

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. 4

Sheet 1 of 2 Sheets

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

PLANS ON SR. NO. 1-65 SEC. 1 PROJ. No. 65-3 SEC. (17) 120 DATED 1961

SEC. 12, T. 16 N, R. 2 E PERM., R/W 1.568 ^{SQ. FT.} 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/LS. (indicating property line, Fence Line, Field Division, Lot Line and Centerline of Stream respectively) or other identified line shall mean that the boundary line follows said identified line from plan centerline to plan right of way line.

COPY ENTERED FOR TAXATION

Above explanation is applicable only if centerline description is used.

STATION TO STATION ON (C/L) "A"	LEFT	RIGHT
42 + 20±NPL TO 45 + 00	108± TO 100	110
45 + 00 TO 45 + 43±SPL	100	110

OCT 18 1962

Clem Smith
COUNTY AUDITOR

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 16 NORTH, RANGE 2 EAST, PIKE TOWNSHIP, MARION COUNTY, INDIANA; THENCE EAST 1,701.57 FEET ALONG THE NORTH LINE OF SAID SECTION; THENCE SOUTH 890.7 FEET TO A POINT; THENCE EAST 352.8 FEET TO THE POINT OF BEGINNING OF PARCEL NO. 4 LIMITED ACCESS

RIGHT OF WAY:
THENCE NORTH 89 DEGREES 10 MINUTES EAST, 245.6 FEET ALONG THE NORTH PROPERTY LINE OF GRANTOR'S LANDS; THENCE SOUTH 26 DEGREES 07 MINUTES EAST, 224.2 FEET; THENCE SOUTH 28 DEGREES 12 MINUTES EAST, 92.7 FEET TO THE SOUTH PROPERTY LINE OF GRANTOR'S LANDS; THENCE SOUTH 89 DEGREES 10 MINUTES WEST, 236.5 FEET ALONG SAID PROPERTY LINE; THENCE NORTH 28 DEGREES 12 MINUTES WEST, 320.9 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.568± ACRES, MORE OR LESS.

M.C.

FEB 2 1962

SEP 10 1962
Hirsch

PARCEL NO. 4 PROJECT NO. 65-3(17)120 SHEET 2 of 2 SHEETS.

It is hereby agreed as part of the total consideration as shown below that possession of the buildings and the land constituting the homesite on the real estate above described will be surrendered within NO 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 Eleven Thousand One Hundred Forty-Seven Dollars (\$ 11,147.00), which sum shall be paid or held in escrow as specified to the order of Mrs. Mary Chizak R. R. # 17 P. O. Box 432 Indianapolis, Indiana (Give address of Payee)

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

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

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

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

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

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

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

Grantor further agrees to assume for the property described above all taxes payable for current and prior years and any taxes now a lien on said property. Mortgagee: 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 \$3,136.00 ; Damages \$8,011.00 ; Total consideration \$11,147.00

Mrs. Mary Chizak (unmarried - Adjudicator) (Grantor)

APPROVED Chief [Signature] Asst. Chief [Signature] Dep. Atty. Gen. [Signature] Control [Signature]

Dated September 4th, 1962

This instrument prepared and checked with project plans for Division of Right of Way BY [Signature] FEB 2 1962

AMOUNT SEP 19 1962 APPROVED BY Charles S. Shultz

THE ABOVE GRANT IS HEREBY ACCEPTED. STATE OF INDIANA BY David Cohen

DESCRIPTION & FORM OK'D SEP 18 1962 BY [Signature]

PAID BY WARRANT NO 101725 DATED 9 128 1962

Title Chairman Indiana State Highway Commission DATE 9-20 1962



State of Indiana, County of _____ ss:

Personally appeared before me _____ and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19_____.

Witness my hand and official seal.

My Commission expires _____

Notary Public.

State of Indiana, County of _____ ss:

Personally appeared before me _____ and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19_____.

Witness my hand and official seal.

My Commission expires _____

Notary Public.

State of Indiana, County of _____ ss:

Personally appeared before me _____ and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19_____.

Witness my hand and official seal.

My Commission expires _____

Notary Public.

State of Indiana, County of _____ ss:

Personally appeared before me _____ and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19_____.

Witness my hand and official seal.

My Commission expires _____

Notary Public.

State of Indiana, County of _____ ss:

Personally appeared before me _____ and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19_____.

