

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

FUND S
PROJECT No. 778
SECTION (1)

PARCEL No. 21

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. 38 SEC. _____, S. PROJ. No. 778 SEC. (1) DATED 1962

SEC. 20, T. 17 N., R. 12 E. PERM. R/W 0.230 ~~Section~~ ACRES, MORE OR LESS, ACQUIRED

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

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

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

Above explanation is applicable only if centerline description is used.

STA. TO STA. ON (C/L) "PR"

503+27±PL TO 506+00
506+00 TO 506+66.5±PL

LEFT

RIGHT

50
50 TO 150

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 21 PERMANENT RIGHT OF WAY:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 12 EAST, HENRY COUNTY, INDIANA; THENCE EASTERLY 2003.3 FEET ALONG SAID SECTION LINE; THENCE SOUTHERLY 24.9 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE SOUTH 89 DEGREES 17 MINUTES EAST, 339.5 FEET ALONG THE SOUTH BOUNDARY OF STATE ROAD 38 TO THE WEST BOUNDARY OF A PUBLIC ROAD; THENCE SOUTHERLY 120.0 FEET ALONG SAID BOUNDARY; THENCE NORTH 32 DEGREES 54 MINUTES WEST, 120.1 FEET; THENCE NORTH 89 DEGREES 16 MINUTES WEST, 24.9 FEET; THENCE WESTERLY 248.1 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 43,021.8 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 89 DEGREES 07 MINUTES WEST, AND A LENGTH OF 248.1 FEET TO THE WEST PROPERTY LINE OF THE GRANTOR'S LAND; THENCE NORTHERLY 19.3 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING AND CONTAINING 0.230 ACRES, MORE OR LESS.

2738

RECEIVED FOR RECORD
THE 21st DAY OF March
A. D. 1963 AT 9:00 O'CLOCK A. M.
AND RECORDED IN RECORD 131A
PAGE 201 FEE \$ —
Raydon Gordon
Recorder Henry County

DULY ENTERED
FOR TAXATION

MAR 21 1963

Richard C. Bailey
Auditor Henry County

2738
Recorded March 21 1963
9:00 A.M., Book 131A, P. 201
Raydon Gordon
Recorder Henry County Indiana

L. B. Q.
T. W. C.
2-8-63

2-18-63
G. L. H.

R. F. W.
11-28-62

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 Henry ss:

Personally appeared before me Samuel B Owens + Thelma W Owens and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 8 day of February, 1963.

Witness my hand and official seal.

My Commission expires June 27 1965

Ralph Galbreath
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 14, 1963

To Lemuel B. and Thelma W. Owens
R. R. # 3
New Castle, Indiana

GENTLEMEN:

We enclose State Warrant No. A 125258 3/5 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 8, 1963</i>	
Parcel 21	\$1,161.00

PLEASE RECEIPT AND RETURN

Received Payment:

Date

Lemuel B. Owens
Thelma W. Owens
March 16, 1963

Control

APPRAISAL REVIEW

Project S-778(1) Road SR 38 County Henry Parcel No. 21
Property Owner Lemuel Owens Address RR 3, New Castle, 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 _____

It is my opinion as of 1-3-63 :
(date)

- (a) The fair market value of the entire property is: \$ 35,507.
- (b) The fair market value of the property after the taking, assuming the completion of the improvement, is: \$ 34,346.

The total value of taking is: (a minus b) Total \$ 1,161.

(1) Land and/or improvements	\$	<u>288.</u>
(2) Damages	\$	<u>873.</u>

J. E. Gallagher
Reviewing Appraiser
Date: 1-22-63

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- (1) PARCEL # 21
OWNER Samuel Owens PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER R#3 New Castle Ind.

DATE ASSIGNED 1-22-63

DATE OF CONTACT 2-8-63

TIME OF CONTACT 10:30

DATE OF PREVIOUS CONTACT 2-4-63

OFFER \$ 1161.00

DETAIL CONTACT* Contacted Mr & Mrs Owens and met with them and their atty Mr. Franklin George. Again explained the take.

