

71406
WARRANTY DEED

VOL 12 PAGE 121
PROJECT 65-3(17)120
PARCEL No. 16

This Indenture Witnesseth, That Emma G. Higdon
(Unmarried Women) Adult

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

of Marion County in the State of Indiana for and in consideration
of \$ Twenty Seven Thousand, Nine Hundred And Ten Dollars (\$27,910.00) Dollars
the receipt whereof is hereby acknowledged, the following described Real Estate in Marion
County in the State of Indiana, to-wit:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE
2 EAST OF THE SECOND PRINCIPAL MERIDIAN IN MARION COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED
AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT IN THE WEST LINE OF SAID HALF QUARTER SECTION DISTANT SOUTH 1273.86
FEET FROM THE NORTHWEST CORNER THEREOF, RUNNING THENCE EAST PARALLEL TO THE NORTH LINE OF SAID HALF
QUARTER SECTION A DISTANCE OF 1052.58 FEET TO A POINT IN THE CENTER OF THE LAFAYETTE ROAD,
RUNNING THENCE SOUTHEASTERLY IN AND ALONG SAID CENTER LINE A DISTANCE OF 286.25 FEET TO A
POINT, RUNNING THENCE WEST PARALLEL TO THE NORTH LINE OF SAID HALF QUARTER SECTION A DISTANCE
OF 1226.74 FEET TO A POINT IN THE WEST LINE OF SAID HALF QUARTER SECTION, RUNNING THENCE
NORTH IN AND ALONG SAID WEST LINE A DISTANCE OF 191.12 FEET TO THE PLACE OF BEGINNING
CONTAINING IN ALL 5 ACRES, BE THE SAME MORE OR LESS.

SUBJECT TO ANY LEGAL HIGHWAYS OR RIGHTS OF WAY.

THE GRANTOR SHALL PAY ALL TAXES THAT ARE NOW A LIEN, AND CLEAR ALL LEASES, LIENS, OR
ENCUMBRANCES ON SAID LAND AS CONVEYED.

THIS INSTRUMENT PREPARED FOR
THE DIVISION OF LAND ACQUISITION
BY Byron J May APR 15 1962

APPROVED
Chief
Asst. Chief
Dep. Atty. Gen'l
Control

4/8/62
JLO

A 091189
A 091188

DULY ENTERED
FOR TAXATION

Paid by Warrant No. A 091188

AUG 7 - 1962 Dated 7/19/62 1962

Clem Smith
COUNTY AUDITOR



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 Emma G. Higdon
has hereunto set Her hand and seal, this 25th day of May 19 62

Emma G. Higdon (Seal.)
Emma G. Higdon (Seal.)
(Seal.)
(Seal.)

The undersigned owner of a mortgage and/or lien on the land of which the right of way described in the attached deed, is conveyed, hereby releases from said mortgage and/or lien said granted right of way, and do hereby consent to the payment of the consideration therefor as directed in said deed, this

122 28 day of May, 1962

RAILROADMEN'S FEDERAL SAVINGS
& LOAN ASSOCIATION OF INDIANAPOLIS (Seal)
W. S. Schuster (Seal)

State of INDIANA
County of MARION } ss:

Personally appeared before me W. S. SCHUSTER, ASST. VICE PRESIDENT OF RAILROADMEN'S FED. SAV. & LOAN ASSOC. above named and duly acknowledged the execution of the above release the 28 day of May, 1962

Witness my hand and official seal.
My Commission expires March 3, 1963

Violet Johnson
Notary Public.

Control

APPRAISAL REVIEW

Project I-65-3(17) Road I-65 County MARION Parcel No. 16

Property Owner EMMA HIGDON Address _____

Address of Appraised Property _____

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.

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

- 1. I have personally checked all Comparables and concur in the determinations made. ✓
- 2. Planning and Detail Maps were supplied appraisers. ✓
- 3. The three approaches required (Income, Market Data and Cost Replacement) were considered. ✓
- 4. Necessary Photos (3 prints of each) are enclosed. ✓
- 5. The appraisal is fully documented and supported as required by the State Highway Commission and the Federal Bureau of Roads. ✓
- 6. Plats drawn by the appraisers are attached. ✓
- 7. I have personally inspected the Plans. ✓
- 8. I have personally inspected the site and familiarized myself with the Parcel. ✓
- 9. I have carefully reviewed and checked the computations of this parcel and attest to their correctness. ✓

Comments APPRAISAL CONTAINS ERROR ON PAGE 2. VALUE OF PART TAKEN SHOULD BE \$ 27,350, AS SHOWN CORRECTLY ON PAGE 15.

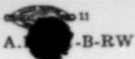
It is my opinion as of 10/3/62 (date):

- (a) The fair market value of the entire property is: \$ 27,600
- (b) The fair market value of the property after the taking, assuming the completion of the improvement, is: \$ 250

The total value of taking is: (a minus b) Total \$ 27,350

(1) Land and/or improvements	\$ <u>25,597</u>
(2) Damages	\$ <u>1,753</u>

Glenn Stoshe
 Reviewing Appraiser
 Date: Oct. 3, 1962



INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

..... August 2, 19 62

To Emma G. Higdon &
Railroadmen's Federal Savings & Loan Assn.
5000 Lafayette Road
Indianapolis 23, Indiana

GENTLEMEN:

We enclose State Warrant No. A 091189-7/19/62 19.....
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase For the purchase of Right of Way on State Road No. I-65 in Marion County I Project 65-3 Section (17) as per Grant dated May 25, 1962 Parcel# 16	\$2,791.00

PLEASE RECEIPT AND RETURN

Received Payment: *Emma Higdon*
Date: *Sept 18 - 1962*

R E S O L U T I O N

WHEREAS, The Indiana State Highway Commission of Indiana has heretofore acquired by Grant dated 5-25-62 executed by the STATE OF INDIANA and Emm Higdon

A frame house - garage

including trees, shrubs and fence, if any, on Road # I-65 located within the limits of the proposed improvements to be made on said highway. The parcel of real estate is situated in Marion County, Indiana, and more particularly described as follows:

Part E 1/2 SE 1/4 Sec 12 Twp 16N Range 2E

and,

WHEREAS, the parcel of real estate heretofore described was so procured by the Indiana State Highway Commission of Indiana for construction of Road I-65 through said County,

and,

WHEREAS, the above mentioned buildings and improvements located on right of way of said proposed construction project designated as I-65-3 (17)

and,

WHEREAS, it is necessary, in order to properly construct and improve said highway, to sell buildings and other improvements and to cause their removal from the strip of right of way as above described and as by law provided.

BE IT RESOLVED, therefore, by the Indiana State Highway Commission of Indiana, that said building so described be advertised, sold and caused to be removed from right of way of said highway project within a definite time to be fixed in the notice and terms of sale thereof, all as by law provided, and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be submitted to the Director of Public Works as his warrant of authority for the disposal of said personal property as herein requested.

ADOPTED and PASSED by the Indiana State Highway Commission of Indiana this 21st day of June, 19 62.

Offices of the Indiana State Highway Commission of Indiana.

This is to certify that the attached is a full, true and complete copy of a Resolution authorizing the sale of improvements on the right of way as described, as the same appears in the minutes of the Commission in the State Office Building in the City of Indianapolis, Indiana.

IN WITNESS WHEREOF, I, Roy Whitton, Secretary of the Indiana State Highway Commission of Indiana, hereto place my hand and seal of said Commission on this 21st day of June, 19 62.

Roy F. Whitton

Secretary

SEAL:

This report to be completed in triplicate on each call. One copy to be inserted in parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT I-65-3 (17) PARCEL # 16

OWNER Emma M. Higdon PHONE # ME. 3-4718

(Other interested parties and relationship)

ADDRESS OF OWNER 5000 Lafayette Rd.

DATE ASSIGNED May 9th 1962

DATE OF CONTACT May 25th 1962

TIME OF CONTACT 1:00 P.M.

DATE OF PREVIOUS CONTACT May 15th -

OFFER \$ 27,910.00

DETAIL CONTACT* Parcel secured on this date by deed
for \$27,910.00
Mortgage Bal. Pending -

ACTION TAKEN**

SIGNED E.R. Souder

* Showed plans, walked over property, etc.
** Made appointment - returned parcel to office - right of entry - Secured - Condemned, etc.
If area set out does not have space enough, please use back of sheet.

This report to be completed in triplicate on each call. One copy to be inserted in parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT T-65-3(17) PARCEL # 16
OWNER Bruna M. Higdon PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER 5000 Lafayette Rd.
DATE ASSIGNED 5-9-62
DATE OF CONTACT _____
TIME OF CONTACT _____
DATE OF PREVIOUS CONTACT _____

OFFER \$ 27,910⁰⁰

DETAIL CONTACT* Secured mortgage release on above parcel this date (5-28-62)
Parcel complete

ACTION TAKEN** _____

SIGNED E. R. Souder

* Showed plans, walked over property, etc.
** Made appointment - returned parcel to office - right of entry - Secured - Condemned, etc.
If area set out does not have space enough, please use back of sheet.

This report to be completed in triplicate on each call. One copy to be inserted in parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT _____ PARCEL # 16 LA, 16 Run 16 Acres
OWNER Emma A Baker PHONE # 167 41671-16
5745474

(Other interested parties and relationship)

ADDRESS OF OWNER 902 N. Garfield Drive, Indianapolis Ind.
DATE ASSIGNED 6/11/1962
DATE OF CONTACT 6/11/1962
TIME OF CONTACT 6:30
DATE OF PREVIOUS CONTACT By Norman Edwards 6-4-62

OFFER \$ 16,500⁰⁰

DETAIL CONTACT* Offer was made by Edwards
I closed the transaction on above date.
Holding until Estate is settled on or
about June 25, 1962

ACTION TAKEN** Secured 6-11-1962
Will not be completed until estate is
settled

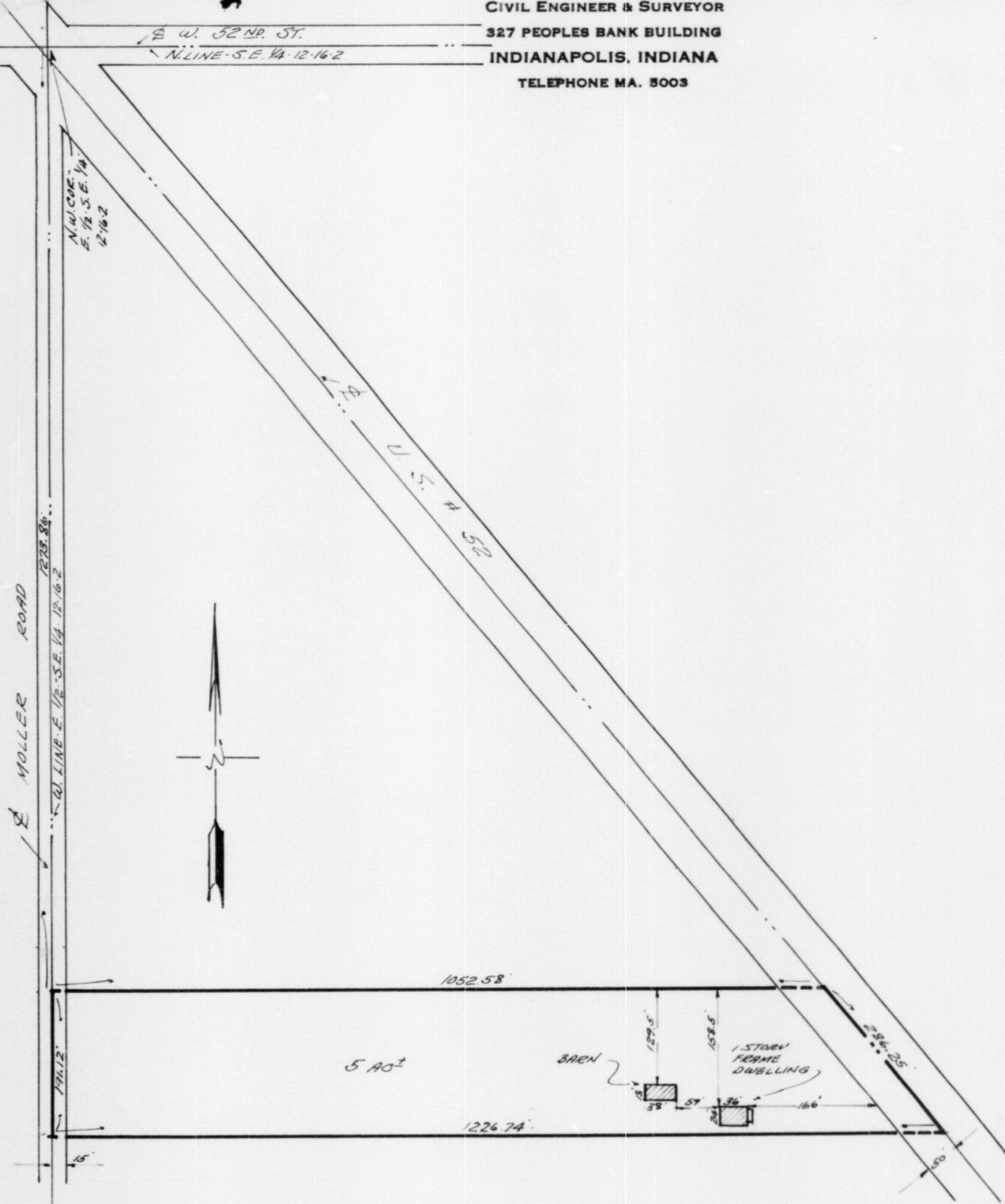
SIGNED Alvin Thompson

* Showed plans, walked over property, etc.
** Made appointment - returned parcel to office - right of entry - Secured - Condemned, etc.
If area set out does not have space enough, please use back of sheet.

