

INDIANA STATE HIGHWAY COMMISSION

FUND S

STATE OFFICE BUILDING
INDIANAPOLIS 4, INDIANA

PROJECT No. 778

RIGHT OF WAY GRANT

SECTION (1)

PARCEL No. 12

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. 15, T. 17 N, R. 11 E Perm. R/W 0.118 ~~34.34~~ 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) "C"

	<u>TO</u>	<u>LEFT</u>	<u>RIGHT</u>
373 + 00	374 + 50	50	
374 + 50	375 + 04 ⁺ PL	50 to 90	

More particularly described as follows:

Parcel 12 Permanent Right of Way.

Commencing at the Southeast corner of Section 15, Township 17 North, Range 11 East, Henry County, Indiana; thence Northerly 32.4 feet +/-; thence Westerly 22.8 feet +/- to the point of beginning of this description:

Thence South 89 degrees 57 minutes West, 204.0 feet along the North boundary of State Road 38; thence North 00 degrees 05 minutes West, 20.0 feet; thence Easterly 150.0 feet along an arc to the right and having a radius of 171,937.5 feet and subtended by a long chord having a bearing of North 89 degrees 56 minutes East, and a length of 150.0 feet; thence North 53 degrees 23 minutes East, 67.1 feet to the West boundary of a public road; thence Southerly 60.0 feet along the West boundary of a public road to the point of beginning and containing 0.118 acres, more or less.

Handwritten: Bue, B, 1-29-63

DULY ENTERED FOR TAXATION
MAR 25 1963
Richard C. [Signature]
Auditor Henry County
FEB 12 1963

RECEIVED FOR RECORD
THE 23 DAY OF MARCH
A.D. 1963 AT 9:00 O'CLOCK P.M.
AND RECORDED IN RECORD 131A
PAGE 201
FEE \$.-8
Raydon Gordon
Recorder Henry County

2871

O.W.B.
11-14-62

PARCEL NO. 12 PROJECT NO. S-778(1) 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 _____ days from the date first payment is received, and \$ _____ 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 TWO HUNDRED EIGHTY TWO ^{no}/₁₀₀ Dollars (\$ 282.00), which sum shall be paid or held in escrow as specified to the order of MYRTLE WISEHART BAUGHAN
RR 3
NEW CASTLE INDIANA

(Give address of Payee)

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 47.00; Damages 235.00; Total consideration 282.00

.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	<u>Myrtle Wisehart Baughan (ADULT)</u>	(Grantor)
.....	(Grantor)	<u>MYRTLE WISEHART BAUGHAN (WIFE)</u>	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	<u>George Baughan (ADULT HUSBAND)</u>	(Grantor)
.....	(Grantor)	<u>GEORGE BAUGHAN</u>	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)
.....	(Grantor)	.....	(Grantor)

2-4-63
JLO

Dated January 29, 1963

This instrument prepared and checked with project plans for Division of Land Acquisition.
BY C.W. Best 11-19-62
Date

AMOUNT APPROVED FEB 22 1963
BY James W. Townsend
Chief, Ch. Div. LIA

THE ABOVE GRANT IS HEREBY ACCEPTED.
STATE OF INDIANA

DESCRIPTION FEB 12 1963 & FORM OK'D
BY AS Hirschy

PAID BY WARRANT NO. A125277
DATED Mar. 5, 1963

BY Charles J. Shuts
Chief, Div. LIA Title
Indiana State Highway Commission
DATE FEB 22 1963, 1963

JLO
2-21-63

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 _____

Personally appeared before me _____
and acknowledged the execution of the above _____
release the _____ day of _____, 19____
Witness my hand and official seal.
My Commission expires _____

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

March 15, 19 63

To Myrtle Wischert Baughan
R. R. # 3
New Castle, Indiana

GENTLEMEN:

We enclose State Warrant No. A 125277 3/5 19 63
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase of Right of Way <i>For the purchase of Right of Way on State Road</i> No. 38 in Henry County S Project 778 Section (1) as per Grant dated January 29, 1963 Parcel 12	\$282.00

PLEASE RECEIPT AND RETURN

Received Payment: *Myrtle Wischert Baughan*
Date: *3/25/63*

Control

APPRAISAL REVIEW

Project S-778 (1) Road SR 38 County Henry Parcel No. 12

Property Owner Myrtle Wischart Baughm 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 12-19-62 :
(date)

(a) The fair market value of the entire property is: \$ 20,000.

