

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. 6L.A., 6PERM., 6PERM.-1, 6PERM.-2

Sheet 1 of 3 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 13.197 ACRES, 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) "A"

TO		LEFT	RIGHT
62 + 31±N PL	62 + 75	125	110
62 + 75	63 + 50	125	110 TO 115
63 + 50	65 + 00	125	115
65 + 00	66 + 00	125	115 TO 110
66 + 00	75 + 18±S PL	125	110
THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY NOT HEREIN BEFORE DESCRIBED AS LIMITED ACCESS RIGHT OF WAY.			
63 + 50	63 + 36±		115 TO 184±
63 + 36±	61 + 96±		184± TO 460±
61 + 96±	62 + 99±		460± TO 512±
62 + 99±	63 + 94±		512± TO 324±
63 + 94±	64 + 50		324± TO 270
64 + 50±	65 + 50		270 TO 200
65 + 50	66 + 00		200 TO 190
66 + 00	70 + 00		190 TO 215
70 + 00	75 + 18±S PL		215 TO 218±
CENTERLINE "S-2-A"			
42 + 00	43 + 00	PL TO 35	
43 + 00	48 + 00	35 TO 80	
48 + 00	48 + 60±L.A. R/W	80 TO 88±	
51 + 24±L.A. R/W	51 + 00	107± TO 80	
51 + 00	53 + 00	80	
53 + 00	54 + 10±W PL	80 TO 67.6±	

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 793.1 FEET TO A POINT; THENCE NORTH 1131.7 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 LIMITED ACCESS RIGHT OF WAY.

THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 258.3 FEET; THENCE SOUTHEASTERLY 995.7 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 2166.8 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 41 DEGREES 22 MINUTES EAST, AND A LENGTH OF 986.9 FEET TO THE WEST BOUNDARY OF MOLLER ROAD; THENCE SOUTH 0 DEGREES 45 MINUTES EAST, 49.2 FEET ALONG SAID BOUNDARY TO THE SOUTH PROPERTY LINE OF GRANTOR'S LANDS; THENCE SOUTH 89 DEGREES 3 MINUTES WEST, 311.7 FEET ALONG SAID PROPERTY LINE; THENCE NORTHWESTERLY 832.4 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 2401.8 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 39 DEGREES 18 MINUTES WEST, AND A LENGTH OF 828.2 FEET; THENCE NORTH 31 DEGREES 17 MINUTES WEST, 102.4 FEET; THENCE NORTH 28 DEGREES 12 MINUTES WEST, 150 FEET; THENCE NORTH 24 DEGREES 23 MINUTES WEST, 75.2 FEET; THENCE NORTH 28 DEGREES 12 MINUTES WEST, 101.2 FEET TO THE SOUTH BOUNDARY OF 52 STREET; THENCE NORTH 89 DEGREES 3 MINUTES EAST, 264.3 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 7.790 ACRES, MORE OR LESS.

*P.W.L. 6-29-62
J.H.C.*

**DULY ENTERED
FOR TAXATION**

NOV 23 1962

Oliver Smith
COUNTY AUDITOR

FEB 2 1962

MAR 8 1 1962

355

ALSO:

THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY NOT HEREINBEFORE DESCRIBED AS LIMITED ACCESS RIGHT OF WAY.

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 793.1 FEET TO A POINT; THENCE NORTH 1131.7 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT RIGHT OF WAY.

THENCE NORTH 89 DEGREES 3 MINUTES EAST, 651.2 FEET ALONG THE SOUTH BOUNDARY OF 52 STREET; THENCE SOUTH 78 DEGREES 51 MINUTES WEST, 101.6 FEET; THENCE SOUTH 83 DEGREES 54 MINUTES WEST, 502 FEET; THENCE SOUTH 59 DEGREES 18 MINUTES WEST, 16.7 FEET; THENCE NORTH 28 DEGREES 12 MINUTES WEST, 80.2 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.538 ACRE, MORE OR LESS.

ALSO:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 1352.1 FEET TO A POINT; THENCE NORTH 1122.9 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT -1 RIGHT OF WAY.

THENCE NORTH 89 DEGREES 3 MINUTES EAST, 294.4 FEET ALONG THE SOUTH BOUNDARY OF 52 STREET; THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 101.2 FEET; THENCE NORTH 49 DEGREES 43 MINUTES WEST, 40.9 FEET; THENCE SOUTH 89 DEGREES 3 MINUTES WEST, 200 FEET; THENCE NORTH 84 DEGREES 18 MINUTES WEST, 110.8 FEET TO THE WEST PROPERTY LINE OF GRANTOR'S LANDS; THENCE NORTH 0 DEGREES 57 MINUTES WEST, 50.2 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING AND CONTAINING 0.438 ACRE, MORE OR LESS.

ALSO:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 1347.1 FEET TO A POINT; THENCE NORTH 821.4 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT -2 RIGHT OF WAY.

THENCE NORTH 0 DEGREE 57 MINUTES WEST, 115.1 FEET ALONG THE WEST PROPERTY LINE OF GRANTOR'S LANDS; THENCE NORTH 88 DEGREES 25 MINUTES EAST, 310 FEET; THENCE NORTH 67 DEGREES 26 MINUTES EAST, 65.3 FEET; THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 150 FEET; THENCE SOUTH 31 DEGREES 17 MINUTES EAST, 102.4 FEET; THENCE SOUTHEASTERLY 832.4 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 2401.8 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 39 DEGREES 18 MINUTES EAST, AND A LENGTH OF 828.2 FEET TO THE SOUTH PROPERTY LINE OF GRANTOR'S LANDS; THENCE SOUTH 89 DEGREES 3 MINUTES WEST, 161.3 FEET ALONG SAID PROPERTY LINE; THENCE NORTH 47 DEGREES 49 MINUTES WEST, 362.2 FEET; THENCE NORTH 24 DEGREES 31 MINUTES WEST, 396.9 FEET; THENCE NORTH 39 DEGREES 15 MINUTES WEST, 54.9 FEET; THENCE NORTH 63 DEGREES 12 MINUTES WEST, 122.1 FEET; THENCE NORTH 74 DEGREES 5 MINUTES WEST, 71.8 FEET; THENCE SOUTH 88 DEGREES 6 MINUTES WEST, 210 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.431 ACRES, MORE OR LESS.

P.W.L - 6-29-62
J.W.C. 6-29-62

DULY ENTERED FOR TAXATION

NOV 23 1962

Clem Smith
COUNTY AUDITOR

1962
NOV 3 1 1962

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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 40 days from the date first payment is received, and \$ none 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 Forty Six Thousand Four Hundred and Thirty Two Dollars (\$ 46,432.00), which sum shall be paid or held in escrow as specified to the order of

James Whitcomb Riley Memorial Association
129 East Market St.
Indianapolis Ind
(Give address of Payee)

APPROVED	
Chief	<i>[Signature]</i>
Asst. Chief	<i>[Signature]</i>
Dep. Atty. Gen.	<i>[Signature]</i>
Control	<i>[Signature]</i>

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 GRANTOR'S 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: NONE

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

Land and improvements 27,600.00 ; Damages 18,832.00 ; Total consideration 46,432.00

(Grantor)		(Grantor)
(Grantor)		(Grantor)
(Grantor)	<u>James Whitcomb Riley</u>	(Grantor)
(Grantor)	<u>Memorial Association</u>	(Grantor)
(Grantor)	<u>Berren Tesh</u>	(Grantor)
(Grantor)	<u>President</u>	(Grantor)
(Grantor)		(Grantor)
(Grantor)	<u>By James W. Carr</u>	(Grantor)
(Grantor)	<u>Secretary</u>	(Grantor)
(Grantor)		(Grantor)
(Grantor)		(Grantor)
(Grantor)		(Grantor)
(Grantor)		(Grantor)

PERRY W. LESH

JAMES W. LARR.
DULY ENTERED
FOR TAXATION

NOV 23 1962

Olem Smith
COUNTY AUDITOR

Dated 10-1- 19 62

This instrument prepared and checked with project plans for Division of Right of Way.
BY [Signature] 8-28-62

AMOUNT APPROVED Oct 22, 1962
BY James W. Jaupend
Asst. Ch. Dir. H-10

THE ABOVE GRANT IS HEREBY ACCEPTED.
STATE OF INDIANA

DESCRIPTION & FORM OK'D 10-10-62
BY [Signature]

PAID BY WARRANT NO. A7107790
DATED Nov. 1, 1962

BY [Signature]
Title
Indiana State Highway Commission
DATE _____, 19____

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.

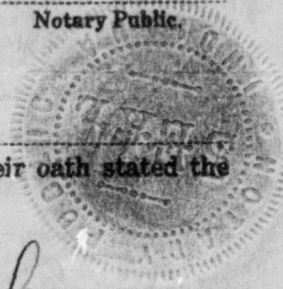
My Commission expires _____ Notary Public.

State of Indiana, County of Marion _____ ss:

Personally appeared before me Perry W. Lesh and James W. Carr and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 1st day of October, 1962.

Witness my hand and official seal.

My Commission expires August 23, 1966 Naomi B. Cook 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 _____

Witness my hand and official seal.

My Commission expires _____ Notary Public.

RECORDED AT _____ MARION COUNTY, INDIANA Record 1964 Page 354 NOV 23 1962

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)
_____(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.

INDIANA STATE HIGHWAY COMMISSION
Division of Land Acquisition
ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

..... November 13, 19 62

To James Whitcomb Riley
Memorial Association
129 E. Market St.
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A 107790 11-1 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 10-1-62 Parcel 6 LA, 6 Perm., 6 Perm.-1 6 Perm.-2		46,432.00

PLEASE RECEIPT AND RETURN

Received Payment: James Whitcomb Riley Memorial Association

Date Nov. 15, 1962 By John W. Hillman
Secretary

MEMORANDUM TO AMEND APPRAISAL

Control

PROJECT NO. I-65-3 (17) STATE ROAD I-65 COUNTY Marion PARCEL NO. 6

THE APPRAISAL OF Edward L. White DATED ~~10/28~~ 3/28 19 62

IS HEREBY AMENDED AS FOLLOWS: R/W taken from this property includes several buildings, one being a "storage room" located adjacent to the house at the rear southwest corner. The R/W line passes diagonally through this storage room from the northwest corner through a point on the south side about 15 feet east of the southwest corner. Appraiser allowed \$200 in his appraisal as payment for this storage room. During negotiation with the property owner it was discovered that this storage room is an integral part of the house and is attached in such a manner that its removal will require subsequent repair work to the rear of the house and the back porch. Thus, if the State acquired this storage room and sold it at auction the removal would damage the house if the necessary repairs were not completed.

It was decided during negotiation that this problem could be most satisfactorily resolved by permitting the property owner to remove the building and repair the house. There is a cistern inside the storage room which will require capping. It was also discovered during negotiation that the existing septic tank and finger system is located on the R/W. The septic tank is near the northwest corner of the storage room and the drain system extends westwardly from it. Appraiser failed to include payment for the tank and drain system in his appraisal.

The owners of this parcel secured two estimates from contractors as to the cost of repairing the house and porch, capping the cistern, and replacing the septic system. Eugene H. Fields (Mooreville) estimated the cost of this work to be \$1425.00. F. DeHebreard (Indianapolis) estimated the cost to be \$1232.00. Copies of both estimates are attached.