BLANKS ARE NOT SHOWING
 NOTE: THIS MAP CAN NOT BE
 USED FOR BOUNDARIES
 OR SETTLING OPEN LINE
 DISPUTES

ARTHUR F. HAUFLER

CIVIL ENGINEER & SURVEYOR
 327 PEOPLES BANK BUILDING
 INDIANAPOLIS, INDIANA
 TELEPHONE MA. 5003



Part of the East Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East.
 House # 5001 Lafayette Road

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

Re: Hezekiah Higdon - Loan # New loan
 Dept. Legal

Gentlemen:

I, the undersigned, hereby certify that the within plat is true and correct of the following described real estate to-wit:- Part of the East Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows:- Beginning in the West line of said half quarter, 1273.86 feet South of the Northwest corner; thence East parallel to the North line, 1052.58 feet to the center of the Lafayette road; thence Southeasterly on the said center of said road, 286.25 feet; thence West parallel to the North line 1226.74 feet to the West line; thence North on the West line 191.12 feet to the place of beginning, containing 5 acres, more or less.

I further 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 real estate.

The survey was made by me this 20th day of November, 1947.

78133

A. F. Haufler.

By *A. F. Haufler*

No. 56391.

ABSTRACT OF TITLE

TO

Part of the South East 1/4 of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian and part of the South West 1/4 of Section 7 Township 16 North Range 3 East of the Second Principal Meridian, more particularly described as follows towit:-

Beginning at a point on the West line of the East 1/2 of the South East 1/4 of Section 12 Township 16 North, Range 2 East 15 chains and 90 links directly South of the North line of said 1/4 Section, thence South 12 chains, thence East to the center of the Lafayette Pike in Section 7 Township 16 North Range 3 East, thence northwesterly with the center of said Lafayette Pike, 14 chains and 88 links to a point 15 chains and 90 links directly south of the North line of said 1/4 Section, thence West to the West line of the East 1/2 of said 1/4 Section, being the place of beginning, containing 21.48 acres, 36/100 of an acre of which is in said South West 1/4 of said Section 7, except, however, five (5) acres off the entire North End of the above described tract, the South line of which is parallel with the North line of said South East 1/4 Section.

Subject however to any and all legal highways or rights of way.

Prepared for Washington Bank & Trust Company.

BY

UNION TITLE COMPANY

INCORPORATED

INDIANAPOLIS, INDIANA

CAPITAL STOCK, \$1,000,000.00

UNION TITLE BUILDING

159 E. MARKET STREET

LINCOLN 8361 - 8362 - 8363

ABSTRACTS OF TITLE

TITLE INSURANCE, ESCROWS

DIRECTORS

REILY C. ADAMS
HOWARD C. BINKLEY
ARTHUR V. BROWN
W. T. CANNON
FRED COONS
WILLIS N. COVAL
LINTON A. COX
JAMES S. CRUSE
R. F. DAVIDSON
FRED C. DICKSON

GEORGE B. ELLIOTT
GEO. C. FORREY, JR.
GEORGE A. KUHN
CICK MILLER
FRANK W. MORRISON
C. N. THOMPSON
JOHN R. WELCH
C. N. WILLIAMS
JOSH. ZIMMERMAN

OFFICERS
JAMES S. CRUSE
PRESIDENT
WILLIS N. COVAL
VICE-PRES. AND GENERAL MANAGER
FRED COONS
VICE-PRESIDENT
GEORGE A. KUHN
SECRETARY-TREASURER

HISTORICAL NOTES. The title to all real estate in Marion County, Indiana, is derived from the United States. An epitome of the fee title to these lands, prior to the local records of the county, is as follows: Spain, France and Great Britain asserted sovereignty over the territory, now forming the State of Indiana; Spain, by virtue of the discovery of America, by Columbus, the discoveries by Ponce de Leon, in 1512, and Hernando de Soto, between 1538 and 1542; France, by virtue of the explorations of Verrazzani in 1524, Carter and LaSalle; and Great Britain, by virtue of the explorations by the Cabots, in 1497, acquisition from the Indian Confederacy, and actual occupancy. Despite the claims based on priority of discovery, exploration and occupancy, the title vested in the nation strongest in military power. By the terms of the Treaty of Paris, February 18, 1763, between said countries, Great Britain was ceded all lands in the State of Indiana. The title of Great Britain to said territory passed to the United States by the Treaty of September 3, 1783, ratified by Congress, January 14, 1784. Virginia, Connecticut, New York and Massachusetts were claimants of the vacant lands north and west of the River Ohio. Whatever rights existed were compromised, and deeds of cession were made to the United States. The conveyance by Virginia, the only state recognized to have a valid claim on lands in Marion County, was accepted by Congress March 1, 1784.

(OVER)

-1- A.R.

INDIAN CLAIMS. The original possessory title to said lands was held by the Indians. The Weas, Delawares, Miamis, and Kickapoos were the only tribes recognized as having substantial rights, and their claims were extinguished by cessions dated October 2, 3 and 6, 1818, and July 30, 1819.—7 U. S. Statutes at Large, pp. 185, 186, 188, 189, and 200.

TERRITORIAL GOVERNMENT. The maintenance of a government, in the Territory of the United States Northwest of the River Ohio, was provided for by a series of Resolutions of April 23, 1784. By authority of an Ordinance of Congress, July 13, 1787, Indiana Territory was organized May 7, 1800.

STATE GOVERNMENT. A Memorial praying for authority to form a State Government, was adopted by the Legislature of said Territory, December 14, 1815, and laid before Congress, December 28, 1815. An Enabling Act was approved by Congress, April 19, 1816. 3 U. S. Statutes at Large, p. 289. Elections were held May 13, 1816, for delegates to the Constitutional Convention. The convention met June 10, and on June 29, 1816, approved the Constitution. R. S. 1824, p. 33. The State Government superseded Territorial Government, November 7, 1816, and Indiana was formally admitted into the Union by a joint Resolution of Congress, approved December 11, 1816. 3 U. S. Statutes at Large, p. 399.

ORGANIZATION OF COUNTY. Marion County lands were included within the boundaries of Delaware County, organized January 20, 1820, Acts 1820, p. 95. Marion County was organized December 31, 1821, Acts 1821-2, p. 135. The boundary lines of Marion County were corrected and established January 7, 1824, Acts 1824, p. 52.

CITY OF INDIANAPOLIS. By act of Congress, approved April 19, 1816, hereinbefore mentioned, four sections of land were granted to the State, "for the purpose of fixing their seat of Government thereon," which grant was accepted by the Territorial Convention, by Ordinance of June 29, 1816, R. S. 1824, p. 33. By act of Congress, approved March 3, 1819, it was provided that instead of 4 sections, "Any contiguous quarter sections, fractions, or parts of sections, not to exceed in the whole the quantity contained in 4 entire sections," were to be selected under the direction of the Legislature. 3 U. S. Statutes at Large, p. 516. By Act, approved January 11, 1820, Commissioners were appointed by the General Assembly to select and locate a seat for the permanent seat of Government of the State of Indiana. Acts 1819, p. 18. Commissioners reported, June 7, 1820, selection of sections 1 and 12 east and west fractional sections, numbered 2, east fractional section numbered 11, and so much of the east part of west fractional section numbered 3, to be set off by a North and South line as will complete 4 entire sections, or 2,560 acres in Township 15 North, Range 3 East of the Second Principal Meridian. House Journal 1820-1821, p. 25. According to the returns of the United States Surveyors, section 1 contains 658.20, section 2, 611.53, section 12, 640 acres, and section 11, on the east side of White River, 448.20 acres, leaving 202.07 acres to be taken out of section 3. The Act approved January 6, 1821, approved the selection of the above described land, provided for the appointment of three Commissioners, to lay out a town on such part of the land selected, as they deemed most proper, provided for the sale of lots, the appointment of agents and authorized the execution of certificates and deeds by said Agents. Said act further provided, "that said town shall be called, and known by the name of Indianapolis." Acts 1820, p. 44. The original survey of the town, as made in the year 1821, included within North, South, East and West streets, embracing squares 1 to 101 inc., which were all divided into in-lots. By Act approved November 28, 1821, the acts and proceedings of the commissioners were legalized. Acts 1821-2, p. 18. By Act, approved January 3, 1822, it was provided that the agent lay off in lots from 5 to 20 acres, the fraction of land lying west of the west fork of White River, opposite Indianapolis, and which is within the Donation. Said Agent was authorized to sell any part of the unappropriated Donation, not exceeding 2 acres, to any person or persons, for the purpose of making bricks for the improvement of the town. Acts 1821-2, p. 129. A square tract of 2 acres was platted and sold as a brick yard and designated "H" on the map. By Act, approved January 20, 1824, Indianapolis was adopted and established as the permanent seat of Government, upon, from, and after the 2nd Monday in January, 1825. Acts 1824, p. 10. The Act, approved January 31, 1824, authorized the Agent to lay out on the North and South sides of the town plat, 20 out-lots of the same size as the squares in said town plat, and to offer said out-lots for sale. Acts 1824, p. 88. By the Act, approved February 12, 1825, the Agent was required to lay off one more tier of out-lots on the North and South sides of the said town, of the same size and dimensions of the 20 out-lots provided for in the foregoing Act. Acts 1825, p. 3. An Act, approved January 26, 1827, authorized the Agent to sell a quantity of ground not exceeding 7 acres, on White River and adjoining thereto, either above, or below the Ferry, on said river, to be by said Agent laid off and surveyed, in such form and manner as in his opinion will best answer the purpose designed; which piece of land shall be sold for the purpose of affording a site for the erection of a steam mill, etc. Acts 1827, p. 3. This tract is designated "Steam Mill" on the map. By an Act, approved January 26, 1827, all the alleys passing through squares 1 to 20 inc., 80, 84, 85 and 90 to 101 inc., were vacated and the Agents was granted authority to divide squares 80, 84 and 85. Acts 1827, p. 5. Within the surveys including that necessitated by the Act of 1827, the streets are 90 feet wide, except Washington, which is 120 feet, and Circle, which is 80. The alleys are 30 and 15 feet wide, each of the regular squares are 420 feet, including the alleys, and contain 4 4-100 acres. The lots in the regular squares are 67 feet 6 inches in front, and 195 feet in depth where they abut on 30 foot alleys; where they abut on 15 foot alleys, they are 65 feet in front and 202 feet and 6 inches in depth. By Act, approved February 9, 1831, the Agent was required to cause the lands around the Town of Indianapolis, belonging to the State, to be accurately surveyed and divided into lots, according to the plan designated on the plat presented by the said Agent, and cause the corners and boundaries thereof to be distinctly marked and numbered. Acts 1830-1, p. 82. A "Map of Indianapolis and Its Environs" as originally drawn by B. F. Morris, surveyor, was filed by E. Sharpe, Agent, July 5, 1831, in the Recorder's office of Marion County. A verified copy of the same is now of record in said office.

In the Survey of the Remaining part of the Donation, authorized by the law of 1831, the lines of the original survey of the town are assumed as having been run according to the true Meridian, and the lines on the east side of White River are run with the same bearing upon the assumption the variation of the needle indicated at this time, by the instrument used is 3 degrees, 25 minutes, east. The lines on the west side of the River are run at a variation of 5 degrees, 30 minutes, as corresponding more exactly with the congressional surveys, Washington street is continued west to the River and east with the National Road, to the Boundary of the Donation, 120 feet wide. The National Road, after leaving Washington street, is 80 feet wide. The Michigan Road is 100 feet. The continuation of Kentucky, Massachusetts, Virginia, New Jersey, north, and Delaware, Pennsylvania, Meridian and Illinois streets, south, are respectively 80 feet wide; the Fort Wayne, Madison and Bluff Roads are severally 80 feet wide. The continuation of Market and New York streets, east, North street, west, and the Lafayette Road are severally 60 feet wide. Water street is 99 feet wide, between the River and lots 135, 136, 139, and the South end of 145; at the North end of 145 it is 113 feet wide. The Act of February 2, 1841, appointed the State Librarian ex-officio Agent of State, and made such officer custodian of all books and papers of every description, relating to the affairs of the Town of Indianapolis. Acts 1841, p. 114. By Act of January 15, 1844, all books, papers and maps were placed in the custody of the Auditor of State and said act further provided: "All final or partial payments of lots in Indianapolis shall hereafter be made to the State Treasurer, upon the statement of the Auditor and the final certificate of the Auditor of State shall authorize the Secretary of State to issue a patent therefor." Acts 1844, p. 103.

SCHOOL LANDS. By the proposition on the part of the United States, offered in the Enabling Act, approved April 19, 1816, which when accepted, as hereinbefore noted, became obligatory, every section numbered 16, in every township, in Marion County, was granted to the inhabitants of such township, for the use of Schools. 3 U. S. Statutes at Large, p. 290. R. S. 1824, p. 33. By Acts, approved January 31, 1831, the Congressional Townships were constituted bodies corporate. By the Act of 1824, the lands were vested in such corporation. By an Act of Congress, approved May 24, 1828, the legislature of the State of Indiana was authorized to sell and convey in fee simple, after complying with certain provisions, all or any part of the lands heretofore reserved and appropriated by Congress for the use of the schools within said state. 4 U. S. Statutes at Large, p. 298. Provisions for the sale of such lands, and authority for certain officers to execute deeds were provided, by the Acts of 1829, 1831, 1843, 1852 and 1865. R. S. 1824, p. 379; Acts 1829, p. 120; R. S. 1831, p. 463; R. S. 1843; Article 13, R. S. 1852, p. 450; Acts 1865, p. 16.

Tract Book.
Feb. 26, 1829.

United States of America
to
Andrew Pentecost.

Entry

-2-

The South East 1/4 of Section 12 Township 16 North,
Range 2 East, containing 160 acres.

Land Record
"C" page 226.
April 22, 1831.
Recorded
Sept. 19, 1831.

Andrew Pentecost and Lydia
Pentecost, his wife
to
James McVay, his heirs and
assigns.

Warranty Deed

-3-

The east half of the southeast quarter of Section 12
in Township 16 of Range 2 in the District of lands offered
for sale at Indianapolis, containing 80 acres lying and being
in the County of Marion and State of Indiana.

