13, 1947, to the following described real estate situate in Marion County, Indiana, to-wit:

Lots numbered Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), and Nineteen (19) in Ballweg and Company's McCarty's Subdivision of the west part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis, the plat of which is recorded in Plat Book 10, page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting however, from the premises aforesaid, all railways and railway property rights.

From the examination of such abstract of title we are of the opinion that on March 13, 1947, the date of the abstracter's certificate, title to said real estate in fee simple was vested in Leo Cohn an undivided one-fourth interest, Louise Cohn an undivided one-fourth interest, and Herbert Cohn, an undivided one-half interest, and that they had a merchantable title thereto, subject to the following:

Obtain Plat.

+ 1. Entry 11, page 4, recites that the plat of McCarty's Subdivision is annexed to the abstract. No such plat is annexed to the entry. A copy of the plat should be inserted in this abstract of title.

*Copy of title
be attached*

+ 2. At Entries 13 and 14, pages 5 and 6, reference is made to conveyances by Nicholas McCarty and others to Frederick W. Ballweg and William Blizard, by conveyances dated May 10, 1892 and January 11, 1893 respectively. It appears that the conveyance was by Nicholas McCarty, attorney-in-fact. There is no such power of attorney set out in the abstract. A copy of such power of attorney, if of record authorizing the second mentioned conveyance, should be made a part of this abstract of title.

3. Entry 14, page 6, shows a recital in the deed of conveyance stating that such conveyance is subject to two mortgages dated May 10, 1892. Neither the mortgages nor any satisfaction appear in the abstract.

4. Entry 20, page 8, shows condemnation proceedings for a railroad right of way acquired by Indianapolis Southern Railway. The complaint in the condemnation proceedings is dated May 31, 1905 and the judgment appropriating the right of way is dated October 7, 1905.

*Copy agreement
to be sent*

5. Entry 22, page 16, contains a reference to a contract pertaining to a spur track on the ground of Ballweg and Company. The entry contains the statement: "See Instrument for details. See also a plat of said track in Plat Book 15, page 76." It does not sufficiently appear what right, if any, the Railroad may now have under the terms of such contract. Subsequent conveyances make reference to such contract. In order to ascertain the location of spur track, a copy of the plat referred to should be embraced in this abstract of title.

*See for
resolution
check the
records of
no resolution
on record*

+ 6. Ballweg and Company conveyed real estate in question to Board of School Commissioners of the City of Indianapolis by deed dated November 30, 1915. See page 19. There is no copy of any resolution authorizing the conveyance by the corporation. The abstract should contain some satisfactory showing that the conveyance was duly authorized. If an appropriate resolution is available from the records of the Corporation, such resolution should be placed of record and inserted in the abstract.

7. Page 20 shows proceedings purporting to vacate alleys adjoining the real estate in question. However, sub-

Legal opinion

sequent conveyances recited that they are made subject to all legal highways. It should be ascertained whether the public still exercises any rights in respect to the alleys, in question.

Title Co. OK

8. Entry No. 4, page 24, refers to unpaid installment of a municipal assessment.

Note the limitations

9. The Zoning Ordinance set out at page 34 shows that the real estate in question is subject to such Zoning Ordinance, the real estate being within Class U-4 Industrial District, Class H-2, an 80-foot height limit, and Class A-4 limitation respecting area for family residences.

Let info from Lee Affiant from Colm

10. Entry 7, page 39, shows a mechanic's lien for the sum of \$1202.00, filed April 17, 1945. However, no suit has been instituted to enforce this lien.

11. Taxes for the year 1946 unpaid, May installment \$315.87 and November installment of like amount. Taxes for the year 1947 became a lien March 1, 1947.

Review with Steers

12. This opinion does not pass upon location of boundary lines fences or markers, if any. There is some uncertainty and indefiniteness as to boundary lines because it is not clear whether the right of the public to use certain alleys has been excluded. It is, therefore, suggested that a survey be made to ascertain the boundary lines and that corners be definitely located and the survey placed upon record, and brought into the abstract. Before accepting title there should be submitted the proper vendor's affidavit respecting existence of liens, encumbrances and leases, if any, not shown of record, and rights of possession of persons, if any, in possession.

13. The deed should contain the customary citizenship clause.

Respectfully submitted,

FENTON, STEERS, BEASLEY & KLEE,

BY

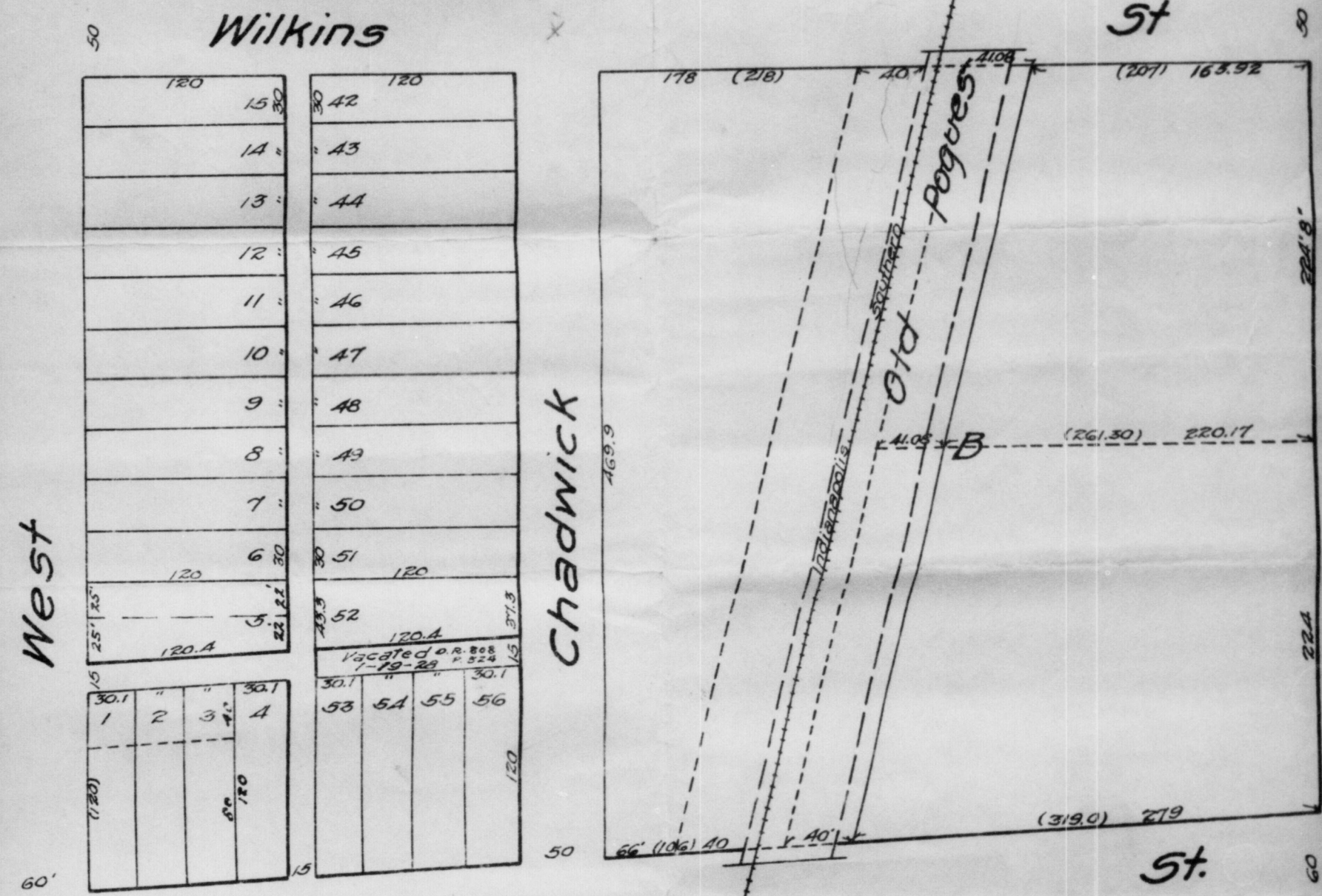
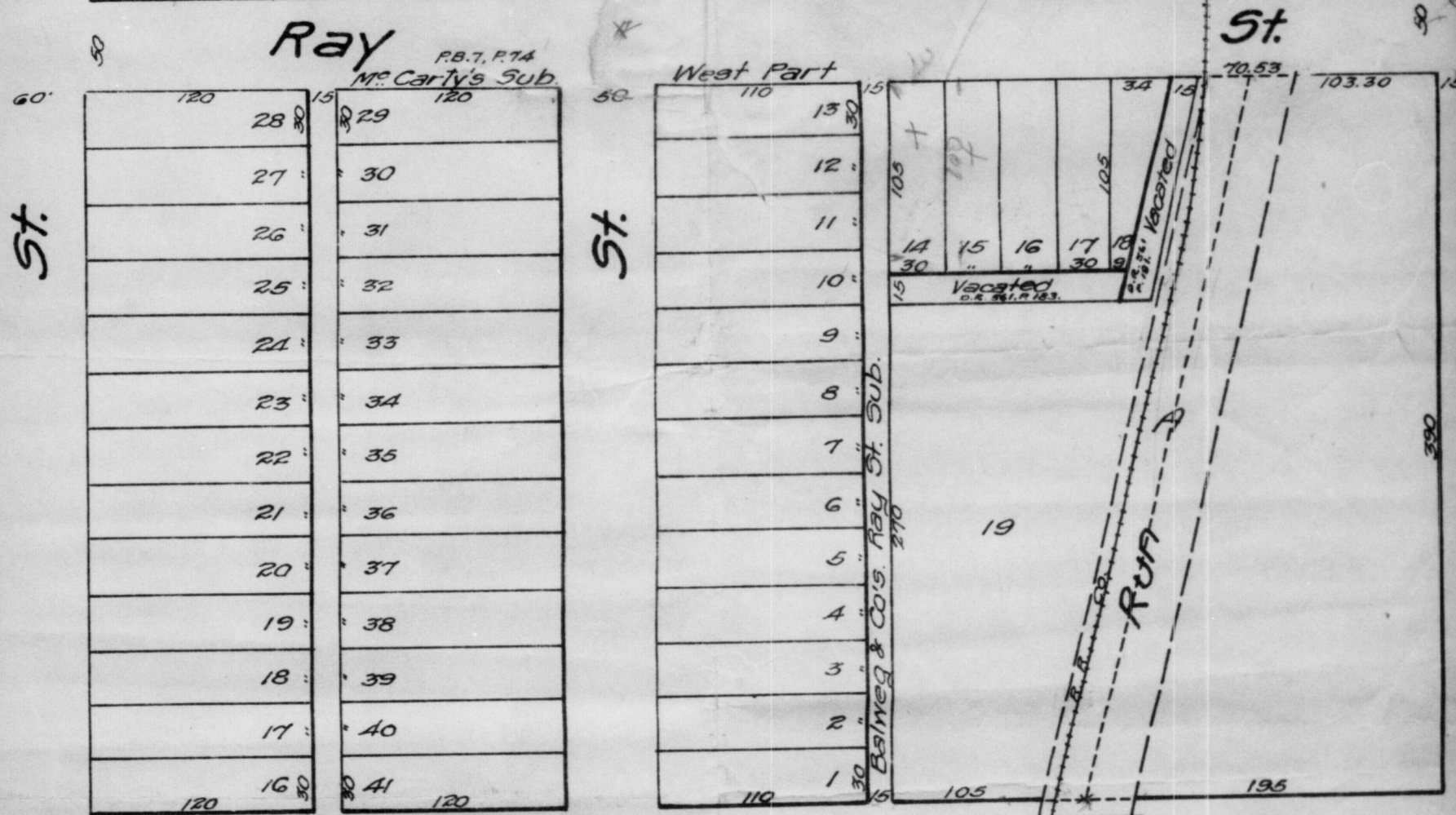
Fert. Beasley

BB:HD

W. Pt. OUT Lot N^o 120.

McCarty

**359*



Morris

FLETCHER SAVINGS AND TRUST COMPANY,

LOAN No. 8 2 7 8.