It appears from the foregoing information that the property owner should be compensated for the cost of this additional work because it was not included in the appraisal. Since the State is not acquiring this building the \$200 allowed by appraiser in his report must be deducted

SIGNED *Glen Grosse*
Glen Grosse
Assistant Chief Appraiser

DATE September 26, 19 62

MEMORANDUM TO AMEND APPRAISAL

PROJECT NO. I-65-3 (17) STATE ROAD I-65 COUNTY Marion PARCEL NO. 6

THE APPRAISAL OF Edward L. White DATED 4/5/62 19 62

IS HEREBY AMENDED AS FOLLOWS: from the approved compensation of \$45,400.
DeHebreard's estimate is itemized and appears reasonable. I am amending
this appraisal by increasing compensation in the amount of DeHebreard's
estimate and deducting the sum of \$200 allowed as payment for the storage
room, as follows:

Previously approved compensation	\$45,400
Less storage room	200
	\$45,200
Plus contractor's cost estimate	1,232
Amended approved compensation	\$46,432

SIGNED *Glen Grosse*
Glen Grosse
Assistant Chief Appraiser

DATE September 26 19 62

ALSO:

THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY NOT HEREINBEFORE DESCRIBED AS LIMITED ACCESS RIGHT OF WAY.

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 793.1 FEET TO A POINT; THENCE NORTH 1131.7 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT RIGHT OF WAY.

THENCE NORTH 89 DEGREES 3 MINUTES EAST, 651.2 FEET ALONG THE SOUTH BOUNDARY OF 52 STREET; THENCE SOUTH 78 DEGREES 51 MINUTES WEST, 101.6 FEET; THENCE SOUTH 83 DEGREES 54 MINUTES WEST, 502 FEET; THENCE SOUTH 59 DEGREES 18 MINUTES WEST, 16.7 FEET; THENCE NORTH 28 DEGREES 12 MINUTES WEST, 80.2 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.538 ACRE, MORE OR LESS.

ALSO:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 1352.1 FEET TO A POINT; THENCE NORTH 1122.9 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT -1 RIGHT OF WAY.

THENCE NORTH 89 DEGREES 3 MINUTES EAST, 294.4 FEET ALONG THE SOUTH BOUNDARY OF 52 STREET; THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 101.2 FEET; THENCE NORTH 49 DEGREES 43 MINUTES WEST, 40.9 FEET; THENCE SOUTH 89 DEGREES 3 MINUTES WEST, 200 FEET; THENCE NORTH 84 DEGREES 18 MINUTES WEST, 110.8 FEET TO THE WEST PROPERTY LINE OF GRANTOR'S LANDS; THENCE NORTH 0 DEGREES 57 MINUTES WEST, 50.2 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING AND CONTAINING 0.438 ACRE, MORE OR LESS.

ALSO:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 1312.86 FEET; THENCE SOUTHWARDLY ALONG THE CENTERLINE OF MOELLER ROAD 1162.40 FEET; THENCE WEST 1347.1 FEET TO A POINT; THENCE NORTH 821.4 FEET TO THE POINT OF BEGINNING OF PARCEL No. 6 PERMANENT -2 RIGHT OF WAY.

THENCE NORTH 0 DEGREES 57 MINUTES WEST, 115.1 FEET ALONG THE WEST PROPERTY LINE OF GRANTOR'S LANDS; THENCE NORTH 88 DEGREES 25 MINUTES EAST, 310 FEET; THENCE NORTH 67 DEGREES 26 MINUTES EAST, 65.3 FEET; THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 150 FEET; THENCE SOUTH 31 DEGREES 17 MINUTES EAST, 102.4 FEET; THENCE SOUTHEASTERLY 832.4 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 2401.8 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 39 DEGREES 18 MINUTES EAST, AND A LENGTH OF 828.2 FEET TO THE SOUTH PROPERTY LINE OF GRANTOR'S LANDS; THENCE SOUTH 89 DEGREES 3 MINUTES WEST, 161.3 FEET ALONG SAID PROPERTY LINE; THENCE NORTH 47 DEGREES 49 MINUTES WEST, 362.2 FEET; THENCE NORTH 24 DEGREES 31 MINUTES WEST, 396.9 FEET; THENCE NORTH 39 DEGREES 15 MINUTES WEST, 54.9 FEET; THENCE NORTH 63 DEGREES 12 MINUTES WEST, 122.1 FEET; THENCE NORTH 74 DEGREES 5 MINUTES WEST, 71.8 FEET; THENCE SOUTH 88 DEGREES 6 MINUTES WEST, 210 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.431 ACRES, MORE OR LESS.

P.W.L. - 6/29-62
J.W.C 4

FEB 2 1962

JUL 3 1 1962

Contra

MEMORANDUM TO AMEND APPRAISAL

PROJECT NO. I-65-3 (17) STATE ROAD Marion County PARCEL NO. 6 Riley Memorial Assoc.

The Appraisal of Edward L. White dated March 28 19 62

is hereby amended as follows: Appraiser estimates severance damage to left residue (9.716 acres) to be \$1,000 per acre, and damage to right residue (8.303 acres) to be \$1250 per acre. These damage estimates appear excessive. Although both tracts are small and irregular shaped there are numerous examples of such tracts which have been developed for residential purposes. Also, the right residue will have the benefit of the frontage road for future development. I am reducing appraiser's damage estimate on both residues by \$250 per acre. Remainder of appraisal is accepted.

VALUE OF PART TAKEN:	Land	\$26,400
	Improvements	1,200
	Proximity Damage	500
	Severance Damage:	
	left- 9.716 acres @ \$750	= 7,287
	right- 8.303 acres @ 1000	= 8,303
	right- 0.984 acre @	1,722
	Total	\$45,412

APPROVED COMPENSATION \$45,400

Signed Glenn Grosse
Glenn Grosse
Assistant Chief Appraiser

Date June 5 19 62

APPRAISAL

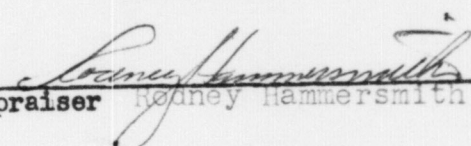
PROJECT T-65-3(17) ROAD T-65 COUNTY Marion PARCEL NO. 6
PROPERTY OWNER James Witcomb Riley Memorial Ass'n, 129 E. Market St.
Indianapolis, Ind.

Cont'd

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Dated this _____ day of _____ 19 _____


Appraiser Rodney Hammersmith B-12705
Number

APPRAISAL PARTIAL TAKING

PROJECT I-65-3(17) ROAD I-65 COUNTY Marion PARCEL NO. 6

PROPERTY OWNER James Whitcomb Riley Memorial Ass'n. 129 E. Market St. Indianapolis, Ind.

Present Use AGRICULTURE Best Present Use SAME Best Future Use RESIDENTIAL
Acres 32.20 Value Per Acre (Average) Schedule "A" 2000
Tillable Acres Value Per Tillable Acre Schedule "A"
Square Feet Value Per Square Foot Schedule "A" \$
Front Feet Value Per Front Foot Schedule "A" \$

VALUE — LAND Schedule "A" \$ 64,400. Total
VALUE — IMPROVEMENTS Schedule "B" \$ 5,550. Value \$ 69,950.

ZONED:

VALUE OF PART TAKEN

Land — Temporary R/W @
Permanent R/W 13.197 @ 2000
say \$ 26,390.00

IMPROVEMENTS — See Schedule "B"
VALUE OF IMPROVEMENTS IN R/W TAKING \$ 750.00

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

SEVERANCE DAMAGE (See Memo Attached) (Sec. I (D-3)) \$ 21,273.00

LIMITED ACCESS DAMAGE (See Memo Attached) \$

PROXIMITY DAMAGE (see Sec. I (D-3)) is now feet from R/W. Will be feet from R/W.
DAMAGES considered at % \$ 600.00
OTHER DAMAGES — Fence, Trees, Cuts, Fills, Etc. itemize (use separate sheet if needed.) \$

none

Reviewed Date Signed
Rev. Appr. 6/5/62 Glenn J. Grosse

Value of Part Taken — including temporary R/W \$ 49,013.00
Value After Taking — including temporary R/W \$
Plus Amount Shown as Temporary R/W \$
Adjusted Residual Value \$ 20,937.00

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 -- have not)

Dated this day of 19 62.

Appraiser Rodney Hammersmith Number B-12705

No Sale

6

This cancels one on August 1st; same project; one building eliminated on following

R E S O L U T I O N

WHEREAS, The Indiana State Highway Commission of Indiana has heretofore acquired by Grant dated 6-29-62 executed by the STATE OF INDIANA and ~~James Whitcomb Riley Memorial Assn~~
A frame barn, 7 sheds (owner to remove shed attached to house)

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 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 17th day of August, 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 17th day of August, 19 62

Roy S. Whitton
Secretary

SEAL:

JAMES WHITCOMB RILEY MEMORIAL ASSOCIATION

NINTH FLOOR • 129 EAST MARKET STREET • INDIANAPOLIS 4
MELROSE 4-4474

LIFE GOVERNOR
JOSEPH J. DANIELS

JAMES W. CARR
EXECUTIVE SECRETARY

NAOMI B. COOK
ASSISTANT SECRETARY

JOSEPH E. PALMER
FIELD SECRETARY

RESOLUTION BOARD OF GOVERNORS JAMES WHITCOMB RILEY MEMORIAL ASSOCIATION

BOARD OF GOVERNORS

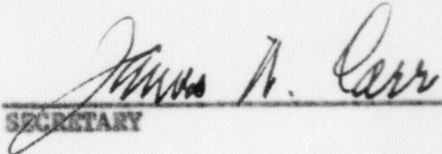
PERRY W. LESH, PRESIDENT
CECIL A. BERRY
MERRILL S. DAVIS, M. D.
JOSEPH A. FRANKLIN
DANIEL I. GLOSSBRENNER
WILLIAM C. GRIFFITH
JOHN S. HASTINGS
BYRON P. HOLLETT
PAUL L. MCCORD
J. DWIGHT PETERSON
JAMES A. STUART
HERMAN B. WELLS

TREASURER
VOLNEY M. BROWN

NOW BE IT RESOLVED, THAT the President or Vice President with the attestation of the Secretary or Assistant Secretary be and they are hereby authorized to sign on behalf of James Whitcomb Riley Memorial Association, all contracts, transfers of property, and deeds of conveyance, and to sell, assign, and transfer securities and that the instruments when signed by said officers shall create and be binding obligations of the James Whitcomb Riley Memorial Association.

I hereby certify that the foregoing is a true and correct copy of a resolution passed at a regular meeting of the Board of Governors, the governing body of the James Whitcomb Riley Memorial Association, Indianapolis, Indiana, a corporation duly organized and existing under and by virtue of the laws of the State of Indiana, held on the 5th day of September, 1956, at Indianapolis, Indiana; and I further certify that due notice of said meeting was given to each member of said Board; that a quorum was present, and that said resolution is still in full force and effect and has not been modified, amended or rescinded.

Witness my signature and the seal of said Riley Memorial Association this 29 day of June, 1962


SECRETARY

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 65-317 PARCEL # 6

OWNER Janner Whitcomb Riley Assoc. PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER 129 E Market St Room 917. Indianapolis

DATE ASSIGNED 6/19/62

DATE OF CONTACT 6/21/62

TIME OF CONTACT 9:00 AM

DATE OF PREVIOUS CONTACT _____

OFFER \$ 40,400.00

DETAIL CONTACT* Talked to Mr. Carr. Secy. Showed him

the plans and gave him the offer - Also

gave him a copy of grant & legal description.

He was going to contact the board of directors
and if they approved get a resolution for some

ACTION TAKEN** offer to sign.

Jim to call him 9:00 A.M. 6/27/62

SIGNED Wright

* 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 I 65-3 (7) PARCEL # 6
OWNER James Whitcomb Riley PHONE # _____
Memorial Assn.
(Other interested parties and relationship)

ADDRESS OF OWNER 129 E Market Middle Ind.
DATE ASSIGNED 6/14/62
DATE OF CONTACT 6/25/62
TIME OF CONTACT 11:00 A.M.
DATE OF PREVIOUS CONTACT 6/14/62

OFFER \$ 45,000.00

DETAIL CONTACT* Mr. Carr called said the board would sign for \$45,000.00. I had offered \$40,400.00. I told him I would be out to see him at 11:00.

