

WARRANTY DEED

CODE 0536
PROJECT 1-70-3(52)
PARCEL 2

Chute

This Indenture Witnesseth, That **HAROLD T. WHITLEY AND THELMA J. WHITLEY, HUSBAND AND WIFE, CHARLES D. MOSIER AND ANNA L. MOSIER, HUSBAND AND WIFE.**

of **MARION** County, in the State of **INDIANA**
Convey and Warrant to the **STATE OF INDIANA**

of _____ County in the State of _____ for and in consideration of **FIVE THOUSAND SEVEN HUNDRED FIFTY (5750⁰⁰)** Dollars; the receipt whereof is hereby acknowledged, the following described Real Estate in **MARION** County in the State of Indiana, to-wit:

LOT 91, IN McCARTY'S SUBDIVISION OF THE WEST PART OF OUT LOT 120 OF THE DONATION LANDS OF THE CITY OF INDIANAPOLIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 7, PAGE 74, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.



RECEIVED FOR RECORD
1965 APR -2 PM 1:40
MARCIA M. HAWTHORNE
RECORDER OF MARION COUNTY

DULY ENTERED
FOR TAXATION

APR 2 1965

John T. Sutton
COUNTY AUDITOR

Paid by Warrant No. **17-0-37546**
17037542
Dated **3-3-65** 19

THE GRANTOR SHALL PAY ALL TAXES THAT ARE NOW A LIEN, AND CLEAR AND CONVEY FREE OF ALL LEASES, LICENSES, OR OTHER INTERESTS BOTH LEGAL AND EQUITABLE, AND ALL ENCUMBRANCES OF ANY KIND OR CHARACTER ON, IN AND UNDER SAID LAND AS CONVEYED.

And further states that said grantors do hereby represent and state that they are each citizens of the United States of America, and that said citizenship has existed continuously since prior to April 8, 1940; that they have been domiciled and residing continuously within the United States since prior to April 8, 1940; that they are not acting directly or indirectly in any capacity whatsoever for any foreign country or national thereof; that there is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, during grantors ownership, that these representations and statements are made under oath to induce the acceptance of this deed of conveyance.

In Witness Whereof, the said **HAROLD T. WHITLEY, THELMA J. WHITLEY AND CHARLES D. MOSIER AND ANNA L. MOSIER** They herunto set THEIR hands and seals, this **25th** day of **JANUARY** 19**65**

Thelma J. Whitley (Seal.)
Harold T. Whitley (Seal.)
Charles D. Mosier (Seal.)
Anna L. Mosier (Seal.)
THELMA J. WHITLEY (ADULT WIFE)
HAROLD T. WHITLEY (ADULT HUSBAND)
CHARLES D. MOSIER (ADULT HUSBAND)
ANNA L. MOSIER (ADULT WIFE)

FAR

THIS INSTRUMENT PREPARED FOR
THE DIVISION OF LAND ACQUISITION
by *S.W. King* AUG 19 1964

2-11-65

Winkler 28

ENVELOPF

65 14928

Wilma K. Cook Notary Public

My Commission expires June 11, 1965

Witness my hand and official seal.

of the above release the 26th day of January, 1965.

By Ivan E. Coopider, as president, above named and duly acknowledged the execution

Personally appeared before me Anchor Federal Savings and Loan Association

County of MARION

SS:

State of INDIANA

By: Ivan E. Coopider, President (Seal)

(Seal)

Anchor Federal Savings and Loan Association (Seal)

(Seal)

The undersigned owner of a mortgage and/or lien on the land of which the real estate (Parcel No. 2, Project No. 170-3(52)) described in the attached deed is conveyed, hereby releases from said mortgage and/or lien said real estate, and do hereby consent to the payment of the consideration therefor as directed in claim voucher provided for payment for said deed, this 26th day of January, 1965.



My Commission expires January 27, 1965. DATE E. SMILEY

I have hereunto subscribed my name and affixed my official seal.

edged the same to be THEIR voluntary act and deed, for the uses and purposes herein mentioned in the above conveyance, and acknow-

Grantors

day of January, 1965, personally appeared the within named Charles B. Mason; Anna B. Mason (H & W)

Before me, the undersigned, a Notary Public in and for said County and State, this 25

State of Indiana, Marion County, ss:



My Commission expires January 27, 1965. DATE E. SMILEY

I have hereunto subscribed my name and affixed my official seal.

edged the same to be THEIR voluntary act and deed, for the uses and purposes herein mentioned in the above conveyance, and acknow-

Grantors

day of January, 1965, personally appeared the within named Harold T. Wilkley; Thelma J. Wilkley (H & W)

Before me, the undersigned, a Notary Public in and for said County and State, this 25

State of Indiana, Marion County, ss:

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

March 11, 1965 19

To Harold T. Whitley, Thelma J. Whitley,
Charles D. Mosier, Anna L. Mosier
Anchor Federal Savings & Loan Assn.
1029 S. Senate
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A 037542 3-3-65 19
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase <i>For the purchase of Right of Way on State Road</i> No. I-70 in Marion County I Project 70-3 Section (52) as per Grant dated January 25, 1965 Parcel 2 Escrow	600.00

PLEASE RECEIPT AND RETURN

Received Payment: Mrs. Thelma J. Whitley
Date: April 3, 1965

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

March 11, 1965 19

To Harold T. Whitley & Thelma J. Whitley
Charles D. Mosier Anna L. Mosier
Anchor Federal Savings & Loan Assn.
1029 S. Senate
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A 037541 3--3-65 19
in settlement of the following vouchers:

DESCRIPTION	AMOUNT	
Purchase <i>For the purchase of Right of Way on State Road</i> No. <u>I-70</u> in <u>Marion</u> County <u>I</u> Project <u>70-3</u> Section <u>(52)</u> as per Grant dated <u>January 25, 1965</u> Parcel 2	5150	.00

PLEASE RECEIPT AND RETURN

Received Payment: Charles D. Mosier

Date: March 12, 1965

APPRAISAL REVIEW FORM

Division of Land Acquisition
Indiana State Highway Commission

Project I-70-3-()
Parcel No. 2
Road I-70
County Marion
Owner Charles Moiser
Address 2801 N. Meridian St.
Address of Appraised Property:
1029 South Senate Ave.

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

1. I have personally checked all Comparables and concur in the determinations made. Yes
2. Planning and Detail Maps were supplied appraisers. Yes
3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Yes
4. Necessary photos are enclosed. Yes
5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. Yes
6. Plats drawn by the appraisers are attached. Yes
7. I have personally inspected the Plans. Yes, as furnished.
8. I have personally inspected the site on Yes, Jan. 12, 1965 and familiarized myself with the Parcel.
9. The computations of this parcel have been checked and reviewed. Yes
10. To the best of my knowledge, non-compensable items are not included in this appraisal. There are no non-compensable items.
11. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. Yes

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.

This is to certify that I have no present or contemplated future interest in this property, nor have I entered into collusion with the property owner or an agent of the property owner.

It is my opinion as of Jan. 12, 1965 :
(Date)

(a) The fair market value of the entire property before the taking is:	<u>\$5,750.00</u>
(b) The fair market value of the property after the taking, assuming the completion of the improvement is:	<u>\$ Total Take.</u>
The total value of taking is: (a minus b)	<u>\$ 5,750.00</u>
(1) Land and/or improvements	<u>\$5,750.00</u>
(2) Damages	<u>\$</u>
(3) Other damages and/or temp. R.O.W.	<u>\$</u>
(4) Estimated Total Compensation	<u>\$ 5,750.00</u>

APPROVED BY:

Approved	Date	Signed
Rev. Appr.	<u>1/12/65</u>	<u>[Signature]</u>
Asst. or Chief Appr.	<u>1/19/65</u>	<u>R. E. Nichol</u>

(All comments and additional information will be shown on the reverse side of this page and/or by use of supplemental sheets.)

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

BUYERS REPORT

PROJECT I 70-3 (52) PARCEL # 2

OWNER Mosier, Charles D. PHONE # FL 7-2413 Home
WA 5-4281 Office

Anna S. Mosier
(Other interested parties and relationship) Harold T. Whitley ; Thelma Whitley Contract Buyer

Anchor Federal Savings ; Loan (mortgagee)

ADDRESS OF OWNER 1029 J Senate Ave, Indianapolis, Ind.

DATE ASSIGNED 1-25-65

DATE OF CONTACT 1-26-65

TIME OF CONTACT 2:30 PM

DATE OF PREVIOUS CONTACT 1-25-65

OFFER \$ 5750.00

DETAIL CONTACT* Called on Mr. Bob Brown, Anchor Federal Savings ; Loan Assn who had Ivan E. Cooper, Pres. affix his signature to voucher & grant as mortgagee.

ACTION TAKEN** Parcel 2 Secured & Complete 1-26-65

SIGNED Chad Hall
D. 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 parcel. One copy to be inserted in parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT I 70-3 (-52) PARCEL # 2
OWNER Whitley, Harold T. PHONE # _____
Thelma J. Whitley Contract Buyers
(Other interested parties and relationship) Mr. & Mrs. Mosir (Contract Seller)

ADDRESS OF OWNER 1029 S. Senate
DATE ASSIGNED 1-25-65
DATE OF CONTACT 1-26-65
TIME OF CONTACT 1 45 PM
DATE OF PREVIOUS CONTACT 1-25-65

OFFER \$ 5750⁰⁰ Parcel Secured

DETAIL CONTACT* Again contacted Mr. & Mrs. Whitley had them sign Agreement for Possession. I asked Mr. & Mrs. Whitley if they would like to retain house at salvage value; they answered negative.

ACTION TAKEN** Parcel 2 Secured

SIGNED Chad Hall
W.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 parcel. One copy to be inserted in parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT I-70-3-(52) PARCEL # 2
OWNER Mosier Charles W. PHONE # FL 7-2413 Home

Anna J. Mosier
(Other interested parties and relationship)
Harold T. White, Thelma Jewell (Contract Buyer)
Anchor Savings & Loan Assoc

ADDRESS OF OWNER 1029 S Senate

DATE ASSIGNED 1-25-65

DATE OF CONTACT 1-25-65

TIME OF CONTACT 4:30 PM

DATE OF PREVIOUS CONTACT _____

Mr. & Mrs. Mosier
Mr. Chad Hall
Mr. Dale Smiley

OFFER \$ 5750.00

DETAIL CONTACT* Met with Mr. & Mrs. Mosier at their home so they could affix their signatures to grant & purchase fee notes & contract call on this parcel. At this meeting Mr. Mosier showed me tax receipt for spring installment is stated

ACTION TAKEN** that full installment receipt could be obtained at Anchor Federal Savings & Loan. Mr. Mosier sent me with check for 6.00 for J.R. Stamps. Parcel Secured subject to mortgage release

SIGNED Chad Hall
Dale 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 parcel - one to be forwarded to office with weekly report - one copy to property owner.

BUYERS REPORT

PROJECT I-70 3 (52) PARCEL # 2

OWNER Mosier Charles D. PHONE # WA 5-4281 ^{Office}
Anna J. Mosier (wife) FL 7-2413 ^{Home}

(Other interested parties and relationship)
Harold T. Whitley ; Theresa J. Whitley ^(Contract buyers)
Anchor Federal Savings ; Loan Assoc. ^(mortgage)

ADDRESS OF OWNER 1029 S. Santa

DATE ASSIGNED 1-25-65

DATE OF CONTACT 1-25-65

TIME OF CONTACT 145 PM

DATE OF PREVIOUS CONTACT _____

Mr. Charles Mosier
 Mr. Chad Hall
 Mr. Dale Smiley

OFFER \$ 5750.00

DETAIL CONTACT* Contacted Mr. Mosier at his office
at 2801 N. Meridian St. ; made offer to
Mr. Mosier as contract seller. Mr. Mosier phoned
Mr. Whitley while we're present ; restated
his agreement with contract buyer pertaining
 ACTION TAKEN** to distribution of offer. Mr. Mosier
stated that taxes due 1964 have been paid. Will
obtain receipt at our next meeting tomorrow 1-26-65
at 11 AM at 1304 N. Meridian. (8500 E 10th at Gibson)

Will meet at 430 PM at above address rather than

SIGNED D. 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.

tomorrow.

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

BUYERS REPORT

PROJECT I 70-3 (52) PARCEL # 2
OWNER MOSIER CHAS D ^{AND} ANNA L (WIFE) PHONE # WAS-4291 OFF
FL 7-2413 HOME

(Other interested parties and relationship)

HAROLD D WHITLEY & THELMA J (CONT BUYERS)

ANNOR FIED JAVLN (MORT)

ADDRESS OF OWNER 1029 So SENATE

DATE ASSIGNED 1/25/65

DATE OF CONTACT 1/25/65

TIME OF CONTACT 1:45 PM

DATE OF PREVIOUS CONTACT NONE

MR CHAS MOSIER
MR DALE SMILEY
CHADWICK HALL

OFFER \$ 5750⁰⁰

(ACCOMPANIED MR SMILEY
FOR TRAINING PURPOSES)

DETAIL CONTACT* CONTACTED MR MOSIER (FEE HOLDER) AT HIS
OFFICE AT 2801 NO MERIDIAN - MADE OFFER. HE

RESTATED HIS AGREEMENT WITH CONTRACT BUYER AS
TO DISTRIBUTION OF MONIES. MR MOSIER STATED THAT
'1963 TAXES DUE IN 1964 WERE PAID. ARRANGED TO MEET

ACTION TAKEN** MR & MRS MOSIER AT THEIR HOME
1304 NO HARRISON (8500 E 10TH AT GIBSON) AT 4:30.

~~SECURED AREA~~

SIGNED Chadwick D Hall

* 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.

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

0536

BUYERS REPORT # 2

PROJECT # I-70-3-(62) PARCEL # 55 COUNTY Marion

NAME & ADDRESS OF OWNER McCollough-Kelly
1036 L Illinois St Indianapolis PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Mr Joseph J Schick Mr J. Brewster Atty
PHONE # _____

(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED Oct 7, 1965 DATE OF CONTACT Dec 1, 1965

OFFER \$ 5000⁰⁰ TIME OF CONTACT 9:30

YES NO N/A (Circle N/A if all questions are not applicable)

- 1. () () () Checked abstract with owner? Affidavit taken? () Yes () No
- 2. () () () Showed plans, explained take, made offer, etc.?
- 3. () () () Any mortgage? (Is it VA _____, FHA _____, FNMA _____, Fed.Ld. Bk. _____, Conv'l. _____?)
- 4. () () () Explained about retention of Buildings? (any being retained? () Yes, () No)
- 5. () () () Filled out RAAP Form?
- 6. () () () Walked over property with owner (or who? _____)
- 7. () () () Arranged for payment of taxes? (Explain how in remarks)
- 8. () () () Secured Right of Entry? Secured Driveway Permit? () Yes () No () N/A
- 9. () () () Explained Eminent Domain Procedures?

REMARKS: Secured the information necessary to
prepare the contract
Elizabeth A Henderson Administrator of the
estate of Helen L. McCollough
Windsor National Bank and Trust Co.
John Kelly
902 West Park Building
Check on affidavit on death of William McCollough

Status of Parcel: () Secured, () Bought, awaiting mortgage release, () Condemned
() Other, awaiting what? _____

Distribution Made

- (1) Parcel (1) Weekly Summary
- () Owner () Other, Specify: _____

L. C. Kopple
(Signature)

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

BUYERS REPORT

PROJECT I-70-3 (52) PARCEL # 2
OWNER Whitley, Harold T. 97114 PHONE # ME 6-8536
Contract Buyer Thelma J. Whitley
(Other interested parties and relationship)

ADDRESS OF OWNER Whitley address
1029 S. Santa Ave.

DATE ASSIGNED 1-25-65

DATE OF CONTACT 1-25-65

TIME OF CONTACT 12:25

DATE OF PREVIOUS CONTACT _____

Mr. & Mrs. Whitley
Mr. Chad Hall
Mr. Dale Smiley

OFFER \$ 5750.00

DETAIL CONTACT* Contacted Mr. & Mrs. Whitley at their home on subject was advised acquisition & made offer. These people have plans in mind which they have signed proposition to buy & signed RAAP form negative.

ACTION TAKEN** Taxes are included in monthly payment. Will check with Mr. Messier on fall 1964 installment. Vacating letter & envelope was left with contract buyer.

SIGNED D. 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.

R E S O L U T I O N

(2) ✓

WHEREAS, The Indiana State Highway Commission of Indiana has heretofore
acquired by Grant Dated 8-18-65
executed by the STATE OF INDIANA and Ray Neal
a frame house - garage

including trees, shrubs and fence, if any, on Road # I-70
located within the limits of the proposed improvements to be made on
said highway. The parcel of real estate is situated in Marion
County, Indiana, and more particularly described as follows:

Lot 13 Block 10 in Augustus D. Lynch's subdivision of Block 13 and 14 in
Hutchings and Darnells Brookside add to City of Indpls. ✓

WHEREAS, the parcel of real estate heretofore described was so procured
by the Indiana State Highway Commission for construction of Road I-70
through the County, and

WHEREAS, the above mentioned buildings and improvements located on right
of way of said proposed construction project designated as I-70-3 (54)
and

WHEREAS, it is necessary, in order to properly construct and improve said
highway, to sell buildings and other improvements and to cause their re-
moval from the strip of right of way as above described and by law provided.

ABSTRACT OF TITLE

TO

*Lot 91. in McBartry's Subdivision
of the West Part of
Outlot 120.*

in

The City of Indianapolis,

MARION COUNTY, INDIANA.

Prepared for *Rich. McBartry Esq.*

BY

Wm. C. Anderson,

Moore's Block, 86 East Market Street,

INDIANAPOLIS, IND.

ORIGINAL TITLE TO MARION COUNTY AND THE CITY OF INDIANAPOLIS.

The land now known as Marion County, is a part of the Territory purchased by the United States of the Delaware Indians, by treaty, at Greenville, Ohio, in 1818. By act of Congress, the United States granted to the State of Indiana four sections of land for a State Capital, subject to certain conditions, which grant and conditions were accepted, and in 1821 said four sections were located, being Sections 1, 2 and 12, and part of Sections 11 and 3, in Township 15, North, of Range 3, East, containing in all 2,560 acres, equal to four full sections.

The City of Indianapolis was then laid out into Squares and Out-Lots, and the office of Agent of State created; the duty of said officer being to sell and convey Lots in said city. In 1844 said office was discontinued and the papers and records transferred to the Secretary and Auditor of State, who are at present custodians there.

W. J. 355 Agent of State Agents deed
to
May 2. 1834. Nicholas M. Carty
Out lot 120. no others.

Nicholas M. Carty died in estate
May 17. 1854.

The Estate has been fully settled
and closed June 7. 1860.