Land Record
"C" page 435.
Nov. 26, 1830.
Recorded
Aug. 8, 1832.

Andrew Pentecost and Lydia
Pentecost, his wife
to
John Denny, his heirs and
assigns.

Warranty Deed

-4-

The west half of the southeast quarter of Section 12
of Township 16 of Range 2 east containing 80 acres in the
District of land directed to be sold at Indianapolis.

Land Record
"O" page 128.
Nov. 6, 1841.
Recorded
June 2, 1843.

John Denny and Elizabeth
Denny, his wife
to
James McVey, his heirs and
assigns.

Warranty Deed

-5-

The west half of the southeast quarter of section number
12 in township number 16 north of range 2 east, containing
80 acres in the District of land sold at Indianapolis,
Indiana.

Land Record
VV page 302.
March 2, 1872.
Recorded
March 2, 1872.

James McVey and Hannah McVey,
his wife
to
Willis Pruitt.

Warranty Deed

-6-

The southeast quarter of section 12 township 16 north of
range 2 east, containing 160 acres more or less.

Tract Book.
December 8 ,1827.

United States of America
to

Entry

Zepheniah Hollingsworth.

The South West 1/4 of Section 7 township 16 North
Range 3 East, containing 112,68/100 acres.

-7-

Record X. page
430.
June 10, 1850.
Recorded
June 12, 1850.

Zephaniah (signed
Zepheniah) Hollingsworth ----

Warranty Deed

to
Josiah Hollingsworth, his heirs
and assigns.

The south end of the southwest 1/4 of section 7 in
township 16 North of Range 3 east in the District of lands
offered for sale at Indianapolis, Indiana, containing 80
acres.

-8-

Land Record
D.D. page 290.
February 3, 1853.
Recorded
March 26, 1853.

Josiah Hollingsworth
to

Warranty Deed

John Ramsey, his heirs
and assigns forever.

The following real estate to wit:- Being off of the
southwest corner of the southwest 1/4 of Section 7 in
township 16 North of Range 3 east, commencing at the south-
west corner of said described lot, thence running north on
the Range line 61 rods and 4 feet to the centre of the Lafay-
ette State Road, thence southeastward along said road to
the section line 76 rods, thence west on said section line to
the place of beginning, being 45 rods and 1 foot being 8
acres and 62/100 .

-9-

-10-

Note. By Deed dated April 16, 1853 and Recorded December 11,
1854 in Record F.F. page 68, Elias Hollingsworth, executor of
the last will and testament of Zephaniah Hollingsworth, de-
ceased, by virtue of the terms of said last will and testament
and of the order of the Court of Common Pleas of Marion
County, conveyed to Josiah Hollingsworth, his heirs and as-
signs, the north end of the southwest 1/4 of Section 7 in
township 16 North of Range 3 East, containing 32,68/100
acres more or less, except a small part of the premises conveyed
away by the testator before his death for Church and grave
yard purposes.

Deed made by virtue of proceedings referred to therein.

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We find no deed of record from John Ramsey nor to John Harbert affecting the realty described at items 9 and 12 hereof.

Land Record
KK page 99.
March 25, 1861.
Recorded
April 20, 1861.

John Harbert and Jane
Harbert, his wife
to
Jacob Young.

Warranty Deed

Commencing 34 rods north of the South West corner of the West 1/2 of the South West 1/4 of Section 7 in Township 16 North of Range 3 east; thence running north along the Section line 29 rods and 14 feet to the center of the Lafayette State Road where said Section line crosses said road, thence down said Road 34 rods and 10 feet, thence West 20 rods to the place of beginning, to contain 1.96/100 acres.

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Land Record
K.K. page 460.
September 22, 1862.
Recorded
November 22, 1862.

Jacob Young and Nancy
Jane (signed Nancy J.)
Young, his wife
to
Newton Calvin.

Warranty Deed

Commencing 34 rods north of the South West corner of the west 1/2 of the Southwest 1/4 of Section 7 in Township 16 North of Range 3 east, thence running north along the Section line 29 rods and 14 feet to the center of the Lafayette State Road, where said Section line crosses said road, thence down said Road 34 rods and 10 feet, thence west 20 rods to the place of beginning, to contain 1.96/100 acres.

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Land Record
Q.Q. page 181.
March 12, 1868.
Recorded
March 14, 1868.

Newton Calvin and Asenath
L. (signed Asenath T.) Calvin
his wife
to
John Harbert.

Warranty Deed

Commencing 34 rods North of the southwest corner of the West 1/2 of the South West 1/4 of Section 7 in Township 16 North of Range 3 east, thence running north along the Section line 29 rods and 14 feet to the center of the Lafayette State Road, where said Section line crosses said road thence down said Road 34 rods and 10 feet, thence west 20 rods to the place of beginning, to contain 1.96/100 acres.

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Land Record
2. page 225.
July 31, 1876.
Recorded
August 1, 1876.

John Harbert and Jane
Harbert, his wife
to
Willis Pruitt.

Warranty Deed

Commencing 34 rods north of the Southwest corner of the West 1/2 of the Southwest 1/4 of Section 7 in Township 16 North of Range 3 East, thence running north along the
(over)

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Section line 29 rods and 14 feet to the center of the Lafayette State Road, where said Section line crosses said road thence down said Road 34 rods and 10 feet, thence west 20 rods to the place of beginning, to contain 1,96/100 acres.

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Willis Pruitt died testate August 14, 1886.

LAST WILL AND TESTAMENT OF WILLIS PRUITT, DECEASED.

Will Record
"I" page 470.
Probated
Aug. 21, 1886.

I, Willis Pruitt of the County of Marion and State of Indiana, do make and publish and declare this to be my last will and testament.

1st. I direct that all my just debts be paid.

2nd. I give and bequeath all my property real and personal of which I may die seized after the payment of my debts to my wife, Catharine Ann Pruitt for and during her natural life and after her death the same is to be divided equally among my children.

3rd. I revoke and declare null and void all wills by me at any time heretofore made.

4th. I hereby appoint my son James Pruitt, Executor of this my last Will and Testament.

Witness my hand and seal this 16th day of November 1876.

Willis, his X mark, Pruitt.

Signed, sealed, published and declared to be the last will and testament of Willis Pruitt the testator by said testator in our presence and signed by us as witnesses in his presence and in the presence of each other.

John L. Hanna,
Fred Kneffler.

IN THE CIRCUIT COURT OF MARION COUNTY, INDIANA.

Estate Docket
No. 14.
Estate Number
779.

In Re:- Administration on the estate of Willis Pruitt, deceased.

Aug. 21, 1886, Last Will and Testament of said testator admitted to Probate before the Clerk and on August 23, 1886, Probate of said Will confirmed by the Court. See Order Book 74 page 426.

Aug. 31, 1886. Bond filed and letters Testamentary were issued to James Pruitt who was appointed Executor of the last Will and Testament of said testator and qualified as such. See Order Book 74 page 478.

Nov. 8, 1886 Proof of publication of notice of appointment filed.

Aug. 2, 1887, Statement showing death of James Pruitt, Executor filed, whereupon Catharine A. Pruitt filed bond and was appointed Administratrix de bonis non with the will annexed of the estate of said decedent and qualified as such. See Order Book -- page --.

Aug. 23, 1887, Proof of Publication of Notice of appointment filed.

May 28, 1892. Final Report filed.

May 31, 1892, Proof of posting by Clerk filed.

June 24, 1892, Proof of publication of final notice filed.

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Final report approved, Administratrix discharged and Estate closed. See Order Book 96 page 484.

Feb. 28, 1895 Petition filed for the re-opening of the Estate of Willis Pruitt deceased by Eliza Pruitt whereupon Fred Pruitt filed bond and was appointed administrator de bonis non with the will annexed and qualified as such. See Order Book 110 page 458.

Feb. 17, 1896 Final report of administrator de bonis non with the will annexed, filed, approved, administrator discharged and estate closed. See Order Book 120 page 284.

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NOTE:- The Final report of Catharine Pruitt, Administratrix de bonis non with the will annexed of the estate of Willis Pruitt deceased, contains the verified statement "that the heirs living at the time of the death of said decedent were James Pruitt, Mary Taff-intermarried with George Taff- Ellen Pruitt, Elizabeth Pruitt, Charles Pruitt, all of whom are the children of said decedent and this administratrix and who were of full age at the time of the death of said decedent, and who were his sole and only heirs together with this administratrix who is his widow."

See Administrator's Reports Record 13 page 735.

Land Record 19
Page 223
April 11, 1887.
Recorded
April 16, 1887.

James W. Pruitt, his wife, Mary
E. Pruitt, Charles Pruitt, his
wife, Polly E. Pruitt, Ellen Pruitt
and Eliza Pruitt, all heirs at law of
Willis Pruitt, deceased

Release and
Quit Claim

to
Mary Taffe .

Part of the southeast quarter of Section 12 township 16 North of Range 2 east, described as follows:- Beginning on the west line of the said quarter section at a point 15 chains and 90 links south of the northwest corner of said quarter section and running east parallel to north line of said quarter section 33 chains and 50 links to the center of the Laffayette Pike, thence south $36\frac{1}{4}^{\circ}$ E. with the center of said Pike, 14 chains and 88 links, thence west parallel with the north line of said southeast quarter 22 chains and 30 links to the west line of the east half of said southeast quarter, thence south 12 chains and 40 links more or less to the southwest corner of said -S.E. quarter, thence west 20 chains to the southwest corner of said southeast quarter thence north 24 chains and 35 links more or less to the begining, containing $70\frac{36}{100}$ acres- which are - said S.W. $\frac{1}{4}$ - 12- and being $\frac{1}{5}$ part in value with the improvements thereon of the real estate of Willis Pruitt, deceased. Note:- For suit to Quiet Title see item #33 hereof.

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STATE OF INDIANA, COUNTY OF MARION SS:

Misc. Record
40 page 4.
July 23, 1897.
Recorded
Nov. 3, 1902.

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Frank Pruitt being duly sworn on oath according to law says that he is a grandson of Willis Pruitt, deceased, and that said Willis Pruitt died testate leaving as his sole and only heirs, his widow, Catherine Ann Pruitt who has since died and his children, James W. Pruitt, Charles Pruitt Mary Taffe, Eliza Pruitt and Ellen Pruitt and that said Mary Taffe, Ellen Pruitt and Eliza Pruitt were each unmarried on the 11th day of April 1887 when they conveyed their interest in the real estate described in the abstract to which this affidavit is attached, that said affiant is a son of James W. Pruitt deceased, who died the owner in fee simple of 71 acres of land in the east half of the northeast 1/4 of Section 14 township 16 North of Range 2 east in Marion County, Indiana, and that said James W. Pruitt left as his sole and only heirs, his widow, Mary Pruitt, this affiant, Laura Smink Edward Pruitt, Wesley Pruitt, Mary Pruitt, Blanche Ellen Pruitt and Archer Pruitt, and he makes this affidavit for the purpose of satisfying Edward Morgan as to the title of said real estate.

(signed) Frank Pruitt.

Subscribed and sworn to before me this 23rd day of July 1897.

(signed) John M. Wall (LS)
Notary Public.

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Note. By Quit Claim Deed dated April 11, 1887 and Recorded April 16, 1887 in Land Record 19 page 222, James W. Pruitt and his wife Mary E. Pruitt, Mary Taffe, widow, Charles Pruitt and Polley Pruitt, his wife, Ellen Pruitt, unmarried, all heirs at law of Willis Pruitt, deceased conveyed to Eliza Pruitt, the following described real estate to wit:-

Beginning at the northeast corner of the southeast quarter of Section 12, township 16 North of Range 2 east and running south with the east line thereof 24 chains and 75 links to the center of the Lafayette Pike, thence north 36, 1/4° W. in the center of said Pike 10 chains and 98 links, thence west 33 chains and 50 links to the west line of said quarter section, thence north 15 chains and 90 links to the northwest corner of said quarter section, thence east 40 chains more or less to the place of beginning, containing 66 acres more or less, with the improvements thereon, and being 1/5 part in value of the real estate of Willis Pruitt deceased.

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Note: By Quit Claim Deed dated April 11, 1887 and Recorded April 16, 1887 in Land Record 19 page 220 James W. Pruitt (signs by mark; no witness) his wife, Mary E. Pruitt (signs by mark, no witness) Mary Taffe -- Ellen Pruitt, -- and Eliza Pruitt-- all heirs at law of the Real Estate of Willis Pruitt, deceased, conveyed to Charles Pruitt, Part of the southeast 1/4 of Section 12 township 16 N-- Range 2 East and a part of the southwest 1/4 of section 7 township 16

(over)

N.-- Range 3 East, described as follows:-

Begining on the west line of the East 1/2 of said South East 1/4 of Section 12 at a point 27 chains and 89 links south of the northwest corner of said East 1/2 of said South East 1/4 Section and runing East parallel to the north line of said South East 1/4 Section 22 chains and 30 links to the centre of the Laffayette Pike thence S.-- 36, 1/4° E.-- in the Center of said Pike 4 chains and 75 links, thence West 5 chains to the east line of said Section 12 thence west 20 chains to the southwest corner of the East 1/2 of said Southeast 1/4, thence north 12 chains and 40 links more or less to the begining, containing 26 acres more or less, 1,60/100 more or less in Section 7. (And other real estate.)

STATE OF INDIANA, MARION COUNTY SS:

Frank Pruitt being duly sworn on oath according to law says that he was well acquainted with Mary Taffe Ellen Pruitt and Eliza Pruitt who joined in a conveyance to James W. Pruitt by deed dated April 11, 1887 conveying a part of the east half of the northeast quarter of Section 14 Township 16 north range 2 east in Marion County, Indiana, and recorded in Land Record 19 page 220 of the Records of the Recorder's office of said County and that said Mary Taffe Ellen Pruitt and Eliza Pruitt were each unmarried on the date aforesaid.

Affiant further says that he is a grandson of Catherine Ann Pruitt widow of Willis Pruitt and who had a life interest in said real estate under the will of said Willis Pruitt, deceased and that said Catherine Ann Pruitt departed this life on the -- day of -- 1896 and affiant saith not.