ACTION TAKEN** Filled out grants & vouchers & left them with him to get the proper signatures. He is to call when they are signed.

SIGNED Wright

* 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 I 65-3 (7) PARCEL # _____
OWNER James Whitcomb Riley PHONE # _____
Memorial Assoc.

(Other interested parties and relationship)

ADDRESS OF OWNER 129 E Market Memphis Ind.
DATE ASSIGNED 6/14/62
DATE OF CONTACT 6/29/62
TIME OF CONTACT 11:00 A.M.
DATE OF PREVIOUS CONTACT 6/14/62

OFFER \$ 45,000.00.

DETAIL CONTACT* Mr Carr called said the board would agree for \$45,000.00. I had offered \$40,400.00. I told him I would be out to see him at 11:00.

ACTION TAKEN** Filled out grants & vouchers & left them with him to get the proper signatures. He is to call when they are signed.

SIGNED Wright

* 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 I65(3)17 PARCEL # 6
OWNER James Whitcomb Riley Memorial Association PHONE # _____
(Other interested parties and relationship)

ADDRESS OF OWNER 129C Market St Indpls. Ind.
DATE ASSIGNED 6/19
DATE OF CONTACT 6/29
TIME OF CONTACT 3:45
DATE OF PREVIOUS CONTACT 6/21 - 6/25

OFFER \$ 45,000.00 -

DETAIL CONTACT* Left the grants filled out on the 25th. Met Mrs. Carr at our office 6-29-62 -

ACTION TAKEN** We finished the signing of papers. Secured 6/29/62

SIGNED Wright

* 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.

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 SE 1/4	12	16	2	32.20	

LAST OWNER OF RECORD

Deed Record _____ p. _____ Recorded _____ Dated _____ Deed

Grantor None

Grantee _____

Address of Grantee _____

MORTGAGE RECORD

Mortgage Record _____ p. _____ Amount _____ Dated _____

Mortgagor None

Mortgagee _____

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

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

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

TAXES Current Paid () Delinquent ()

CERTIFICATE

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

UNION TITLE CO.

Dated this 24 day of July 1962 8 AM by Harold K. Stoncupher
Abstractor PRESIDENT

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

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

691649

The following is an Extension of the original search by Union Title Company under No. 666479.

CAPTION

-1-

Continuation of Abstract of Title to Part 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 the Northwest corner of said quarter Section; running thence East upon and along the North line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet West of the Northeast corner of said Quarter Section, said point being also in the center line of the Moller Road, as now located; thence South upon the center line of said Road and parallel with the West line of said Quarter Section 1049.40 feet to a point; thence West and parallel with the North line of said Quarter Section 1336.74 feet to a point in the West line of said Quarter Section; thence North and upon the West line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less.

Subject to any legal highways or rights of way. Since September 22, 1961, 8 A.M.

Prepared For: Indiana State Highway Commission
Division of Land Acquisition

Judgment Search

-2-

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:

James Whitcomb Riley
Memorial Association

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

-1-dld

691649

-3-

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

-4-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of James Whitcomb Riley Memorial Association, and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 108516, Pike Township, Parcel No. 2960.

May Installment \$145.28 paid.

November Installment \$145.28 unpaid.

Assessed Valuation

Land \$3,180.00 Improvements \$1,360.00 Exemption None

-5-

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 James Whitcomb Riley Memorial Association

Names in Trans Book James Whitcomb Riley Memorial Association

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Part of the SE 1/4	12	16	2	32.20 Ac.	Land \$3,180.00
					Imp. \$1,360.00
					Total \$4,540.00

LAST OWNER OF RECORD

U. S. R. \$28.60

Executor's

Deed Record 1777 p. 81 Recorded 10/21/59 Dated 10/16/59 Deed

Grantor The Indiana National Bank of Indianapolis, Executor, etc.

Grantee James Whitcomb Riley Memorial Association

Address of Grantee 129 E. Market St., Indpls. 4, Ind.

MORTGAGE RECORD

Mortgage Record p. Amount Dated

Mortgagor None

Mortgagee

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

MISCELLANECUS RECORD Yes(x) None() EASEMENTS Yes(x) None()

Item 19

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

TAXES Current Paid (x) Delinquent ()

CERTIFICATE

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

UNION TITLE CO.

Dated this 22 day of Sept. 1961 8 AM BY Vern E. Buehler Abstractor PRESIDENT

Prel. Approval of Title Date By Deputy Attorney General

Final approval of Abstract of Title Date BY Deputy Attorney General

666479

CAPTION

-1-

Continuation of Abstract of Title to Part 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 the Northwest corner of said quarter Section; running thence East upon and along the North line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet West of the Northeast corner of said Quarter Section, said point being also in the center line of the Moller Road, as now located; thence South upon the center line of said Road and parallel with the West line of said Quarter Section 1049.40 feet to a point; thence West and parallel with the North line of said Quarter Section 1336.74 feet to a point in the West line of said Quarter Section; thence North and upon the West line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less.

Subject to any legal highways or rights of way.

Prepared For: State Highway Department of Indiana

Land Record
74 page 32
Dec. 21, 1922
Recorded
Dec. 22, 1922

Fred Pruitt and
Ona F. Pruitt, his wife
to
Conard Jennings and
Augustus Jennings

Warranty Deed

-2-

Part of the South East 1/4 of Section 12, Township 16 North, Range 2 East, described as follows, to wit:- Beginning at the North East corner -- said 1/4 Section running thence South along the East line thereof 24.70 chains to the middle of the Lafayette Pike; thence North 36-1/4° West along the middle of said Pike 10.98 chains; thence West 33.50 chains to the West line of said 1/4 Section; thence North along said West line 15.90 chains to the North West corner of said 1/4 Section; thence East along the north line thereof 40 chains, more or less to the place of beginning. Except however the following described tracts: A tract conveyed by Catharine Pruitt and Eliza Pruitt to Wesley E. Pruitt by deed recorded Sept. 20, 1893 in Land Record 27, page 394 a tract

-1- mrs -over-

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conveyed by Eliza Pruitt to Wesley E. Pruitt by deed recorded November 17, 1916 in Land Record 63, page 415, a tract conveyed by Eliza Pruitt to Samuel R. Kissell, Trustee of Pike School Township by deed recorded July 12, 1917 in Land Record 64, page 547, also excep- all legal highways.

Subject to the taxes for the year 1922 payable in 1923.

-3-

Abstractor's Note: We hereby certify that no part of caption real estate was described in the three deeds listed as exceptions in above Warranty Deed.

-4-

Augustus Jennings died intestate November 22, 1928.

IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF AUGUSTUS JENNINGS, DECEASED.

November 27, 1928. Mary S. Jennings was appointed and qualified as Administratrix of the estate of Augustus Jennings, deceased.

Order Book 120 page 9.

December 13, 1928. Proof of publication of notice of appointment filed.

December 20, 1929. Verified final report filed.

January 8, 1930. Proof of publication of final notice filed.

January 18, 1930. Proof of posting of final notice filed, final report approved and estate closed.

Order Book 121 page 544.

Note: Entry on final report shows the following:

Comes now Mary S. Jennings, Admx. of said estate; and submits her final report, heretofore filed, together with proof of notice, which reports and proofs of notice are in the words and figures, towit: (H.I.)

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And the Court, having examined said report finds that more than one year has elapsed since the granting of letters of administration in said estate and the giving of notice thereof, and that all of decedent's debts have been paid and discharged, and that said decedent left surviving the following and only heir: Mary S. Jennings, widow of said decedent; that after the payment of all debts and liabilities of said estate the balance thereof was turned over assigned and transferred to the above named sole heir; that the title thereto is now vested in the said Mary S. Jennings; that said estate has been fully settled and administered upon as shown by said report and vouchers filed therewith; that the inheritance tax assessed against said estate has been paid;

And the Court further finds that said final report should be approved and said Admx. be discharged.

It is now ordered and decreed that said report be in all things approved and confirmed, and said Admix. be discharged.

ABSTRACTOR'S NOTE:- Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisement lists Caption real estate (also other realty) as an asset of said estate. Said Schedule further shows the gross value of said decedent's estate to be \$323,660.53.

STATE OF INDIANA, COUNTY OF MARION, SS:

I, Mary S. Jennings being first duly sworn upon oath, depose and say that I am the widow of Augustus Jennings, deceased; that he left surviving him no child or children nor the descendants of any deceased child or children, nor a father or mother.

Mary S. Jennings

Subscribed and sworn to before me a Notary Public in and for said County and State, this 28 day of Feby. 1930.

Uriah H. Hicks (LS)
Notary Public

My commission expires Sept. 8th, 1930.

Misc. Record
218 page 536
Inst. #7377
Feb. 28, 1930
Recorded
Feb. 28, 1930

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666479

-7- Conard Jennings died intestate January 8, 1942.

IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF CONARD JENNINGS, DECEASED.

January 12, 1942. Bond filed Martha J. Howard duly appointed and qualified as administratrix of the estate of Conard Jennings, deceased.

Order Book 203 page 114.

January 28, 1942. Proof of notice of appointment filed.

March 13, 1948. Petition filed showing that Martha J. Howard, Administratrix herein, died a resident of Marion County, Indiana, on December 28, 1947, and requesting the appointment of Edith H. Young, Administratrix de bonis non to complete the administration of the estate herein. And the court finds that the prayer thereof should be granted and appoints Edith H. Young administratrix de bonis non of the Estate of Conard Jennings, deceased herein.

Estate Order Book 4, page 583.

March 13, 1948. Bond filed and Edith H. Young duly qualified as administratrix de bonis non of the Estate of Conard Jennings, deceased.

March 13, 1948. George G. Howard, Executor of the estate of Martha J. Howard, deceased, files final report for and in behalf of Martha J. Howard, former administratrix herein.

March 24, 1948. Final report approved and ordered that Edith H. Young be charged with remaining assets of said Estate.

Estate Order Book 4 page 649.

July 10, 1952. Verified final report filed.

August 14, 1952. Proof of publication of final notice filed.

August 21, 1952. Proof of posting of final notice filed, final report approved and estate closed.

Order Book 305 page 531.

Final Report Record 270 page 238.

NOTE: Entry on final report reads in part as follows, to wit: That all of decedent's debts have been paid and discharged.

-4- mrs -over-

Estate Docket
122 page 43980

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That said decedent died the owner of the following described real estate situated in Marion County, Indiana, to wit: Pruitt Farm, located at the SE corner of Miller Road and West 52nd St. Pike Twp. (approx. 34 acres) being a part of the SE 1/4 of Sec. 12, Twp. 16 N, R 2 E. (also other real estate) which was sold and reduced to cash.

That the inheritance tax assessed against said estate was paid.

That the gross income tax was paid upon said estate.

That said estate was not subject to Federal estate tax.

That decedent was not an employer of labor as defined in the Employment Security Act.

ABSTRACTOR'S NOTE:- Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisal and Order determining Tax, lists real estate same as described in above entry on final report as an asset of said estate. Said Schedule and Order further shows the gross value of said decedent's estate to be \$76,548.32.

Misc. Record
509 page 428
Inst. #70349
Oct. 22, 1953
Recorded
Oct. 27, 1953

STATE OF INDIANA, MARION COUNTY, SS:

Paul R. Summers, being first duly sworn upon his oath deposes and says, that he was attorney for the administratrix of the estate of the late Conard Jennings, who died intestate, a resident of Marion County, Indiana, Jan. 8, 1942; that he was familiar with the assets of said estate and assisted in the preparation of the final report of said administratrix therein; that during the course of administration of said estate, federal estate tax schedules were filed with the office of the Collector of Internal Revenue, at Indianapolis, for said estate, on March 31, 1943, and that on March 15, 1944, the office of the Collector of Internal Revenue at Indianapolis advised the administratrix of said estate that said estate was not liable for any tax under the Federal Estate Tax Law.

