

Form I.C.-120-BP  
Purchase Grant  
**LIMITED ACCESS**  
Revised 5-61

**INDIANA STATE HIGHWAY COMMISSION**  
STATE OFFICE BUILDING  
INDIANAPOLIS 9, INDIANA  
**RIGHT OF WAY GRANT**

FUND 1  
PROJECT No. 65-3  
SECTION (17)120

PARCEL No. 13 PERM.

Sheet 1 of 2 Sheets

This indenture witnesseth that the undersigned, as grantors and sole owners of land in MARION County, Indiana, more definitely described below, through, over and upon which will pass a public highway which it is proposed by the State of Indiana to improve, hereby grant, bargain, warrant and convey to the State of Indiana, for Right of Way, lands as described below and located by surveys and shown on plans on file in the office of the Indiana State Highway Commission. The description from said plans of said right of way hereby granted is as follows:

PLANS ON SR. NO. 1-65 SEC. 1 PROJ. No. 65-3 SEC. (17)120 DATED 1961  
SEC. 12, T. 16 N, R. 2 E PERM. R/W 736 ~~SQ. FT.~~ **SQ. FT.** MORE OR LESS, ACQUIRED

Descriptions are of parcels of land lying between the plan centerline and the plan right of way line on the above designated project.

Measured distances along plan centerline are indicated by Station Number and plus.

Widths of parcels are indicated in feet, measured at a right angle from plan centerline at designated Station Number and plus; however, when Station Number and plus is followed by the letters P.L.; F.L.; F.D.; L.L. or C/L.S. (indicating property line, Fence Line, Field Division, Lot Line and Centerline of Stream respectively) or other identifying notations, it shall mean that the boundary line follows said identified line from plan centerline to plan right of way line.

*Above explanation is applicable only if centerline description is used.*

STA. TO STA. ON (C/L) "S-3-A"

TO

LEFT

RIGHT

THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY.  
PART OF TRACT No. 2 OF BAILEY'S WESTWOOD HIGHLAND SURVEY.  
54 + 90±N PL                      55 + 50                      50 TO PL  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY.  
BEGINNING 1,655.4 FEET SOUTH OF THE NORTH LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, MARION COUNTY, INDIANA AND 25.0 FEET WEST OF THE EAST LINE OF SAID HALF QUARTER SECTION.

THENCE SOUTH 00 DEGREES 45 MINUTES EAST, 58.9 FEET ALONG THE PRESENT WEST BOUNDARY OF MOLLER ROAD; THENCE NORTH 23 DEGREES 47 MINUTES WEST, 63.9 FEET TO THE NORTH PROPERTY LINE OF THE GRANTOR'S LANDS; THENCE NORTH 89 DEGREES 03 MINUTES EAST, 25.0 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING AND CONTAINING 736 SQUARE FEET, MORE OR LESS.

**DULY ENTERED  
FOR TAXATION**

OCT 4 1962

*Clem Smith*  
COUNTY AUDITOR

*[Handwritten Signature]*  
8-15-62

12/62

PARCEL NO. 13 PERM. PROJECT NO. 1-65-3(17)120 SHEET 2 of 2 SHEETS.

It is hereby agreed as part of the total consideration as shown below that possession of the buildings and the land constituting the homesite on the real estate above described will be surrendered within 10 days from the date first payment is received, and \$ 1000.00 will be held in Escrow until said possession is given. Possession of the balance of the real estate will be given upon receipt of the first payment in the amount indicated herein.

The above and foregoing grant is made in consideration of payment of the sum of One Hundred Dollars (\$ 100.00 ), which sum shall be paid or held in escrow as specified to the order of Warren R. Thomas, Margaret J. Thomas, 5040 Moller Rd. Indianapolis 23, Ind Equitable Securities Company (Give address of Payee)

The right of way hereby conveyed may be used, subject to the discretion of the grantee, for the establishment, construction, control and maintenance of a limited access facility as defined in the act of 1945 (Acts 1945, ch. 245, page 1113) and is subject to such regulations as therein provided and to such subsequent regulations or use as may be made, adopted or provided under or by law governing such facilities or highways in general.

It is further understood and agreed that this conveyance transfers only the right to make, construct and maintain such highway on said lands and to use any material lying within the above described limits suitable for use in constructing and maintaining said highway and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction or maintenance of such improved highways.

Any and all timber, shrubbery, fences, buildings and all other physical improvements on the above granted right of way, not specifically reserved by special provision stated above, shall become the property of the State of Indiana.

When, by special provisions as stated above, any trees and/or shrubs are to be left standing on said right of way, it is mutually agreed and understood by grantor and grantee, that such special provision is only for such period as the excepted trees and/or shrubs shall not constitute an obstruction to future construction or hazard to power lines or traffic as shall be determined from time to time by the Indiana State Highway Commission through its authorized representatives.

It is understood and agreed that all provisions of this grant are stated above and that no verbal agreements or promises are binding.

It is also mutually agreed by grantor and grantee that this is a permanent easement unless otherwise specified for Highway purposes and shall be binding until specifically vacated by resolution by the Indiana State Highway Commission.

The undersigned GRANTORS being duly sworn, says that he, she (is) or they (are) the sole owner(s) of the above described property, and said grantors further represent that there are no encumbrances, leases, liens or options of any kind or character on said lands as conveyed, except as shown below, and that they make this representation for the purpose of inducing the Indiana State Highway Commission to pay them the amount herein stipulated.

Grantor further agrees to assume for the property described above all taxes payable for current and prior years and any taxes now a lien on said property.

Mortgagee: EQUITABLE SECURITIES COMPANY This grant is to be and become effective and binding from and after its approval by the Indiana State Highway Commission.

Land and improvements \$ 500.00 ; Damages \$ 500.00 ; Total consideration \$ 1000.00

Warren R. Thomas (Grantor)
Warren R. Thomas (Husband) Adult (Grantor)
Margaret J. Thomas (Grantor)
Margaret I. Thomas (Wife) Adult (Grantor)

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

DULY ENTERED FOR TAXATION

OCT 4 1962

Clem Smith COUNTY AUDITOR

Dated May 19th, 1962

This instrument prepared and checked with project plans for Division of Right of Way. BY FEB 1962

AMOUNT APPROVED AUG 21 1962 BY James W. Townsend Road Chief Div 11A

THE ABOVE GRANT IS HEREBY ACCEPTED. STATE OF INDIANA

DESCRIPTION & FORM OK'D 8-15-62 BY AB Zischy

PAID BY WARRANT NO. H098049 DATED 9-7, 1962

BY Charles D. Shurt Title Indiana State Highway Commission DATE AUG 21 1962

State of Indiana, County of \_\_\_\_\_ ss:  
Personally appeared before me \_\_\_\_\_  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

State of Indiana, County of \_\_\_\_\_ ss:  
Personally appeared before me \_\_\_\_\_  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

State of Indiana, County of \_\_\_\_\_ ss:  
Personally appeared before me \_\_\_\_\_  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

State of Indiana, County of \_\_\_\_\_ ss:  
Personally appeared before me \_\_\_\_\_  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

State of Indiana, County of \_\_\_\_\_ ss:  
Personally appeared before me \_\_\_\_\_  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

State of Indiana, County of Marion ss:  
Personally appeared before me Warren R. Thomas and Margaret I. Thomas  
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the  
facts therein are true, this 29th day of May, 1962.

