

65-14929

WARRANTY DEED

Project 1-70-3(52)
Code 0536
Parcel 4

This Indenture Witnesseth, That **WILLIAM J. DAVEY JR.**
BERNICE J. DAVEY (H & W)

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

TEN THOUSAND

(10000.00) Dollars,

the receipt whereof is hereby acknowledged, the following described Real Estate in
County in the State of Indiana, to wit:

LOT 28 IN McCARTY'S SUBDIVISION OF THE WEST PART OF OUT-LOT 120 IN THE CITY OF
INDIANAPOLIS.



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. 17036362

Dated 2-19-65

The grantor shall 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.

It is understood between the parties hereto, and their successors in title, and made a covenant herein which shall run with the land, that all lands hereinbefore described (excepting any parcels specifically designated as easements or as temporary rights of way) are conveyed in fee simple and not merely for right of way purposes, and that no reversionary rights whatsoever are intended to remain in the grantor(s).

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.

²⁻¹⁻⁶⁵
920 In Witness Whereof, the said **WILLIAM J. DAVEY JR.** ; **BERNICE J. DAVEY**

have hereunto set hands and seal, this 1 day of **FEBRUARY** 1965
..... (Seal) William Davey Jr. (Seal)
..... (Seal) WILLIAM J. DAVEY JR. (ADULT HUSBAND) (Seal)
..... (Seal) Bernice J. Davey (Seal)
..... (Seal) BERNICE J. DAVEY (ADULT WIFE) (Seal)
..... (Seal) (Seal)

100
2-9-65

SDK

This Instrument Prepared by G. W. King

65-14929

AUG 19 1964

FEB 5 1965

STATE OF INDIANA, 7 County, ss:

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

day of _____, A. D. 19____; personally appeared the within named

Grantor _____ in the above conveyance, and acknowledged the same to be _____ voluntary act and deed, for the uses and purposes herein mentioned.

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

My Commission expires _____ Notary Public

STATE OF INDIANA, Marion County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 1

day of February, A. D. 1965; personally appeared the within named

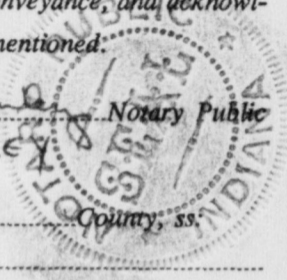
William J. Davey Jr. & Bernice J. Davey (H&W) Grantor 5 in the above conveyance, and acknowledged the same to be

THIER voluntary act and deed, for the uses and purposes herein mentioned.

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

My Commission expires January 22, 1967 Dale E. Smiley Notary Public

DALE E. SMILEY



STATE OF INDIANA, _____ County, ss:

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

day of _____, A. D. 19____; personally appeared the within named

Grantor _____ in the above conveyance, and acknowledged the same to be _____ voluntary act and deed, for the uses and purposes herein mentioned.

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

My Commission expires _____ Notary Public

65 14929

WARRANTY DEED

FROM

TO

STATE OF INDIANA

Received for record this

day of _____, 19____

at _____ o'clock _____ m, and

Recorded in Book No. _____ page _____

Recorder _____ County _____

Duly entered for taxation this _____

day of _____, 19____

Auditor's fee \$ _____

Auditor _____ County _____

ENVELOPE

Division of Land Acquisition
Indiana State Highway Commission

Winkler 28

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

February 24, 1965 19

To William J. Davey Jr.
6618 Springer Ave.
Indianapolis 19, Indiana

GENTLEMEN:

We enclose State Warrant No. A. 036312 2-19-65 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>February 1, 1965</u> Parcel 4	10000	.00

PLEASE RECEIPT AND RETURN

Received Payment: William J. Davey Jr.
Date.....

Control

APPRAISAL REVIEW FORM

Division of Land Acquisition
Indiana State Highway Commission

Project I-70-3-()
Parcel No. 4
Road I-70
County Marion
Owner W. J. Davy, Jr.
Address 6618 Springer
Address of Appraised Property:
1005 South West St.

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
8. I have personally inspected the site on Yes, 1/14/65 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. 14, 1965 :
(Date)

(a) The fair market value of the entire property before the taking is: \$ 10,000.00

(b) The fair market value of the property after the taking, assuming the completion of the improvement is: \$ None

The total value of taking is: (a minus b) TOTAL \$ 10,000.00

- | | |
|---------------------------------------|---------------------|
| (1) Land and/or improvements | \$ <u>10,000.00</u> |
| (2) Damages | \$ <u>None</u> |
| (3) Other damages and/or temp. R.O.W. | \$ <u>None</u> |
| (4) Estimated Total Compensation | \$ <u>10,000.00</u> |

APPROVED BY:

Approved	Date	Signature
Rev. Appr.	<u>1/15/65</u>	<u>[Signature]</u>
Asst. or Chief Appr.	<u>1/21/65</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 # 4

OWNER Davey, William J. Jr. PHONE # 666-7566

(Other interested parties and relationship)

Bernice J. Davey (wife)
No mortgage

ADDRESS OF OWNER 6618 Springer Ave, Indianapolis, Ind.

DATE ASSIGNED _____

DATE OF CONTACT 2-1-65

TIME OF CONTACT 12 noon

DATE OF PREVIOUS CONTACT _____

OFFER \$ 10000.00

DETAIL CONTACT* Due to slight error in first deed new deed was typed. Mr. & Mrs. Davey affixed signatures to new deed. Since my first call promises have been vacated so escrow is not needed. Key to building is available at

ACTION TAKEN** J. Main 435 Chadwick. Mr. & Mrs. Davey also signed new claim voucher in amount of \$10000.00 because error is not necessary. Parcel 4 Secured 2-1-65.

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.

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 170-3(52) PARCEL # 4

OWNER Davey, William J. Jr. PHONE # FL6-7566
ETW

(Other interested parties and relationship)
Bernice J. Davey (wife)

ADDRESS OF OWNER 6618 Springer Ave., Indianapolis, Ind.

DATE ASSIGNED _____

DATE OF CONTACT 1-29-65

TIME OF CONTACT 11 AM

DATE OF PREVIOUS CONTACT _____

OFFER \$ 10000.00

DETAIL CONTACT* Went to Post Office for I R Stamps
(11.00) for this deed.