(b) The fair market value of the property after the taking, assuming the completion of the improvement, is: \$ 19718.

The total value of taking is: (a minus b) Total \$ 282.

(1) Land and/or improvements \$ 47.

(2) Damages \$ 235.

J. E. Gallagher
Reviewing Appraiser

Date: 1-17-63

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 5778-1 PARCEL # 12

OWNER Myrtle Wisport Baughan PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER RR3 New Castle Ind

DATE ASSIGNED 1-22

DATE OF CONTACT 1-29

TIME OF CONTACT 11AM

DATE OF PREVIOUS CONTACT 1-24

OFFER \$ 282.00

DETAIL CONTACT* SECURED

ACTION TAKEN** _____

SIGNED Chris Specker

* 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 # 12
OWNER MYRTLE WISEHART PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER RR NEW CASTLE INJ

DATE ASSIGNED 1-22

DATE OF CONTACT 1-29

TIME OF CONTACT 10AM

DATE OF PREVIOUS CONTACT 1-24

OFFER \$ 282⁰⁰

DETAIL CONTACT* SECURED

ACTION TAKEN** _____

SIGNED E. Louis Specker

* 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 # 12
OWNER Myrtle Wise Post PHONE # _____

(Other interested parties and relationship)

ADDRESS OF OWNER RR New Castle Ind

DATE ASSIGNED 1-22

DATE OF CONTACT 1-24

TIME OF CONTACT 2 30 PM

DATE OF PREVIOUS CONTACT -

OFFER \$ _____

DETAIL CONTACT* located her out in the country
explained take said to call back 1/29

ACTION TAKEN** _____

SIGNED C. H. Specker

* 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.

AFFIDAVIT

I, GEORGE BAUGHAN,
being duly sworn upon (his) ~~(her)~~ oath that (he) ~~(she)~~ knew in
(~~his~~) (her) lifetime MYRTLE WISEHART
and is known to be one and the same person as _____
MYRTLE WISEHART BAUGHAN.

George Baughan

Subscribed and sworn to before me this 29 day of
January, 1963.


Chris A. Specker
Notary Public

My Commission Expires 25 Nov, 1963.

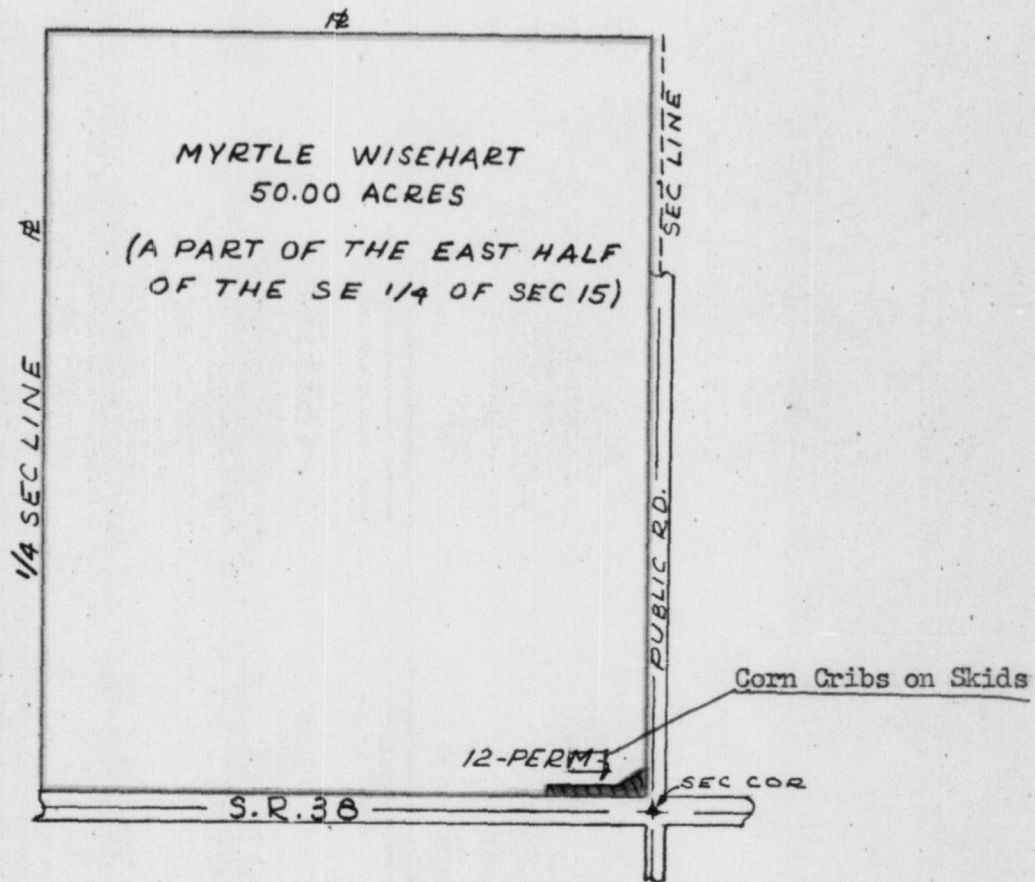
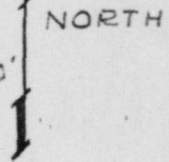
PARCEL NO. 12-PERM
PROJECT NO. 778(1)
ROAD S.R.38