Affiant further says that the final report of Edith J. Young, administratrix de bonis non of said estate filed in the Marion Probate Court shows a net principal estate for distribution among the heirs of said decedent of \$20,131.79.

Estate Docket 122, page 43980.

Paul R. Summers

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said county and state, this 22 day of October, 1953.

Jane Clarkson (LS)

Notary Public

My commission expires: September 29, 1957.

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Misc. Record
350 page 476
Inst. #1731
Jan. 14, 1944
Recorded
Jan. 15, 1944

STATE OF INDIANA, COUNTY OF MARION, SS:

Martha J. Howard, being duly sworn, says that she is of full age and one of the heirs at law, and administratrix of the estate of Conard Jennings, deceased; that under order of the Marion Probate Court, as administratrix, she is about to sell the Pruitt farm in which such decedent had an undivided one-half interest, to to Charles F. Ehmann, that this affiant and each of the other defendants, namely, John P. Howard, Alta J. Lyman, Paul Lyman, Mattie J. Keeler, Roscoe R. Keeler, Harry Jennings (son of David Jennings, deceased), Grace M. Jennings (son of Albert Jennings, deceased), Ruth Jennings, Russell Jennings, Mabel Jennings, Albert Jennings, Edythe Jennings and Mary S. Jennings have, since a date prior to April 8, 1940, continuously been domiciled in and subject citizens and residents of the United States of America and have never since said date acted or purported to act under the direction of or for the benefit of or on behalf of any foreign country or any national of any foreign country; that since said date no foreign country and no national of any foreign country has had or now has any ownership or beneficial interest in such real estate or the proceeds of the sale therefrom, nor is any such country or national receiving any portion of such proceeds; and that affiant makes this affidavit to induce said purchaser to consummate the above mentioned purchase of said real estate.

Martha J. Howard

Subscribed and sworn to before me this 14 day of
January, 1944.

Paul R. Summers (L.S.)

Notary Public

My commission expires Sept. 24, 1946.

IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF CONARD JENNINGS, DECEASED.
Martha J. Howard, Administratrix
of the Estate of Conard Jennings,
Deceased

vs

Martha J. Howard and
John P. Howard, her husband,
Alta J. Lyman and
Paul Lyman, her husband,
Mattie J. Keeler and
Roscoe R. Keeler, her husband,
Harry Jennings, the son of
David Jennings, deceased, and
Grace M. Jennings, his wife
Lois J. Johns,
Nina J. Wells and
O. R. Wells, her husband, whose
Christian name is to the Plaintiff
unknown,

Estate Docket
122 page 43980
Verified Petition
Filed
Oct. 22, 1943

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Harry Jennings, unmarried, the
son of Albert Jennings, deceased,
Ruth Jennings, unmarried,
Russell Jennings and
Mabel Jennings, his wife,
Albert Jennings and
Edythe Jennings, his wife,
Mary S. Jennings

PETITION TO SELL REAL ESTATE.

The undersigned, duly qualified and acting as administratrix of the estate of Conard Jennings, deceased, of Marion County, Indiana, respectfully shows to the Court that the total value of the personal estate of said decedent which has come to her knowledge amounts, in appraised value, to the sum of \$54,904.77; that of said amount there is represented by contracts for sale of real estate wherein decedent had an undivided interest the sum of \$7,096.62; that claims have been filed and allowed against said estate amounting in the aggregate in excess of \$66,000.00, involving the liquidation of a partnership between the decedent herein and the defendant Mary S. Jennings herein; that said partnership in liquidation has other indebtedness in excess of the assets subject to liquidation, the exact amount of which is undetermined; that the personal estate of said decedent is insufficient to pay and discharge the debts and liabilities thereof.

That at the time of his death said decedent was the owner of an undivided one-half interest in fee simple of the following described real estate situate in Marion County, Indiana, to-wit:

A part of the southeast Quarter of Section 12, Township 16 north, Range 2 east, more particularly described as follows, to-wit: beginning at the northwest corner of said Quarter Section, running thence east upon and along the north line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said Quarter Section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the west line of said Quarter Section 1049.40 feet to a point; thence west and parallel with the north line of said Quarter Section 1336.74 feet to a point in the west line of said Quarter Section; thence north upon and along the west line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less.

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

That the defendant, Mary S. Jennings, herein is the owner of the remaining undivided one half interest in said real estate; that said Mary S. Jennings was a co-partner with the decedent herein and is indebted to

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the estate of this decedent; that she has requested your petitioner to join in the sale of the foregoing real estate in order that the proceeds belonging to her therefrom might be applied to such indebtedness. That said real estate is liable to sale to make assets for the payment of debts of this estate and that the probable value thereof, exclusive of liens, taxes and encumbrances, is \$7,000.00, making the value of interest belonging to this estate \$3,500.00.

That said decedent died intestate, leaving surviving as his sole and only heirs at law the following:

Martha J. Howard, sister, whose husband is the defendant John P. Howard;

Alta J. Lyman, niece of decedent, whose husband is the defendant, Paul Lyman;

Mattie J. Keeler, niece of decedent, whose husband is the defendant Roscoe R. Keeler;

Harry Jennings, nephew (the son of David Jennings, deceased beother of the decedent herein) whose wife is the defendant Grace M. Jennings;

Lois J. Johns, unmarried, niece of decedent;

Harry Jennings, unmarried, nephew (the son of Albert Jennings, deceased brother of the decedent herein);

Ruth Jennings, unmarried, niece;

Russell Jennings, nephew, whose wife is the defendant Mabel Jennings;

Albert Jennings, nephew, whose wife is the defendant Edythe Jennings;

That the said Alta J. Lyman and Mattie J. Keeler, Harry Jennings, and Lois J. Johns are the surviving children of David Jennings, deceased brother of the decedent herein; that the defendant, Nina J. Wells, whose husband is the defendant O. R. Wells, is the adopted daughter of said David Jennings, deceased brother of the decedent herein; that said David Jennings, deceased, died prior to the death of decedent herein and left no other children and no children of a deceased child or children surviving him; that the defendants Harry Jennings, Ruth Jennings, Russell Jennings and Albert Jennings are the children of Albert Jennings, deceased brother of the decedent herein; that said Albert Jennings, deceased, died prior to the death of the decedent herein leaving no other children and no children of a deceased child or children surviving him; that the decedent herein never married during his lifetime and left no children or parents surviving him.

Your petitioner further shows that the defendants Alta J. Lyman, Paul Lyman, her husband, Mattie J. Keeler, Roscoe R. Keeler, her husband, Harry Jennings (the son of David Jennings, deceased), Grace M. Jennings, his wife, Lois J. Johns, Nina J. Wells and O. R. Wells, her husband, are non residents of the State of Indiana.

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WHEREFORE, said administratrix prays the Court that upon hearing of this petition an order may be granted empowering her to sell such real estate, or so much thereof as may be necessary to discharge the debts and liabilities of said estate, and that the Court will grant such other and further relief in the premises as the interests of said estate may require.

Summons issued October 22, 1943, returnable November 15, 1943 and returned showing that defendant Mary S. Jennings was served by reading and copy October 25, 1943.

October 22, 1943. Waivers of service of summons and consent to the sale of real estate as prayed for in above petition filed by Martha J. Howard, John P. Howard, Alta J. Lyman, Paul Lyman, Mattie J. Keeler, Roscoe R. Keeler, Harry Jennings, Grace M. Jennings, Lois J. Johns, Nina J. Wells, O. R. Wells, Harry Jennings, Ruth Jennings, Russell Jennings, Mabel Jennings, Albert L. Jennings and Edythe Jennings.

December 9, 1943. Inventory and Appraisement filed showing therein that after taking oath of office J. W. Cherry and A. H. Taylor appraised an undivided one-half interest in caption real estate for \$3,500.00.

December 9, 1943. Defendant Mary S. Jennings filed answer and consent to the sale of real estate.

December 9, 1943. Administratrix herein filed additional bond in the penal sum of \$4,000.00.

December 9, 1943. ORDER OF SALE OF REAL ESTATE BY ADMINISTRATRIX.

Comes now said administratrix and shows to the Court, by notice issued upon her petition filed herein and the return of the Sheriff endorsed thereon, which notice and return read as follows: (H.I.), that the defendant Mary S. Jennings, has been personally served with proper notice of the filing and pendency of said petition and when and where the same would be heard at least ten days prior to this date and the time fixed for the hearing thereof; that the defendants Martha J. Howard and John P. Howard, her husband, Alta J. Lyman and Paul Lyman, her husband, Mattie J. Keeler and Roscoe R. Keeler, her husband, Harry Jennings, the son of David Jennings, deceased, and Grace M. Jennings, his wife, Lois J. Johns, Nina J. Wells and O. R. Wells, her husband, whose Christian name is to the plaintiff unknown, Harry Jennings, unmarried, the son of Albert Jennings, deceased, Ruth Jennings, unmarried, Russell Jennings and Mabel Jennings, his wife, Albert Jennings and Edythe Jennings, his wife, have each filed a waiver of the service of summons in the above entitled cause, entered appearance and consented to the entry of an order for the sale of such real estate as follows: (H.I.); and the defendant Mary S. Jennings now appears and files her separate answer as follows: (H.I.)

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Said administratrix now files an inventory and appraisal of the real estate in her petition described, taken and made in due form of law, and reading as follows: (H.I.) and tenders her additional bond with surety thereon (H.I.); which bond is by the Court now approved and together with the oaths of sureties thereto attached reads as follows: (H.I.)

And said petition and the issues joined therein by the answer and consents thereto filed are now submitted to the Court for trial, finding and decree. And the Court, having heard the evidence and being sufficiently advised in the premises, finds that the personal assets of said estate are insufficient to pay and discharge the debts and liabilities thereof; that the real estate in said petition as herein described is liable to be made assets in the hands of said administratrix to pay such indebtedness; that to make assets for the payment of the debts and liabilities of said estate it will be necessary to sell all of decedent's interest in said real estate and that the material allegations contained in the petition of said administratrix are true as therein stated and set forth.

IT IS THEREFORE CONSIDERED AND ORDERED BY THE COURT that the real estate of said decedent in said petition mentioned and described as follows, to-wit:

An undivided one-half interest in fee simple of the following described real estate situate in Marion County, Indiana, to-wit: A part of the southeast Quarter of Section 12, Township 16 north, Range 2 east, more particularly described as follows, to-wit: beginning at the northwest corner of said Quarter Section, running thence east upon and along the north line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said Quarter Section, said point being also in the center line of the Moller, Road, as now located; thence south upon the center line of said Road and parallel with the west line of said Quarter section 1049.40 feet to a point; thence west and parallel with the north line of said Quarter Section 1336.74 feet to a point in the west line of said Quarter Section; thence north upon and along the west line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less.

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

Be sold by said administratrix at private sale for cash at not less than the full appraised value thereof. Said real estate shall be sold free and discharged from the lien for taxes assessed and unpaid thereon, and free and discharged from the lien for inheritance and estate taxes which may be assessed in the administration of this estate, which lien for taxes, inheritance and estate taxes shall attach to the fund arising from said sale.

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Said administratrix is required to give 5 days notice of the time, terms and place of sale by publication in a daily newspaper of general circulation, printed and published in Indianapolis, Marion County, Indiana.

And said administratrix is required to make due report of her proceedings under the foregoing order, and time is given.

Order Book 214 page 439.