Witness my hand and official seal.  
My Commission expires Oct. 1st, 1963

E. R. Souder  
E. R. Souder  
Floyd Co. Notary Public.

The undersigned owner of a mortgage and/or lien on the land of which the right of way described  
in the attached grant, 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 grant, this

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_  
(Seal) \_\_\_\_\_ (Seal)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss:  
Personally appeared before me \_\_\_\_\_

\_\_\_\_\_ above named and duly acknowledged the execution of the above  
release the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Witness my hand and official seal.  
My Commission expires \_\_\_\_\_  
Notary Public.

RECORDED AT \_\_\_\_\_ A.M.  
MARION COUNTY, INDIANA  
OCT 4 - 1962

# INDIANA STATE HIGHWAY COMMISSION

*Division of Land Acquisition*

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

.....September 13,..... 19 62.....

To Warren R. & Margaret I. Thomas  
Equitable Securities Co.  
5040 Moller Road  
Indianapolis 23, Ind.

GENTLEMEN:

We enclose State Warrant No. A 098049 ..... 9-7 19 62.....  
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 29, 1962 .....  Parcel 13 Perm.		100.00

**PLEASE RECEIPT AND RETURN**

Received Payment: Warren R. Thomas

Date 9-17-62

APPRAISAL PARTIAL TAKING

PROJECT I-65-3 (17)129 ROAD I-65 COUNTY Marion PARCEL NO. 13

PROPERTY OWNER Warren & Margaret Thomas 5040 Moller Road Indianapolis, Ind. Address

Present Use Residential Best Present Use Res. Best Future Use Res. Acres .48 Value Per Acre (Average) Schedule "A" Tillable Acres Value Per Tillable Acre Schedule "A" Square Feet 20,909 Value Per Square Foot Schedule "A" \$ .06 Front Feet Value Per Front Foot Schedule "A"

VALUE — LAND Schedule "A" \$ 1,250. Total VALUE — IMPROVEMENTS Schedule "B" \$ 14,500. Value \$ 15,750.

ZONED: R-3

VALUE OF PART TAKEN

Land — Temporary R/W @ \$ None Permanent R/W 736 sq. ft. @ 6¢ @ \$ 50. (min.)

IMPROVEMENTS — See Schedule "B" VALUE OF IMPROVEMENTS IN R/W TAKING \$ None

Check here [ ] if Schedule "C" has been completed to show a valuation by the income approach.

SEVERANCE DAMAGE (See Memo Attached) \$ None

LIMITED ACCESS DAMAGE (See Memo Attached) \$ None

PROXIMITY DAMAGE None is now feet from R/W. Will be feet from R/W.

DAMAGES considered at % \$ None

OTHER DAMAGES — Fence, Trees, Cuts, Fills, Etc. itemize (use separate sheet if needed.) \$ 22.

2 evergreen trees @\$5. \$10. approx. 12 gladiola bunches @\$1. 12. \$22.

Approved Date Signed Rev. Appr. Asst. or Chief Appr. 5/17/62 [Signature]

Value of Part Taken — including temporary R/W USE # 100 \$ 72. Value After Taking — including temporary R/W \$ 15,678. Plus Amount Shown as Temporary R/W \$ --- Adjusted Residual Value \$ 15,678.

In my opinion the new facility will create a Special Benefit to this property, thereby, increasing its value in the amount of \$ None (See Memo Attached). If no increase in value, write word "none" in the above blank space.

I, hereby, certify that I have no present or contemplated future interest in the above property. I, further, certify that I have personally inspected the improvements on this property. (have — None)

Dated this 2nd day of April 1962

Appraiser Jack P. Meek B 11398 Number

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 # 13

OWNER Warren R. Thomas PHONE # AX. 1-2649  
Margaret J. Thomas

(Other interested parties and relationship)

Egtables Securities Co. mortgage

ADDRESS OF OWNER 5040 Moller Rd. Indianapolis 23, Ind.

DATE ASSIGNED May 19th. 1962

DATE OF CONTACT May 29th. 1962

TIME OF CONTACT 7:30 P.m.

DATE OF PREVIOUS CONTACT 1st. call

OFFER \$ 100 00

DETAIL CONTACT\* Called on Mr & Mrs. Thomas, explained the plans and answered their questions. Gave them the approved appraisal.

ACTION TAKEN\*\* Offer accepted. Parcel signed. mortgage Release Pending.

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.

PARTIAL RELEASE

THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, owner and holder of that certain mortgage dated October 5, 1955, executed by SPIRO KOSTOFF and ANNE KOSTOFF, husband and wife to EQUITABLE SECURITIES COMPANY, to secure the payment of a note of even date therewith in the principal sum of TWELVE THOUSAND, TWO HUNDRED FIFTY AND NO/100 (\$12,250.00) DOLLARS which mortgage was recorded in Vol. 1812, Page 343 in the office of the Recorder of Marion County, Indiana and assigned to THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK by assignment dated January 16, 1956 recorded in said Recorder's office in Vol. 186, Page 8, having been requested to release the hereinafter described property from the operation of the above described mortgage;

NOW, THEREFORE, in and for consideration of the sum of One (\$1.00) Dollar and other valuable considerations to it in hand paid, the receipt of which is hereby acknowledged, THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK does hereby release, set over and discharge from the operation of the aforesaid mortgage, the property described as:

Beginning 1,655.4 feet South of the North line of the West half of the Southeast quarter of Section 12, Township 16 North, Range 2 East, Marion County, Indiana and 25.0 feet west of the east line of said half quarter section.

Thence South 00 degrees 45 minutes East, 58.9 feet along the present West boundary of Moller Road; thence North 23 degrees 47 minutes West, 63.9 feet to the North property line of the Grantor's Lands; thence North 89 degrees 03 minutes East, 25.0 feet along said property line to the point of beginning and containing 736 square feet, more or less.

Provided, however, that this partial release shall not be construed to waive or in any manner affect or invalidate the lien of THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK upon the residue of the property described in said mortgage.

IN WITNESS WHEREOF, THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK has caused its name and seal to be affixed hereto by its duly authorized Second Vice President and this instrument attested by an Assistant Secretary this day of July, 1962.

THE MUTUAL LIFE INSURANCE COMPANY  
OF NEW YORK

By Montel M. Packie  
Montel M. Packie, 2d Vice Pres.

ATTEST:

Ruth Vetter  
Ruth Vetter, Asst. Secretary

STATE OF NEW YORK )  
                          : ss.  
COUNTY OF NEW YORK )

On the *19<sup>th</sup>* day of July, 1962, personally appeared before me, Montel M. Packie, who being by me duly sworn, did say that he is a Second Vice President of THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, a corporation, and that said instrument was signed in behalf of said corporation by authority of a resolution of its Board of Trustees, and said Montel M. Packie acknowledged to me that said corporation executed the same.