ACTION TAKEN** Because of error in deed, new deed
is being typed for signing.

SIGNED D.E. Smith

* 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.

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BUYERS REPORT

PROJECT I 70 3 (52) PARCEL # 4
OWNER Davey William PHONE # FL-6-7566
Bonnie (Davey's wife) (Mortgage)
(Other interested parties and relationship)

ADDRESS OF OWNER 6618 Sprague Ave, Indianapolis, Ind.
DATE ASSIGNED 1-26-65
DATE OF CONTACT 1-28-65
TIME OF CONTACT 2 PM
DATE OF PREVIOUS CONTACT _____

OFFER \$ 10000.⁰⁰

Total Take.

DETAIL CONTACT* Contacted Mr. Davey at his residence
after app. by phone. Asked Mr. Davey if he
would like to retain building at salvage value?
his reply was negative. Offer was made. Paid tax
duplicate number for taxes due April 1963, payable 1964
ACTION TAKEN** is 316037. Offer accepted by Mr. Davey.
Agreement for possession signed by owner. Keys for parcel left with
Parcel # Secured 1-28-65. Owner.

SIGNED G. E. Smiley

* Showed plans, walked over property, etc.

** Made appointment - returned parcel to office - right of entry - Secured - Condemned, etc.

If area set out does not have space enough, please use back of sheet.

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

BUYERS REPORT

PROJECT I 70-3(52) PARCEL # 4
OWNER DAVEY, William J Jr. PHONE # FL6-7566
NO MORTGAGEE
(Other interested parties and relationship)

ADDRESS OF OWNER 6618 SPRINGER INDOORS IND

DATE ASSIGNED 1/26/65

DATE OF CONTACT 1/28/65

TIME OF CONTACT 2:00 AM

DATE OF PREVIOUS CONTACT _____

OFFER \$ 10000⁰⁰

DALE SMILEY
CHAD HALL
ACCOMPANIED MR
SMILEY FOR TRAINING

DETAIL CONTACT* CONTACTED MR DAVEY & WIFE
MR SMILEY MADE OFFER
IT WAS ACCEPTED
DEED & NECESSARY PAPERS
PREPARED & EXECUTED

ACTION TAKEN** _____

SIGNED Chadwick 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.

This report to be completed in triplicate on each copy. 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 # 4
OWNER Davey, William J. PHONE # FL-6-7566
(No mortgage)
(Other interested parties and relationship)

ADDRESS OF OWNER 6618 Springer, Indianapolis, Ind.
DATE ASSIGNED 1-26-65
DATE OF CONTACT 1-28-65
TIME OF CONTACT 10 AM
DATE OF PREVIOUS CONTACT _____

OFFER \$ 10000.⁰⁰

DETAIL CONTACT* Phoned Mr. Davey at his home & set appointment to meet with him around 2PM today.
Mr. Davey, in answer to my questions, stated that there is no mortgage on this parcel, that he would not be interested in retaining building at
~~ACTION TAKEN**~~ salvage value & that fall installment of taxes, due 1963 payable 1964, had been paid.
Will see Mr. Davey at 2PM.

SIGNED D. E. Smith

* 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.

D. p. 535.
May 2, 1834.

Agent of State
to
Nicholas McCarty.
Out-lot 120 and others.

Agent's Deed.

1
2

Nicholas McCarty died intestate, May 17, 1854.
The estate has been fully settled and closed June 7, 1860.
See Complete Record, No. 11, p. 66, etc., of the Marion Common Pleas Court.

3

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

4

In the Marion Court of Common Pleas, October Term, 1854, Complete Record, No. 4, p. 159, etc.

Partition proceedings wherein there are set-off to the widow, Margaret McCarty, certain parts of the real estate of Nicholas McCarty, deceased, not including out-lot 120 or any part thereof, as her full share of the estate, leaving the four above children and heirs tenants in common of out-lot 120, free of all claims of the said widow.

5

Marriage Record,
No. 6.
p. 659.

Susannah McCarty
and
Henry Day.

Marriage, December 8, 1857.

6

Marriage Record,
No. 10,
p. 30.

Margaret R. McCarty
and
John C. S. Harrison.

Marriage, October 1, 1867.

7

Susanna McCarty Day died testate August 30, 1873.
Estate has been fully settled and closed up October 19, 1874.
See Order Book 35, p. 80, of the Marion Civil Circuit Court.

Will Record,
E. p. 123.

8

Last Will and Testament of Susanna McCarty Day, deceased, dated August 21, 1873, and probated September 19, 1873.

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 7, p. 74.
April 10, 1875.

9

Nicholas McCarty, Frances J. McCarty, John C. S. Harrison and Margaret A. McCarty Harrison, his wife, and Henry Day, for himself and as Guardian of Henry McCarty Day and Margaret McCarty Day, filed a Plat of McCarty's subdivision of the west part of out-lot 120, in the City of Indianapolis.

This subdivision comprises 136 lots, numbered 1 to 136 inclusive, and 2 large lots or blocks, lettered A. and B.

ABSTRACT OF TITLE

—TO—

Lot

28

in

MCCARTY'S SUBDIVISION

OF THE

West Part

OF OUT LOT 120,

IN

THE CITY OF INDIANAPOLIS,

Marion County, Indiana.

PREPARED FOR

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 thereof.

April 18, 1882.

10

Henry Day, Guardian of Margaret
McCarty Day, minor heir of Su-
sanna McCarty Day, deceased, Guardian's Deed.
to
Frances J. McCarty.

By order of the Common Pleas Court of Marion county, Order Book 60,
p. 228, etc.

The undivided one-twelfth interest in lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,
36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58,
59, 63, 64, 65, 66, 67, 68, 69, 70, 71, 74, 75, 76, 78, 79, 80, 81, 82, 84, 85, 86, 87, 88,
89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 103, 104, 105, 106 and 108 in McCarty's
subdivision of the west part of out-lot 120, in the City of Indianapolis, and other
real estate.

11
over

Title still rests in Nicholas McCarty, Frances J. McCarty, Margaret R.
McCarty Harrison, Henry Day and Henry McCarty Day to lots 1, 2, 3, 4, 6, 7,
8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 31, 33, 34, 35, 36, 37, 38,
39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 78, 79, 99, 103
104 and 105 in McCarty's subdivision of the west part of out-lot 120, in the City
of Indianapolis.