Indianapolis, Indiana.

Indianapolis, Ind. July 24, 1929.

Gentlemen: I have examined the attached abstract of title to real estate in MARION COUNTY, INDIANA, described below, prepared by Union Title Co. Inc.

to date of July 8, 1929, ~~together with~~

~~attached thereto~~, and am of the opinion that the same shows the fee simple title of said real estate on said date good of record and sufficient for a loan in

DESCRIPTION:

SAMUEL FALENDER, *Callie*
JULIUS FALENDER, *Callie*
LOUIS FALENDER.

Lots numbered 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West Part of Block "A" in "McCarty's Subdivision of the West Part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis; the plat of which appears of record in the Office of the Recorder of Marion County, Indiana, in Plat Book 10, at page 175 thereof; together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject, however, to all legal highways or rights of way. Excepting, however, from the premises aforesaid, all railways and railway property-rights.

LAW OFFICES OF
FRANK MELLIS
515-17 INDIANA TRUST BLDG.
INDIANAPOLIS, IND.

July 22, 1929.

Mr. Robert Beilach,
City.
Dear Sir:

This is to certify that I have examined abstract of title to the following described real estate in Marion County, in the State of Indiana, to-wit: Lots Numbered 14, 15, 16, 17, 18, and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation lands of the city of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 10 at page 175, and from such examination I am of the opinion that on July 8, 1929, Samuel Falander, Julius Falander and Louis Falander, held a good and sufficient fee simple title to said real estate as tenants in common, as shown by abstract of title prepared and certified to on July 8, 1929, by the Union Title Company, subject to the following liens and encumbrances.

1. Attention is called to a lease with option to purchase this property by the said owners to Ray St. Coal Company, C. G. Logan and F. C. Smith, dated February 8, 1923 and recorded March 30, 1923, in Misc. Record No. 136 page 213, in the records in the Recorder's office of Marion County, Indiana. This lease with option should be properly released in the Recorder's Office by all of the parties.
2. Barrett Law Assessment for Walks and Lawns in Ray Street. Lots 16 and 17 herein assessed for \$36.84, each. Lot 18 herein assessed for \$49.67 all payable in 10 annual instalments and interest, payable semi-annually in May and November of each year. Now 7/10 paid up to and including May 1929, instalment.
3. Barrett Law Assessment for pavement in Ray Street. Lot 14 herein assessed for \$146.01. Lots 15, 16 and 17 herein assessed for \$138.30, each. Lot 18 herein assessed for \$225.89, and Lot 19 herein assessed for \$20.93 all payable in 10 annual instalments and interest, payable semi-annually in May and November of each year. Now 7/10 paid up to and including May 1929.
4. Attention is hereby called to Resolution No. 13258 for White River Flood Prevention, Adopted Feb 2, 1927, for which this property may be assessed.
5. Taxes for the year 1928, First instalment paid, 2nd instalment of \$142.29 unpaid, and payable in November 1929.
6. Taxes for year 1929, now a lien, but not payable until 1930.

FLETCHER SAVINGS AND TRUST COMPANY,

LOAN No. 8 2 7 8.

Indianapolis, Indiana.

Indianapolis, Ind. July 24, 1929.

Gentlemen: I have examined the attached abstract of title to real estate in MARION COUNTY, INDIANA, described below, prepared by Union Title Co. Inc.

to date of July 8, 1929, ~~together with~~

~~attached thereto~~, and am of the opinion that the same shows the fee simple title of said real estate on said date good of record and sufficient for a loan in

DESCRIPTION:

SAMUEL FALENDER, *Belle*
JULIUS FALENDER, *Belle*
LOUIS FALENDER.

Lots numbered 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West Part of Block "A" in McCarty's Subdivision of the West Part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis; the plat of which appears of record in the Office of the Recorder of Marion County, Indiana, in Plat Book 10, at page 175 thereof; together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject, however, to all legal highways or rights of way. Excepting, however, from the premises aforesaid, all railways and railway property-rights.

Said real estate is encumbered with the following liens:

1. Taxes:---Second installment of taxes for 1928.

2. Mortgages: N o n e.

3. Assessments:--Resolution 13258, page 25.

-Walks and Lawns in Ray Street, Book 277, page 300, \$36.84, \$36.84, \$49.67,
7/10 paid, page 24.

-Pavement in Ray Street, Book 277, page 361, \$146.01, \$138.30,
\$138.30, \$138.30, \$225.89, \$20.93, 7/10 paid, page 25.

4. Miscellaneous: -Lease with option to purchase, page 23.

-Contract re Spur Track, Miscellaneous Record 60, page 280,
see page 16.

The following objections should be satisfied in the manner indicated:

5.-----Abstracter set out articles of incorporation referred to
at item 18, page 7.

6.-----Evidence should be procured that Ballweg & Co. (page 19)
had no outstanding preferred stock on November 30, 1915.

Very truly yours,

Richard F. Mills
A t t o r n e y.

LAW OFFICES OF
FRANK MELLIS
515-17 INDIANA TRUST BLDG.
INDIANAPOLIS, IND.

Mr. Robert Beilach, No. 2.

7. Judgments are liens from the time of rendition. The abstractors only certify as to such judgments as have been entered upon the judgment docket.

8. Mechanics and material men have sixty days in which to file liens upon real estate for work done or material furnished on said real estate.

12. ALL PROPERTY IS PURCHASED SUBJECT TO THE RIGHTS OF THE PARTIES IN POSSESSION.

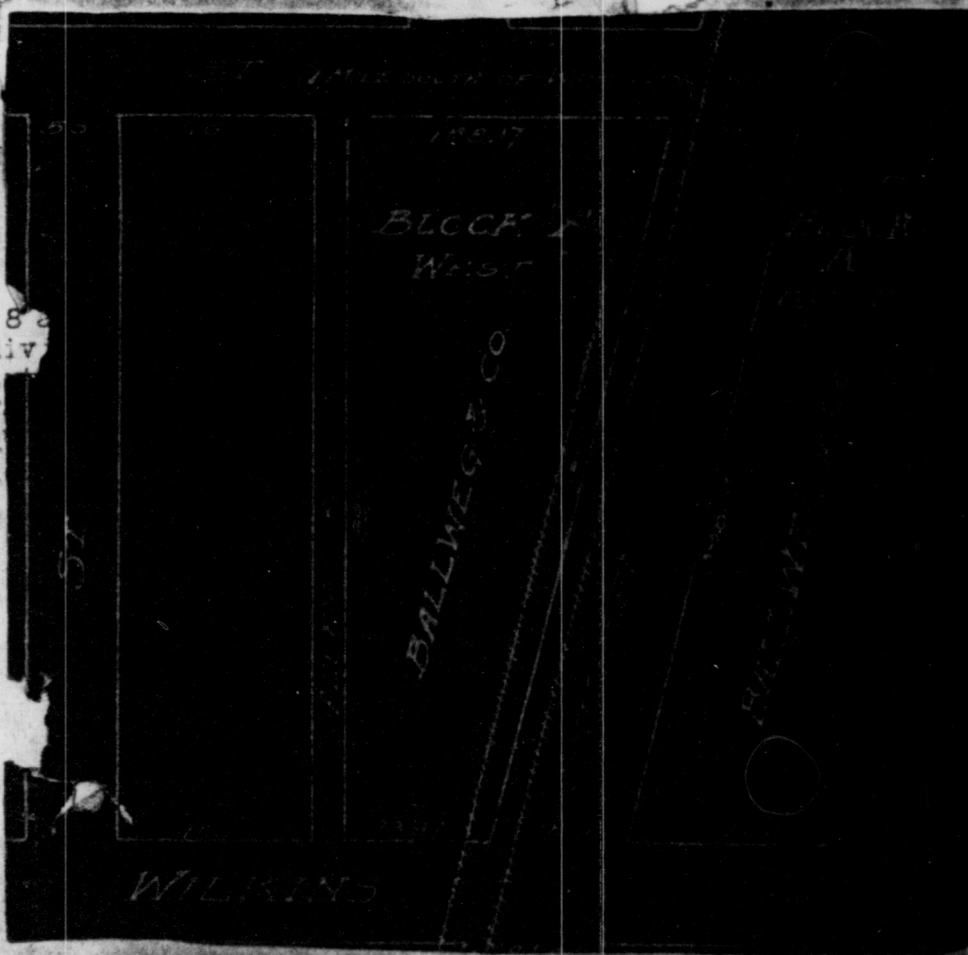
13. Judgments in the United States Courts are liens on real estate. Certificates should be had from the Clerk of these courts for the District of Indiana as to judgments against all persons who may have held the title to this real estate during the last past ten years.

Respectfully submitted.

F. Mellis

ABS

Lots 14, 15, 16, 17, 18
Sub-division, being a Sub-division
Sub-division of the West part
Marion County, Indiana, ref
and Company's Ray Street S
175, of the Recorder's Off



Marion County, Indiana

prepared for BALLWEG & COMPANY.

By

MARION TITLE GUARANTY COMPANY

Indianapolis, Indiana

HISTORICAL NOTES

All the land in Marion County, Indiana, was purchased by the United States of the Miami Indians. The Indians who made any claims to the lands south of the Wabash River were primarily the Miami Nation. The Delaware occupied this immediate region, and were considered as having a title by grant or permission from the Miami Nation, which at least was a title to 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, p. 186.

By the Delaware, in general terms, October 3—U. S. Statutes at Large, vol. 7, p. 188.

By the Miami, by boundaries, October 6—U. S. Statutes at Large, vol. 7, p. 189.

The Weas, or Outisicous, 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, p. 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, p. 169.

By clause 5 of section 5 of the enabling act of congress of April 18, 1816, four sections of land were granted to the new State of Indiana, selected by the legislature for the purpose of fixing the seat of government thereon.

U. S. Statutes at Large, p. 299.

By the act of March 3, 1816, the Indiana legislature was authorized to select for that purpose any contiguous parts of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

U. S. Statutes at Large, p. 519.

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

Act 1820, p. 18.

January 5, 1821, the legislature approved the selection of "sections 1 and 12 east and west fractional sections between sections 1 and 12, 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 two sections, or 2560 acres of land in township 16 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 land and the site was named Indianapolis.

Act 1821, p. 44.

By the original survey section one contained 658.20 acres; section 2, 611.63 acres; section 12, 640 acres, and section 11, east of White River, contains 448.20 acres, leaving 202.07 acres to be taken out of the east side of section 3.

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, p. 370.

January 26, 1827, the alleys in certain squares were vacated.

Acts 1827, p. 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 in Marion county, July 5, 1831.

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.

AGENTS OF STATE

1. John Carr, appointed September, 1821.
2. James Hilroy, appointed September, 1822.
3. Bethuel F. Morse, appointed December, 1823.
4. Benjamin E. Smith, appointed February, 1824.
5. Ebenezer Blair, appointed August, 1825.
6. John G. Brown, appointed August, 1826.
7. Thomas H. ...

Land Record

"D" P. 535.
May 2, 1834.
Recorded
June 21, 1834.

Ebenezer Sharpe, Agent of
the State of Indiana, for the
Town of Indianapolis.

Deed.

to
Nicholas McCarty, his heirs and assigns.
Out Lot 120, in the City of Indianapolis, containing
52-33/100 Acres, with other real estate.

-1-

o.k. a.c.B

-2-

Nicholas McCarty, died intestate May 17, 1854.

Appearance racket

3, p. 150.

-3-

o.k. a.c.B

Estate of Nicholas McCarty, settled in the
Probate Court of Marion County.

Margaret McCarty, appointed and qualified as
Administratrix, June 3, 1854.

Final report filed, approved and estate closed
January 7, 1860, see full proceedings in Complete
Record 11, page 66, of the Court of Common Pleas of
Marion County, Indiana.

Final report shows that he left surviving him
as his sole and only heirs at law his widow,
Margaret McCarty, and four children to wit:-
Nicholas McCarty, Margaret R. McCarty, Susannah McCarty
and Frances J. McCarty.

IN THE COURT OF COMMON PLEAS OF MARION COUNTY.