*Marjorie Irene Smith*

MARJORIE IRENE SMITH  
Notary Public, State of New York  
No. 24-9076665 - Qual. in Kings Co.  
Certificate Filed in New York County  
Commission Expires March 30, 1964



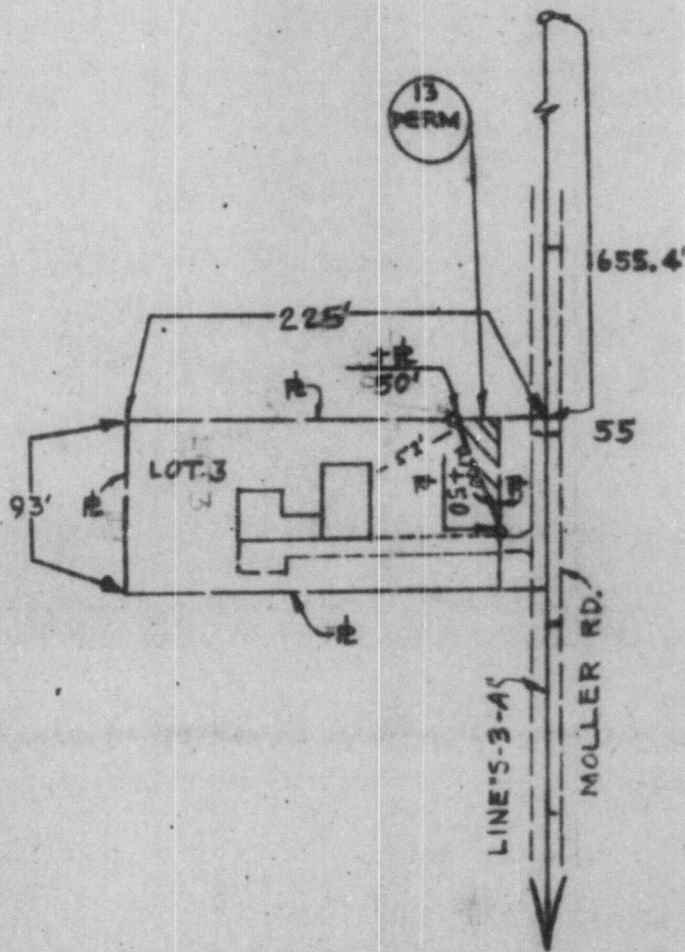
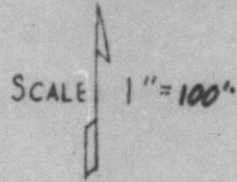
PARCEL NO. 13 PERM  
PROJECT NO. I-65-3(17)120  
ROAD. I-65

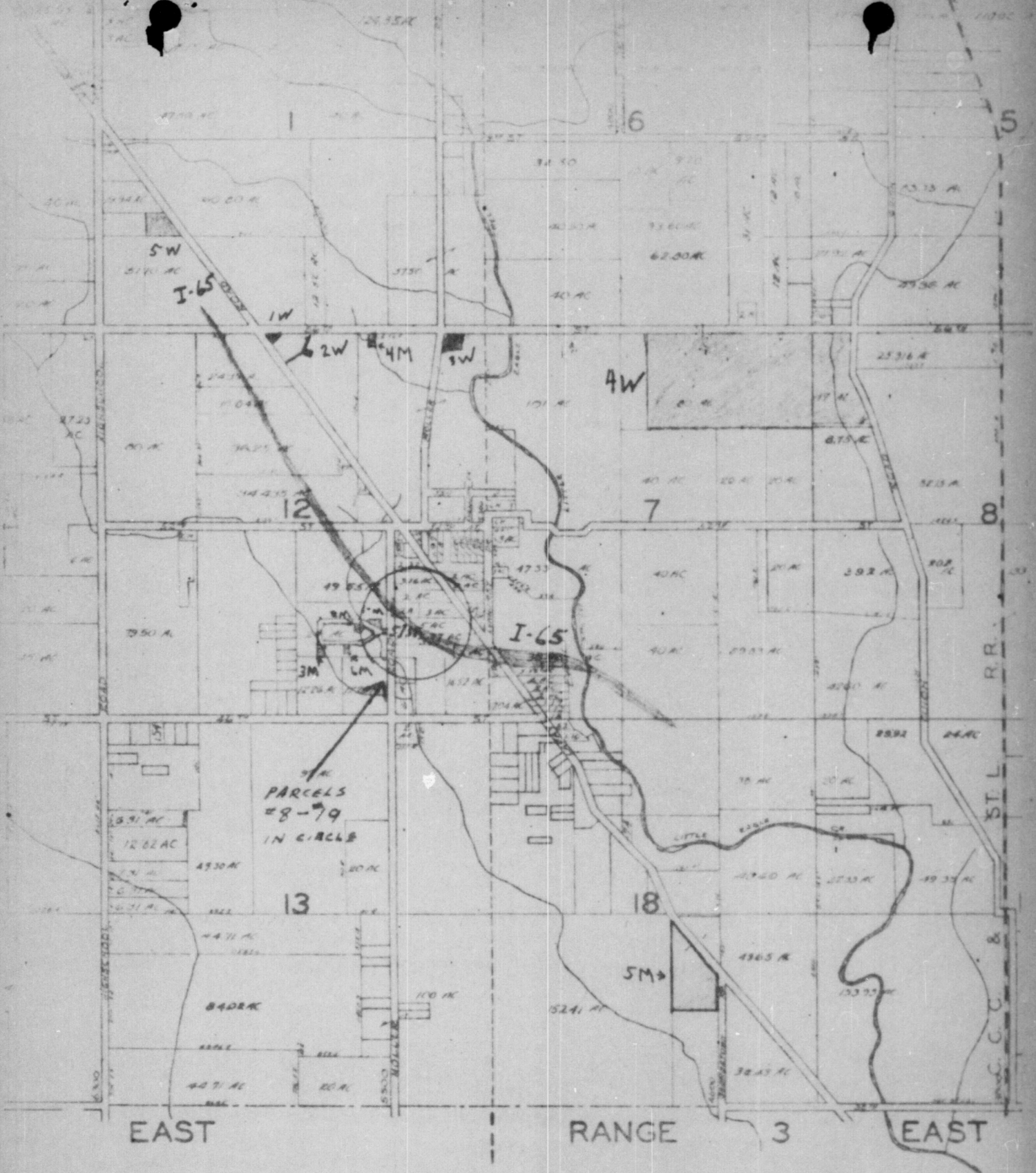
OWNER: WARREN & MARGARET THOMAS  
DRAWN BY D.L.M. CHECKED BY  
DEED RECORD 1623 PAGE 488 DTD, 6-28-56