OWNER: MYRTLE WISEHART
DRAWN BY WIXOM, R. F.
CHECKED BY *Rest*
WILL DEED RECORD "P"
PAGE 11-2
DTD. 5-19-49

COUNTY : HENRY
SECTION : 15
T 17 : N
R 11 : E

 CROSSHATCHED
AREA IS
APPROX. TAKE

SCALE:
1"=400'



SUPPLEMENTAL TITLE AND ENCUMBRANCE REPORT

PROJECT No. S-778 (1) STATE ROAD No. 38 PARCEL No. 12

RECORD OWNER Myrtle Wisehart

FROM July 5, 1962 TO 2-7-63

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 2-7-63

TITLE AND ENCUMBRANCE REPORT

4915-1 12 Perm

DIVISION OF LAND ACQUISITION

INDIANA STATE HIGHWAY COMMISSION

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

Names on Plans Myrtle Wisehart

Names in Trans. Book Myrtle Wisehart

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
S end E $\frac{1}{2}$ SE $\frac{1}{4}$	15	17	11	50	\$2750 None

Liberty Township

LAST OWNER OF RECORD

Will Record Deed Record "P" P. 11-2 Recorded 10-1-1951 Dated 5-19-49 Will Record Deed

Grantor Testator - William S. Wisehart willed to

Grantee Myrtle Wisehart

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 u 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 5th day of July 1962

Nelson Higge
Abstractor President.

Prel. Approval of Title Date

By
Deputy Attorney General

Final Approval of Title Date

By
Deputy Attorney General

TITLE SEARCH

No. 49151-1

Prepared for Indiana State Highway Commission

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

Names On Plans: Myrtle Wisehart

1. Names on Transfer Book: Myrtle Wisehart

Description:

Fifty (50) acres off of the South end of the
East half of the Southeast 1/4 of Section Fifteen (15), Township
Seventeen (17) North, Range Eleven East.

2.

THIS INDENTURE WITNESSETH, That Edmund S. Wisehart and wife, Effie Wisehart of Henry County in the State of Indiana, Release and Quit Claim to William S. Wisehart of Henry County, in the State of Indiana for and in consideration of Exchange of title and one dollar the following described real estate in Henry County, State of Indiana, towit:

Fifty (50) acres more or less off of the south end of the east half of the southeast 1/4 of section 15, township 17 north Range 11 east; being the land deeded by Samuel Bolser and wife to Alice Wisehart.

The east half of the southeast 1/4 of section 10, township 17 North Range 11 East; Except the following: Commencing at the northeast corner of the east 1/2 of the southeast 1/4 of section 10 township 17 north range 11 east and running thence west 33 rods and 3-1/3 feet; thence south 20 rods; thence east 33 rods and 3-1/3 feet; thence north 20 rods to the place of beginning; 75 acres more or less.