12

MORTGAGES—
None unsatisfied.

13

TAXES—
City taxes, 1884, are paid, and the State and county taxes, 1884, are paid
as to the first installment.

7 p. 423
May 26, 1885.

over

POWER OF ATTORNEY—
Margaret R. McCarty Harrison and
John C. S. Harrison, her husband,
Frances J. McCarty (unmarried),
Henry Day (widower), and Hen- Power of Attorney.
ry McCarty Day (unmarried),
to
Nicholas McCarty.

To sell and convey by warranty deed all their title and interest in the lots
hereinafter named; also to receive and receipt for purchase-money, and to enter
satisfaction of mortgages, to-wit, lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17,
18, 20, 21, 22, 23, 24, 25, 26, 31, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46,
47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 78, 79, 103, 104 and 105 in McCarty's
subdivision of the west part of out-lot 120, in the City of Indianapolis, and other
real estate.

INDIANAPOLIS, IND., May 30, 1885.

I find no further conveyances or unsatisfied incumbrances of record.

15

Search made as to records of the Recorder's office, his Pendens Records
and the Judgment Dockets of all the Courts of Records of this County and
United States Courts at Indianapolis.

WM. C. ANDERSON.

24

July 8, 1891
Examination April 17, 1889 continued to that and
in fact we change of title over on investigation
in substance in error and over late to copy
as done named
Elliott & Fryer

23

Participated
August 1891
Elliott & Fryer
111 Kensington
New York
April 23, 1889
New York
December 17, page 139
Form No. 28
and interest due to
April 23, 1889
New York
Elliott & Fryer
paid once paid Elliott & Fryer

22

Examination of Record of Record Office and
the District Clerk and District Clerk of the
District and District Clerk - in fact we change of
title in substance in error and over late to copy
as done named
Elliott & Fryer
April 17, 1889

21

25
Not
400.00.99

Thomas D. McKenzie and
Celia, his wife
To INDIANA MUTUAL SAVINGS ASSOCIATION
of Indianapolis
Penalty \$3000.00

July 9, 1891.
Record 213 page 227.

Lot 28 in M. Cartys
Subdivision of the
West part of Out Lot 120 in the City

Loan \$1500.00

26

Tax Impaid.
by Wm. L. Co.
Secy & Treas.

Indianapolis, Ind. January 9th 1892
On Examination made subsequently July 8. 1891
as to Recorder's Office, General Judgment Dockets of the
Circuit and Superior Court and Lis Pendens
Records of Complaints and Attachments of Marion
County, Indiana. We find no Conveyances or
incumbrances on Lot 28 in M. Cartys Subdi-
vision of the West part of Out Lot 120 in the City
of Indianapolis, other than above shown.
Elliott & Butts

Continuation of Abstract of Title to lot 28 in McCarty's Subdivision West part of Out Lot 120. in the City of Indianapolis.

Prepared for Thomas W. McKenzie, since date of Elliott & Butler's continuation, January 9, 1892.

27

There are no further conveyances.

Mortgage.

224. p, 330
Dec. 11, 1891.
Recorded
Jan. 11, 1892.

Thomas W. McKenzie and
Celia McKenzie his wife,

Mortgage.

Mutual Home and Saving Association.

Lot 28 in Out Lot 120 as above described.
To secure weekly dues, interest, premium and fines on a
loan of \$200.00.

By Henry Hume
Secy & Treas.
INDIANAPOLIS GUARANTEE & LOAN CO.

Taxes for 1891, not paid.

Simon Pind

A. Rosebrook

28
29
Not
March 30. 99

Indianapolis, Ind., March 12, 1892.

I find no further conveyances, nor unsatisfied encumbrances of record on tract as described in caption.

Search made in the Recorder's Office, the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Superior and Marion Circuit Courts, as said Records and Dockets are now entered up.

Hudson Stein

#86 East Market Street.

No. 4 ^a
34

of Ray Street are paid.

35

I find no further encumbrances or unsatisfied Encumbrances on the Lot described in the caption of this Abstract. Search made as to the Records in the Recorder's office, The Dispendens Records of Complaints and Attachments and the Judgment Dockets of the Marion Circuit and the Superior Courts of Marion County, as said Records & Dockets are now made up.

5153

Examined from Dec 12th 1892 to Dec 27 1899.

For John H. Luetke.

C. H. Rosebrock.

Room #19 Temple Bldg.

#5153.

A continuation of an Abstract of Title to Lot No. 28 in W. Carty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis.

T. L. R. 239

P-515

30

No. 1.

Thomas H. Mc Kenzie
and Pella his Wife
to
John H. Luette.

Warranty Deed.
Lot numbered 28
in W. Carty's Sub-
division of the W.
part of Out Lot

120 in the City of Indianapolis - Subject to a Mortgage in favor of the Home Saving and Loan Assn for \$1500⁰⁰ M. R. 213 p. 229 and a second Mortgage for \$200⁰⁰ M. R. 224 p. 330.

Dated March 16th 1892. Recorded March 16-1892-11³⁴-A. M.

Note: For Mortgage also referred to see Elliott and Butler's continuation of Jan'y 9-1892 and Theodore Stein's continuation of March 12-1892.

31

No. 2.

The Taxes ^{Since 1898} are unpaid.

No. 3.

The assessments for the Kentucky avenue Sewer and the Morris Street Sewer are paid.

32

No. 4.

The assessments for the Improvement of West Street and the Improvement

33

++ 8134 ++

Continuation of Abstract of Title to Lot 28 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis.

Prepared for Metzger Agency, since date of March 27, 1899.

36

* since
discharged

There are no further conveyances.

Mortgage.

360. p, 562.
Mch. 30, 1899.
Recorded
April 10, 1899.

John H. Lueth and
Margaretha Lueth his wife,
to

Satisfied by Release. *July 20-1910*
Marion Title Guaranty Company Mortgage.
By *W. H. Williams* Manager

The Eastern Savings and Loan Association.
Lot 28 in McCarty's Subdivision of the West part of
Out Lot 120 in the City of Indianapolis.

37
Satisfied by release
filed July 20-1910

To secure 1 note of \$1200.00, due 2 years from date
with 6% interest per annum, payable semi-annually, and 10%
attorney's fees.

Assigned to the Western Savings and Loan Association
September 3, 1902.