CROSSHATCHED  
AREA IS  
APPROX. TAKE

COUNTY : MARION  
TOWNSHIP : PIKE  
SECTION : 12  
T : 16N  
R : 2E

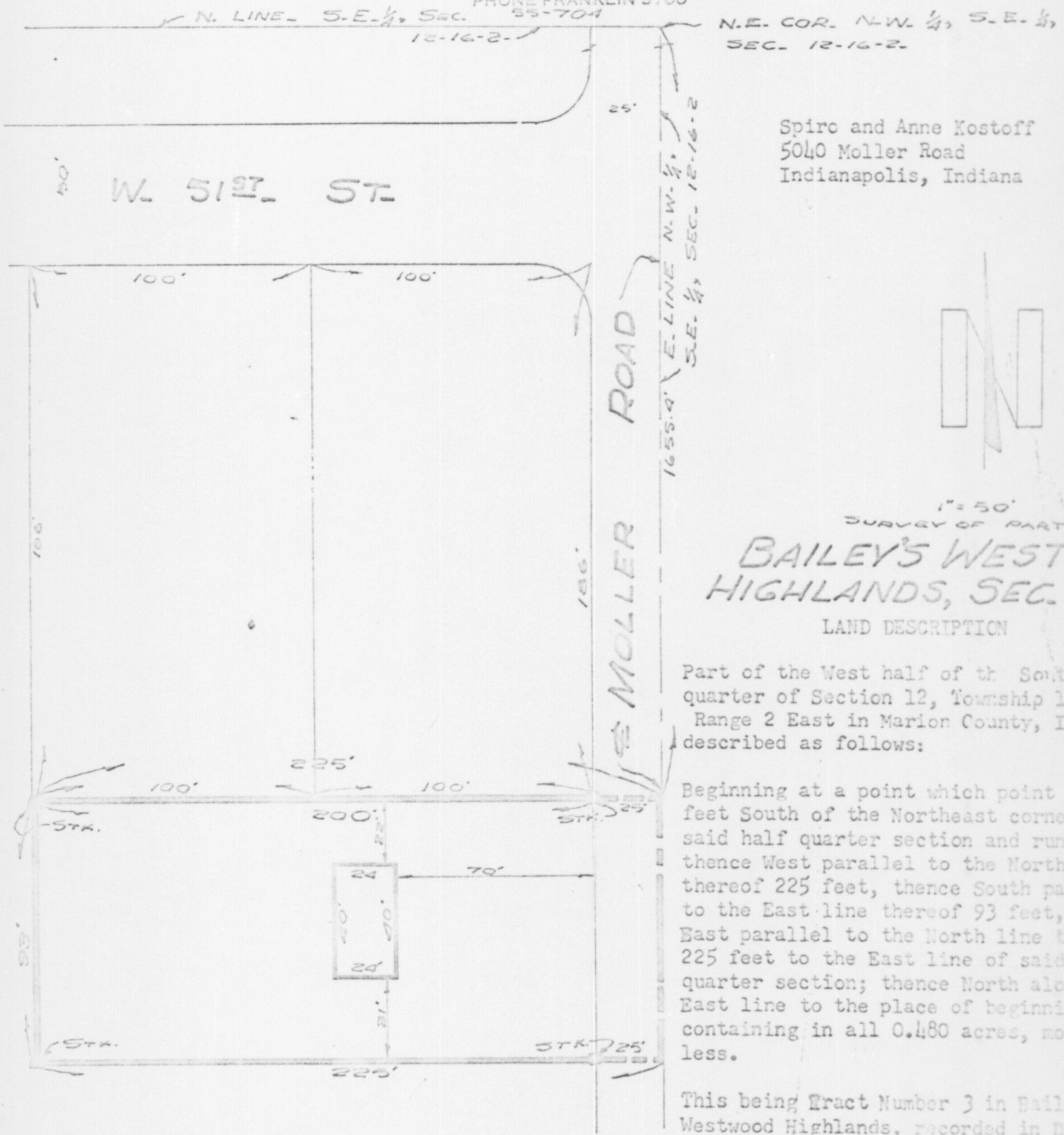




Project I-65 3(17)120  
 Marion County, Indiana  
 Comparable Sales --- 1M - 6M & 1W - 5W all spotted in.  
 4-April 1962  
 Parcels 8-19 located in circled area.

YEARS AND YEARS OF SERVICE  
**THE HERBERT BLOEMKER CO.**

FORMERLY  
 H. B. FATOUT CO.  
 EST. 1842  
 CIVIL ENGINEERS & SURVEYORS  
 KEACH BLDG., 29 S. DELAWARE ST.  
 INDIANAPOLIS 4, INDIANA  
 PHONE FRANKLIN 5700



Spiro and Anne Kostoff  
 5040 Moller Road  
 Indianapolis, Indiana

1" = 50'  
 SURVEY OF PART OF  
**BAILEY'S WESTWOOD  
 HIGHLANDS, SEC. 12-16-2**  
 LAND DESCRIPTION

Part of the West half of the Southeast quarter of Section 12, Township 16 North Range 2 East in Marion County, Indiana described as follows:

Beginning at a point which point is 1655.4 feet South of the Northeast corner of said half quarter section and running thence West parallel to the North line thereof 225 feet, thence South parallel to the East line thereof 93 feet, thence East parallel to the North line thereof 225 feet to the East line of said half quarter section; thence North along said East line to the place of beginning; containing in all 0.480 acres, more or less.

This being Tract Number 3 in Bailey's Westwood Highlands, recorded in Deed Record 1497, pages 321, 323, 324, and 325 in the Office of the Recorder of Marion County.

CERTIFICATE OF SURVEY

I, the undersigned, do hereby certify that this plat is true and correct, representing a survey of Section 12, Township 16 North, Range 2 East in Bailey's Westwood Highlands in Marion County, State of Indiana.

Corners were established as shown hereon and no encroachments were found existing. Proposed building was located as shown hereon.

CERTIFIED: August 19, 1955

*[Handwritten Signature]*

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 W 1/2 SE 1/4	12	16	2	0.48	

LAST OWNER OF RECORD

Deed Record \_\_\_\_\_ v. \_\_\_\_\_ Recorded \_\_\_\_\_ Dated \_\_\_\_\_ Deed

Grantor \_\_\_\_\_

Grantee **None**

Address of Grantee \_\_\_\_\_

MORTGAGE RECORD

Mortgage Record \_\_\_\_\_ v. \_\_\_\_\_ Amount \_\_\_\_\_ Dated \_\_\_\_\_

Mortgagor **None**

Mortgagee \_\_\_\_\_

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

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

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

TAXES Current Paid (  ) Delinquent ( )

CERTIFICATE

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

UNION TITLE CO.

Dated this 6 day of Aug. 1962, by Mr. Hiram L. Stover  
Abstract PRESIDENT

Prel. Approval of Title \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_ Deputy Attorney General

Final approval of Abstract of Title \_\_\_\_\_ Date \_\_\_\_\_ BY \_\_\_\_\_ Deputy Attorney General

692783

The following is an Extension of the original search by Union Title Company under No. 666803.

CAPTION

-1-

Continuation of Abstract of Title to Part of the West 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 which point is 1655.4 feet south of the Northeast corner of said Half Quarter Section and run thence West parallel to the North line thereof, 225 feet; thence south parallel to the East line thereof 93 feet; thence east parallel to the north line thereof, 225 feet to the East line of said Half Quarter Section; thence north along said East line to the place of beginning, containing 0.48 acres, more or less.

Subject to any legal highways or rights of way.

This being Tract 3 in the Survey of Bailey's Westwood Highlands, recorded in Deed Record 1497, pages 322, 323, 324 and 325, in the office of the Recorder of Marion County, Indiana.

Since September 22, 1961, 8 A.M.

Prepared For: Indiana State Highway Commission  
Division of Land Acquisition

Old Age Assistance Search

-2-

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

-3-

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.

692783

Judgment Search

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

Warren R. Thomas  
and  
Margaret I. Thomas  
jointly and  
not individually

from September 22, 1961,  
8 A.M. to date and  
against none other

-4-

-5-

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

-6-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of Warren R. and Margaret I. Thomas, and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 109331, Pike Township,  
Parcel No. 3750.

May Installment \$57.28 paid.

November Installment \$57.28 unpaid.

Assessed Valuation

Land \$250.00    Improvements \$2540.00    Exemption \$1000.00

-7-

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

PIKE TWP

Names on Plans S. A. Kostoff

Names in Trans Book Warren R. & Margaret I. Thomas

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Part of the W 1/2 SE 1/4	12	16 N	2 E	0.48 Ac.	Land \$ 250.00
					Imp. \$2540.00
					Total \$2790.00

U.S.R. \$2.75

LAST OWNER OF RECORD

Deed Record 1623 p. 488 Recorded 6/29/56 Dated 5/28/56 <sup>Warranty</sup> Deed

Grantor Spiro Kostoff & Anne Kostoff, husband & wife

Grantee Warren R. Thomas & Margaret I. Thomas, husband & wife

Address of Grantee 5040 Moller Rd., Indpls. 23, Ind.

