

INDIANA STATE HIGHWAY COMMISSION  
STATE OFFICE BUILDING  
INDIANAPOLIS 4, INDIANA  
**RIGHT OF WAY GRANT**

FUND 5  
PROJECT No. 778  
SECTION (1)

PARCEL No. 26

Sheet 1 of 2 Sheets

This indenture witnesseth that the undersigned, as grantors and sole owners of land in HENRY 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. S.R. 38 SEC. S, PROJ. No. 778 SEC. (1) DATED 1962  
SEC. 20, T. 17 N, R. 12 E PERM. R/W 0.836 ~~ACRES~~ 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 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) "P.R."

TO	LEFT	RIGHT
506 + 94.5±PL	507 + 50	150 TO 50
507 + 50	509 + 00	50
509 + 00	510 + 00	50 TO 60
510 + 00	511 + 00	60
511 + 00	512 + 00	60 TO 50
512 + 00	520 + 20±PL	50

MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
PARCEL 26 PERMANENT RIGHT OF WAY.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 12 EAST, HENRY COUNTY, INDIANA; THENCE EASTERLY 2,370.9 FEET +/- ALONG THE NORTH LINE OF SAID SECTION TO THE WEST PROPERTY LINE OF THE GRANTOR'S LAND; THENCE SOUTHERLY 15.1 FEET +/- ALONG SAID PROPERTY LINE TO A POINT ON THE SOUTHERLY BOUNDARY OF STATE ROAD 38, WHICH IS THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE ALONG THE SOUTHERLY BOUNDARY OF STATE ROAD 38 BY THE FOLLOWING COURSES: THENCE SOUTH 89 DEGREES 20 MINUTES EAST, 505.5 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES EAST, 274.3 FEET; THENCE NORTH 89 DEGREES 29 MINUTES EAST, 24.9 FEET; THENCE SOUTH 88 DEGREES 32 MINUTES EAST, 44.2 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES EAST, 87.5 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES EAST, 59.2 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES EAST, 307.8 FEET; THENCE SOUTH 88 DEGREES 57 MINUTES EAST, 20.5 FEET TO THE EASTERN PROPERTY LINE OF THE GRANTOR'S LAND, ALSO THE EAST LINE OF HENRY COUNTY; HENCE LEAVING SAID BOUNDARY BY THE FOLLOWING COURSE: THENCE SOUTH 00 DEGREES 07 MINUTES EAST, 45.5 FEET ALONG SAID PROPERTY LINE; THENCE NORTHWESTERLY 543.2 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 5,679.6 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 86 DEGREES 32 MINUTES WEST, AND A LENGTH OF 543.0 FEET; THENCE NORTH 89 DEGREES 16 MINUTES WEST, 276.7 FEET; THENCE SOUTH 85 DEGREES 01 MINUTE WEST, 100.5 FEET; THENCE NORTH 89 DEGREES 17 MINUTES WEST, 100.0 FEET; THENCE NORTH 83 DEGREES 34 MINUTES WEST, 100.5 FEET; THENCE NORTH 89 DEGREES 17 MINUTES WEST, 150.0 FEET; THENCE SOUTH 29 DEGREES 45 MINUTES WEST, 114.4 FEET TO THE EASTERN BOUNDARY OF COUNTY ROAD 950E; THENCE NORTH 00 DEGREES 43 MINUTES EAST, 120.5 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.836 ACRES, MORE OR LESS.

*Richard C. Bailey*  
Auditor Henry County

MAR 25 1963

**DULY ENTERED  
FOR TAXATION**

FEB 18 1963

RECEIVED FOR RECORD  
THE 23 DAY OF MARCH  
A. D. 1963 AT 9 00 O'CLOCK A. M.  
AND RECORDED IN RECORD BOOK  
PAGE 201  
FEE \$  
*Raydon Spadon*  
Recorder Henry County

*G.E.F.*  
*J.M.F.*

FAR *R.F.W.*  
11-29-62

2870





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 Wayne ss:

Personally appeared before me J. Morris Forrest + Georgie E. Forrest and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 7 day of February, 1963.

Witness my hand and official seal.

My Commission expires June 27 1965 Ralph Galbreath Notary Public.

The undersigned owner of a mortgage and/or lien on the land of which the right of way described in the attached grant, is conveyed, hereby releases from said mortgage and/or lien said granted right of way, and do hereby consent to the payment of the consideration therefor as directed in said grant, this ..... day of ....., 19.....

..... (Seal) ..... (Seal)

..... (Seal) ..... (Seal)

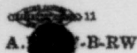
State of ..... }  
County of ..... } ss:

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

March 18, 1963

To J. Morris and Georgia E. Forrest  
R. R. # 1, Box 143  
Hagerstown, Indiana

GENTLEMEN:

We enclose State Warrant No. A 126523 3/12 1963  
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase of Right of Way  <i>For the purchase of Right of Way on State Road No. 38 in Henry County S Project 778 Section (1) as per Grant dated February 7, 1963</i>  Parcel 26	\$2,000.00

PLEASE RECEIPT AND RETURN

Received Payment:

Date:

*J. Morris Forrest*  
*Mar. 21, 1963 Georgia E. Forrest*



Control

APPRAISAL REVIEW

Project S-778-(1) Road SR-38 County Henry Parcel No. 26

Property Owner J. Morris Forrest Address Hagerstown, Ind.

Address of Appraised Property Same

I have made a determined effort to consider all competent information that I have secured and that is documented by the appraisers including any comments by the property owner along with any recent awards by condemnation juries, that have been brought to my attention, that is relevant to this matter.

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

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

Comments Page 5, Para V; Error is noted in amount of fencing; I conclude the "80 rods" should read 85 rods to coincide with form R/W 120A.