January 14, 1944. Proof of publication of notice of sale of real estate filed, showing that said notice was published in The Indianapolis Commercial a daily newspaper of general circulation printed and published in the city of Indianapolis, County of Marion, for 1 insertion which publication was on December 10, 1943.

January 14, 1944. ADMINISTRATRIX'S VERIFIED REPORT OF SALE OF REAL ESTATE.

Comes now Martha J. Howard, administratrix of the estate of Conard Jennings, deceased, and reports to the Court that pursuant to the order heretofore made in this proceeding authorizing and directing the sale of the real estate therein and hereinafter described, she gave notice of the time, terms and place of such sale by publication of notice in The Indianapolis Commercial, a daily newspaper of general circulation printed and published in Indianapolis, Marion County, Indiana, a copy of which notice is filed herewith. (H.I.).

That commencing December 18, 1943 and thereafter from day to day she offered such real estate for sale and on the 14 day of January, 1944, being within the time fixed for such sale, and at the place and upon the terms in said notice, she sold all of the interest of said decedent in and to said real estate, to-wit:

An undivided one-half interest in fee simple of the following described real estate situate in Marion County, Indiana, to-wit: A part of the southeast Quarter of Section 12, Township 16 north, Range 2 east, more particularly described as follows, to-wit: beginning at the northwest corner of said Quarter Section, running thence east upon and along the north line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said Quarter Section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the West line of said Quarter Section 1049.40 feet to a point; thence west and parallel with the north line of said Quarter Section 1336.74 feet to a point in the west line of said Quarter Section; thence north upon and along the west line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less. Subject however, to all legal highways or rights of way. At private sale, for cash, to Charles F. Ehmann, for the sum of \$3500.00, subject to the approval of this Court, that being the highest and best bid received therefor and equal to the appraised value thereof.

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Said real estate was sold subject to taxes thereon for 1943 payable in 1944; and said purchaser has complied with the terms of such sale by paying to this administratrix \$3500.00 in cash.

Said administratrix has executed to said purchaser her deed of conveyance and now submits the same for approval of the Court.

That in making said sale said administratrix has incurred the following costs of sale:

L. M. Brown Abstract Company for continuing abstract for purchaser	\$21.50
The Indianapolis Commercial for publication	\$ 8.10
U. S. Revenue stamp for deed	\$ 3.85

And asks that she be permitted to pay such costs from the proceeds of such sale, and that her acts herein be approved.

January 14, 1944. ORDER CONFIRMING SALE OF REAL ESTATE.

Comes now Martha J. Howard, administratrix of the estate of Conard Jennings, deceased, and files the following verified report of the sale of certain real estate heretofore in this proceeding ordered sold, together with the proofs of publication of notice of such sale (H.I.); and the Court, having examined the same and being sufficiently advised, finds that said administratrix, after giving notice of the time, terms and place of sale as required by the order of this Court authorizing the same, sold the real estate, in her report and former order of this Court described, at private sale to Charles F. Ehmann for the sum of \$3500.00 cash, that being the highest and best bid therefor and equal to the full appraised value thereof.

The Court further finds that said purchaser has in all things complied with the terms of said sale and the Court, being satisfied that in the interests of said estate said sale ought to be approved, now in all things ratifies and confirms the same, together with the acts of said administratrix as by her reported. And said administratrix, having executed her deed conveying said real estate to said purchaser, said deed is now recorded and, being examined, is approved by the court and delivered to said purchaser.

And the Court further finds that said administratrix has incurred the costs of sale by her reported in making such sale, and now directs that said administratrix pay such costs from the proceeds of such sale, which costs the administratrix now pays as evidenced by the receipts obtained therefor.

THE COURT NOW ORDERS that all the right, title and interest held and owned by the decedent in and to the foregoing real estate be, and the same is hereby, transferred to and vested in Charles F. Ehmann, purchaser.

Order Book 214 page 678.

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Town Lot Record
1133 page 368
Inst. #1732
Jan. 14, 1944
Recorded
Jan. 15, 1944

Martha J. Howard, administratrix Administratrix's Deed
of the estate of Conard Jennings,
deceased, herein by virtue of
an order of the Marion Probate
Court of Marion County, Indiana,
entered in Order Book 214,
page ---

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to
Charles F. Ehmann

An undivided one half interest in fee simple of
the following described real estate situate in Marion
County, Indiana, to-wit:

A part of the southeast quarter of Section 12,
township 16 north, range 2 east, more particularly
described as follows, to-wit: beginning at the
northwest corner of said quarter section, running
thence east upon and along the north line of said
quarter section 1336.74 feet to a point, said point
being 1312.86 feet west of the northeast corner of
said quarter section, said point being also in the
center line of the Moller Road, as now located; thence
south upon the center line of said road and parallel
with the west line of said quarter section 1049.40
feet to a point; thence west and parallel with the
north line of said quarter section 1336.74 feet to
a point in the west line of said quarter section;
thence north upon and along the west line of said
quarter section 1049.40 feet to the place of beginning,
containing 32.20 acres, more or less.

Subject however to all legal highways or rights
of way.

Subject to taxes thereon for 1943 payable in 1944.

Examined and approved in open court, this 14 day
of January, 1944.

Dan V. White, Judge

Town Lot Record
1133 page 371
Inst. #1735
July 20, 1943
Recorded
Jan. 15, 1944

Mary S. Jennings, unmarried Warranty Deed
and sole and only heir at (U.S.R. \$3.85)
law of Augustus Jennings,
deceased

to
Charles F. Ehmann

An undivided one half interest in and to the
following described real estate:

A part of the southeast quarter of Section 12,
township 16 north range 2 east, more particularly
described as follows, to-wit: beginning at the
northwest corner of said quarter section, running

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thence east upon and along the north line of said quarter section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said road and parallel with the west line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north upon and along the west line of said quarter section 1049.40 feet to the place of beginning.

Proper Citizenship clause is attached.

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Charles Ehmann died testate October 4, 1957.

Will Record
A-31 page 421
Probated
Oct. 15, 1957

LAST WILL AND TESTAMENT OF CHARLES EHMANN, DECEASED.

I, Charles Ehmann, being of sound and disposing mind and memory, and desiring to make such disposition of my estate as to me seems just and proper, do make, publish and declare this to be my last will and testament, hereby revoking all former last wills and testaments by me at any time heretofore made, and particularly my will dated the 28th day of June 1941.

Item 1. It is my will that all my just debts and funeral expenses be first paid out of my estate which I may leave.

Item 2. a. I give and bequeath unto Edward Hilton and Ida Hilton his wife, who are now living with me on my farm in Marion County, Indiana the sum of \$1000.00 in cash jointly. Should either of said legatees not survive me then said \$1000.00 shall go to the survivor. If both of said legatees shall be deceased at my death then said legacy shall lapse.

b. I give and bequeath to said Edward Hilton and Ida Hilton absolutely all live stock, farming implements and household goods in which I have an interest to be held by them absolutely. Should one of said legatees die before my own decease then said property shall go to the survivor, but if both shall be deceased at my death then said last described property shall revert to my estate.

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The above and foregoing legacies shall be in full of any claim which may be asserted by said legatees against my estate for services in taking care of me. I do not think that either of them will make any such claim for the reason that they are now living with me on my place, but it is my intention by the above bequests not only to show my regard for them but to compensate them for any claim which they may have.

Item 3. I make the following specific bequests, the several amounts herein bequeath to be held by said several legatees absolutely, and if any one of said legatees be deceased then said legacy shall go to the next of kin of said deceased legatee:

- a. I give unto my cousin Lilla Lawson of Indianapolis, Indiana, the sum of \$1000.00.
- b. I give unto my second cousin Charles Exler of Indianapolis, Indiana, the sum of \$1000.00.
- c. I give unto my second cousin Kate Exler (sister of said Charles Exler and whose married name was Holmes but of whose present name I am not certain) of Indianapolis, Indiana, the sum of \$1000.00.
- d. I give unto my second cousin Alfred Weaver of Indianapolis, Indiana, the sum of \$1000.00.
- e. I give unto my second cousins Anna Weaver and Ruth Weaver of Indianapolis, Indiana, the sum of \$1000.00 each.
- f. I give unto my cousins Frank Mowwe and Anna Mowwe of San Francisco, California, the sum of \$1000.00 each.
- g. I give unto my cousin Walter Kreutzer of San Francisco, California, the sum of \$1000.00.
- h. I give unto Frances Heidt, of Indianapolis, Indiana, daughter of my deceased cousin Frank E. Kotteman, the sum of \$1000.00.

If any other person shall be able to show that he or she is a relative of mine I give and bequeath to such person or persons the sum of \$1.00 each.

Item 4. All the rest, residue and remainder of my estate be the same real, personal or mixed, remaining after the payment of my debts, funeral expenses and legacies, I give and bequeath to the James Whitcomb Riley Memorial Association for the use and benefit of what is commonly known as the Riley Hospital, at Indianapolis, Indiana.

Item 5. It is my will that my farm near the city of Indianapolis, Marion County, Indiana, more particularly described as follows, to wit:

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

Beginning at the northwest corner of said quarter section; running thence east upon and along the north line of said quarter section 1336.74 feet to a point;

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said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the west line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north and upon the west line of said quarter section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less.

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

Be sold by my executor hereinafter named, or any successor or successors to such executor, in not less than five years from my decease, and I hereby specifically empower my executor hereinafter named, or any administrator with the will annexed who may succeed it, to sell said real estate without petition to the court having jurisdiction of my estate, but after appraisement by two disinterested householders of Marion County, State of Indiana, such sale to be made for not less than the full appraised or reappraised value thereof. Said sale shall be made after notice given by the executor of not less than ten days by one or more publications in a newspaper of general circulation printed in Marion County, Indiana, it being my intent that the first publication of notice shall be at least ten days before the day of any sale. Said sale shall be reported to, and confirmed by the court having jurisdiction of my estate. It is my wish and will that my executor, or any succeeding administrator shall not be hurried in making a sale, and that said executor is specifically authorized to keep my estate open if it deems it advisable to my estate to do so so that a better price may be obtained for my land.

In order to assist my executor in administering said estate, I hereby specifically authorize said executor to collect the rents, issues and profits of said real estate, and to lease the same for a period not exceeding five years if that be deemed advisable by said executor.

From the proceeds of the sale of said real estate I direct my executor to pay any debts which may be unpaid, and the balance of any funeral expenses, taxes, including inheritance and estate taxes, and the legacies bequeathed in Items two and three of this will.

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Item 6. I hereby appoint The Union Trust Company of Indianapolis, Indiana, as Executor of this my Last Will and Testament.

In Witness Whereof, I have hereunto set my hand and seal this 8th day of April, 1945.

Charles Ehmann

The foregoing instrument was signed, sealed and acknowledged by said testator as and for his last will and testament in our presence, who, at his request, and in his presence, and in the presence of each other have have subscribed our names as witnesses thereto this 9th day of April, 1945.

Frank Seidensticker
400 Indiana Trust Bldg.
Indianapolis, Indiana
Emilia Vanier
400 Indiana Trust Bldg.
Indianapolis, Indiana.

IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF CHARLES EHMANN, DECEASED.

October 15, 1957. Will probated in open court. Trust Oath filed, The Indiana National Bank of Indianapolis duly appointed and qualified as Executor of the Last Will and Testament of Charles Ehmann, deceased.

Order Book 418 page 571.

November 7, 1957. Proof of notice of appointment filed.

August 11, 1960. Verified final report filed.

September 2, 1960. Proof of publication of final notice filed.

September 6, 1960. Final report approved and estate closed.

Order Book 506 page 509.

Final Report Record 335 page 469.