ACTION TAKEN** Parcel Secured

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 S- 778-(1) PARCEL # 21
OWNER Samuel B. Owens PHONE # 5154 Hagers town

(Other interested parties and relationship)

ADDRESS OF OWNER #3 NEW CASTLE INDIANA

DATE ASSIGNED 1-22-63

DATE OF CONTACT 2-4-63

TIME OF CONTACT 2:00 PM

DATE OF PREVIOUS CONTACT _____

OFFER \$ 1161.00

DETAIL CONTACT* Contacted Mr & Mrs Owens at their home explained take and made offer. Mr Owens refused offer. State offer was to low. Then stated if I would fill out papers he would show them to his atty. Ask me to call back Friday 2-8-63

~~ACTION TAKEN**~~

Mr Owens stated he could not see how the appraisers could come up with a figure this low.

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 # 21
OWNER Samuel Owens Et Ux PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER RR # 3 New Castle Ind. SR 38

DATE ASSIGNED _____

DATE OF CONTACT 1/29/63

TIME OF CONTACT 11 AM

DATE OF PREVIOUS CONTACT _____

OFFER \$ _____

DETAIL CONTACT* Mr. Owens was just leaving; after talking with he & his wife, Mr. Galbreath & I made appointment.

ACTION TAKEN** Appointment was made for 2 PM on 2/4/63.

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 # Pa #21
OWNER Lammal Owens 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 10:00 AM.
DATE OF PREVIOUS CONTACT _____

OFFER \$ _____

DETAIL CONTACT* Contacted Mr & Mrs Owens at their home. They were busy. Made appointment for 2:00 PM 2-4-63

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 S- 778-01 PARCEL # 21

OWNER Samuel Owens PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER A#3 New Castle Ind.

DATE ASSIGNED 1-22-63

DATE OF CONTACT 1-28-63

TIME OF CONTACT 2:30 PM

DATE OF PREVIOUS CONTACT _____

OFFER \$ _____

DETAIL CONTACT* Called at home. No one at home

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 5778 (1) PARCEL # 21

OWNER Samuel Owens PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER RR #3 New Castle Ind

DATE ASSIGNED _____

DATE OF CONTACT 1/28/63

TIME OF CONTACT 2:30 PM.

DATE OF PREVIOUS CONTACT _____

OFFER \$ 1161.⁰⁰

DETAIL CONTACT* Mr. Galbraith & I were unable to locate Mr Owens at this time.

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.

PARCEL NO. 21-PERM
PROJECT NO. S-778 (1)
ROAD S.R. 38

OWNER: LEMUEL OWENS
DEED RECORD 143

DRAWN BY WIXOM, R.
CHECKED BY *WJB*
PAGE 420
DTD., 11-12-48

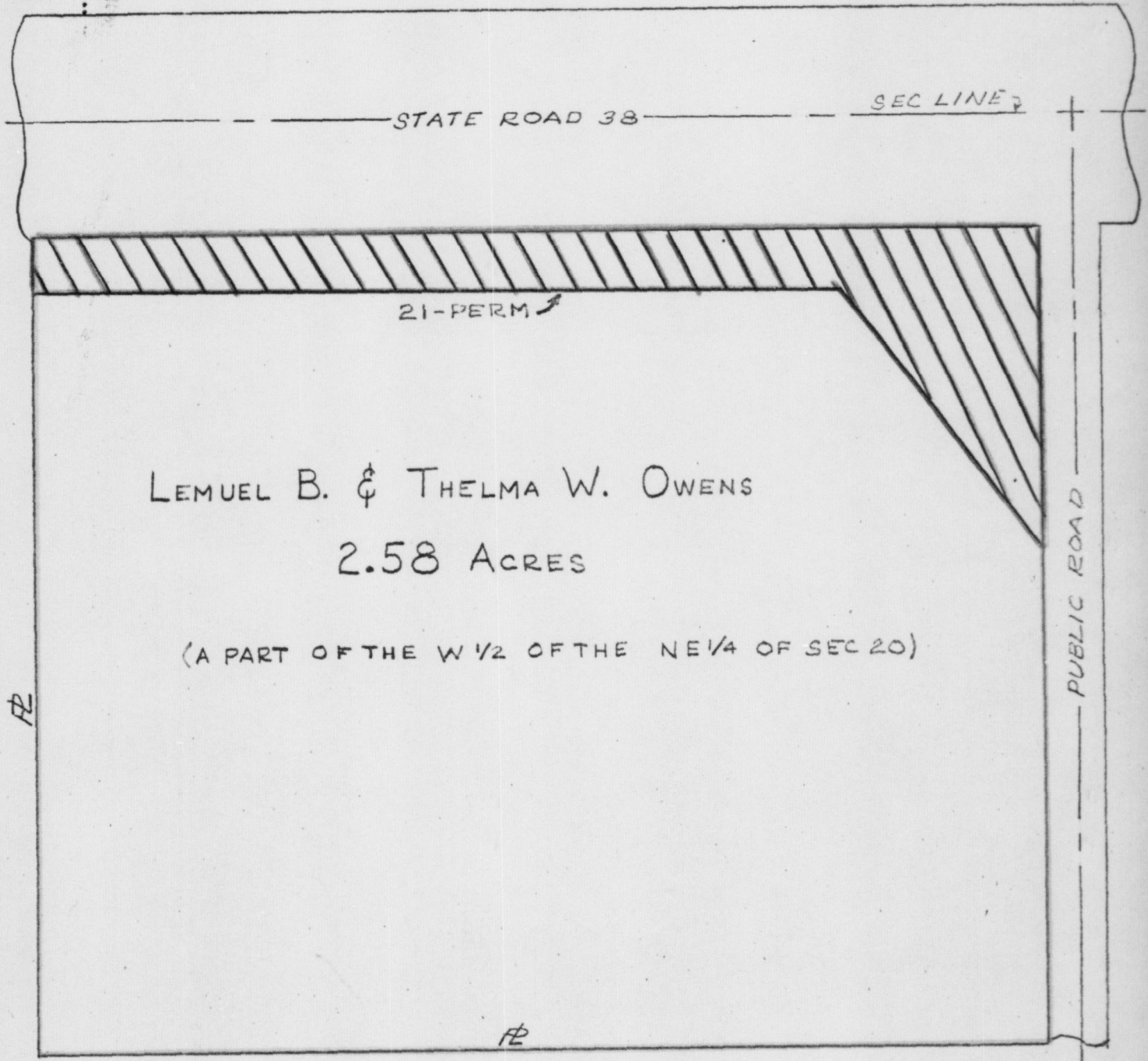
COUNTY : HENRY
SECTION : 20
T 17 : N
R 12 : E



