

65 55449

Chase

WARRANTY DEED

Project 1-70-3(52)  
Code 0536  
Parcel 35

This Indenture Witnesseth, That **JOHN W. ADAMS AND O. ESTELLE ADAMS**  
(ADULT HUSBAND AND WIFE)

of **MARION** County, in the State of **INDIANA**

Convey and Warrant to

the STATE OF INDIANA for and in consideration of

**FIVE THOUSAND FIVE HUNDRED FIFTY AND 00/100 (\$ 5550.00)** Dollars,

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

LOT 132 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.

THIS CONVEYANCE IS FOR THE PURPOSES OF A LIMITED ACCESS FACILITY, AND THE GRANTOR ALSO CONVEYS AND EXTINGUISHES ALL RIGHTS OR EASEMENTS OF INGRESS OR EGRESS TO, FROM, OR ACROSS THE ABOVE DESCRIBED REAL ESTATE.

DULY ENTERED FOR TAXATION

OCT 25 1965

John T. Sutton  
COUNTY AUDITOR

RECEIVED FOR RECORD  
1965 OCT 26 AM 8:03  
MARCIA M. HAWTHORNE  
RECORDER OF MARION COUNTY



A063313

Paid by Warrant No. A. 0. 6. 3312

Dated 9-9-65 1965

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.

In Witness Whereof, the said **JOHN W. ADAMS AND O. ESTELLE ADAMS**  
(ADULT HUSBAND AND WIFE)  
have hereunto set their hand and seal, this 19<sup>th</sup> day of JULY 1965

(Seal) John W. Adams (Seal)  
**JOHN W. ADAMS (ADULT HUSBAND)**  
(Seal) O. Estelle Adams (Seal)  
**O. ESTELLE ADAMS (ADULT WIFE)**  
(Seal) \_\_\_\_\_ (Seal)  
(Seal) \_\_\_\_\_ (Seal)

65 55449

MEH

This Instrument Prepared by R. L. FIDLER 3/9/65

AUG 9 1965

ENVELOPE State Highway 13

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.....

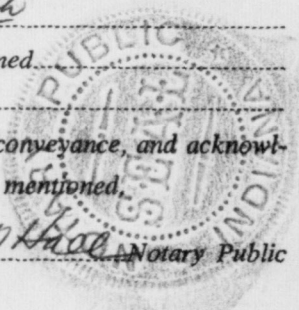
..... Grantor..... in the above conveyance, and acknowl-  
edged the same to be..... voluntary act and deed, for the uses and purposes herein mentioned.  
I have hereunto subscribed my name and affixed my official seal.  
My Commission expires..... Notary Public

STATE OF INDIANA, ..... 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 acknowl-  
edged 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 19<sup>th</sup>  
day of JULY, A. D. 1965; personally appeared the within named.....

JOHN W ADAMS AND O. ESTELLE ADAMS  
(ADULT HUSBAND & WIFE) Grantor 5 in the above conveyance, and acknowl-  
edged the same to be THEIR 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 1969 Chadwick G. Hall Notary Public  
Chadwick G. Hall



1018 Church Street. Indpls. Ind. owner John W Adams  
O Estelle Adams

The undersigned owner of a mortgage and/or lien on the land of which the real estate  
(Parcel No. 35, Project No. I-70-3-52) 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 provid-  
ing for payment for said deed, this 23 day of Sept,  
1965.

..... (Seal) RAILROADMEN'S FEDERAL SAVINGS  
& LOAN ASSOCIATION OF INDIANAPOLIS (Seal)  
..... (Seal) Lyle C Oly (Seal)

State of Indiana )  
County of Marion ) SS:

Personally appeared before me Lyle C Oly Pres

..... above named and duly acknowledged the execution  
of the above release the 23 day of Sept, 1965

Witness my hand and official seal.