Also Lots No. five and six and out lots no 10 and 11 in the original plat of the town of Millville together with all right title and interest in and to the alley on the north side of said lots and street on the south side thereof which have heretofore been vacated.

The grantor Edmund S. Wisehart and the grantee William S. Wisehart, are the children of Samuel D. Wisehart and Alice Wisehart and the sole and only heirs at law of said parties, both of whom are deceased and this deed of conveyance is made for the purpose of partitioning the lands of our deceased parents between us as their sole heirs.

3.

There has never been any administration upon the estate of either Samuel D. Wisehart or Alice Wisehart but all of their just debts have been fully paid and their estate fully settled out of court.

The said Samuel D. Wisehart and Alice Wisehart both died intestate.

IN WITNESS WHEREOF, the said Edmund S. Wisehart and wife, Effie Wisehart have hereunto set their hands and seal this the 26th day of August, 1922.

Edmund S. Wisehart (seal)
Effie Wisehart (seal)

State of Indiana,
County of Henry

Before me, the undersigned a Notary Public in and for said County this the 26th day of August, 1922 personally came Edmund S. Wisehart and his wife, Effie Wisehart and acknowledged the execution of the annexed deed.

Witness my hand and official seal.

(LS) Eugene H. Yergin (seal)
Notary Public

My commission expires 6-9-1926
Recorded August 26, 1922
Deed Record 100 page 409.

W.S. Wisehart
Dealer in Grain and Seeds, Flour,
Feed, Coal, Fence and Posts
All Kinds of Farming Implement Repairs
Drain Tile

Millville, Indiana 19 day
May 1949

4. I, William S. Wisehart, of Millville Ind., Henry County, being of sound mind, I make this my last will and testament. I want to will to my Daughter Mary Fern Foulke the following. 122 and 26/100 acres of land located as follows:

80 Acres NW of Millville in W.S.W. 10-17-11
42 and 26/100 " S.S.W. 10-17-11

I also have a \$2500. life insurance policy made payable to my daughter.

I want to will to my wife Myrtle Wisehart the balance of my estate that is left at my death. This estate consists of at present the following. Fifty acres that lies south of Millville in E.S.E. 15-17-11.

The home in which we live on the east side of the street in Millville on lots No. 5,6,10,11.

I have at present a \$5000.00 mortgage on the Millville Elevator which may become money and will be in the Citizens State Bank New Castle, Ind. I have at present \$1837.34/100 in the citizens state Bank, New Castle. Ind.

I have lots No. One and two and Part of Lot No. three on the west side of the street in Millville as follows, Lot No. One except ten feet off of the south side of Lot No. 1 all of lot no. 2 and commencing at the northeast corner of lot No. 2 running thence north 30 feet thence west 43 feet thence south 30 feet thence east 43 feet to the place of beginning.

The contents of the home in which we live.

I do not want the 50 acres of land sold by her for at least 10 years so my wife will have some income to live on for awhile.

5. I also have a \$2500.00 life insurance policy made payable to my wife.

I want my funeral expenses taken out of my wifes part of the above.

I want my wife to have the one half of the growing crops which are due me from the 122 and 26/100 acres, also one half from the 50 acres willed to her. This at my death.

In Witness thereof I have set my hand this 19th day of May, 1949.

William S. Wisehart

Signed and published as his last will and the said William S. Wisehart in the presence of us in his presence in the presence of each other have hereinto subscribed our names as witnesses.

Robert H. McIntyre
L. Edward Clift
Byron H. Garner

State of Indiana, Henry County, ss:

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 L. Edward Clift subscribing witnesses to the foregoing instrument of writing who being by me first duly sworn upon oath depose and say that William S. Wisehart 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 deposing mind and memory and that he was not under

Henry County Abstract Company, Inc.

New Castle, Indiana

6.

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 Bryon H. Garner 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 26th day of September, 1951.

L. Edward Clift

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 1st day of October A.D. 1951.

(LS) Robert A. Harvey, Clerk

State of Indiana, Henry County, ss:

I, Robert Harvey 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 William S. Wisehart has been duly admitted to Probate before me.