It is my opinion as of 12-21-62 :  
(date)

- (a) The fair market value of the entire property is: \$ 26,000.
- (b) The fair market value of the property after the taking, assuming the completion of the improvement, is: \$ 24,000.

The total value of taking is: (a minus b) Total \$ 2,000

- (1) Land and/or improvements \$ 315
- (2) Damages \$ 1685

J. E. Gallagher  
Reviewing Appraiser

Date: 1-21-63

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 S-778 PARCEL # 26

OWNER J Morris Forest PHONE # \_\_\_\_\_

(Other interested parties and relationship)

ADDRESS OF OWNER Hagerstown Ind.

DATE ASSIGNED 1-22-63

DATE OF CONTACT 2-7-63

TIME OF CONTACT 11:30 AM

DATE OF PREVIOUS CONTACT 2-6-63

OFFER \$ 2000.00

DETAIL CONTACT\* Contacted Mr & Mrs Forest -

Grant was Secured at their atty office.

ACTION TAKEN\*\* \_\_\_\_\_

SIGNED Ralph Galbreath

\* 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 5-778-(1) PARCEL # 26  
OWNER J Morris Forrest PHONE # Hagerstown 5031  
(Other interested parties and relationship)

ADDRESS OF OWNER Hagerstown Ind R#3  
DATE ASSIGNED 1-22-63  
DATE OF CONTACT 2-6-63  
TIME OF CONTACT 2:00 PM  
DATE OF PREVIOUS CONTACT 1-29-63

OFFER \$ 2000.<sup>00</sup>

DETAIL CONTACT\* Contacted Mr Forrest atty Mr. Albert K Federico in Hagerstown Mr Forrest could not be contacted but Mr Federico stated that he thought he would sign grant. Mr Federico will try and set up an appointment 2-7-63

ACTION TAKEN\*\*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED Ralph Galbraith

\* 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 5778 (1) PARCEL # 26  
OWNER J. Morris Forrest Et Ux PHONE # \_\_\_\_\_

\_\_\_\_\_  
(Other interested parties and relationship)  
\_\_\_\_\_

ADDRESS OF OWNER RR #3, Jacksonburg Road North, Hagerstown  
DATE ASSIGNED \_\_\_\_\_  
DATE OF CONTACT 1/29/63  
TIME OF CONTACT 1 P.M.  
DATE OF PREVIOUS CONTACT 1/28/63

OFFER \$ 2000.<sup>00</sup>

DETAIL CONTACT\* Mr. Galbreath + I talked with Mr. Forrest and his attorney Mr. Albert Federico at Mr. Federico's office in Hagerstown, Indiana, showing the plans and explaining the take.

ACTION TAKEN\*\* An appointment was made to see them again in Mr. Federico's office on 2/6/63, at 11 AM

SIGNED Wale E. Smiley

\* 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 S-778 (1) PARCEL # 26

OWNER J Morris Forest PHONE # \_\_\_\_\_

(Other interested parties and relationship)

ADDRESS OF OWNER R#3 New Castle Ind

DATE ASSIGNED 1-22-63

DATE OF CONTACT 1-29-63

TIME OF CONTACT 1:00 PM

DATE OF PREVIOUS CONTACT \_\_\_\_\_

OFFER \$ 2000.<sup>00</sup>

DETAIL CONTACT\* Contacted Mr Forest and met with his atty Mr Albert K Frederico in Hagerstown. Explained take. made offer Mrs Forrest the offer was not enough. His atty stated that he had contacted Mr. O'Connell and secured another appraisal on another parcels. They stated they would

ACTION TAKEN\*\* give me this answer 2-6-63

SIGNED Ralph Galbreath

\* 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 5778 (1) PARCEL # 26

OWNER J. Morris Forest Et Ux PHONE # \_\_\_\_\_

(Other interested parties and relationship)  
\_\_\_\_\_

ADDRESS OF OWNER RR # 3 ~~Hagerstown~~ Jacksonburg Road North Ind. Hagerstown

DATE ASSIGNED \_\_\_\_\_

DATE OF CONTACT 1/28/63

TIME OF CONTACT 2 PM

DATE OF PREVIOUS CONTACT 1/25/63 Unable to locate, talked with renter.

OFFER \$ \$2000.00

DETAIL CONTACT\* Mr. Galbraith + I talked with Mr. Forest in barnyard. Mr. Morris doesn't reside on R/w take, so we made appointment for 1/29/63 at 1 P.M.

ACTION TAKEN\*\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED Dale E. Smiley

\* 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 S-178-1 PARCEL # 26  
J. Morris Forrest  
OWNER J. Morris Forrest PHONE # \_\_\_\_\_

(Other interested parties and relationship)  
\_\_\_\_\_  
\_\_\_\_\_

ADDRESS OF OWNER Hagerstown Ind.

DATE ASSIGNED 1-27-63

DATE OF CONTACT 1-28-63

TIME OF CONTACT 2:00 PM

DATE OF PREVIOUS CONTACT \_\_\_\_\_

OFFER \$ \_\_\_\_\_

DETAIL CONTACT\* Contacted Mr Forrest at farm. He stated  
he was rather busy and ask me to meet him  
Tues. 1:00 PM 1-29-63

ACTION TAKEN\*\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED Ralph Gelbreath

\* 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.