My Commission expires April 1969 John Tolin Notary Public

1018 Church Street Indpls Ind owner John W Adams  
O Estelle Adams

DULY ENTERED  
FOR TAXATION

OCT 25 1965

John T. Sutton  
COUNTY AUDITOR



## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

September 20, 1965 19

To John W. Adams & O. Estelle Adams  
1018 Church Street  
Indianapolis, Indiana

## GENTLEMEN:

We enclose State Warrant No. A 063313 9-9-65 19  
in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase  <i>For the purchase of Right of Way on State Road</i> <i>No. I-70 in Marion</i> <i>County I Project 70-3</i> <i>Section (52) as per Grant dated</i> <i>July 19, 1965</i>  Parcel 35 escrow	550.00

PLEASE RECEIPT AND RETURN

Received Payment:

Date

*John W. Adams*  
11-13-65

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

September 20, 1965 19

To John W. Adams & O. Estelle Adams &  
Railroadmens Sav. & Ln. Ass'n.  
1018 Church St.  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-063312-9-9-65 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 July 19, 1965  Parcel 35	5000.00

PLEASE RECEIPT AND RETURN

Received Payment: *John W. Adams*

Date: 9-23-65



Control

APPRAISAL REVIEW FORM

Division of Land Acquisition  
Indiana State Highway Commission

Project I-70-3(52)  
Parcel No. 35  
Road I-70  
County Marion  
Owner John W. Adams  
Address 1018 S. Church St.  
Address of Appraised Property: Same

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

1. I have personally checked all Comparables and concur in the determinations made. see attachment
2. Planning and Detail Maps were supplied appraisers. yes
3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Income approach retained
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 June 28, 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. yes
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 April 9, 1965 (Date):

(a) The fair market value of the entire property before the taking is: \$ 5,550.00

(b) The fair market value of the property after the taking, assuming the completion of the improvement is: \$ 0

The total value of taking is: (a minus b) TOTAL \$ 5,550.00

(1) Land and/or improvements	\$ <u>5,550.00</u>
(2) Damages	\$ <u>0</u>
(3) Other damages and/or temp. R.O.W.	\$ <u>0</u>
(4) Estimated Total Compensation	\$ <u>5,550.00</u>

APPROVED BY:

Approved	Date	Signed
Rev. Appr.	7-1-65	<i>[Signature]</i>
W65 Asst. or Chief Appr.	JUL 2 1965	<i>[Signature]</i>

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

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # \_\_\_\_\_

PROJECT # I 70-3 (52) PARCEL # 35 COUNTY MARION

NAME & ADDRESS OF OWNER JOHN W ADAMS AND O. ESTELLE ADAMS  
1018 CHURCH ST INOPLS IND. PHONE # ME 8-9117

NAME & ADDRESS OF PERSON CONTACTED THE ABOVE

PHONE # \_\_\_\_\_

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

DATE ASSIGNED 7-6-65 DATE OF CONTACT 7-19-65

OFFER \$ 5550<sup>00</sup> TIME OF CONTACT 10:58 AM

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

1. (X) ( ) ( ) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
2. (X) ( ) ( ) Showed plans, explained take, made offer, etc.?
3. (X) ( ) ( ) Any mortgage? (Is it VA \_\_\_\_\_, FHA \_\_\_\_\_, FNMA \_\_\_\_\_, Fed.Ld. Bk. \_\_\_\_\_, Conv'l. \_\_\_\_\_?)
4. (X) ( ) ( ) Explained about retention of Buildings? (any being retained? ( ) Yes, (X) No)
5. (X) ( ) ( ) Filled out RAAP Form?
6. ( ) (X) ( ) Walked over property with owner ( or who? \_\_\_\_\_ )
7. (X) ( ) ( ) 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: #3 MORT BAL ABOUT \$2100 RAILROADMEN'S.

~~#7~~ #7 TAXES TAKE OUT AT CLOSING -

MET WITH THE ADAMS - DISCUSSED ABOVE SUBJECTS.

THEY SIGNED WARRANTY DEED - AGREEMENT FOR POSSESSION

~~AND~~ RAAP FORM AND 2 VOUCHERS - ONE FOR \$5000<sup>00</sup>

PAYABLE TO THE ADAMS AND RAILROADMEN'S FED SAV LN ASSN

AND ONE FOR \$550<sup>00</sup> PAYABLE TO THE ADAMS ONLY.

MR ADAMS GAVE ME \$6.60 CASH FOR DEED STAMPS.