Witness my hand and official seal.

My Commission expires _____

Notary Public.

State of Indiana, County of Marion ss:

Personally appeared before me Mary Chizak and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 4th day of Sept., 1962.

Witness my hand and official seal.

My Commission expires Oct. 1st 1963

E. R. Souder
E. R. Souder

Notary Public.

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

_____ day of _____, 1962

(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.

DUTY ENTERED FOR TAXATION
OCT 18 1962

Blaine Smith
COUNTY AUDITOR

388

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

October 8 19 62

To Mrs. Mary Chizak
 R. R. # 17, Box 432
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A. 101725 9/28.19.62
 in settlement of the following vouchers:

DESCRIPTION	AMOUNT	
Purchase of Right of way 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 September 4, 1962 Parcel # 4		\$11,147.00

PLEASE RECEIPT AND RETURN

Received Payment: *Mary Chizak*
 Date: *10-10-62*

REGION FOUR
ILLINOIS
INDIANA
KENTUCKY
MICHIGAN
WISCONSIN

U. S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
SEP 24 1962
INDIANA STATE HIGHWAY
COMMISSION
EXECUTIVE DIRECTOR

150 West Market Street
Indianapolis 4, Indiana

September 20, 1962

IN REPLY REFER TO:

4-12.7

Mr. G. M. Foster, Executive Director
State Highway Commission
Indianapolis 4, Indiana

Attention: Mr. Charles I. Sheets

Subject: Indiana Project I-65-3(17) - from 2800' ± northwest of 56th
Street, southeast 3.15 miles, all in Marion County

Please refer to your letter of August 3, 1962, regarding appraisal
review of a part of the appraisals on the above project as follows:
Parcels Nos. 2, 4, 7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22,
23, 26, 27, 41, 45 and 46.

We have made a review of this partial submission and we comment as
follows:

1. Parcel No. 4 - Mary Chizak

According to our interpretation of "Item No. 7, Approaches to Value,"
the appraisal has placed a top value on land fronting on present
U.S. 52 and a much lesser value on land located in back of the
residence far removed from U.S. 52. However, the value of the
portion taken, which is located behind the residence and the before
value of the remainder on the right of centerline, which is also far
removed from the U.S. 52 area, carry a value that approaches the
appraised value of the frontage on U.S. 52. We consider it appropriate
to thoroughly reconcile this matter.

Also, we feel the severance damage items should be individually
evaluated in that we fail to recognize the equity of "pointed row
damage" if the highest and best use is potential residential. Also,
our interpretation of the appraisal appears to place the damage item
"inaccessability" within the area of "impairment of access against
circuitry of travel" as covered by the memorandum of May 3, 1962 from
our General Counsel Mr. David S. Black. We recommend further review,
explanation and clarification, so that an equitable disposition can
be made.

2. Parcel No. 27 - H. and H. Norman

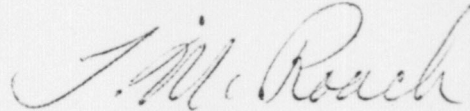
The relatively brief coverage of \$8,479 severance damage is not at all
clear and is considered inadequate. Also, it appears to be out of balance
with other similar cases; for example, Parcel No. 21, also the subject
residence, is not located on the plans.

We consider it appropriate to thoroughly clarify all questionable matters to include the proximity formula if it was used in accordance with your proximity damage directive dated November 25, 1958, and to provide revised plan sheets after the residence has been located thereon.

3. In a number of cases the "Nine Point Review Certificate," which is prepared by the Reviewing Appraiser, did not accompany the appraisals. Since it has been mutually agreed that this is good and worthwhile documentation, we feel it is in order to prepare a certificate for those parcels which presently do not contain that certification.

In the event you desire further consultation in the above matters, please advise.

Sincerely yours,



T. M. Roach
Division Engineer

RFB bab
3 cc Mr. Foster

Control

MEMORANDUM TO AMEND APPRAISAL

PROJECT NO. I-65-3 (17) STATE ROAD Marion County Chizak PARCEL NO. 1

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

is hereby amended as follows: Appraiser estimates damage to West (right) remainder to be \$1,000 per acre, or \$5,520. He states that the highest and best use after acquisition is for gardening purposes, or perhaps in connection with adjoining property for residential development (which he says is speculative). It appears to me that this tract would be utilized and merged with the adjoining properties when residential development occurs. This West remainder is bordered by 3 separate ownerships and it seems to me that this tract would have a value higher than \$500 per acre. I am amending appraiser's damage estimate by reducing the damage to the West residue (5.522 acres) to \$500 per acre instead of \$1,000 per acre, thus valuing the West residue at \$1,000 per acre after taking.