PARCEL NO. 26-PERM  
PROJECT NO. 3-778 (1)  
ROAD S.R. 38

OWNER: J. M. FORREST ET UX.  
DRAWN BY WIXOM, R. F. CHECKED BY *Best*  
DEED RECORD 183 PAGE 442 DTD., 12-28-61

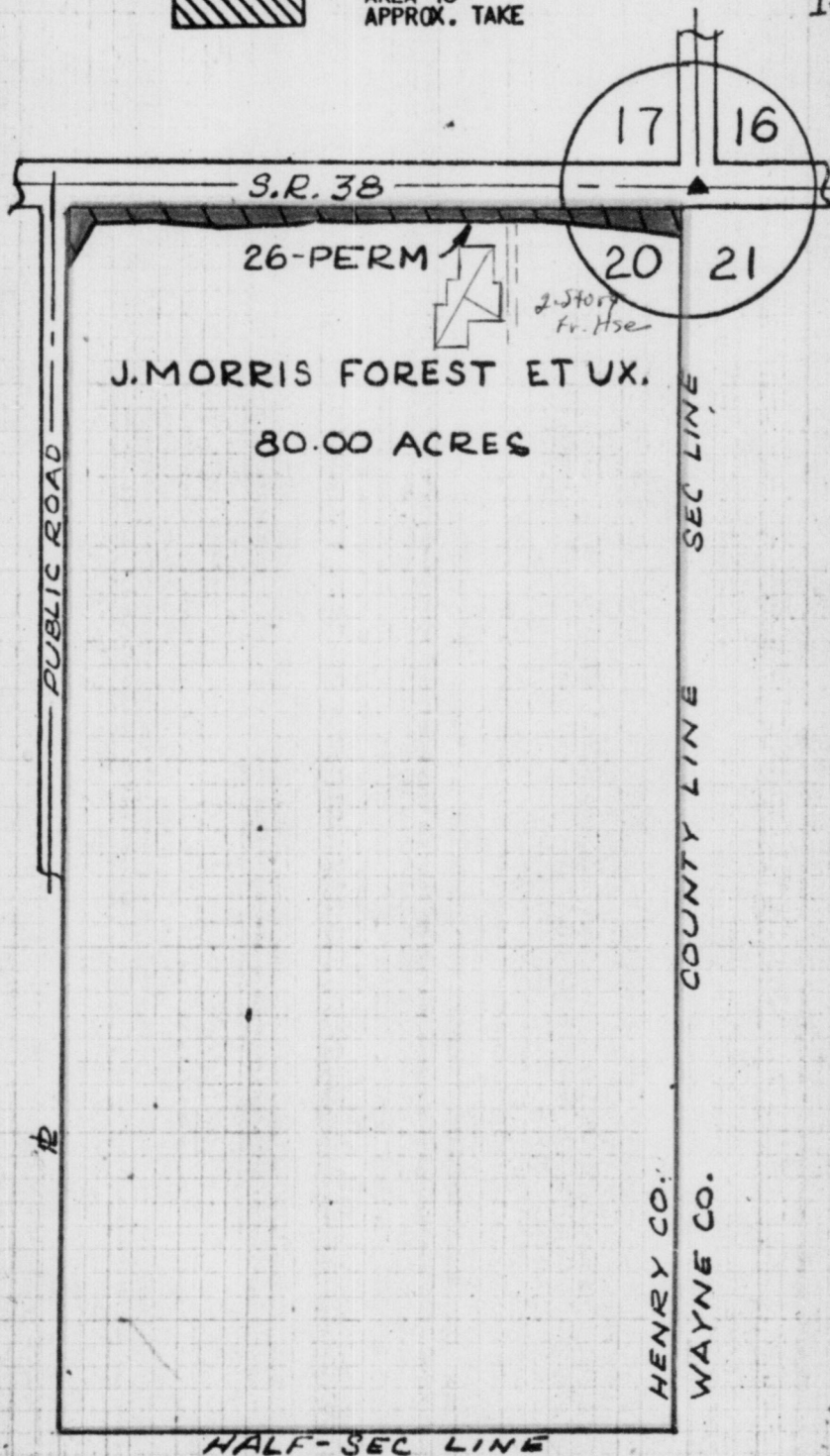
COUNTY : HENRY  
SECTION : 20  
T 17 : N  
R 12 : E



CROSSHATCHED  
AREA IS  
APPROX. TAKE

SCALE:  
1-400'

NORTH







TITLE AND ENCUMBRANCE REPORT

49301-

26 Perm

DIVISION OF LAND ACQUISITION

INDIANA STATE HIGHWAY COMMISSION

S.R. 38 PROJ. S-778(i) COUNTY Henry

Names on Plans Henry & Phylena Hoover

Names in Trans. Book J. Morris Forrest and Georgia E. Forrest

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value	
E NW	20	17	12	80	\$3520	\$2670

Liberty Township

LAST OWNER OF RECORD

Deed Record 183 P. 442 Recorded 3-10-1962 Dated 12-28-61 Deed

Grantor Vearl M. Hoover et al

Grantee J. Morris Forrest and Georgia E. Forrest, husband and wife

Address of Grantee Unknown Jacksonville Road North, RR #2 Hazelton

MORTGAGE RECORD

Mortgage Recrd NONE P. \_\_\_\_\_ Amount \_\_\_\_\_ Dated \_\_\_\_\_

Mortgagor \_\_\_\_\_

Mortgagee \_\_\_\_\_

JUDGMENT RECORD Yes  None  LIS PENDENS RECORD Yes  None

MISCELLANEOUS RECORD Yes  None  EASEMENT 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.

HENRY COUNTY ABSTRACT COMPANY, INC.

Dated this 12th day of July 1962

Nelson D. Lige  
Abstractor President.

Prel. Approval of Title \_\_\_\_\_  
Date \_\_\_\_\_

By \_\_\_\_\_  
Deputy Attorney General

Final Approval of Title \_\_\_\_\_  
Date \_\_\_\_\_

By \_\_\_\_\_  
Deputy Attorney General



TITLE SEARCH

NO. 49301-1

Prepared for Indiana State Highway Commission

Project S-778(i) Liberty Township, Henry County, Indiana

1. Names on Plans: Henry & Phylena Hoover

Names On Transfer Book: J. Morris Forrest  
Georgia E. Forrest

Description

The East half of the Northeast Quarter of Section Twenty (20), Township Seventeen Seventeen (17), Range Twelve (12), East, containing Eighty (80) acres more or less.