(signed) Frank Pruitt.

Subscribed and sworn to before me this 28th day of March 1898.

John M. Wall (L.S.)

Land Record
33 page 155.
March 28, 1898.
Recorded
April 6, 1898.

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Catherine Ann Pruitt died -- as disclosed by the following item hereof, however we find no record of death nor administration on the estate of said decedent in Marion County, Indiana.

STATE OF INDIANA, COUNTY OF MARION SS:

John R. Myers being duly sworn upon his oath says :- That upon the 25th day of October 1924, he conveyed to William R. Heckman and Melvina S. Heckman, husband and wife, the following described real estate in Marion County, State of Indiana towit:-

A part of the south east 1/4 of Section 12 township 16 North Range 2 east, described as follows:-

Beginning at a point 15 chains and 90 links south of the north line and 24 chains and 12, 2/3 links east of the west line of said 1/4 and running east parallel to the north line of said 1/4 to the center of Lafayette Pike (Center pavement) thence south 36 degrees 15 minutes east with the

Misc. Record
157 page 269.
Feb. 24, 1925.
Recorded
Feb. 28, 1925.

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Land Record
28 page 392.
July 14, 1894.
Recorded
July 23, 1894.

center of said pike 278.34 feet, thence west parallel to the north line of said southeast 1/4, 1052.58 feet; thence north 224.46 feet to the place of beginning, containing 5 acres. Taffe.

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That affiant was well acquainted with Willis Pruitt who at one time owned the above described real estate that the will of Willis Pruitt was probated August 21, 1886, and the said Willis Pruitt left as his sole and only heirs the following named persons, James W. Pruitt, Charles Pruitt, Ellen Pruitt, Eliza Pruitt; that upon the 11th of April 1887 the children of Willis Pruitt conveyed the 1/4, above described real estate to Mary Taffe and that upon said date Ellen Pruitt and Eliza Pruitt were unmarried women.

Affiant further says that Catherine Ann Pruitt, the wife of Willis Pruitt has been dead for many years and that she died prior to the 11th of April 1887. Affiant further says that he has been shown a copy of the deed made by Mary Taffe to Charles Taffe upon the 14th day of July 1894, which deed is recorded in Land Record 28 page 394, of the records of the Recorder's office of Marion County, Indiana, and that at 2 places in said deed the word "west" is used where the word "north" should have been used; that affiant knows that this is a clerical error.

Land Record
28 page 394.
July 14, 1894.
Recorded
July 23, 1894.

Affiant further says that Mary Taffe grantor in the deed of July 14, 1894 died sometime prior to the 2nd day of May 1898, the exact date of which affiant does not know that in said deed of July 14, 1894 it was recited that \$50.00 was to be paid by Charles Taffe to John Heime, Jr., grandson of the grantor Mary Taffe, when John Heime Jr., became 21 years of age.

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Affiant further says that said sum of \$50.00 was paid to the said John Heime, Jr., after he became of the age of 21 years. And further affiant saith not. Subscribed and sworn to before me this 14th day of February 1925. Adah Huber (LS)

The above named \$50.00 as My commission expires February 2, 1926. Heime Jr., Grandson of the grantor Mary Taffe when the said John Heime Jr., becomes 21 years of age; the grantor reserves unto herself the use, rents and occupancy of the above described real estate

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Note: By Warranty Deed dated July 14, 1894 and Recorded July 23, 1894 in Land Record 28 page 393, Mary Taffe a widow conveyed to Ellen Abrams and the children of her body, Part of the southeast 1/4 of Section 12 Township 16 N.- Range 2 east described as follows:- Beginning on the west line of said 1/4 at a point 27 chains and 90 links south of the northwest corner thereof and running east parallel to the north line of said 1/4, 20 chains to the east line of the west 1/2 of said 1/4, thence south with the east line of said west half 1/4, 12 chains and 40 links more or less to the southeast corner of said half 1/4, thence west 20 chains to the southwest corner of said 1/4, thence north 12 chains and 35 links more or less to the beginning, containing 24.52/100 acres more or less, the above named \$50.00 as part of the consideration in conveyance is to be paid by the said Ellen Abrams to John Heime Jr., grandson of the grantor Mary Taffe upon the said John Heime Jr., becomes 21 years of age, the grantor reserves unto herself the use rents and occupancy of the above described real estate during her natural life. acre of which are in said South West 1/4 of said Section 7.

Land Record
31 page 284.
Nov. 17, 1896.
Recorded
Nov. 31, 1896.

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Subject to the payment by said Grantee of \$50.00 to John Heime Junior as provided in the deed of Mary Taffe to said Charles Taffe dated July 14, 1894 and recorded in Land Record of Deeds No. 28 page 394 in the Recorders Office of Marion County, Indiana, said \$50.00 being in addition to the above mentioned consideration of \$100.00.

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Note: By Warranty Deed dated November 23, 1896 and Recorded December 5, 1896 in Land Record 31 page 339, George Taffe and Annie Taffe, his wife, conveyed to Albert W. Whisenand, the following described real estate to wit:-

Part of the south east 1/4 of Section 12 township 16 North Range 2 east described as follows:- Beginning on the west line of said 1/4 Section at a point 15 chains and 90 links south of the northwest corner thereof and running east parallel to the north line of said 1/4 Section 20 chains, thence south parallel to the west line of said 1/4 Section, 12 chains, thence west parallel to the north line of said 1/4 Section 20 chains to the west line of said 1/4 Section, thence north 12 chains to the place of beginning, containing 24 acres.

The grantee herein hereby assumes and agrees to pay to John Heim- Jr., Grandson of Mary Taffe when the said John Heim Jr., shall arrive at the age of 21 years, the sum of \$50.00 in manner and form as shown by the deed of Mary Taffe to the grantors George Taffe dated July 14, 1894 and recorded on July 23, 1894, at 9 o'clock A.M. in Land Record No. 28 at page 392 in the Recorders office in Marion County, Indiana.

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Mary Taffe, died --- as disclosed by recital contained in item 26 hereof, however we find no record of administration on the estate of said decedent in Marion County, Indiana.

IN THE CIRCUIT COURT OF MARION COUNTY, INDIANA.

George A. Taffe

vs.

Mary E. Pruitt, widow of James
W. Pruitt, Edward Pruitt, Frank
Pruitt, Wesley Pruitt, Mary
Perkins and John Perkins, her husband
Laura Smink and Charles Smink, her husband
Arthur Pruitt, Blanche Pruitt, all sole heirs at law
of Jas. W. Pruitt, Rufus E. Pruitt, Perry Hanes, Guardian
of Jessie G. Pruitt, Willis W. Pruitt, Cora F. Pruitt,
Oscar M. Pruitt, Albert C. Pruitt and Eva Jane Pruitt
minor heirs of Chas. and Polley Pruitt, Ellen Hollingsworth
and Clarke Hollingsworth, her husband and Eliza Pruitt
defendants as sole heirs at law of Willis Pruitt deceased.

-11- A.E.

(over)

Cause #9118.
Complaint filed
March 10, 1898.

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The plaintiff complains of the defendants and says: That Willis Pruitt died in Marion County, Indiana, on the -- day of -- 188- testate, leaving surviving him as his sole heirs at law, two sons and three daughters to wit:- James W. Pruitt and Charles Pruitt Ellen Hollingsworth (formerly Pruitt) Eliza Pruitt and Mary Taffe formerly Pruitt.

That said Estate was fully administered on and was finally settled and on the 7th day of February 1896 the Trust was declared closed.

That by the terms of the Will of said Willis Pruitt he left certain real estate in Marion County, Ind., which descended to his heirs.

That on April 11th, 1887 the heirs of said Willis Pruitt had an amicable partition and made certain quit claim deeds to each other in consumation thereof, and that on said 11th day of April 1887 James W. Pruitt and Mary E. Pruitt his wife, Charles Pruitt and Polly Pruitt his wife, Ellen Pruitt since intermarried with Clarke Hollingsworth and Eliza Pruitt, heirs at law of said Willis Pruitt conveyed by Quit Claim deed to Mary Taffe their sister, certain lands as and for her share. And that in writing said deed a mistake was made in the description of the land intended to be conveyed and set out therein, the description set out in said deed being as follows to wit:-

"Part of the southeast quarter section Twelve (12) in township sixteen (16) North Range two (2) East."
 "Beginning on the west line of the said quarter section at a point 15 chains and 90 links south of the northwest corner of said quarter section and running east parallel to north line of said quarter section 33 chains and 50 links to the center of the Lafayette Pike, thence south $36,1/4^{\circ}$ east with the center of said Pike 14 chains and 88 links thence west parallel with the north line of said southeast quarter 22 chains and 30 links to the west line of the east half of said southeast quarter, thence south 12 chains and 40 links more or less to the southwest corner of said Southeast quarter thence west 20 chains to the southwest corner of said southeast quarter, thence north 24 chains and 35 links more or less to beginning, containing 70 A. $36/100$ A. of which are in southwest quarter of Sec. and being $1/5$ part in value with the improvements thereon of the real estate of Willis Pruitt deceased."

That in writing said description the scrivener left out a part of the description and that the proper and correct description of the real estate intended to be conveyed was as follows Viz:-

Part of the southeast quarter of section Twelve (12) township sixteen (16) North Range two (2) east.

Beginning on the west line of the said quarter section at a point 15 chains and 90 links south of the northwest corner of said quarter section and running east parallel to the north line of said quarter section 33 chains and 50 links to the center of the Lafayette Pike, thence south $36,1/4^{\circ}$ east with the center of said Pike 14 chains and 88 links, thence west parallel with the north line of said southeast quarter 22 chains and 30 links to the west line of the east half of said southeast quarter, thence south 12 chains and 40 links more or less to the southwest corner of said east half of the southeast quarter. Thence north

(over)

24 chains and 35 links more or less to the place of beginning, containing $70, \frac{36}{100}$ acres of which $\frac{36}{100}$ of an acre is in the southwest quarter of section 7 and being $\frac{1}{5}$ part in value with the improvements thereon of the real estate of Willis Pruitt deceased. That said deed so made on the 11th day of April 1887 was duly recorded in Record 19 at page 223 of the records in the Recorder's office in Marion County, Indiana, on April 16, 1887. That after the recording of said deed James W. Pruitt died leaving his wife Mary E. Pruitt surviving him together with the following children to wit:- Laura Smink (formerly Pruitt) who intermarried with Charles Smink, Wesley Pruitt, Frank Pruitt, May Perkins (formerly Pruitt) since intermarried with John Perkins and Edward Pruitt who are of full age and Arthur Pruitt and Blanche Pruitt who are minors under the age of 21.

That after the execution and recording of said deed Charles Pruitt and Polly Pruitt his wife both died leaving surviving them the following children as their sole heirs at law Viz:- Rufus E. Pruitt of full age and Jessie G. Pruitt, Willis W. Pruitt, Cora F. Pruitt, Oscar M. Pruitt, Albert C. Pruitt and Eva Jane Pruitt all minors whose Guardian is Perry Hanes.

That Ellen Pruitt who signed said deed was since intermarried with Clarke Hollingsworth and that Eliza Pruitt who signed said deed is still unmarried.

That after the execution and recording of said deed both Mary Taffe and George Taffe her husband died leaving surviving them as their sole heirs at law children as follows:- Charles Taffe, Ella Abrams (formerly Taffe) who has since intermarried with John Abrams, John Heims Grandson of said Mary Taffe and son of a deceased daughter Mary Taffe who died before said Mary Taffe and her husband;

And this plaintiff George A. Taffe. That a part of the said land descended to said plaintiff by inheritance and part of it he purchased from his Brother Charles Taffe. On the 17th day of November 1896 his Brother Charles Taffe conveyed to plaintiff, a part of said land described as follows Viz:-

Part of the South East quarter of Section 12 Township 16 North Range Two (2) east and also part of the southwest quarter of Section 7 Township 16 North Range 3 east and described as follows Viz:-

Beginning at a point 15 chains 90 links south of the north line and 24 chains $16, \frac{2}{3}$ links East of the west line of said South East quarter and running East parallel to the north line of said quarter 9 chains $33, \frac{1}{3}$ links to the center of the LaFayette Pike, thence south $36, \frac{1}{4}$ East with the center of said Pike, 14 chains 88 links thence west parallel to the north line of said southeast quarter 18 chains $13, \frac{1}{3}$ links, thence north 12 chains to the place of beginning, containing $16, \frac{48}{100} A. \frac{36}{100}$ of which are in said southwest quarter of said section 7. That the land above described is a part of the same land intended to be conveyed by said deed of April 11, 1887 to Mary Taffe plaintiff's mother and mistaken description, that by reason of said mistake in said deed the same has become and is now a cloud upon the title of the plaintiff.

(over)

Wherefore the Plaintiff prays the Court that said description in said deed of April 11, 1887 aforesaid be reformed and corrected and that the title of the Plaintiff in and to said real estate last above described may be forever quieted in him as against the defendants and each of them and for all relief proper and consistent in the premises.

Note: The Sheriff's Return on the summons issued in the above cited case wherein the Sheriff is commanded to summon Arthur Pruitt, Blanche Pruitt minor heirs of James W. Pruitt Perry Haines, guardian, Jesse G. Pruitt, Willis W. Pruitt Cora F. Pruitt, Oscar M. Pruitt, Albert C. Pruitt and Eva Jane Pruitt minor heirs of Charles and Polly Pruitt, reads as follows to wit:-

STATE OF INDIANA, MARION COUNTY,

I, Charles W. Taffee, being duly sworn say that the within summons came to hand on the 10th day of March 1898 and that on the 11th day of March 1898 I served the same on the within named defendants Arthur Pruitt, Blanche Pruitt minor heirs of James W. Pruitt and Jessie G. Pruitt Willis W. Pruitt, Cora F. Pruitt, Oscar M. Pruitt, Albert C. Pruitt and Eva Jane Pruitt, minor heirs of Charles and Polly Pruitt by reading the same to them and within their hearing on the 11th day of March 1898.