-4-

o.k. a.c.B

Margaret McCarty,

Petition for Partition.

vs.

Susanna McCarty, Margaret R. McCarty
Nicholas McCarty and Frances J. McCarty.

Petition recites that Nicholas McCarty, died
intestate leaving above complainant and defendants
as his only heirs and seized of Out Lot 120, in the
City of Indianapolis, and divers other real estate.

Court having heard the evidence orders partition
and appoints James Blake, Andrew Wilson, and James
Wood, Commissioners to effect the same of the
premises described in the complaint.

Said Commissioners set off to Nicholas McCarty,
Margaret R. McCarty, Susannah McCarty, and Frances J.
McCarty, Out Lot 120, in the City of Indianapolis,
with various other tracts as tenants in common which
was duly approved by the Court.

For full proceedings in the above Cause see
Complete Record 4, page 159, etc.,

Marriage record
6, p. 659.
Dec. 9, 1857.

Susannah McCarty,
with
Henry Day.

Marriage.

-5-

Marriage Record
10, p. 36.
Oct. 2, 1867.

Margaret R. McCarty,
with
John C. S. Harrison.

Marriage.

-6-

-7-

Susannah McCarty Day, died testate August 30, 1873.

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

-8-

o.k. a.B.

LAST WILL AND TESTAMENT OF SUSANNAH McCARTY DAY,
DECEASED.

I, Susannah McCarty Day, daughter of Nicholas McCarty, and Margaret McCarty, both deceased, sister of Margaret R. McCarty Harrison, Nicholas McCarty, and Frances 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 Indiana, 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 60 days of the probate of this will does not pay to my Executor the sum of \$5000.00 and execute his two promissory notes payable to my Executor with interest without relief from valuation or appraisement laws, each in the sum of \$7500.00 one on or before one year after date and 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 disposed of by said Nicholas in the meantime 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 $\frac{1}{2}$ of the real estate situate in the county of Marion, and State of Indiana, described as follows, to wit:-

The North $\frac{1}{2}$ of the North West $\frac{1}{4}$ of Section 22, 15. 3., but on condition that -- does not within 60 days after the probate of this will pay to my Executor the sum of \$2500.00 and execute his three promissory notes payable to my Executor each in the sum of \$2500 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, one third

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

I give and bequeath the monies 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 out, and I give and bequeath all the residue of my real property of whatever description and wherever situate d the one third of said monies notes and real property 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 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 Day, and Margaret McCarty Day, hereby revoking all wills, testaments and Codicils heretofore made by me.

Estate Docket
8, p. 248.

-9-

Estate of Susannah McCarty Day, settled in the Marion Circuit Court.

Henry Day, appointed and qualified as Executor October 15, 1873. See Order Book 34, page 309.

Final report filed, approved and estate closed October 17, 1874. See Order Book 35, page 80.

Guardian's Docket
3, p. 30.

-10-

Henry Day, was appointed and qualified as Guardian October 13, 1873, of Henry McCarty Day, and Margaret McCarty Day, aged 14 years and 10 years respectively, See Order Book 34, page 309 of the Marion Circuit Court.

Henry McCarty Day became of age, October 21, 1880, and said Guardianship was closed as to him See Order Book 56, page 227, Guardian discharged as to Margaret McCarty Day, September 11, 1885, See Order Book 72, page 264.

Plat Book
7, p. 74.
April 10, 1875.
Recorded
April 13, 1875.

Nicholas McCarty, Frances J. McCarty, John C. S. Harrison, and Margaret McCarty Harrison, his wife. Henry Day, for himself and as Guardian of Henry McCarty Day, and Margaret McCarty Day, filed a plat of the West part of Out Lot 120,

The annexed is a plat of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, Marion County, in the State of Indiana, divided into 136 lots consecutively numbered and into 2 Blocks lettered respectively "A" and "B" 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. The width and depth of the lots are designated by figures in feet and inches and the size of the lots "A" and "B" are designated by figures in feet and inches.

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

-12-

STATE OF INDIANA, COUNTY OF MARION, S. S.

I, Henry Day, the undersigned being duly sworn according to law say that ever since the year 1857, I was acquainted with the family of Nicholas McCarty, to whom the Agent of State deeded Out Lot 120, in the City of Indianapolis, Indiana, on the 2nd day of May 1834, which deed is recorded on page 535 of Marion County Deed Record "D" 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 Susannah 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 the 9th day of February 1864 and that the said Susannah McCarty, affiant's wife was of age on the 9th day of February 1864.

Henry Day .

242, p. 192.
May 10, 1892.
Recorded
May 11, 1892:

-13-

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 lettered "A" in McCarty's Sub-division of the West part of Out Lot 120, as per Plat Book 3, page 74, bounded and described as follows, to wit: Beginning at the North East Corner of said lot or Block "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 103-3/10 feet West from the said North East Corner of said lot or Block, thence East on the North line of said lot, or Block 103-3/10 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 the width off of the West side of said described premises.

For Record of Power of Attorney see Misc. Record 8, page 605, also Misc. Record 8, page 258.

May 26, 1888
OK A B

(9. p 605 - does not apply to Out lot 120. a.b)



250, p. 257.
Jan. 11, 1893.
Recorded
Jan. 17, 1893:

-14-

*OK
A/B*

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 lettered "A" in McCarty's
Sub-division of the West part of Out Lot 120, in the
City of Indianapolis, as per 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 103-3/10
feet West from the said North East Corner of said lot
or Block thence East on the North line of said lot
or Block 103-3/10 feet to the place of beginning.

Shd be 7p 74

Subject to two mortgages executed by the said
mortgagors to the said mortgagee dated May 10, 1892,
and recorded in Mortgage Record 232 page 217,
and one of said mortgages of even date herewith securing
as therein described 4 notes of \$1500.00 each payable
1, 2, 3, and 4 years after date respectively.

This deed is made for the purpose of conveying
any rights reserved in a deed dated May 10, 1892,
executed by the said grantors to the said grantees
recorded in the Office of the Recorder of said Marion
County, in Deed Record 242, page 192.

For Record of Power of Attorney see Misc. Record
9, page 605.

250, p. 258.
Jan. 11, 1893.
Recorded
Jan. 17, 1893:

-15-

*OK
A/B*

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,
and Margaret McCarty Day, unmarried.
By Nicholas McCarty, their
attorney in fact.

Warranty Deed

to
Frederick W. Ballweg, and
William Blizard.

That 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
Sub-division as recorded in the Recorder's Office of
the said County of Marion, described and bounded as
follows, to wit:- Beginning on the North line of
said lot or Block at a point 103-3/10 feet West of the
North East Corner of said lot or Block, and running
thence Southwestwardly on a line to a point in the
South line of said lot or Block, 195 feet West of the

390
425

South East Corner of said lot or Block thence West with the South line of said lot or Block 250 feet to the South West Corner of said lot or Block thence north with the West line of said lot or Block 390 feet to the north West Corner of said lot or Block thence east with the North line of said lot or Block 322-5/10 feet more or less to the beginning, containing 2.47 Acres, more or less.

Misc. Record
74, p. 241.
Nov. 22, 1912.
recorded
Nov. 23, 1912.

-16-

STATE OF INDIANA, MARION COUNTY, S. S.

Nicholas McCarty, being duly sworn on his oath 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 this affiant has never been married and his sister Frances J. McCarty 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.

522, p. 473.
March 9, 1900.
Recorded
March 10, 1900.

-17-

*See this at
West also
at 21. AB*

Frederick W. Ballweg, unmarried, ^{certified} Warranty Deed
William Blizard, unmarried. ^{certified}

to
Ballweg & Company, a corporation.

Part of Lot or Block lettered "A" in McCarty's Sub-division of the West part of Out Lot 120, as per 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 103-3/10 feet West from the said North East Corner of said lot or Block thence East on the North line of said lot or Block 103-3/10 feet to the place of beginning, and other real estate.

-18-

*ok
A-B*

For Articles of Incorporation of Ballweg and Company, dated ----- and recorded February 18, 1907; see Miscellaneous Record 52, page 346

(A manufacturing Co. of Sulfur Seed also)

Plat Book
10, p. 177.
April 15, 1893.
Recorded
April 17, 1893:

-19-

Frederick W. Ballweg, and William Blizard, filed a plat of Ballweg and Company's Ray Street Sub-division, being a sub-division of the West part of Block "A" in McCarty's Sub-division of the West part of Out Lot 120, in the City of Indianapolis, Marion County, State of Indiana.

This Sub-division consists -- 19 lots with alleys with size and numbers of lots and width of alleys marked on this plat. Distances given in feet.

The alleys in this Sub-division are hereby dedicated to public use.

"A" is the North West Corner "B" the South West Corner. "ED" the South line and "EC" the North line and "AB" the West line of said Block "A".

Approved April 17, 1893.

A. W. Conduitt, Ad. Scherrer, H. H. Defrees, ----

IN THE SUPERIOR COURT OF MARION COUNTY.

Cause #69205.
Complaint filed
May 31, 1905.

-20-

Indianapolis Southern Railway
a corporation.

vs.

Ballweg & Company, a Corporation.

May 31, 1905, Complaint filed.

June 16, 1905, The plaintiff, The Indianapolis Southern Railway, by leave of Court first had and obtained files this its Amended Complaint and complaining of the defendant Ballweg and Company, says that plaintiff is a corporation organized and existing under the laws of the State of Indiana, relating to the organization, construction and operation of steam railroads as found in 2 Burns' R. S. 1901, Section 5134, et seq., as a common carrier of passengers and freight by means of cars and locomotives propelled by steam, that the defendant Ballweg and Company, is a Corporation organized and existing under the laws of the State of Indiana.

That the plaintiff has complied with all the requirements of the statutes of the State of Indiana, relating to the organization and construction of Railroads, and that it is entitled to exercise all the privileges and powers granted to Railroad Corporations under the laws of said State, among which is the exercise of the power of eminent domain.

That the plaintiff is constructing and building its line of steam railway in and from the City of Indianapolis, as its Northern terminus Southerly and Southwestwardly through the Counties of Marion, Johnson, Morgan, Brown, Monroe and Greene, to Switz City, Green County, Indiana, its Western terminus.

That the plaintiff before proceeding to construct its said road into and through the said Marion County, made a map and profile of the route intended to be adopted by said Company, which was certified by a majority of the directors of said Company, and filed the same in the office of the Clerk of Marion County, and the Office of the Secretary of State in

Condemnation
Proceedings.

manner and form as by law provided.

That the route so adopted includes and passes over the real estate hereinafter described and sought by this suit to be condemned and appropriated.

That the defendant Railroad and Company, is the owner in fee and in possession of the following described real estate situate in the City of Indianapolis, Marion County, Indiana.

A strip of land 70 feet wide in Block "A" of McCarty's Sub-division of the West part of Out Lot 120, in the City of Indianapolis, 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 South West 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 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' 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 Acres more or less.

That said Railroad Company desires to appropriate and condemn an easement in and to the whole of the above described real estate for its use as a right of way for its Railroad, road bed and tracks.

That said above described real estate hereby intended to be appropriated and condemned is a strip of land extending through the middle of and is a part of an entire tract of land owned and possessed by the defendant described as follows:-

Beginning at a point in the North line of Block "A" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, 125 feet East of the North West Corner of said Block "A" thence Easterly along the North line of said Block "A" a distance of 300 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 390 feet thence Westerly along the South line of said Block "A" a distance of 300 feet thence Northerly along the East line of the first alley East of Chadwick Street, a distance of 390 feet to the place of beginning, said piece of land containing 2.68 Acres, more or less.

That the defendant is also the owner in fee and in possession of a strip of land 40 feet wide in Block "B" in McCarty's Sub-division of the West Part of Out Lot 120, in the City of Indianapolis, Marion County, Indiana, more particularly described as follows:-

Beginning at a point in the North line of said Block "B" 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 41.08 feet thence South 13 degrees 21 minutes West a distance of 230.74 feet thence Westerly along a line parallel with the North line of said Block "B" a distance of 41.08 feet thence North 13 degrees 21 minutes East a distance of 230.74 feet to the point of beginning, said strip of land containing an area of 0.212 acres more or less, a plat or map of which is filed herewith

and marked Exhibit "A".