2.

This Indenture Witnesseth that Samuel Charlton and Nancy E. Charlton, his wife, of Henry County, State of Indiana, Emory Motto and Nora M. Motto, his wife, of Wayne County, State of Indiana and Sylvester A. Gebhart, an unmarried man of Fresno County State of California and Nancy E. Charlton, Nora M. Motto and Sylvester A. Gebhart together with Phylena B. Hoover wife of grantee herein being the only children and heirs at law of John B. Gebhart, deceased convey and warrant to Henry E. Hoover of Henry County, State of Indiana, on consideration of the sum of four thousand five hundred dollars the following described real estate in Henry County, Indiana, towit: the undivided three fourths interest in the east half of the northeast quarter of section twenty (20) township seventeen (17) north of range twelve (12) east. It is understood that the contract of warranty expressed in this deed is a separate and not a joint liability each grantor limiting his and her ability to one fourth corresponding to the undivided one fourth interest conveyed by each grantor.

In Witness Whereof Samuel Charlton and Nancy E. Charlton, his wife, Emory Motto and Nora M. Motto, his wife, and Sylvester A. Gebhart, an unmarried man have hereunto set their hands and seals this 2nd day of January 1907.

Samuel Charlton (seal)	Emory Motto (seal)
Nancy E. Charlton (seal)	Nora M. Motto (seal)

3.

State of Indiana, County of Henry, ss:  
 Before me N. Guy Jones a Notary Public in and for said County and State personally appeared the within named Samuel Charlton and Nancy E. Charlton, his wife, Emory Motto and Nora M. Motto, his wife, and acknowledged the execution of the annexed deed.

Witness my hand and Notarial seal this 2nd day of January 1907.

N. Guy Jones (seal)  
 Notary Public

My commission expires March 18th 1909.

State of California, Fresno County, SS:  
 Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Sylvester A. Gebhart, an unmarried man, and acknowledged the execution of the annexed deed.

Witness my hand and Notarial seal this 7th day of January, 1907.

C.G. Freeman (seal)  
 Notary Public

My commission expires April 6th 1907

Recorded January 19, 1907 at 10 a.m. T.W. Gronendyke R.H.C.I.  
 Deed Record 79 page 461

-----

NOTE

4.

No administration on the Estate of Phylena B. Hoover, deceased nor any Will of said decedent of record in Henry County Indiana.

Abstractor.

-----



WILL OF HENRY E. HOOVER

I, Henry E. Hoover being of proper age and sound mind make this my last will and testament, revoking all former wills by me ever made:

5.

Item First: I order and direct that all my just debts be paid with convenient speed, including my last sickness and funeral expenses.

Item Second: I order and direct that my daughters Goldie Hoel and Lura Brenneman and my son Otto Hoover each be paid the sum of Three Thousand Dollars (\$3000.00) out of my estate before any division is made in order to equal them with my son Verl Hoover.

Item Third: I give to my wife Gertrude Hoover, should she survive me, the refrigerator and washing machine and sweeper and such other household articles that we have purchased together.

Item Fourth: It is my will and I hereby direct that my said wife Gertrude Hoover, should she survive me, is to have the free use of the property owned by me at 297 North Pearl Street in Hagerstown, Wayne County, Indiana to hold during her natural life or so long as she remains my widow, and at her death, said real estate, along with what other real and personal property that I may own, wherever it may be found is to be divided equally among my four children: Goldie Hoel, Lura Brenneman, Verl Hoover and Otto Hoover.

Item Fifth: Prior to my marriage I entered into an anti-nuptial contract with my present wife, wherein we agree that neither would take any interest in the property, real or personal of the other, which contract is still binding and I have made this extra provision in my will for the protection of my said wife during her life time with the understanding that this shall in no way interfere with our anti-nuptial contract heretofore made.

6.

Item Sixth: I nominate and appoint as executor of my last will and testament Carl Hoel.

In witness whereof I have hereunto set my hand and seal and declared the the above instrument in writing as my last will and testament at Hagerstown, Indiana this the 26 day of September, 1951.

Henry E. Hoover

The above named Henry E. Hoover did on the 26 day of September 1951 at Hagerstown, Indiana, sign, seal and declare the above and foregoing instrument in writing as his last will and testament, and we did at his request, in his presence and in the presence of each other sign our names as subscribing witnesses.

Norma J. Martin  
Ruth L. Heath

Witness to Signature  
Witness to Signature

State of Indiana, Henry County, ss:

In open court before me, Wesley W. Ratliff, Judge of the Circuit Court of the County of Henry, in the State of Indiana, personally came Ruth L. Heath one of the subscribing witnesses to the foregoing instrument of writing, who being by me first duly sworn upon oath, depose and say that Henry Edward Hoover the testator named in the instrument of writing purporting to be his LAST WILL AND TESTAMENT, did sign, seal, publish and declare the same to be his last Will and Testament, on the day of the date thereof; that the said testator was, at the same time, of the full age of twenty-one years, and of sound and disposing mind and memory and that he was not under coercion, compulsion or restraint and that he was competent to devise his property. And that the said testator so signed, sealed, published and declared the same to be his LAST WILL AND TESTAMENT in manner and form as aforesaid in the presence of affiant, and of Norma J. Martin the other subscribing witness thereto; and that they each attested the same, and

Henry County Abstract Company, Inc.

New Castle, Indiana

subscribed their names as witnesses thereto; in the presence and at the request of said testator, and in the presence of each other, and that said testator departed this life testate ashe (she) believes on the 24th day of June 1961.

7.