MORTGAGE RECORD

Mortgage Record 1812 p. 343 Amount \$12,250.00 Dated 10/5/55

Mortgagor Spiro Kostoff & Anne Kostoff, husband & wife

Mortgagee Equitable Securities Company (See Assignment)

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.

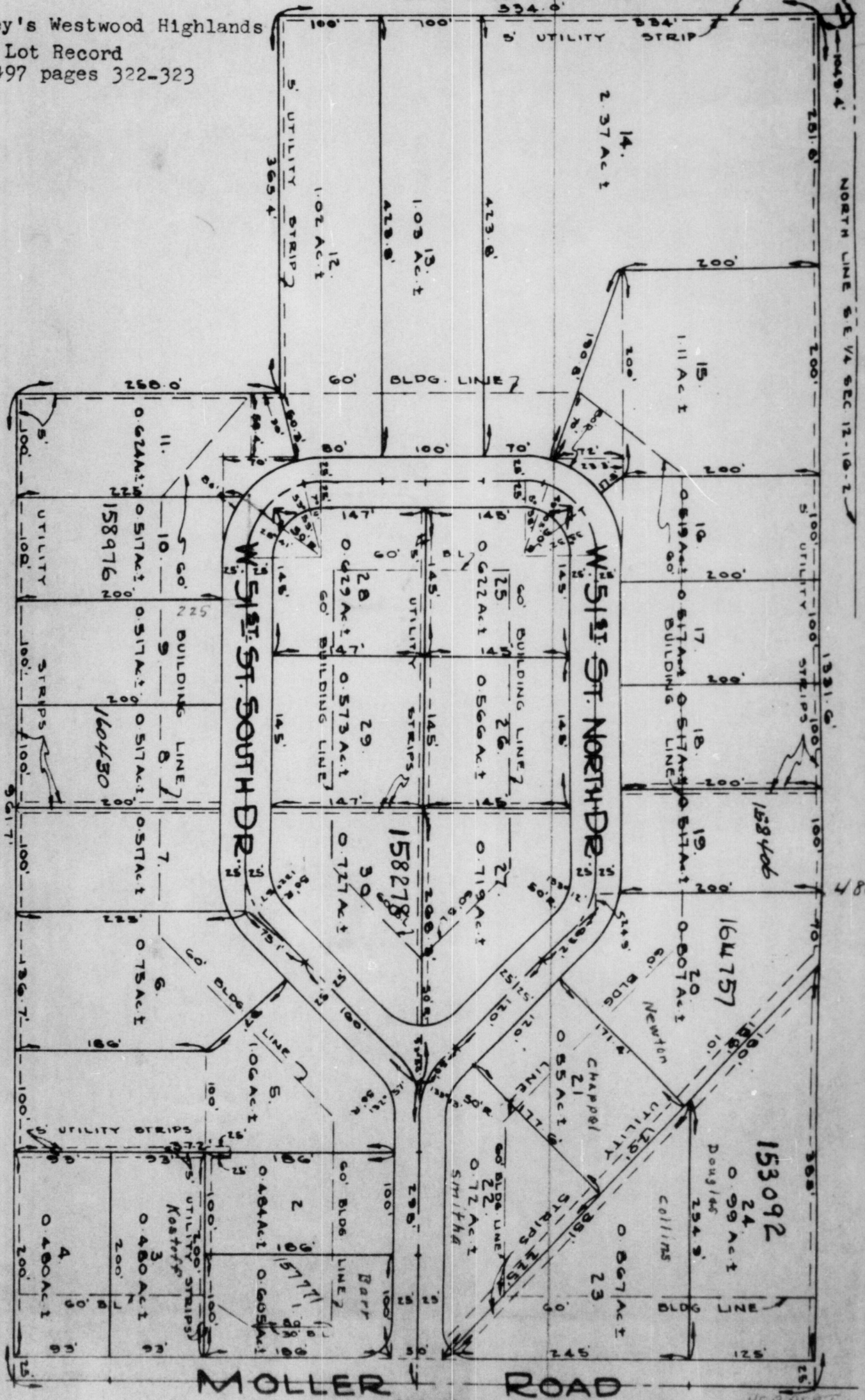
Dated this 22 day of Sept. 1964 8 AM BY Norman E. Swadbridge  
Abstractor PRESIDENT

Prel. Approval of Title \_\_\_\_\_ By \_\_\_\_\_  
Date Deputy Attorney General

Final approval of Abstract of Title \_\_\_\_\_ BY \_\_\_\_\_  
Date Deputy Attorney General

Bailey's Westwood Highlands  
 Town Lot Record  
 1497 pages 322-323

SW 1/4 + E 1/4    NW 1/4 + SE 1/4  
 WEST LINE S.E. 1/4 SEC. 12-16-2  
 334.0'



Certified June 29, 1953  
 HERBERT BLUMER #1836



666803

CAPTION

Continuation of Abstract of Title to Part of the West 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 which point is 1655.4 feet south of the Northeast corner of said Half Quarter Section and run thence west parallel to the North line thereof 225 feet; thence south parallel to the East line thereof 93 feet; thence east parallel to the North line thereof 225 feet to the East line of said Half Quarter Section; thence north along said East line to the place of beginning, containing 0.48 acres, more or less.

Subject to any legal highways or rights of way.

This being Tract 3 in the Survey of Bailey's Westwood Highlands, recorded in Deed Record 1497, pages 322, 323, 324 and 325 in the Office of the Recorder of Marion County, Indiana.

Prepared for: State Highway Department of Indiana

Town Lot Record  
971 page 358  
Inst. #18380  
June 15, 1937  
Recorded  
June 16, 1937

STATE OF INDIANA, COUNTY OF MARION, SS:

Cora L. Whisenand, being first duly sworn upon her oath according to law, deposes and says:

That Albert W. Whisenand and Anna Whisenand were the owners of the following described real estate in Marion County, in the State of Indiana, towit:

East 1/2 except 1 acre where the Church stands, of the Southwest 1/4 of Section 12, Township 16 - Range 2 - 79 acres.

Also the middle part of the West 1/2 of the Southeast 1/4 of Section 12, Township 16 - Range 2 - 24 acres.

That Albert W. Whisenand and Anna Whisenand are both deceased, and died during the year of 1936, That the estates of both Albert W. Whisenand and Anna Whisenand have been entered for probate in the Marion County Probate Court, and both estates are solvent, and that said real estate will not be sold to pay the expenses of administration of said estates.

That the only heirs-at-law and next of kin to Albert W. Whisenand and Anna Whisenand are Omer B. Whisenand, a son of Albert W. Whisenand and Anna Whisenand, and Florence Evelyn Whisenand and Roy VanArsdal Whisenand, children of Roy Whisenand, deceased, a son of Albert W. Whisenand and Anna Whisenand.

Cora L. Whisenand

Subscribed and sworn to before me this 15th day of June 1937.

Florence K. Thacker (LS)

Notary Public

My Commission expires August 1, 1939.

Deed Record  
968 page 406  
May 1, 1937  
Recorded  
May 1, 1937

Omer B. Whisenand, and  
Cora L. Whisenand,  
his wife  
to  
J. D. Thacker, Trustee  
for the purpose of  
reconveying

Warranty Deed  
(No U. S. Revenue  
Stamp Attached)

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An undivided 1/2 interest in the following real estate:  
East 1/2, except 1 acre, where the Church stands,  
of the South West 1/4 of Section 12, Township 16 - Range 2 -  
79 acres.  
Also the middle part of the West 1/4 of the South East  
1/4 of Section 12, Township 16 - Range 2 - 24 acres.