38

No. 42472.
15. p, 112.

Resumed
July 9, 1903

Taxes and Tax Sales.

Lot 28 in McCarty's Subdivision of West Part of Out Lot 120
was sold February 9, 1903 for taxes 1902 and arrears in name
of John H. Lueth by Auditor to George W. Kepler for \$28.45
and interest.

Resumed July 9, 1903
George W. Kepler

39

since pd
1903

Taxes for 1902 on real estate paid by sale, see Tax Sale
above; Taxes for 1902 on Personal property not paid and
now delinquent with penalty.

40

Taxes for 1903 now a lien.

SINCE PAID BY FULL
MARION TITLE GUARANTY COMPANY
W. H. Williams

41
since paid

Judgments.

IN THE MARION CIRCUIT COURT.

Order Book

-- p, --
June 27, 1903.

Henry Schnull et al versus John Leuth,
\$129.57, and costs. Transcribed filed June 27, 1903.

Paid in full
July 9, 1903
L. W. ...

Paid in full
July 9, 1903
Marion Title Guaranty Company
W. H. Williams

Paid see
July 1904
page 259

42

++8134 ++

Order Book

-- p, --
June 27, 1903.

Henry Scannell et al versus John Leuth,
\$186.09 and costs. Transcript filed June 27, 1903.

snippets

*Paid in full
July 9th 1903
L.H.W.*

PAID IN FULL
INDIANA TITLE GUARANTEE COMPANY
JULY 9 1903
Manager

*#12957
July 30th Cir. Court
Lynch vs p. 259
Interest full paid.
Stod.*

43

Indianapolis, July 2, 1903.

From a search of the Records in the Recorder's Office, Tax Sale Records in the Auditor's Office, Tax duplicates and the Records of Street, Alley and Sewer Improvement Assessments in the Treasurer's Office as certified by the City Comptroller, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Superior and Marion Circuit Courts, as said Records and Dockets are now entered up, we find no further conveyances, nor unsatisfied encumbrances of record on tract as described in caption.

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

INDIANA TITLE GUARANTEE AND LOAN CO.

By

George C. Shreve

Sec'y & Treas.

L & L

#35730.

Continuation of Abstract of Title to Lot 28 in McCarty's subdivision of the west part of Out Lot 120 in the city of Indianapolis.

Prepared for the German American Trust Company, since date of former continuation, dated July 2, 1903.

44

There are no further conveyances.

45

Leases.

43, P. 402;
March 1, 1904,
Recorded
March 30, 1904.

Frieda J. Gray,
William F. Lueth and
William F. Lueth, Guardian,
to

Lease.

Conflicting
Lease.

Henry William C. Kreiger.
storeroom and dwelling known as 1001 and 1003
South West street, Indianapolis.

For and during the term of 2 years from the 1st day of April 1904, with the privilege of an extension at the option of this lessee for a period of 3 years from the date herein set for the termination of this lease, at a rental of \$32.50 per month for the first six months, \$35.00 for the next 6 month per month and \$37.50 per month for the remainder. It is agreed that if this lessee desires to exercise his option of three years extension of this lease that the sum of \$37.50 shall be paid each month as rent therefor. The rent is payable in advance beginning April 1, 1904.

✓
✓
Expires

46

Encumbrances.

430, P. 386.
July 2, 1903,
Recorded,
July 9, 1903.

John H. Lueth, unmarried
to

SATISFIED OF RECORD 3/4/13
ATTENT. UNION TITLE CO.
BY *Albert [Signature]*
PRESIDENT

Edward H. Schrader.

Lot 28 in McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, Indiana, as shown by the plat thereof in Plat Book 7, page 74 in the Recorder's Office of Marion County, state of Indiana.

To secure one principal promissory note of \$2000.00 payable in 3 years from July 2, 1903, with privilege or prepaying in 2 years at any interest paying period thereafter and 6 interest notes of \$60.00 each maturity respectively in 6, 12, etc., months with 8% interest per annum after maturity and with 10% attorneys fees.

Assigned to Mary C. Schrader Oct 18-1910
BY *Joe Williams* Manager
888

47

Taxes for the year 1908, paid in full.

48

been since pd
888

Taxes for the year 1909, now a lien Marion Title Guaranty Company
BY *Joe Williams* Manager

Indianapolis, Ind., December 9, 1909.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in caption, since date of July 2, 1903.

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, 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 *Arthur E. [Signature]* MANAGER

E.

State of Indiana)
) S S.
County of Marion)

John R. Gray and William F. Lueth, each, being duly sworn on oath, says; that during his life time, he was well acquainted with John H. Lueth, who was a resident of Indianapolis for twenty years prior to his death on January 7th, 1904; also that he knew the family of said John H. Lueth, deceased; that he died at Indianapolis, Indiana, unmarried, leaving as his sole surviving heirs at law the following children, viz- Frieda L. Gray (wife of John R. Gray, of Indianapolis)

49

Margaret Lueth (since married to Chas. A. R. Smith of Indianapolis, Indiana)

Clara Lueth(afterwards married to John Everett Briggs of Indianapolis, Indiana) and

William F. Lueth, of Indianapolis, Indiana; that except as above stated John H. Lueth left no other child or descendant of any deceased child surviving him. Furthermore, affiant says that said John H. Lueth left no wife but died testate; that no letters of administration were ever taken out, but that all of his debts have long since been paid by John R. Gray on behalf of said heirs, including expenses of last illness and funeral expenses. Further more said John H. Lueth died the owner of the following real estate situated in the city of Indianapolis, Indiana, to wit-

Lot 28 in McCarty's subdivision of the West part of out-lot 120 in the city of Indianapolis; also Lot 132 in Yandes subdivision of the East part of out-lot 129, in the city of Indianapolis, Indiana.

John R. Gray
Wm. F. Lueth

Subscribed and sworn to before me, the undersigned, a Notary Public this 7 day of December 1910

Elmer W. Stout

Notary Public

My Commission
will expire
July 8th 1914.

Continuation of Abstract of Title to Lot 28 in McCarty's
Subdivision of the West part of Out Lot 120 in the City of Indianapolis.

Prepared for John R. Welch, since date of former
continuation dated December 9, 1909.