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned

( ) Other, awaiting what? \_\_\_\_\_

Distribution Made

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

Met with John W Adams  
Chadwick Hill  
(Signature)



R E S O L U T I O N

(35)

WHEREAS, The Indiana State Highway Commission of Indiana has heretofore acquired by Grant Dated 7-19-65 executed by the STATE OF INDIANA and John Adams a frame house

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 132 in McCarty's sub div. of W. Part of out lot 120 of donations lands of 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 (52) and

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

BE IT RESOLVED, therefore, by the Indiana State Highway Commission of Indiana, that said building so described be advertised, sold and caused to be removed from right of way of said highway project within a definite time to be fixed in the notice and terms of sale thereof, all as by law provided, and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be submitted to the Director of Public Works as his warrant of authority for the disposal of said personal property as herein requested.

ADOPTED and PASSED by the Indiana State Highway Commission of Indiana this 5th day of August, 19 65.

Offices of the Indiana State Highway Commission of Indiana.

This is to certify that the attached is a full, true and complete copy of a Resolution authorizing the sale of improvements on the right of way as described, as the same appears in the minutes of the Commission in the State Office Building in the City of Indianapolis, Indiana.

IN WITNESS WHEREOF, I, Roy Whitton, Secretary of the Indiana State Highway Commission of Indiana, hereto place my hand and seal of said Commission on this 5th day of August, 19 65.

Roy P. Whitton  
Secretary

SEAL:





65-15839A

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. I-70

PROJ. I-70-3 (52)

COUNTY Marion

Names on Plans \_\_\_\_\_

Names in Trans Book \_\_\_\_\_

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Lot 132 McCarty's Sub. West					
part O. L. 120					

LAST OWNER OF RECORD

Deed Record \_\_\_\_\_ p. \_\_\_\_\_ Recorded \_\_\_\_\_ Dated \_\_\_\_\_ Deed

Grantor None

Grantee \_\_\_\_\_

Address of Grantee \_\_\_\_\_

MORTGAGE RECORD

Mortgage Record \_\_\_\_\_ p. \_\_\_\_\_ Amount \_\_\_\_\_ Dated \_\_\_\_\_

Mortgagor None

Mortgagee \_\_\_\_\_

JUDGMENT RECORD Yes ( ) None (  ) LIS PENDENS RECORD Yes ( ) None (  )

MISCELLANEOUS RECORD Yes ( ) None (  ) EASEMENTS Yes ( ) None (  )

If answer to any of above is yes, clarify on back of sheet or on attached sheet

TAXES Current Paid (  ) Delinquent ( )

CERTIFICATE

I, the undersigned certify that the above and the attached copies include all transfers of the above described real estate as shown by the records in the office of Recorder of the above county from the date of the earliest entry shown in this search to date, except as otherwise noted, and that all liens, judgments and other matter of record hereinbefore requested for the same period are set forth.

UNION TITLE CO.

Dated this 28th day of July 1951 1965 C. Edward Blum  
Abstractor RESIDENT

Prel. Approval of Title \_\_\_\_\_ Date \_\_\_\_\_ By \_\_\_\_\_  
Deputy Attorney General

Final approval of Abstract of Title \_\_\_\_\_ BY \_\_\_\_\_  
Date \_\_\_\_\_ Deputy Attorney General

65-15839A

The following is an Extension of the original search by Union Title Company under No. 65-2774A.

CAPTION

-1-

Continuation of Abstract of Title to Lot 132 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 9, 1965, 8 A.M.

Prepared For: Indiana State Highway Commission  
Division of Land Acquisition

Old Age Assistance  
Search

-2-

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

-3-

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.



65-15839A

- Uniform Commercial Code 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 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 W. Adams  
and  
O. Estelle Adams  
jointly and  
not individually
- from February 9, 1965,  
8 A.M. to date and  
against none other
- Taxes for the year 1963 and prior years paid in full.
- Taxes for 1964 payable 1965 in name of John W. & O. Estelle Adams.
- Duplicate No. 240491, Indianapolis, Center Township, Code No. 1-01, Parcel No. 71325.
- May Installment \$29.84 Paid.
- November Installment \$29.84 Unpaid.
- Assessed Valuation:
- |               |                       |                     |
|---------------|-----------------------|---------------------|
| Land \$280.00 | Improvements \$990.00 | Exemptions \$630.00 |
|---------------|-----------------------|---------------------|
- Taxes for 1965 now a lien in name of John W. & O. Estelle Adams.