In Complete Record N. 11. p. 66 etc
of Marion Common Pleas Court

Nicholas M. Carty left surviving him
his widow, Margaret M. Carty and four
children, Nicholas M. Carty, Margaret
R. M. Carty, Susanna M. Carty and
Frances J. M. Carty

In Marion Common Pleas Court
October Term 1854.

Complete Record N. 4. p. 159. etc

Partition Proceedings, wherein
there are set off to the widow, Margaret
M. Carty, certain parts of the Real
Estate of Nicholas M. Carty decd, not
including Outlot 120., or any part
thereof, leaving the four above named
children and heirs, tenants in common
of Outlot 120., free of all claims of widow.

Marriage Susannah McCarty
and
Henry Day
Recd. No. 6.
p. 659.
Marriage
Decr. 8. 1857.

Marriage Margaret R. McCarty
to
John C. S. Harrison.
Recd. No. 10
p. 38.
Marriage
Oct. 1. 1867.

Susanna McCarty Day died intestate
August 30. 1873.

7 The Estate has been fully settled
and closed Decr. 9. 1874.

See order Book 35. p. 80. of Marion
Civil Circuit Court.

Will Recd. Last will^{and} Testament of Susanna
C. p. 123. McCarty Day decd., dated August 21. 1873
and probated Septbr. 19. 1873.

8 Devises her Real Estate, in three
equal parts, to her husband Henry
Day and to her two children Henry McCarty
Day and Margaret McCarty Day

Plat Book Nicholas McCarty. Frances J. McCarty
7. p. 74. John C. S. Harrison and Margaret R.
Apr. 10. 1875 McCarty Harrison, his wife, and Henry
9 Day, for himself and as Guardian of
Henry McCarty Day and Margaret M. C. Day
filed a Plat of McCarty's Subdivision of the

West Part of Outlot 120. in City of
Indianapolis

10

This Subdivision comprises 136 Lots
numbered 1. to 136. incl., ^{and} 2 Large Blocks
lettered A. and B.

152. p. 306 Henry Day. Guardian of Margaret M. Carthy
Apr. 18. 1882 Day, minor Heir of Susan M. Carthy Day decd
11 to

Frances J. M. Carthy

By order of Common Pleas Court of
Marion County. order Book Co. p. 228. etc

The undivided $\frac{1}{2}$ Interest in Lot
91. ^{and} others in M. Carthy's Subdivision of
West Part of Outlot 120.

175. p. 185 Mich. M. Carthy (unmarried) Warrant
May 21. 1885 Margaret R. M. Carthy decd
Harrison ^{husband} and
1 ✓ Frances J. M. Carthy, (unmarried)
Henry Day (unmarried)
to Henry M. Carthy Day. (unmarried)
to

Fredrick C. Landerbach.

Lot 91. in M. Carthy's Sub.
division of West Part of Outlot 120. in
the City of Indianapolis

13 Title to lot 91. in M. Conroy's Subdivision
of West Part of Onslot 120. in the City
of Indianapolis now rests in Fredk.
C. Lauterbach.

14 Mortgage

138. B. 246 Frederick C. Lauterbach Mortgage on
May 21. 1885 to Etise Lauterbach. his said lot 91.

This mortgage interest
satisfied March 1891
Mar 1912

to
Nicholas M. Conroy
To secure 4 notes of even date for
\$106.25. each, due 1. 2. 3. and 4. years
after date, with 6% p. a. interest 2
payable annually.

Taxes

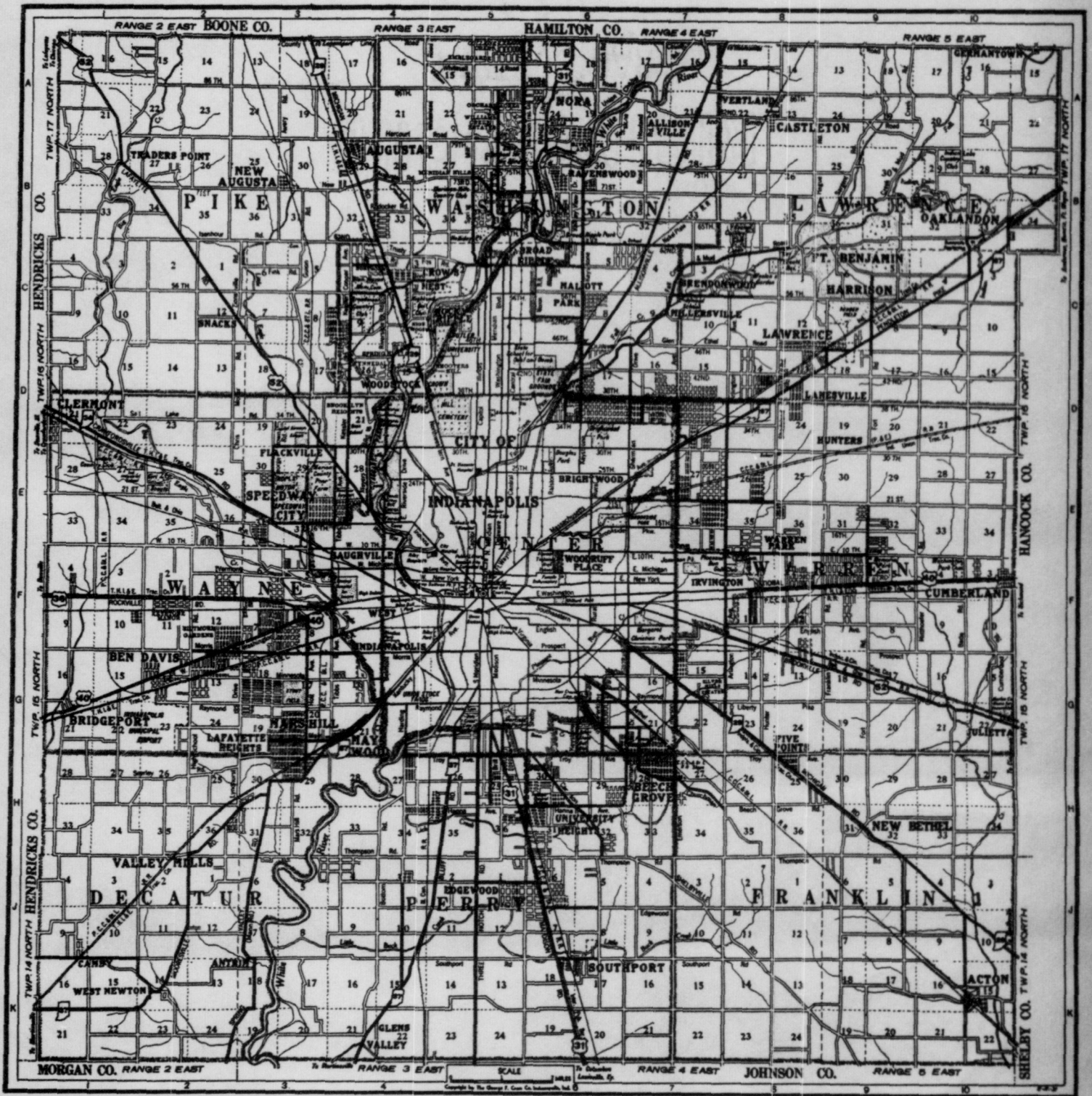
15 Taxes are paid for 1884. except the
second installment of State & County Taxes
not yet due. Once paid

16 Indianapolis Ind. June 2^d 1885
I find no further encumbrances or
unatisfied Encumbrances of Record
Search made as to Records of Recorder
office, his Indem. Records^{to} Judg^{ts}. Dockets
of Courts of Record of this County^{to} U.S.
Courts at Indianapolis

Wm. B. Amerson

317499

MAP OF MARION COUNTY



L. M. BROWN ABSTRACT COMPANY
INDIANAPOLIS

317499

ABSTRACT OF TITLE

To

The Real Estate more particularly described
on the following page of this Caption Sheet.

PREPARED BY

L. M. BROWN ABSTRACT COMPANY

INCORPORATED

150 East Market Street

INDIANAPOLIS, MARION COUNTY, INDIANA

TELEPHONES: Market 3448-3449

Plant Established 1868

Capital Stock, \$150,000, Fully Paid

RUSSELL A. FURR, President and Manager

EDSON T. WOOD, Jr., Secretary

VOLNEY M. BROWN, Vice-President

CORNELIUS O. ALIG, Treasurer

FRED G. APPEL, Vice-President

JACOB F. DELKER, Assistant Manager

HISTORICAL NOTES

Showing Original Title from earliest times down to the organization
of Marion County and the location of Indianapolis, County Seat.

The land Northwest of the Ohio River was first a part of Louisiana and was governed by the officers of the French King. The French in 1763 ceded the land North of the Ohio to the British, who retained it until 1783, when they surrendered the country South of the Great Lakes to the United States, by whom the land in Marion County was purchased of the Miami Indians.

The Indians who made any claims to the lands South of the Wabash River were primarily the Miami Nation. The Delawares occupied this immediate region, and were considered as having a title by grant or permission from the Miami Nation, which was at least a title by permanent occupation.

Cessions were made at St. Mary's, Ohio, in October, 1818, as follows:

By the Weas, in general terms, October 2—U. S. Statutes at Large, Vol. 7, page 186.

By the Delawares, in general terms, October 3—U. S. Statutes at Large, Vol. 7, page 188.

By the Miamis, by boundaries, October 6—U. S. Statutes at Large, Vol. 7, page 189.

The Weas, or Ouatienons, were properly a part of the Miami Nation. So were also the Kickapoos, who relinquished their claims, in general terms, July 30, 1819—U. S. Statutes at Large, Vol. 7, page 200. These four treaties covered all tribes having any claims to lands in Marion County. The record in the Statutes at Large is the official one, including the signatures of the parties.

American State Papers, 2 Indian Affairs, page 169.

By authority of Congress, Indiana Territory was organized May 7, 1800, and the State government, under authority of Congress superseded the territorial government in November of 1816, and Indiana was fully admitted into the Union December 11, 1816. Marion County was organized December 1821 and the boundary lines of the County were established January 7, 1824—Acts of 1824, page 52.

By clause 5 of Section 5 of the Enabling Act of Congress of April 19, 1816, four sections of land were granted to the new State of Indiana, to be selected by the legislature, "for the purpose of fixing the seat of government thereon."

3 U. S. Statutes at Large, page 290.

By the Act of March 3, 1819, the Indiana legislature was authorized to select for that purpose any contiguous parts of sections, "not to exceed in the whole the quantity contained in the four sections."

3 U. S. Statutes at Large, page 516.

January 11, 1820, the Indiana legislature appointed commissioners to locate the seat of government. Act of 1820, page 18.

January 6, 1821, the legislature approved the selection of "sections 1 and 12 east and west fractional sections numbered 2, east fractional section numbered 11, and so much of the east part of west fractional section numbered 3, to be set off by north and south lines as will complete four entire sections, or 2560 acres of land in township 15 North and range 3 East of the Second Principal Meridian."

Three commissioners were appointed to lay off the town site, and to offer lots for sale. The office of the agent was created to sell and convey lots, and the site was named Indianapolis.

Acts 1821, page 44.

By the original survey section one contained 658.20 acres; section 2, 611.53 acres; section 12, 640 acres, and section 11, East of White River, contained 448.20 acres, leaving 202.07 acres to be taken out of the east side of section 3.

317499

The original survey of the city of Indianapolis, as made in the year 1821, is included within North, South, East and West Streets, embracing Squares numbered 1 to 101 inclusive, which were subdivided into lots.

In pursuance of an Act of 1824, Out-lots numbered 1 to 10 on the North, and 11 to 20 on the South side of the city were laid off, and in 1825 an additional survey of Out-lots, including 21 to 30 on the South, and 31 to 40 on the North side of the City was also authorized. "H" is a square of two acres laid out and sold for a brick yard.

The seat of government was permanently established at Indianapolis, January 20, 1824.
R. S. 1824, page 370.

January 26, 1827, the alleys in certain squares were vacated, and the "steam mill" lot authorized.
Acts 1827, page 5.

February 9, 1831, a survey of the remaining part of the donation was authorized and a plat of such survey was filed in the Recorder's office of Marion County, July 5, 1831, embracing Out-lots numbered 41 to 184 inclusive, and Out-lots numbered 1 to 18 inclusive, west of White River.

The office of Agent of State, created by the Act of 1821, was continued until 1844, when it was abolished and the papers and records of the Agent were transferred to the Secretary and Auditor of State, who are at present their custodians.

Land in Townships 14, 15, 16 and 17, North of Base Line and in ranges 2, 3, 4 and 5, East of the Second Principal Meridian are within Marion County.

While the lands outside the original donation were patented by the United States to those entering the same or their assigns at the Land Offices that had been established by the General Government at Brookville, Indianapolis or Crawfordsville, the squares or out-lots within the boundaries of the donation itself were sold by the Agent of the State of the Town of Indianapolis, duly appointed by an Act of the Legislature.

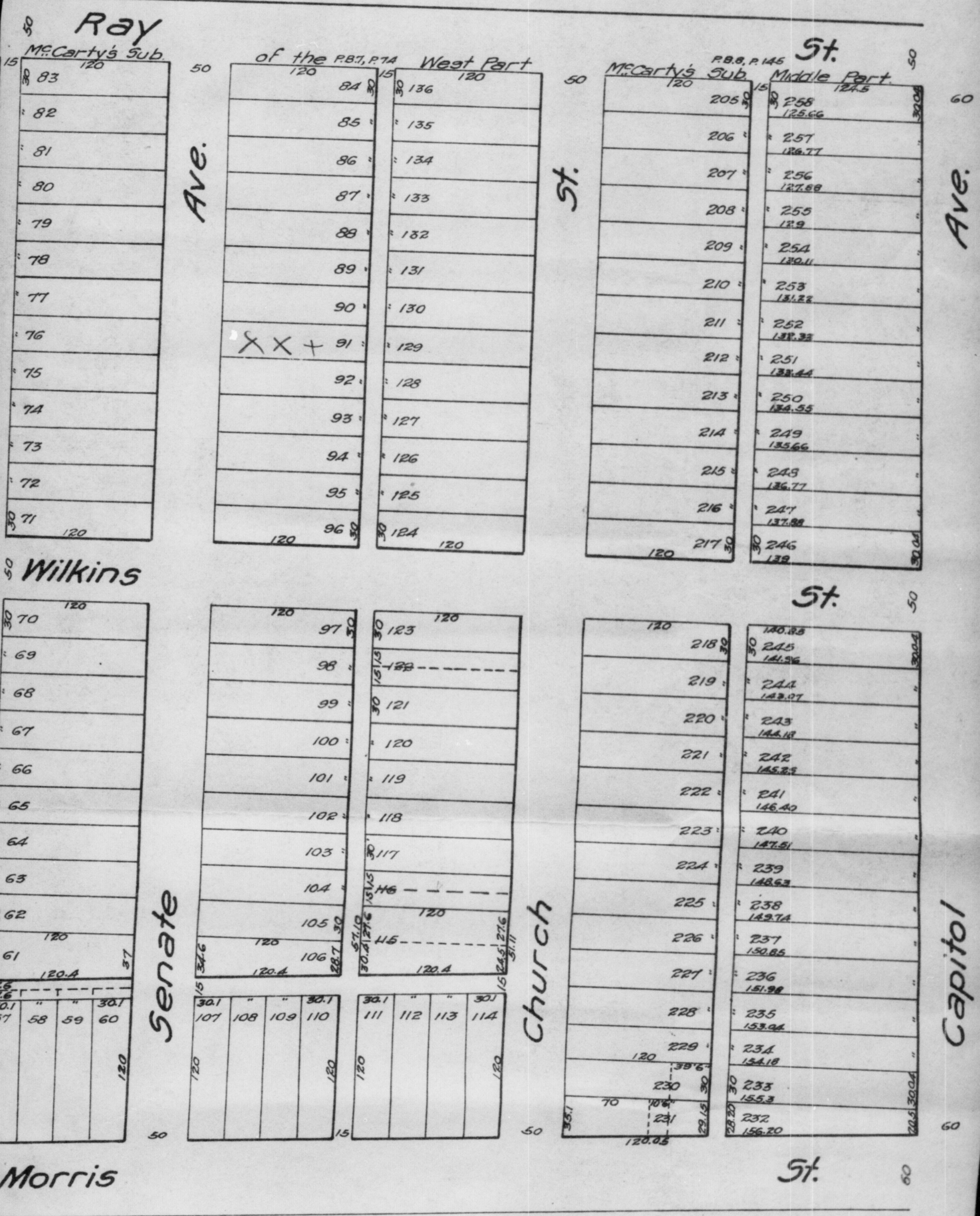
Caption Description

1.

Lot Number Ninety-one (91) in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana.

PREPARED FOR: FIEBER & REILLY.

W. Pt. Out Lot No 120.



Deed Record
D page 535
May 2, 1834
Recorded
June 21, 1834

2.

INDIANAPOLIS

TITLE

OF

ABSTRACTS

CONVEYANCES.

Ebenezer Sharpe, Agent of the State of Indiana, for the Town of Indianapolis, for and in behalf of the State of Indiana in pursuance of the laws of Indiana, entitled "An Act appointing Commissioners to lay off a town on the site selected for the permanent seat of Government", approved January 6, 1821, and in consideration of \$1390.50, which has been paid to said State of Indiana,

Agent's Deed

to
Nicholas McCarty, his heirs and assigns forever.
All the following described lots in the Town of Indianapolis, viz:
Lot 116, containing 7.80 acres.
Lot 107, containing 26.25 acres.
Lot 110, containing 3.63 acres.
Lots 7 and 10 West of White River, containing 13.54 acres.
Lot 109 containing 2.60 acres.
Lot 120 containing 52.33 acres.
Lot 111 containing 4.14 acres.
Lot 6 West of White River, containing 5.85 acres, and the North 1/2 of Lot 108, which 1/2 contains 14.56 acres; containing in the aggregate 130.60 acres; and all the estate, right, title and interest of the said State of Indiana, in and to the above described lots.
NOTE: Above deed not acknowledged.

3.

Nicholas McCarty died, intestate, May 17, 1854.

COMMON PLEAS COURT OF MARION COUNTY.

Complete Record
11 page 66

4.

Nicholas McCarty

Estate

June 3, 1854, Bond filed and letters of Administration issued to Margaret McCarty.
July 7, 1854, Approved by the Court.
Jan. 7, 1860, The estate was finally settled, distribution was made to Margaret McCarty, the widow and to Nicholas McCarty, Junior, Margaret R. McCarty, Frances McCarty, and Susanna McCarty Day, said four persons being the only children and heirs of said decedent.

L. M. Brown Abstract Co.,

Misc. Record
17 page
Sept. 7, 1881
Recorded
Jan. 23, 1893

5.