CROSSHATCHED
AREA IS
APPROX. TAKE

SCALE:
1" = 50'

NORTH



SUPPLEMENTAL TITLE AND ENCUMBRANCE REPORT

PROJECT No. S-778 (1) STATE ROAD No. 38 PARCEL No. 21

RECORD OWNER Lemuel B. & Thelma W. Owens

FROM July 12, 1962 TO February 13, 1963

I have checked the following records in Henry COUNTY,
Indiana, for the Caption Property as described in the original T. & E. Report.

DEED RECORD	<u>NO CHANGE</u>
MORTGAGE RECORD	<u>" "</u>
MISCELLANEOUS RECORD	<u></u>
OLD AGE ASSISTANCE RECORD	<u></u>
TAX LIEN RECORD	<u></u>
JUDGMENT RECORD	<u></u>
LES PENDENS RECORD	<u></u>
TAX DUPLICATE	<u>PAID NO. DEL.</u>

CHANGES SINCE DATE OF LAST ABSTRACT ARE AS FOLLOWS:

SIGNED

Oda N. Collins

DATE

2-13-63

TITLE AND ENCUMBRANCE REPORT

42277-2 21 Perm.

DIVISION OF LAND ACQUISITION

INDIANA STATE HIGHWAY COMMISSION

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

Names on Plans Lemuel & Thelma W. Owens

Names in Trans. Book Lemuel B. & Thelma W. Owens

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
In W NE	20	17	12	2.58	\$130 \$3770

Liberty Township **LAST OWNER OF RECORD**

Deed Record 143 P. 420 Recorded 12-6-1948 Dated 11-12-48 Deed

Grantor Delmas Halstead and Dolores Halstead

Grantee Lemuel B. Owens and Thelma W. Owens

Address of Grantee R R #3, New Castle, Indiana

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 Higgs
Abstractor President.

Prel. Approval of Title _____ Date _____

By _____
Deputy Attorney General

Final Approval of Title _____ Date _____

By _____
Deputy Attorney General

TITLE SEARCH

NO. 42277-2

Prepared for Indiana State Highway Commission

Project S-778(1) Liberty Township, Henry County, Indiana.

1.