Deed Record  
968 page 407  
May 1, 1937  
Recorded  
May 1, 1937

J. D. Thacker, Trustee  
for the purpose of  
reconveying, (signs,  
J. D. Thacker, --)  
to  
Cora L. Whisenand

Quit Claim Deed  
(No U. S. Revenue  
Stamp Attached)

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An undivided 1/2 interest in the following real  
estate:  
East 1/2, except 1 acre, where the Church stands, of  
the South West 1/4 of Section 12, Township 16 -, Range 2 -  
79 acres.  
Also the middle part of the West 1/2 of the South  
east 1/4 of Section 12, Township 16 -, Range 2 - 24 acres.

Misc. Record  
443 page 448  
Jan. 13, 1950  
Recorded  
Jan. 26, 1950

-----, -----, ---:  
Affiant says, that in her office on May 1, 1937 a  
deed was prepared from Omer B. Whisenand and Cora L. Whisenand  
his wife to J. D. Thacker, Trustee for the purpose of  
reconveying, deed recorded in Deed Record 968, page 406  
in the Office of the Recorder of Marion County, Indiana,  
also a deed from J. D. Thacker, Trustee, for the purpose of  
reconveying, to Cora L. Whisenand, deed recorded in Deed  
Record 968 page 407 in the office of the Recorder of Marion  
County, Indiana, to the following described real estate  
situated in Marion County, Indiana, to wit:

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An undivided 1/2 interest in the following real estate:  
East 1/2, except 1 acre, where the Church stands, of  
the South West 1/4 of Section 12, Township 16 North, Range  
2 East, 79 acres.  
Also, the middle part of the West 1/2 of the South  
East 1/4 of Section 12, Township 16 North, Range 2 East,  
24 acres.

Affiant further says that she is the widow of J. D. Thacker who died September 11, 1940, she being his only heir.

Affiant further says that when J. D. Thacker signed the above described deed he signed it in his individual capacity instead of in his capacity as Trustee for reconveyance, but that it was his intention and the intention of all parties involved that he sign this deed as Trustee.

Affiant further says that she did not have and does not now have any interest in the above described property.

And further affiant saith not.

Florence Thacker Bradley.

-----, -----, ---:  
Affiant says, That he is a resident of Marion County, Indiana.

That he has known Florence E. Coolman for the past several years and that she is the daughter of Roy A. Whisenand, and that Florence E. Whisenand and Florence E. Coolman are one and the same person.

That Florence E. Whisenand and Robert B. Coolman were united in marriage in the City of St. Louis, St. Louis County, Missouri on October 14, 1939.

Further affiant saith not.

Robert E. Huffman.

IN THE PROBATE COURT OF MARION COUNTY

Florence E. Coolman,  
Roy V. Whisenand

Interlocutory  
Partition Decree

vs  
Cora L. Whisenand,  
Omer B. Whisenand

October 3, 1940. Complaint for partition filed.

NOTE: There are no papers in the files in this matter and no Complete Record was made of the same. The following is taken from the Order Book entries therein.

Deed Record  
1407 page 385  
Feb. 26, 1951  
Recorded  
Feb. 28, 1951

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Cause No. 3454  
Filed  
Oct. 3, 1940

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October 29, 1940. Interlocutory Partition Decree.

Comes now the defendants and by counsel and writer assent of the defendants, Cora L. Whisenand and Omer B. Whisenand, to the partition prayed for in said complaint and waiving notice thereof is filed, and reads as follows, towit: (H.I.).

And comes now the defendants in person and by counsel and the issues in this behalf having been joined, the same are submitted to the court for trial and determination, a jury by agreement being waived. And the court having heard the evidence and being sufficiently advised in the premises finds that as alleged in the complaint, said plaintiffs and said defendant, Cora Whisenand, are the owners in fee simple as tenants in common and entitled to the possession of the following described real estate, in Marion County, State of Indiana, towit:

Part of the Southeast Quarter of Section 12, Township 16 North, Range 2 East, described as follows: Beginning on the west line of said Quarter 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 Quarter Section 20 chains; thence south parallel to the west line of said quarter section 12 chains; thence West parallel to the North line of said Quarter Section 20 chains to the West line of said Quarter Section; thence north 12 chains to the place of beginning, contained 24 acres, more or less, also

The East Half of the Southwest Quarter of Section 12, Township 16 North, Range 2 East, excepting one acre out of the northwest corner thereof, containing 79 acres, more or less.

That said parties so own said real estate in the following proportions:

The plaintiff, Florence E. Coolman, is the owner of an undivided one-fourth thereof.

The plaintiff, Roy V. Whisenand, is the owner of an undivided one-fourth thereof, and

The defendant, Cora L. Whisenand, is the owner of an undivided one-half thereof, and that they are entitled to have and hold their said respective interest in severalty and that partition of said real estate ought to be made.

It is therefore Considered and Decreed by the Court that the parties hereto are the owners of, and have interests as above found and set forth, in and to said described real estate, and partition thereof in accordance with the foregoing findings is now awarded and adjudged between them and their said respective interests ordered set off and assigned to them in severalty.

And the Court now appoints Carlos D. Deeds, Edwin E. Thompson and Harry Harmon, disinterested resident free holders of Marion County, Indiana, and not of kin to any of the parties herein, commissioners to make such partition and after taking an oath as by law required to faithfully perform their duties said commissioners are ordered to

assign and set off by lots, metes and bounds to the said several owners of said real estate their respective interests therein as heretofore found and adjudged, and make due report of their proceedings during the present term of this Court.

And thereupon a warrant is issued to said commissioners under the hand of the clerk and seal of this court.

Order Book 194 page 569.

October 29, 1941. Come now the parties and the duly verified report of Carlos D. Deeds, Edwin E. Thompson and Harry Harmon, the commissioners heretofore appointed to make partition of the real estate described in the interlocutory decree in this cause rendered is now filed and reads in the words and figures following:

STATE OF INDIANA, COUNTY OF MARION, SS:  
IN THE PROBATE COURT OF MARION COUNTY #3454  
REPORT OF COMMISSIONERS  
Florence E. Coolman,  
Roy V. Whisnand,

vs

Cora L. Whisenand  
Omer B. Whisenand

The undersigned, appointed by decree of said court in the cause above entitled, as commissioner to make partition among the owners thereof of the real estate described in the annexed warrant, respectfully report that after taking an oath for the faithful performance of their duties, which oath is endorsed upon said warrant, they proceeded to view the said premises so ordered partitioned; and after due inspection and consideration, they make partition thereof in accordance with said order, and have set off and assigned in severalty to the owners in full of their respective interests therein as specified in said warrant, the following described parts and parcels of said real estate, towit:

They have set off and assigned to the plaintiffs, Florence E. Coolman and Roy V. Whisnand, as tenants in common, share and share alike, as their full one half in value of all of said real estate in the following portion thereof, towit:

Part of the South East Quarter of Section 12, Township 16 North, Range 2 East, described as follows:

Beginning on the west line of said Quarter Section at a point 15 chains and 90 links south of the north west corner thereof, and running east parallel to the north line of said quarter section 20 chains; thence south parallel to the west line of said quarter section 12 chains; thence west parallel to the north line of said quarter Section 20 chains to the west line of said quarter section; thence north 12 chains to the place of beginning, containing 24 acres, more or less.