That the same was proven by the examination under oath of L. Edward Clift 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 P 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 1st day of October A.D. 1951.

(LS) Robert A. Harvey, Clerk

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

Robert A. Harvey, Clerk

Will Record P pages 131-32.

Also recorded in Record of Wills 3 page 11 & 12 (Recorder's Office)

State of Indiana
Henry County, SS:

Henry Circuit Court
September Term 1951

In Re: Estate of
William S. Wisehart, deceased

No. 28079
PROBATE OF WILL

7.

Comes now L. Edward Clift and files in the office of the Clerk of the Henry Circuit Court the Last Will and Testament of William S. Wisehart, late of said County, Indiana, which Last Will and Testament is as follows, towit: (HI) and now L. Edward Clift one of the subscribing witnesses thereto, being duly sworn upon his oath deposes and testifies as follows, towit: (HI) and said Will together with the proofs thereon are now submitted to the court and the court having seen and examined the same and being well advised in the premises finds that said decedent died testate a resident of Henry County on the 26th day of September 1951 that on the 19th day of May 1949 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 and disposing mind and memory and fully competent to devise his property.

8.

IT IS FURTHER ORDERED BY THE COURT THAT the said William S. Wisehart died a resident of Henry County on the 26th day of September 1951 and that on the 19th day of May 1949 he executed his last will and testament as filed 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 and disposing mind and memory and fully competent to devise his property.

IT IS FURTHER ORDERED BY THE COURT that the said Last Will and Testament of William S. Wisehart be and the same is hereby admitted to probate in the Henry Circuit Court and that the same be spread of record upon the proper will Record of Henry County.

October 1, 1951
Probate Order Book 64 page 255.

- - - - -

APPLICATION FOR LETTERS TESTAMENTARY

STATE OF INDIANA, HENRY COUNTY, SS:

9.

Myrtle Wisehart being duly sworn upon her oath says that William S. Wisehart departed this life testate at Henry County, Indiana, on the 26th day of September, 1951, leaving a Last Will and Testament to her knowledge and belief, that said decedent was at the time of his death a resident of Henry County, Indiana; that said last will and testament has been duly admitted to probate and record in the Henry Circuit Court that no person is named in such Will as executor thereof, but by the terms of said Will, Myrtle Wisehart, his widow is named residuary devisee and legatee of the estate of said testator and is competent to administer thereon and willing to act as such administrator with the will annexed.

Affiant further shows the court that said testator left a personal estate of the probable value of \$3500.00 and real estate of the estimated value of \$25,000.00 that is said testator left surviving him as his sole and only heirs at law as far as known to the affiant as follows:

Myrtle Wisehart	Adult	Widow	R.R.#4, New Castle, Ind.
Mary Fern Foulke	Adult	Dgt.	R.R.#4, New Castle, Ind.

THEREFORE, your affiant asks that letters testamentary with the will annexed of the estate of said decedent be granted to Myrtle Wisehart of Henry County, State of Indiana.

Myrtle Wisehart
Subscribed and sworn to before me this 1st day of October, 1951.
(LS) Malcolm M. Edwards
Notary Public

My commission expires:
August 18, 1954

FILED: Oct. 1, 1951

- - - - -

State of Indiana
Henry County, SS:

Henry Circuit Court
September Term 1951

In Re: Estate of
William S. Wisehart, Deceased

No. 5947
Petition, Bond & Letters

10.

Comes now Myrtle Wisehart and files her application for Letters of administration with will annexed for the estate of William S. Wisehart deceased and the court being duly advised now appoints Myrtle Wisehart as Administratrix with the will annexed of the estate of William S. Wisehart, deceased and comes now Myrtle Wisehart and accepts such trust and duly qualifies by taking oath and giving bond as provided by law in the sum of Four thousand (\$4000.00) dollars with the United States Fidelity & Guaranty Company as surety thereon, which bond the Court now approves and said letters prayed for therein are issued to Myrtle Wisehart, which bond and letters read as follows, towit: (HI)

October 1, 1951
Probate Order Book 63 page 255.

- - - - -

State of Indiana
Henry County, ss:

Henry Circuit Court
September Term 1952

In Re: Estate of
William S. Wisehart, deceased

No. 5947
FINAL REPORT

11.