50
We find no record of death nor administration
on the Estate of John H. Lueth, deceased, in
Marion County, Indiana.

Misc. Record.
65, p. 286.
Dec. 7, 1910.
Recorded
Dec. 8, 1910.

STATE OF INDIANA, MARION COUNTY, SS.

51
John R. Gray and William F. Lueth each being
duly sworn on oath says: That during his life time
he was well acquainted with John H. Lueth, who was a
resident of Indianapolis for 20 years prior to his
death on January 7, 1904, also that he knew the family
of said John H. Lueth, deceased, that he died unmarried
at Indianapolis, Indiana, leaving as his sole surviving
heirs at law the following children VIZ. Frieda L.
Gray (wife of John R. Gray of Indianapolis, Indiana)
Margaret Lueth (since married to Chas. A. R. Smith of
Indianapolis, Indiana) Clara Lueth (since married to
John Everett Briggs of Indianapolis, Indiana) and
William F. Lueth of Indianapolis, Indiana, that except
as above stated, John H. Lueth, left no other child
or descendant of any child surviving him. Furthermore
affiant says that said John H. Lueth left no wife but
died testate, that no letters of administration
were taken out, but all of his debts have long since
been paid by John R. Gray on behalf of said heirs,
including expenses of last illness and funeral
expenses.

Furthermore said John H. Lueth died the owner of
the following real estate, situated in the City of
Indianapolis, Indiana, to-wit:

52
Lot 28 in McCarty's Subdivision of the West
part of Out Lot 120 in the City of Indianapolis, also Lot
132 in Yandes' Subdivision of the East part of Out
Lot 129 in the City of Indianapolis, Indiana.

(Signed) John R. Gray.
Wm. F. Lueth.

Marriage Record.
29, p. 39.
Oct. 20, 1897.

Frieda J. Lueth,
with
John R. Gray.

Marriage.

Guardian's Docket
9, p. 60.

Guardian's Docket
9, p. 152.

53

December 4, 1902 John H. Lueth was appointed and qualified as Guardian of Margaret Lueth a minor, aged 11 years, see Order Book 160 page 5. See page 152.

January 28, 1904 John F. Lueth was appointed and qualified as Guardian of Clara Lueth aged 17 years and of Margaret Lueth aged 12 years, see Order Book 166 page 21.

February 24, 1908 Current Report filed, approved, Guardian discharged as to Clara Lueth and continued, see Order Book 4 page 347.

April 27, 1910 Final report filed.

April 27, 1910 Petition to approve execution of Deed filed, granted, see Order Book 12 page 29.

April 27, 1910 Final report filed and Guardian discharged, see Order Book 12 page 30.

54

Marriage Record.
49, p. 575.
June 30, 1908.

Clara D. Lueth
with
Everett James Briggs.

Marriage.

455, p. 410.
Jan. 18, 1910.
Recorded
Jan. 20, 1910.

Clara D. Briggs, and
Everett J. Briggs, her husband.
to
Frieda - Gray.

Quit Claim
Deed.

Lot 28 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, Indiana, as shown by Plat thereof in Plat Book 7 page 74, in the Recorder's Office in Marion County in the State of Indiana.

56

Marriage Record.
55, p. 738.
Feb. 23, 1910.

Margaret Dorothy Lueth,
with
Charles A. R. Smith.

Marriage.

460, p. 113.
April 27, 1910.
Recorded
April 27, 1910.

Margaret Smith, (formerly Margaret
Lueth) and her husband
Charles A. R. Smith.
to
Frieda L. Gray.

Deed.

An undivided $\frac{1}{2}$ interest in and to Lot 28 in McCarty's Subdivision of Out Lot 120 and Lot 132 in Yandes' Subdivision of the East part of Lot 129 in the City of Indianapolis.

Subject to a \$2000.00 mortgage on the first named lot.

Examined and approved in open Court this 27th day of April 1910.

Frank B. Ross, Judge of the Probate Court
of Marion County, Indiana.

I, Charles Remster, Judge of the Marion Circuit Court of Marion County, Indiana, being advised as to the within conveyance hereby assent to the same in open Court this 27th day of April 1910.

In Witness Whereof I hereby subscribe my name and cause the seal of said Court to be hereto affixed.
Charles Remster, Judge Circuit Court of Marion County, Indiana.

See Record of transfer No. 1 page 106, Marion Circuit Court.

58

486, p. 382.
Oct. 27, 1911.
Recorded
Nov. 28, 1911.

William F. Lueth, and
Lena R. Lueth, his wife.
to
Frieda L. Gray.

Warranty Deed.

An undivided 1/4 interest in Lot 28 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, Indiana, as shown by plat thereof in Plat Book 7 page 74 in the Recorder's Office in Marion County, in the State of Indiana.

59

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

STATE OF INDIANA, MARION COUNTY, SS.

Nicholas McCarty, being duly sworn on his oath 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 Suzannah 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.

60

✓

There are no further conveyances.

61

✓

Taxes for the year 1911, paid in full.

62

✓

Taxes for the year 1912, now due.

SINCE PAID IN FULL
AT THE UNION TITLE CO.
Albert M. Quatrone

63

✓

Attention called to 2nd Park and Boulevard Assessment for South Park District for which this property may be assessed.

Indianapolis, Ind. February 15, 1913.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in caption, since date of December 9, 1909.

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, 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.

EF.

MARION TITLE GUARANTY COMPANY

By *J. B. Wilkins* Manager

257096

CAPTION

-1-

Continuation of Abstract of Title to Lot 28 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 Re-
corder of Marion County, Indiana.
Since February 15, 1913.

Prepared for: Kane, Blain and Hollowell.

Town Lot Record
635 page 82
Inst. #28354
Aug. 30, 1920
Recorded
Sept. 15, 1920

Frieda L. Gray, and
John R. Gray, her husband
to

Warranty Deed

Chester L. Gray, unmarried.
Lot 28 Out Lot 120 McCarty's Sub. Improved. ✓
(Also other real estate)
(NOTE - The names of the grantors do not appear
in the acknowledgement attached to above
deed.)

-2-

Town Lot Record
635 page 83
Inst. #28355
Aug. 30, 1920
Recorded
Sept. 15, 1920

Chester L. Gray unmarried
to
John R. Gray and Frieda J. Gray
husband and wife.