Note: Entry on final report reads in part as follows, towit: That all of decedent's debts and claims filed against said estate have been paid and discharged;

That said decedent died the owner of the following described real estate situated in Marion County, Indiana, towit:

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

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Beginning at the Northwest corner of said quarter Section; running thence East upon and along the North line of said Quarter Section 1336.74 feet to a point, said point being 1312.86 feet West of the Northeast corner of said Quarter Section, said point being also in the center line of the Moller Road, as now located; thence South upon the center line of said Road and parallel with the West line of said Quarter Section 1049.40 feet to a point; thence West and parallel with the North line of said Quarter Section 1336.74 feet to a point in the West line of said Quarter Section; thence North and upon the West line of said Quarter Section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less; commonly known as 5030 Moller Road, Indianapolis, Indiana.

That said real estate was sold, pursuant to order of this Court during administration.

That said estate was not subject to Federal Estate Tax.

That the Inheritance Tax assessed against said estate have been paid.

That the gross income tax due the State of Indiana have been paid.

That neither decedent nor his Executor were employers of labor as defined in the Employment Security Act.

ABSTRACTOR'S NOTE:- Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisalment and Order determining Tax, lists the real estate same as described in above entry on final report as an asset of said estate.

Said Schedule and Order further shows the gross value of said decedent's estate to be \$26,423.85.

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IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF CHARLES EHMANN, DECEASED.
The Indiana National Bank
of Indianapolis, Executor
versus

Lilla Lawson, the unknown
widower of Lilla Lawson,
all of the unknown assignees,
devisees, legatees and heirs at
law of Lilla Lawson, deceased,
Charles Exler, the unknown
widow of Charles Exler, all of
the unknown assignees, devisees,
legatees and heirs at law of
Charles Exler, deceased,
Kate (nee Exler) Holmes, the
unknown husband or widower of
Kate (nee Exler) Holmes, all
of the unknown assignees, devisees,
legatees and heirs at law of
Kate (nee Exler) Holmes, deceased,
Alfred Weaver, unmarried,
Anna (nee Weaver) Meadley,
Elmer E. Meadley, her husband,
Ruth (nee Weaver) Woods,
Donald Woods, her husband,
and upon diligent inquiry
his residence is unknown,
Frank Mowwe, Margaret C. Mowwe,
his widow, all of the unknown
assignees, devisees, legatees
and heirs at law of Frank Mowwe,
deceased, Grace (nee Mowwe) Lurman,
----, the unknown husband of
Grace Lurman,
Anna (nee Mowwe) Moller, the
unknown husband or widower of
Anna Moller, all of the unknown
assignees, devisees, legatees
and heirs at law of Anna Moller,
deceased, Lucille Bainbridge,
Arthur E. Bainbridge, Sr.,
her husband, Francis E. Moller,
----, the unknown wife of
Francis E. Moller,
Walter Kreutzer, widower,
Frances Heidt, John J. Heidt,
her husband, Edward Hilton,
Ida Hilton, Trustees of the
James Whitcomb Riley Memorial
Association, The unknown heirs,
legal representatives, legatees,
assignees, trustees and creditors

Estate Docket
174 page 64727
Verified Petition
Filed
March 7, 1958

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of Charles Ehmann, deceased herein, and who are not named in the Last Will and Testament of Charles Ehmann, deceased

EXECUTOR'S PETITION TO SELL REAL ESTATE.

Plaintiff, The Indiana National Bank of Indianapolis, duly qualified as the Executor of the Last Will and Testament of Charles Ehmann, deceased, probated and recorded in the Probate Court of Marion County on the 15th day of October, 1957, and as such Executor, complains of the defendants and each of them and for its cause, respectfully shows to the Court:

1. That decedent herein died on or about the 4th day of October, 1957, a resident of Marion County, State of Indiana, and was seized of the following described real estate in the County of Marion, State of Indiana, to-wit:

Part of the South East Quarter of Section 12, Township 16 North, Range 2 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of said quarter section; running thence east upon and along the north line of said quarter section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the West line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north and upon the west line of said quarter section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less; commonly known as 5030 Moller Road, Indianapolis, Indiana.

2. That the appraised value of said real estate as shown by the appraisal filed herein is the sum of \$25,600.00.

3. That said decedent died testate leaving a last Will and Testament, and was unmarried at the time of his death; that the persons interested in said estate are the above named defendants, unknown assignees, devisees, legatees and heirs at law as designated.

4. It is necessary for your Executor to sell said real estate for the following purposes:

- (a) For the payment of claims allowed against the estate;
- (b) For the payment of expenses of administration;
- (c) For the payment of legacies given by the Will of the decedent;
- (d) For the payment of any gift or inheritance or any other taxes assessed against the Estate or due from the decedent;
- (e) For any other purpose in the best interests of the Estate;

Further that on the 23rd day of January, 1958, a claim in the amount of \$35,000.00, has been filed in the Office of the Clerk of Marion County, against said Estate; that said claim has been disallowed by this Executor.

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Further that the personal estate of said decedent is insufficient to pay and discharge the debts and liabilities thereof.

WHEREFORE, your Executor respectfully prays:

- (1) That the Court fix a time and place for the Hearing hereof; and
- (2) That the Court, after a hearing hereof, Order the sale of said real estate and fix the terms and notice of such sale.

March 7, 1958. AFFIDAVIT FOR NOTICE BY PUBLICATION.

John H. Kealing, being duly sworn upon his oath, says that he is an Assistant Trust Officer in The Indiana National Bank of Indianapolis, the Executor of the Last Will and Testament of Charles Ehmann, deceased, petitioner in the above entitled proceeding for an Order fixing time and place of hearing, and to sell real estate in said estate to pay the debts and liabilities of the said decedent and his estate, and said trust officer in such capacity says:

That the defendants, Lilla Lawson, Kate (nee Exler) Holmes, Anna (nee Mowwe) Moller, Charles Exler and Frank Mowwe, are, upon diligent inquiry and information known to be deceased;

That Margaret C. Mowwe, widow of Frank Mowwe, deceased, and Grace (nee Mowwe) Lurman, known upon diligent inquiry, to be the daughter of Frank Mowwe, deceased, are not now residents of the State of Indiana, and as affiant is informed and verily believes that said Margaret C. Mowwe and her daughter, Grace (nee Mowwe) Lurman, now reside at 180 Robin Road, Hillsborough, Burlingame, California; further upon diligent inquiry and belief, Grace Lurman is unmarried;

That defendant, Francis E. Moller, known upon diligent inquiry and information to be the son of Anna (nee Mowwe) Moller, deceased, is not a resident of the State of Indiana, but as affiant is informed and verily believes that said Francis E. Moller is unmarried, and now resides at 630 Elm Street, Woodland, California;

That Walter Kreutzer, known upon diligent inquiry and information is a widower and is not a resident of the State of Indiana, but as affiant is informed and verily believes that Walter Kreutzer resides 1045 South Willow Avenue, West Covina, California;

That the residence of defendant, Donald Woods, the husband of Ruth (nee Weaver) Woods, upon diligent inquiry is unknown, and it cannot be determined whether he be living, a resident of Indiana or in another state;

Further that should there be heirs, descendants, legal representatives, devisees, legatees, executors, successors, assigns and creditors of Charles Ehmann, decedent herein, not named in the last Will and Testament of Charles Ehmann, deceased, this affiant, upon diligent inquiry, has no knowledge, and same cannot be ascertained.

That said defendants are necessary parties to said Petition thereof, and this affidavit is made for the purpose of procuring notice to such defendants by publication in a newspaper of general circulation in such cases made and provided.

John H. Kealing,
Assistant Trust Officer of
The Indiana National Bank of
Indianapolis, Executor

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STATE OF INDIANA, COUNTY OF MARION, SS:

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 5th day of March, 1958.

Jean L. Nelson (LS)
Notary Public

My commission expires August 14, 1961.

March 7, 1958. ORDER FOR NOTICE BY PUBLICATION.

Comes now the petitioner, The Indiana National Bank of Indianapolis, Executor of the Last Will and Testament of Charles Ehmann, deceased, and files its petition to sell real estate to make assets to pay the liabilities of said estate, together with its Affidavit showing that the defendants therein named and shown, are necessary parties defendants to said proceeding, and that they are not residents of the State of Indiana, but are residents of the State of California as shown in said affidavit and elsewhere, unless certain defendants be deceased, which affidavit is in words and figures as follows: (H.I.)

Said petitioner now moves the Court for an Order that the filing and pendency of said proceeding be given to said defendants by publication, as required by the statutes of the State of Indiana.

IT IS THEREFORE ordered that the Clerk of this Court give Notice to the Defendants of the filing and pendency of said proceeding, and when and where the same will be heard, by publication thereof in some public newspaper of general circulation for three weeks in Marion County, Indiana, the same to be returnable on the 14th day of April, 1958.

Order Book 428 page 578.

Summons issued March 7, 1958, returnable April 14, 1958 and returned showing that defendant Edward Hilton was served by reading and copy March 8, 1958 and that defendant Ida Hilton was served by copy on March 8, 1958, and that defendant James Whitcomb Riley Memorial Association was served on March 11, 1958 by reading and delivering a true copy to Mr. Robinson, Sect. of said Association.

March 7, 1958. Waivers of notice and consents to the sale of real estate as prayed for in above petition filed by Alfred Weaver, Lucille Bainbridge, Anna (Weaver) Meadley, Ruth (Weaver) Woods, Frances Heidt, John J. Heidt, Arthur E. Bainbridge, Sr., Elmer E. Meadley, Margaret C. Mowwe, Frances E. Moller, Grace Mowwe Lurman, Paul F. Lurmann, Walter Kreuzer, and James H. Carr, Secretary for James Whitcomb Riley Memorial Association.

March 28, 1958. Proof of publication of notice of sale of real estate to non resident defendants filed, showing that said notice was published in the Indianapolis Commercial, a daily newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, for 3 weekly insertions successively, the first of which publications was on March 11, 1958 and the last on March 25, 1958.

April 14, 1958. ORDER AUTHORIZING EXECUTOR TO SELL REAL ESTATE.

This matter came on to be heard this 14th day of April, 1958, upon the Petition of The Indiana National Bank of Indianapolis, executor of the Estate of Charles Ehmann, deceased, to sell the following described real estate in the County of Marion, in the State of Indiana, to-wit:

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Part of the South East Quarter of Section 12, Township 16 North, Range 2 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of said quarter section; running thence east upon and along the north line of said quarter section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the west line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north and upon the west line of said quarter section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less; commonly known as 5030 Moller Road, Indianapolis, Indiana.

Which petition is in the words and figures following, to-wit: (H.I.)