Chas. Taffe, Deputy Constable .

Subscribed and sworn to before me this 14th day of March 1898.

Joseph B. Hollingsworth, J.P.

March 23, 1898, Come now we, and each of us, whose names are hereto appended and signed and enter our voluntary appearance to the above entitled cause and waives service of process and issue of summons, and disclaim any interest in the real estate described in the complaint of the Plaintiff.

Edward Pruitt, Mary Pruitt,
May Perkins, John H. Perkins,
Fred Pruitt, Eliza Pruitt,
Clark Hollingsworth, Ellen Hollingsworth,
Ella Pruitt, Wesley E. Pruitt,
Mrs. Ella Abrams,
T. Hanes, Gueard.
Edna Pruitt,
Frank Pruitt,
Charles Schmink
Laura Senink.
John B. Abrams,
Eggie Pruitt.

March 23, 1898, Perry Hanes, Guardian of defendants Jessie G. Pruitt, Willis W. Pruitt, Cora F. Pruitt, Oscar M. Pruitt Albert C. Pruitt and Eva Jane Pruitt, minor heirs of Charles and Polly Pruitt for and in behalf of his wards says that they and each of them separately deny every allegation of the plaintiffs complaint and prays that the Court may protect the interests of his wards.

Perry Hanes,
Guardian etc.

March 23, 1898 The said defendants Arthur Pruitt and Blanche Pruitt minor heirs of James W. Pruitt deceased by James D. McDonald their guardian ad litem answering says that they are infants and therefore deny all the allegations in the plaintiffs complaint and pray that their interests may be protected by the Court.

James D. McDonald,
Guardian at litum.

March 23, 1898, Decree entered. Come- now George A. Taffe by

G.W. McDonald his attorney and also comes Mary E. Pruitt widow of James W. Pruitt, deceased, Edward Pruitt, Frank Pruitt, Wesley Pruitt, May Perkins (formerly Pruitt) and John Perkins her husband, Laura Smink (formerly Pruitt) and Charles Smink, her husband, all of lawful age and all heirs at law of James W. Pruitt, deceased, and also comes Rufus E. Pruitt, sometimes called Eggie Pruitt of full age, son of Charles and Polly Pruitt, both deceased and also comes Ellen Hollingsworth (formerly Pruitt) and Clarke Hollingsworth, her husband and Eliza Pruitt both of full age and daughters of Willis Pruitt, deceased, and now they and each of them enter their voluntary appearance in writing to this action and waives the issue and service of process herein and now file their answers which answers read in the words following to wit: - (Insert) disclaiming any interest in the real estate described in the complaint.

And it further appearing by the sworn return on the back of the summons issued in this cause, which summons and the return thereon reads in the words and figures following to wit: - (insert) That Arthur Pruitt and Blanche Pruitt minor heirs of James W. Pruitt deceased and that Perry Hanes Guardian of his wards Jessie G. Pruitt, Willis W. Pruitt Cora F. Pruitt, Oscar M. Pruitt, Albert C. Pruitt and Eva Jane Pruitt, minor heirs of Charles and Polly Pruitt both deceased have each of them been duly served with process of this Court more than 10 days prior to the 22nd day of March 1898 and now comes Perry Haines, Guardian as above said and files the answer in general denial of his wards, which answers reads as follows to wit: - (Insert) And it appearing the Court that Arthur and Blanche Pruitt are minors under the age of 21 years and have no guardian, James S. McDonald is now by the Court appointed guardian ad litem for said minors and now the said James D. McDonald, Guardian ad litem files his answer for said minors in general denial which answer reads in the words and figures following (Insert.)

And this cause being now at issue upon the allegations of the complaint and the several answers thereto and being set down for trial and coming on to be heard the same is submitted to the Court without the intervention of a jury. And the Court being fully advised in regard to all matters and allegations contained in said complaint and being sufficiently advised in the premises finds that the allegations contained in the complaint are true and that the description contained in a deed executed on April 11, 1887 by James W. Pruitt and Mary E. Pruitt his wife, Charles Pruitt and Polly Pruitt, his wife, Ellen Pruitt (since intermarried with Clarke Hollingsworth) and Eliza Pruitt sole and only heirs at law of Willis W. Pruitt deceased, was by a mistake incorrectly drawn as to the description of the property sought to be conveyed thereby and that said descriptive should have read as follows to wit: - "Part of the southeast 1/4 of section 12 in township 16 north range 2 east, beginning on the west line of said quarter section at a point 15 chains and 90 links south of the northwest corner of said quarter section and running east parallel to the north line of said quarter section 33 chains and 50 links to the center of the LaFayette Pike, thence south 36, 1/4 degrees east with the center of said pike 14 chains and 88 links, thence west parallel with the north line of said southeast 1/4, 22 chains and 30 links to the west line of the east 1/2 of said southeast 1/4 thence south 12 chains and 40 links, more or less to the southwest corner of said east 1/2 of the southeast 1/4 thence west 20 chains to the southwest corner of said southeast 1/4 thence north

(over)

24 chains and 35 links more or less to the place beginning, containing 70 acres $\frac{36}{100}$ of an acre of which is in said southwest $\frac{1}{4}$ of section 7 and being $\frac{1}{5}$ part in value with the improvements thereon of the real estate of Willis Pruitt deceased.

That the defendants in this cause are the sole and only heirs of the grantors in said deed and that by said deed it was intended to convey to the said Mary Taffe the real estate according to the description as hereinbefore set out.

And the Court further finds that said defendants have not nor has either of them any interest whatever in said real estate and that the title of the plaintiff, George A. Taffe ought to be quieted therein as against them and each of them.

It is therefore ordered by the Court that the description in said deed so made on April 11, 1887 as hereinbefore set out be reformed and corrected and declared to pass the title of the grantors as heirs of Willis Pruitt deceased to said Mary Taffe and her grantees and that the title of this plaintiff in and to the real estate purchased by him of said Mary Taffe on July 14, 1884 as alleged in his complaint be forever quieted in the plaintiff as against said defendants and each of them and that the plaintiff pay the costs herein.

See Order Book 125 page 186 etc.

Note: No Complete Record has been prepared of the above cited proceedings.

Land Record
33 page 207.
May 2, 1898.
Recorded
May 2, 1898.

George A. Taffe (unmarried)
to

Warranty Deed

John R. Myers and Sarah C. Myers.

Part of the southeast $\frac{1}{4}$ of Section 12 township 16 north range 2 east and part of the southwest $\frac{1}{4}$ of section 7 township 16 north range 3 east bounded as follows Viz:-

Beginning at a point on the west line of the east $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of Section 12 township 16 North range 2 east, 15 chains and 90 links directly south of the north line of said $\frac{1}{4}$ Section, thence south 12 chains thence east to the center of the Lafayette Pike in section 7 township 16 north range 3 east, thence northwesterly with the center of said Lafayette Pike 14 chains and 88 links to a point 15 chains and 90 links directly south of the north line of said $\frac{1}{4}$ Section, thence west to the west line of the east half of said $\frac{1}{4}$ section being the place of beginning, containing 21.48 acres, $\frac{36}{100}$ of an acre of which are in said southwest $\frac{1}{4}$ of said section 7. Subject to the payment by said grantee of \$50.00 to John Heime Junior as provided and recited in the deed of Mary Taffe to said George Taffe dated July 14, 1894 and recorded in the Land Record of deeds No. 28 at page 392 in the Recorder's office of Marion County, Indiana.

-35-

Note: By Warranty Deed dated October 25, 1924 and Recorded October 25, 1924 in Land Record 77 page 265 John R. Myers and Sarah C. Myers, his wife, conveyed to William R. Heckman and Melvina S. Heckman, husband and wife, A part of the southeast 1/4 of Section 12 township 16 North range 2 east described as follows:-Beginning at a point 15 chains and 90 links south of the north line and 24 chains and 16, 2/3 links east of the west line of said quarter and running east parallel to the north line of said quarter to the center of Lafayette Pike (center pavement) thence south 36 degrees 15 minutes east with center of said pike 278.34 feet thence west parallel to the north line of said southeast 1/4, 1052.58 feet thence north 224.46 feet to the place of beginning, containing 5 acres.

The intent of this deed being to convey 5 acres of land off the north end of real estate described in deed recorded in Record 28 (Land) page 394 Marion County Indiana.

Subject to taxes for the year 1924 payable in 1925.

Misc. Record
157 page 270.
Feb. 24, 1925.
Recorded
Feb. 28, 1925.

\$50.00 Receipt New Augusta May 14, 1903.
Received of John R. Myers, present owner of real estate formerly belonging to Mary Taffe who willed and bequeathed to John Heime \$50.00 to become due on his 21st birthday being May 13th, 1903 payment in full.
(signed) John F. Heime.

-36-

STATE OF INDIANA, COUNTY OF MARION SS:

John R. Myers being duly sworn upon his oath says that in a certain deed executed by Mary Taffe to Charles Taffe, upon the 14th day of July 1894, which deed is recorded in Land Record 28 page 394, of the records in the Recorder's office of Marion County, Indiana, it was recited in said deed that the grantee was to pay to John Heime, Jr., \$50.00 when he became 21 years of age.

Affiant further says that upon the 14th day of May 1903 he paid to the said John Heime, Jr., the sum of \$50.00 and took his receipt for the same; that the above and foregoing receipt is the one taken at the time and signed by the said John Heime, Jr.

John R. Myers.

Subscribed and sworn to before me, this 24 day of February- 1925.

Adah Huber (LS)

Notary Public.

My commission expires February 2, 1926.

56391

Judgment Search. Examination made for judgments against John R. Myers and Sarah C. Myers, for the 10 years last past and against none other. No examination made versus said persons with or without any middle initial other than above specified.

-37-

-38- Taxes for 1925 fully paid.

-39- Taxes for 1926 1st half paid, 2nd half unpaid.

-40- Taxes for 1927 now a lien.

As agent of record taxes are
FULLY PAID
L. F. Dwyer Abstract Co.
PRESS & MORE

James C. Jones

*Since Paid
RC*

56391

CERTIFICATE



-41-

STATE OF INDIANA }
COUNTY OF MARION } SS:

The undersigned hereby *certifies, guarantees and warrants* to whomever 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 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 41 both inclusive and sheets water-marked "Union Title Company" Nos. 1 to 19 both inclusive.

Dated at Indianapolis, Indiana,

July 26, 1927.

UNION TITLE COMPANY

INCORPORATED

By

Willis N. Lloyd
Vice President and General Manager

INDIANAPOLIS
TITLE
OF
ABSTRACTS

1.

Continuation of an abstract of title to a part of the East 1/2 of the South East 1/4 of Section 12, Township 16 North, Range 2 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the west line of said 1/2 1/4 Section distant south 1273.86 feet from the north west corner thereof; running thence east parallel to the north line of said 1/2 1/4 Section, a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point; running thence west parallel to the north line of said 1/2 1/4 Section a distance of 1226.74 feet to a point in the west line of said 1/2 1/4 Section, running thence north in and along said west line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject however to all legal highways and rights of way.]

Prepared for Railroadmen's Federal Savings and Loan Association of Indianapolis, since date of July 26, 1927.

CONVEYANCES

Deed Record
Lands
87 page 491
May 11, 1829
Recorded
Sept. 15, 1930

The United States of America, Patent
to
Andrew Pentecost, and
to his heirs and assigns forever.

The south east quarter of Section 12 in Township 16 North of Range 2 East in the District of Lands offered for sale at Indianapolis, Indiana, containing 160 acres.

Full payment having been made according to the provisions of the Act of Congress of the 24th of April 1820, entitled "An Act making further provision for the sale of the Public Lands".

2.

Misc. Record
350 page 340
Jan. 5, 1944
Recorded
Jan. 7, 1944

Fred Pruitt Affidavit

Affiant says that he was personally acquainted with Willis Pruitt who died testate August 14, 1886, whose will was duly probated in Will Record I page 470, under his last will and testament, dated November 16, 1876; that no children were born to said Willis Pruitt

3.

L. M. Brown Abstract Co.,

(over)

INDIANAPOLIS
TITLE
OF
ABSTRACTS

after the date of executing such last will and testament; that James Pruitt, mentioned in the final report of the Administratrix in such estate, was a son of Willis Pruitt, was one and the same person as James W. Pruitt mentioned in the affidavit of Frank Pruitt, July 23, 1897 (Misc. Record 40 page 4 in the Recorder's office of Marion County, Indiana), and one and the same person as James W. Pruitt named as one of the grantors in a certain deed April 11, 1887, (Deed Record 19 page 22 in the office of the Recorder of Marion County, Indiana).

That Mary Taff mentioned in the final report of the Administratrix of the estate of Willis Pruitt, was a daughter of said decedent, was one and the same person as Mary Taffe mentioned in the affidavit of Frank Pruitt, July 23, 1897, (mentioned hereinabove), and was one and the same person as Mary Taffe named as one of the grantors in the deed April 11, 1887 (Deed Record 19 page 22).

That Elizabeth Pruitt, mentioned in the final report of the administratrix of Willis Pruitt, deceased, was a daughter of said decedent, was one and the same person as Eliza Pruitt mentioned in the affidavit of Frank Pruitt July 23, 1897, (mentioned hereinabove) and one and the same person as Eliza Pruitt named as grantee in the deed April 11, 1887, (Deed Record 19 page 222) in the office of the Recorder of Marion County, Indiana.

Further affiant saith not.
Fred Pruitt.

Deed Record
Lands
82 page 170
Aug. 12, 1927
Recorded
Aug. 15, 1927

L. M. Brown Abstract Co.,

John R. Myers and
Sarah C. Myers,
husband and wife,
to
Hezekiah Higdon.

Warranty Deed

Being a part of the east 1/2 of the southeast 1/4 of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to wit:

Beginning at a point in the west line of said 1/2 1/4 Section distant south 1273.86 feet from the north west corner thereof; running thence east parallel to the north line of said 1/2 1/4 Section, a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point; running thence west parallel to the north line of said 1/2 1/4 Section a distance of 1226.74 feet to a point in the west line of said 1/2 1/4 Section, running thence north in and along said west line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Deed Record
1069 page 49
Aug. 23, 1941
Recorded
Aug. 25, 1941

5.