Ruth L. Heath

SUBSCRIBED AND SWORN TO BEFORE ME In witness of which I hereunto affix the seal of said Court, and subscribe my name at New Castle, this 5th day of July A.D. 1961.

(seal) John W. Blackburn, Clerk

State of Indiana, Henry County, ss:

I, John W. Blackburn, Clerk of the Circuit Court of the County of Henry, in the State of Indiana, do certify that the foregoing last Will and Testament of Henry Edward Hoover has been duly admitted to Probate before me.

That the same was proven by the examination, under oath, of Ruth L. Heath one of the subscribing witness thereto; and that a full and complete record of the said Will, and of the proof and examination by the witnesses by whom the same was proven, has been made, and is now on record in Will Record "S" of said County on pages

IN TESTIMONY WHEREOF I have hereunto affixed the seal of said Court, and subscribed my name, at New Castle, this 5th day of July A.D. 1961.

(LS)

John W. Blackburn  
Clerk Henry Circuit Court

I hereby certify that the above and foregoing is a full, true and complete copy of the Last Will and Testament of Henry E. Hoover deceased, as the same appears of record and is filed in this office and in my custody.

John W. Blackburn, Clerk

Will Record "S" pages 227-8.

-----



In Re: Estate of

Henry Circuit Court  
Vacation Term 1961

No. 7517

PROBATE OF WILL

8. Henry E. Hoover, deceased

Comes now Ruth L. Heath and files in the office of the Clerk of the Henry Circuit Court the Last Will and Testament of Henry E. Hoover, late of said County, Indiana, which said Last Will and Testament is as follows, to-wit: (HI), and said Will together with the proofs therein are now submitted to the Court and the Court having seen and examined the same and being well advised in the premises finds that the said Henry E. Hoover died a resident of Henry County on the 25th day of June, 1961, and that on the 26th day of September, 1951, he executed his Last Will and Testament herein, and at the time of the execution thereof, said testator was of full age, that is more than twenty-one years of age, and of sound mind and memory and fully competent to devise his property.

IT IS FURTHER ORDERED BY THE COURT that the said Henry E. Hoover, died a resident of Henry County on the 26th day of September, 1951, he executed his Last Will and Testament herein, and at the time of the execution thereof, said testator was of full age, that is more than twenty-one years of age, and of sound mind and memory and fully competent to devise his property.

IT IS FURTHER ORDERED BY THE COURT that the Last Will and Testament of Henry E. Hoover be and the same is hereby admitted to probate in the Henry Circuit Court.

July 5, 1961

Probate Order Book 75 page 545.

-----

State of Indiana  
County of Henry, SS:

In The Henry Circuit Court  
In Vacation, 1961

In Re: Estate of  
Henry Edward Hoover,  
Deceased

No. 7517  
Petition For Issuance of  
Letters Testamentary

9.

Carl Hoel, petitioner, being first duly sworn, says:

1. Death and Domicile. Decedent, Henry Edward Hoover, age 87 years, died June 24, 1961, and at the time of his death was domiciled in Henry County, Indiana.

2. Testacy. Decedent is believed to have died testate, leaving a last will and testament dated September 26, 1951, which has been probated in this Court; that the marital status of the decedent after he made said will was not changed by a divorce or annulment.

3. Legatees and Devisees. The name, age, relationship and place of residence of each known heir, legatee and devisee of the decedent's estate are:

Name	Age	Relationship	Address
Gertrude Hoover	80	Widow	R.R.2, Hagerstown, Ind.
Goldie M. Hoel	65	Daughter	Hagerstown, Ind.
Lura Brenneman	63	Daughter	R.R.1, Pioneer, Ohio
Vearl M. Hoover	60	Son	R.R.3, New Castle, Ind.
Otto G. Hoover	54	Son	10 East Clay St., Hagerstown, Ind.

4. Value of Estate. The probable value of decedent's estate is Personal Property - \$22,000.- Real Property- \$45,000.

5. Personal Representatives. The name and place of residence of the executor designated in the will is Carl Hoel, Hagerstown, Indiana.

6. Attorneys. The name and business address of the attorneys who will represent the personal representative of decedent's estate are Scotten & Hinshaw, New Castle, Indiana.

10.

7 Verification. Each statement of this petition is true and complete insofar as the undersigned petitioner now knows or with reasonable diligence could have ascertained.

WHEREFORE, petitioner prays the Court for an order:

(a) Probating the decedent's will; (b) Appointing or Qualifying the personal representative of decedent's estate; and (c) directing issuance of letters upon proper qualification in the manner provided by law.

Subscribed and sworn to before me this 30 day of June 1961.  
(seal) Carl Hoel  
J.R. Hinshaw  
Notary Public

My commission expires:  
1/9/65

TO THE CLERK:

You may issue letters testamentary to Carl Hoel upon the estate of Henry Edward Hoover upon presenting sufficient bond in the sum of Twenty-five thousand dollars (\$25,000.), with the United States Fidelity & Guaranty Co. of Baltimore, Md., as surety.

Judge, Henry Circuit Court

FILED: July 5, 1961  
John W. Blackburn  
Clerk Henry Circuit Court



In Re: Estate of  
Henry E. Hoover, Deceased

Henry Circuit Court  
Vacation Term 1961  
No. 7517  
Petition, Bond & Letters

11.

Comes now Carl Hoel and files his petition for letters Testamentary of the estate of Henry Edward Hoover, deceased, which said petition is in the words and figures as follows, towit: (HI) and the Court being duly advised, now appoints Carl Hoel as Executor herein, and comes now Carl Hoel and accepts such trust and duly qualifies by taking oath and giving bond as provided by law in the sum of \$25,000. (Twenty-five thousand dollars) with the United States Fidelity and Guaranty Company as surety thereon, which bond the Court now approves and said letters prayed for therein are issued to Carl Hoel, which bond and letters read as follows, towit: (HI)

July 5, 1961  
Probate Order Book 75 page 545.