VALUE OF PART TAKEN:	Land	\$2350
	Severance Damage:	
	5.522 acres x \$500 =	2761
	1.310 acres x 1,000 =	1310
	Total	\$ 6121

APPROVED COMPENSATION \$6100

Signed Glen Grosse
Glen Grosse
Assistant Chief Appraiser

Date June 5 1962

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(47) PARCEL # H
OWNER Mary Chizak PHONE # AY.3-8539

(Other interested parties and relationship)
none

ADDRESS OF OWNER R.R. # 17, Box 432 Indpls-

DATE ASSIGNED 8-18-62

DATE OF CONTACT 7:30 Pm

TIME OF CONTACT _____

DATE OF PREVIOUS CONTACT 8-27-62

OFFER \$ 11,147⁰⁰

DETAIL CONTACT* Parcel secured and complete

ACTION TAKEN** _____

SIGNED E.R. Soudie

* 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(17) PARCEL # 4
OWNER Mary Chizak PHONE # AX. 3-0539

(Other interested parties and relationship)

ADDRESS OF OWNER R.R. #17 Box 432 Indianapolis
DATE ASSIGNED 8-18-62
DATE OF CONTACT 8-27-62
TIME OF CONTACT 11:00 Am
DATE OF PREVIOUS CONTACT _____

OFFER \$ 11,147⁰⁰

DETAIL CONTACT* contacted Mr. Parsons the pty. on this parcel. He stated he had advised Mrs. Chizak to sign and made appt. for me to see her 9-4-62

ACTION TAKEN** _____

SIGNED E. R. Souder

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

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

BUYERS REPORT

PROJECT I-65-3(17) PARCEL # 4
OWNER Mary Chizak PHONE # AX. 3-0539

(Other interested parties and relationship)
none

ADDRESS OF OWNER 1717 Boy H32 Indpls, Ind
DATE ASSIGNED 6-5-62
DATE OF CONTACT 8-17-62
TIME OF CONTACT 11:00 AM
DATE OF PREVIOUS CONTACT _____

OFFER \$ 11,147.00

DETAIL CONTACT* Condemned

ACTION TAKEN** _____

SIGNED Soudes

* 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(17) PARCEL # 4
OWNER Mary Chizak PHONE # AX. 3.0539
now
(Other interested parties and relationship)

ADDRESS OF OWNER R.R. #17, Box 432 Indpls, Ind.
DATE ASSIGNED 6-5-62
DATE OF CONTACT 7-31-62
TIME OF CONTACT 11:00 AM
DATE OF PREVIOUS CONTACT 6-11-62

OFFER \$ 11,147.00

DETAIL CONTACT* Mrs. Chizak's Atty, Mr. Parsons
contacted me regarding her parcel. He stated
Mrs. Chizak wanted an extension of the
graded Frontage Rd. Mr. Parsons advised her
this was not feasible. He stated he will
ACTION TAKEN** give her a decision by the afternoon
of 8-1-62 - Favorable

SIGNED E R Souder

* Showed plans, walked over property, etc.

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

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

BUYERS REPORT

PROJECT I-65-3 (17) PARCEL # 4
OWNER Mary Chizak PHONE # AX-3-0539

(Other interested parties and relationship)

none

ADDRESS OF OWNER Rd 9, Box 432 - Indpls
DATE ASSIGNED 6-5-62
DATE OF CONTACT 6-18-62
TIME OF CONTACT 6:30 P.m.
DATE OF PREVIOUS CONTACT 6-11-62

OFFER \$ 6400⁰⁰

DETAIL CONTACT* I contacted at this time Mrs. Chizak and her two sons. I again explained the take and repeated my offer. They refused to sign for less than \$1200⁰⁰. Also want frontage Rd. gravelled.

ACTION TAKEN** Condemnation report made and turned back for sec. appraisal.

SIGNED E R Souder

* Showed plans, walked over property, etc.