Warranty Deed

Lot 28 Out Lot 120 McCarty's Sub. Improved. ✓
(Also other real estate.)
(NOTE - The name of the grantor does not appear
in the acknowledgement attached to above
deed.)

-3-

257096

-4-

John R. Gray died intestate April 24, 1937.

IN THE PROBATE COURT OF MARION COUNTY.

Proceedings to
Determine Inheri-
tance Tax Docket
1 page 400
No. 1608

IN THE MATTER OF THE ESTATE OF JOHN R. GRAY, DECEASED.
June 30, 1944. Petition to determine inheritance
tax without letters of administration filed. Ordered
referred to inheritance tax appraiser for investigation.
Order Book -- page --.
(Pending)

-5-

ABTRACTOR'S NOTE: - Schedule of property of said
decedent filed with the Inheritance Tax Appraiser
for Inheritance Tax Appraisement lists the real
estate described in the caption hereof as an asset
of said estate. Said Schedule further shows the
gross value of said decedent's estate to be \$775.00.

SEE SUBSEQUENT CONTINUATION

Town Lot Record
1079 page 93
Inst. #60878
Dec. 23, 1941
Recorded
Dec. 24, 1941

Frieda L. Gray, unmarried,
widow of John R. Gray,
deceased, and sometimes known
as Frieda J. Gray

Warranty Deed
(No U. S. Revenue
Stamp Attached)
(Consideration of
gift)

-6-

to
Chester L. Gray,
Ruby L. Gray,
John R. Gray, Jr., and
Mary Etta Gray, equally as
tenants in common.

Lot 28 in McCarty's Subdivision of the West part
of Out Lot 120 in the City of Indianapolis.

It is expressly agreed that the grantees take title
as tenants incommon and not by entiresities or jointly.

257096

Judgment Search

-7-

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:

John R. Gray
and
Frieda J. Gray, or
Frieda L. Gray
jointly and not
individually

from July 20, 1934
to and including
April 24, 1937,

Frieda J. Gray
and
Frieda L. Gray

from July 20, 1934
to and including
Dec.24, 1941,

and vs.

Chester L. Gray,
Ruby L. Gray,
John R. Gray, Jr.
and
Mary Etta Gray

for the 10 years
last past and
against none other.

IN THE MUNICIPAL COURT OF MARION COUNTY,

Cause #83498
June 20, 1940
Order Book
74 page 444

Hubert H. Woodsmall,
Trustee
vs.

Mary E. Gray

Judgment rendered vs. defendant for \$200.00 and costs.

-8-

SEE SUBSEQUENT CONTINUATION

257096

IN THE MUNICIPAL COURT OF MARION COUNTY.

Cause #M4974
July 15, 1943
Order Book
88 page 211

Askin & Marine Company

vs

Mary Gray

Judgment rendered vs defendant for \$29.68 and costs.

-9-

7-21-43. Execution issued. Returned not satisfied.
See Execution Docket 31 page 315.

SEE SUBSEQUENT CONTINUATION

-10-

Taxes for the year 1943 on the real estate for which this abstract is prepared are assessed in the name of Chester L. Gray, etal, and are due and payable on or before the first Mondays in May and November of 1944.

General Tax Duplicate No. 336829, E.F.G. Indianapolis Center Township, Parcel No. 25313.

May Installment \$33.28 Paid.

November Installment \$33.28 Unpaid.

SINCE PAID IN FULL
ATTEST, UNION TRUST CO.
BY *E. Edward Blum*
PRESIDENT

-11-

Taxes for the year 1944, now ~~paid~~ ^{paid} in full.

SINCE PAID IN FULL
ATTEST, UNION TRUST CO.
BY *E. Edward Blum*
PRESIDENT

GUARANTEED CERTIFICATE

-12-
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 Old Age Certificate Index 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, 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 above set out.

THIRD That according to the current tax duplicates, moratorium 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 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 12 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 5 both inclusive.

Dated at Indianapolis, Indiana, July 22, 1944, 8 A. M.

UNION TITLE COMPANY

By

Albert M. Bristor
President and General Manager

UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS
155 East Market St. UNION TITLE BUILDING Market 2361-5
INDIANAPOLIS, INDIANA

Capital Stock \$1,000,000.00

★
257096

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

SEARCH FOR
PENDING BANKRUPTCIES,
INTERNAL REVENUE TAX LIENS

Prepared for: Kane, Blain and Hollowell

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 seven 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

July 19, 1944, 8 A. M. and

The Indianapolis Division of the Southern District down to and including
July 20, 1944, 8 A. M.

John R. Gray
Frieda J. Gray
Frieda L. Gray
Chester L. Gray
Ruby L. Gray
John R. Gray, Jr.
Mary Etta Gray

IN THE UNITED STATES DISTRICT COURT
(South Bend Division)

Cause #1803
Feb. 25, 1941

Voluntary Petition in Bankruptcy of
John Raymond Gray

UNION TITLE CO.

BY *Albert M. Bista*
PRESIDENT

MMc

64-17792A

CAPTION

-1-

Continuation of Abstract of Title to Lot 28 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 July 22, 1944, 8 A.M.

Prepared for: William J. Davey, Jr.

IN THE PROBATE COURT OF MARION COUNTY

Inheritance
Tax Docket
1 page 400
No. 1608

-2-

IN THE MATTER OF THE ESTATE OF JOHN R. GRAY, DECEASED.
(as continued from the preceding continuation)
July 1, 1944. Inheritance Tax Appraiser filed
report showing estate was not subject to an Inheritance Tax.
Approved by the Court.
Order Book 220 page 693.
Note: Petition above referred to shows that
the persons beneficially interested in this estate
are Frieda L. Gray.
Schedule of property of said decedent filed with
the Inheritance Tax Appraiser for Inheritance Tax
Appraisement lists Lot 28 McCarty's West Sub (also
known as 1005 S. West St.) under joint tenancies.
Said Schedule further shows the gross value of
said decedent's estate to be \$1,198.00.

64-17792A

Misc. Record
359 page 523
Inst. #30216
August 10, 1944
Recorded
August 11, 1944

-3-

STATE OF INDIANA, COUNTY OF MARION, SS:

I, Chester L. Gray, being duly sworn say, that John R. Gray and Frieda L. Gray were Grantors under a warranty deed to me on August 30, 1920; that the signatures on this deed were acknowledged and that the fact that the names of the Grantors do not appear in the acknowledgement attached to said deed is a matter of inadvertence.