# W. Pt. Out Lot No 120.

**Ray**  
McCarty's Sub.

83
82
81
80
79
78
77
76
75
74
73
72
71

of the P.B.T. P.7A West Part

84	136
85	135
86	134
87	133
88	132
89	131
90	130
91	129
92	128
93	127
94	126
95	125
96	124

McCarty's Sub. Middle Part

205	258
206	257
207	256
208	255
209	254
210	253
211	252
212	251
213	250
214	249
215	248
216	247
217	246

**Wilkins**

70
69
68
67
66
65
64
63
62
61
57
58
59
60

97	123
98	122
99	121
100	120
101	119
102	118
103	117
104	116
105	115
106	114
107	113
108	112
109	111
110	110

St.

218	245
219	244
220	243
221	242
222	241
223	240
224	239
225	238
226	237
227	236
228	235
229	234
230	233
231	232

**Morris**

Senate

Church

Capitol

St.



No. 18745

# ABSTRACT OF TITLE

TO

Lot 132 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.

Prepared for FRANK C. OLIVE.

BY

## UNION TITLE COMPANY

OFFICERS

JAMES S. CRUSE  
PRESIDENT  
WILLIS N. COVAL  
VICE-PRESIDENT AND GENERAL MANAGER  
FRED COONS  
VICE-PRESIDENT  
GEORGE A. KUHN  
TREASURER  
WENDELL W. COVAL  
SECRETARY

INDIANAPOLIS INDIANA  
INCORPORATED  
CAPITAL STOCK, \$1,000,000.00

204 CITY TRUST BUILDING . . . MAIN 7575  
227 LEMCKE BUILDING . . . MAIN 3385  
118 NORTH DELAWARE STREET . . . MAIN 3005

DIRECTORS

REILY C. ADAMS  
ARTHUR V. BROWN  
W. T. CANNON  
FRED COONS  
WILLIS N. COVAL  
WENDELL W. COVAL  
LINTON A. COX  
JAMES S. CRUSE  
R. F. DAVIDSON  
GEORGE B. ELLIOTT

GEO. C. FORREY, JR.  
GEORGE A. KUHN  
DICK MILLER  
FRANK W. MORRISON  
ROY SAHM  
C. N. THOMPSON  
JOHN K. WELCH  
C. N. WILLIAMS  
JOSH. ZIMMERMAN

ABSTRACTS OF TITLE,  
TITLE INSURANCE, ESCROWS

HISTORICAL NOTES. The title to all real estate in Marion County, Indiana, is derived from the United States. An epitome of the fee title to these lands, prior to the local records of the county, is as follows: Spain, France and Great Britain asserted sovereignty over the territory, now forming the State of Indiana; Spain, by virtue of the discovery of America, by Columbus, the discoveries by Ponce de Leon, in 1512, and Hernando de Soto, between 1538 and 1542; France, by virtue of the explorations of Verrazzani in 1524, Carter and LaSalle; and Great Britain, by virtue of the explorations by the Cabots, in 1497, acquisition from the Indian Confederacy, and actual occupancy. Despite the claims based on priority of discovery, exploration and occupancy, the title vested in the nation strongest in military power. By the terms of the Treaty of Paris, February 18, 1763, between said countries, Great Britain was ceded all lands in the State of Indiana. The title of Great Britain to said territory passed to the United States by the Treaty of September 3, 1783, ratified by Congress, January 14, 1784. Virginia, Connecticut, New York and Massachusetts were claimants of the vacant lands north and west of the River Ohio. Whatever rights existed were compromised, and deeds of session were made to the United States. The conveyance by Virginia, the only state recognized to have a valid claim to lands in Marion County, was accepted by Congress March 1, 1784.