Also, A part of the East Half of the South West Quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows:

Beginning at a point in the west line of said 1/2 1/4 section 81 rods south of the northwest corner thereof; thence south along said west line to the southwest corner of said half quarter section; thence east along the south line of said half quarter section 80 rods more or less, to the southeast corner of said half quarter section; thence north along the east line of said half quarter section to a point 81 rods south of the northeast corner thereof; thence west 80 rods more or less, to the place of beginning containing 39.50 acres, more or less.

They have set off and assigned to the defendant, Cora L. Whisenand, as her full one half in value of all of said real estate the following portion thereof to-wit:

Part of the East Half of the Southwest Quarter of Section 12, Township 16 North, Range 2 East, more particularly described as follows:

Beginning at the Northwest corner thereof and running thence south along the west line thereof 81 rods; thence east 80 rods, more or less to the East line of said half quarter section; thence north 81 rods along the east line of said half quarter section the northeast corner thereof; thence west 80 rods, more or less, to the place of beginning, containing 40.50 acres, more or less, excepting therefrom one acre heretofore conveyed to the Liberty Church, making the net amount herein set off to said defendant, 39.50 acres, more or less.

Respectfully submitted,

Carlos D. Deeds  
Edwin E. Thompson  
Harry Harmon

And no objection to said report being made or appearing and the court being sufficiently advised in relation thereto now in all things approves and confirms the same.

It is therefore considered by the court that the partition of said real estate, so made and reported by said commissioners, be and the same is hereby made firm and effectual between the parties; and each of the said owners thereof shall take and hold in severalty the share by said report set off and assigned to him or her, in full, and in lieu of his undivided interest heretofore held in all the real estate so partitioned and free and discharged from any claim or title thereto of any of his said cotenants.

It is further ordered by the Court that the costs of this Action be paid by the parties hereto in proportion to their respective interests in said real estate so partitioned.

All of which is now ordered, adjudged and decreed by the Court.

Order Book 194 page 567.  
Costs Paid.

Misc. Record  
378 page 112  
Feb. 28, 1946  
Recorded  
March 13, 1946

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-----, -----, ---  
Affiant says, that his wife, Florence E. Coolman, is a grand-daughter of Albert W. Whisenand, who died testate March 16, 1936; that Albert W. Whisenand left as his sole and only heirs at law his widow, Anna Whisenand, and one son, Omer B. Whisenand, and two grandchildren, Florence E. "Whisnand" and Roy V. "Whisnand" children of Roy "Whisnand" that Roy "Whisnand" son of Albert Whisnand, spelled his name "Whisnand" and also his two children spelled their names as "Whisnand", while Omer B. and his wife spelled their names "Whisenand".

That in a certain partition proceeding in the Probate Court of Marion County, cause number 3454, the difference in spelling of the surname of the two brothers is due to the fact that Roy V. Whisnand dropped the letter "e" in the spelling of his name and this same method of spelling was followed by his children. Omer B. Whisenand retains the old Spelling.

Further affiant saith not.

Robert B. Coolman.

Town Lot Record  
1202 page 195  
Inst. #7159  
Jan. 19, 1946  
Recorded  
Jan. 31, 1946

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Roy V. Whisnand and  
Jane Annè Whisnand, his wife  
to  
Florence E. Coolman

Warranty Deed  
(U. S. Revenue  
Stamp Attached)

One half undivided interest in the following described real estate:

Part of the southeast quarter of Section 12, Township 16 North, Range 2 East described as follows:

Beginning on the west line of said Quarter 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 quarter section 20 chains, thence south parallel to the west line of said quarter section 12 chains; thence west parallel to the north line of said quarter section 20 chains to the west line of said quarter section; thence north 12 chains to the place of beginning, containing 24 acres, more or less.

Also a part of the east half of the southwest 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 81 rods south of the northwest corner thereof;

thence south along said west line to the southwest corner of said half quarter section; thence east along the south line of said half quarter section 80 rods, more or less, to the southeast corner of said half quarter section; thence north along the east line of said half quarter section to a point 81 rods south of the northeast corner thereof; thence west 80 rods more or less to the place of beginning, containing 39.50 acres, more or less. Proper citizenship clause is attached.

Town Lot Record  
1202 page 196  
Inst. #7160  
Jan. 22, 1946  
Recorded  
Jan. 31, 1946

Florence E. Coolman and  
Robert B. Coolman,  
her husband

Warranty Deed

to  
Marian I. Oden, Trustee for the  
purpose of reconveyance to  
joint title

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Part of the Southeast Quarter of Section 12, Township 16 North, Range 2 East, described as follows:

Beginning on the west line of said quarter 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 Quarter Section 20 chains; thence south parallel to the West line of said quarter section 12 chains; thence west parallel to the North line of said quarter section 20 chains to the west line of said quarter section; thence north 12 chains to the place of beginning, containing 24 acres, more or less.

Also a part of the east half of the southwest 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 81 rods south of the northwest corner thereof; thence south along said west line to the southwest corner of said half quarter section; thence east along the south line of said half quarter section 80 rods, more or less, to the southeast corner of said half quarter section; thence north along the east line of said half quarter section to a point 81 rods south of the northeast corner thereof; thence west 80 rods, more or less to the place of beginning, containing 39.50 acres, more or less. Proper citizenship clause is attached.



Town Lot Record  
1202 page 197  
Inst. #7161  
Jan. 22, 1946  
Recorded  
Jan. 31, 1946

Marian I. Oden, Trustee  
to  
Robert B. Coolman, and  
Florence E. Coolman,  
husband and wife

Warranty Deed

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Part of the Southeast Quarter of Section 12, Township 16 North, Range 2 East, described as follows:

Beginning on the West line of said quarter 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 Quarter Section 20 chains; thence south parallel to the west line of said Quarter Section 12 chains; thence west parallel to the North line of said Quarter Section 20 chains to the west line of said quarter section; thence north 12 chains to the place of beginning, containing 24 acres, more or less.

Also a part of the east half of the southwest 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 81 rods south of the northwest corner thereof; thence south along said west line to the southwest corner of said half quarter section; thence east along the south line of said half quarter section 80 rods, more or less, to the southeast corner of said half quarter section; thence north along the east line of said half quarter section to a point 81 rods south of the northeast corner thereof; thence west 80 rods, more or less to the place of beginning, containing 39.50 acres, more or less.

The execution of this deed by the grantor herein and the acceptance thereof by the grantees herein fully closes and terminates the trust created of even date herewith.

Proper citizenship clause is attached.

Town Lot Record  
1488 page 425  
Inst. #28222  
Apr. 28, 1953  
Recorded  
May 1, 1953

Robert B. Coolman and  
Florence E. Coolman  
husband and wife  
to  
Chester F. Bailey and  
Ruth Bailey,  
husband and wife

Warranty Deed  
(U. S. Revenue  
Stamp Attached)  
**(\$9.90)**

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

Beginning on the West line of said Quarter 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 quarter section twenty chains to the east line of the West half of said quarter section; thence South parallel to the West line of said Quarter Section Twelve chains; thence West parallel to the north line of said Quarter Section twenty chains to the West line of said Quarter Section; thence North Twelve chains to the place of beginning, containing 24 acres more or less. Excepting therefrom 2.16 acres more or less out of the extreme Southwest corner described as follows:

Beginning at the Southwest corner of said 24 acre tract and running thence north along the west line thereof 258 feet, thence east parallel to the north line of the Southeast Quarter of said Section 12, a distance of 365.4 feet to a point; thence south parallel to the west line of said South East Quarter Section 258 feet to the South line of said 24 acre tract, thence west 365.4 feet to beginning.