Names on Plans: Lemuel & Thelma W. Owens

Names on Transfer Book: Lemuel B. & Thelma Owens

Description:

Part of the West Half (1/2) of the Northeast Quarter (1/4) of Section Twenty (20), Township Seventeen (17) North, Range Twelve (12); beginning at the Northeast corner of said half quarter and running thence West on and along the North line thereof 353.73 feet; thence South 317 feet to an iron pipe; thence East 355.5 feet to the center line of a county road; thence North 317 feet to the place of beginning, containing 2.58 acres more or less.

LAST WILL AND CODICIL OF FRANK E. HAY

I, Frank E. Hay a resident of the City of Indianapolis, County of Marion and State of Indiana, being of sound mind and disposing memory, do hereby make, publish and declare this to be my last Will and Testament, revoking and annulling all other and former Wills, testaments and Codicils thereto by me heretofore at any time, made.

4. ITEM I. I direct that all my just debts, obligations and funeral expenses be paid as soon after my decease as may be found convenient.

ITEM II. I direct my Executor to pay all excise taxes, estate taxes, inheritance taxes, transfer taxes and/or death duties which may be levied or assessed by the United States any of the several States of the United States, any foreign government, or any political subdivision thereof against my estate, or any distributive share, portion or interest therein. Before paying any inheritance or transfer tax on the share or interest of any beneficiary named in this Will, my Executor may in its discretion, require the approval of such person for whom any such tax is paid.

ITEM III. All the rest, residue and remainder of my property and estate of whatsoever nature and wheresoever situated and whether acquired before or after the execution of this my last Will and Testament, together with all property over which at the time of my death, I shall have my power of testamentary disposition whatsoever, I hereby give, devise and bequeath unto my wife Clara R. Hay, if she be living.

ITEM IV. In the event that my wife, Clara R. Hay shall predecease me or die simultaneously with me, then and in either of such events I hereby give, devise and bequeath all of my property and estate described in Item III hereof unto my issue of my said daughter, Mary E. Rinehart, per stirpes and not per capita, or in the event that she shall have died without leaving issue surviving then it is my wish and desire that my property and estate should be distributed unto my heirs at law, as such heirship may be determined by the laws of the State of Indiana, in force at the time of my death.

5. ITEM V. I hereby nominate and appoint THE FLETCHER AMERICAN NATIONAL BANK OF INDIANAPOLIS its successors and assigns, as the Executor of this my last Will and Testament. And I do direct that no bond shall be required of such Executor hereunder. My said Executor shall have full power, at its discretion to do any and all things necessary for the complete administration of my estate, including the power to sell, at public or private sale and without order of court, any real or personal property belonging to my estate, and to compound, compromise or otherwise to settle or adjust any and all claims, charges, debts and demands whatsoever against or in favor of my estate, as fully as I could do if living.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, in the City of Indianapolis, Indiana, this 24th day of June, 1932, in the presence of Margaret L. Hauck and Helene C. Stricker whom I have requested to become attesting witnesses hereto.

Frank E. Hay (seal)

The foregoing instrument was signed, sealed, published and declared by Frank E. Hay, as and to be his Last Will and Testament, in the presence of the undersigned, Margaret L. Hauck and Helene C. Stricker, and each of us, and we, at the request of Frank D. Hay, and in his sight, and presence and in the sight and presence of each other, have hereunto subscribed our names as attesting witnesses thereto, in the city of Indianapolis, Indiana, this 24th day of June, 1932.

Margaret L. Hauck
Helene C. Stricker

Henry County Abstract Company, Inc.

New Castle, Indiana

PROBATE OF WILL

State of Indiana
County of Henry, ss:

In the Henry Circuit Court

In the Matter of the Probate
of the Last Will and Testament
of Frank E. Hay, deceased

1st Judicial Day
April Term 1945
April 2, 1945

6.

Henry Knaff being first duly sworn on oath deposes and says that he has carefully examined the instrument of writing purporting to be the Last Will and Testament of Frank E. Hay Deceased late of said County, bearing date of June 24, 1932, and this day produced for probate before the Judge of the Henry Circuit Court of Henry County, Indiana.

That he was acquainted with Margaret L. Hauck and Helene C. Stricker, the subscribing witnesses thereto, and knows that both were competent at the time of attesting the same so to do and that said subscribing witnesses are both out of the State of Indiana and reside in Washington D.C. and the State of New York.

This deponent further says that he was well acquainted with the handwriting of the said Frank E. Hay, the testator and that the signature on said instrument purporting to be that of said testator is true and genuine. That at the time aforesaid when said instrument appears to have been executed, said testator was over the age of twenty-one years and that this affiant is informed and believes that said testator was competent to devise his said property.