That said Railroad Company, desires to appropriate an easement in and to the whole of the last above described real estate for its use as a right of way for its Railroad, road bed and tracks.

That said last above described real estate hereby intended to be appropriated and condemned is a strip of land off the West side of and a part of an entire tract of land owned and possessed by the defendant described as follows:-

Beginning at a point in the North line of said Block "B" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 207 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 224.67 feet thence Westerly parallel with the North line of said Block "B" a distance of 261.25 feet thence North 13 degrees 21' East a distance of 230.74 feet to the point of beginning said piece of land containing 1.20 Acres, more or less. A plat of all of said above described real estate is filed herewith and marked Exhibit "A".

And plaintiff says that prior to the commencement of this suit plaintiff made an effort to purchase said two pieces of real estate sought by this proceeding to be condemned and appropriated for its right of way from the defendant but that plaintiff has been and is now unable to agree with the defendant for the purchase of the same, or any interest or right therein for its use as aforesaid for its right of way.

WHEREFORE, plaintiff prays that said real estate be condemned and appropriated for the uses and purposes of the plaintiff above set forth, and that an easement thereto and therein be granted and adjudged to plaintiff for its use as a right of way for its railroad, road bed and tracks in accordance with the laws of the State of Indiana, in such cases made and provided and an act of the Legislature entitled "An act concerning proceedings in the exercise of eminent domain", approved February 27 1905, Acts of 1905 page 59.

Defendants duly served with summons on June 1, 1905, by Ed. G. Sourbier, Sheriff of Marion County.

June 27, 1905.
Order Book
262, p.139.

Comes now the plaintiff by its attorney and the defendant by its attorney and the matter of the Amended petition coming on for hearing and the Court having heard the evidence and being advised in the premises is satisfied of the regularity of these proceedings and that the plaintiff has the right to exercise the power of eminent domain for the uses and purposes sought in said amended complaint, and that the plaintiff is entitled to have condemnation of the premises in the amended complaint described for its right of way as a Railroad extending from Indianapolis to Switz City, in said State.

And the Court does now appoint James S. Cruse, Henry C. Atkins, and James W. Lilly, three competent disinterested freeholders of the County of Marion as appraisers to assess the damages which the defendant will sustain by reason of the appropriation and use of

said real estate described in said amended complaint to wit:-

A strip of land 70 feet wide in Block "A" of McCarty's Sub-division of the West part of Out Lot 120, in the City of Indianapolis, 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 South West Corner of said Block "A" thence North 13 degrees 34' 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 degrees 34' 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 Acres more or less.

Said above described real estate being a strip of land out of and a part of an entire tract of land owned by the defendant and described in the amended complaint as follows;- Beginning at a point in the North line of said Block "A" of McCarty's Sub-division of the West part of Out Lot 120 of the City of Indianapolis 125 feet East of the North West Corner of said Block "A" thence Easterly along the North line of said Block "A" a distance of 300 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 390 feet thence Westerly along the South line of said Block "A" a distance of 300 feet thence Northerly along the East line of the first alley East of Chadwick Street a distance of 390 feet to the place of beginning, said piece of land containing 2.68 Acres, more or less.

Said appraisers are also ordered to assess the damages which the defendant will sustain by reason of the appropriation and use of the further parcel of real estate described in said amended complaint as follows;

That the defendant is also the owner in fee and in possession of a strip of land 40 feet wide in Block "B" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, Marion County, Indiana, more particularly described as follows;-

Beginning at a point in the North line of said Block "B" 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 41.08 feet thence South 13 degrees 21 minutes West a distance of 230.74 feet thence Westerly along a line parallel with the North line of said Block "B" a distance of 41.08 feet thence North 13 degrees 21' East a distance of 230.74 feet to the point of beginning, said strip of land containing an area of 0.212 acres more or less, a plat of map of which is filed herewith and marked Exhibit "A".

Said last above described real estate being a strip of land off the West side of and a part out of an entire tract of land owned by the defendants and described in said amended complaint as follows;-

Beginning at a point in the north line of said Block "B" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 207 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 224.67 feet thence Westerly parallel with the north line of said Block "B" a distance of 261.25 feet thence North 13 degrees 21' East a distance of 230.74 feet to the point of beginning said piece of land containing 1.20 Acres more or less.

Said appraisers shall each take an oath that they have no interest in the matter and will honestly and impartially make such assessment. After being duly sworn they shall view said premises and hear the evidence that may be presented to them by the respective parties and report to this Court as follows:-

1: The value of each parcel of property sought to be appropriated and the value of the defendants' interest therein, appropriated for right of way.

2: The value of all improvements thereon pertaining to the realty.

3: The damages to the residue of the land of the said defendant caused by taking out the part sought to be appropriated.

4: Such other damages as will result to the defendant from the construction of the said Railroad in the manner proposed by plaintiff in its amended complaint.

5: Except as to damages stated in the fourth instruction the actual value on June 1, 1905, shall be the measure of compensation for the property actually taken and the basis of damages to property not actually taken but injuriously affected.

6: In estimating compensation and damages no deduction shall be made for any benefits that may result from the construction of said Railroad.

7: Said appraisers shall meet at the time and place to be fixed by them, reasonable notice whereof shall be given to the respective parties or their attorneys.

And upon such hearing and with due speed thereafter the said appraisers shall make their report in writing unto this Court or the Judge in Chambers.

It is further ordered that the Clerk of this Court shall issue to said appraisers a certified copy of this decree which shall be their authority in the premises.

Commissioners take oath.

Sept. 18, 1905.
Order Book
262, p. 208.

We, the undersigned appraisers appointed by the Marion Superior Court to assess the damages that the defendant herein Ballweg and Company, may sustain by reason of the appropriation of the real estate described and for the uses and purposes stated in plaintiff's amended complaint, and the order of the Court appointing the appraisers and by reason of the construction of the Railroad in the manner proposed by the plaintiff show to the Court that after being duly sworn we viewed the real estate heard the statements of the parties and the evidence and now determine and report as follows:-

"A".

1st: The value of the following described parcels of real estate owned by the defendant to wit;-

A strip of land 70 feet wide in Block "A" of McCarty's Sub-division of the West part of Out Lot 120, in the City of Indianapolis, 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 South West Corner of said Block "A" thence North 13 degrees 34' 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 degrees 34' 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 Acres more or less sought by this proceeding to be appropiated and the value of the defendants interest thereon on the 1st day of June 1905, was \$2300.00.

2nd. The value of all improvements on the foregoing parcel of real estate and pertaining thereto on the 1st day of June 1905, was \$48.00.

3rd. The damages to the residue of the entire tract of land of the defendant and described as follows;-

Beginning at a point in the North line of Block "A" of McCarty's sub-division of the West part of Out Lot 120, of the City of Indianapolis, 125 feet East of the North West Corner of said Block "A" thence Easterly along the North line of said Block "A" a distance of 300 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 390 feet thence Westerly along the South line of said Block "A" a distance of 300 feet thence Northerly along the East line of the first alley East of Chadwick Street a distance of 390 feet to the place of beginning, said piece of land containing 2.68 Acres, more or less caused by taking out the above and foregoing part sought to be appropriated on the 1st day of June 1905, were \$150.00.

"B".

1st. The value of the further and following described parcel of real estate to wit;-

A strip of land 40 feet wide in Block "B" of McCarty's sub-division of the West part of out Lot 120, of the City of Indianapolis, Marion County, Indiana, more particularly described as follows;-

Beginning at a point in the North line of said Block "B" 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 41.08 feet thence South 13 degrees 21' West a distance of 230.74 feet thence Westerly along a line parallel with the North line of said Block "B" a distance of 41.08 feet thence North 13 degrees 21' East a distance of 230.74 feet to the point of beginning, said strip of -- containing an area of 0.212 acres, more or less,

sought to be appropriated and the value of the defendant's interest therein on the 1st day of June 1905, was \$600.00.

2nd. The value of all improvements thereon and pertaining to this second and last above mentioned parcel sought to be appropriated were on the 1st day of June 1905 of the value of \$1362.00.

3rd. The damages to the residue of the entire parcel or tract described as follows:-

Beginning at a point in the north line of said Block "B" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, 218 feet East of the North West Corner of said Block "B" thence Easterly along the north line of said block "B" a distance of 207 feet thence Southerly along the West line of the first alley West of Senate Avenue a distance of 224.67 feet thence Westerly parallel with the North line of said Block "B" a distance of 261.25 feet thence North 13 degrees 21 ' East a distance of 230.74 feet to the point of beginning, said piece of land containing 1.20 Acres more or less, caused by taking out the part sought to be appropriated as of the 1st of June 1905, we assess at \$300.00.

4th: Such other damages as will result to the defendant from the construction of the Railroad in the manner proposed over the two above described parcels of real estate condemned we assess at nothing.

In consideration whereof we assess and award the defendant damages in the total sum of \$4760.00.

Oct. 7, 1905.
Order Book
262, p. 295.

It appearing to the Court that on June 16th 1905, said plaintiff filed herein its amended complaint and petition against the said defendant for the appropriation of certain lands in the City of Indianapolis, Marion County, Indiana, described in said amended complaint which is in the words and figures following (H. I.)

That afterwards to wit on June 27, 1905, the defendant appeared by its attorney and the court granted said petition and appointed three competent persons to wit;- James S. Cruse, Henry C. Atkins, and James W. Lilly, appraisers to appraise damages accruing to the defendant corporation by reason of said appropriation and construction and operation of said Railroad. That the said appraisers accepted said trust and were commissioned, sworn and entered upon the discharge of their duties.

And afterwards on September 18, 1905, the said appraisers came and filed their verified report assessing the damages and awarding the defendant therefore in all the sum of \$4760.00 as more fully and at length appears by said report on file and in these words, (here insert).

And now within a reasonable time thereafter and on this 7th day of October 1905, comes the said Indianapolis Southern Railway by its attorney and in open Court pays in to the Clerk of the Court the sum of \$4760.00 the amount of damages assessed as aforesaid, and the Clerk is directed to pay the said sum to the said defendant corporation and take its receipt therefor and put the same of record.

It is therefore ordered and adjudged that the plaintiff Indianapolis Southern railway is lawfully entitled to take possession of and hold the interests in the lands so appropriated for the uses stated in said amended complaint which lands are described as follows:-

A strip of land 70 feet wide in Block "A" of McCarty's Sub-division of the West part of Out Lot 120, in the City of Indianapolis, 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 South West Corner of said Block "A", thence North 13 degrees 34' 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 degrees 34' 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 Acres more or less.

Also a strip of land 40 feet wide in Block "B" of McCarty's Sub-division of the West part of Out Lot 120, of the City of Indianapolis, Marion County, Indiana, more particularly described as follows:-

Beginning at a point in the North line of said Block "B" 218 feet East of the North West Corner of said Block "B" thence Easterly along the North line of said Block "B" a distance of 41.08 feet thence South 13 degrees 21' West a distance of 230.74 feet thence Westerly along a line parallel with the North line of said Block "B" a distance of 41.08 feet thence North 13 degrees 21' East a distance of 230.74 feet to the point of beginning, said strip of land containing an area of 0.212 Acres more or less.

It is further ordered, adjudged and decreed that the plaintiff pay the costs of this proceeding including the fees of said appraisers to be taxed herein all taxed at \$--.

Costs paid in full November 18, 1905.

Entry Docket shows payment to Clerk of \$4760.00 by the Indianapolis Southern Railway and the receipt therefore by Ballweg and Company, on October 17, 1905.

Certified copy of the Final Entry in the above Cause also recorded in Town Lot Record 395, page 30, in the Recorder's Office of Marion County, Indiana, on December 23, 1905.

322, p. 473.
March 9, 1900.
Recorded
March 10, 1900.

Frederick Ballweg, unmarried,
William Blizard, unmarried
to

Ballweg and Company, a Corporation.