INDIANAPOLIS

Henry Day

Affidavit

Affiant says, that ever since the year 1857, he was acquainted with the family of Nicholas McCarty, to whom the agent of State deeded Out Lot 120, City of Indianapolis, that said Nicholas McCarty died previous to the Fall of 1854, that he left Margaret McCarty, his widow, surviving him; that the only children he left surviving him were:

Nicholas McCarty, Junior, Margaret R. McCarty, Frances J. McCarty and Susanna McCarty, who subsequently married affiant; that he left surviving him no grandchildren by deceased sons or daughters; that the said Nicholas McCarty, Junior, Frances J. McCarty and Margaret R. McCarty; were of age and unmarried on Feb. 9, 1864, and said Susanna McCarty affiant's wife, was of age on Feb. 9, 1864.

Henry Day.

TITLE
OF

COMMON PLEAS COURT OF MARION COUNTY.

Complete Record
4 page 159

6.

ABSTRACTS

Margaret McCarty
vs.

Susan -- McCarty,
Margaret R. McCarty,
Nicholas McCarty,
Francis J. McCarty,

June 23, 1854, Petition filed, reciting death of Nicholas McCarty, leaving as heirs-at-law, him surviving the petitioner, Margaret McCarty, his widow, and children Susan McCarty, Margaret R. McCarty, Nicholas McCarty, and Francis J. McCarty (said Nicholas and Francis J. being then and now infants); decedent left personal property sufficient to pay all of his debts and died owning many tracts of land (including the homestead, Out Lot 25 of Indianapolis), and including Out Lot 120 in Indianapolis set out in the petition.

Petitioner is owner of 1/3 of said realty in fee simple, and said children are joint owners of the other 2/3 thereof.

Partition is asked.

All of the defendants are served by reading of summons. Susanna and Margaret R. McCarty default; Lucien Barbour is appointed Guardian ad litem for Nicholas Jr., and Francis J. McCarty, who are infants, and files answer.

July 21, 1864, Interlocutory Decree entered; Court finds that matters alleged in the petition are true; partition is decreed and 1/3 part of all of said realty is ordered set off to said petitioner in severalty. Court appoints James Blake, Andrew Wilson and James Wood Commissioners to make partition.

L. M. Brown Abstract Co.,

ABSTRACTS

TITLE

INDIANAPOLIS

October 13, 1854, said commissioners file report setting off to said Margaret McCarty, her heirs and assigns in severalty forever, for and in full of the 1/3 part of the premises aforesaid, certain lots and tracts being a portion of therealty described in the petition, and including the homestead.

NOTE: No portion of Out Lot 120 in Indianapolis, is set off to the widow by the Commissioners.

7. Margaret McCarty died, intestate, February 18, 1873.

MARION CIRCUIT COURT.

Appearance Dkt.
of Estates
8 page 283

Margaret McCarty, Estate

8.

February 23, 1885, Order of Court entered amending affidavit of death, showing that said decedent died on February 18, 1873.

Order Book 69 page 542.

March 14, 1874, Bond filed and letters of administration granted to Nicholas McCarty, Administrator.

Order Book 34 page 551.

September 12, 1899, Final report approved and estate settled and closed.

Order Book 140 page 121.

In an entry of July 14, 1884, the Court finds that Margaret McCarty at the time of her death, on February 18, 1873, left as her only heirs at law, her four children Susanna McCarty Day (wife of Rev. Henry Day) Margaret McCarty Harrison (wife of John C.S. Harrison), Nicholas McCarty and Frances J. McCarty, all then of full age,

Order Book 64 page 496.

In the entry approving the final report September 12, 1899, the Court finds that said decedent left surviving her as her sole and only heirs at law, her children:

Nicholas McCarty, Margaret McCarty Harrison, Frances J. McCarty and her grandchildren, Henry McCarty Day, and Margaret McCarty Day.

Order Book 140 page 121.

Marriage Rec.
6 page 659
Dec.9,1857

INDIANAPOLIS

Susanna McCarty
and
Henry Day

Marriage

9.

Marriage Rec.
10 page 30
Oct. 2, 1867

TITLE

Margaret R. McCarty
and
John C.S. Harrison

Marriage

10.

11.

Susanna McCarty Day died testate August 30,1873.

Will Record
E page 123
Aug.21,1873
Probated
Sept. 19,1873

OF

Susanna McCarty Day

Will

12.

ABSTRACTS

L. M. Brown Abstract Co.,

I, Susanna McCarty Day, daughter of Nicholas McCarty and Margaret McCarty, both deceased, sister of Margaret R. McCarty Harrison, Nicholas McCarty and Francis J. McCarty, wife of Rev. Henry Day, and mother of Henry McCarty Day, and Margaret McCarty Day of the City of Indianapolis, County of Marion and State of Indiana, of sound mind and disposing memory, though sick of body, do make this my last will and testament intending thereby to dispose of all the property of which I shall die seized or possessed.

I give and bequeath to my brother, Nicholas McCarty all my personal property (except that in the dwelling house occupied by me which I give and bequeath to my husband, Rev. Henry Day) and the crops growing upon my lands at the time of my death, but on condition that he within sixty days after the probate of this my will, does not pay to my executor the sum of Five Thousand Dollars and execute his two promissory notes payable to my Executor, with interest, without relief from valuation or appraisement laws, each in the sum of seven thousand five hundred dollars, one on or before one year after date, one on or before two years after date, then said devise to him shall fail and then and thereupon I give and bequeath said personal property, and growing crops and the proceeds of any thereof, disposed of by said Nicholas in the mean time, the one-third thereof to my said husband Rev. Henry Day, one-third to my son, Henry McCarty Day and one-third to my daughter, Margaret McCarty Day.

I give and bequeath to my said brother Nicholas McCarty, the undivided one-fourth of the real estate situate in the County of Marion and State of Indiana, described as follows, to wit:

The North 1/2 of the North West Quarter of Section 22, in Township 15 North of Range 3 East, but on condition that he does not within sixty days after the probate of this my will, pay to my Executor the sum of twenty five hundred dollars and execute his three promissory notes payable to my Executor each in the sum of twenty five hundred dollars, with interest, without relief from valuation or appraisement laws, one, one year, one, two years and one, three years after date, this bequest shall fail and then and thereupon, I give said described real estate the one-third to my said husband, Rev. Henry Day, one-third to my son, Henry McCarty Day, one-third to my daughter, Margaret McCarty Day.

I give and bequeath the moneys which may be paid and the notes which may be executed by my said brother Nicholas McCarty in compliance with the conditions attached to the bequests or either of them hereinbefore set forth and I give and bequeath all the residue of my real property of whatever description and wherever situate the one-third of said moneys, notes and real property to my said husband, Rev. Henry Day, the one-third to my son, Henry McCarty Day and the one-third to my daughter, Margaret McCarty Day.

I hereby appoint my said husband, Rev. Henry Day Executor of this my last will and testament and direct that no bond be required to him for the discharge of his duties. I also appoint him the Guardian of our said children, Henry McCarty Day and Margaret McCarty Day.

Hereby revoking all wills, testaments and codicils heretofore made by me.

In Witness Whereof, I, the said Susanna McCarty Day have this 31st day of August A.D. 1873, set my hand and seal.

Susanna McCarty Day.

Signed, sealed, published and declared by the said Susanna McCarty Day, as her last will and testament in the presence of us, who at her request, in her sight and presence and in the presence of each other, have subscribed our names as attesting witnesses. The interlineation of the words "and growing crops", was made before signing by the testatrix. Also the interlineation in the fifteenth line of the words, "Except that in the dwelling house occupied by me, which I give and bequeath to my husband, Rev. Henry Day", was made before signing by the testatrix.

Margaret A. Wood
John S. Tarkington.

Appearance
Docket of
Estates
8 page 248
13.

INDIANAPOLIS

MARION CIRCUIT COURT.
Susanna McCarty Day Estate
Oct. 15, 1873, Bond filed and letters testamentary granted to Henry Day, Executor.
Order Book 34 page 309.
October 17, 1874, Final report filed and approved
Executor discharged and estate settled and closed.
Order Book 35 page 80.

TITLE

Guardian's Dkt.
3 page 30 & 135
Order Book
34 page 309
14.

OF

MARION CIRCUIT COURT.
Henry McCarty Day, aged 14 Guardianship
on October 19, 1873,
Margaret McCarty Day, aged
10 on June 16, 1874.
October 15, 1874, Bond filed and Court appoints
Henry Day, Guardian.
September 11, 1885, Final report filed and approved
and Guardian discharged.
Order Book 72 page 284.
Costs all Paid.

ABSTRACTS

Plat Book
7 page 74
April 10, 1875
Recorded,
April 13, 1875
15.

OF

MCCARTY'S SUBDIVISION Plat
OF PART OF OUT LOT 120
The annexed is a plat of McCarty's Subdivision of
the West part of Out Lot 120 in the City of Indianapolis,
in Marion County, in the State of Indiana, divided into
136 lots consecutively numbered and 2 blocks lettered
respectively "A and "B" and into streets and alleys;
the names of the streets are designated on the plat.
The width of the streets and alleys are designated
by figures in feet and width and depth of the lots are
designated by figures in feet and inches and the size
of Lots "A" and "B" are designated by figures in feet
and inches.
Nicholas McCarty
John C.S. Harrison,
Frances J. McCarty,
Margaret McCarty Harrison,
Henry Day for himself and as Guardian
of Henry McC. Day and Margaret McC. Day.

L. M. Brown Abstract Co.,

Misc. Record
71 page 357
May 1, 1912
Recorded
May 14, 1912
16.

INDIANAPOLIS
TITLE
OF

Nicholas McCarty

Affidavit

Affiant says, that he was acquainted during his lifetime with one Henry Day, who was the husband of Susanna McCarty Day, who was formerly the owner of the North 1/2 of the Northwest 1/4 of Section 22, Township 15, Range 3 in Marion County, State of Indiana, which ground was subsequently subdivided and known as McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, and that the said Henry Day, who together with Nicholas McCarty and others, conveyed by Warranty Deed the undivided 5/6 part of Lot 109 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, said deed bearing date of April 28th, 1875, and recorded in Town Lot Record 114, at page 234, was at that time an unmarried man and that the said Henry Day never remarried after the death of his wife, Susanna McCarty Day, but died a widower.

Further affiant sayeth not.

Nicholas McCarty.

Misc. Record
74 page 241
Nov. 22, 1912
Recorded
Nov. 23, 1912
17.

ABSTRACTS

Nicholas McCarty

Affidavit

Affiant says, that he is the son of Nicholas McCarty deceased, who formerly owned in his life time Out Lot 120 in the City of Indianapolis, Indiana. That this affiant is now 78 years of age and that he is the brother of Margaret R. McCarty, Frances J. McCarty and Susannah McCarty Day; that affiant has never been married and his sister, Frances J. McCarty has never been married, and that Margaret R. McCarty was married on the 3d day of October 1867 to John C. S. Harrison.

Nicholas McCarty.

Guardian's Dkt
3 pages 30 &
135
Sale of Real
Estate Docket
1 pages 235
& 336.
18.

L. M. Brown Abstract Co.,

MARION CIRCUIT COURT.

IN THE MATTER OF THE GUARDIANSHIP
of Henry McCarty Day and
Margaret McCarty Day.

Sale of Real Estate

May 19, 1875, Henry Day, Guardian of Henry McCarty Day and Margaret McCarty Day, minor heirs of Susanna McCarty Day, deceased, respectfully represents to the court that said wards are the owners in their own right of an undivided 1/6 part of the following described real estate, to wit:

The following designated lots in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, according to the plat of said subdivision recorded in the Recorder's Office of Marion County, to wit:

L. M. Brown Abstract Co.,

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Lot 91 (and other lots) of the estimated value of about \$9,500.00.

That the personal estate of said wards amounts to about \$1600.00.

That the annual rental value of the real estate of said wards is about the sum of \$500.00.

The undersigned shows that the interest of said wards requires that the said undivided 1/6 interest in said lands should be sold and the proceeds thereof invested in improvements of their other real estate.

That the said lands are unproductive and as the wards have only an undivided interest in the lands, their interest cannot be made productive, and this application for the sale of the lands is for the purpose of a better investment. He further shows that it would be for the interest of said wards that the premises should be sold at private sale and that such parcels as shall be appraised at less than \$1000 should be sold without publication of notice of the time, terms and conditions of sale, and he prays that the lands may be sold at private sale upon such terms as the court shall direct.

(Petition duly verified.)

May 20, 1875, and the court having inspected said petition and being fully advised in the premises orders said guardian to appraise said real estate.

Lawrence G. Hay and William Mansur appointed appraisers to appraise real estate; Oath of appraisers filed; the undivided 1/6 part in value of the following lots in McCartys Sub. of the West part of Out Lot 120 in the City of Indianapolis, appraised as follows:

Lot 91 appraised at \$58.00.

Total for all lots appraised at \$8,863.00.

Additional bond filed and approved by the court in the amount of \$18,000.00.

And the court having heard the allegations of the said petition and being fully advised in the premises do order, adjudge and decree that said guardian be and he is hereby authorized and directed to sell the 1/6 interest of said lots to wit:

Lot 91 (also other lots in McCarty's Subdivision of -- Out Lot 120 in the City of Indianapolis, Marion County, State of Indiana, at private sale not less than the full appraised value; and it appearing to the court that it would be for the interest of the estate of said wards that the 1/6 interest in said lots should be sold, without giving notice by publication of the time, place and condition of the sale; It is therefore ordered, adjudged and decreed by the court that such private sale be made without giving notice by publication of the time, place and condition of the sale, whenever the amount of such sale shall not exceed the sum of \$1000.

And the court further directs that such sale shall be made upon such terms of payment and credit as will realize the greatest amount in value of said wards

and that the credit shall not exceed the term of 5 years, to be secured by mortgage upon the premises, and the said guardian is ordered to report the sales he may make and the time and terms thereof to this court for approval.

Order Book 35 page 486.

November 19, 1881, Henry Day, Guardian files his verified petition for reappraisal of certain real estate heretofore by this court ordered to be sold and which remains unsold to wit: (With other lots.)

The undivided 1/12 being the interest of his said ward in Lot 91 McCarty's Subdivision of the west part of Out Lot No. 120 in said City, appraised and ordered to be sold May 20, 1875, on petition No. 336.

Guardian shows that by reason of the length of time since said order of sale, said Henry McCarty Day has become of full age, and that for the better information of the court and the guidance of said guardian in making sales of the interest of said Margaret being 1/12 interest under said orders, a reappraisal of said real estate is necessary, also that it would be the best interest of his said ward the terms of payment of purchase money for the lots ordered to be sold which are yet unsold should be modified so that they might suit purchasers as they might desire to pay cash in hand or in installments upon a credit not to exceed 5 years from date of sale, and he asks that said terms be so modified. (Duly verified.)

And the court having heard and inspected the evidence given of the matters represented in said petitions and being sufficiently advised in the premises and being satisfied of the truth of the matters set forth in said petition finds that said real estate should be sold by said Guardian and that said lots should be reappraised so as to appraise the one undivided twelfth thereof the interest of said ward therein, does now appoint William S. Hubbard and William Mansur, appraisers to appraise all the aforesaid real estate.

Oath of appraisers filed. The fair cash value of said lots are appraised as follows:

Lot 91 in McCarty's Sub. of the west part of Out Lot 120 appraised at \$26.00 also other lots appraised at different values.

Guardian files additional bond and approved by the court in the sum of \$9000.00.

And the court now orders the sale of all the foregoing real estate to be for cash or upon credit not to exceed five years from the day of sale deferred payments to be made payable in annual installments with interest from day of sale until due at the rate of 6% interest, and the court now orders said sale of said real estate.

Order Book 58 page 268.

April 18, 1882, Proof of publication of notice and proof of posting notices. filed.

L. M. Brown Abstract Co.,

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Henry Day, Guardian of said Margaret McCarty Day reports and shows that pursuant to and in accordance with the orders of said court, first having given three days notice of the time, place, terms and conditions of sale of the hereinafter described real estate by publication thereof in two daily newspapers printed and published in the City of Indianapolis, he did sell at private sale for the best price that could be obtained for more than the full appraised value of each Lot respectively, for cash in hand paid, to Frances J. McCarty of said City, the one undivided twelfth, being the interest of his said ward in, to and of the real estate, situate in the County of Marion and State of Indiana, described and for the prices of the lots respectively as follows, to wit:

Lots in McCartys Subdivision of the west part of Out Lot 120 in said City according to the plat of said subdivision as recorded in said office, numbered and for the prices respectively following, to wit:

Lot 91 for \$27.00. (Also other real estate.)

That all of said lots were offered and sold separately. That all the lots so sold as aforesaid, sold for the total sum of \$4484.00; that said purchase prices were the highest offered or could be obtained by said Guardian, and said guardian asks the court to approve and confirm said sales of all the lots aforesaid.

And said guardian further shows to the court that he as such guardian has made, signed, sealed and acknowledged a deed of this date conveying to said Frances J. McCarty the right, title and interest of said Margaret McCarty Day, being the 1/12 of, in and to all the real estate hereinbefore described and sold as aforesaid and prays the court that upon the approval of said sale of said real estate, said deed be by the court approved, confirmed and ordered to be fully executed by the delivery thereof to said Frances J. McCarty.

Henry Day, Guardian.

Subscribed and sworn to this 18th day of April 1882.

Daniel M. Ransdell, Clerk.

And the court having examined said report and being fully advised in the premises does now approve and confirm the said sale of the several lots for the respective prices to said Frances J. McCarty as aforesaid as in all things according and pursuant to the orders of this court and for the best interest of the estate of said ward and orders said guardian to make, sign, seal and acknowledge a deed conveying to the said Frances J. McCarty all and singular the right, title and interest of the said Margaret McCarty Day, being the 1/12 of, in and to all real estate hereinbefore described and sold as aforesaid.

INDIANAPOLIS

And said guardian now in open court reports and presents to the court a deed of the hereinbefore described real estate, so sold as aforesaid made, signed, sealed and acknowledged by him of this date, conveying said 1/12 of said real estate to said Frances J. McCarty.

And the court having examined said deed finds the same to be in accordance with the orders of this court, now approves and confirms the same, writes thereupon such approval and orders the same to be delivered by said Guardian to said grantee, which is now done.

Complete Record 27 page 228; 35 pages 90 and 116.

TITLE

Deed Record
Town Lots
152 page 306
April 18, 1882
Recorded
April 24, 1882
19.

OF

Henry Day, Guardian of the estate of Margaret McCarty Day, minor heir of Susanna McCarty Day, deceased, by order of the Marion Circuit Court of the State of Indiana, entered in Volume 60 of the Order Book records of said Court on page 228,
to
Frances J. McCarty.