This affidavit is made in relation to sale of real estate by John R. Gray, Jr., Chester L. Gray, Ruby L. Gray and Mary Etta Gray to William J. Davey, Jr.

Chester L. Gray

Subscribed and sworn to before me this 10th day of August, 1944.

Ruth Joyce (IS)
Notary Public

My commission expires May 1, 1948.

Misc. Record
359, page 524
Inst. #30218
Aug. 10, 1944
Recorded
Aug. 11, 1944

-4-

STATE OF INDIANA, COUNTY OF MARION, SS:

I, Chester L. Gray, being duly sworn say, that I was Grantor under a warranty deed to John R. Gray and Frieda L. Gray, husband and wife, on August 30, 1920; that the signature on this deed was acknowledged and the fact that the name of the Grantor does appear in the acknowledgment attached to said deed is a matter of inadvertence.

This affidavit is made in relation to the sale of real estate by John R. Gray, Jr., Chester, L. Gray, Ruby L. Gray and Mary Etta Gray to William J. Davey, Jr.

Chester L. Gray

Subscribed and sworn to before me this 10th day of August, 1944.

Ruth Joyce (IS)
Notary Public

My commission expires May 1, 1948.

64-17792A

Misc. Record
359 page 522
Inst. #30215
July 26, 1944
Recorded
Aug. 11, 1944

-5-

STATE OF INDIANA, COUNTY OF MARION, SS:

I, Mary Etta Gray, being duly sworn say:
That I am not the Mary Gray who the following
judgments appear against on the Judgment Docket of
Marion County, Indiana: Municipal Court of Marion
County, Cause No. 83498, June 20, 1940, Hubert H.
Woodsmall, Trustee V. Mary E. Gray; Judgment
rendered against Defendant for \$200.00 and costs;
Municipal Court of Marion County, Cause No.
M-4974, July 15, 1943, Askin & Marine Co. V. Mary
Gray; Judgment rendered against Defendant for
\$29.68 and costs.

This affidavit is made in relation to the sale
of real estate owned by me as tenant in common
with John R. Gray, Jr. Chester L. Gray and Ruby L.
Gray.

Mary Etta Gray

Subscribed and sworn to before me this 26th day of
July, 1944.

Ruth S. Lomax (IS)
Notary Public

My commission expires April 1, 1947.

Misc. Record
359 page 523
Inst. #30217
August 10, 1944
Recorded
August 11, 1944

-6-

STATE OF INDIANA, COUNTY OF MARION, SS:

I, John P. Gray, Jr., being duly sworn
say, that I am not the John Raymond Gray
who filed a voluntary petition in bankruptcy,
Cause No. 1803 on February 25, 1941,
in the United States District Court.

This affidavit is made in relation to
the sale of real estate by John R. Gray Jr.,
Chester L. Gray, Ruby L. Gray and Mary Etta
Gray to William J. Davey Jr.

John R. Gray, Jr.

Subscribed and sworn to before me
this 10th day of August, 1944.

Ruth Joyce (IS)
Notary Public

My commission expires May 1, 1948.

64-17792A

Town Lot Record
1151, page 138
Inst. #30220
July 20, 1944
Recorded
Aug. 11, 1944

Chester L. Gray and
Ruby L. Gray, husband
and wife, also John R.
Gray, Jr. and Mary Etta
Gray, husband and wife,
all as tenants in common.

Warranty Deed
(U.S. Revenue
Stamp Attached)

-7-

to
William J. Davey, Jr.,
unmarried

Lot 28 in McCarty's Subdivision of the West
Part of Out-Lot 120 in the City of Indianapolis.
This deed is executed by all the above named
Grantors for the purpose of conveying the entire
interest which each may hold by reason of the
conveyance to them as tenants in common by virtue of
a deed executed by Frieda L. Gray and recorded in
Deed Record 1079, Page 93 of the records of Marion
County and also the interest of either as husband
or wife in the interest of either spouse.
Proper Citizenship Clause is Attached.

Old Age Assistance
Search

-8-

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

Juvenile Court
Search

-9-

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.

64-17792A

Uniform Commercial
Code

-10-

Search has been made of the records in the Office of the Recorder of Marion County, Indiana, which search discloses no financing statements as required by the Uniform Commercial Code (Chapter 317, 1963 Acts of Indiana General Assembly) with respect to any Security Interest in crops or in fixtures containing an adequate description of real estate herein, except none.

Judgment Search

-11-

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:

William J. Davey, Jr.

for the 10 years
last past and
against none other

-12-

paid
10/5/64
COSTS PAID
ATTEST. UNION TITLE CO.
BY *E. Edward Blum*
PRESIDENT

Judgment for costs in favor of Capitol Glass Co. vs William J. Davey rendered May 7, 1956 in the Municipal Court, Cause No. M-92605
Order Book 171 page 249
Judgment Docket D-4 page 16.

64-17792A

-13- Taxes for the year 1962 and prior years paid in full.

-14- Taxes for 1963 payable 1964 in name of William J. Davey, Jr.

Duplicate No. 346037, C-D, Indianapolis,
Center Township, Code No. 1-01, Parcel No. 25313.

May Installment \$92.21 Paid

November Installment \$92.21 Unpaid.

Assessed Valuation

Land \$720.00 Improvements \$1,340.00 Exemptions None

-15- Taxes for 1964 now a lien in name of William J. Davey, Jr.

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

-16-

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 land.

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 that 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 Town Lot Record 1657, page 486.

64-17792A

INDUSTRIAL ZONING ORDINANCE

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By Ordinance 63-AO-4 adopted November 7, 1963, The Marion County Council amended Ordinance 8-1957, incorporating the Industrial Land Use Map and Industrial Land Use Plan adopted by the Metropolitan Plan Commission for the classification, regulation and development of industrial uses in Marion County, Indiana, including the regulation and limitation of height, area, bulk and floor space of structures, and performance standards, standards of density and traffic distribution therefor.