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

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

BUYERS REPORT

PROJECT F-65-3(17) PARCEL # 4

OWNER Mary Chizak PHONE # AX. 3-0539

unmarried - Adult
(Other interested parties and relationship)

ADDRESS OF OWNER R.R. 17, Box 432 Indpls. Ind

DATE ASSIGNED 6-5-62

DATE OF CONTACT 6-11-62

TIME OF CONTACT 2:00 Pm

DATE OF PREVIOUS CONTACT 1st call

OFFER \$ 6400

DETAIL CONTACT* I explained the plans and answered her question. I gave her the States approved appraisal Mrs. Chizak said she would have to talk to her daughter before she

ACTION TAKEN** could give me an answer. I have another appt for Thurs. mite 6-14-62. Her main concern was what to do with the sewerage area on back of property -

SIGNED B.R. Souder

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

The following check list is to be used by the agent in dealings with the land owner. It must be completed in full before referring the case for condemnation.

- 1. PROJECT NUMBER I-65-3 (17) 2. PARCEL NUMBER 4
- 3. COUNTY Marion 4. ROAD I-65
- 5. OWNERS NAME Mary Chizak

a. COMPLETE ADDRESS R.R. 17, Box 432, Indianapolis, Ind.
CITY _____ STATE _____

b. RELATIONSHIP Unmarried woman

6. What is the interest of those in possession (occupants) Owner
(See 7 ---- for complete names and addresses.)

7. OTHER INTEREST

A. LESSER None

a. ADDRESS _____
CITY _____ STATE _____

B. TENENT None

a. ADDRESS _____
CITY _____ STATE _____

C. RENTOR None

a. ADDRESS _____
CITY _____ STATE _____

D. CONTRACT PURCHASER None

a. ADDRESS _____
CITY _____ STATE _____

E. MORTGAGEE None

a. ADDRESS _____
CITY _____ STATE _____

F. OTHER None

a. ADDRESS _____
CITY _____ STATE _____

STATE OF INDIANA



INDIANAPOLIS 4

OFFICES OF STATE HIGHWAY COMMISSION

100 North Senate Avenue

Indianapolis 4, Indiana

PROJECT I-65-3 Sec. (17)120
 STATE ROAD I-65
 COUNTY MARION
 PARCEL 4

RE: NOTICE OF AUTHORIZED RIGHT OF WAY CHANGES, AS ACQUIRED.

MR. F. L. ASHBAUCHER
ENGINEER OF ROADS
TWELFTH FLOOR
STATE OFFICE BUILDING

PLEASE CORRECT PLANS ON THE ABOVE PROJECT TO CONFORM WITH THE FOLLOWING RIGHT OF WAY DESCRIPTION:-

CENTERLINE "EBL"

STATION	TO	STATION	LEFT	RIGHT
49 + 00	TO	49 + 25	90 TO 110	
49 + 25	TO	49 + 50	110 TO 110	
49 + 50	TO	50 + 39.79	110 TO 90	
	TO			

CHANGE THE ABOVE DESCRIBED TEMPORARY RIGHT OF WAY TO PERMANENT RIGHT OF WAY, THIS PARCEL BEING CONDEMNED ON THIS BASIS.

ON PROPERTY OF WYLLY & MORSE

R/W CHANGE APPROVED BY _____

R/W GRANT PASSED BY THE RIGHT OF WAY DEPARTMENT _____

CC: MR. W. H. BEHRENS
MR. HUMBARGER
MR. L. H. GREENE
CENTRAL CONTROL
FILE

BY L. H. Greene

DATE SEPTEMBER 26, 1962

8. DATE OF FIRST CONTACT WITH PROPERTY OWNER 6-11-62
9. PLACE At owners home
10. PERSONS PRESENT Mrs. Chizak and myself
11. FULL STATEMENT AS TO NEGOTIATIONS I talked to Mrs. Chizak at her home. I explained what the State wished to acquire. I showed her the plans and answered her questions. I gave her the approved appraisal. She stated she thought my figure was too low, but would not give me a definite answer till she talked to her Sons. I set up an appt. for 6-18-62 at 6:00 P.M..
12. AMOUNT OFFERED TO PROPERTY OWNER \$6400.00
13. AMOUNT DEMANDED BY PROPERTY OWNER \$12000.00
14. REASONS OWNER WILL NOT SIGN Two reasons. 1. Not enough money for severance damage to her property. 2. Wants the graded frontage road on the back of her property made a graveled road.
15. DATE AND PLACE OF SUBSEQUENT MEETINGS 6-18-62 at her home.
16. PERSONS PRESENT Mrs. Chizak, her two Sons and myself.
17. FULL STATEMENT OF SUBSEQUENT NEGOTIATIONS I again explained to the Sons and Mrs. Chizak about the take and again quoted them my approved appraisal. They firmly refused to sign for this price. They feel the severance damage will greatly reduce the value of the remaining land. They also request that the frontage road to the back residue be graveled instead of just graded.
18. WERE HOLDERS OF OTHER INTERESTS CONTACTED None
19. DATE AND PLACE OF MEETING(S) _____
20. THOSE PRESENT _____