Lots 11, 12, 13, 14, 15, 16, 17, 18 and 19, in
Ballweg and Company's Ray Street Sub-division as per
Plat book 10, page 175.

Warranty Deed

-21-

*See same
Deed at No. 17 A.B.*

60, p. 260.
Feb. 17, 1909.
Recorded
Aug. 5, 1909.

W.C. B

-22-

Indianapolis Southern Railway
Company, by I. G. Rawn, Vice
President, Attest; Burt A. Beck,
Assistant Secretary, (SEAL).
to
Ballweg & Company.

Contract

This contract pertains to a spur track to be
erected for shipping purposes by said Railway on the
ground of Ballweg and Company.

See Instrument for details, See also a plat of
said track in Plat Book 15, page 76.

-23-

There are no further conveyances.

Assessments.

Treas. Record
"A" p. 31.
Approved
April 17, 1893.

-24-

In the matter of the condemning
and appropriating for the right
of way for the Main intercepting
Sewer, a strip of ground 20 feet
in width from White River to
Merrill Street.

Assessment.

On Lot "A" and the North East Corner of
"B" Out Lot 120.
Benefits and damages equal.

-25-

Taxes for the year 1914, paid in full.

-26-

Taxes for the year 1915, now a lien.

26 a
paid full
attest July 1915

Attention called to 4th Park and Boulevard Assessment
for South park District for which this property
may be assessed.

Indianapolis, November 15, 1915.

We find no further conveyances nor unsatisfied encumbrances of record on lot as described in caption,

Search made in the Recorder's Office, the Tax Sale Records in the Auditor's Office, the Tax duplicates in the Treasurer's Office, and the Lis pendens records of Complaints and Attachments and Judgment Dockets of the Marion Superior, circuit and Probate Courts; also records of Street Alley Park and Sewer Improvement Assessments in the Treasurer's Office, as certified by the City Comptroller, as said Records and Dockets are now entered up.

No search made for Judgments in the United States circuit and District Courts at Indianapolis.

MARION TITLE GUARANTY COMPANY

By *J. B. Williams* Manager

M.

Indiana
County,
Marion
Indianapolis,

Examination of the Title, from November 15, 1915, to July 5, 1922, to Lots numbered Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), and Nineteen (19) in Ballweg and Company's Hay Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation lands of the Town, now City, of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 10 at page 175 thereof: together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways:

same being subject, however, to all legal highways or rights of way:-

Excepting, however, from the premises aforesaid, all railways and railway property-rights.

For Board of School Commissioners
of the City of Indianapolis.

S.M. Brown,



Conveyances.

1.
T. L. Record
553 page 108
Recorded
Dec. 4, 1915

Indiana
County.

Ballweg & Co., a manufacturing corporation
of Marion County, State of Indiana, (Corp. Seal)
by Frederick W. Ballweg Its President,
attest: Curt H. Ackelov, Secretary,

to

Board of School Commissioners of the city of Indianapolis:

Warranty Deed. \$6000.00
(U. S. Int. Rev. stamp \$6.00)
Dated November 30, 1915.

Marion
Indianapolis,
Title,

Lots numbers 14, 15, 16, 17, 18, and 19 in Ballweg & Co's
Ray Street Subdivision of the west part of "Block A" in
McCarty's Subdivision of the west part of Out Lot number 120
in the city of Indianapolis plat of which Ray Street
subdivision is recorded in Plat Book No 10 page 175.

Subject to the rights of the Indianapolis Southern Railway
Company and of its successors in title acquired by said
Railway Company in condemnation proceedings in Cause No 69,205,
begun on May 31, 1905, in the Superior Court of said Marion
County, as shown by Order Book 262 pages 139 and 208 and 295,
of said court and by a certified copy of the final entry in
said cause recorded in said recorder's Office in Town Lot
Deed Record 395 page 30; and

Subject to the rights, if any, of the Indianapolis Southern
Railway Company and its successors in title acquired by the
contract for a spur or switch track between said Railway
Company and Ballweg & Co. which contract is dated
February 17, 1909, and is recorded in the recorder's office
of said County in Misc. Rec. 60 at page 280, the plat referred
to in said contract being recorded in said Recorder's office
in Plat Book No. 15 at page 76.

of
Abstracts

L.M. Brown,

2.
T. L. Record
561 page 181
Recorded
May 25, 1916

Indiana

On March 22, 1916, the Board of Public Works of the City of Indianapolis, adopted Declaratory Resolution No. 8344 for the vacation of 2nd alley West of Senate Avenue, from Ray street to 1st alley South of Ray street;
And on May 10, 1916, said Board approved a final assessment roll in said matter.

County.

Note: By the foregoing action the alley adjoining lot 18 on the East is vacated.

3.
T. L. Record
561 page 183
Recorded
May 25, 1916

Marion

On March 22, 1916, the Board of Public Works adopted Declaratory Resolution No. 8343 for the vacation of the 1st alley South of Ray street, from 2nd alley West of Senate Avenue to 1st alley East of Chadwick street;
And on May 10, 1916, said board approved a final assessment roll in said matter.

Indianapolis

Note: By the foregoing action the alley adjoining lots 14 to 18 inclusive on the South and lot 19 on the North, is vacated.

4.

Here the Title rests.

Encumbrances.

Title.

Mortgages.

5.

of None filed within this period.

Judgments.

Abstracts

6.

No search is made for judgments which may have been entered against the School City of Indianapolis or the Board of School Commissioners of said City.

S.M. Brown,

Taxes.

7.

Indiana

This realty is listed as non-taxable on the Assessor's books for the tax year 1921.

Taxes for 1922 are not payable until 1923.

SINCE PAID IN FULL
ATTEST, UNION TRUST CO.
BY *Willis H. Cook*
V. PRES. & GENL. MGR

County.

Municipal Assessments.

8.

Marion

Municipal assessments duly entered as paid in full, appear in Duplicates 122 page 557; and 128 page 517.

9.

Indianapolis,

This realty will be assessed for the improvement of Ray street, proceedings for which are now pending before the Board of Public Works of the City of Indianapolis.

10.

Title,
of
Abstracts

I find no further conveyances or unsatisfied encumbrances, filed within the period embraced in this examination upon Lots 14, 15, 16, 17, 18, and 19 in Ballweg and Company's Ray Street Subdivision, as more fully and at length described in the caption of the first sheet of this examination.

Searches made in the Recorder's office of Marion County, the Lis Pendes records of complainant and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts and of the Probate Court of Marion County, as said records and dockets are now entered up; the Auditor's indexes of tax sales; and the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.
Indianapolis, July 5, 1922. 325 Lamcke Building.

S.M. Brown,

-1-

Continuation of an Abstract of Title to [Lots numbered 14, 15, 16, 17, 18, and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation lands of the Town, now City of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 10 at page 175 thereof; together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject, however, to all legal highways or rights of way. Excepting, however, from the premises aforesaid, all railways and railway property-rights.]

Since July 5, 1922.

Prepared for A. Katzow.

Town Lot Record
674 page 532
Aug. 1, 1922
Recorded
Aug. 4, 1922

Board of School Commissioners
of the City of Indianapolis,
(Corp. Seal) By Charles L. Barry,
its president and by Walter J. Twine
its Business Director, Attest:
Frank L. Reissner, Secretary
to
Samuel Falender,
Julius Falender and
Louis Falender,

Warranty Deed

-2-

Handwritten notes:
Mins of School Comm.
Minutes Book W.
Page 184
June 5, 6, 7, 8, 9, 1922.
Resolution authorizing
sale. J.H.W.

Whereas, the undersigned Board of School Commissioners of the City of Indianapolis, a common school corporation of Marion County, Indiana, is the owner of the hereinafter conveyed real estate situate in Marion County, Indiana having purchased the same several years ago for use as a site for school shop, but which said Board has more recently used as a yard for the storage of coal to be burned at its schools, library and other buildings in the City of Indianapolis and,

Whereas, the Board by appropriate resolutions made matter of record in its minutes, has duly and as required by statute, determined that said property can no longer, to the advantage of the School City of Indianapolis, be used for School or library purposes and that it can to the advantage of the said School City, be sold for all cash for its full value, and has by such resolutions ordered the said property appraised has appointed appraisers to appraise it, who are qualified by law, and has ordered the property sold for all cash and not less than the appraised value thereof, after advertising such sale, at private sale according to law, and

Whereas, the appraisers appointed by the Board viz: James E. Berry and Frank E. Brown, did under oath on May 22, 1922 report to the Board that in their opinion the ground without improvements is of the value of \$9,053.46 and the improvements are of the value of \$2500.00 and that the value of the whole property is \$11,553.46, and

Whereas, the Board by its Business Director, by newspaper publication and by posting of notices, advertised according to law, that said property would be sold at private sale on sealed bids and for not less than the appraised value, and that bids would be received up to 12:00 o'clock noon of June 19, 1922, and

Whereas, such sealed bids were received and were, according to law, duly opened by the Board and it was then ascertained by the Board, which was in fact true, that John J. Barrett had bid for said property \$11,600.00 and that

Samuel Falender had bid for said property \$13,200.00 and that there had been no other bids received, and Whereas, thereupon the said Board accepted the said bid of said Samuel Falender.

Now therefore, in consideration of the premises and of the sum of \$13,200.00 to the undersigned in hand paid, the receipt of which it hereby confesses, the Board of School Commissioners of the City of Indianapolis hereby conveys and warrants unto said Samuel Falender, Julius Falender and Louis Falender all of Indianapolis, Indiana, the said real estate above referred to, situate in the City of Indianapolis, Marion County, Indiana and described as follows to-wit:

Lots numbers 14, 15, 16, 17, 18 and 19 in Ballweg & Co's. Ray Street Subdivision of the West Park of Block A in McCarty's Subdivision of the West part of Outlot number 120 in the City of Indianapolis, a plat of which Ray street subdivision is recorded in Plat Book number 10 at page 175, together with all rights, title and interest the grantor may have in any land adjoining any part of the above described property which was formerly occupied by an alley, or alleys, which have been vacated, all subject, however, to the rights of the Indianapolis Southern Railway Company and of its successors in title acquired by said Railway Company in Condemnation proceedings in Cause #69205, begun on May 31, 1905 in the Superior Court of said Marion County, as shown by Order Book 262 pages 139, 208 and 295 of said Court, and by Certified Copy of the final entry in said cause as recorded in said Recorder's Office in Town Lot Deed Record #395 at page 30, and subject to the rights, if any, of the Indianapolis Southern Railway Company and its successors in title, acquired by the contract for a spur or switch Track between said Railway Company and Ballweg & Co., which contract is dated February 17, 1907, and is recorded in the Recorder's office of said County in Miscellaneous record #60 at page 280, the plat referred to in said contract being recorded in said Recorder's Office in Plat Book #15 at page 76.

Misc. Record
136 page 213
Feb. 8, 1923
Recorded
March 30, 1923

Samuel Falender (signed Sam'l Falender and ack. Samuel Falender) and Julius Falender party of the first part.

to Ray St. Coal Company (-) C. G. Logan, - - F. C. Smith - - party of the second part.

Witnesseth: That party of the first part has leased to party of the second part the following premises in the City of Indianapolis, and State of Indiana, to-wit:

All that portion of ground lying between Ray and Wilkins Streets and between the first alley east of Chadwick Street and the Illinois Central Railroad, in the City of Indianapolis, Indiana, together with all rights of said party of the first part in and to all improve- on or belonging to said property, and to the railroad switch, the rights in which are set forth in a certain contract between said party of the first and the Indianapolis Southern Railway Company (now the Illinois Central Railroad Company) and recorded in Miscellaneous

Lead with Purchase
Note: On Margin appears the following:
Declared Null and Void July 30, 1929, by both parties.
WILLIAM TITLE CO. INC.
1100 BANK BLDG.
INDIANAPOLIS, IND.

Declared Null and void July 30, 1929

Ta 1103

23

Record No. 60 page 280, which contract is now assigned to said party of the second part, to have and to hold the same from the first day of March, 1923, to and including the 28th day of February, 1933.