-----

State of Indiana  
County of Henrt, ss:

In the Henry Circuit Court  
In Vacation, 1961

In Re: Estate of  
Henry Edward Hoover,  
Deceased

No. 7517  
Certificate

12.

John W. Blackburn, Clerk of the Henry Circuit Court, does hereby certify that he did on the 8th day of July, 1961, mail notices of administration in the above estate to the following distributees of such estate:

Gertrude Hoover  
Goldie M. Hoel  
Lura Brenneman  
Verl M. Hoover  
Otto G. Hoover

R.R.#2, Hagerstown, Ind.  
Hagerstown, Indiana  
R.R.#1, Pioneer, Ohio  
R.R.#3, New Castle, Ind.  
10 East Clay Street  
Hagerstown, Indiana

FURTHER AFFIANT SAYETH NOT.

John W. Blackburn  
(seal) Clerk Henry Circuit Court

FILED: July 10, 1961  
John W. Blackburn  
Clerk Henry Circuit Court

-----

# Order Determining Value of Estate and Amount of Tax, Etc.

(Section 10, Acts 1931)

Cause No. 4045-7517

IN THE PROBATE COURT,  
 COUNTY OF Henry, STATE OF INDIANA.  
 In the Matter of the Estate of

At the September Term, 1961

13.

The matter of determining the value of the property of said decedent and the tax imposed by the inheritance and transfer tax laws upon the transfer thereof coming on to be heard at this time, pursuant to notice given on the day of Waived 1961, to all persons interested, including the Indiana Department of State Revenue and County Treasurer;

And it appearing that the inventory and report of Carl Hoel

and the report of Pearl Reichart (Appraiser) have heretofore been duly filed

herein, and that said deceased died on or about the 5 day of July 1961;

And having taken testimony and considered the inventory, appraisal, report and the whole record herein, and having heard all parties desiring a hearing, and being fully advised in the premises;

The Court finds and determines that the clear market value of the property of the said decedent, subject to and within the jurisdiction of the laws of this State, is as follows:

Value of Personal Property (Gross)	24,694.41
Value of Real Property (Gross)	57,700.00
Total Gross Value of Estate	82,394.41
Deductions (Debts, Claims, Expenses, etc.)	4,649.48
Total Net Value of Estate	77,744.93

Schedule B-3 and/or other Transfers "Outside of Estate" - \$.....

And the Court further finds and determines that the proportions and amounts of the property of the decedent transferred, the names and relationships of the persons beneficially entitled to receive the same, the rates and amounts of tax for which they are liable, are as follows:

NAME	Relation	Value of Interest	Exemption	Rate	Amount of Tax
Gertrude Hoover	widow	1962.12	15,000.	1%	None
Goldie M. Hoel	Daughter	19,695.70	2,000.	1%	176.96
Lura Brenneman	Daughter	19,695.70	2,000.	1%	176.96
Verl M. Hoover	Son	19,695.70	2,000.	1%	176.96
Otto G. Hoover	Son	19,695.70	2,000.	1%	176.96

Schedule filed; date..... Amount of penalty at 50c per day.....

14.

Total Tax \$ 677.84

WHEREFORE, IT IS ORDERED, That Carl Hoel (Fiduciaries or Beneficiaries) or said persons

pay and deliver to the County Treasurer, as and for the tax imposed by the acts in relation to the taxable transfers of property, the proportions and amounts as above set forth.

Such tax shall be a lien upon the several items of personal property described in the schedule for determination and the appraiser's report, and the following real estate:

County	Twp., City or Town	Description, Addition, Etc.	Sec.	Twp.	Rgs.	Acres	Lot	Blk.
Henry	Liberty Twp.	E.W.E.	20	17	12	80		
Wayne	Hagerstown						20	20
"	"						3	27
"	"	Improvement's Company's Plat					6	25
"	"	" " " "					7	25

It is further ordered that..... appraiser, be allowed and paid \$..... for his services and expenses in this matter.

Dated Dec. 13 1961

By the Court, James R. White

Judge



Office of County Treasurer

No. A167727

Cause No. 4045

County of Henry, New Castle, Indiana, Dec. 16, 1961

Received of Carl Hoel,

Administrator, Executor, Trustee, Heir, Legatee, of the Estate of

Henry Edward Hoover Deceased (who died on or

about July 5 1961) the sum of Six Hundred Forty

Three & 95/100 Dollars, being the amount of Inheritance or Trans-

fer Tax Due the State under the provisions of the Inheritance Tax

Law, approved February 28, 1913, upon the following Gifts, Inheri-

15.

tances, Bequests, Legacies, Devises and Successions, towit:

Name	Relationship	Amount of Tax
------	--------------	---------------

All Heirs		\$677.84
-----------	--	----------

Amount of Tax		\$ <u>677.84</u>
---------------	--	------------------

Discount (5% if paid within one year)		\$ <u>33.99</u>
---------------------------------------	--	-----------------

Interest	yrs.	mos.	days at	%	\$ <u>          </u>
----------	------	------	---------	---	----------------------

Amount Due State		\$ <u>643.95</u>
------------------	--	------------------

Homer E. Crandall  
County Treasurer

By Ruth Anna Strough  
Deputy Treasurer

IN RE: ESTATE OF  
HENRY EDWARD HOOVER  
DECEASED

HENRY CIRCUIT COURT  
JANUARY TERM 1962  
No. 7517  
SETTLEMENT

16.