And it appearing the defendants, Alfred Weaver, Anna (nee Weaver) Meadley, Ruth (nee Weaver) Woods, Lucille Bainbridge, and Arthur E. Bainbridge, Sr., her husband, Frances Heidt, and John J. Heidt, her husband, and Elmer E. Meadley, husband of Anna (nee Weaver) Meadley, all in the County of Marion, Indiana, consents to the Sale prayed for in said petition and waives notice thereof as to the place and time of said Hearing, which is filed herein and reads as follows (H.I.); Further it appearing by the Notices by Summons issued upon its Petition filed herein and the return the Sheriff indorsed thereon, which notices and returns read as follows (H.I.), that the defendants Edward Hilton and Ida Hilton have each been personally served with proper notice of the filing and pendency of said petition, also the Trustee, J. A. Franklin, Vice President and Treasurer of the James Whitcomb Riley Memorial Association has been served with proper notice of when and where the petition would be heard, at least ten days prior to this date and to the time fixed for the hearing thereof; and said Executor shows that the defendants, to-wit:

Lilla Lawson, Kate (nee Exler) Holmes and Anna (nee Mowwe) Moller, the unknown widower, children, heirs, descendants, legal representatives, devisees, legatees, assigns and creditors of each of the above named defendants, Lilla Lawson, Kate Holmes and Anna Moller; Charles Exler and Frank Mowwe; the unknown widow whose christian name is unknown who may have changed her name by remarriage, children, heirs, descendants, assigns and creditors of Charles Exler and Frank Mowwe, deceased; Margaret C. Mowwe, widow of Frank Mowwe, deceased; Grace Lurman, daughter of Frank Mowwe, deceased; the unknown husband of Grace Lurman; Francis E. Moller, the unknown wife of Francis E. Moller; Donald Woods, husband of Ruth (nee Weaver) Woods, whose residence upon diligent inquiry is unknown; Walter Kreutzer, widower and unmarried, whose residence upon diligent inquiry, is known to be in the State of California; the heirs, descendants, legal representatives, devisees, legatees, executors, administrators, successors, assigns,

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trustees and creditors of Charles Ehmann, decedent herein, and who are not named in his last will and testament; all being non-residents of the State of Indiana, whose residence are known or unknown as shown by affidavit heretofore filed, have also been duly served with notice of the filing and pendency of said petition, and the time and place fixed for the hearing thereof by publication of such Notice for three weeks successively in the local newspaper of Marion County of Indiana, the last of which publications was so made and completed at least 30 days prior to this time and to the date set for the hearing of said petition; a copy of which notice and proof of the publication thereof as aforesaid being now filed and reading as follows (H.I.)

And now the written assent of the defendants, Alfred Weaver, Anna (nee Weaver) Meadley, and Elmer E. Meadley, her husband, Ruth (nee Weaver) Woods, Lucille Bainbridge, and Arthur E. Bainbridge, Sr., her husband, Frances Heidt, and John J. Heidt, her husband, all in the County of Marion State of Indiana, and Margaret C. Mowwe, Grace (nee Mowwe) Lurman, widow, Francis E. Moller, unmarried and Walter Kreutzer, widower, all of the State of California, to the sale prayed for in said Petition and waiving notice thereof is filed, and reads as follows (H.I.); and the defendants Edward Hilton and Ida Hilton, by their attorney, Emsley W. Johnson, Ida Hilton and Edward Hilton in person and the said defendants in the presence of their attorney, Emsley W. Johnson, the petitioner and its attorney, give their consent to said petition; and the defendant James Whitcomb Riley Memorial Association by and through its attorneys, Baker & Daniels, now present their written assent to the sale prayed for waiving notice thereof, and same is filed with said petition in the following words (H.I.); and the said defendants, Lilla Lawson, Kate Holmes, Anna Moller, Charles Exler and Frank Mowwe, upon diligent inquiry known to be deceased, their widows or widowers, children, heirs, descendants, devisees, legatees, assigns and creditors, the unknown wife of Francis E. Moller, the unknown husband of Grace Lurman, Donald Woods, and the heirs, devisees, legatees, assigns, Trustees and creditors of Charles Ehmann, decedent herein, whose names do not appear in his last will and testament, all failing to appear, they are each on motion, three times loudly called, but come not and herein wholly make default.

And said Executor having filed an Inventory and appraisal of the real estate described, taken and made in due form of law, and reads as follows (H.I.)

And said petition and the issues joined and the same is properly before the Court for action thereon, and the Court being fully advised in the premises, finds that the personal assets of said Estate are insufficient to pay and discharge the debts and liabilities thereof, and that the real estate in said petition as hereinabove described is liable to be made assets in the hands of said Executor to pay such indebtedness;

The Court further finds that to make assets for the payment of the debts and liabilities of said estate, it will be necessary to sell all of the decedent's interest

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in said real estate, and that the material allegations contained in the petition of said Executor are true, as therein stated and set forth.

IT IS THEREFORE CONSIDERED AND ORDERED by the Court that the real estate of said decedent hereinabove described shall be sold at private sale, for cash and for not less than the full appraised value thereof. That said Executor is required to give Notice of not less than 10 days before the date of sale by one or more publications in a newspaper of general circulation printed in Marion County, State of Indiana.

Further it will be to a greater advantage to sell said real estate through a Realtor for for regular commission allowed, and

IT IS FURTHER CONSIDERED AND ORDERED by the Court that the Executor shall engage a Realtor of skill and experience and regular commission shall be allowed; further that the Executor is required to make due report of its proceedings under the foregoing Order, and time is given.

Order Book 431 page 419.

October 16, 1959. Proof of publication of notice of sale of real estate filed, showing that said notice was published in The Indianapolis Recorder, a weekly newspaper of general circulation, printed and published in the City of Indianapolis, County of Marion, for 1 week, the first of which publication was on September 26, 1959.

October 16, 1959. VERIFIED REPORT OF SALE OF REAL ESTATE BY EXECUTOR.

The Indiana National Bank of Indianapolis, Executor of the Estate of Charles Ehmann, deceased, respectfully shows the Court:

1. Pursuant to the order of this Court, entered on the 14th day of April, 1958, authorizing it to sell the following described real estate in Marion County, Indiana, to-wit:

Part of the South East Quarter of Section 12, Township 16 North, Range 2 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of said quarter section; running thence east upon and along the north line of said quarter section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the west line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north and upon the west line of said quarter section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less; commonly known as 5030 Moller Road, Indianapolis, Indiana, it gave due notice of the time, terms and place of such sale by the publication of a notice thereof, in the manner required by said order, the proof of publication of which notice is attached hereto as "Exhibit A". (heretofore set out).

2. In compliance with said order and notice, it sold said real estate to James Whitcomb Riley Memorial Association, an Indiana not for profit corporation, for the sum of \$25,600.00, in cash, that being the appraised value of said real estate, and said purchaser being the highest and best bidder therefor.

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3. Said Executor has not, directly or indirectly, acquired any beneficial interest in said real estate.

4. Said purchaser has, in all respects, complied with the terms of such sale.

WHEREFORE, The Indiana National Bank of Indianapolis, as Executor of the Estate of Charles Ehmann, deceased, respectfully submits this report of sale and the proposed deed to said purchaser and prays that said sale, this report and the proposed deed may be approved and confirmed.

October 16, 1959. ORDER APPROVING REPORT OF SALE OF REAL ESTATE BY EXECUTOR.

This matter came on to be heard this 16th day of October, 1959, upon the report of sale of the following described real estate in Marion County, State of Indiana, to-wit:

Part of the South East Quarter of Section 12, Township 16 North, Range 2 East in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of said quarter section; running thence east upon and along the north line of said quarter section 1336.74 feet to a point, said point being 1312.86 feet west of the northeast corner of said quarter section, said point being also in the center line of the Moller Road, as now located; thence south upon the center line of said Road and parallel with the west line of said quarter section 1049.40 feet to a point; thence west and parallel with the north line of said quarter section 1336.74 feet to a point in the west line of said quarter section; thence north and upon the west line of said quarter section 1049.40 feet to the place of beginning, containing 32.20 acres, more or less; commonly known as 5030 Moller Road, Indianapolis, Indiana. Filed by The Indiana National Bank of Indianapolis, Executor of the Estate of Charles Ehmann, deceased, which report of sale is in the words and figures following, to-wit: (H.I.)

And the Court, having examined said report, finds that the sale of said real estate has been at the price and terms most advantageous to the estate and was, in all respects, made in conformity with law and with the order of this Court authorizing said sale, heretofore entered on the 14th day of April, 1958, and said sale ought to be confirmed.

It is, therefore, ORDERED, ADJUDGED and DECREED that the report of sale of said Executor be, and the same is, in all things, hereby approved and confirmed and that the proposed Executor's deed submitted with said report of sale, conveying said real estate to James Whitcomb Riley Memorial Association, the purchaser thereof, be and the same is, hereby approved.

Order Book 474 page 61.

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Town Lot Record
1777 page 81
Instr. #78510
Oct. 16, 1959
Recorded
Oct. 21, 1959

Executor's Deed
(U.S.R. \$28.60)

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The Indiana National Bank
of Indianapolis, as
Executor of the Last Will
of Charles Ehmann, deceased,
by virtue of said will
recorded in Volume A-31 of
the Record of Wills of
Marion County, State of
Indiana, on page 421, and
by virtue of an order of the
Probate Court of Marion
County, entered the 14th day
of April, 1958 (Corp. Seal)
By Kenneth L. Peek,
Vice President,
Attest: John H. Kealing,
Asst. Trust Officer

to
James Whitcomb Riley Memorial
Association, an Indiana
not for profit corporation

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

Beginning at the Northwest corner of said quarter
section; running thence east upon and along the North line
of said Quarter Section 1336.74 feet to a point, said
point being 1312.86 feet West of the Northeast corner of
said Quarter Section, said point being also in the center
line of the Moller Road, as now located; thence south upon
the center line of said Road and parallel with the West
line of said Quarter Section 1049.40 feet to a point;
thence west and parallel with the North line of said Quarter
Section 1336.74 feet to a point in the West line of said
Quarter Section; thence north and upon the West line of
said Quarter Section 1049.40 feet to the place of beginning,
containing 32.20 acres, more or less; commonly known as
5030 Moller Road, Indianapolis, Indiana.

This conveyance is made subject to the lien of real
estate taxes for the year 1959, due and payable in 1960,
and subject to existing highways, easements, rights of way
and restrictions of record.

Said real estate is hereby conveyed free and clear of
the lien of all other taxes including Indiana Inheritance
taxes.

Examined and approved in open court this 16th day of
October, 1959.

Joseph G. Wood, Judge,
Probate Court of Marion County
Instrument shows name of person preparing same.

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Town Lot Record
1775 page 66
Instr. #75416
Sept. 15, 1959
Recorded
Oct. 13, 1959

The Indiana National Bank
of Indianapolis, Executor
of the Last Will and Testament
of Charles Ehmann, deceased
(Corp. Seal)
By Cecil A. Berry,
Vice President,
Attest: John H. Kealing,
Assistant Cashier,
hereinafter called "Grantor"

Utility Easement

to
Indiana Bell Telephone
Company, Incorporated,
hereinafter called "Grantee",
its successors and assigns

A perpetual right-of-way and easement to construct, reconstruct, operate, maintain, alter, replace and remove one or more underground telephone systems which the Grantee, its successors and assigns may from time to time require, consisting of such conduits, cables, surface markers and manholes as the Grantee may from time to time require upon, along and under a strip of ground described as follows:

A strip of ground 16 feet in width the center line of said strip to begin at a point on the north line of the southeast quarter of Section 12, Township 16 North, Range 2 East approximately 1336 feet west of the northeast corner of the southeast quarter of Section 12, Township 16 North, Range 2 East; thence running south along and parallel to the west right-of-way line of Moeller Road to a point approximately 1050 feet south of the north line of the southeast quarter of Section 12, Township 16 North, Range 2 East, said point being approximately 1336 feet west of the east line of Section 12, Township 16 North, Range 2 East, which Grantor owns or in which Grantor has an interest in Section 12, Township 16 North, Range 2 East, in the Township of Pike, County of Marion and State of Indiana, and also upon, along, across and under the roads, streets or highways adjoining said property for the purpose of constructing, reconstructing, maintaining, altering, replacing, or removing said underground system or any part thereof.

The Grantor, for himself, his heirs, executors, administrator and assigns hereby covenants that no structure shall be erected or permitted on said strip. The Grantor reserves after completion of said underground systems the right and privilege of cultivating and raising crops on said land. The Grantee agrees to be responsible and pay for any damage to crops and fences caused by the construction and maintenance of said underground systems and further agrees to construct gates in fences where necessary for Grantee purpose in obtaining ingress and egress to the above described strip of ground.

Said sum is accepted and received in full payment for the rights herein granted.

Instrument shows name of person preparing same.