And the party of the second part hereby agrees to pay for said premises rent as follows: First 5 years at \$175.00 a month and the second 5 years at \$200.00 a month, the rent to be paid on the 1st day of each month during the continuance of this lease.

The conditions of this lease are: The premises are not to be subleased or this lease assigned by the said party of the second part or occupied by other persons without the written consent of the party- of the first part.

That said party of the second part his successors or assigns is hereby granted by party of the first part the option to purchase said property as follows: First 2 years at \$30,000.00 next 3 years \$32,500.00, next 5 years \$35,000.00. In case this option is exercised party of the first part agrees to furnish an abstract of title certified to date, showing title to be good and merchantable and free from all encumbrances, except taxes for the year in which said option shall be exercised and to convey said property by a general warranty deed.

On failure to pay rent at maturity or to give possession at the expiration of this lease, and as liquidated damages for such failure, it is agreed that double the rent above specified shall be paid for the time the rent remains due and unpaid, or said tenant holds possession without right, and should suit be instituted to collect rents, or to obtain possession of the premises, the said party of the second part agrees to pay attorney's fees therefor.

Permission is hereby given to the lessees under the attached lease to assign said lease to the Ray Street Coal Company after the incorporation of said company shall have been completed. But it is understood and agreed that such assignment shall not relieve said lessee of any obligation under this lease.

Signed this 8th day of February, 1923.

Sam'l Falender,
Julius Falender,

For further particulars see instrument.

Barrett Law Record
277 page 300 etc.
Resolution #10499
Approved
Jan. 3, 1923

-4-

*2 to 8th Nov 1931
may 1932 2nd
month + del.
for
WV*

Samuel Falender, et al
to

Walks and Lawns in Ray St.,

Lots 16 and 17 herein assessed for \$36.84 each.
Lot 18 herein assessed for \$49.67 payable in 10 annual installments and interest on said principal sum payable semi-annually in May and November of each year. Now 7/10 paid up to and including May, 1929 installment.

Record shows this assessment... 9/19... May 1932... installment... unpaid rolli part

L. M. BROWN ABSTRACT CO. Assessment

SATISFIED BY LAPSE OF TIME 3-24-47

ATTEST, UNION TITLE CO.

BY *Albert M. Bustin*
PRESIDENT

*Not by lapse
of time
RC*

24

Barrett Law Record
277 page 361 etc.
Resolution
#10287
Approved
Jan. 3, 1923

Samuel Falender et al
to
Pavement in Ray St.

Lot 14 herein assessed
Lots 15, 16 & 17 herein assessed for \$138.30 each.
Lot 18 herein assessed for \$225.89.
Lot 19 herein assessed for \$20.93 payable in 10
annual installments and interest on said principal sum
payable semi-annually in May and November of each year.
Now 7/10 paid up to and including May, 1929
installment.

*As shown on record this assessment now
FULLY PAID. Except shortage + interest penalty
+ costs*
MGR.

*It is in full or except
a shortage in interest
penalty and costs
MGR.*

-5-

-6-

Attention is hereby called to Resolution #13258 for
White River Flood Prevention, from 775 ft. S. of
Center line of Raymond St. to Morris St. constructing
levees and walls for changing, widening, dredging
stream, reconstruction of present highway bridge at
Morris St. by replacing same with a new bridge to
conform to new channel and condemning land. Adopted
February 2, 1927.

See Acts of Indiana General Assembly 1929 page 434

Judgment Search
-7-

Examination made for judgments versus Samuel Falender,
Julius Falender and Louis Falender for the 10 years
last past and against none other. No search made for
judgments against the School City of Indianapolis or the
Board of School Commissioners of said City.

-8-

Taxes for the year 1927 fully paid.

-9-

Taxes for the year 1928 on the Real Estate for which
this abstract is prepared are assessed in the name of
Samuel, Julius & Louis Falender and are due and
payable in May and November of 1929.

*amended
MGR.*

May installment \$142.29 (Paid).

November installment \$142.29 (Unpaid).

*As shown of record these taxes are now
FULLY PAID.
M. BROWN ABSTRACT CO.
BY [Signature] MGR.*

-10-

Taxes for the year 1929 now a lien.

86671

CERTIFICATE



-11-

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, affecting the title to the tract 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 tract 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, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, as said records and dockets are now entered up, except as hereinabove set out.

THIRD That according to the current tax duplicates and special tax duplicates and municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That no search has been made for pending resolutions for municipal improvements where the lien has not attached. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

The undersigned has two complete independent sets of indexes to the foregoing records of said County, compiled from the records and not copied from the official indexes, and the searches covered by this certificate reflect said records of said County and are not restricted to the indexes thereof.

In the preparation of this abstract an examination was made of one set of indexes and the findings thereof were re-checked with the other independent set of indexes, said examination made by one examiner and re-checked by another.

This certificate covers entries Nos. 1 to 11 both inclusive and sheets water-marked "Union Title Company" Nos. 1 to 5 both inclusive.
Dated at Indianapolis, Indiana, July 8, 1929 8:00 A. M.

UNION TITLE COMPANY

INCORPORATED

By Willis N. Good

President and General Manager

-5-(G)

1. An Addenda to an Abstract of Title to Lots numbered 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation lands of the Town, now City of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 10 at page 175 thereof; together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject, however, to all legal highways or rights of way. Excepting however, from the premises aforesaid, all railways and railway property-rights.

Prepared for Fletcher Savings & Trust Company.

Misc. Record
52 page 396
March 9, 1900
Recorded
Feb. 18, 1907.

ATTORNEY'S OPINION 5

ARTICLES OF ASSOCIATION OF BALLWEG AND COMPANY.

The name of this corporation shall be Ballweg and Company.

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.

2. The amount of capital stock of this company is \$40,000.00 divided into 400 shares of \$100.00. Said shares are and shall be fully paid up by the transfer to this company of the assets of the firm of Ballweg and Company which has heretofore done business in the City of Indianapolis, Marion County, Indiana. Said capital stock may be increased or diminished at any time by a vote of the majority of shares at any meeting of stock-holders.

The term of existence of this company is 50 years.

3. We hereby certify the foregoing to be true and correct.

Indianapolis, Indiana.
July 26, 1929.

Union Title Co.
INCORPORATED
W. N. Cowley
V. PRES. & GEN. MGR.

TITLE INDIANAPOLIS

1.

Continuation of an Abstract of Title to Lots Numbered Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) Eighteen (18) and Nineteen (19) in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot Numbered 120 of the Donation Lands of the Town, now City of Indianapolis, the plat of which is recorded in Plat Book 10 page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject however, to all legal highways or rights of way. Excepting, however, from the premises aforesaid, all railways and railway property rights.

OF

Prepared for Robert Bellach, since date of July 7, 1929.

ABSTRACTS

CONVEYANCES.

Deed Record
847 page 494
August 5, 1929
Recorded
August 6, 1929

Samuel Falender and Warrantly Deed
Belle Falender, husband and wife,
Julius Falender and
Ella Falender, husband and wife,
and Louis Falender, unmarried
to
Fletcher Savings and Trust Company,
Trustee,

L. M. Brown Abstract Co.,

Lots numbered 14, 15, 16, 17, 18 and 19, in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis, the plat of which is recorded in Plat Book 10 at page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject however, to all legal highways or rights of way. Excepting, however, from the premises aforesaid, all railways and railway property-rights.

Free of all encumbrances with the exception of the last installment of 1929 taxes.

Said grantee, as such Trustee shall have full power and authority to sell and convey said real estate hereinabove described or any part thereof, and any purchaser thereof from said grantee is not required to look

28

INDIANAPOLIS

beyond the terms of this deed for the authority of said grantee as such Trustee to sell and convey the same, and no purchaser from said grantee herein shall be required to see to the application of the purchase money.

TITLE

MARION CIRCUIT COURT

Cause # 3449
Complaint
filed
March 13, 1931

OF

IN RE: Petition of Fletcher
Savings and Trust Company
to Change name to
Fletcher Trust Company.

3.

ABSTRACTS

Petition filed as follows:
Your petitioner, the undersigned Fletcher Savings and Trust Company, would respectfully represent and show to the court that it is a corporation duly organized under and pursuant to the laws of the State of Indiana, concerning loan and trust and safe deposit companies. That it was incorporated on the 31st day of May, 1912, and it has since been engaged in business in the City of Indianapolis, Marion County, Indiana, having its principal office located therein and it is now so engaged in business with its main office and several branch offices all located within said city.

Your petitioner asks and respectfully requests this court to change the name of said Fletcher Savings and Trust Company, its present name, to that of Fletcher Trust Company.

May 4, 1931, Comes now the above named petitioner and shows to the court that due notice of its application for change of name filed herein has been given by three weekly publications in The Indianapolis Commercial, a newspaper of general circulation printed and published in this County, thirty days prior to the first day of this term of court, proof of which publication is as follows:

NOTICE

STATE OF INDIANA, MARION COUNTY, SS:
IN THE CIRCUIT COURT OF MARION COUNTY, INDIANA.
IN RE: FLETCHER SAVINGS AND TRUST COMPANY,
CHANGE OF NAME.

L. M. Brown Abstract Co.,

Notice is hereby given that Fletcher Savings and Trust Company of Indianapolis, Indiana, has

(over)

29

#198573

INDIANAPOLIS

petitioned the Circuit Court of Marion County, Indiana, to change said company's name from "Fletcher Savings and Trust Company" to "Fletcher Trust Company", and that said petition will be presented to and heard by said court on Monday, May 4, 1931, being the first day of the May Term of said court.

Dated this 13th day of March, 1931.

Fletcher Savings and Trust Co.
by, Evans Woollen, President.

TITLE

Legal Notice from
The Indianapolis Commercial.
STATE OF INDIANA, COUNTY OF MARION, SS:

ABSTRACTS
OF

Personally appeared before the undersigned, a Notary Public in and for said County and State, Stella Menke, who, being duly sworn upon her oath says that she is a Clerk for The Indianapolis Commercial Publishing Co., publishers of The Indianapolis Commercial, a daily newspaper of general circulation, printed and published in the English language, in the City of Indianapolis, in the County aforesaid, and that the notice, of which the attached is a true copy, was duly published in said paper for three weekly insertions successively, the first of which publications was on the 14 day of March, 1931, and the last on the 28th day of March, 1931.

Stella Menke.

Subscribed and sworn to before me this 28th day of March, 1931.

Blanche Bills, (LS)

Notary Public

My commission expires April 23, 1931.

L. M. Brown Abstract Co.,

And comes also Herbert E. Wilson, Prosecuting Attorney of Marion County, Indiana, by his deputy Joseph G. Wood.

And the court having read said petition, heard the evidence and being duly advised in the premises finds that the matters and facts stated therein are true and that said petition should be granted.

It is therefore ordered and adjudged by this court that the name of said petitioner be changed from "Fletcher Savings and Trust Company" to "Fletcher Trust Company", and that henceforward said petitioner shall be known by the name "Fletcher Trust Company", but the name "Fletcher Savings and Trust Company" whenever used heretofore or hereafter shall also be deemed to designate said petitioner as though its true name "Fletcher Trust Company" had been used.

(over)

INDIANAPOLIS

It is also ordered that the corporate seal of said company be changed from the present seal to one having the word "Seal" in the center thereof, surrounded by the words "Fletcher Trust Company, Indianapolis." It is further ordered that a copy of this order duly certified by the Clerk of the court be filed with the Secretary of State of the State of Indiana, and with the Recorder of Marion County, Indiana.

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

Order Book 245 page 433.

TITLE

(May 4, 1931, A certified copy of the Decree in the above entitled Cause recorded in the Recorder's office of Marion County, Indiana, in Deed Record Town Lots 877 page 325).

OF

ABSTRACTS

Deed Record
Town Lots
962 page 542
Jan. 22, 1937
Recorded
Feb. 2, 1937

Fletcher Trust Company, Trustee
under a certain deed recorded
in Deed Record 847 page 494
in the Recorder's Office of
Marion County, Indiana, (Corp. Seal)
By Donald S. Morris, Vice President,
Attest: E. C. McKinney,
Asst. Secretary

Special Warranty Deed
No Stamps

4.