Subject to Taxes for the year 1953 due and payable in 1954.

Subject to all highways and legal rights of way. Proper citizenship clause is attached.

#### CERTIFICATE

#### BAILEY'S WESTWOOD HIGHLANDS

Part of the Southeast 1/4 of Section 12, Township 16 North, Range 2 East.

I hereby certify that this plat is true and correct, representing a survey and partition of Part of the Southeast Quarter of Section 12, Township 16 North, Range 2 East of the 2nd Principal Meridian, in Marion County, State of Indiana.

Certified: June 29, 1953.

Herbert Bloemker

Registered Engineer No. 1836 Indiana

Copy of above Plat attached to front of Abstract.

Town Lot Record  
1497 page 322-  
323  
Instr. #47181  
June 29, 1953  
Recorded  
July 20, 1953

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

STATE OF INDIANA, COUNTY OF MARION, SS:

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 center line 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.

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Town Lot Record  
1591 page 72  
Instr. #74571  
May 31, 1955  
Recorded  
Oct. 6, 1955

Chester F. Bailey and  
Ruth Bailey,  
husband and wife  
to  
Spiro Kostoff and  
Anne Kostoff,  
husband and wife

Warranty Deed  
(U.S.R. \$1.10)

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Part of the West Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian described as follows: Beginning at a point which point is 1655.4 feet south of the northeast corner of said half quarter section and run thence west parallel to the north line thereof 225 feet; thence south parallel to the east line thereof 93 feet; thence east parallel to the north line thereof 225 feet to the east line of said half quarter section; thence north along said east line to the place of beginning, containing 0.48 acres, more or less; subject, however, to the dedication to the public for highway purposes of a strip of land 25 feet in width off the entire east side thereof; and subject to an easement five feet in width by parallel lines off the entire north and west sides thereof which is reserved for the installation and maintenance of public utilities.

This being Tract 3 in the Survey of Bailey's Westwood Highlands, recorded in Deed Record 1497 pages 322, 323, 324 and 325 in the Office of the Recorder of Marion County, Indiana, and subject to legal highways, easements, and covenants of record.

Subject to the taxes for the year 1954 due and payable in 1955, and thereafter.

Proper citizenship clause is attached.

Town Lot Record  
1623 page 488  
Inst. #44301  
June 28, 1956  
Recorded  
June 29, 1956

Spiro Kostoff and  
Anne Kostoff,  
husband and wife

Warranty Deed  
(U.S.R. \$2.75)

to  
Warren R. Thomas and  
Margaret I. Thomas,  
husband and wife

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Part of the West Half of the Southeast Quarter of Section 12, Township 16 North, Range 2 East of the Second Principal Meridian described as follows: Beginning at a point which point is 1655.4 feet south of the northeast corner of said half quarter section and run thence west parallel to the North line thereof 225 feet; thence south parallel to the east line thereof 93 feet; thence east parallel to the north line thereof 225 feet to the east line of said half quarter section; thence north along said east line to the place of beginning, containing 0.48 acres more or less; subject, however to the dedication to the public for highway purposes of a strip of land 25 feet in width off the entire east side thereof; and subject to an easement five feet in width by parallel lines off the entire north and west sides thereof which is reserved for the installation and maintenance of public utilities.

This being Tract 3 in the Survey of Bailey's Westwood Highlands, recorded in Deed Record 1497, pages 322, 323, 324 and 325 in the Office of the Recorder of Marion County, Indiana, and subject to legal highways, easements and covenants of record.

Subject to the taxes for the year 1956, payable in the year 1957 and thereafter.

Subject to any and all restrictions of record.

Subject to the unpaid balance of a certain mortgage to Equitable Securities Company in the original principal sum of \$12,250.00 as shown in Mortgage Record 1812 page 343 dated October 5, 1955, recorded October 6, 1955 in the Office of the Recorder of Marion County, Indiana, which the grantees herein assume and agree to pay.

Proper citizenship clause is attached.

Mortgage Record  
1812 page 343  
Inst. #74574  
Oct. 5, 1955  
Recorded  
Oct. 6, 1955

Spiro Kostoff and  
Anne Kostoff,  
husband and wife

Mortgage

to  
Equitable Securities Company

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

Beginning at a point which point is 1655.4 feet south of the northeast corner of said half quarter section and run thence west parallel to the north line thereof 225 feet; thence south parallel to the east line thereof 93 feet; thence east parallel to the north line thereof 225 feet to the east line of said half quarter section; thence north

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along said east line to the place of beginning, containing 0.480 acres, more or less.

Subject however to all legal highways or rights of way.

This being Tract 3 in the Survey of Bailey's Westwood Highlands, recorded in Deed Record 1497, pages 322, 323, 324 and 325 in the Office of the Recorder of Marion County, Indiana.

To secure the principal sum of \$12,250.00 as evidenced by a certain promissory note of even date herewith, the terms of which are incorporated herein, by reference, with interest from date, at the rate of 4 1/2% per annum on the unpaid balance until paid, the said principal and interest to be payable in monthly installments of \$68.10 commencing on the first day of November, 1955 and on the first day of each month thereafter until the principal and interest are fully paid, except that the final payment of the entire indebtedness evidenced thereby, if not sooner paid shall be due and payable on the first day of October, 1980 and with reasonable attorney's fees.

Privilege is reserved to prepay at any time, without premium or fee the entire indebtedness or any part thereof, not less than the amount of one installment or \$100.00 which ever is less.

Mortgagor covenants and agrees that so long as this mortgage and said note secured hereby are guaranteed under the provisions of Title III of the Servicemen's Readjustment Act of 1944 as amended he will not execute or file for record any instrument which imposes a restriction upon the sale or occupancy of the mortgaged property on the basis of race, color or creed. Upon any violation thereof the mortgagee may, at its option, declare the unpaid balance of the mortgage immediately due and payable.

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Mortgage recorded in Mortgage Record 1812 page 343, assigned of record to The Mutual Life Insurance Company of New York, New York City, New York, by assignment dated January 16, 1956 recorded January 17, 1956 in Release Record 186 page 8.

Old Age Assistance  
Search

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.

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Juvenile Court  
Search

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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

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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:

Robert B. Coolman  
and  
Florence E. Coolman,  
jointly and  
not individually

from September 19, 1951,  
to and including  
May 1, 1953

Chester F. Bailey  
and  
Ruth Bailey,  
jointly and  
not individually

from September 19, 1951,  
to and including  
October 6, 1955

Spiro Kostoff  
and  
Anne Kostoff,  
jointly and  
not individually

from September 19, 1951,  
to and including  
June 29, 1956

and vs

Warren R. Thomas  
and  
Margaret I. Thomas,  
jointly and  
not individually

for the 10 years  
last past and  
against none other

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

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Taxes for the year 1960 on the real estate for which this Abstract is prepared are assessed in the name of Warren R. & Margaret I. Thomas and are due and payable on or before the first Mondays in May and November of 1961.

General Tax Duplicate No. 109219, Pike Township, Parcel No. 3750.

May Installment \$53.54 Paid.

November Installment \$53.54 Unpaid.

Assessed Valuation;

Land \$250.00      Improvements \$2540.00      Exemption \$1000.00

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Taxes for the year 1961 now a lien.