21. STATEMENT OF NEGOTIATIONS None

22. WOULD ADDITIONAL CONTACTS BE BENEFICIAL? No

23. ADDITIONAL INFORMATION There is only one appraisal on this property. I am turning parcel back to appraisal section for a 2nd. appraisal.

24. WERE THE ACTUAL PREMISES TO BE CONDEMNED VIEWED BY YOU AND WERE THOSE IN POSSESSION CONTACTED? Yes

25. DESCRIPTION OF BUILDINGS TAKEN. None

26. LOCATION OF BUILDINGS SUFFICIENT FOR ADVERTISEMENT. None

I CERTIFY THAT THE ABOVE IS A COMPLETE STATEMENT OF THE NEGOTIATIONS CARRIED ON IN THIS CASE AND THAT IT WILL BE MY TESTIMONY IF CALLED UPON IN THE COURT PROCEEDINGS.

E.R. Souder
LAND AGENT

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.	Acreeage	Assessed Value
Part of the E 1/2 NW 1/4 and					
Part of the W 1/2 NE 1/4	12	16	2	9.95	

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 21 day of Aug 1962, 8 AM BY Hiram E. Steuffer
 Abstractor PRESIDENT

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

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

694622

The following is an Extension of the original search by Union Title Company under No. 666477.

CAPTION

-1-

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

Beginning at a point in the West line of the East Half of the Northwest Quarter of said Section 12, which point is 901 feet South of the point "A" which is the Northwest corner of said East Half Quarter Section; thence South along and with the West line of said East Half Quarter Section 285 feet to a point; thence East parallel with the South line of the North Half of said Section 12, 1705 feet to a point in the middle line of the highway known as the Lafayette Free Gravel Road; thence Northwestwardly along and with the middle line of said Free Gravel Road 354.4 feet to a point in the middle line of said Free Gravel Road, thence West parallel with the South line of West Half of Section 12, 1495.6 feet to the place of beginning.

Subject to any legal highways or rights of way.
Since September 13, 1961, 8 A.M.

Prepared For: Indiana State Highway Commission
Division of Land Acquisition

Old Age Assistance Search

-2-

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

Juvenile Court Search

-3-

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

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

694622

Judgment Search

-4-

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

Frank Chizak
and
Mary Chizak
jointly and
not individually

from September 13, 1961,
8 A.M. to date and
against none other

-5-

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

-6-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of Frank and Mary Chizak, and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 105732, Pike Township,
Parcel No. 246.

May Installment \$215.04 paid.

November Installment \$215.04 unpaid.

Assessed Valuation

Land \$1190.00 Improvements \$5530.00 Exemption None

-7-

Taxes for the year 1962 now a lien.

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. 65

PROJ. I 65-3 (17) 120

COUNTY Marion

Names on Plans F. M. Chizak

Names in Trans Book Frank & Mary Chizak

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Part of the E 1/2 NW 1/4 and					Land \$1,190.00
Part of the W 1/2 NE 1/4	12	16	2	9.95	Imp. \$5,530.00
					Total \$6,720.00

LAST OWNER OF RECORD

U. S. R. \$4.40

Deed Record 1304 p. 340 Recorded 6/22/48 Dated 6/22/48 Warranty Deed

Grantor Roy Bragg & Agnes C. Bragg, his wife, et al

Grantee Frank Chizak & Mary Chizak, husband & wife

Address of Grantee R. R. 17 Box 432 Indpls. 23, Ind.

MORTGAGE RECORD

Mortgage Record p. Amount Dated

Mortgagor

Mortgagee

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

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

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

TAXES Current Paid (x) Delinquent ()

CERTIFICATE

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

UNION TITLE CO.