Guardian's Deed,

ABSTRACTS

The one undivided twelfth being the interest of his said ward, in, to and of the real estate situated in the County of Marion, State of Indiana, described as follows, to wit:
Lot 91 in McCarty's Subdivision of the West Part of Out Lot 120 in said City of Indianapolis, according to the Plat of said Subdivision as recorded in said Recorder's Office.
(Also other real estate.)
This deed examined and approved in open Court this April 18, 1882.

J. G. Adams,
Judge M.C.C.

Deed Record
Town Lots
175 page 557
May 21, 1885
Recorded
May 25, 1885
20.

OF

Nicholas McCarty, unmarried
Margaret R. McCarty, Harrison
and John C.S. Harrison, her husband
Frances J. McCarty, unmarried
Henry Day, unmarried and Henry
McCarty Day, unmarried.
to
Frederick C. Lauterbach

Warranty Deed

Lot Numbered 91 in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, according to the plat of said Subdivision as recorded in the Recorder's Office of the said County of Marion.

L. M. Brown Abstract Co.,

21.

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

TITLE

ENCUMBRANCES.

OF

ABSTRACTS

MORTGAGES.

22.

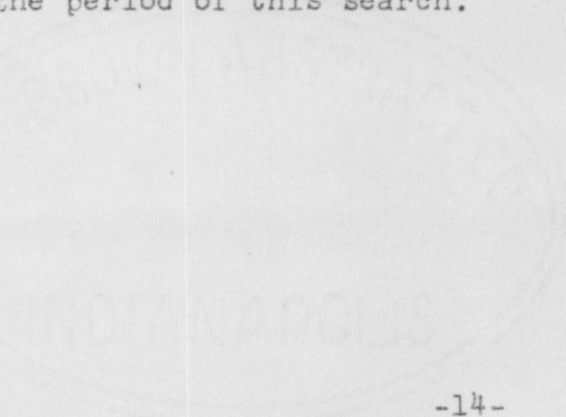
None found unsatisfied of record filed within the period of this search.

23.

MECHANIC'S LIENS.

None found unsatisfied of record filed within the period of this search.

L. M. Brown Abstract Co.,



December 28, 1951

CERTIFICATE

24.

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is
from DATE OF AGENT'S DEED to and including
June 2, 1885. and covers Paragraphs No. 1 to 24

both inclusive, and Sheets No. 1
to -15- both inclusive.



L. M. BROWN ABSTRACT COMPANY
By *Russell A. Fur*
President & Mgr.

INDIANAPOLIS

Examination of the Title, from June 2, 1885, to April 30, 1912, to lot numbered Ninety One (91) in McCarty's Subdivision of the West part of Out Lot numbered One Hundred Twenty (120) of the Donation lands of the City of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 7 at page 74 thereof.

17

18

For Carl L. Schmidt, Esq.

Conveyances.

1. In Marion Circuit Court Appearance Docket of Estates 22 page 3881

In the matter of the estate of Frederick Karl Lauterbach, deceased:

February 7, 1899, Will probated in open Court; Order Book 136 page 265. The affidavit of death shows that decedent died on March 15, 1895.

19

(Note:- The docket shows no other entries).

2. Will Record "P" page 8 Probated Jan.27, 1899

Last Will and Testament of Frederick Karl Lauterbach, deceased:

Will. Dated November 12, 1894.

20

"In the Name of God, Amen.
I, Frederick Karl Lauterbach, of the City of Indianapolis, County of Marion and State of Indiana, being of sound mind and memory, do make, publish and declare this my last will and testament, in manner following, that is to say:
1. I desire that all my just debts shall be paid.
2. I give, bequeath and devise all of my property, both personal and real, of every kind and description, to my

(Continued on succeeding sheet hereof)

INDIANAPOLIS

2.
(Continued)

lawful wife, Mrs. Elisa Lauterbach, nee Isking, to have and to hold the same, her heirs and assigns forever.

3. I hereby nominate and appoint, my son-in-law, Mr. Christian Schmidt, executor of this my last will and testament, hereby revoking all former wills by me made.

In witness whereof I have hereunto set my hand and seal this twelveth day of November, in the year of our Lord one thousand eight hundred and ninety-four.

Karl Lauterbach (seal) "

Three witnesses.

41

3.
In Marion
Circuit Court
Appearance
Docket
of Estates
22 page 3880

In the matter of the estate
of Eliza Lauterbach, deceased:

February 7, 1899, Will probated in open Court: Order Book 136 page 266.

(Note:- The docket shows no other entries).

77
seal

4.
Will Record
"P" page 6
Probated
Jan.27, 1899

Last Will and Testament
of Eliza Lauterbach, deceased:

Will.
Dated May 2, 1896.

"In the Name of God, Amen.

1, Elisa Lauterbach (nee Isking) of the City of Indianapolis, County of Marion, and State of Indiana, being of sound mind and memory, to make, publish and declare this my last will and testament, in manner following, that is to say:

1. I desire that all my just debts shall be paid.
2. I give, bequeath and devise all of my property, both personal and real, of every description, to my daughter, Mrs. Elisa Schmidt (nee Lauterbach) to have and to hold the same, her heirs and assigns forever.

3. I hereby nominate and appoint my son-in-law, Mr. Christian Schmidt, executor of this my last will and testament, hereby revoking all former wills by me made.

In Witness whereof I have hereunto set my hand and seal this second day of May in the year of our Lord, one thousand eight hundred and ninety six.

Elisa Lauterbach (seal) "

Three witnesses.

73

T.L.Record
329 page 438
Recorded
Oct.27, 1900

A certified copy of the above will was recorded in the office of the Recorder of Marion County, as noted in margin hereof.

L. M. BROWNE

5.
T.L. Record
329 page 433
Recorded
Oct. 26, 1900

Elise Schmidt

Affidavit.
October 26, 1900.

"State of Indiana)
Marion County) SS:

mt

Comes now Eliza Schmidt the sole surviving heir and daughter of Charles Frederick C. Lauterbach who being duly sworn on her oath deposes and says that her father died in Marion County, Indiana, Mch 15, 1895 seized in fee simple of the following described Real Estate, situated in Marion County, Indiana, to wit: Lot Number Ninety one (91) in McCarty's Subdivision of the West part of Out Lot One Hundred & twenty, (120) in the City of Indianapolis, according to the Plat of said Subdivision as recorded in Recorder's office of said County, of Marion.

Affiant further shows that no Administration was had upon his Estate but that his will was probated in the Clerks office of said County,

Also that his widow was named Elise Lauterbach and that the only child was this affiant. That all the debts of said Frederick C. Lauterbach were paid and this affidavit is made for the purpose of vesting the title in this affiant who is the only heir at law and to perfect the title, by showing the connection & relation between said Frederick C. Lauterbach and Elise Lauterbach, his wife, who died December 11, 1898, testate, having her will probated in said County, but no Administration

Affiant further says that all the debts of her mothers Estate were paid and that said Elise Lauterbach never remarried.

Elise Schmidt.

Subscribed and sworn to before me this 26th day of October, 1900.

Geo. B. Elliott (L S)
Clerk "

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6.
Will Record
"v" page 87
Probated
Jan.16, 1908

Last Will and Testament
of Elise Schmidt, deceased:

Will.
Dated November 24, 1907.

"I, Elise Schmidt, of Marion County, in the State of Indiana, hereby make and declare this my last will and testament.

First: I desire that all my just debts and funeral expenses be paid.

Second. I give and devise to my husband Christian H. Schmidt, all my property both real and personal of which I may die seised.

Third. I hereby appoint my husband, Christian H. Schmidt executor of this will and testament.

Witness my hand this 24th day of November 1907.

Elise Schmidt. "

Two witnesses.

7.
In Marion
Probate Court
Appearance
Docket
of Estates
33 page 8262

In the matter of the estate
of Elise Schmidt, deceased:

January 8, 1908, said Elise Schmidt died, testate.
March 19, 1912, bond filed and letters issued to
Christian H. Schmidt, Executor: Order Book 19 page 112.

(Still pending)

SEE SUBSEQUENT CONTINUATION

8.
T.L.Record
491 page ---
Recorded
Apl.4, 1912

Christian H. Schmidt, unmarried,

to

Carl L. Schmidt

Warranty Deed.
Dated April 3, 1912.

\$850.00

Lot 91 in McCarty's Subdivision of the West part of
Out Lot 120 in the City of Indianapolis.

INDIANAPOLIS
L. W. BROWN

28
98

Here the Title rests.

Encumbrances.

Mortgages.

10.

None filed within this period now remaining unsatisfied.

30
17
Misc. Record
69 page 15
Recorded
Oct. 6, 1911

Indianapolis Mortar and Fuel Co.,
by Chas Pigman, Secty.

to

C. H. Schmidt
E. Schmidt

*Satisfied
May 13-1912
L. W. Brown*

Notice of Mechanic's Lien.
Dated October 6, 1911.

Satisfied May 13 1912
Marion Title Guaranty Company
\$5.92

Lots 90 and 91 of McCarty's Sub. of the West part of
Out Lot 120 to the City of Indianapolis known as 7th and
8th Lots South of Ray Street on the East side of Senate
Ave. Indianapolis, Indiana.

31
Judgments.

12.

None found unsatisfied:- the search for judgments is
made only as to the name Schmidt, no search being made
for Smith.

32
Taxes.

13.

Taxes for 1911 are not paid.
Taxes for 1912 are not payable until 1913.

*Since paid
L. W. Brown*

SINCE PAID
Marion Title Guaranty Company

INDIANAPOLIS
L. M. BRO

Municipal Assessments.

33 14.

Municipal assessments, duly entered as paid in full, appear in Duplicates: 8 page 78; 10 page 194; 25 page 295 and 56 page 363.

34 15.

I find no further conveyances or unsatisfied encumbrances filed within the period embraced in this examination on Lot 91 in McCarty's Subdivision of the West part of Out Lot 120, as more fully described in caption hereof. Search made in the Recorder's office of Marion County, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts and of the Probate Court of Marion County, as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.
Indianapolis, April 30, 1912. 325 Lemcke Building.

[Handwritten signature]

8-248

35

Continuation of an Abstract of title to Lot 91 in McCarty's Sub-division of the West Part of Out Lot 120 in the City of Indianapolis, as per Plat recorded in Plat Book 7, page 74 in the Office of the Recorder of Marion County.

36

Prepared for W.T.Cannon, since date of former continuation, dated April 30, 1912.

37

Misc. Record
74, p. 241
Nov. 22, 1912
Recorded
Nov. 23, 1912.

STATE OF INDIANA, MARION COUNTY, S.S.

Nicholas McCarty being duly sworn on his oath says that he is the son of Nicholas McCarty, deceased, who formerly owned in his lifetime Out Lot 120 in the City of Indianapolis, Indiana.

That this affiant is now 78 years of age and that he is the brother of Margaret R. McCarty, Frances J. McCarty, and Susannah McCarty Day. That this affiant has never been married, and his sister, Frances J. McCarty has never been married and that Margaret R. McCarty was married on the 3rd day of October 1867 to John C.S.Harrison.

Nicholas McCarty.

38

There are no further conveyances

Encumbrances.

39

590 p. 242
May 7, 1912
Recorded
May 22, 1912.

Carl L. Schmidt and Katherine Schmidt (signs Katherine Schmidt his wife,

to Turner Building and Saving Association, Lot 91 as above in Caption.

To secure the payment of a loan of \$850.00 with certain dues interest etc.

Satisfied April 14 1914
Marion Title Guaranty Company

Satisfied April 11-1914
Ed

40

Taxes for the year 1912, paid, in Full.

41

Taxes for the year 1913, now due.

SINCE
Marion Title Guaranty Company

42 ✓ Attention called to 3rd Park and Boulevard Assessment for South Park District for which this property may be assessed.

43 ✓

Indianapolis, February 2, 1914.

We find no further conveyances nor unsatisfied encumbrances of Record on lot as described in Caption, since date of April 30, 1912.

Search made in the Recorders Office, the Tax Sale Records in the Auditors Office, and the Tax Duplicates in the Treasurers Office, and the Lis Pendens Records of Complaints and Attachments, and Judgments Dockets of the Marion Circuit Superior and Probate Courts, also Street Alley and Sewer Improvement Assessments in the Treasurers Office, as certified by the City Comptroller, as said Records and Dockets are now entered up.

No search made for Judgments in the United States Circuit and District Courts at Indianapolis.

MARION TITLE GUARANTY COMPANY
By *M. Wilkins*

44

Indiana
County.

Examination of the Title, from February 2, 1914, to March 23, 1914, to lot 91, in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis; the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 7 page 74.

45

Marion

For Messrs. Edenharter and Mull, Attorneys.

Conveyances.

46 1.

Indianapolis,

None filed within this period.

47

2.
In Marion
Probate Court
Appearance
Docket
of Estates
33 page 8262

Title,
of

In the matter of the estate of Elise Schmidt, deceased:
May 8, 1913 final report filed.
June 7, 1913, proof of posting final notice filed, final report approved and estate closed: Order Book 24 page 118.

Encumbrances
Mortgages.

48 3.

Abstracts

None filed within this period.

Judgments.

49 4.

None entered within this period.

S.M. Brown,

Taxes.

50

5.

Amie Ed

Taxes for 1913 are not paid.

Taxes for 1914 are not payable until 1915.

Indiana
County.

51

6.
Municipal Assessments.

Municipal assessments duly entered as paid in full, appear in Duplicate 110 page 110.

Marion

52

7.

Marion
Indianapolis,
Title,

I find no further conveyances or unsatisfied encumbrances filed within the period embraced in this examination upon Lot 91 of McCarty's Subdivision of a portion of the Donation Lands of the City of Indianapolis, more fully described in caption hereof.

Search made in the office of the Recorder of Marion County, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts and of the Probate Court of Marion County, as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.
Indianapolis, March 23, 1914. 325 Lemoke Building.

[Handwritten signature]

of

Abstracts

L.M. Brown,

53 Continuation of Abstract of Title to Lot 91 in McCarty's Sub-division of the West part of Out Lot 120 in the City of Indianapolis, reference being made to the recorded plat thereof as recorded in Plat Book No. 7 at page 74 in the Recorder's Office of Marion County, Indiana.

54 Prepared for John R. Welch, since date of former continuation dated March 23, 1914.

55 There are no further conveyances.

56 Encumbrances.

635, p. 112.
April 1, 1914.
Recorded.
April 3, 1914.

Carl L. Schmidt, and
Katherine Schmidt, his wife,
to
Turner Building and
Savings Association of
Indianapolis, Indiana.

Lot 91 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the Office of the Recorder of Marion County, Indiana, in Plat Book 7 page 74.

To secure a Loan of \$900.00 with certain dues, interest, etc.,

57 Taxes for the year 1915, 1st installment paid.
2nd installment unpaid, payable
in November 1916.

58 Taxes for the year 1916, now a lien, payable in May
and November 1917.

59 Attention called to 4th Park and Boulevard
Assessment for South District for which this property
may be assessed.

60 Indianapolis, Ind. June 12, 1916.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in caption, since date of March 23, 1914.

Search made in the Recorder's Office, the Tax Sale Records in the Auditor's Office, the Tax Duplicates in the Treasurer's Office, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Marion Superior, Circuit and Probate Courts; also Records of Street, Park, Alley and Sewer Improvement Assessments in the Treasurer's Office, as certified by the City Comptroller, as said Records and Dockets are now entered up.

No search made for Judgments in the United States Circuit and District Courts at Indianapolis.

MARION TITLE GUARANTY COMPANY

By *J. B. Welch* Manager

61
1. A Continuation of an Abstract of title to Lot 91 in McCartys Subdivision of the west part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 7 page 74 in the Office of the Recorder of Marion County, Indiana, Since June 12, 1916.

Carl
Care L. Schmidt and Katherine Schmidt, his wife,

2. To Warranty

62
Louis M. Golas and Clara Golas husband and wife

Q 9150
June 19, 1916.
Record 561 page 573.
Recorded June 19, 1916.
Lot 91 in McCarty's Subdivision
of the West part of Out Lot
120 of the Donation Lands of the

City of Indianapolis, the plat of which appears of Record in the Office of the Recorder of Marion County, Indiana in Plat Book 7 page 74.

63
Indianapolis, Indiana, January 2, 1917. Louis M. Golas and Clara Golas his wife, do hereby sell and convey the following described real estate Lot 91 in McCarty's Subdivision of the West Part of Out Lot No. 120 as more fully described in Caption hereof which house is known as No. 1029 South Senate Avenue, in the City of Indianapolis, Marion County, Indiana, to Abraham Brody and Bessie Brody his wife on the following conditions, Two Hundred Dollars at the time of signing this contract and Seventy five Dollars to be paid each six months until the sum of Three Hundred dollars more is paid making it in all the sum of Five Hundred Dollars, including six per cent interest and after said amount of which sum of Five Hundred dollars and interest is paid the said Louis M. Golas and Clara Golas shall deliver to the said Abraham Brody and Bessie Brody a Deed which said property shall be free and clear from any Liens or Mortgages except the Mortgage now held by John R. Welch which is for Twelve Hundred Dollars and interest

(over)

the Recorder's Office of Marion County, Indiana, which the grantee assumes and agrees to pay. (Mortgage above referred to recorded in Mortgage Record 690 page 111. Satisfied of Record January 12, 1920.)

65
Paid
RC.

See Book 130 page 390 for Assessment of Curbing Retaway in Ray Street approved November 29, 1922. Lot 91 assessed therein for \$25 Unpaid and now delinquent with penalty.

SINCE PAID IN FULL
UNION TITLE COMPANY
INCORPORATED
V. PRES. & GENERAL MANAGER
Attest: *[Signature]*

66
[Signature]

Examination made for judgments against Carl L. Schmid from June 12, 1916 to and including June 19, 1916 and Louis M. Golas and Clara Golas as husband and wife jointly up to and including July 10, 1917 and Abraham Brodey and Bessie Brodey as husband and wife jointly but not individually for the ten years last past and against none other.

67 ✓

Taxes for 1922 fully paid.

68 ✓

Taxes for 1923 1st half paid and 2nd half unpaid.

SINCE PAID IN FULL
UNION TITLE COMPANY
INCORPORATED
V. PRES. & GENERAL MANAGER
Attest: *[Signature]*

Paid
RC.

9. 69 ✓

Taxes for 1924 payable in 1925 now in lien.

SEE ENTRY # SUBSEQUENT CONTINGENT LIENS

Indianapolis, Indiana, May 31, 1924.

70

10. Examination of June 12, 1916, Continued to date and we find no change in title or incumbrances upon the real estate described in the Caption of this Continuation except as within shown as appears from the records in the Recorders Office, the General Judgment Dockets of the Marion Circuit Superior and Probate Courts, the Lis Pendens records of Complaints and Attachments, the Tax Duplicates and Municipal assessment records in the Treasurers Office, and the Indexes of Tax Sales in the Auditors Office, all in Marion County, Indiana, as said records and Dockets are now entered up.