**INDIAN CLAIMS.** The original possessory title to said lands was held by the Indians. The Weas, Delawares, Miamis, and Kickapoos were the only tribes recognized as having substantial rights, and their claims were extinguished by cessions dated October 2, 3 and 6, 1818, and July 30, 1819.—7 U. S. Statutes at Large, pp. 185, 186, 188, 189 and 200.

**TERRITORIAL GOVERNMENT.** The maintenance of a government, in the Territory of the United States Northwest of the River Ohio, was provided for by a series of Resolutions of April 23, 1874. By authority of an Ordinance of Congress, July 13, 1787, Indiana Territory was organized May 7, 1800.

**STATE GOVERNMENT.** A Memorial praying for authority to form a State Government, was adopted by the Legislature of said Territory, December 14, 1815, and laid before Congress, December 28, 1815. An Enabling Act was approved by Congress, April 19, 1816. 3 U. S. Statutes at Large, p. 289. Elections were held May 13, 1816, for delegates to the Constitutional Convention. The convention met June 10, and on June 29, 1816, approved the Constitution. R. S. 1824, p. 33. The State Government superseded Territorial Government, November 7, 1816, and Indiana was formally admitted into the Union by a Joint Resolution of Congress, approved December 11, 1816. 3 U. S. Statutes at Large, p. 399.

**ORGANIZATION OF COUNTY.** Marion County lands were included within the boundaries of Delaware County, organized January 20, 1820, Acts 1820, p. 95. Marion County was organized December 31, 1821, Acts 1821-2, p. 135. The boundary lines of Marion County were corrected and established January 7, 1824, Acts 1824, p. 52.

**CITY OF INDIANAPOLIS.** By act of Congress, approved April 19, 1816, hereinbefore mentioned, four sections of land were granted to the State, "for the purpose of fixing their seat of Government thereon," which grant was accepted by the Territorial Convention, by Ordinance of June 29, 1816, R. S. 1824, p. 33. By Act of Congress, approved March 3, 1819, it was provided that instead of 4 sections, "Any contiguous quarter sections, fractions, or parts of sections, not to exceed in the whole the quantity contained in 4 entire sections," were to be selected under the direction of the Legislature. 3 U. S. Statutes at Large, p. 516. By Act, approved January 11, 1820, Commissioners were appointed by the General Assembly to select and locate a seat for the permanent seat of Government of the State of Indiana. Acts 1819, p. 18. Commissioners reported, June 7, 1820, 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 a North and South line as will complete 4 entire sections, or 2,560 acres in township 15, North, and range 3, East of the second principal Meridian. House Journal 1820-1821, p. 25. According to the returns of the United States Surveyors, section 1 contains 658.20, section 2, 611.53, section 12, 640 acres, and section 11, on the east side of White River, 448.20 acres, leaving 202.07 acres to be taken out of section 3. The Act approved January 6, 1821, approved the selection of the above described land, provided for the appointment of three Commissioners, to lay out a town on such part of the land selected, as they deemed most proper, provided for the sale of lots, the appointment of Agents and authorized the execution of certificates and deeds by said Agents. Said act further provided, "that said town shall be called, and known by the name of Indianapolis." Acts 1820, p. 44. The original survey of the town, as made in the year 1821, included within North, South, East and West streets, embracing squares 1 to 101 inc., which were all divided into in-lots. By Act approved November 28, 1821, the acts and proceedings of the commissioners were legalized. Acts 1821-2, p. 18. By Act, approved January 3, 1822, it was provided that the agent lay off in lots from 5 to 20 acres, the fraction of land lying west of the west fork of White River, opposite Indianapolis, and which is within the Donation. Said Agent was authorized to sell any part of the unappropriated Donation, not exceeding 2 acres, to any person or persons, for the purpose of making bricks for the improvement of the town. Acts 1821-2, p. 129. A square tract of 2 acres was platted and sold as a brick yard and designated "H" on the map. By Act, approved January 20, 1824, Indianapolis was adopted and established as the permanent seat of Government, upon, from, and after the 2nd Monday in January, 1825. Acts 1824, p. 10. The Act, approved January 31, 1824, authorized the Agent to lay out on the North and South sides of the town plat, 20 out-lots of the same size as the squares in said town plat, and to offer said out-lots for sale. Acts 1824, p. 88. By the Act, approved February 12, 1825, the Agent was required to lay off one more tier of out-lots on the North and South sides of the said town, of the same size and dimensions of the 20 out-lots provided for in the foregoing Act. Acts 1825, p. 3. An Act, approved January 26, 1827, authorized the Agent to sell a quantity of ground not exceeding 7 acres, on White River and adjoining thereto, either above, or below the Ferry, on said river, to be by said Agent laid off and surveyed, in such form and manner as in his opinion will best answer the purpose designed; which piece of land shall be sold for the purpose of affording a site for the erection of a steam mill, etc. Acts 1827, p. 3. This tract is designated "Steam Mill" on the map. By an Act, approved January 26, 1827, all the alleys passing through squares 1 to 20 inc., 80, 84, 85 and 90 to 101 inc., were vacated and the Agent was granted authority to divide squares 80, 84 and 85. Acts 1827, p. 5. Within the surveys including that necessitated by the Act of 1827, the streets are 90 feet wide, except Washington, which is 120 feet, and Circle, which is 80. The alleys are 30 and 15 feet wide, each of the regular squares are 420 feet, including the alleys, and contain 4-100 acres. The lots in the regular squares are 67 feet 6 inches in front, and 195 feet in depth where they abut on 30 foot alleys; where they abut on 15 foot alleys, they are 65 feet in front and 202 feet and 6 inches in depth. By Act, approved February 9, 1831, the Agent was required to cause the lands around the Town of Indianapolis, belonging to the State, to be accurately surveyed and divided into lots, according to the plan designated on the plat presented by the said Agent, and cause the corners and boundaries thereof to be distinctly marked and numbered. Acts 1830-1, p. 82. A "Map of Indianapolis and Its Environs" as originally drawn by B. F. Morris, surveyor, was filed by E. Sharpe, Agent, July 5, 1831, in the Recorder's office of Marion County. A verified copy of the same is now of record in said office.