Dated this 13 day of Sept 1961, 8 AM by Vern E. Lunddudge Abstractor PRESIDENT

Prel. Approval of Title Date By Deputy Attorney General

Final approval of Abstract of Title Date BY Deputy Attorney General

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CAPTION

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

Beginning at a point in the West line of the East Half of the Northwest Quarter of said Section 12, which point is 901 feet South of the point "A" which is the Northwest corner of said East Half Quarter Section; thence South along and with the West line of said East Half Quarter Section 285 feet to a point; thence East parallel with the South line of the North Half of said Section 12, 1705 feet to a point in the middle line of the highway known as the Lafayette Free Gravel Road; thence Northwestwardly along and with the middle line of said Free Gravel Road 354.4 feet to a point in the middle line of said Free Gravel Road, thence West parallel with the South line of West Half of Section 12, 1495.6 feet to the place of beginning.

Subject to any legal highways or rights of way.

Prepared for: State Highway Department of Indiana

Land Record
69 page 433
Inst. #10993
April 13, 1920
Recorded
April 14, 1920

Otto A. Asperger and
Louise Pahud Asperger,
his wife

Warranty Deed

to
James E. Bragg

A portion of the East Half of the North West Quarter and a portion of the West Half of the North East Quarter of Section 12 in Township 16 North of Range 2 East, containing 10.4 acres of land, be the same more or less, subject however to all legal highways or rights of way, the same being more particularly described as follows:

Beginning at a point in the West line of the East Half of the North West Quarter of said Section 12 aforesaid, which point is 901 feet South of the point "A" which point is the Northwest corner of said East Half Quarter Section; thence South, along and with the West line of said East Half Quarter Section, 285 feet to a point; thence East, parallel with the South line of the North Half of said Section 12, 1705 feet, to a point in the middle line of the Highway known as the LaFayette Free Gravel Road; thence Northwestardly, along and with the

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middle line of said Free Gravel Road, 354.4 feet to a point in the middle of said Free Gravel Road, thence west parallel with the south line of the north half of said Section 12 Fourteen Hundred Ninety-five - 1495.6 feet to the place of beginning.

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James E. Bragg died intestate April 8, 1946.

IN THE PROBATE COURT OF MARION COUNTY

IN THE MATTER OF THE ESTATE OF JAMES E. BRAGG, DECEASED.

April 20, 1946. Bond filed, Roy Bragg duly appointed and qualified as administrator of the estate of James E. Bragg deceased.

Order Book 233 page 572.

April 1, 1946. Proof of notice of appointment filed.

December 8, 1947. Verified final report filed.

December -, 1947. Proof of publication of final notice filed.

January 3, 1948. Final report approved and estate closed.

Order Book 227 page 701.

Final Report Record 229F page 364.

Note: Entry on final report reads in part as follows, to-wit:

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; that all of decedent's debts have been paid and discharged; that said decedent left surviving the following and only heirs, to-wit:

Bessie M. Daugherty, age 60, a daughter, Lela L. Bragg, age 58, a daughter, Roy Bragg, age 56, a son, and Russell G. Bragg, age 53, a son.

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

"Part of the West 1/2 of the South West Quarter of Section 1, Township 16 North, of Range 2 East, more particularly described as follows:

Beginning at a point in the West line of said Half Quarter Section distant 214.5 feet south of the North West corner thereof; thence South along and with said West line 1152.36 feet to a point; thence in an Easterly

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Estate Docket
135 page 48899

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direction 1200.84 feet to a point in the middle line of the Big Eagle and White River Gravel Road (now U. S. Road No. 52); thence Northwesterly, along and with said Road, as formerly established, to a point distant 346.5 feet East of the place of beginning; thence West 346.5 feet to the place of beginning, containing in all 19.94 acres more or less."

Also, "Part of the East Half of the Northwest Quarter and part of the West Half of the Northeast Quarter of Section 12, Township 16 North, of Range 2 East, containing 10.4 acres more or less, to-wit:

Beginning at a point in the West line of the East Half of the Northwest Quarter of said Section 12 aforesaid, which point is 901 feet south of the point "A" which point is the Northwest corner of said East Half Quarter Section; thence South, along and with the West line of said East Half Quarter Section, 285 feet to a point; thence East, parallel with the South line of the North Half of said Section 12, 1705 feet to a point in the middle line of the highway known as the Lafayette Free Gravel Road; thence Northwestwardly along and with the middle line of said Free Gravel Road, 354.4 feet to a point in the middle of said Free Gravel Road, thence West parallel with the South line of the north half of said Section 12, 1495.6 feet to the place of beginning."