W. M. COVAL & SONS, INC.
W. M. Coval
Ass't Sec'y
204-205-206 City Trust Bldg.

and of which the said Abraham and Bessie Brody agree to assume at this time and to keep on paying to the said John R. Welch at the rate of Twelve Dollars per month until the said sum of Twelve Hundred Dollars and interest is paid. It is also agreed and understood between the said parties that Louis M. Golas and Clara Golas are to keep the said property insured and pay for the same at this time but when he receives the balance of Three Hundred Dollars and his interest from the said Abraham Brody and Bessie Brody and at the time of making such Deed the said Louis M. Golas and Clara Golas shall receive from the said Abraham Brody and Bessie Brody the amount for such Insurance that they have paid the said Abraham Brody and Bessie Brody are to pay the last half of 1916 Taxes.

(signed) Louis M. Golas, Clara Golas,

Abraham Brody, Bessie her x mark Brody.

Witnesseth to her mark Elias W. Dulberger.

Subscribed and sworn to before me this 2nd day of Jan. 1917.

Elias W. Dulberger (L.S.) Notary Public.

My Commission expires January 2, 1917.

Recorded January 18, 1917 in Mortgage Record 704 page 206.

Louis M. Golas and Clara Golas

husband and wife,

To Warranty

Abraham Brodey and Bessie Brodey

husband and wife.

#

July 9, 1917.

Record 579 page 345.

Recorded July 10, 1917.

Lot 91 in McCarty's Subdivision

of the West Part of Out Lot 120

in the City of Indianapolis,

Subject to all unpaid taxes and assessments.

Subject also to the balance due on a mortgage in favor of the Celtic Saving and Loan Association No. 3 of Indianapolis calling for Twelve Hundred Dollars, and recorded in Mortgage Record 690 at page 111, in

10236.

71 1. Continuation of Abstract of Title on Lot 91 in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 7 page 74 in the Office of the Recorder of Marion County, Indiana. Since May 31, 1924.

72 Prepared for W.T. Cannon.

722 P. 114
June 16, 1924
Recorded
June 17, 1924

Abraham Brodey and
Bessie Brodey, his wife
to
Robert Beilach.

Warranty Deed

93 Lot 91 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis Subject to taxes for the year 1924.

94 Examination made for nudgments vs Abraham Brodey and Bessie Brodey, husband and wife from May 31, 1924 to June 17, 1924 and vs Robert Beilach for 10 years last past and against none other.

4. 75 Taxes for the year 1923, paid in full.

5. 76 Taxes for the year 1924, 1st. installment paid, 2nd. installment not paid.

6. 77 Taxes for the year 1925, payable in 1926, a lien.

Indianapolis, Indiana. May 13, 1925.

7 From a search of the records in the Recorder's Office, tax sale records in the Auditor's Office, current tax duplicates and municipal assessment records in the Treasurer's Office, as certified by the City Comptroller; the Lis Pendens records of Complaints and Attachments, and the General Judgment Dockets of the Marion Probate, Circuit and Superior Courts, as said records and dockets are now entered up; we find no further conveyances, nor unsatisfied encumbrances of record, on the tract described in the Caption.

No search made for judgments in the United States District Court at Indianapolis, for the District of Indiana.

No search made for pending resolutions for municipal improvements where the lien has not attached.

Union Title Company
Incorporated

By *William H. Coval*
V. PRES. & GENERAL MANAGER

Continuation of Abstract of Title to Lot 91 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana. Since May 13, 1925.

1.
79
80

Prepared for W. T. Cannon.

742 p 567
May 20, 1925
Recorded
May 23, 1925

Robert Beilach, and
Sadie Beilach,
his wife.
to
Joseph Kline, and
Eva Kline,
husband and wife.

Warranty Deed.

Lot #91 in McCarty's Subdivision of the West Part of Out Lot 120 in the City of Indianapolis, as per Plat Book 7 page 74 page of the records in the office of the Recorder of Marion County, Indiana.

Subject to all unpaid taxes and assessments.

81

924 p 436
May 20, 1925
Recorded
May 23, 1925.

Joseph Kline, and
Eva Kline, his wife.
to
The Railroadmen's Building and
Savings Association.

Lot #91 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis.

To secure the payment of a certain promissory note of even date herewith payable on or before 10 years from date, in the principal sum of \$1800.00 with interest at the rate of 6-1/2% per annum until paid, together with certain dues, fines and 10% Attorney's fees.

Release + Certificate of mortgage foreclosed
Filed by Clerk of Marion County Court. Rel Rec 32 p 321.

Released by Clerk of Marion County Court under Grant
Rel Rec 32 p 321
L. M. BROWN ABSTRACT CO.
Mortgage.

926 p 65
May 18, 1925
Recorded
May 23, 1925

Joseph -- (Signed: Joseph
Kline) and Eva Kline, --
to
Mrs. Myrtle Sedgwick.

Mortgage.

Lot 91 McCarty's West Addition, ---, to the City of Indianapolis.

To secure the payment of a certain promissory note of even date herewith payable on or before 5 years from date in the principal sum of \$150.00 with interest at the rate of 8% per annum until paid.

This mortgage is second and junior and an inferior lien to a mortgage of even date herewith executed to the Railroadmen's Building and Loan Association in the principal sum of \$1800.00.

83
on
wm.
RR
on
RE

Chattel Mortgage
Record 402 p 455
Sept. 1, 1925
Recorded
Jan. 12, 1926.

Joseph Kline, and
Eva Kline, --
to
Weller and Company,
By: Geo. Weller Jr.,
Approved: August Buschmann
and Sons, Inc.,
By: L. H. Patterson.

SATISFIED OF RECORD
ATTEST. UNION TITLE CO., INC.
BY: *Weller*
PRES. & GENL. MGR.
Contract 17, 1930

5. *Satisfied Mar 12, 1930*
on 192
see 17

Property known as 1029 S. Senate--.
For the sum of \$205.70, payable as follows:
\$41.14 down on signing this contract and \$16.46 on the
10th day of each and every month, commencing October
10, 1925 until the entire amount has been paid.

In case of default the second party or parties may enter
said premises and remove the plumbing or materials
which have been installed and retain and keep all
payments as a rental for said plumbing or materials.

Subscribed and sworn to before me a Notary Public
in and for said County and State, this 9th day of
September 1925 by: Jos. Kline.

and Eva Kline,
L. H. Patterson, (-)
Notary Public.

ASSIGNMENT.

Chattel Mortgage
Record 402 p 455
Jan. 12, 1926
Recorded
Jan. 12, 1926.

For value received I hereby assign this contract
to August Buschmann and Sons, Inc.,
Weller and Company,
Geo. Weller, Jr.,

SATISFIED OF RECORD
ATTEST. UNION TITLE CO., INC.
BY: *Weller*
PRES. & GENL. MGR.
Aug 30, 1930

6. *85*

Date assigned 9-1-1925
For value received, we assign this contract to
Columbia Securities Company.

August Buschmann and Sons, Inc.,
By: L. H. Patterson,
Secretary, Treasurer.

Date 9-10-1925.
1499 Assignment of mortgage on page 455 this book.
STATE OF INDIANA, COUNTY OF MARION, SS:

Subscribed and sworn to before me, a Notary Public,
in and for said County and State this 12th day of
January 1926.

August Buschmann and Sons Inc.,
By: L. H. Patterson,
Secretary, Treasurer.
Ben Sagalowsky, (LS)
Notary Public.

My commission expires November 28, 1929.

Satisfied Aug 20, 1930

7. *86*

Examination made for judgments against Robert
Beilach from May 13, 1925 to and including May 22,
1925 and Joseph Kline and Eva Kline, husband and wife,
jointly for the 10 years last past and against none
other

37552

87
88
89

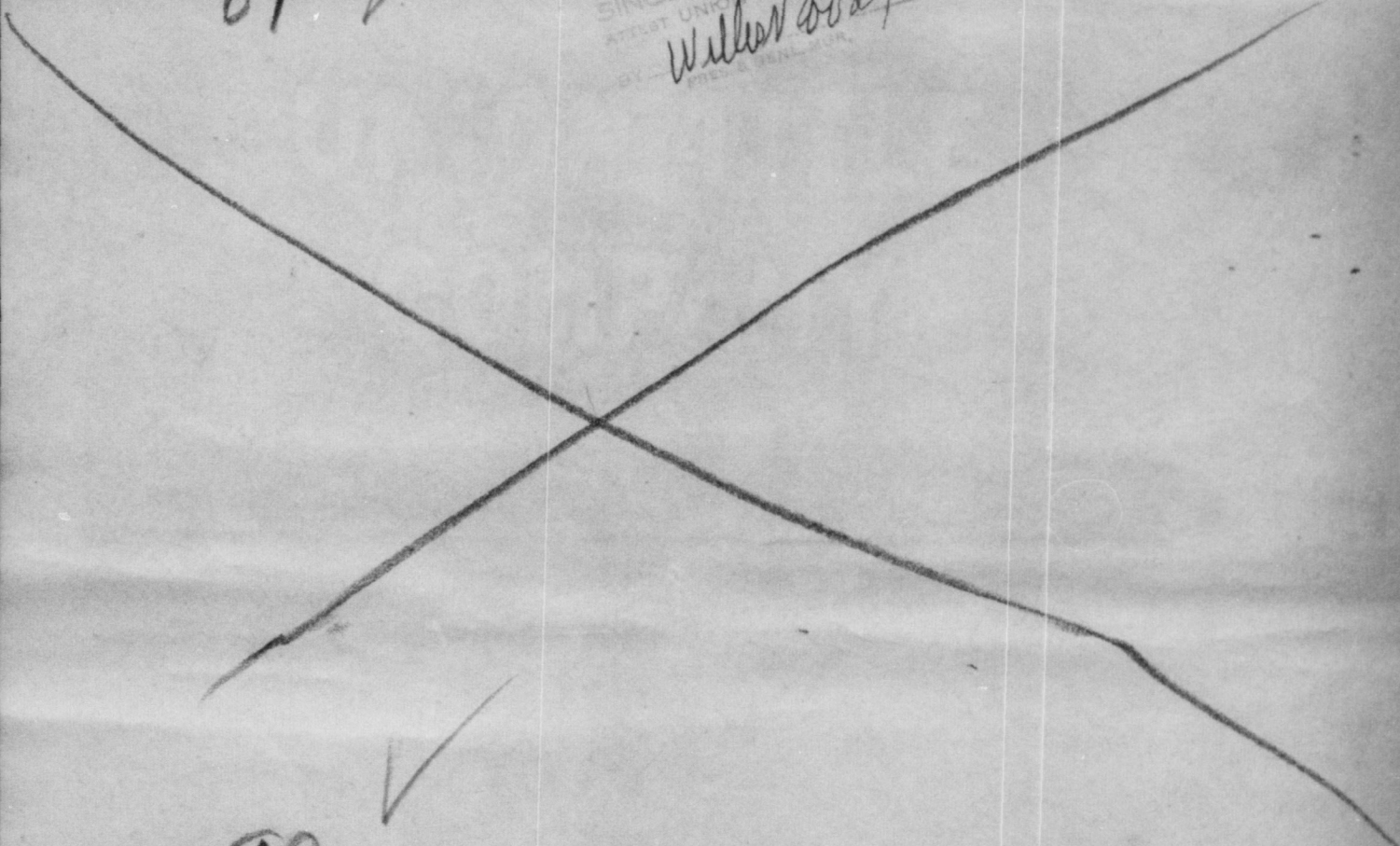
Taxes 1924, paid in full.

SINCE PAID
BROWN ABSTRACT CO.
Mgr.

Taxes 1925, unpaid and now delinquent with penalty.

Taxes 1926, now a lien.

SINCE PAID IN FULL
WILLIAM BROWN
BY WILLIAM BROWN



90

Indianapolis, Indiana, July 17, 1926.

From a search of the records in the Recorder's Office, including the Federal Tax Lien Index in said office, tax sale records in the Auditor's Office, current tax duplicates for real estate, and municipal assessment records in the Treasurer's Office, as certified by the City Comptroller; the Lis Pendens records of Complaints and Attachments and the General Judgment Dockets of the Circuit, Superior and Probate Courts of Marion County, and the Civil Municipal Courts of the City of Indianapolis, as said records and dockets are now entered up; we find no further conveyances, nor unsatisfied encumbrances of record, affecting the tract described in the Caption hereof.

No search made for judgments in the United States District Court at Indianapolis, for the District of Indiana.

All instruments abstracted herein appear regular in form, execution and acknowledgment, unless otherwise noted.

Union Title Company
INCORPORATED

BY *William N. Conroy*
V. PRES. & GENERAL MANAGER

Indiana

County,

Continuation of Abstract of Title to Lot Ninety One (91), in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana.

91

Prepared for W. T. Cannon, since date of July 17, 1926.

Marion

92
-93

There are no further conveyances.

Indianapolis,

-94

Taxes for the year 1925, paid in full.

Title,

-95

Taxes for the year 1926, payable in 1927.

As shown of record these taxes are now FULLY PAID. BROWN ABSTRACT CO.

of

Abstracts

96

Indianapolis, Indiana, August 23, 1926.

We find no further conveyances, nor unsatisfied encumbrances filed within the period embraced in this examination.

Searches made in the Recorder's office of Marion County, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts, of the Probate Court of Marion County and of the Civil Municipal Courts of Marion County as said records and dockets are now entered up; the Auditor's indexes of tax sales; and the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.

L.M. Brown,

E.F.

L. M. BROWN ABSTRACT COMPANY.

BY J. B. Williams MGR.

16264

1.

97

98

INDIANAPOLIS

TITLE

A Continuation of an Abstract of Title to Lot numbered ninety-one (91) in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, according to the plat thereof, recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana.

Prepared for W. T. Cannon, since date of August 23, 1926.

IN THE CIRCUIT COURT OF MARION COUNTY.

Cause # 40290.

The Railroadmen's Building and Savings Association,
Vs.

2.

99

OF

ABSTRACTS

Joseph Kline,
Eva Kline, his wife,
Myrtle Sedgwick and
August Buschmann and Sons,
incorporated.

September 10, 1926, complaint filed to foreclose mortgage recorded in Mortgage Record 924 page 436. Affidavit of non-residence of Eva Kline filed. Summons issued, Served on all other defendants September 13, 1926.

December 16, 1926, Proof of publication of notice filed.

Defendants defaulted. Submitted. Finding for plaintiff for \$2106.52 without relief from valuation and appraisement laws, and that said mortgage be foreclosed and the real estate therein described and the equity of redemption thereof be sold.

Complete Record 117 page 260.

December 22, 1926, certified copy of decree issued to the Sheriff of Marion County, who after duly advertising said real estate for sale did on January 22, 1927, first offer the rents and profits of said real estate for sale and receiving no bid he then offered the fee simple of the same and The Railroadmen's Building and Savings Association bid \$2192.15, and that being the highest and best bid the same was openly struck off to them and certificate of sale issued.

Execution Docket Z. page 228.

L. M. Brown Abstract Co.,

Deed Record
Town Lots
809 page 621.
Feb. 2, 1928.
Recorded
Feb. 3, 1928.

Omer Hawkins Sheriff of
Marion County,
To

Sheriff's Deed

The Railroadmen's Building and
Savings Association.

Lot 91 in McCarty's Subdivision of the West part of
Out Lot 120 in the City of Indianapolis, Marion County,
Indiana.

3.

100

(over)

INDIANAPOLIS

Sold on a certified copy of a decree of the Marion Circuit Court # 40290, rendered December 16, 1926 wherein The Railroadmen's Building and Savings Association was plaintiff and Joseph Kline, et al were defendants. Execution Docket Z. page 228.

Misc. Record
9 page 221.
Dated ---.
Acknowledged
Aug. 11, 1887.
Recorded
Aug. 11, 1887.

Articles of Incorporation of "The Railroadmen's Building and Savings Association."

TITLE
OF
ABSTRACTS

The name shall be "The Railroadmen's Building and Savings Association" and its place of business shall be in the City of Indianapolis, County of Marion and State of Indiana, in which County its operations shall be carried on.

Its Capital Stock shall be one million dollars.

The object shall be to provide its members a safe and profitable investment of small weekly installments and to loan them money on easy terms to enable them to purchase a home or make other investments.

The affairs of the association shall be managed by a Board of Directors consisting of nine members to be chosen from among the stockholders as provided in the By-Laws.

The following persons shall constitute the Board of Directors for the first year:

- I.H. Wilson
- J.M. O'Boyle
- M.W. Mansfield
- B.F. Sipp
- D.F. Whitcomb
- J.Q. Van Winkle,
- George Rech
- Jas. E. Pierce and
- W.T. Cannon.

Incorporators and subscribers for Stock as set opposite the names:

Incorporators	No. of Shares
I.H. Wilson	10
J.M. O'Boyle	10
M.W. Mansfield	2
B.F. Sipp	10
D.F. Whitcomb	10
J. Q. Van Winkle	10
Geo. Rech	10
Geo. E. Rockwell	10
H.P. Wetsell	10
Edward Daniels	2
Jas. E. Pierce	10
W.T. Cannon	10
Jos. Averill	4
C.A. Manning	10
W.H. Fisher	2

4.
101

L. M. Brown Abstract Co.,

Misc. Record
38 page 13.
Jan. 8, 1902.
Recorded
Jan. 9, 1902.

5. 102 ✓

INDIANAPOLIS
TITLE
OF
ABSTRACTS

The Railroadmen's Building and Savings Association.
by D.S. Hill, President, (Corp. Seal)
Attest: W.T. Cannon, Secretary.

Certificate of Amendment to Articles of Incorporation.
That on January 8, 1902 at the regular meeting of
the stockholders of said association a Resolution was
adopted amending the Articles of Association to read
as follows:
The affairs of the association shall be managed by
a Board of Directors consisting of seven members to
be chosen from among the stockholders as provided by
the By-laws.

6. 103 ✓

We find no further conveyances.

JUDGMENT.

IN THE SUPERIOR COURT OF MARION COUNTY.

Cause A 31315.
Order Book
472 page 158.

7. 104
Costs pd
re

L. M. Brown Abstract Co.,

Vollie Rifner,
Vs.

Railroadmen's Building and
Loan Association.

February 9, 1926
March 9, 1926, Railroadmen's Building and Loan
Association file motion for new trial.
July 1, 1926, motion for new trial overruled by
Court.
Defendant granted 90 days in which to file bill
of exceptions, appeal prayed and granted on filing
bond in the sum of \$500.00 in 30 days with Elias J.
Jacoby as surety, which surety is approved by the Court.
Order Book 477 page 199.
September 23, 1926, Bill of exception filed,
approved, signed and made a part of the record.
Order Book 477 page 424.