SECTION 1.00. The following primary INDUSTRIAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County, including the incorporated and unincorporated portions thereof, is hereby classified, divided and zoned into said districts as designated on the INDUSTRIAL ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

- INDUSTRIAL ZONING DISTRICTS
- I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT
- I-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT
- I-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT
- I-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT
- I-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT
- I-2-U LIGHT INDUSTRIAL URBAN DISTRICT
- I-3-U MEDIUM INDUSTRIAL URBAN DISTRICT
- I-4-U HEAVY INDUSTRIAL URBAN DISTRICT

SECTION 2.00 The following regulations shall apply to all land within the INDUSTRIAL ZONING DISTRICTS.

1. With the exception of legally established non-conforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.

2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established non-conforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed 2/3 of the gross floor area of the structures or facilities affected.

3. For purposes of this ordinance, "lot" shall be defined as: any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or parcel of land or site which is occupied, or intended for occupancy by one principal use.

Note: The provisions of the ordinance are too voluminous and detailed to permit adequate reporting herein. This statement is a synopsis only and furnished for general information. For specific details, reference should be had to the complete text of the ordinance.

According to the map filed with the ordinance the real estate described herein appears to lie in District designated 1-3-U District.

SECTION 2.07 I-3-U MEDIUM INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed as an intermediate central city district for industries which are heavier in character than those permitted in the Light Industrial Urban District but which are not of the heaviest industrial types. Because of the nature of these industries, the district will be located away from residential areas and buffered by lighter industrial districts. Where this district abuts residential or business districts, setbacks are large and enclosure of activities and storage is required.

A. PERMITTED I-3-U USES

The following uses shall be permitted in the I-3-U DISTRICT. All uses in the I-3-U DISTRICT shall conform to the I-3-U Development Standards (section 2.07, B hereof) and I-3-U Performance Standards (section 2.07, C hereof).

The following I-3-U uses may also include (as accessory or incidental uses thereto) any of the I-4-U DISTRICT uses specified in section 2.07 A, provided that:

(a) Not more than 25 per cent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said I-4-U uses,

(b) Said I-4-U uses shall conform with all I-3-U Development and Performance Standards, and

(c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.

1. Any use permitted in the I-2-U District.
2. Manufacture and assembly of marine equipment.
3. Canning, bottling, processing, and packaging of food. (Does not include slaughtering of animals or fowl.)
4. Can and container manufacturing.
5. Coffee roasting.
6. Cabinet manufacturing; furniture manufacturing.
7. Manufacture and assembly of major electric and/or gas household appliances.
8. Manufacture of colors, dye, paint, and other coatings, excluding tar products.
9. Manufacture and assembly of communication equipment.
10. Electroplating operations.
11. Manufacture of tools and implements, machinery and machinery components.
12. Manufacture of oleomargarine.
13. Manufacture and assembly of office equipment.
14. Manufacture of musical instruments.
15. Stamping and fabricating metal shops using press, brakes and rolls.
16. Manufacture of malt products; brewing, distillation of liquor and spirits.
17. Machine, welding, tool and die shops.
18. Thermal, electric, steam and/or atomic power plants.
19. Manufacture of glass and glass products.
20. Motor truck terminals less than 10 acres in total area and subject to the regulations of section 2.11, 9.
21. Paper manufacturing.
22. Grainaries, grain processing, starch manufacturing.

July 14, 1964. We hereby certify that no Variance has been granted by the Board of Zoning Appeals of the City of Indianapolis, and/or Marion County; affecting the use of the real estate described in the caption hereof.

EXCERPTS OF THE "AIRPORT DISTRICT ORDINANCE", ADOPTED BY THE MARION COUNTY COUNCIL, SEPTEMBER 4, 1963.

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by The Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended by the addition of the following provisions:

SECTION 1.01 AIRPORT DISTRICT

An AIRPORT DISTRICT, a secondary zoning district, is hereby established for Marion County, Indiana. The AIRPORT DISTRICT shall consist of two parts, the "Airport Approach Area" and the "Airport Circling Area" as each is defined in this ordinance and indicated on the Airport District Map for each public airport (which Map dated November 7, 1962 is a part of this ordinance and incorporated herein by reference).

All land so defined and indicated is hereby zoned and classified as the AIRPORT DISTRICT.

SECTION 2.01 AIRPORT DISTRICT REGULATIONS

The following regulations shall apply to land within the Airport District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to said land, and in case of conflict, the more restrictive regulations shall control.

1. USE

Within that part of the Airport Approach Area of the Airport District within a horizontal radius of 10,000 feet from the airport reference point, as defined in this ordinance, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, public auditorium, theater, public assembly hall, public swimming pool, picnic grounds, carnival, amusement park, penal institution or sports arena.

2. HEIGHT

a. Within the Airport Circling Area and the Airport Approach Area, of the Airport District, no projection of any building, structure, or plant growth hereafter constructed, located or grown, or of any existing building, structure, or plant growth hereafter reconstructed, relocated or enlarged shall penetrate above the approach surfaces, the runway surfaces, the transitional surfaces, the horizontal surface, or the conical surface, whichever is more restrictive.

b. Provided, however, projections may extend to a maximum height of 50 feet above the established airport elevation.

3. PERFORMANCE STANDARDS

The following performance standards shall apply within the Airport Circling Area and the Airport Approach Area, of the Airport District, except that part of the Airport Area whose horizontal distance from the airport reference point is greater than the radius of the Airport Circling Area:

Interference with Communication

No use shall create interference with any form of communication whose primary purpose is for air navigation.

Smoke, Dust and Particulate matter

(1) No use shall create or emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the United States Bureau of Mines.

(2) No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the visibility of air crews using the airport in landing, taking off, or maneuvering of aircraft.

NOTE: COPIES OF MAP ABOVE REFERRED TO BEING A DISTRICT MAP FOR INDIANAPOLIS (WEIR COOK) MUNICIPAL AIRPORT ARE ON FILE IN THE OFFICE OF THE METROPOLITAN PLANNING DEPARTMENT: ALSO A COPY FILED OCTOBER 7, 1963, AS INSTRUMENT #59018, IN THE MARION COUNTY RECORDER'S OFFICE.

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 20 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 11 both inclusive.

Dated at Indianapolis, Indiana, August 6, 1964, 8 A.M.

UNION TITLE COMPANY

by C. Edward Blum
 President

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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

64-17792A

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: **William J. Davey, Jr.**

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

July 29, 1964, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

July 30, 1964, 8 A.M.

William J. Davey, Jr.

UNION TITLE CO.

BY *C. Edward Plum*
PRESIDENT

cmg