That at the time of the death of said decedent the title to said real estate vested in the above named-heirs pursuant to statute.

And the Court further finds that said estate has been fully settled and administered upon, as shown by said report and vouchers filed therewith. That the Inheritance Tax due the State of Indiana has been determined, assessed and paid; that no Gross Income Tax has been assessed against said estate, and that decedent was not an employer of labor within the meaning of the Unemployment Security Tax Act of Indiana.

ABSTRACTOR'S NOTE: Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisal and Order determining Tax, lists the real estate described in 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 \$11,109.57.

STATE OF INDIANA, COUNTY OF MARION, SS:

Comes now Roy Bragg, who being duly sworn upon his oath deposes and says:

That he is a son of James E. Bragg, who departed this life intestate a resident of Marion County, State of Indiana, on the 8th day of April, 1946, and who at the time of his death was the owner in fee of the following described real estate in Marion County, Indiana, to wit:

Town Lot Record
1304 page 333
Instr. #36420
June 22, 1948
Recorded
June 22, 1948

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Part of the east 1/2 of the northwest 1/4 and the West 1/2 of the northeast 1/4 of Section 12, Township 16 North, Range 2 East containing 10.4 acres, more or less, described as follows:

Beginning at a point in the west line of the east 1/2 of the northwest 1/4 of said Section 12, which point is 901 feet south of the point "A" which is the northwest corner of said east 1/2 1/4 section; thence south along and with the west line of said east 1/2 1/4 section 285 feet to a point; thence east parallel with the south line of the north 1/2 of said Section 12, 1705 feet to a point in the middle line of the highway known as the Lafayette Free Gravel Road; thence northwestwardly along and with the middle line of said Free Gravel Road 354.4 feet to a point in the middle line of said Free Gravel Road, thence west parallel with the south line of west 1/2 of Section 12, 1495.6 feet to the place of beginning

That decedent, James E. Bragg, left surviving him as his sole and only heirs at law, this affiant, Roy Bragg, a son, Bessie M. Daugherty a daughter, Lela L. Bragg, a daughter, and Russell G. Bragg, a son, and no other children, nor any child or chilren by any deceased child or children and that James E. Bragg was an unmarried man at the time of his death.

Affiant further says that he served as the Administrator of his father's estate, and that the gross estate including jointly owned property, life insurance and all other items returnable under the Federal Estate Tax Act did not exceed the sum of \$60,000.00, and that the estate of James E. Bragg was not subject to any Federal Estate Tax.

Affiant further says that he was well acquainted with Henry C. Gullefer and his family who formerly owned said above described real estate, and that Henry C. Gullefer died on or about the 7th day of July, 1901, and that he left as his sole and only heirs at law, his widow, Nancy E. Gullefer, and three children, namely Charles F. L. Gullefer, Alfred J. Gullefer and Sarah Isabella Spangler, and no other child or children by any deceased child or children.

Affiant makes this affidavit for the purpose of assisting in the clarification of any questions which may arise concerning said above described real estate.

Roy Bragg

Subscribed and sworn to before me, this 22nd day of June, 1948.

S. K. Ruick (LS)

Notary Public

My commission expires: April 9, 1952.

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Town Lot Record
1260 page 186
Inst. #27460
May 21, 1947
Recorded
May 23, 1947

Bessie M. Daugherty, and Harry E. Daugherty, her husband to Roy Bragg

Quit Claim Deed
(U. S. R. \$1.10)

A portion of the East half of the Northwest Quarter and a portion of the West half of the northeast quarter of Section 12, in Township 16 North, of Range 2 East, containing 10.4 acres more or less, subject however to all legal highways or rights of way, and being more particularly described as follows:

Beginning at a point in the west line of the East half of the Northwest Quarter of Section 12, aforesaid, which point is 901 feet south of the point "A", which point is the northwest corner of said East Half Quarter Section; thence South along and with the West line of said East Half Quarter Section, 285 feet to a point; thence East, parallel with the South line of the North Half of said Section 12, 1705 feet to a point in the middle line of the highway known as the LaFayette Free Gravel Road; thence northwestwardly, along and with the middle line of said Free Gravel Road, 354.4 feet to a point in the middle line of said Free Gravel Road; thence West, parallel with the south line of the north half of said Section 12, 1495.6 feet to the place of beginning.