Affiant further says that the said Frank E. Hay died on or about the 6th day of March 1945.

Henry Knaff
Subscribed and sworn to before me this 2 day of April, 1945.
Crawford F. Parker
Clerk Henry Circuit Court

CODICIL

I, Frank E. Hay, of Indianapolis, Indiana, being of sound disposing mind and memory do hereby make, publish and declare this present writing to be a codicil to my last Will and Testament bearing date of June 24th 1932.

ITEM I.

I hereby strike from said Will the name of THE FLETCHER AMERICAN NATIONAL BANK of Indianapolis wherever the same appears therein and I hereby substitute therefor at all such places therein the name of American National Bank of Indiana.

7.

It being the intention hereof to substitute in said will the American National Bank at Indianapolis to act in every capacity in which said The Fletcher American National Bank of Indianapolis was originally appointed, designated or requested to act.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal in the City of Indianapolis, Indiana, on this 1st day of February 1934, in the presence of Henry Knaff and H. T. Dodds whom I have requested to become attesting witnesses hereto.

Frank E. Hay (seal)

The foregoing instrument was signed, sealed, published and declared by Frank E. Hay, as and to be a codicil to his last Will and Testament dated June 24th 1932 in the presence of the undersigned Henry Knaff and H. T. Dodds, and each of us, and we at the request of Frank E. Hay, and in his sight and presence and in the sight and presence of each other, have hereunto subscribed our names as attesting witnesses thereto in the City of Indianapolis Indiana, this 1st day of February 1934.

Henry Knaff
G. T. Dodds

Henry County Abstract Company, Inc.

New Castle, Indiana

PROBATE OF CODICIL

State of Indiana
Henry County, ss:

8. In open Court before me John H. Morris, Judge of the Circuit Court of the County of Henry in the State of Indiana, personally came Henry Knaff, one of the subscribing witnesses to the foregoing instrument of writing who being by me first duly sworn upon oath, depose and say that Frank E. Hay, the testator named in the instrument of writing purporting to be a Codicil to his last WILL and TESTAMENT, in manner and form as aforesaid, in the presence of affiant, and of H. T. Dodds the other subscribing witness thereto; and that they each attested the same, and 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 as he believes on the 6 day of March, 1945.

Henry Knaff

Subscribed and Sworn to Before Me, In witness of which I hereunto affix the seal of said Court and subscribed my name at New Castle, Ind., this 2 day of April A.D., 1945.

Crawford F. Parker
Clerk

State of Indiana
Henry County, ss:

I, Crawford F. Parker, Clerk of the Circuit Court of the County of Henry, in the State of Indiana, do certify that the foregoing Codicil to the Last Will and Testament of Frank E. Hay has been duly admitted to Probate before me.

That the same was proven by the examination, under oath of Henry Knaff, 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 N of said County, on pages 508-509-510.

IN TESTIMONY WHEREOF, I have hereunto affixed the seal of said Court, and subscribed my name, at New Castle, this 2 day of April A.D., 1945.

Crawford F. Parker
Clerk

I hereby certify that the above and foregoing is a true and complete copy of the Last Will and Testament and Codicil thereto of Frank E. Hay, deceased, as the same appears of record and is on file in my office and in my custody.

Crawford F. Parker
Clerk Henry Circuit Court

Will Record N pages 508-510

In Re: Estate of
Frank E. Hay, Deceased

Henry Circuit Court
April Term 1945
No. 23472
PROBATE OF WILL

9. An instrument of writing purporting to be the last Will and Testament of Frank E. Hay, deceased, late of Henry County, Indiana, is now produced in open Court and application made for the probate thereof, and

Comes now Henry Knaff, who being duly sworn upon his oath says that he has carefully examined the instrument of writing purporting to be the last will and testament of Frank E. Hay, deceased, late of said County, bearing date of June 24, 1932, and this day

10.

produced for probate in this Court and testifies that he was acquainted with Margaret L. Hauck, and Helene C. Stricker, who appear to be the subscribing witnesses thereto, and they were both competent at the date of attesting the same so to do and that said subscribing witnesses, to his personal knowledge, are residing out of the State of Indiana. He further says that he was well acquainted with the handwriting of the said Frank E. Hay, the testator, and believes that the signature to said instrument purporting to be that of said testator is true and genuine, and that at the time said instrument appears to have been executed, the said Frank E. Hay was over the age of twenty-one years; that he was competent to devise his property and that in such execution he was under no coercion, or restraint; that he died at Henry County Indiana, and which said testimony is now reduced to writing, subscribed by said witnesses and attested by the Clerk and the seal of this Court, and,

The Court being fully advised, now finds that said instrument has been duly proven and established as the Last Will and Testament of said decedent, and orders that the same as such be now admitted to Probate and record in this Court, and the Clerk thereof is ordered to endorse thereon a certificate of such probate which is accordingly done, said Will and Testimony and proof thereon endorsed reading as follows, towit: (HI)

April 3, 1945
Probate Order Book 56 page 484.