L. M. Brown Abstract Co.,

to
Robert Beilach,

[Lots numbered 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis; the plat of which is recorded in Plat Book 10 at page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways; same being subject however, to all legal highways or rights of way. Excepting however, from the premises aforesaid, all railways and railway property rights.]

The execution and delivery of this deed by the grantor and its acceptance by the grantee completely fulfills and finally terminates the trust created by the deed above referred to insofar as the same relates to the real estate herein described.

Grantor warrants against own acts only.

31

#198573

5. WE FIND NO FURTHER CONVEYANCES.

INDIANAPOLIS

ENCUMBERANCES.

6. MORTGAGES.

TITLE

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

7. MECHANICS' LIENS.

OF

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

8. JUDGMENTS.

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.

Fletcher Trust Company Trustee from December 8, 1934 to February 2, 1937 inclusive, Robert Beilach for ten years last past.

We find the following:

CIVIL MUNICIPAL COURT OF MARION COUNTY.
Robert Beilach
vs
Charles L. Rowe,
Judgment rendered February 18, 1943 against plaintiff for costs.

COSTS PAID
ATTEST. UNION TITLE CO.
BY *Alfred J. Smith*
PRESIDENT

*Costs paid
W.V.*

L. M. Brown Abstract Co.

Cause
No. 72790
Order Book
86 page 250

9.

32

#198573

INDIANAPOLIS

ASSESSMENTS.

10.

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

TITLE

TAXES.

11.

OF

Taxes for the year 1942 paid in full.

ABSTRACTS

12.

Taxes for the year 1943 assessed in the name of Robert Bellach are due and payable the first Monday in May and the first Monday in November of the year 1944.

Parcel No. 5954
General Tax Duplicate No. 304164

Indianapolis, Center Township

May installment \$131.76 Paid
Nov. installment \$131.76 Paid

L. M. Brown Abstract Co.,

paid 11/1.

13.

Taxes for the year 1944 became a lien March 1st and are due and payable in May and November of the year 1945.

*As shown of record these taxes are now FULLY PAID. L. M. Brown Abstract Co. BY *Russell J. ...**

33

#198573

ZONING

14.

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.,

30

15.

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 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 July 7, 1929 to and including December 6, 1944 and covers Paragraphs No. 1 to 15

both inclusive, and Sheets No. 1 to 8 both inclusive.

L. M. BROWN ABSTRACT COMPANY

By *[Signature]*

President & Mgr.



35

Established 1868

L. M. Brown Abstract Co.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS OF TITLE—TITLE INSURANCE

Capital \$150,000.00

INDIANAPOLIS 4, IND.

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
KARL MOHR
ASST. MGR.

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

#198573

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

Robert Bellach

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 **December 6, 1944** and all other Divisions of the State of Indiana, down to and including **December 2, 1944**

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.

Fletcher Trust Company Trustee
Robert Bellach

Dated December 6, 1944

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

DG

36

-1-

INDIANAPOLIS
TITLE

Continuation of Abstract of Title to Lots numbered Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) and Nineteen (19) in Ballweg and Company's Ray Street Subdivision of the west part of Block "A" in McCarty's Subdivision of the west part of Out Lot numbered 120 of the Donation Lands of the Town, now City of Indianapolis, the plat of which is recorded in Plat Book 10 page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting however, from the premises aforesaid, all railways and railway property rights.]

OF

Prepared for W.A. Brennan, Inc., since date of December 6, 1944.

ABSTRACTS

CONVEYANCES.

Deed Record
1164 page 447
Jan. 10, 1945
Recorded
Jan. 16, 1945

Robert Bellach and
Katherine Bellach,
his wife.

Warranty Deed
Revenue Stamps
Attached.

to
Leo Cohn and
Louise Eillian Cohn,
husband and wife.

-2-

L. M. Brown Abstract Co.,

Lots No. 14, 15, 16, 17, 18 and 19 in Ballweg & Company's Ray Street Subdivision of the west part of out Lot No. 120 of the Donation Lands of the town now City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 10 page 1075 together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of Public Highways; subject however to all legal highways or right-of-way.

Subject to taxes becoming due and payable in May of 1945, and thereafter.

Deed contains usual citizenship statement by grantors.

Deed Record
1188 page 472
Jan. 2, 1945
Recorded
Sepg. 22, 1945

-3-

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Leo Cohn and
Louise - Cohn,
husband and wife.

to
Bernadette M. Treadway,
unmarried, trustee for the
purpose of reconveying an
undivided 1/4th to Leo Cohn
an undivided 1/4th to Louise - Cohn,
and an undivided 1/2 to Herbert Cohn
of the real estate herein involved as
tenants in common.

Lots No. 14, 15, 16, 17, 18 and 19 in Ballweg and
Company's Subdivision of the west part of Block A in
McCarty's Subdivision of the west part of Out Lot No. 120
of the Donation Lands of the Town, now City of Indianapolis,
the plat of which is recorded in Plat Book 10 page 175 in
the office of the Recorder of Marion County, Indiana,
together with such strips of ground as may have been added
or become appurtenant to said lots by reason of the
vacation of Public Highways.

Subject to all liens and encumbrances.
Deed contains usual grantors citizenship statement.

Warranty Deed
No Revenue Stamps

Deed Record
1188 page 473
Jan. 2, 1945
Recorded
Sept. 22, 1945

-4-

L. M. Brown Abstract Co.,

Bernadette M. Treadway,
unmarried, trustee for the
purpose of reconveying an
undivided 1/4th to Leo Cohn,
an undivided 1/4 to Louise - Cohn,
and an undivided 1/2 to
Herbert Cohn of the real estate
herein involved as tenants in common.

to
Leo Cohn, an undivided 1/4
Louise - Cohn, an undivided 1/4
Herbert Cohn, an undivided 1/2
of the real estate herein
involved as tenants in common.

Lots No. 14, 15, 16, 17, 18 and 19 in Ballweg and
Company's Subdivision of the west part of Block A in
McCarty's Subdivision of the west part of Out Lot No. 120
of the Donation Lands of the Town, now City of Indianapolis,
the plat of which is recorded in Plat Book 10 page 175
in the office of the Recorder of Marion County, Indiana,
together with such strips of ground as may have been
added or become appurtenant to said lots by reason of
the vacation of public highways.

Subject to all liens and encumbrances.
Deed contains usual citizenship statement by grantors.

Warranty Deed
No Stamps

-5-

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

MORTGAGES.

-6-

TITLE

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

MECHANIC'S LIENS.

Misc. Record
356 page 297
Apr. 17, 1945
Recorded
Apr. 17, 1945

J.F. Johnson,
By A.L. Case.
to
Leo Cohn,
Louise - Cohn.

Lien

-7-

ABSTRACTS

Lots No. 12, 13, 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Sub. of Block A. in Out Lot 120 in the City of Indianapolis, Marion County, Indiana, also known as No. 359 West Ray Street, for the sum of \$1202.00. Note: No suit has ever been instituted to enforce this lien.

JUDGMENTS.

-8-

L. M. Brown Abstract Co.,

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.

Robert Bellach from December 6, 1944 to January 16, 1945 inclusive,

Leo Cohn and Louise Lillian Cohn, jointly and not individually from March 13, 1937 to September 22, 1945 inclusive,

Leo Cohn,
Louise Cohn,
Herbert Cohn,
for the 10 years last past.

(None found unsatisfied.)

INDIANAPOLIS
TITLES
OF
ABSTRACTS

ASSESSMENTS.

-9-

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

TAXES.

-10-

Taxes for the year 1945 paid in full.

-11-

Taxes for the year 1946 assessed in the names of Leo and Louise Lillian and Herbert Cohn are due and payable the first Monday in May and the first Monday in November, 1947.

General Tax Duplicate #317857
Parcel #5954.

Indianapolis, Center Township

May installment \$315.87 not paid.
Nov. installment \$315.87 not paid.

SEE PAID IN FULL
ATTENTION TITLE
BY *Alfred Binst*
PRESIDENT

-12-

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

SEE SUBSEQUENT INFORMATION

L. M. Brown Abstract Co.,

40

CERTIFICATE

-13-

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 **December 6, 1944** to and including
March 13, 1947

and covers Paragraphs No. 1 to **13**

both inclusive, and Sheets No. 1

to **5** both inclusive.

L. M. BROWN ABSTRACT COMPANY

By

Russell W. Furr
 President & Mgr.



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.

150 1/2 EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND

236459

DIRECTORS
 CHAS. R. YORK
 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 S. SUTPHIN
 J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

W. A. BRENNAN, 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 **March 13, 1947** and all other Divisions of the State of Indiana, down to and including **March 6, 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.

Robert Bellach

Leo Cohn

Louise Lillian Cohn

Louise Cohn

Herbert Cohn

Dated **March 13, 1947**

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

AN

42

1.

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

Prepared for W. A. Brennan, Inc.

INDIANAPOLIS

ITEM NO. 2 OF OPINION

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

TITLE OF ABSTRACTS

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,
To

Power of Attorney

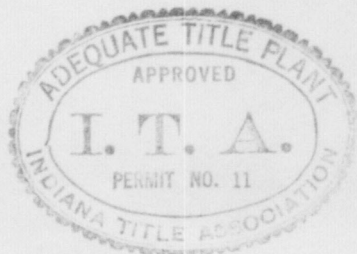
2.

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 etc., Lot or Block lettered "A" in McCarty's Subdivision of the west part of Out Lot 120, etc.

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, etc.

L. M. Brown Abstract Co.,



March 22, 1947
BRK

L. M. BROWN ABSTRACT CO.,

By *Russell A. Jurr*
President & Manager

347032

CAPTION

-1-

Continuation of Abstract of Title to Lots 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the Town, now City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting however, from the premises aforesaid, all railways and railway property rights. Since March 13, 1947.

Prepared for: Railroadmen's Federal Savings and Loan Association.

Town Lot Record
1253 page 462
Inst. #16017
Mar. 27, 1947
Recorded
Mar. 27, 1947

Leo Cohn and
Louise Cohn,
husband and wife
and Herbert Cohn and
Rebecca Cohn, his wife
to
Strohm Warehouse &
Cartage Company

Warranty Deed
(U.S. Revenue
Stamp Attached)

-2-

Lots 14, 15, 16, 17, 18, and 19 in Ballweg and Company's-McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the Town, now City of Indianapolis, Indiana, the plat of which is recorded in Plat Book 10 page 175 in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots by reason of the vacation of public highways. Excepting, however, from the premises aforesaid all railways and railway property rights. Also subject to all legal highways or rights of way.

Subject to taxes for the year 1947, payable in 1948, and all installments subsequent thereto; also all assessments for municipal improvements which become a lien after the date of this conveyance.

Proper citizenship clause is attached.

-1- DB

347032

Misc. Record
161, page 455
Inst. #31812
July --, 1925
Recorded
July 30, 1925

ARTICLES OF INCORPORATION OF STROHM WAREHOUSE &
CARTAGE COMPANY

The name of the proposed corporation shall be
Strohm Warehouse & Cartage Company.

The business to be done by the corporation shall
be the operation of a warehouse for public use, the
transfer and cartage of goods, wares, and merchandise
and for that purpose the corporation may buy, sell
and mortgage real estate, may purchase and sell goods,
wares and merchandise, execute warehouse receipts,
bills of lading and any and all other things connected
with the operation of a warehouse or cartage company.

The amount of capital stock of this corporation
shall be \$1,000.00, to be divided into 10 shares of
common stock of \$100.00 per share and said stock to
be sold at \$100.00 per share.

This corporation does not take over the business
or property of any other corporation, person or per-
sons.

The length of the life of this corporation shall
be 50 years.

Note: For increase in Capital Stock from \$1,000.00
to \$50,000.00 see Articles of Amendment recorded on
February 14, 1944 in Misc. Record 351 page 217.

ATTEST UNION TITLE CO.

BY *C. Edward Blum*
PRESIDENT

Judgment Search

-4-

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:

Leo Cohn,
Louise Cohn
and
Herbert Cohn

from March 13, 1947
to and including
March 27, 1947

and vs.