It being the intention of grantor herein Bessie M. Daugherty, daughter of James E. Bragg, deceased, to convey by this deed, all her right, title and interest in and to above described real estate, being a one/fourth interest therein, coming to her by descent from her deceased father, James E. Bragg.

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Old Age Assistance Search

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

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Town Lot Record
1304 page 340
Inst. #36421
June 22, 1948
Recorded
June 22, 1948

Roy Bragg and Agnes C. Bragg, his wife, Lela L. Bragg, unmarried, and Russell G. Bragg and Elsie Bragg, his wife all adults

Warranty Deed
(U. S. R. \$4.40)

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to Frank Chizak and Mary Chizak, husband and wife

Part of the east 1/2 of the northwest 1/4 and the West 1/2 of the northeast 1/4 of Section 12, Township 16 North, Range 2 East containing 10.4 acres, more or less, described as follows:

Juvenile Court Search

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Beginning at a point in the west line of the east 1/2 of the northwest 1/4 of said Section 12, which point is 901 feet south of the point "A" which is the northwest corner of said east 1/2 1/4 section; thence south along and with the west line of said east 1/2 1/4 section 285 feet to a point; thence east parallel with the south line of the north 1/2 of said Section 12, 1705 feet to a point in the middle line of the highway known as the Lafayette Free Gravel Road; thence northwestwardly along and with the middle line of said Free Gravel Road 354.4 feet to a point in the middle line of said Free Gravel Road, thence west parallel with the south line of west 1/2 of Section 12, 1495.6 feet to the place of beginning.

Subject to all legal highways and rights of way.

Subject to taxes due and payable in November, 1948, and all subsequent taxes.

Grantors Roy Bragg, Lela L. Bragg and Russell G. Bragg, are all heirs at law of James E. Bragg deceased, whose estate was formerly administered in the Marion County Probate Court, and by this deed grantors convey all the right, title and interest which they have in the above described real estate, the interest of Roy Bragg being one/half, the interest of Lela L. Bragg, being one/fourth, and the interest of Russell G. Bragg being one/fourth.

Proper citizenship clause is attached.

Old Age Assistance
Search

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

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Juvenile Court
Search

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.

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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:

Frank Chizak
and
Mary Chizak,
jointly and
not individually

for the 10 years
last past and
against none other.

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

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

General Tax Duplicate No. 105716, Pike Township, Parcel No. 246.

May Installment \$201.00 Paid.

November Installment \$201.00 Unpaid.

Assessed Valuation;

Land \$1,190.00 Improvements \$5,530.00 Exemption None

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Taxes for the year 1961 now a lien.

PARCEL NO 4 LA
PROJECT NO. I-65-3(17)120
ROAD. I-65

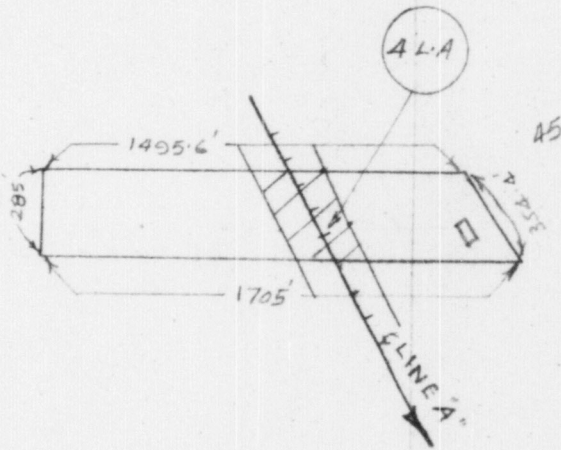
OWNER : F.M. CHIZAK
DRAWN BY R.D.P CHECKED BY
DEED RECORD 1304 PAGE 340 DTD,

CROSSHATCHED
AREA IS
APPROX. TAKE

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

SCALE 1" = 660'

SEC. LINE 2



SEC. LINE 2

SEC. LINE 2

SEC. LINE 2