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Hezekiah Higdon and
Emma G. Higdon,
his wife,
to

Warranty Deed
No Revenue Stamp
Attached

Cletus Seibert, Trustee.

A part of the east 1/2 of the southeast 1/4 of
Section 12, Township 16 North, Range 2 East, more
particularly described as follows, to wit:

Beginning at a point in the west line of said 1/2
1/4 Section, distant south 1273.86 feet from the north
west corner thereof; running thence east parallel to the
north line of said 1/2 1/4 Section a distance of 1052.58
feet to a point in the center of the Lafayette Road,
running thence southeasterly in and along said center
line a distance of 286.25 feet to a point; running thence
west parallel to the north line of said 1/2 1/4 Section
a distance of 1226.74 feet to a point; in the west line
of said 1/2 1/4 Section, running thence north in and along
said west line a distance of 191.12 feet to the place
of beginning, containing in all 5 acres, be the same
more or less.

This deed is made to Cletus Seibert Trustee for
the sole and only purpose, that said Cletus Seibert,
Trustee, will immediately re-convey this real estate to
Hezekiah Higdon and Emma G. Higdon, husband and wife.

Deed Record
1069 page 50
Aug. 23, 1941
Recorded
Aug. 25, 1941

6.

L. M. Brown Abstract Co.,

Cletus Seibert, Trustee,
to
Hezekiah Higdon and
Emma G. Higdon,
husband and wife.

Warranty Deed
No Revenue Stamp
Attached

A part of the east 1/2 of the southeast 1/4 of
Section 12, Township 16 North, Range 2 East, more
particularly described as follows, to wit:

Beginning at a point in the west line of said 1/2
1/4 Section distant south 1273.86 feet from the north
west corner thereof; running thence east parallel to
the north line of said 1/2 1/4 Section a distance of
1052.58 feet to a point in the center of the Lafayette
Road, running thence southeasterly in and along said
center line a distance of 286.25 feet to a point; running
thence west parallel to the north line of said 1/2 1/4
section a distance of 1226.74 feet to a point in the
west line of said 1/2 1/4 Section, running thence north
in and along said west line a distance of 191.12 feet
to the place of beginning, containing in all 5 acres, be
the same more or less.

Subject to all liens and encumbrances.

This deed is made by Cletus Seibert, Trustee in
compliance with a certain deed executed this date by
Hezekiah Higdon, wherein the above described real estate

(over)

INDIANAPOLIS

was conveyed to said Cletus Seibert, Trustee for the sole and only purpose of said Cletus Seibert, Trustee, re-conveying said real estate to Hezekiah Higdon and Emma G. Higdon, husband and wife.

7. WE FIND NO FURTHER CONVEYANCES

TITLE

ENCUMBRANCES

OF

MORTGAGES

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

ABSTRACTS

MECHANICS' LIENS

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

JUDGMENTS

10. 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:

Hezekiah Higdon, from November 13, 1937 to August 25, 1941 inclusive.

Emma G. Higdon and Hezekiah Higdon, jointly and not individually, for the ten years last past.

None found unsatisfied.

OLD AGE ASSISTANCE LIENS

11. Search is made as to old age assistance liens which may have been filed against Emma G. Higdon and Hezekiah Higdon, from May 1, 1947.

None found unsatisfied.

L. M. Brown Abstract Co.,

248883

INDIANAPOLIS

ASSESSMENTS

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

TITLE

TAXES

13. Taxes for the year 1945 paid in full.

OF

ABSTRACTS

14. Taxes for the year 1946 assessed in the names of Hezekiah and Emma G. Higdon, General Tax Duplicate No. 46437 Parcel # 1163 Pike Township, are due and payable the first Monday in May, and the first Monday in November 1947.

May installment \$9.62 paid,
Nov. installment \$9.62 paid.

As shown of record these taxes are now FULLY PAID.

L. M. Brown Abstract Co.

BY *Russell W. Furr*
PRES. & MGR.

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

As shown of record these taxes are now FULLY PAID.

L. M. Brown Abstract Co.

BY *Russell W. Furr*
PRES. & MGR.

L. M. Brown Abstract Co.,

16.

CERTIFICATE

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

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

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

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredemmed 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 26, 1927 to and including
 November 13, 1947 and covers Paragraphs No. 1 to 16

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



L. M. BROWN ABSTRACT COMPANY
 By *[Signature]*
 President & Mgr.

Established 1868

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

248883

OFFICERS

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

DIRECTORS

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

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

Railroadmen's Federal Savings and Loan
Association of Indianapolis

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 Nov. 13, 1946 and all other Divisions of the State of Indiana, down to and including Nov. 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.

Hezekiah Higdon

Emma G. Higdon

Dated ¹⁹⁴⁷ November 13, 1946

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Continuation of an abstract of title to a Part of the East 1/2 of the south east 1/4 of Section 12, Township 16 North, Range 2 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the west line of said 1/2 1/4 section distant South 1273.86 feet from the north west corner thereof; running thence east parallel to the north line of said 1/2 1/4 section, a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point; running thence west parallel to the north line of said 1/2 1/4 section a distance of 1226.74 feet to a point in the west line of said 1/2 1/4 section, running thence north in and along said west line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject however, to all legal highways and rights of way.

Prepared for Railroadmen's Federal Savings and Loan Association of Indianapolis, since date of November 13, 1947.

CONVEYANCES

Herbert Bloemker.

Affidavit

I, the undersigned, Herbert Bloemker, a registered engineer under the laws of the State of Indiana, being first duly sworn do hereby state and affirm that the centerline of Moller Road and the East line of the West half of the Southeast quarter of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian are co-incidental throughout said half quarter section.

Herbert Bloemker,
Registered Engineer No. 1836
Indiana.

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 31st day of August, 1953.

Rosella S. Bloemker (LS)
Notary Public.

My commission expires May 1st, 1956.

L. M. Brown Abstract Co.,

Misc. Record
507 page 265
Instr. #57704
Aug. 31, 1953
Recorded
Sept. 2, 1953

-3-

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

TITLE

MORTGAGES

Mtg. Record
1421 page 436
Instr. #69599
Dec. 5, 1947
Recorded
Dec. 6, 1947

Hezekiah Higdon, and
Emma G. Higdon, his wife,
to
Railroadmen's Federal
Savings and Loan Association
of Indianapolis.

SATISFIED OF RECORD
OF M. BROWN TITLE DIVISION
Mortgage
LAWYERS TITLE INSURANCE CORP.
BY M & Sullivan

ABSTRACTS

Part of the east 1/2 of the south east 1/4 of
Section 12, township 16 north, range 2 East, in
Marion County, Indiana, more particularly described
as follows:

Beginning at a point in the west line of said 1/2
1/4 section distant south 1273.86 feet from the north
west corner thereof; running thence east parallel to the
north line of said 1/2 1/4 section, a distance of 1052.58
feet to a point in the center of the Lafayette Road,
running thence southeasterly in and along said center
line a distance of 286.25 feet to a point; running thence
west parallel to the north line of said 1/2 1/4 section
a distance of 1226.74 feet to a point in the west line
of said 1/2 1/4 section, running thence north in and along
said west line a distance of 191.12 feet to the place of
beginning, containing in all 5 acres, be the same more or
less.

Subject however, to all legal highways and rights
of way.

To secure the payment of a promissory note of even
date herewith, payable on or before 10 years from date,
in the principal sum of \$1500.00, with interest as pro-
vided for in said note, payable in payments of not less
than \$16.28 per month on or before the 15th day of each
calendar month hereafter until fully paid.

On or before the 15th day of each calendar month
hereafter until the obligations hereby secured are fully
satisfied, mortgagors shall pay to the mortgagee not less
than the sum of \$3.22 to be used in the payment of taxes,
assessments and insurance premiums when due, with 10
per cent attorneys fees.

L. M. Brown Abstract Co.,

*Rel on Margin
4-28-55 PN*

INDIANAPOLIS

MECHANIC'S LIENS

-5-

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

TITLE

OLD AGE ASSISTANCE LIENS

-6-

Provided by the Acts concerning Public Welfare, approved March 12, 1947.

Search has been made as to Old Age Assistance Liens filed in the office of the Recorder of Marion County as to the persons listed, and for the period specified in the following Judgment Search.

OF

We find none.

ABSTRACTS

JUDGMENTS

-7-

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.

Emma G. Higdon and Hezekiah Higdon, jointly and not individually from November 13, 1947 to date.

None found unsatisfied.

ASSESSMENTS

-8-

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

L. M. Brown Abstract Co.,

INDIANAPOLIS
TAXES
-9-
-10-
-11-
ABSTRACTS
OF
TITLE

TAXES

Taxes for the year 1953 paid in full.

Taxes for the year 1954, assessed in name of Hezekiah and Emma G. Higdon, are due and payable the first Monday in May and the first Monday in November 1955.

General Tax Duplicate No. 76596.
Parcel No. 1163.
Pike Township.

May installment \$25.20 unpaid
Nov. installment \$25.20 unpaid

As shown of record these taxes are now
PAID
L. M. BROWN TITLE DIVISION
OF
LAWYERS TITLE INSURANCE CORP.
BY *M. J. Sullivan*

Taxes for the year 1955 became a lien March 1st and are due and payable in May and November of the year 1956.

SEE EXTENSION OF ABSTRACT

L. M. Brown Abstract Co.,

Taxes paid

MARION COUNTY MASTER PLAN, PERMANENT ZONING ORDINANCE.
 Certified Copy of Ordinance for Master Plan prepared by Marion County
 Plan Commission, adopted by the Board of Commissioners November 12, 1948,
 recorded February 24, 1949 in Miscellaneous Record 430 page 384, etc.

-12- AN ORDINANCE FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, COMMERCE, PROSPERITY AND WELFARE OF THE PRESENT AND FUTURE INHABITANTS OF MARION COUNTY BY REGULATING THE USE AND INTENSITY OF USE OF LAND, THE LOCATION OF TRADES, CALLINGS, INDUSTRIES AND COMMERCIAL ENTERPRISES, AND THE LOCATION OF BUILDINGS AND STRUCTURES DESIGNED FOR SPECIFIC USE AND DIVIDING THE UNINCORPORATED AREAS OF SAID COUNTY INTO ZONING DISTRICTS AS HEREINAFTER DESCRIBED, AND DESCRIBING MINIMUM DWELLING DIMENSIONS AND LOT AREA REQUIREMENTS FOR RESIDENCE DISTRICTS AND DEFINING EACH USE CLASSIFICATION IN SAID ZONING DISTRICTS, PROVIDING STANDARDS FOR SUBDIVISION DEVELOPMENT, A THOROUGH-FARE PLAN AND GENERAL PROVISIONS AND EXCEPTIONS AND CREATING THE MARION COUNTY BOARD OF ZONING APPEALS, CREATING THE MARION COUNTY PLAN COMMISSION, ADOPTING A MASTER PLAN AND PERMANENT ZONING ORDINANCE AND A BUILDING CODE, AND PROVIDING FOR THE ENFORCEMENT OF SUCH ORDINANCE AND BUILDING CODE AND MASTER PLAN AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF, AS AUTHORIZED BY SECTION 56 CHAPTER 174 OF THE ACTS OF THE 1947 INDIANA GENERAL ASSEMBLY. THE TWENTY (20) ZONING DISTRICTS AS HEREIN PROVIDED FOR ARE DESIGNATED AS FOLLOWS:

F-1. Forestry District; A-1, A-2, Agricultural Districts; R-1, R-2, R-3, R-4, R-5, Residential Districts; B-1, B-2, B-3, B-4, B-5, B-6, Business Districts; I-1, I-2, I-3, Industrial Districts; RT-1 Residential District Temporary; S. Special Uses District; RR, Railroad District. Location and boundaries of such districts are shown on maps attached thereto.

Master Plan amended December 21, 1949, to include a Secondary-Zoning District, designated as follows: G-s, Gravel-Sand District.

Master Plan Amended May 9, 1950 to include an additional Primary District, designated as follows: R-6 Residential District.

Master Plan Amended June 27, 1950, to include two additional Primary Districts, designated as follows: RT-2 District (Temporary Residence) and RT-3 District (Temporary Residence).

Under General Provisions and exceptions it is provided that any lot shown upon a recorded subdivision, or any lot for which a deed has been recorded or for which a contract of sale is in effect at effective date of the ordinance, may be used as a building site. Special classification and building line requirements may be applied to such non-conforming lots. Lawful non-conforming use existing at effective date of ordinance may also be continued but not expanded.

A County Plan Commission of nine members is created, which shall pass upon filing of all plats and subdivisions and impose regulations for location and coordination of highways, public buildings and services, utilities and sewers; said Commission shall also issue improvement location permits. A building code, consisting of all the rules and regulations contained in Vols. I, II, III, and IV of the Administrative Building Council of Indiana is adopted, to be administered by the Marion County Building Commissioner, and inspectors appointed by the Plan Commission, who will issue building permits upon approval of plans and specifications. All improvements and installations must be inspected and approved by the Building Commissioner.

A Board of Zoning Appeals of five members is created to determine appeals from orders of requirements of the Building Commissioner, and to pass upon appeals for variance from certain provisions of the Zoning Ordinance in proper cases. Appeals may be taken to the Circuit or Superior Court from actions of the Board of Zoning Appeals and the Plan Commission.

A structure located or used in violation of the ordinance is declared to be a common nuisance. Suit may be filed by the Plan Commission for restraining order against violation or for mandatory injunction for removal of structure in violation.

The real estate described in the caption of this abstract lies within District R-4 as shown by the Zoning Maps in the office of the Marion County Plan Commission.

This Certificate is a Synopsis only of the general provisions. For specific details, reference should be had to the complete Text of the ordinance.

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According to the classification map, the real estate described in the caption of this Abstract is situated in Residential District designated R-4.