In the Survey of the Remaining part of the Donation, authorized by the law of 1831, the lines of the original survey of the town are assumed as having been run according to the True Meridian, and the lines on the east side of White River are run with the same bearing upon the assumption the variation of the needle indicated at this time, by the instrument used is 3 degrees, 25 minutes, east. The lines on the west side of the River are run at a variation of 5 degrees, 30 minutes, as corresponding more exactly with the congressional surveys, Washington street is continued west to the River and east with the National Road, to the Boundary of the Donation, 120 feet wide. The National Road, after leaving Washington street, is 80 feet wide. The Michigan Road is 100 feet. The continuations of Kentucky, Massachusetts, Virginia, New Jersey, north, and Delaware, Pennsylvania, Meridian and Illinois street, south, are respectively 80 feet wide; the Fort Wayne, Madison and Bluff Roads are severally 80 feet wide. The continuation of Market and New York streets, east, North street, west, and the Lafayette Road are severally 60 feet wide. Water street is 99 feet wide, between the River and lots 135, 136, 139, and the South end of 145; at the North end of 145 it is 118 feet wide. The Act of February 2, 1841, appointed the State Librarian ex-officio Agent of State, and made such officer custodian of all books and papers of every description relating to the affairs of the Town of Indianapolis. Acts 1841, p. 114. By Act of January 15, 1844, all books, papers and maps were placed in the custody of the Auditor of State and said act further provided, "All final or partial payments of lots in Indianapolis shall hereafter be made to the State Treasurer, upon the statement of the Auditor, and the final certificate of the Auditor of State shall authorize the Secretary of State to issue a patent therefor." Acts 1844, p. 103.

**SCHOOL LANDS.** By the proposition on the part of the United States, offered in the Enabling Act, approved April 19, 1816, which when accepted, as hereinbefore noted, became obligatory, every section numbered 16, in every township, in Marion County, was granted to the inhabitants of such township, for the use of Schools. 3 U. S. Statutes at Large, p. 290. R. S. 1824, p. 33. By Acts, approved January 31, 1831, the Congressional Townships were constituted bodies corporate. By the Act of 1824, the lands were vested in such corporation. By an Act of Congress, approved May 24, 1828, the legislature of the State of Indiana was authorized to sell and convey in fee simple, after complying with certain provisions, all, or any part of the lands heretofore reserved and appropriated by Congress for the use of the schools within said State. 4 U. S. Statutes at Large, p. 298. Provisions for the sale of such lands, and authority for certain officers to execute deeds, were provided, by the Acts of 1829, 1831, 1843, 1852 and 1865. R. S. 1824, p. 379; Acts 1829, p. 120; R. S. 1831, p. 463; R. S. 1843; Articles 12 R. S. 1852, p. 450; Acts 1865, p. 16.