- - - - -

In Re: Estate of
Frank E. Hay, Deceased

Henry Circuit Court
April Term 1945
No. 5098
Petition, Bond and Letters

11.

Comes now Mary E. Rinehart and files her petition for letters of administration for the estate of Frank E. Hay, deceased, and the Court being fully advised, now appoints Mary E. Rinehart Administratrix with the will annexed of the estate of Frank E. Hay deceased, and comes now Mary E. Rinehart and accepts such trust and duly qualifies by taking oath and giving bond as provided by law in the sum of Six Thousand (\$6000.00) Dollars with Horace Hoover and Ed Pierce as sureties thereon, which bond the Court now approves and said letters prayed for therein are issued to Mary E. Rinehart, which bond and letters read as follows, towit: (HI)

April 4, 1945
Probate Order Book 56 page 486.

- - - - -

Office of County Treasurer

No. A-39517

Cause No. 2347

14. County of Henry, New Castle, Indiana, March 6, 1946

Received of Mary E. Binehart,

Administrator, Executor, Trustee, Heir, Legatee, of the Estate of
Frank E. Hay

Deceased (who died on or
about March 6 1945) the sum of Seventy two &

92/100 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-

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

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

Clara R. Hay	widow	\$76.76
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15.	Amount of Tax	\$ <u>76.76</u>
	Discount (5% if paid within one year)	\$ <u>3.84</u>
	Interest yrs. mos. days at %	\$ _____
	Amount Due State	\$ <u>72.92</u>

Karl S. Holwager
County Treasurer

By Anna L. Myer
Deputy Treasurer

Office of County Treasurer

No. A-39569

Cause No. 2349

18. County of Henry, New Castle, Indiana, August 27, 1946

Received of Mary E. Rinehart,

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

Frank E. Hay Deceased (who died on or

about March 6, 1945) the sum of Seven &

72/100 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-

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

Name	Relationship	Amount of Tax
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Clara R. Hay		7.72
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19. Additional Tax
 Original Tax paid March 6, 1946 Receipt # A 37517

Amount of Tax	\$ _____
Discount (5% if paid within one year)	\$ _____
Interest yrs. mos. days at %	\$ _____
Amount Due State	\$ <u>7.72</u>

Karl S. Holwager
County Treasurer

By Anna L. Myer
Deputy Treasurer

In Re: Estate of
Frank E. Hay, deceased

Henry Circuit Court
January Term 1947
No. 5098
Final Report

20. Comes now Mary E. Rinehart, Administratrix with the will annexed of the above estate and submits to the Court the following account and vouchers by her filed in final settlement herein as follows, towit: (HI) and also files and submits proof of publication of notices and when the same would be heard which notice the Court finds to be sufficient and are as follows, towit: (HI) and the Court having seen and examined said account and vouchers approves and confirms said final settlement account in all things and orders that said Administratrix be and she is hereby released and discharged from any and all further liability.

The Court further finds that the inheritance tax due on said estate has been fully paid and satisfied.

And said Administratrix files her receipt for gross income tax herein which said receipt reads in the words and figures as follows, towit: (HI).

March 13, 1947
Probate Order Book 58 page 451.

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21. Clara Hay an unmarried woman, widow of Frank E. Hay
to
Delmas Halstead and Dolores Halstead, husband and wife
Warranty Deed for \$1.00 dated April 15, 1947 and recorded
May 5, 1947 in Deed Record 138 page 231.
Acknowledged before Ethel Mas Hoover, Notary Public,
Wayne County, Indiana. (LS)
Sixty acres off of the north end of the west half of the
Northeast quarter of Section 20, township 17 north range 12 east
in Liberty township, Henry County, Indiana.