SATISFIED of record
L. M. BROWN ABSTRACT CO.
Certs
Mr.

8. 105 ✓

Taxes for the year 1926 paid in full.

9. 106 ✓

Taxes for the year 1927 assessed in the name of
Joseph and Eva Kline,
are due and payable in May or
November 1928.
May installment \$17.16
Nov. installment \$17.16

Paid
re

As shown by records these taxes are now
PAID.
L. M. BROWN ABSTRACT CO.
BY: [Signature]

INDIANAPOLIS
TITLE
OF
ABSTRACTS

L. M. Brown Abstract Co.,

10.

107

Indianapolis, Indiana, February 4, 1928.

We find no further conveyances, nor unsatisfied encumbrances filed within the period embraced in this examination.

Searches made in the Recorder's office of Marion County, including the Federal Tax Lien Index in said office, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts, of the Probate Court of Marion County and of the Civil Municipal Courts of Marion County as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.

P.R.

L. M. BROWN ABSTRACT CO.

James A. [Signature]

#35012

1.

108

INDIANAPOLIS

Continuation of Abstract of Title to Lot Numbered Ninety-One (91) in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 7 at page 74 thereof.

109

Prepared for W. T. Cannon, since date of February 4, 1928.

2.

110

TITLE

WE FIND NO FURTHER CONVEYANCES.

OF

ENCUMBRANCES.

ABSTRACTS

MORTGAGES.

3.

111

None found unsatisfied of record within the period of this search.

MECHANIC'S LIENS.

4.

112

None found unsatisfied of record within the period of this search.

JUDGMENTS.

5.

113

L. M. Brown Abstract Co.,

Search is made as to Judgments which may have been entered against, The Railroadmen's Building and Savings Association, from February 4, 1928, to date.

(None found unsatisfied).

ASSESSMENTS.

6.

114

None found unsatisfied of record which became a lien within the period of this search.

#35012.

INDIANAPOLIS

TAXES.

7.

115

Taxes for the year 1928, assessed in the name of The Railroadmen's Building and Savings Association, are due and payable the First Monday in May and the First Monday in November, 1929.

General Tax Duplicate No. 83251.
Indianapolis, Center Township.

TITLE

*Paid
rec*

May installment \$17.55 paid
Nov. installment \$17.55 not paid

As shown on record these taxes are not
FULLY PAID.
BY *[Signature]* MGR.
BROWN ABSTRACT CO.

ABSTRACTS OF

8.

716

Taxes for the year 1929, became a lien March First, and are due and payable in May and November, 1930.

L. M. Brown Abstract Co.,

#35012

9.

September 9, 1929.

CERTIFICATE

INDIANAPOLIS

TITLE

OF

ABSTRACTS

L. M. Brown Abstract Co.,

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies that the foregoing, within the limits of the period of search herein specified, is an abstract of the title to and unsatisfied encumbrances upon, the real estate described in the caption hereof.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics liens, and Federal Tax Liens, all as now entered up and indexed.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

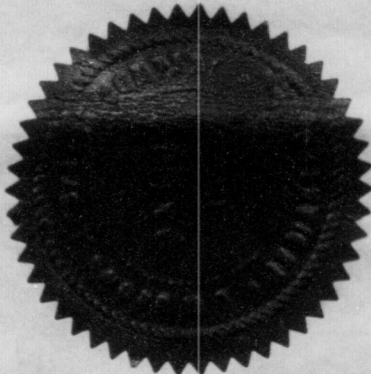
III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicate for unpaid taxes and in the assessment duplicates for unpaid municipal improvement assessments as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaints and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court of the Superior Courts of Marion County, of the Probate Court of Marion County, and of the Civil Municipal Courts of Marion County, as said records and dockets are now indexed.

V. From the searches as above enumerated, we find no further conveyances, nor unsatisfied encumbrances as indexed or entered up, within the period embraced in the examination here certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this Certificate is from February 4, 1928, to September 9, 1929, and covers Paragraphs No. 1 to 9 both inclusive and sheets No. 1 to 3, both inclusive.

L. M. BROWN ABSTRACT COMPANY.
By *Paul A. Furr* mgt.



McA.

1.

118

INDIANAPOLIS

Continuation of Abstract of Title to Lot numbered Ninety-one (91) in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 7, at page 74 thereof.

Prepared for W. T. Cannon, since date of September 9, 1929.

2.

119
120

TITLE

WE FIND NO FURTHER CONVEYANCES.

OF

ENCUMBRANCES.

3.

121

ABSTRACTS

MORTGAGES

None found unsatisfied of record filed within the period of this search.

4.

122

MECHANIC'S LIENS

None found unsatisfied of record filed within the period of this search.

5.

123

L. M. Brown Abstract Co.

JUDGMENTS

Search is made, and strictly limited, for judgments which may have been entered against the following party, solely under the name as herein written, and not otherwise.

The Railroadmen's Building and Savings Association, from September 9, 1929 to date.

None found unsatisfied.

6.

124

ASSESSMENTS

None found unsatisfied of record which became a lien within the period of this search.

INDIANAPOLIS

TAXES.

7.

125

Taxes for the year 1929 assessed in the name of
The Railroadmen's Building and Savings
Association
General Tax Duplicate No. 85213
Indianapolis, Center Township,
are due and payable the first Monday in May and the
first Monday in November 1930.

May Installment \$18.40 unpaid.
Nov. Installment \$18.39 unpaid.

ABSTRACTS

8.

126

L. M. Brown Abstract Co.,

Taxes for the year 1930 will become a lien March
1st and are due and payable in May and November of
1931.

39297

9.

February 8, 1930.

CERTIFICATE

INDIANAPOLIS

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies that the foregoing, within the limits of the period of search herein specified, is an abstract of the title to and unsatisfied encumbrances upon, the real estate described in the caption hereof.

And it is further certified that SPECIAL SEARCHES were made as follows:

TITLE

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgage, mechanics liens, and Federal Tax Liens, all as now entered up and indexed.

OF

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

ABSTRACTS

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicate for unpaid taxes and in the assessment duplicates for unpaid municipal improvement assessments as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaints and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court of the Superior Courts of Marion County, of the Probate Court of Marion County, and of the Civil Municipal Courts of Marion County, as said records and dockets are now indexed.

V. From the searches as above enumerated, we find no further conveyances, nor unsatisfied encumbrances as indexed or entered up, within the period embraced in the examination here certified, against the real estate described in the caption hereto, except those which may be herein shown.

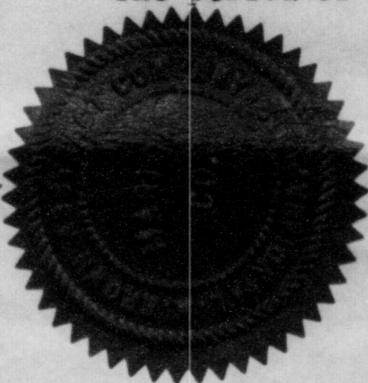
The period of search covered by this Certificate is from September 9, 1929 to February 8, 1930 and covers Paragraphs No. 1 to 9 both inclusive and sheets No. 1 to 3, both inclusive.

L. M. BROWN ABSTRACT COMPANY.

By *Quella L. ...*

L. M. Brown Abstract Co.,

129



98860

-1- Continuation of Abstract of Title to Lot 91 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana. Since February 8, 1930.

128

129

Prepared for R. H. Hartman.

Town Lot Record
858, p. 293
Inst. #9126
March 13, 1930
Recorded
March 14, 1930

730

The Railroadmen's Building and Savings Association (Corp. Seal)
By W. T. Cannon, President,
Attest: Jas. E. Pierce,
(Acknowledged J. E. Pierce),
Secretary, a corporation under and by virtue of the laws of the State of Indiana,

Special Warranty Deed

to
Robert Bond.

Lot 91 in McCarty's Subdivision of the west part of Out Lot 120 in the city of Indianapolis.

Subject to 1930 taxes due and payable in 1931 and to all municipal assessments that may be levied after this date.

It is understood and agreed by the parties to this conveyance, that the title to the real estate herein conveyed is warranted only so far as it might be affected by any act of the grantor during its ownership thereof and not otherwise.

Mortgage Record
1066, p. 117
Inst. #16859
May 14, 1930
Recorded
May 14, 1930

131
Rebased on margin

Robert A. Bond, unmarried,
to
Co-Operative Savings and Loan Association.

SATISFIED OF RECORD
J. M. BROWN ABSTRACT CO. INC.
Russell

Lot 91 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation lands of the city of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 7 at page 74 thereof.

To secure the payment of a certain promissory note of even date herewith payable on or before 10 years from date in the principal sum of \$1200.00 with interest at the rate of 7% per annum until paid, together with certain dues, fines, etc. and with 10% attorney's fees.

Judgment Search

-4-

132

Examination made for judgments vs. The Railroadmen's Building and Savings Association from February 8, 1930 to and including March 14, 1930, also vs. Robert (A.) Bond for the 10 years last past and against none other.

98860

~~133~~

Taxes for the year 1928 fully paid.

~~134~~

Taxes for the year 1929 on the real estate for which this abstract is prepared are assessed in the name of The Railroadmen's Building and Savings Association and are due and payable in May and November of 1930.

May installment \$18.40 paid.

November installment \$18.39 paid.

~~135~~

Taxes for the year 1930 now a lien.

-2- B.O.

Amundson

As shown by record these taxes are now
FULLY PAID.
L. M. BROWN ABSTRACT CO., INC.
BY *Russell*
PRES. & MGR.

CERTIFICATE

-8-

STATE OF INDIANA }
 COUNTY OF MARION } SS:

The undersigned hereby *certifies, guarantees and warrants* to whoever relies upon this certificate, and *this certificate inures to the benefit of the present and all future persons in interest and runs with the real estate described in the caption hereof.*

FIRST That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, affecting the title to the tract described in the Caption hereof.

That all instruments abstracted herein appear regular in form, execution, and acknowledgment, unless otherwise noted.

SECOND That there are no wills, estates, nor guardianships affecting the title to the tract described in the caption hereof, except as shown herein.

That there are no notices of Lis Pendens filed in the Lis Pendens Records of Complaints and Attachments, and no judgments against, nor any Recognizance or Replevin Bail signed by any of the parties named above under the caption of judgment search which are now liens upon the real estate described in the caption hereof, as appears from the General Judgment Dockets of the Criminal, Circuit, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, nor any transcripts of judgments of the United States Courts filed in the Office of the Clerk of the Circuit Court of Marion County, as said records and dockets are now entered up, except as hereinabove set out.

THIRD That according to the current tax duplicates and special tax duplicates and municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

The undersigned has two complete independent sets of indexes to the foregoing records of said County, compiled from the records and not copied from the official indexes, and the searches covered by this certificate reflect said records of said County and are not restricted to the indexes thereof.

136 ✓
 In the preparation of this abstract an examination was made of one set of indexes and the findings thereof were re-checked with the other independent set of indexes, said examination made by one examiner and re-checked by another.

This certificate covers entries Nos. 1 to 8 both inclusive and sheets water-
 marked "Union Title Company" Nos. 1 to 3 both inclusive.
 Dated at Indianapolis, Indiana, June 13, 1930, 8:00 A.M.

UNION TITLE COMPANY

By Willis A. Neal
 President and General Manager

-3- B.C.

317499

1.

INDIANAPOLIS

Continuation of Abstract of Title to Lot Numbered Ninety-one (91) in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana.

Prepared for: Fieber & Reilly, since date of June 12, 1930

TITLE

CONVEYANCES.

Misc. Record
224 page 144
July 29, 1930
Recorded
July 30, 1930

Thomas W. Kercheval

Affidavit

2.

OF

Affiant says that he is well acquainted with Robert A. Bond having known him for several years and that he is the same person as Robert Bond who on March 13th, 1930 was the grantee in a certain deed wherein the Railroadmen's Building and Savings Association conveyed to him Lot 91 in McCarty's Subdivision of the west part, of Out Lot 120 in the City of Indianapolis, Indiana.
Thomas W. Kercheval.

ABSTRACTS

Deed Record
Town Lots
864 page 384
July 29, 1930
Recorded
July 30, 1930

Robert A. Bond, unmarried
of legal age
to
Mary T. Fagan and
Thomas J. Fagan, her
husband

Warranty Deed

3.

Lot 91 in McCarty's Subdivision of the West part, of Out Lot 120 in the City of Indianapolis, Indiana.

4.

NOTE:

A careful search in the Probate Indexes in the office of the Clerk of the Marion Circuit Court fails to disclose any entry of the Probate of the last will or of the granting of letters of administration upon the estate of Thomas J. Fagan, who died July 29, 1937.

L. M. Brown Abstract Co.,

Misc. Record
444 page 121
Feb. 3, 1950
Recorded
Feb. 8, 1950

5.

L. M. Brown Abstract Co.,

INDIANAPOLIS
TITLE
OF
ABSTRACTS

Mary Fagan

Affidavit

Affiant says, that she is the same person as the Mary Fagan, who with Thomas J. Fagan, were named as Grantees in a certain Warranty Deed, dated September 18th, 1933, which Deed conveyed the following described Real Estate: said Deed was recorded in Town Lot Record 908, page 150 of the Records in the office of the Recorder of Marion County, Indiana;

Lots Numbered 26, 27 and 28 in James Van Blaricum's Subdivision of the middle part of Out Lot 121 in the City of Indianapolis, sometimes called Van Blaricum's Second Subdivision as per plat thereof, recorded in Plat Book 2, page 26, of the records of the Recorder's Office of Marion County, Indiana.

Affiant further states that Thomas J. Fagan died intestate on or about July 29th, 1937, leaving her surviving him, That his Estate was properly settled, all debts including those of his last sickness and funeral expenses having been paid, and that there are no bills of any nature outstanding. That Thomas J. Fagan and this affiant remained intermarried from September 18th, 1933 to the date of the death of said Thomas J. Fagan, namely July 29th, 1937. That Thomas J. Fagan owned no property outside of the State of Indiana, and that there was no liability for the payment of any Federal Succession Tax on his Estate, no matter how his property was held, or where located.

Affiant further states that there are no judgments rendered against her in any Courts of Marion County, or any United States District Court, and that the Mary Fagan mentioned as Plaintiff in a suit filed in the Superior Court of Marion County Versus Ward Scott, Cause No. A 47109 on June 13, 1929, Order Book 481, page 256, is not this Affiant.

That the Mary Fagan against whom a judgment was rendered on November 28th, 1932 in the Municipal Court of Marion County, Cause No. 43797 in Order Book 45, page 15 is not this Affiant.

That no action has been taken by this Affiant in connection with a suit filed in the Municipal Court of Marion County, Benjamin Ellis Versus Mary T. Fagan, Cause No. 65382, Order Book 60, Page 494, This suit was filed on November 3, 1937, and by virtue of lapse of time it is now outlawed.

Further affiant saith not.

Mary Fagan.

6.

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

MORTGAGES.

Mtg. Record
1139 page 180
July 30, 1935
Recorded
July 31, 1935

TITLE

Mary T. Fagan and
Thomas J. Fagan, her husband
to
Thomas Joseph Fagan, Jr.
and Marion Fagan, his wife

Mortgage
SATISFIED OF RECORD
L. M. BROWN ABSTRACT CO., INC.
Russell A. Furr
PRES. & MGR.

7.

OF

Lot No. 91 in McCarty's Subdivision of the
West part of Out Lot 120 in the City of Indianapolis,
Indiana.

To secure the payment of a certain promissory note
of \$1200.00 of even date, and payable 8 1/3 years after
date with 6% interest, per annum, from date, payable
semi-annually until maturity with attorney's fees.

ABSTRACTS

MECHANIC'S LIENS.

8.

None found unsatisfied of record filed within
the period of this search.

OLD AGE ASSISTANCE LIENS.

9.

Provided by the Acts concerning Public Welfare,
approved March 12, 1947;
Search has been made as to the Old Age Assistance
Liens filed in the office of the Recorder of Marion
County, as to the persons listed, and for the period
specified in the following Judgment Search.
(We find none.)

L. M. Brown Abstract Co.,

L. M. Brown Abstract Co.,

- INDIANAPOLIS
- JUDGMENTS.
10. Search is made, and strictly limited, for judgments, which may have been entered against the following party, solely under the name as herein written, and not otherwise, and the General Certificate hereto appended is accordingly limited.
- Mary T.Fagan, for 10 years last past.
- (None found unsatisfied.)
- TITLE
- OF
- ASSESSMENTS.
11. None found unsatisfied of record which became a lien within the period of this search.
- ABSTRACTS
- TAXES.
12. Taxes for year 1949 paid in Full.'
13. Taxes for year 1950 assessed in names of Mary T. and Thomas J.Fagan, are due and payable the first Monday in May and the first Monday in November, 1951.
- General Tax Duplicate No. 236676.
Parcel No. 19961.
Indianapolis, Center Township.
- May installment \$27.33 Paid.
Nov.installment \$27.33 Unpaid and Delinquent.
14. Taxes for year 1951 became a lien March 1st and are due and payable in May and November of the year 1952.

SINCE PAID IN FULL
ATTN: UNION TITLE CO.
BY: *W. S. Dunning*
PRESIDENT

15.

INDIANAPOLIS

TITLE

OF

ABSTRACTS

Zoning Ordinance #114, prepared by City Plan Commission, Council Proceedings of 1922, page 655, introduced November 6, 1922, passed by the Common Council November 20, 1922, signed by the Mayor December 4, 1922, and effective December 20, 1922.

General Ordinance #79, 1939, an ordinance to amend General Ordinance #114, 1922. Council Proceedings of 1939, page 645, introduced October 2, 1939, passed by the Common Council, October 16, 1939, and signed and approved by the Mayor, October, 1939, and effective January 10, 1940.

Provides for the establishing of a Zoning Plan for the City of Indianapolis to regulate and restrict the height, area, bulk and use of all buildings, to regulate and determine the area of yards, courts, and other open spaces, to specify and regulate the location of industries, commercial enterprises and the location and character of buildings designed for special uses, to establish building lines, and for all such purposes to divide the City into the following districts:

Being five Classes of Use Districts termed respectively, Class U-1, or Dwelling House Districts; Class U-2, or Apartment House Districts; Class U-3, or Business Districts; Class U-4, or First Industrial Districts; and Class U-5, or Second Industrial Districts.

And into four Classes of Height Districts, H-1, 50 foot height limit; H-2, 80 foot height limit; H-3, 108 foot height limit; and H-4, 180 foot height limit; and

Eight Classes of Area Districts, Class AAA, 30,000 square feet per family; Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 4,800 square feet per family; Class A-3, 2,400 square feet per family; Class A-4, 1,200 square feet per family; Class A-5, 600 square feet per family; Class A-6, unlimited.

Provides for its administration by the Building Commissioner, and for penalties for violation of its provisions and authorizes the creation of a Board of Zoning Appeals, and that no building or apartment shall be erected or used except in conformity with the regulations prescribed in said Ordinance.