Comes now the parties by counsel as aforesaid, and thereupon the final report, petition to settle and allow account, to determine heirship and for authority to make final distribution filed by Carl Hoel, executor of the estate of Henry Edward Hoover deceased, are now submitted to the Court, said petition being in the following words and figures, towit:(HI), and it appearing that no objections have been filed thereto, and the court being fully advised in the premises now finds:

1. Due notice of the filing of said account and petition and the hearing on the same were given to the heirs of said decedent and all persons interested on said estate, and the same are now properly before the Court for final action thereon.

2. The matters and things stated in said account and petition are true and that said executor has accounted for all of the assets of this estate coming into his hands.

3. More than six months have elapsed since the date of the first published notice to the heirs and creditors herein; all claims filed against said estate have been paid and discharged; neither said decedent nor his executor were employers of labor within the meaning of that term as used in the Indiana Employment Security Act; all inheritance taxes and Gross Income taxes assessed in said estate have been paid; a federal estate tax return has been filed and the tax paid thereon, but the same has not been audited.

4. The Last Will and Testament of said decedent devises Tract No. 4 to the widow, Gertrude Hoover, for and during the term of her natural life and at her death it is to go to the four children, Goldie M. Hoel, Lura Brenneman, Vearl M. Hoover and Otto G. Hoover, Decedent and his widow, Gertrude Hoover, prior to their marriage entered into an Antenuptial Contract, the same has been duly recorded and is binding upon the parties hereto and that by the terms and conditions thereof widow agreed that neither should take any part of the estate of the other, and that as a consequence thereof said widow has no interest in any of the real and personal property except as directed in the will. Said will further provides that \$3,000.00 of said estate is to be deducted from the interest of Vearl Hoover before any division is made to the balance of said children, and that the widow, Gertrude Hoover was to receive certain personal property, all of which she claimed as her own and now has in her possession. Said petitioner proposes to deduct \$3,000.00 from the interest of Vearl Hoover and pay each of the other heirs the sum of \$3,000.00 before a division is made and that the balance of said personal property and the said real estate will then go to the said four children in equal proportions.

17.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. Said account and petition are hereby in all things approved.

2. Said executor is hereby ordered and directed to pay over distribute and deliver unto Goldie M. Hoel., Lura Brenneman, Vearl M. Hoover and Otto G. Hoover, as beneficiaries under the last will and testament of said estate, the balance of said estate in his hands available for distribution as shown in his final account; and he is further ordered to make report of such distribution and to file vouchers and receipts showing that such distribution has been made.

3. That decedent died seized of the following tracts of land

Henry County Abstract Company, Inc.

New Castle, Indiana



remain undisposed of:

Tract No. 1- The following described real estate in Henry County, Indiana;

18.

The east half of the northeast quarter of section twenty (20), township seventeen (17) North of range twelve (12) east.

Tract No. 2- The following described real estate in Wayne County, Indiana;

Lot Number twenty (20) in block number twenty (20) in Hagerstown, Indiana.

Tract No. 3- The following described real estate in Wayne County, Indiana;

Lot Number three (3) in Block Number Twenty seven (27) in the town of Hagerstown, Wayne County, Indiana.

Tract No. 4- The following described real estate in Wayne County, Indiana;

Lots numbered 6 and 7 in Hagerstown Improvement Company's Plat and subdivision of part of Block 25 in the town of Hagerstown as recorded in Plat Book 4 page 125.

Said executor is hereby ordered and directed to procure a certified copy of this decree and record the same in the offices of the Recorders in Wayne County and Henry County in which said real estate is located, and to make and file his supplemental report herein.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED by the Court.

February 21, 1962  
Probate Order Book 76 page .

-----  
ANTENUPTIAL CONTRACT

19.

We, the undersigned H. Edward Hoover and Edith Gertrude Werking, are contemplating to enter into a marriage contract and prior thereto desire to arrange our financial affairs. Both of us have been married and have children by a former marriage and also have real estate and personal property.

Now in consideration of said marriage in the near future, it is hereby agreed that neither party to this contract shall take any interest, right or title in and to the real estate or personal property of the other. And all of said real estate and personal property is to remain the property of each, the same as if we had not become man and wife, and descend to our children under our separate wills directing the disposal of our property different from the agreement entered into this day.

Witness our hands and seals this the 26th day of October, 1939.

H. Edward Hoover  
Edith Gertrude Werking

State of Indiana, County of Henry ss:

The above named signed the above and foregoing Antenuptial

Contract in my presence at New Castle, Indiana, this the 26th day of October, 1939, at the hour of 1:30 P.M.

Martha E. White  
Notary Public (LS)

My commission expires: 12-30-42

Recorded March 3, 1962  
Miscellaneous Record 43 page 505.

- - - - -

State of Indiana  
County of Wayne, SS:

20. Daniel M. Hoover, being duly affirmed, upon his affirmation says:

That he was well and personally acquainted with Phylena B. Hoover, who was the daughter of John B. Gebhart and inherited a one-quarter interest in his farm in Henry County, Indiana, and that she was the wife of Henry Edward Hoover, and that she died at Henry County, Indiana on November 5, 1938 intestate leaving her said husband, Henry Edward Hoover, surviving and the following children: Goldie M. Hoel, Lura Brenneman, Vearl M. Hoover and Otto G. Hoover, and no other, and that she left no descendants of any that had deceased, and that she never adopted any child or children and that her said husband and said four children were all and her only heirs at law.

AFFIANT FURTHER SAITH NOT.

Daniel M. Hoover  
Subscribed and affirmed to before me this 3rd day of March 1962.

(LS) Albert Federico  
Notary Public

My commission expires:  
June 2, 1965

This Instrument was prepared by J.R. Hinshaw.

Recorded March 10, 1962  
Miscellaneous Record 43 page 515.