Comes now Myrtle Wisehart, Administratrix with will annexed of the estate of William S. Wisehart, deceased 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 notices the court finds to be sufficient and are as follows, towit:(HI) and the Court having seen and examined the said account and vouchers, approves and confirms said final settlement in all things and orders that said Administratrix with Will Annexed be and she is hereby released and discharged from any and all further liability hereunder.

The court further finds that the Inheritance tax due the State of Indiana from said estate has been fully paid and satisfied.

And said Administratrix with will annexed files her receipt for Gross Income Tax herein, which said receipt reads in the words and figures as follows, towit:(HI)

And this estate is adjudged fully and finally disposed of.

November 24, 1952
Probate Order Book 64, page 435.

- - - - -

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

(Section 10, Acts 1931)

Cause No. 3002

IN THE PROBATE COURT,

COUNTY OF Henry, STATE OF INDIANA.

In the Matter of the Estate of

At the September Term, 1952

12.

William S. Wisehart

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 17th day of October 1952, to all persons interested, including the Indiana Department of State Revenue and County Treasurer;

And it appearing that the inventory and report of Myrtle Wisehart
(Fiduciaries or Beneficiaries)

and the report of Glen Snodgrass (Appraiser) have heretofore been duly filed herein, and that said deceased died on or about the 26th day of September 1951,

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) - - - - -	\$ 3,367.07
Value of Real Property (Gross) - - - - -	\$ 37,189.00
Total Gross Value of Estate - - - - -	\$ 40,556.07
Deductions (Debts, Claims, Expenses, etc.) - - - - -	\$ 2,278.29
Total Net Value of Estate - - - - -	\$ 38,277.78

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
Mary Fern Foulke	Daughter	18,339.00	2000.00	1%	163. 39
Myrtle Wisehart	Widow	19,938.78	15000.	1%	49. 39

13.

Schedule filed; date..... Amount of penalty at 50c per day.....
Total Tax \$ 212.78

WHEREFORE, IT IS ORDERED, That Myrtle Wisehart or said persons (Fiduciaries or Beneficiaries) 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.	O.P. Millville In Lots 5 & 6						
"	"	" " " O.P. 10 & 11						
"	"	" " Millville 22' x 56 1/2					2	A
"	"	" " Millville 30' x 43					3	A
"	"	" " Millville Pt Abbott					2	A
"	"	" " " "					1	A
"	"	S end E.S.E.	15	17	11	50		
"	"	WSW	10	17	11	80		

(see other side for add. real estate)

It is further ordered that Glen Snodgrass appraiser, be allowed and paid \$ 21.27 for his services and expenses in this matter.
Dated Nov. 7 1952 By the Court, John H. Morris Judge

Office of County Treasurer

No. 119486

Cause No. 3002

County of Henry, New Castle, Indiana, Nov. 14, 1952

Received of Myrtle Wisehart,

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

William S. Wisehart Deceased (who died on or

14. about Sept. 26 1951) the sum of Two Hundred Twelve

and 78/100 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
M.F. Foulke	Daughter	163.39
Myrtle Wisehart	Widow	49.39

Amount of Tax	\$ <u>212.78</u>
Discount (5% if paid within one year)	\$ _____
Interest yrs. mos. days at %	\$ _____
Amount Due State	\$ <u>212.78</u>

Roydon Gordon

County Treasurer

By Irene B. Hutchens
Deputy Treasurer

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.

15.

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:

16

Myrtle Wisehart
Liberty Township

S end ESE 15-17-11 50A \$2750.00 None

Exemptions None
Delinquent Taxes None

1961 taxes payable May 1962 \$50.87 paid 4/28/1962
1961 taxes payable Nov.1962 \$50.87

Judgment Examination

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

17. Myrtle Wisehart for the period of ten years last past.

NOTE

18. We limit the judgment search covered by this certificate to the date of June 27, 1962 at 7:00 A.M., this being the last date on which orders have been placed in the Civil Order Books in the Henry Circuit Court.

Abstractor.

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.

19. Myrtle Wisehart

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 Nineteen (19) 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 5th day of July A.D. 1962 at Seven O'clock A.M.

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