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22. Delmas Halstead and Dolores Halstead, husband and wife
to
Clara Hay
Mortgage for \$3250.00, dated April 15, 1947 and recorded
May 29, 1947 in Mortgage Record 145 page 135.
Sixty acres off of the north end of the west half of the
northeast quarter of section 20, township 17 north range 12 east
in Liberty Township, Henry County, Indiana.

RELEASE OF MORTGAGE

23.

THIS CERTIFIES that the annexed Mortgage to Clara Hay which is recorded in the office of the Recorder of Henry County, Indiana, in Mortgage Record 145 page 135, has been fully paid and satisfied and the same is hereby released.

Witness the hand and seal of said mortgagee, this 9th day of Nov. 1948.

Clara Hay

State of Indiana, Wayne County, SS:

Before me the undersigned a Notary Public in and for said County this 9th day of November 1948, came Clara Hay and acknowledged the execution of the annexed release of mortgage.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Estelle Holaday
Notary Public

(LS)

My Commission expires
March 27, 1949

Recorded Nov. 10, 1948
Release Record 12 page 323.

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24.

Delmas Halstead and Dolores Halstead, husband and wife
to

Lemuel B. Owens and Thelma W. Owens, husband and wife

Warranty Deed for \$1.00 dated November 12, 1948 and
recorded December 6, 1948 in Deed Record 143 page 420.

Acknowledged before Estelle Haladay, Notary Public, Wayne
County, Indiana. (LS)

Sixty (60) acres more or less off of the North end of the
West half of the Northeast quarter of Section Twenty (20) Township
Seventeen (17) North and Range Twelve (12) east in Liberty
Township, Henry County, State of Indiana.

Seller to pay the taxes due and payable in Spring of 1948.
Buyer to assume all taxes thereafter.

25. Lemuel B. Owens and Thelma W. Owens, husband and wife
to
Citizens State Bank
Mortgage for \$4000.00 dated April 19, 1950 and recorded
April 19, 1950 in Mortgage Record 155 page 305.
60 acres off the north end of the west half of the north-
east Quarter of Section 20, Township 17 north, range 12 east.

SATISFACTION

26. On the margin of Mortgage Record 155 page 305 is written the
following satisfaction, towit:
The debt secured by the annexed mortgage having been fully
paid, this mortgage is hereby released this 27 day June 1961.

CITIZENS STATE BANK OF NEW CASTLE
By V.B. Redd Asst. Cashier

Attest: Adelia W. Worley
Recorder of Henry County, Indiana.

27. Lemuel B. Owens and Thelma W. Owens, husband and wife
to
Citizens State Bank of New Castle, Indiana.
Mortgage for \$9,400.00 dated June 9, 1954 and recorded June
9, 1954 in Mortgage Record 174 page 209.
Beginning at a wooden stake 303.7 feet south of the North
West corner of Section 20, Township 17 north, range 12 East; thence
continuing south 2251.8 feet to a fence corner, thence east 991.5
feet to a fence corner; thence north 2048 feet to a fence corner;
thence west 394.8 feet to a fence corner; thence north 667.2 feet
to the centerline of the highway known as State Road 38; thence
33 feet westerly along the center line to said State Road 38;
thence south 497.4 feet to a wooden stake; thence west 587.9 feet
to the place of beginning containing 56 acres more or less also
60 acres off the north end of the west half of the Northeast
Quarter of Section 20, Township 17 North, Range 12 east,
containing in all 116 acres, more or less.

SATISFACTION

28. On the margin of Mortgage Record 174 page 209 is written the
following satisfaction, towit:
The debt secured by the annexed mortgage having been fully
paid, this mortgage is hereby released this 27 day June 1961.

CITIZENS STATE BANK OF NEW CASTLE
By V.B. Redd Asst. Cashier

Attest: Adelia W. Worley
Recorder of Henry County, Indiana.

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.

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.

28.12 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:

Lemuel B. & Thelma Owens
Liberty Township

29.

In W NE 20-17-12 2.58 A \$130.00 \$3770.00

Exemptions \$1000.
Delinquent Taxes None

1961 taxes payable May 1962 \$53.65 paid 4/4/1962
1961 taxes payable Nov. 1962 \$53.65

107.30

Judgment Examination

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

30.

Lemuel B. Owens and Thelma W. Owens (as tenants by entirety and not individually) for the period of ten years last past.

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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.

31.

Lemuel B. Owens
Thelma W. Owens

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 Thirty-one (31) 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)