18745

Land Record  
"D" p. 535  
May 2, 1834  
Recorded  
June 21, 1834

Ebenezer Sharpe, Agent of  
State for the Town of  
Indianapolis,  
to

Agent's Deed

Nicholas McCarty, his heirs  
and assigns,

1. Out Lot 120 and others in the Town of  
Indianapolis.

2. Nicholas McCarty died intestate May 17, 1854, leaving  
him surviving as his sole and only heirs at law, his  
widow, Margaret McCarty, and four children, to-wit:

Nicholas McCarty, Margaret R. McCarty, Susannah  
McCarty, and Frances J. McCarty; see Complete Record  
11, page 66, of the Marion Common Pleas Court.

3. The Estate of Nicholas McCarty, deceased, was  
finally settled and closed January 7, 1860; see full  
proceedings in Complete Record 11, page 66 of the Court  
of Common Pleas of Marion County.

Marriage Record  
6 p. 30  
Dec. 9, 1857

Susannah McCarty,  
with  
Henry Day.

Marriage

4.

Marriage Record  
10 p. 30  
Oct. 2, 1867

Margaret R. McCarty,  
with  
John C. S. Harrison.

Marriage

5.

6.

Margaret McCarty, widow of Nicholas McCarty, deceased  
died intestate February 18, 1873, see Order Book  
Marion Circuit Court 69, page 542, for corrected  
affidavit of death executed by Nicholas McCarty,  
which contained the statement that Margaret  
McCarty died intestate February 18, 1874, when in  
fact, she died February 18, 1873, leaving her  
surviving as her sole and only heirs at law, Nicholas  
McCarty, Susannah McCarty Day, Margaret R. McCarty  
Harrison and Frances J. McCarty.

Estate Docket  
8 p. 283

7.

Nicholas McCarty was appointed and qualified as  
Administrator of the Estate of Margaret McCarty,  
deceased, March 14, 1874; See Order Book 34, page 551.  
September 12, 1899, the estate of Margaret McCarty  
deceased, was finally settled and closed; see Order  
Book 140 page 121 of the Marion Circuit Court.



8. Susanna McCarty Day died testate August 30, 1873.

Will Record  
E. p. 123  
Aug. 21, 1873

9.

LAST WILL AND TESTAMENT OF SUSANNA McCARTY DAY,  
DECEASED, PROBATED SEPTEMBER 19, 1873.

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 meantime 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 half of the north west quarter of Section 22, 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 law, 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 and 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



18745

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 of 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 21st day of August A. D. 1873, set my hand and seal.

(Signed) Susanna McCarty Day (Seal)

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.

(Signed) Margaret A. Wood.

John S. Tarkington.

10.

The estate of Susanna McCarty Day, deceased, was finally settled and closed October 19, 1874; see Order Book 35, page 80, of the Marion Circuit Court.

Guardian's Docket  
3 p. 30

11.

Henry Day was appointed Guardian October 15, 1873, of Henry McCarty Day and Margaret McCarty Day aged 14 and 16 years respectively; See Order Book 34, page 309, of the Marion Circuit Court.

Henry McCarty Day became of age October 21, 1880, and said Guardianship was closed as to him; see Order Book 56, page 227.

September 11, 1885, Guardianship closed as to Margaret McCarty Day; See Order Book 72, page 284.

Misc. Record  
17 p. 11  
Sept. 7, 1881  
Recorded  
Jan. 23, 1893

12.