Strohm Warehouse &
Cartage Company

for the 10 years
last past and
against none other.

347032

IN THE SUPERIOR COURT OF MARION COUNTY

Cause #B-51981
December 11, 1946
Order Book 646
Page 360

Perfection Paint and
Color Company, Inc.

vs

Strohm Warehouse
and Cartage Company

11-3-48
JUDGMENT SATISFIED
AND COSTS PAID
ATTEST. UNION TITLE CO.
BY *Albert M. Burt*
PRESIDENT

-5-

Judgment rendered vs defendant for \$1.00 and costs.
December 12, 1946 Execution issued. Returned
partly satisfied. See Execution Docket 86 page 134.

-6-

Taxes for the year 1947 on the Real Estate for which
this Abstract is prepared are assessed in the name of
Leo and Louise Lillian and Herbert Cohn and are due
and payable on or before the first Mondays in May
and November of 1948.

General Tax Duplicate No. 317974, CD, Indiana-
polis, Center Township, Parcel No. 5954.

May Installment \$313.53 Paid.

November Installment \$313.53 Unpaid.

FINANCE PAID IN FULL
ATTEST. UNION TITLE CO.
BY *Albert M. Burt*
PRESIDENT

-7-

Taxes for the year 1948 now a lien.

FINANCE PAID IN FULL
ATTEST. UNION TITLE CO.
BY *Albert M. Burt*
PRESIDENT DB

347032

GUARANTEED CERTIFICATE

-8-
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, 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 above set out.

THIRD That according to the current tax duplicates, moratorium 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 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 8 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 4 both inclusive.

Dated at Indianapolis, Indiana, October 22, 1948, 8 A.M.

UNION TITLE COMPANY

By Albert M. Bustin
President

-4- DB

UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

Market 2361-5

Capital Stock \$1,000,000.00

347032

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

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: ~~Railroadmen's~~ Federal Savings & Loan Association

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 seven 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
October 20, 1948, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

October 21, 1948, 8 A.M.

Leo Cohn

Louise Cohn

Herbert Cohn

Strohm Warehouse &
Cartage Company

UNION TITLE CO.

BY *Albert M. Bustin*
PRESIDENT

DB

410142

CAPTION

-1-

Continuation of Abstract of Title to Lots 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the Town, now City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175, in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting however, from the premises aforesaid, all railways and railway property rights.
Since October 22, 1948, 8 A. M.

Prepared for: Railroadmen's Federal Savings & Loan Association

Misc. Record
428 page 529
Inst. #406
Dec. 22, 1948
Recorded
Jan. 4, 1949

-2-

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, SS:

Louise Cohen, being first duly sworn, on oath states that she is of lawful age and a resident of Marion County, Indiana; that on March 27, 1947, she and her husband Leo Cohn, and Herbert Cohn and Rebecca Cohn, his wife, conveyed the following described real estate in Marion County, Indiana:

Lots 14, 15, 16, 17, 18, and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the Town, now City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175, in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots by reason of the vacation of public highways. Excepting, however from the premises aforesaid all railways and railway property rights.

Also subject to all legal highways or rights of way.

Affiant further states that she is one and the same person as Louise Lillian Cohen, one of the grantees in a certain Warranty Deed executed January 10, 1945, by Robert Beilach and Katherine Beilach, his wife, which deed is recorded in Deed Record 1164, page 447, in the office of the Recorder of Marion County, Indiana.

Further affiant saith not.

Louise Cohen

Sworn to before me and subscribed in my presence this 22nd day of December 1948.

Irene Smith (LS)

Notary Public

410142

Misc. Record
426 page 336
Inst. #65658
Nov. 4, 1948
Recorded
Nov. 5, 1948

-3-

STATE OF INDIANA, COUNTY OF MARION, SS:

Helen Pidgeon, being first duly sworn on oath states that she is of lawful age and resident of Marion County, Indiana; that she is the Secretary of the Strohm Warehouse & Cartage Company; that said Company is the owner of the following described real estate in Marion County, Indiana.

Lots 14, 15, 16, 17, 18, and 19 in Ballweg and Company's Ray Street Subdivision of the West Part of Block "A" in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the Town now City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175, in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways same being subject, however, to all legal highways or rights of way. Excepting however, from the premises aforesaid, all railways and railway property rights.

Affiant further states that said Strohm Warehouse & Cartage Company is executing a mortgage of even date herewith to Railroadmen's Federal Savings and Loan Association in the principal sum of \$50,000.00 upon the above described real estate; that the business of said company is that of operating a warehouse and that the proceeds of said mortgage are to be used in the furtherance of their corporate purposes; that the officers of said company are duly authorized by a resolution of the Board of Directors of said company to execute the aforementioned mortgage.

Further affiant saith not.

Helen Pidgeon
(Corp. Seal of Strohm Warehouse
and Cartage Co.)

Sworn to before me and subscribed in my presence
this 4 day of Nov. 1948.

J. R. Ottinger (LS)
Notary Public

My commission expires: Sept. 23, 1951.

410142

Mortgage Record
1476 page 479
Inst. #65661
Nov. 4, 1948
Recorded
Nov. 5, 1948

Strohm Warehouse & Cartage
Company, (Corp. Seal)
By B. A. Stroh, President
Attest: Helen Pidgeon,
Secretary, a corporation
organized and existing
under the laws of the
State of Indiana

Mortgage
SATISFIED OF RECORD 8-20-51
ATTEST. UNION TITLE CO.
BY C. Edwards (Blum)
PRESIDENT

-4-

to
Railroadmen's Federal Savings
and Loan Association of
Indianapolis

Lots 14, 15, 16, 17, 18, and 19 in Ballweg and
Company's Ray Street Subdivision of the West Part of
Block "A" in McCarty's Subdivision of the West Part of
Out Lot 120 of the Donation Lands of the Town now City
of Indianapolis, as per plat thereof, recorded in Plat
Book 10, page 175, in the office of the Recorder of Marion
County, Indiana, together with such strips of ground
as may have been added or become appurtenant to said
lots, by reason of the vacation of public highways
same being subject, however, to all legal highways or
rights of way. Excepting however, from the premises
aforesaid, all railways and railway property rights.

To secure the payment of a loan evidenced by a
promissory note of even date herewith, in the principal
sum of \$50,000.00 with interest as provided for in said
note from date until paid, said principal and interest
being payable in payments as provided in said note, all
of said payments to be made on or before the 1st day
of each calendar month hereafter until the whole of said
principal sum and interest is fully paid in compliance
with all the stipulations in said note, and with 10%
attorney's fees.

Mortgage Record
1482 page 579
Inst. #12106
Mar. 2, 1949
Recorded
Mar. 3, 1949

Strohm Warehouse and
Cartage Co., Inc.
(Corp. Seal)
By B. A. Strohm, Pres.
Attest: Helen Pidgeon, Secy.
a corporation organized
and existing under the laws
of the State of Indiana

Mortgage
SATISFIED OF RECORD 8-20-51
ATTEST. UNION TITLE CO.
BY C. Edwards (Blum)
PRESIDENT

-5-

to
Railroadmen's Federal Savings
and Loan Association of
Indianapolis

Lots 14, 15, 16, 17, 18 and 19 in Ballweg and
Company's Ray Street Subdivision of the West Part
of Block "A" in McCarty's Subdivision of the West
Part of Out Lot 120 of the Donation Lands of the
Town, now City of Indianapolis, as per plat thereof,

410142

recorded in Plat Book 10, page 175, in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting, however, from the premises aforesaid, all railways and railway property rights.

To secure the payment of a loan evidenced by a promissory note of even date herewith, in the principal sum of \$8500.00 with interest as provided for in said note from date until paid, said principal and interest being payable in payments as provided in said note, all of said payments to be made on or before the 1st day of each calendar month hereafter until the whole of said principal sum and interest is fully paid in compliance with all the stipulations in said note, and with 10% attorney's fees.

Judgment Search

-6-

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:

Strohm Warehouse & Cartage
Company

from October 22, 1948,
8 A. M. to date

and vs.

Strohm Warehouse and
Cartage Co., Inc.

for the 10 years
last past and
against none other.

410142

-7-

Taxes for the year 1950 on the Real Estate for which this Abstract is prepared are assessed in the name of Strohm Warehouse & Cartage Company and are due and payable on or before the first Mondays in May and November of 1951.

General Tax Duplicate No. 346369, Corp., Indianapolis, Center Township, Parcel No. 5954.

May Installment \$1117.69 Paid.

November Installment \$1117.69 Unpaid.

SINCE PAID IN FULL
ATTEST, UNION TITLE CO.
BY *E. Edward Blam*
PRESIDENT

-8-

Taxes for the year 1951 now a lien.

SINCE PAID IN FULL
ATTEST, UNION TITLE CO.
BY *E. Edward Blam*
PRESIDENT

-9-

July 9, 1951. We hereby certify that no variance has been granted by the Board of Zoning Appeals of the City of Indianapolis, affecting the use of the Real Estate described in the caption hereof.

J 16749

410142

GUARANTEED CERTIFICATE

-10-

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, 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 above set out.

THIRD That according to the current tax duplicates, moratorium 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 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 10 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 6 both inclusive.

Dated at Indianapolis, Indiana, July 19, 1951, 7 A. M.

UNION TITLE COMPANY

by... *Albert M. Bush*
President

-6-

BB

UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

Market 2361-5

Capital Stock \$1,000,000.00

410142

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

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: Railroadmen's Federal Savings & Loan Association

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 seven 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 18, 1951, 7 A. M. and

The Indianapolis Division of the Southern District down to and including

July 19, 1951, 7 A. M.

Strohm Warehouse &
Cartage Company

Strohm Warehouse and
Cartage Co., Inc.

UNION TITLE CO.

BY *Albert M. Burt*
PRESIDENT

BB

64-17773A

CAPTION

-1-

Continuation of Abstract of Title to Lots 14, 15, 16, 17, 18 and 19 in Ballweg and Company's Ray Street Subdivision of the West part of Block "A" in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the Town, now City of Indianapolis, as per plat thereof, recorded in Plat Book 10, page 175, in the office of the Recorder of Marion County, Indiana, together with such strips of ground as may have been added or become appurtenant to said lots, by reason of the vacation of public highways, same being subject however, to all legal highways or rights of ways. Excepting however, from the premises aforesaid, all railways and railway property rights.
Since July 19, 1951, 7 A.M.

Prepared for: Strohm Warehouse and Cartage Company

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.

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:

Strohm Warehouse &
Cartage Company
and
Strohm Warehouse and
Cartage Co., Inc.

for the 10 years
last past and
against none other

64-17773A

-4-

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

-5-

Taxes for 1963 payable 1964 in name of Strohm Warehouse and Cartage Co., Inc.

Duplicate No. 438360, S, Indianapolis, Center Township, Code No. 1-01, Parcel No. 5954.

May Installment \$2,756.77 Paid.

November Installment \$2,756.77 Unpaid.

Assessed Valuation:

Land \$7,560.00 Improvements \$54,030.00 Exemption (None)

-6-

Taxes for 1964 now a lien in name of Strohm Warehouse and Cartage Co., Inc.

64-17773A

INDUSTRIAL ZONING ORDINANCE

-7-

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.

64-17773A

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.

-8- RESOLUTION ADOPTING EXISTING MASTER PLANS AND MAKING
RECOMMENDATIONS TO THE MARION COUNTY COUNCIL

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.

-9- 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.

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.

64-17773A

GUARANTEED CERTIFICATE

-11-

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 11 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 7 both inclusive.

Dated at Indianapolis, Indiana, August 4, 1964, 8 A.M.

UNION TITLE COMPANY

by *C. Edward Plum*
President

-7-paw-

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

64-17773A

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: **Strohm Warehouse and Cartage Company**

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 29, 1964, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

July 30, 1964, 8 A.M.

Strohm Warehouse & Cartage Company

Strohm Warehouse and Cartage Co., Inc.

PAW

UNION TITLE CO.

BY *C. Edward Blum*
PRESIDENT