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Old Age Assistance
Search

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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

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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:

Charles F. Ehmann
and
Charles Ehmann

from September 19, 1950,
to and including
October 4, 1957

and vs

James Whitcomb Riley
Memorial Association

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 James Whitcomb Riley Memorial Assoc. and are due and payable on or before the first Mondays in May and November of 1961.

General Tax Duplicate No. 108411, Pike Township, Parcel No. 2960.

May Installment \$135.79 Paid.

November Installment \$135.79 Unpaid.

Assessed Valuation;

Land \$3180.00 Improvements \$1360.00 Exemption (None)

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Taxes for the year 1961 now a lien.

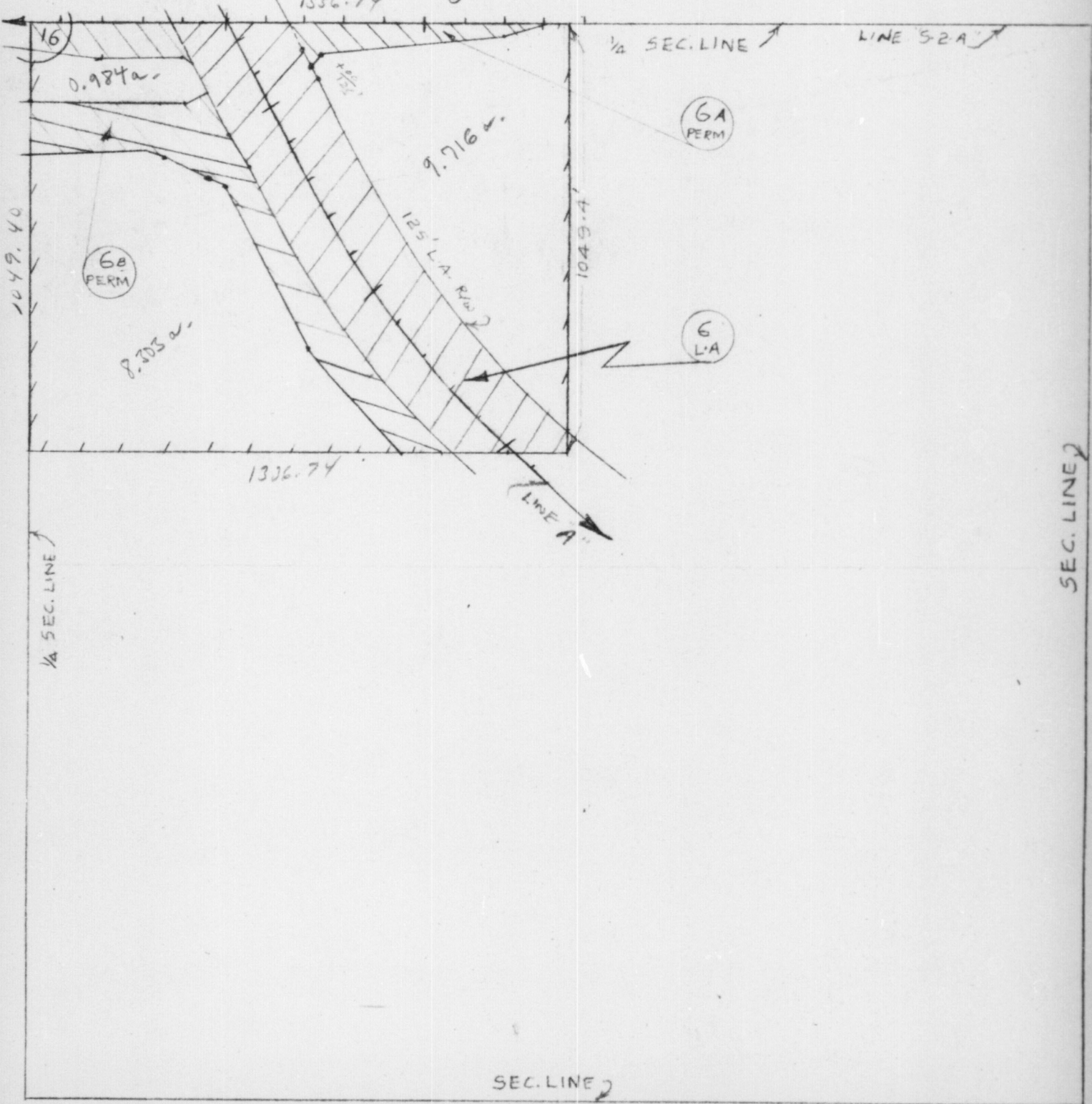
PARCEL NO GLA, 6 PERM
PROJECT NO. I-65-3 (17)
ROAD. I-65

OWNER: JAMES W.R.M. ASSOCIATION
DRAWN BY R.D.P. CHECKED BY
DEED RECORD 1777 PAGE 81 DTD, 10-16-59

CROSSHATCHED
AREA IS
APPROX. TAKE

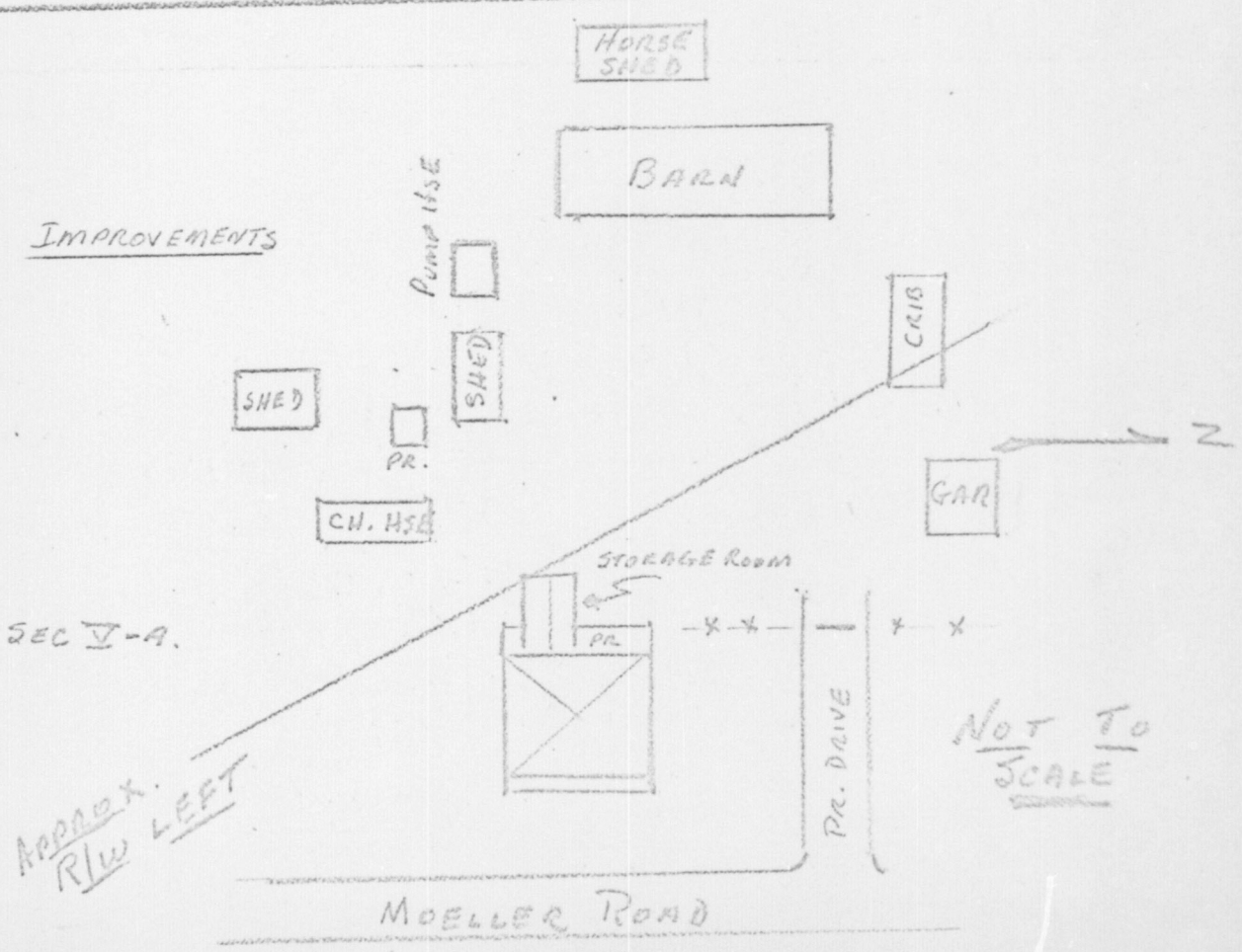
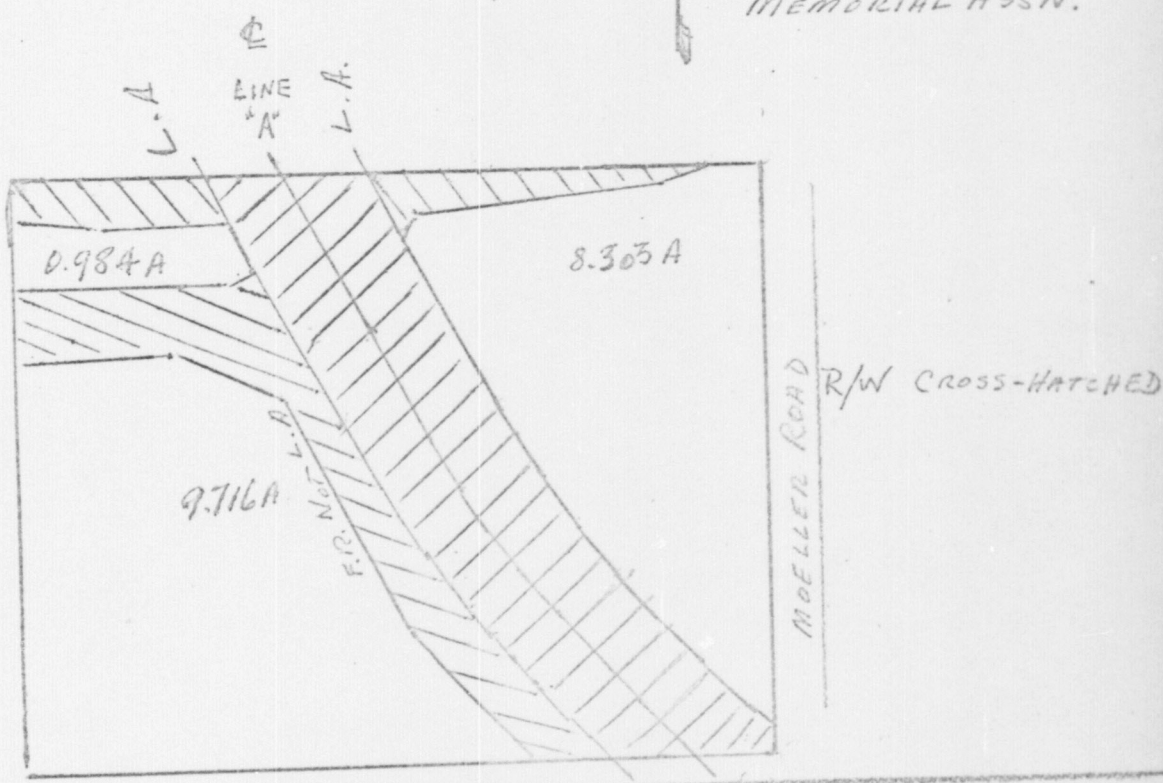
COUNTY: MARION
TOWNSHIP: PIKE
SECTION: 12
T: 16N
R: 2E

SCALE 1" = 330'





I 65-3(17) MARION Co
PARCEL 6
JAMES WHITCOMB RILEY
MEMORIAL ASS'N.



R. H. Hammersmith