The real estate herein abstracted appears in Use District, Class U-2; Height District, Class H-1 ; and Area District, Class A-4 ; all as shown by said Ordinance and on the Zoning Map of the City, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

L. M. Brown Abstract Co.,

CERTIFICATE

16.

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is

from June 12, 1930
December 26, 1951

to and including

and covers Paragraphs No. 1 to

16

both inclusive, and Sheets No. 1

to

-6-

both inclusive.

L. M. BROWN ABSTRACT COMPANY

By *Russell A. Fair*

President & Mgr.



Established 1868

OFFICERS
RUSSELL A. FURR
PRESIDENT
VOLNEY M. BROWN
VICE-PRESIDENT
FRED G. APPEL
VICE-PRESIDENT
CORNELIUS O. ALIG
TREASURER
EDSON T. WOOD.
SECRETARY
ARCHIE H. ADAMS
ASST. SECRETARY
JACOB F. DELKER
MANAGER

L. M. BROWN ABSTRACT CO., Inc.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

317499

DIRECTORS
EDSON T. WOOD,
FERMOR S. CANNON
VOLNEY M. BROWN
FRED G. APPEL
J. ALBERT SMITH
CORNELIUS O. ALIG
FRED WUELFING
EDWARD P. FILLION
ALBERT E. UHL
RUSSELL A. FURR
SAMUEL B. SUTPHIN

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

FIEBER & REILLY

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond and New Albany.

The undersigned L. M. BROWN ABSTRACT CO., of Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named seven divisions of the United States District Courts for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including Dec. 26, 1951
and all other Divisions of the State of Indiana, down to and including Dec. 14, 1951

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

Mary T. Fagan

Dated December 26, 1951.....

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

LB

548485

CAPTION

-1-

Continuation of Abstract of Title to Lot 91 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 7, page 74, in the Office of the Recorder of Marion County, Indiana. Since December 26, 1951.

Prepared for: Anchor Federal Savings and Loan Association

Town Lot Record
1441 Page 678
Instr. #3573
Jan. 16, 1952
Recorded
Jan. 16, 1952

Mary T. Fagan, widow
and unmarried
to
Margaret Mahoney,
unmarried, and
Earl K. Short and
Dorothy M. Short,
husband and wife, as
Joint Tenants with
right of survivorship
and not as Tenants
in Common

Warranty Deed
(U.S. Revenue
Stamp Attached)

-2-

Lot Numbered 91 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, Page 74 in the Office of the Recorder of Marion County, Indiana.

Subject to all unpaid taxes and assessments.
Proper Citizenship Clause is attached.

Town Lot Record
1488 Page 596
Instr. #28775
April 29, 1953
Recorded
May 4, 1953

Earl K. Short and
Dorothy M. Short,
husband & wife
to
Margaret Mahoney,
a widow and of
legal age

Warranty Deed

-3-

Lot No. 91, in McCarty's sub-division of the West Part of Out Lot 120, of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, Page 74 in the Office of the Recorder of Marion County, State of Indiana.

548485

This property subject to mortgage recorded in Mortgage record 1627 Page 359, recorded January 16, 1951 for the amount of \$2500.00 and interest.

Subjected also to taxes for the year 1953, payable in the year 1954.

No Revenue Stamps attached as there is no cash consideration involved in this transaction.

-4-

Margaret Mahoney died testate May 16, 1956.

Will Record
A-23 page 351
Probated
May 25, 1956

-5-

LAST WILL AND TESTAMENT OF MARGARET MAHONEY, DECEASED.

I, Margaret Mahoney, a resident of Indianapolis, Indiana, and residing at 1029 South Senate Avenue, being of legal age, and of sound mind and disposing memory, do make, publish and declare this My Last Will and Testament, hereby revoking all former wills made by me.

ITEM I. I hereby direct that my executrix shall pay all of my just debts out of the first funds coming into her hands.

ITEM II. I hereby nominate and appoint Dorothy Kellar, who resides with me at 1029 So. Senate Avenue, Indianapolis, Indiana, as executrix of this my last will and testament.

ITEM III. I give, devise and bequeath to my niece, Mattie Cash, Boston, Kentucky, the sum of \$1.00.

ITEMS IV. I give, devise and bequeath to my niece, Mamie Poppelwell, Lebanon Junction Kentucky, the sum of \$1.00.

ITEM V. I give devise and bequeath to my niece, Leona Bowman, Boston Kentucky, the sum of \$1.00.

ITEM VI. My estate is composed of a lot and house located at 1029 South Senate Avenue, Indianapolis, Indiana, which is being purchased through A. J. Hueber and Company, Indianapolis, Indiana, on a conditional sales contract basis. All rights, assignment of interest and equity in said lot and house located at 1029 So. Senate Avenue, Indianapolis, Indiana, I give, devise and bequeath to Dorothy Kellar, 1029 South Senate Avenue, Indianapolis, Indiana; as well as certain personal property and household goods and effects now located at 1029 South Senate Avenue, Indianapolis, Indiana; as well as certain personal property and household effects now located at 1029 South Senate Avenue Indianapolis, Indiana, also certain insurance policies of which I

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have designated definite beneficiaries and which terms of said insurance policies are to be construed definitely and concisely as of the wording of said policies.

ITEM VII. I direct that I shall be cremated and my remains placed in a mausoleum in Indianapolis, Indiana, selected and decided upon by the judgment of my Executrix. Said selection is to be left entirely to her discretion and judgment.

Signed, sealed and acknowledged by the testatrix, Margaret Mahoney, at Indianapolis, Indiana this 29th, day of August 1950.

Margaret Mahoney

The foregoing instrument consisting of these 2 pages, at the date hereof, by said Margaret Mahoney, signed sealed and published and declared to be her Last Will and Testament, in the presence of us, who, at her request, and in her presence, and in the presence of each other, have signed our names as witnesses hereto.

Witnesses Earl K. Short

Witnesses Vera M. Manring

Indianapolis, Indiana

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
169 page 62676

-6-

IN THE MATTER OF THE ESTATE OF MARGARET MAHONEY, DECEASED.

May 25, 1956, Will probated in open court. Bond filed, and Dorothy Kellar duly appointed and qualified as executrix of the last will and testament of Margaret Mahoney, deceased.

Order Book 384 page 241.

June 18, 1956. Proof of notice of appointment filed.

"Pending"

*See Sub Court
Dkt*

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
169 page 62676
Verified Petition
Filed
December 12, 1956

-7-

IN THE MATTER OF THE ESTATE OF MARGARET MAHONEY, DECEASED.
PETITION TO SELL REAL ESTATE.

The undersigned, duly qualified acting Executrix of the Estate of Margaret Mahoney, late of Marion County, Indiana, respectfully shows to the Court that the total value of the personal estate of said deceased which has come to the knowledge or possession of said Executrix was \$44.97, this representing a check from the Railroad Retirement Board to the deceased listed on the inventory

-3-plh-over-

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of said estate, however since such listing the amount was returned to the Railroad Retirement Board later at the request of the Railroad Retirement Board advising this amount paid in error. That there is now no personal estate.

That at the time of death said decedent was the owner of the fee simple title in the following real estate located in Marion, County, State of Indiana, to wit:

Lot numbered 91 in McCarty's Subdivision of the West Part of out lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, Page 74, in the Office of the Recorder of Marion County, Indiana.

That the following claims have been filed against this estate: First Ban Credit Corp. \$73.74 filed July 30, 1956, and a claim filed for funeral expenses of deceased by Flanner & Buchannon Mortuary amounting to \$680.35 filed October 25, 1956.

That there is an unpaid mortgage due on said property for \$1535.21 due Anchor Federal & Savings & Loan Ass. of Indianapolis, Indiana.

That Margaret Mahoney was not married at the time of her death, that she had no natural children. That the said real estate was bequeathed to this beneficiary under the terms of the will of deceased.

That the value of the equity in this real estate is valued at \$1792.20 and the only remaining asset of said estate, and is liable to sale in this proceeding to satisfy the mortgage of Anchor Federal Savings & Loan Ass. of Indianapolis, Ind. amounting to \$1535.21.

WHEREFORE, said Executrix prays the Court for an order empowering her to sell the aforesaid real estate to discharge the debts and liabilities of said estate, to pay the balance due on the mortgage of \$1535.21, and to pay claims filed vs. said estate amounting to \$753.09.

And the Court having heard the evidence and being sufficiently advised in the premises finds that the personal assets of said estate are insufficient to pay and discharge the debts and liabilities thereof, and that the real estate in said petition heretofore described is liable to be made assets in the hands of said Executrix to pay such indebtedness; and mortgage must be paid and claims paid before any deed can be issued conveying the property.

It is therefore considered and ordered that the real estate heretofore described may be sold at private sale for not less than the full appraised value thereof on the following conditions.

To be sold for cash only, at the full appraised value of \$3500.00 through any responsible real estate agency, and that in the event, if sold, the aforesaid mortgage of \$1535.21 shall be paid in full, and the two claims filed amounting to \$753.09 shall be paid in full before any deed of conveyance of said real estate is made, to purchaser.

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

Order Book 397 page 594.

"Pending".

*See Sub Cont
cont*

Mortgage Record
1627 page 359
Inst. #3574
Jan. 16, 1952
Recorded
Jan. 16, 1952

Margaret Mahoney,
unmarried; and
Earl K. Short and
Dorothy M. Short,
husband and wife

Mortgage

to

The Atkins Savings and
Loan Association

Lot Numbered 91 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74, in the Office of the Recorder of Marion County, Indiana.

To secure payment of a promissory note and performance of the terms thereof, this day executed and payable on or before 12 years from date in the principal sum of \$2500.00 with interest as therein specified, with attorney's fees.

This mortgage shall also secure any additional advances made to mortgagors by Association not in excess (in the Aggregate) of the above amount, at any time within a period of 12 years from the date hereof.

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*3-13-57
Released on margin
JW*

-9-

Certificate of Change of name of "The Atkins Saving and Loan Association" to "Anchor Federal Savings and Loan Association", recorded March 7, 1952, in Misc'l. Record 480 page 359.

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Old Age Assistance
Search

-10-

Examination has been made, as to the persons named under the heading of Judgment Search, and for the period so specified under said search, for liens shown by notices of Old Age Assistance, filed in the Office of the Recorder of Marion County, as provided by the Acts concerning Public Welfare, approved May 1, 1947.

Juvenile Court
Search

-11-

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

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

Judgment Search

-12-

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

Mary T. Fagan

from December 26, 1951
to and including
January 16, 1952

Earl K. Short
and
Dorothy M. Short

from February 14, 1947
to and including
May 4, 1953

Margaret Mahoney

from February 14, 1946
to and including
May 16, 1956 and
against none other.

548485

IN THE MUNICIPAL COURT OF MARION COUNTY

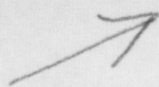
Cause #M-70307
Dec. 1, 1952
Order Book
143 page 536

Harry Feirberg
Goldman Stores Corp
vs
Dorothy Short

Judgment rendered vs defendant for \$35.88 and costs.

March 2, 1953. Execution issued. Returned not satisfied. See Execution Docket 55 page 322.

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-14-

Taxes for the year 1955 on the real estate for which this Abstract is prepared are assessed in the name of Margaret Mahoney and are due and payable on or before the first Mondays in May and November of 1956.

General Tax Duplicate No. 335268, M-N-O, Indianapolis, Center Township, Parcel No. 19961.

May Installment \$18.12 Paid.

November Installment \$18.12 Paid.

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Taxes for the year 1956 now a lien.

-7-plh

SYNOPSIS OF THE ZONING AND PLANNING REGULATIONS
OF THE CITY OF INDIANAPOLIS

The original comprehensive Zoning Ordinance adopted for the City of Indianapolis, being General Ordinance No. 114, 1922, as amended, was repealed and reordained, as changed by General Ordinance No. 104, 1950, except Section 22, as amended being the establishment of the City Plan Commission, and except the District Zone Map, as amended, which were adopted, continued and are now in full force and effect.

The purpose of the "Municipal Code of Indianapolis 1951" is to restate and codify, General Ordinance No. 104, 1950, as amended, and now in effect, so as to conform such zoning ordinances to become a part of said code. Said code contains the zoning and planning regulations of the City of Indianapolis, in order to regulate and restrict the height, area, bulk and use of all buildings, to regulate and determine the area of yards, courts, and other open spaces, to specify and regulate the location of industries, commercial enterprises and the location and character of buildings designed for special uses, to establish building lines, and for all such purposes to divide the City of Indianapolis, into the following districts:

Five classes of Use Districts termed respectively Class U-1, or Dwelling House Districts; Class U-2, or Apartment House Districts; Class U-3, or Business Districts; Class U-4, or First Industrial Districts; and Class U-5 or Second Industrial Districts.

Four classes of Height Districts, H-1, 50 foot Height limit; H-2, 80 foot Height limit; H-3, 108 foot Height limit, and H-4, 180 foot Height limit.

Modifications of said height restrictions are provided, depending upon position of building on lot, generally allowing 2 feet additional height in Classes H1 and H2 and 3 feet in H3 and H4 for each 1 foot the higher portion is set back from required yard lines.

Seven classes of Area Districts, Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 4,800 square feet per family; Class A-3, 2,400 square feet per family; Class A-3, (corner lot) 2000 square feet per family; Class A-4, 1200 square feet per family; Class A-4, (corner lot) 1000 square feet per family; Class A-5, 600 square feet per family; Class A-5 (corner lot) 500 square feet per family; Class A-6, 300 square feet per family.

Provided, that in Class AA, A1 and A2 districts one single family dwelling, and in Class A3 district one dwelling for two families may be erected on any lot that was separately owned as of December 20, 1922, or on any numbered lot in a recorded plat or replat that is on record in the office of the County Recorder.

Regulations are construed to determine number of families permitted to occupy residential buildings in area district. No building shall be erected or used for dwelling on lot having area of less than 4800 square feet, unless such lot was separately owned or was a numbered lot of full original size on recorded plat prior to effective date of General Ordinance No. 4-1954.

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Computation of Lot Areas.

In computing such area of the lot for the purpose of this section any part of the area of any corner lot in excess of 15,000 square feet, shall be considered an interior lot. In computing the area of a lot for the purpose of this section, if the depth of the lot is more than three times the width of such lot, a depth of only three times such width shall be used.

In computing the area of the lot for the purpose of this section the lot shall be deemed to extend to the center line of any alley adjoining the rear line of such lot, but such center line shall not be deemed to be a lot line.

Restrictions on Reduction of Lot Areas.

The lot or yard area required by this chapter for a particular building shall not be diminished and shall not be included as part of the required lot or yard area of any other building.

Restrictions of Floor Areas in Dwelling Houses.

(General Ordinance No. 113, 1952)

No dwelling house may be erected, altered or used in which the ground floor area, exclusive of attached garage and open porches, for each family living in such dwelling house, is less than as specified.

In Class AA district 1500 square feet;

In Class A1 district 1200 square feet;

In Class A2 district 900 square feet;

In Class A-3, A4, A5, or A6 district 720 square feet.

Building line and Yard Restrictions in U1 and U2 districts.

Where front yard lines are established by recorded plat, such lines shall apply as minimum requirements, or lines may be established by average distance of existing houses.

Where no such lines are established, from set-back line shall be equal to $\frac{1}{3}$ of the average depth of the lot up to 50 feet, with minimum of 20 feet.

At least 20 per cent of average width of lot shall be devoted to side yards, up to total of 16 feet, minimum side yard 4 feet.

In case of apartment house, or in case of any building more than 2 $\frac{1}{2}$ stories high, such least dimension shall be not less than $\frac{1}{6}$ of height of building.

At least 15 per cent of average depth of lot shall be devoted to rear yard, up to 30 feet, (computed to center of alley.) For building other than dwelling house, least dimension of rear yard shall be not less than $\frac{1}{2}$ of height of building. Accessory building not more than 15 feet high may occupy up to 40 per cent of rear yard area. In case of two or more family dwelling, accessory building shall be at least 25 feet from main building on interior lot or 15 feet on corner lot.

Every building used for dwelling purposes shall have front yard directly abutting on public street, with building lines, yards, and areas conforming to requirements.

Garages. Private garage shall not provide storage space for more than one motor vehicle for each 2000 square feet of lot area in U1 district, or 500 square feet in U2 district.

GUARANTEED CERTIFICATE

548485

Non-Conforming Uses.

Building, structure, or land use existing or permitted by the original zoning ordinance, and existing at effective date of later ordinance by not conforming thereto, shall be deemed to be a non-conforming use, which shall be permitted to continue, but which shall not be extended. In case of abandonment or destruction such non-conforming use shall not be renewed.

The City plan commission is hereby constituted and continued, without any lapse, (as so provided by Section 22 of General Ordinance No. 114, 1922, which section was reordained by the same section of General Ordinance No. 104, 1950, herein restated and reordained as amended), as the board of zoning appeals of this city with all powers conferred thereon pursuant to law and by this chapter. Such commission and board, in addition to the continuance of any existing rules and regulations adopted by either thereof, may from time to time amend, change and supplement the same, as needed to administer all statutes and this chapter, or any later ordinances, relating to their respective powers and duties.

The common council may from time to time, on petition, after public notice and hearing, amend, supplement, or change the districts and regulations herein established.

This certificate is a synopsis only of the general provisions. For specific details, reference should be had to the complete text of the ordinance.

The real estate herein abstracted appears in Use District, Class U-2 ; Height District, Class H-1 ; and Area District, Class A-4 ; all so shown by the district zoning map of the City of Indianapolis, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

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February 8, 1957. We hereby certify that no Variance has been granted by the Board of Zoning Appeals of the City of Indianapolis, affecting the use of the real estate described in the caption hereof.

548485

GUARANTEED CERTIFICATE

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STATE OF INDIANA }
COUNTY OF MARION } ss:

The undersigned hereby certifies, guarantees and warrants to whoever relies upon this certificate, and this certificate inures to the benefit of the present and all future persons in interest and runs with the real estate described in the caption hereof.

FIRST That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, and notices of liens for Old Age Assistance entered in the Abstract of Old Age Certificate in said Office, affecting the title to the real estate described in the Caption hereof.

That all instruments abstracted herein appear regular in form, execution, and acknowledgment, unless otherwise noted.

SECOND That there are no wills, estates, nor guardianships affecting the title to the real estate described in the caption hereof, except as shown herein.

That there are no notices of Lis Pendens filed in the Lis Pendens Records of Complaints and Attachments, and no judgments against, nor any Recognizance or Replevin Bail signed by any of the parties named above under the caption of judgment search which are now liens upon the real estate described in the caption hereof, as appears from the General Judgment Dockets of the Criminal, Circuit, Juvenile, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, nor any transcripts of judgments of the United States Courts filed in the Office of the Clerk of the Circuit Court of Marion County, as said records and dockets are now entered up, except as herein set out.