Section 4 - R-4 Districts.

In a residential district designated R-4 no building or land shall be used and no building shall hereafter be located erected converted or structurally altered unless otherwise provided herein except for one or more of the following uses:

Section 4 001 - Uses:

- (1) Any use permitted in R-3 district
- (2) Single family dwelling
- (3) Two-family dwelling
- (4) Multiple dwelling
- (5) Church, school, library, community center
- (6) Public park, public playground
- (7) Accessory buildings customarily incident to any of the above uses including garages and dwellings or living quarters for help when located in conformity with the set-back regulations hereinafter prescribed.

Section 4 002 - Heights:

In an R-4 residential district no building shall be erected to a height greater than thirty-five (35) feet measured from the grade to the line of the eaves of such building provided, however, that the foregoing height regulations shall not apply to residential buildings containing three or more house-keeping units.

Section 4 003 - Yards:

For every building hereafter erected or structurally altered, in an R-4 district, there shall be provided a front yard in compliance with dwelling set-back regulations and a rear yard of not less than fifteen (15) feet in depth and a side yard on each side of the building of not less than fifteen (15) feet in width.

Section 4 004 - Building set-back lines:

Between a building set-back line as herein established and the street or highway right-of-way line no building or portion of a building other than an unenclosed porch or ornamental fence or wall not exceeding 3 1/2 feet in height may be erected.

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In an R-4 Residential district the front building set-back line is hereby established at fifty (50) feet from the street or highway right-of-way line upon which said dwelling fronts; provided, however that where said building set-back lines have been otherwise legally established then the building set-back line shall be a distance from the street or highway right-of-way line equal to the average distance of existing residence buildings from the street or highway right-of-way line.

Section 4 005 - Lot Area:

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered upon a lot having an area of less than 11,250 square feet and a minimum lot frontage of seventy (70) feet for each dwelling.

Section 4 006 - Dwelling Dimensions:

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered which has a ground floor area exclusive of open porches and attached garages of less than 720 square feet per housekeeping unit in the case of a one-story single family dwelling or less than 500 square feet in a housekeeping unit in the case of a higher one-family dwelling or less than 1,080 square feet of floor area in the case of a two-family dwelling or less than 750 square feet of ground floor area in the case of a higher two family dwelling. Provided, however, that the foregoing dwelling dimensions shall not apply to residential buildings containing three or more housekeeping units.

In an R-4 residential district there shall be provided on the same lot with any multiple family dwelling for more than two (2) families a graveled surfaced or paved parking area or garage space sufficient in size to accommodate one (1) motor vehicle for each family unit provided for in the building, together with provisions for ingress and egress from and to the public street, highway, or alley. Such parking area shall not be leased, but shall be for the sole use of the occupants of such building and the visitors thereto. A minimum of one hundred forty-four (144) square feet of parking space (exclusive of ingress and egress provisions) shall be provided for each motor vehicle.

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ORDINANCE

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the County of Marion, Indiana, that the text of the Marion County Master Plan Permanent Zoning Ordinance be amended in the following particulars to wit:

That Section 4 001 Chapter VI be amended to read as follows:

Section 4 001 - Uses:

- (1) Any use permitted in an R-3 District
- (2) Single family dwelling
- (3) Two-family dwelling
- (4) Church, school, library, community center
- (5) Public Park, public play ground
- (6) Accessory buildings customarily incident to any of the above uses including garages and dwelling, or living quarters for help when located in conformity with the set-back regulations herein after prescribed.

That Section 4 005, Chapter VI, be amended to read as follows:

Section 4 005 - Lot Area:

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered upon a lot having an area of less than 11,250 square feet or having a lot frontage of less than 70 feet.

That Section 4 006 Chapter VI be amended to read as follows:

Section 4 006 - Dwelling Dimensions:

In R-4 residential district no dwelling shall hereafter be erected or structurally altered which has a ground floor area, exclusive of open porches and attached garages of less than 720 square feet in the case of a one-story one-family dwelling or less than 500 square feet in the case of a higher one-family dwelling or less than 1,080 square feet in the case of a one-story two family dwelling or less than 750 square feet in the case of a higher two-family dwelling.

NOW BE IT FURTHER ORDAINED, That an emergency exists for the passage of this ordinance and that same shall be in full force and effect from and after this date.

Dated: May 9th, 1950.

Fred W. Nordsiek

Wm. M. Allison

THE BOARD OF COMMISSIONERS, COUNTY OF MARION, INDIANA.

Attest: Ralph F. Moore,
Auditor of Marion County (LS)

372233

ORDINANCE

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS of the County of Marion, Indiana, that the text of the Marion County Master Plan Permanent Zoning Ordinance be amended in the following particulars, to wit:

That Sub-section 4 003 of Section 4 Chapter VI, be amended to read as follows:

Section 4 003 - Yards

For every main building hereafter erected or structurally altered in an R-4 District, there shall be provided a front yard in compliance with set-back regulations and a rear yard of not less than 15 feet in depth and a side yard on each side of the building equal in width to fifteen (15) per cent of the width of the lot at the set-back line or fifteen (15) feet which ever is the lesser.

That Sub-section 4 005 of Section 4, Chapter VI be amended to read as follows:

Section 4 005 - Lot Area:

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered upon a lot having an area of less than 11,250 square feet and a frontage of less than seventy (70) feet for each dwelling measured at the set back line.

NOW BE IT FURTHER ORDAINED, That an emergency exists for the passage of this ordinance and that same shall be in full force and effect from and after this date.

Dated: June 27, 1950.

Fred W. Nordsiek
Wm. M. Allison (SEAL)
THE BOARD OF COMMISSIONERS, COUNTY
OF MARION, INDIANA.

Attest: Ralph F. Moore
Auditor Marion County.

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O R D I N A N C E

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957 and the Marion County Master Plan Permanent Zoning Ordinance be amended, (said Marion County Master Plan Permanent Zoning Ordinance being one of the zoning ordinances adopted as Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended), be amended as follows:

That Sub-Section 4.006 of Section 4 of Chapter VI of said Marion County Master Plan Permanent Zoning Ordinance be amended to read:

Section 4.006 - Dwelling Dimensions

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered which has a ground floor living area, exclusive of open porches and attached garages, of less than 720 sq. ft. in the case of a one-story one-family dwelling or less than 500 sq. ft. in the case of a higher one-family dwelling or less than 1,080 sq. ft. in the case of a one-story two-family dwelling or less than 750 sq. ft. in the case of a higher two family dwelling.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Louie Moller
Josephine K. Bicket
Frank J. Billeter
Albert L. Steinmeier
Edwin J. Koch
THE MARION COUNTY COUNCIL

DATED July 19, 1960
ATTEST Clem Smith
AUDITOR OF MARION COUNTY, INDIANA
By M. N. Darko, Deputy

ZONING

March 8, 1955.

We hereby certify that no variance has been granted by the Board of Zoning Appeals of Marion County, Indiana, affecting the use of the real estate described in the caption hereof.

CERTIFICATE

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

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

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

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

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

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.

V. 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 here-to, except those which may be herein shown.

The period of search covered by this certificate is
 from November 13, 1947 to and including
 March 28, 1955
 and covers Paragraph No. 1 to 15
 both inclusive, and Sheets No. 1
 to 11 both inclusive.

L. M. BROWN ABSTRACT COMPANY, Inc.

By *Russell A. Fenn*
 President & Mgr.



em

OFFICERS

Established 1868

DIRECTORS

RUSSELL A. FURR
PRESIDENT
FRED G. APPEL
VICE-PRESIDENT
VOLNEY M. BROWN
VICE-PRESIDENT
LOWELL W. MYERS
ASST. VICE-PRESIDENT
MARION DAVIS
ASST. VICE-PRESIDENT
EDSON T. WOOD
SECRETARY
ARCHIE H. ADAMS
ASST. SECRETARY
CORNELIUS O. ALIG
TREASURER
RICHARD W. BIRSFIELD
ASST. TREASURER
M. L. SULLIVAN
TITLE OFFICER

L. M. BROWN ABSTRACT COMPANY, Inc.

150 1/2 EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

CORNELIUS O. ALIG
FRED G. APPEL
VOLNEY M. BROWN
FERMOR S. CANNON
HOWARD W. FIEBER
EDWARD P. FILLION
RUSSELL A. FURR
A. C. GOLDTHAN
J. ALBERT SMITH
SAMUEL B. SUTPHIN
EDSON T. WOOD
FRED H. WUELFING

372283

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

RAILROADMEN'S FED. SAV. AND LOAN
ASSOCIATION OF INDIANAPOLIS

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 COMPANY, Inc., 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 28, 1955 and all other Divisions of the State of Indiana, down to and including March 21, 1955

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.

EMMA G. HIGDON

HEZEKIAH HIGDON

Dated..... March 28, 1955.....

L. M. BROWN ABSTRACT COMPANY, Inc.

By..... Russell A. Furr.....

President

Continuation of Abstract of Title to Part of the East 1/2 of the South East 1/4 of Section 12, Township 16 North, Range 2 East, in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the west line of said 1/2 1/4 Section distant south 1273.86 feet from the north west corner thereof, running thence east parallel to the north line of said 1/2 1/4 Section, a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point; running thence west parallel to the north line of said 1/2 1/4 Section a distance of 1226.74 feet to a point in the West line of said 1/2 1/4 Section, running thence north in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Prepared for: Emma Higdon,
Since date of March 28, 1955.

CONVEYANCES

Hezekiah Higdon died, intestate, March 16, 1962.

PROBATE COURT OF MARION COUNTY

Hezekiah Higdon

Determination of
Inheritance Tax

April 25, 1960, Petition filed to determine inheritance tax without letters of Administration, and ordered referred to Inheritance Tax Appraiser for investigation.
Order Book 572 page 103.

April 25, 1962, Report of Inheritance Tax Appraiser filed showing that said Estate is not subject to tax, report approved.

Order Book -- page --.

Schedule filed, showing that said decedent left the following beneficiaries:

Emma Higdon, widow

Verton Higdon, adult son

Betty Jean McClain, adult daughter.

Schedule of property filed, in determining Inheritance Tax, lists the real estate herein abstracted, held jointly and shows the gross value of the Estate to be None.

457173

Deed Record
1916 page 430
Inst. #24896
Mar. 20, 1962
Recorded
Mar. 20, 1962

Emma G. Higdon

Affidavit

Affiant says that she and her husband Hezekiah Higdon were the owners as tenants by the entirety of the following described real estate situated in Marion County, Indiana.

Being a part of the East half of the Southeast quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to-wit:

Beginning at a point in the west line of said half quarter section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the north line of said half quarter section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence West parallel to the North line of said half quarter section a distance of 1226.74 feet to a point in the west line of said half quarter section, running thence North in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5.00 acres, be the same more or less.

That her husband died on March 16, 1962 and that his estate was not of sufficient size to be subject to Indiana Inheritance Tax nor Federal Estate Tax, nor was he an employer of labor within the meaning of the Indiana Employment Security Act.

Affiant further says that she is the owner of the above described property by operation of law as the surviving tenant.

Affiant further says that she makes this Affidavit for the purpose of inducing the Auditor of Marion County, Indiana to place the title for tax purposes in her name.

Emma G. Higdon.

(Instrument discloses name of person preparing same.)

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

INDIANAPOLIS, INDIANA
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

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MORTGAGES

Hezekiah Higdon and,
Emma G. Higdon,
husband and wife,
to

Mortgage

Railroadmen's Federal Savings
and Loan Association, of Indianapolis,

Part of the East Half of the Southeast Quarter of
Section 12, Township 16 North, Range 2 East, in Marion
County, Indiana, more particularly described as follows:

Beginning at a point in the west line of said Half
Quarter Section distant south 1273.86 feet from the north
west corner thereof; running thence east parallel to the
north line of said half quarter section, a distance of
1052.58 feet to a point in the center of the Lafayette Road,
running thence southeasterly in and along said center line
a distance of 286.25 feet to a point; running thence west
parallel to the North line of said Half Quarter Section
a distance of 1226.74 feet to a point in the west line of
said Half Quarter Section; running thence north in and along
said west line a distance of 191.12 feet to the place of
beginning, containing in all 5 acres, be the same more or
less.

Subject, however, to all legal highways and rights of
way.

To secure the payment of a loan evidenced by a promissory
note, of even date herewith, payable on or before
10 years from date, in the principal sum of \$1,300.00,
with interest as provided for in said note from date until
paid, said principal and interest being payable in payments
of not less than \$14.11, per month in advance, all of said
payments to be made without relief from valuation and
appraisement laws, on or before the 15th 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, on or before the 15 day of each
calendar month hereafter until the obligations hereby secured
are fully satisfied, except as hereinafter provided, mortgagor
shall pay to the mortgagee not less than the sum of
\$5.89, to be used in the payment of said taxes, assessments,
and insurance premiums when due.

With 10% attorney's fees.

457173

MECHANICS' LIENS

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

OLD AGE ASSISTANCE LIENS

Examination has been made, as to the persons in title subsequent to May 1, 1947, for liens shown by Notices of Old Age Assistance, filed in the Office of the Recorder of Marion County, as provided by the Acts concerning Public Welfare, effective May 1, 1947. We find none.

SEARCH IN THE JUVENILE COURT OF MARION COUNTY, INDIANA.

Individual Search has been made in the Juvenile Court of Marion County, Indiana, as to the persons named under the heading of Judgments, and for the period so specified under such search for unsatisfied judgments rendered in Paternity and Heirship proceedings. We find none.

JUDGMENTS.

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.

Emma G. Higdon and Hezekiah Higdon, jointly and not individually, from March 28, 1955 to March 16, 1962, inclusive.

Emma G. Higdon, for 10 years last past. None found unsatisfied.

ASSESSMENTS

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

INDIANAPOLIS, INDIANA
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

457173

INDIANA
INDIANAPOLIS.
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

TAXES

12

Taxes for the year 1960 and prior years, paid in full.