- - - - -



- Gertrude Hoover, unmarried widow of Henry Edward Hoover, Dec.  
to  
21. J. Morris Forrest and Georgia E. Forrest, husband and wife  
Quit Claim Deed for \$1.00 and other valuable consideration,  
dated March 3, 1962 and recorded March 10, 1962 in Deed Record  
183 page 441. Acknowledged before Albert K. Federico, Notary  
Public, Wayne County, Indiana. (LS)  
The east half of the northeast quarter of Section 20, town-  
ship 17 north, range 12 east, containing 80 acres, more or less.

Signed thus: Gertrude Hoover

Prepared by: J.R. Hinshaw.

- - - - -

22. Vearl M. Hoover and Eva Hoover, his wife  
Otto G. Hoover and Pauline Hoover, his wife and  
Goldie M. Hoel and Carl Hoel, her husband and  
Lura Brenn man and Howard D. Brenneman, her husband  
to  
J. Morris Forrest and Georgia E. Forrest, husband and wife  
Warranty Deed for \$1.00, dated December 28, 1961 and re-  
corded March 10, 1962 in Deed Record 183 page 442. Acknowledged  
before J.R. Hinshaw, Notary Public, Henry County, Indiana. (LS)  
The East half of the Northeast Quarter of Section 20, Town-  
ship 17 North, Range 12 East, containing eighty (80) acres more  
or less.  
Subject to taxes due and payable in the Spring of 1963 and  
thereafter.  
Said Goldie M. Hoel, Vearl M. Hoover, Lura Brenneman, and  
Otto G. Hoover being the children and the beneficiaries under the  
last will and testament of Henry Edward Hoover, who died the  
owner of subject real estate.

- - - - -

## Planning Commission Ordinance

A printed copy of the Henry County, Indiana, Planning Commission Ordinance No. 1, Revised, consisting of pages numbered 1 to 54 inclusive, certified to by the Auditor of Henry County, Indiana, was recorded June 5th, 1956, and appears of record in Miscellaneous Record 38, pages 170 to 198 inclusive, all of which is made a part of this abstract by reference.

23.

Said Ordinance affects all rural area of Henry County, Indiana, all unincorporated communities and such incorporated communities as may be placed under the administration of the Henry County Planning Commission.

For details of this Ordinance and how the same affects Caption Real Estate, if within such jurisdiction, attention is directed to such record and to The Building Commissioner of Henry County, Indiana, who is the Administrative Officer of said Planning Commission.

Attention is likewise directed to the New Castle Planning Commission as to Land Use, Zoning, etc. of Real Estate within the jurisdiction of said Planning Commission.

This Abstract and the subsequent Certificate does not Cover Zoning or Land Use of any tract or lot in Henry County, Indiana; for such information it is necessary to contact the proper administrative officer of the Planning Commission having jurisdiction of Caption Real Estate.

This Abstract and the subsequent Certificate does not cover any governmental limitation or regulation respecting access to abutting streets, roads or highways.

## Taxes

An examination has been made and is limited to the Current Tax Duplicate of Henry County, Indiana, for taxes, both delinquent and current, against the Caption Land of this Abstract, (assessed in some instances with other Real Estate.) Such examination does not cover taxes on personal property, Auditor's Assessments, nor future taxes which may be a lien but not computed and extended on the Current Tax Duplicate.

Such examination reveals taxes against caption land assessed in the Name, Taxing Unit, Description and Amount or Amounts, as follows:

24. Henry E. Hoover 3/4 Phylena B. Hoover 1/4  
Liberty Township

ENW	20-17-12	80A	\$3520.00	\$2670.00
Exemptions		None		
Delinquent Taxes		None		
1961 taxes payable	May 1962	\$115.44	paid	12/28/61
1961 taxes payable	Nov. 1962	\$115.44	paid	12/28/61



## Judgment Examination

Judgment Examination, as covered by the attached Certificate, made as against the following name or names, only, to-wit:

25. Henry E. Hoover, Phylena B. Hoover, Henry Edward Hoover, Goldie M. Hoel, Lura Brenneman, Vearl M. Hoover, Otto G. Hoover (separately and indidually) from and including the date of July 12, 1952 to and including the date of March 10, 1962.

J. Morris Forrest and Georgia E. Forrest (as tenants by entirety and not individually) for the period of ten years last past.

- - - - -

## Old Age Assistance Lien Search

Search has been made for Old Age Assistance Liens filed and recorded in the "Recorder's Abstract of Old Age Assistance Certificates Filed," of Henry County, Indiana, pursuant to the "Welfare Act of 1936," as amended by Chapter 144, Acts of 1947, approved March 12th, 1947, and said Search shows no assistance has been granted and no Old Age Assistance Liens filed against the person or persons hereinafter named, except and unless set out at prior entry or entries in this abstract. Said Search being made and is expressly limited to the following name or names, and not otherwise, viz.

26. Henry E. Hoover  
Phylena B. Hoover  
Henry Edward Hoover  
Goldie M. Hoel  
Lura Brenneman  
Veral M. Hoover  
Otto G. Hoover  
J. Morris Forrest  
Georgia E. Forrest

C E R T I F I C A T E

The Henry County Abstract Company, Inc., hereby Certifies that the above and foregoing Search includes all transfers of the Real Estate described at Entry No. One herein as shown by the records in the office of the Recorder of Henry County, Indiana, and likewise all liens and mortgages executed by or filed against the owners shown herein of said real estate within the period of Twenty years immediately prior to the date of this Search, and judgments rendered by the Henry Circuit Court of said County and State, against the record owners as set forth in the Judgment Examination in this Search.

This Certificate and Search covers Entries No. One (1) to Twenty-six (26) inc., and the period of Twenty years last past; any entries shown prior to that time are hereby certified as correct.

Dated at New Castle, Indiana, this the 12th day of July  
A.D. 19 62 at Seven O'clock A.M.

HENRY COUNTY ABSTRACT COMPANY, INC.  
By *Nelson Higgs* President  
(Nelson Higgs)