THIRD That according to the current tax duplicates and special tax duplicates, and the municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes, ditch assessments nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

FOURTH That there are no liens for unpaid unemployment compensation taxes nor for unpaid gross income taxes as shown by warrants docketed in the judgment docket in the Office of the Clerk of the Circuit Court, nor for unpaid taxes on intangibles entered upon the duplicates for omitted taxes in the Office of the County Treasurer, against any of the parties named above under the Caption of Judgment Search entered within the periods designated in said Judgment Search.

The period of search of the General Judgment Dockets is specifically set forth in the judgment caption and as to all other matters the period of search covered by this abstract is from the date set out in the caption hereof to the date of this certificate, both inclusive, and the foregoing recitals relates and our liability hereunder is limited to matters filed or entered of record within such period.

This certificate covers entries Nos. 1 to 18 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 11 both inclusive.

Dated at Indianapolis, Indiana, February 15, 1957, 7 A.M.

UNION TITLE COMPANY

by *Vern S. Burdridge*
President

-11-plh

UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

MEIrose 2-2361

Capital Stock \$1,000,000.00

548485

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

SEARCH FOR PENDING BANKRUPTCIES INTERNAL REVENUE TAX LIENS

Prepared for: Anchor Federal Savings and Loan Association

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no transcripts of judgments of the United States Courts filed in the office of the Clerk of the Circuit Court of Marion County, Indiana; that there is no notice of lien for unpaid internal revenue taxes or notice of income tax lien constituting a lien on real estate prior to March 4, 1925, the date of the Indiana Recording Act, that there is no notice of lien filed in the Federal Tax Lien Index in the office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the eight divisions of the Federal Courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:

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

This certificate covers all divisions of both Districts of the State down to and including

February 13, 1957, 7 A.M. and

The Indianapolis Division of the Southern District down to and including

February 14, 1957, 7 A.M.

Mary T. Fagan

Earl K. Short

Dorothy M. Short

Margaret Mahoney

UNION TITLE CO.

BY

Vern E. Burdridge
PRESIDENT

plh

1.

INDIANAPOLIS, INDIANA

Continuation of Abstract of Title to Lot numbered Ninty-one (91) in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74 in the office of the Recorder of Marion County, Indiana.

Prepared for Charles Mosier.
Since date of February 14, 1957.

CONVEYANCES

PROBATE COURT OF MARION COUNTY

Estate Docket
169 page 62676

Margaret Mahoney Estate
(Continued from former Abstract.)

2.

L. M. BROWN DIVISION

May 3, 1957, Final report filed.
May 20, 1957, Proof of Publication of final notice filed.
September 9, 1957, Final Report Approved and Estate closed.

Order Book 415, page 528.
Entry on final report recites decedent left surviving her as her sole and only heirs:

Mattie Cash, niece, Mamie Poppelell, niece,
Leona Bowman, niece, and Dorothy Kellar -.

All claims filed against said estate have been paid and discharged; neither said decedent nor her executrix were employers of labor within the meaning of that term as used in the Indiana Employment Security Act; the inheritance and gross income tax to the State of Indiana have been paid and said estate was not subject to Federal Estate Tax.

Schedule of property filed, in determining inheritance tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$3500.00.

PROBATE COURT OF MARION COUNTY

Estate Docket
169 page 62676

In the Matter of the
Estate of Margaret Mahoney,
Deceased

3.

Lawyers Title Insurance Corporation

(Continued from former Abstract.)
March 7, 1957. EXECUTRIX'S REPORT OF
SALE OF REAL ESTATE.

The undersigned, Executrix of the Estate of Margaret Mahoney, deceased, reports to the Court that Pursuant to the

LAWYERS TITLE INSURANCE CORPORATION
 -
 L. M. BROWN DIVISION
 -
 INDIANAPOLIS, INDIANA

order heretofore made in this proceeding authorizing and directing the sale of the real estate therein, and hereafter described:

A lot and house located at 1029 So. Senate Ave. in the City of Indianapolis, Ind. more particularly described as follows:

Lot numbered 91 in McCarty's Subdivision of the West Part of out lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74, in the office of the Recorder of Marion County, Indiana.

That under the terms of the order of sale of this real estate, the property was to be sold at private sale for \$3500.00, being the full appraised value of said real estate.

That on the 6th day of March 1957, the Executrix sold to Charles D. Mosier and Anna L. Mosier, husband and wife, of Marion County, State of Indiana the above real estate at private sale for \$3500.00, the full appraised value thereof subject to the following conditions.

That the said real estate is now subject to a mortgage lien thereon in favor of Anchor Federal Savings & Loan Assn., that the balance due is now \$1551.69 which has been paid direct to Anchor Federal Savings & Loan Assn. by purchaser.

That said purchaser also paid direct two claims filed in this estate; (1) Ban Credit Corp. claim of \$73.74 filed July 30, 1956 and (2) a claim filed by Flanner & Buchanan of \$680.35 filed October 25, 1956, making a total of \$753.09 in claims paid, being all the claims filed in this estate.

That said purchaser has paid \$1551.69 to Anchor Federal Savings & Loan Assn. and \$753.09 in claims vs. the estate making a total of \$2304.78 paid direct.

And the said Executrix now brings into Court a cash payment of \$1195.22, such purchaser has paid her, being the cash difference between \$2304.78, paid direct by purchaser and \$3500.00 purchase price, and asks that said sale and her acts as herein reported may be approved and confirmed.

Dorothy Kellar, Executrix
of the Estate of Margaret
Mahoney, deceased.

Subscribed and sworn to before me a Notary Public in and for Marion County, State of Indiana, this 6th day of March, 1957, by Dorothy Kellar, Executrix of said estate.

My commission expires: June 26, 1960.
Chester H. Wilson
Notary Public. (LS)

(over)

5.

INDIANAPOLIS, INDIANA

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

MORTGAGES

Mtg. Record
1886 page 566
Inst. No. 15493
March 8, 1957
Recorded
March 11, 1957

Charles D. Mosier and
Anna L. Mosier
husband and wife,

Mortgage

to
Anchor Federal Savings
and Loan Association

6.

L. M. BROWN DIVISION

Lot 91 in McCarty's Subdivision of the West part of
Out Lot 120 of the Donation Lands of the City of Indianapolis,
as per plat thereof, recorded in Plat Book 7, page 74, in the
Office of the Recorder of Marion County, Indiana.

To secure the payment of a promissory note of even
date herewith, executed by the mortgagors to the order of
said Association, in the principal sum of \$2,500.00, with
interest as provided for in said note from date until paid,
said principal and interest being payable in payments as
provided in said note, all of said payments to be made without
relief from valuation and appraisement laws at the office
of said Association, on or before the first day of each
calendar month hereafter until the whole of said principal
sum and interest is fully paid in compliance with all the
stipulations of said note. With reasonable attorney's fees.

Lawyers Title Insurance Corporation

FINANCING STATEMENT

7.

None found unsatisfied of record filed within the
period of this search.

Wms

March 7, 1957. ORDER CONFIRMING SALE OF REAL ESTATE.

Comes now Dorothy Kellar, Executrix and files the following verified report of the sale of certain real estate heretofore in this proceeding ordered sold. (H.I.) and the Court having examined the same and being sufficiently advised, finds that said Executrix sold this real estate in her said report and the former order of this Court described, at private sale to Charles D. Mosier & Anna L. Mosier, husband and wife for the sum of \$3500.00 cash, that being the best and highest bid therefor, and the full appraised value thereof. The Court further finds that said purchaser has in all things complied with the terms of said sale, by paying the Anchor Federal Savings & Loan Assn. the balance of a mortgage now of the said property of \$1551.69 direct and paying two claims amounting to \$753.09 which were filed against this estate, these two sums amounting to \$2304.78 paid direct, and paying this Executrix cash of \$1195.22, making the purchase price of \$3500.00 in cash.

And the Court, being satisfied that in the interests of said estate said sale ought to be approved, now in all things ratifies and confirms the same, together with the acts of said Executrix as by her reported.

And said Executrix is now ordered to execute her deed conveying said real estate so sold to said purchaser, which deed is now reported by said Executrix and being examined is approved by the Court and delivered to said purchaser.

It is further shown that no agent was employed in effecting said sale, and no commissions are due any agent.

And this sale is adjudged fully disposed of.
Order Book 403, page 404.

Deed Record
1655 page 280
Inst. No. 15491
March 6, 1957
Recorded
March 11, 1957

4.

Dorothy Kellar,
Executrix of the
Estate of Margaret
Mahoney, Deceased,
Estate Docket 169, page 62676

Executrix' Deed
Revenue Stamps
Attached

to
Charles D. & Anna L. Mosier,
husband and wife

Lot numbered 91, in McCarty's subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.

Subject to taxes due in November 1957 for the latter half of 1956 taxes.

Conveyance made pursuant to order of Marion Probate Court, entered in Order Book 403, page Page No. --.

Examined and approved in Open Court, March 7, 1957.

Dan V. White

Judge of the Probate Court of
Marion County, Indiana.

Deed contains usual citizenship clause of Grantor.

L. M. BROWN DIVISION
INDIANAPOLIS, INDIANA
Lawyers Title Insurance Corporation

INDIANA

MECHANICS' LIENS

8. None found unsatisfied of record filed within the period of this search.

INDIANAPOLIS.

OLD AGE ASSISTANCE LIENS

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

We find None.

L. M. BROWN DIVISION

SEARCH IN THE JUVENILE COURT OF MARION COUNTY, INDIANA

10. Individual Search has been made in the Juvenile Court of Marion County, Indiana, as to the persons named under the heading of Judgments, and for the period so specified under such search for unsatisfied judgments rendered in Paternity and Heirship proceedings.

We find None.

JUDGMENTS

11. Search is made and strictly limited, for judgments which may have been entered against the following parties solely under the names as herein written, and not otherwise, and the General Certificate hereto appended is accordingly limited.

Charles D. Mosier and
Anna L. Mosier, jointly and not individually for
10 years last past.

None found unsatisfied.

Lauyers Title Insurance Corporation

ASSESSMENTS

12. None found unsatisfied of record which became a lien within the period of this search.

INDIANAPOLIS, INDIANA

L. M. BROWN DIVISION

Lawyers Title Insurance Corporation

TAXES

13. Taxes for the year 1962 and prior years: Paid in full.

14. Taxes for the year 1963 assessed in the name of
Charles D. & Anna L. Mosier

ASSESSED VALUATION:

Land	\$ 280.00
Improvements	\$ 890.00
Exemption	\$ --
Net Valuation	\$1170.00

Parcel No. 101-19961
General Tax Duplicate No. 404561
Indianapolis, Center Township

are due and payable the first Monday in May and November 1964.

May Installment \$52.37 Paid
Nov. Installment \$52.37 Unpaid.

15. Taxes for year 1964 became a lien March 1st and are due and payable in May and November, 1965.

16. We hereby certify that no variance has been granted by the Board of Zoning Appeals of the City of Indianapolis, affecting the use of the real estate described in the caption hereof, from February 8, 1957 to June 12, 1964 inclusive.

467395

METROPOLITAN PLAN COMMISSION
DOCKET NO. 60-AO-4

ORDINANCE

17. BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, as amended, be amended as follows:

The Sub-Sections (e), (f), and (g) of Section 11-118 of Chapter 1 of Title 11 of the Municipal Code of the City of Indianapolis (said Chapter 1 of Title 11 thereof having been adopted as part of Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly of 1955, as amended) be amended to read respectively:

"(e) Class A4 District. In a class A4 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 1700 square feet of the area of the lot.

(f) Class A5 District. In a class A5 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 1100 square feet of the area of the lot.

(g) Class A6 District. In a class A6 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 800 square feet of the area of the lot."

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

John D. Hardin
Fred W. Nordsiek
Frank J. Billeter
Louie Moller
John A. Kitley
THE MARION COUNTY COUNCIL

DATED: MAY 31, 1960
ATTEST: Clem Smith,
AUDITOR OF MARION COUNTY, INDIANA.

O R D I N A N C E

18. BE IT ORDAINED by the Marion County Council of Marion County, Indiana that Marion County Council Ordinance No. 8-1957, as amended, be amended as follows:

That Sub-Section (j) of Section 11-118 of Chapter 1 of Title 11 of the Municipal Code of the City of Indianapolis (said Chapter 1 of Title 11 thereof having been adopted as part of Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended) be amended to read as follows:

(j) Restrictions of Floor Areas in Dwelling Houses.

In a class AA district no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 1,500 square feet for each family, or 1,000 square feet for each family if additional floor area of at least 500 square feet per family is provided on any floor or floors.

In a Class A1 or A2 district no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 900 square feet for each family, or 660 square feet for each family if additional floor area of at least 240 square feet per family is provided on any floor or floors.

In a class A3, A4, A5, or A6 district no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 720 square feet for each family, or 600 square feet for each family if additional floor area of at least 120 square feet per family is provided on any floor or floors.

For purposes of this section, "minimum main floor area" shall be the area of that floor or floors (excluding basement or underground floor area) nearest to the level of the finished lot grade measured within the outer face of exterior walls and under the roof of a dwelling house.

For purposes of this section, "additional floor area" shall include basement or other floor area (exclusive of garage area, carports and open porches, and excepting "minimum main floor area") measured within the outer face of exterior walls and under the roof of a dwelling house; provided however that:

(1) At least one complete side of such floor area shall be at ground level or above; and 60% or more of the exterior wall surface for such floor area (excluding that portion of the exterior wall surface enclosing any higher floor) shall be above the level of the finished lot grade; and

(2) Said exterior wall surface shall have a minimum total window area equal to 7% of such "additional floor area".

NOW BE IF FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

John A. Kitley
Albert L. Steinmeier
Josephine K. Bicket
Frank J. Billeter
John D. Hardin
THE MARION COUNTY COUNCIL

Dated July 7, 1961

Clem Smith By Mary N. Darko, Deputy

Attest: AUDITOR OF MARION COUNTY, INDIANA.

RESOLUTION ADOPTING EXISTING MASTER PLANS AND MAKING
RECOMMENDATIONS OF THE MARION COUNTY COUNCIL.

19

Be it resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in order to consolidate the various existing master plans and zoning and subdivision control ordinance now in force in Marion County, Indiana, and the classified cities and towns of Marion County, Indiana, The Metropolitan Plan Commission of Marion County, Indiana, adopts all existing master plans now in force in Marion County, Indiana, and the classified cities and towns of Marion County, Indiana.

And to the end that adequate light, air, convenience of access, and safety from fire, flood, and other danger may be secured, that congestion in the public streets may be lessened or avoided, that property values may be preserved, and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted, be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that it recommends to The Marion County Council the adoption by it without amendment of all existing zoning and subdivision control ordinances now in force in Marion County, Indiana, and the Classified cities and towns of Marion County, Indiana.

And be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in case any lands within Marion County, Indiana, are not zoned by existing zoning ordinances, The Metropolitan Plan Commission of Marion County, Indiana, recommends that the resolution to be adopted by the Marion County Council pursuant to Section 5 of Chapter 184 of the Acts of 1957, set forth the following residential or agricultural zoning Classifications for such unzoned lands:

If such lands lie inside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned R-3 as that classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance, and,

If such lands lie outside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned A-2 as the classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance, said existing Marion County Master Plan Permanent Zoning Ordinance, being one of the aforesaid existing zoning ordinances now in force in Marion County, Indiana, which The Metropolitan Plan Commission of Marion County, Indiana, hereby recommends to The Marion County Council for adoption by it without amendment.

NOTE: Above Resolution passed by the Metropolitan Plan Commission of Marion County at its regular meeting, held March 27, 1957, and certified to the Marion County Council by the Secretary of the Metropolitan Plan Commission and adopted by said Marion County Council as Ordinance #8, 1957. Effective March 28, 1957.

Copy of above Resolution recorded April 1, 1957, in Deed Record 1657 page 486.

Lawyers Title Insurance Corporation

L. M. BROWN DIVISION

Abstracts - Escrows - Title Insurance

140 EAST WASHINGTON STREET - PHONE MELROSE 8-6401 - INDIANAPOLIS 4, INDIANA

467395

In The UNITED STATES DISTRICT COURT

SEARCH FOR BANKRUPTCIES

At the Request of

Charles Mosier

the following certificate is prepared and furnished covering a search for Bankruptcies in the United States District Court of Indiana, held in Indianapolis, Terre Haute, South Bend, Fort Wayne, Evansville, Hammond, New Albany, and Lafayette.

The Undersigned Lawyers Title Insurance Corporation, with offices in Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named eight divisions of the United States District Court for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including July 6, 1964, 8 A.M. and all other Divisions of the State of Indiana down to and including July 1, 1964, 8 A.M.

In The OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, search is also made for Internal Revenue Tax Liens as filed in the Office of the Recorder of Marion County, Indiana, from March 4, 1925, to date. See Internal Revenue Code Sections 3670-3671-3672, and Acts of General Assembly of the State of Indiana, Burns' 49-3221 et seq.

Charles D. Mosier

Anna L. Mosier

LAWYERS TITLE INSURANCE CORPORATION

L. M. BROWN DIVISION

Dated July 6, 1964, 8 A.M. By *M L Sullivan*

blc

467395

20

CERTIFICATE

The undersigned, LAWYERS TITLE INSURANCE CORPORATION, hereby certifies, guarantees, and warrants to whoever relies upon this certificate, including present and all future persons in interest and this certificate runs with the real estate described in caption hereof, that the foregoing, within the limits of the period of search herein specified, is an ABSTRACT OF THE TITLE to and unsatisfied encumbrances upon, the real estate described in the caption hereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgment unless otherwise indicated.

And it is further certified that SPECIAL SEARCHES were made as follows:

I. IN THE OFFICE OF THE RECORDER OF MARION COUNTY, search made for deeds, affidavits, miscellaneous instruments affecting the title, unsatisfied mortgages, mechanics' liens, Federal Tax Liens, and Old Age Assistance Liens.

II. IN THE OFFICE OF THE AUDITOR OF MARION COUNTY, search made in the general index to tax sales as the same is now entered up, for unsatisfied or unredeemed tax sales.

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court, of the Superior Courts of Marion County, of the Probate Court of Marion County, of the Criminal Court of Marion County, of the Juvenile Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

V. From the searches as above enumerated, we find no further conveyances nor unsatisfied encumbrances, as indexed, or entered up, within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is

from February 14, 1957 to and including July 6, 1964, 8 A.M.

and covers Paragraphs No. 1 to 20 both inclusive, and Sheets No. 1

to 10 both inclusive.

LAWYERS TITLE INSURANCE CORPORATION
L. M. BROWN DIVISION

By *m L Sullivan*



blc