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Taxes for the year 1961, assessed in the names of Hezekiah and Emma G. Higdon

ASSESSED VALUATION:

Land	\$ 1000.00
Improvements	\$ 2440.00
Exemption	\$ 700.00
Net Valuation	\$ 2740.00

Parcel No. 1163
General Tax Duplicate No. 106923
Pike Township

are due and payable the first Monday in May and November, 1962.

May installment \$87.68 paid
Nov. installment \$87.68 unpaid

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Taxes for the year 1962, became alien March 1st, and are due and payable in May and November, of the year, 1963.

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We hereby certify that no variance has been granted by the Board of Zoning Appeals of Marion County, Indiana, affecting the use of the real estate described in the caption hereof, from March 8, 1955 to May 9, 1962, inclusive.

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

16

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 lands:

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 the 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 Deed Record 1657 page 486.

O R D I N A N C E

17

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957 and the Marion County Master Plan Permanent Zoning Ordinance be amended, (said Marion County Master Plan Permanent Zoning Ordinance being one of the zoning ordinances adopted as Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended), be amended as follows:

That Sub-Section 4.006 of Section 4 of Chapter VI of said Marion County Master Plan Permanent Zoning Ordinance be amended to read:

Section 4.006 - Dwelling Dimensions

In an R-4 residential district no dwelling shall hereafter be erected or structurally altered which has a ground floor living area, exclusive of open porches and attached garages, of less than 720 sq. ft. in the case of a one-story one-family dwelling or less than 500 sq. ft. in the case of a higher one-family dwelling or less than 1,080 sq. ft. in the case of a one-story two-family dwelling or less than 750 sq. ft. in the case of a higher two family dwelling.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Louie Moller
Josephine K. Bicket
Frank J. Billeter
Albert L. Steinmeier
Edwin J. Koch
THE MARION COUNTY COUNCIL

DATED July 19, 1960
ATTEST Clem Smith
AUDITOR OF MARION COUNTY, INDIANA
By M. N. Darko, Deputy

457173

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CERTIFICATE

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

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

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

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

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

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, of the Juvenile 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.

V. 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 **March 28, 1955** to and including
May 28, 1962

and covers Paragraphs No. 1 to **18**
both inclusive, and Sheets No. 1
to **8** both inclusive.

LAWYERS TITLE INSURANCE CORPORATION
L. M. BROWN TITLE DIVISION

By *M. L. Sullivan*



Lawyers Title Insurance Corporation

L. M. BROWN DIVISION

Abstracts - Escrows - Title Insurance

150 EAST MARKET STREET - PHONE MELROSE 8-6401 - INDIANAPOLIS 4, INDIANA

457173

In The UNITED STATES DISTRICT COURT

SEARCH FOR BANKRUPTCIES

At the Request of

Emma Higdon

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, New Albany, and Lafayette.

The Undersigned Lawyers Title Insurance Corporation, with offices in Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named eight divisions of the United States District Court 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 **May 28, 1962**
and all other Divisions of the State of Indiana down to and including **May 28, 1962**

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.

Emma G. Higdon

Hezekiah Higdon

LAWYERS TITLE INSURANCE CORPORATION

L. M. BROWN DIVISION

Dated **May 28, 1962**

By

M L Sullivan

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. 65

PROJ. I 65-3 (17) 120

COUNTY Marion

Names on Plans _____

Names in Trans Book _____

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Part of the E 1/2 SE 1/4	12	16	2		

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 See items 3 & 4 herein.

Mortgagee _____

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

MISCELLANECUS 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 21 day of June 1962, By Max Verin E. Stouffer
Abstractor RESIDENT

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

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

688041

The following is an Extension of the original search by Union Title Company under No. 666488.

CAPTION

-1-

Continuation of Abstract of Title to Part of the East Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, towit:

Beginning at a point in the West line of said Half Quarter Section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the North line of said Half Quarter Section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said Center line a distance of 286.25 feet to a point, running thence west parallel to the North line of said Half Quarter Section a distance of 1226.74 feet to a point in the West line of said Half Quarter Section, running thence north in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject to any legal highways or rights of way.
Since September 20, 1961, 8 A.M.

Prepared for: Indiana State Highway Commission
Division of Land Acquisition

-2-

Hezekiah H. Higdon died intestate March 16, 1962.

688041

IN THE PROBATE COURT OF MARION COUNTY

Inheritance
Tax Docket
IT 62-190

IN THE MATTER OF THE ESTATE OF HEZEKIAH H. HIGDON,
DECEASED.

April 25, 1962. Petition and Schedule to determine Inheritance Tax without letters of administration filed. Ordered referred to Inheritance Tax Appraiser for investigation.

Order Book 572 page 103.

April 25, 1962. Inheritance Tax Appraiser filed report showing estate was not subject to an Inheritance Tax. Approved by the Court.

Order Book 574 page 478.

NOTE: Petition above referred to shows that the persons beneficially interested in this estate are: Emma G. Higdon, his widow, Verton Higdon, son and Betty Jean McClain, daughter.

Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisal lists caption real estate under joint tenancies. Said Schedule further shows the gross value of said decedent's estate to be \$0.00.

-3-

Town Lot Record
1916 page 430
Instr. #24896
March 20, 1962
Recorded
March 20, 1962

STATE OF INDIANA, COUNTY OF MARION, SS:

Emma G. Higdon, being first duly sworn upon her oath says: That she and her husband Hezekiah Higdon were the owners as tenants by the entirety of the following described real estate situated in Marion County, Indiana:

Being a part of the East 1/2 of the Southeast 1/4 of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to-wit:

Beginning at a point in the west line of said 1/2 1/4 section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the north line of said 1/2 1/4 section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence west parallel to the North line of said half (1/2) quarter (1/4) section a distance of 1226.74 feet to a point in the west line of said 1/2 1/4 section, running thence north in and along said West line a distance of 191.12 feet to the place of beginning, containing in all five (5.00) acres, be the same more or less.

That her husband died on March 16, 1962 and that his estate was not of sufficient size to be subject to Indiana Inheritance Tax nor Federal Estate Tax, nor was he an employer of labor within the meaning of the Indiana Employment Security Act.

Affiant further says that she is the owner of the above described property by operation of law as the surviving tenant.

-4-

688041

Affiant further says that she makes this Affidavit for the purpose of inducing the Auditor of Marion County, Indiana to place the title for tax purposes in her name.

Emma G. Higdon

Subscribed and sworn to before me a Notary Public this 20 day of March, 1962.

Cecil A. Taylor (IS)

Notary Public

My commission expires: December 30, 1962.

Instrument shows name of person preparing same.

Old Age Assistance
Search

-5-

Examination has been made, as to the persons in title subsequent to May 1, 1947, for liens shown by notices of Old Age Assistance, filed in the Office of the Recorder of Marion County, as provided by the Acts concerning Public Welfare, effective May 1, 1947.

Juvenile Court
Search

-6-

Examination has been made, as to the persons named under the heading of Judgment Search, and for the period so specified under said search, for judgments, as appear from the General Judgment Dockets of the Juvenile Court of Marion County, as said dockets are now entered up.

Note: Search has been made for the 10 years last past as to the persons listed below, irrespective of dates given.

Judgment Search

-7-

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:

Hezekiah Higdon
and
Emma G. Higdon,
jointly and
not individually

from September 20, 1961,
8 A.M. to and including
March 16, 1962

and vs

Emma G. Higdon

for the 10 years
last past and
against none other

688041

-8-

Taxes for the year 1960 and prior years paid in full.

-9-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of Hezekiah and Emma G. Higdon and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 106923, Pike Township, Parcel No. 1163.

May Installment \$87.68 Paid.

November Installment \$87.68 Unpaid.

Assessed Valuation;

Land \$1000.00 Improvements \$2440.00 Exemption \$700.00

-10-

Taxes for the year 1962 now a lien.

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. 65

PROJ. I 65-3 (17) 120

COUNTY Marion

Names on Plans H. E. & G. HigdonNames in Trans Book Hezekiah & Emma G. Higdon

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Part of the E 1/2 SE 1/4	12	16	2	5 Ac.	Land \$1,000.00
					Imp. \$2,440.00
					Total \$3,440.00

No U. S. R.

LAST OWNER OF RECORD

Deed Record 1069 p. 50 Recorded 8/25/41 Dated 8/23/41 Deed WarrantyGrantor Cletus Seibert, TrusteeGrantee Hezekiah Higdon & Emma G. Higdon, husband & wifeAddress of Grantee None Given

MORTGAGE RECORD

Mortgage Record 1775 p. 218 Amount \$1,300.00 Dated 4/20/55Mortgagor Hezekiah Higdon & Emma G. Higdon, husband & wifeMortgagee Railroadmen's Federal Savings and Loan Association of IndianapolisJUDGMENT 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 20 day of Sept. 1961, 8 AM by Vern E. Lueddige
AbstractorPrel. Approval of Title _____ By _____
Date Deputy Attorney GeneralFinal approval of Abstract of Title _____ BY _____
Date Deputy Attorney General

666488

CAPTION

-1-

Continuation of Abstract of Title to Part of the East Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, towit:

Beginning at a point in the west line of said half quarter section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the North line of said half quarter section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence West parallel to the North line of said half quarter section a distance of 1226.74 feet to a point in the West line of said half quarter section, running thence North in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject to any legal highways or rights of way.

Prepared For: State Highway Department of Indiana

Town Lot Record
1069 page 49
Inst. #40220
Aug. 23, 1941
Recorded
Aug. 25, 1941

Hezekiah Higdon and
Emma G. Higdon, his wife
to

Warranty Deed

Cletus Seibert, Trustee

Being a part of the East half of the Southeast quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to wit:

Beginning at a point in the west line of said half quarter section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the North line of said half quarter section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence West parallel to the North line of said half quarter section a distance of 1226.74 feet to a point in the West line of said half quarter section, running thence North in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

-2-

-1- mrs -over-

666488

This deed is made to Cletus Seibert, Trustee, for the sole and only purpose, that said Cletus Seibert, Trustee, will immediately reconvey this real estate, to Hezekiah Higdon and Emma G. Higdon, husband and wife.

Town Lot Record
1069 page 50
Inst. #40221
Aug. 23, 1941
Recorded
Aug. 25, 1941

Cletus Seibert, Trustee
to
Hezekiah Higdon and
Emma G. Higdon,
husband and wife

Warranty Deed

Being a part of the East half of the Southeast quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows, to wit:

Beginning at a point in the west line of said half quarter section distant south 1273.86 feet from the Northwest corner thereof, running thence east parallel to the North line of said half quarter section a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence West parallel to the North line of said half quarter section a distance of 1226.74 feet to a point in the West line of said half quarter section, running thence North in and along said West line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject to all liens and encumbrances.

This deed is made by Cletus Seibert, Trustee, in compliance with a certain deed executed this date, by Hezekiah Higdon, wherein the above described real estate was conveyed to said Cletus Seibert, Trustee, for the sole and only purpose of said Cletus Seibert, Trustee, reconveying said real estate to Hezekiah Higdon and Emma G. Higdon, husband and wife.

Mortgage Record
1775 page 218
Inst. #29171
April 20, 1955
Recorded
April 21, 1955

Hezekiah Higdon and
Emma G. Higdon,
husband and wife
to
Railroadmen's Federal Savings
and Loan Association of
Indianapolis

Mortgage

Part of the East Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East, in Marion County, Indiana, more particularly described as follows:

-4-

666488

Beginning at a point in the west line of said Half quarter section distant south 1273.86 feet from the North West corner thereof, running thence east parallel to the north line of said half quarter section, a distance of 1052.58 feet to a point in the center of the Lafayette Road, running thence southeasterly in and along said center line a distance of 286.25 feet to a point, running thence west parallel to the north line of said half quarter section, a distance of 1226.74 feet to a point in the west line of said half quarter section, running thence north in and along said west line a distance of 191.12 feet to the place of beginning, containing in all 5 acres, be the same more or less.

Subject however to all legal highways and rights of way.

To secure (1) the payment of a loan evidenced by a promissory note of even date herewith, payable on or before 10 years from date, in the principal sum of \$1,300.00 with interest as provided for in said note from date until paid, said principal and interest being payable in payments of not less than \$14.11, per month in advance, all of said payments to be made on or before the 15 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 (2) any advances made by the mortgagee to the mortgagor for any purpose, at any time before the release and cancellation of this mortgage, but at no time shall this mortgage secure advances on account of said original note and such additional advances in a sum in excess of the original principal amount of this mortgage, said additional advances to be evidenced by a note executed by the mortgagor to the mortgagee and secured by this mortgage; provided, however, that nothing herein contained shall limit the amount that shall be secured hereby when advanced to protect the security as hereinafter provided, and with 10% attorney's fees.

Old Age Assistance Examination has been made, as to the persons in
Search title subsequent to May 1, 1947, for liens shown
by notices of Old Age Assistance, filed in the
Office of the Recorder of Marion County, as
provided by the Acts concerning Public Welfare,
effective May 1, 1947.

-5-

666488

Juvenile Court
Search

-6-

Examination has been made, as to the persons named under the heading of Judgment Search, and for the period so specified under said search, for judgments, as appear from the General Judgment Dockets of the Juvenile Court of Marion County, as said dockets are now entered up.

Note: Search has been made for the 10 years last past as to the persons listed below, irrespective of dates given.

Judgment Search

-7-

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:

Hezekiah Higdon
and
Emma G. Higdon,
jointly and
not individually

for the 10 years
last past and
against none other

-8-

Taxes for the year 1959 and prior years paid in full.

-9-

Taxes for the year 1960 on the real estate for which this Abstract is prepared are assessed in the name of Hezekiah & Emma G. Higdon and are due and payable on or before the first Mondays in May and November of 1961.

General Tax Duplicate No. 106808, Pike Township,
Parcel No. 1163.

May Installment \$72.98 Paid.

November Installment \$72.98 Unpaid.

Assessed Valuation:

Land \$1,000.00 Improvements \$2,440.00 Exemption \$1,000.00

-10-

Taxes for the year 1961 now a lien.