STATE OF INDIANA, COUNTY OF MARION, SS:

I, Henry Day, the undersigned, being duly sworn, according to law says that ever since the year 1857, I was acquainted with the family of the Nicholas McCarty to whom the Agent of the State deeded Out Lot 120 in the City of Indianapolis, on May 2, 1835, which deed is recorded in Deed Record "D", page 535, that said Nicholas McCarty died previous to the fall of 1854 that he left Margaret McCarty, his widow, surviving him;



18745

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

Henry Day.

Subscribed and sworn to before me this 7th day of September, 1881.

William Watson Woollen, (LS)  
Notary Public.

Misc. Record  
71 p. 357  
Mar. 1, 1912  
Recorded  
May 14, 1912

13.

STATE OF INDIANA, COUNTY OF MARION, SS:

Nicholas McCarty being duly sworn upon his oath says that he was acquainted during the life time with one Henry Day, who was the husband of Susannah McCarty Day, who was formerly the owner of the north half of the north west quarter of Section 22, Township 15 North, Range 3 East, 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 five sixths part of Out 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 the 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.

(Signed) Nicholas McCarty.

Subscribed and sworn to before me, a Notary Public in and for said County and State this 1st day of May, 1912.

(Signed) Fred D. Stilz, Notary Public.

(LS)

My commission expires April 8th, 1916.

Plat Book  
7 p. 74  
Apl. 10, 1875  
Recorded  
Apl. 13, 1875

14.

Nicholas McCarty, Frances J. McCarty, John C. S. Harrison, and Margaret R. 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 two large lots or blocks lettered "A" and "B".



88 p. 547  
Apl. 13, 1875  
Recorded  
Apl. 22, 1875

15.

Nicholas McCarty -  
John C.S.Harrison, and  
Margaret McCarty Harrison,  
his wife, Francis J.McCarty--  
and Henry Day --,

Warranty Deed

to  
Frederick Suhr,  
The undivided 5/6 part of Lot 132 in  
McCarty- 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 said County of Marion.

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

16.

STATE OF INDIANA, COUNTY OF MARION, 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 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.

(Duly sworn to).

Sale RealEstate  
Docket  
1 p. 302  
#336.

17.

GUARDIANSHIP OF HENRY McCARTY DAY  
AND MARGARET McCARTY DAY.Petition for  
sale of real  
estate.

May 19, 1875, Petition filed  
Lawrence G.Hay and William Mansur  
appointed appraisers Order Book 35, page 486.  
May 20, 1875, Appraisement filed, bonds filed,  
real estate ordered sold at private sale for not  
less than appraised value, without notice, order  
Book 35, page 488.

May 29, 1875, Now comes Henry Day Guardian  
of said minor wards and makes the following report of  
the sale of the undivided one sixth (1/6) part of  
the following described lots in McCarty's Subdivision,  
of the west part of Out Lot No.120 in the City  
of Indiana polis, Marion County, Indiana, to-wit:

Frederick Suhr, Lot 132 for \$116.66.

Cash in hand	\$16.66
One note at 6 months	\$ 8.34
One note at one year	\$22.91
One note at two years	\$22.91
One note at three years	\$22.92
One note at four years.	\$22.92

Each note to bear 6% interest before maturity  
and 10% interest after maturity, and secured by  
mortgage upon the premises.

And the court examines and approves said Report  
of Sale; Orders Deed made, Deed made and  
reported and approved in Open Court, Order Book  
35, page 522.

The mortgage given as part payment is recorded  
in Mortgage Record 70, page 480, and was entered  
satisfied of record September 8, 1887.



98 p. 506  
May 20, 1875  
Recorded  
Mch. 11, 1876

18.

Henry Day Guardian of  
Henry McCarty Day and Margaret  
McCarty Day, minor heirs of Susanna McCarty  
Day, deceased, as such Guardian by order  
of the Circuit Court of Marion County,  
in the State of Indiana, entered in Order  
Book 35, of said Court on page 522,  
to

Guardian's  
Deed.

Frederick Suhr,

The undivided 1/6 part of Lot 132 in McCarty's Subdi-  
vision of the west part of Out Lot 120 in the  
City of Indianapolis.

Examined and approved by me, this 29 day of  
May 1875.

Livingston Howland,  
Judge Marion Circuit Court.

19.

Frederick Suhr, died testate January 18, 1906.

Will Record  
U. p. 20  
May 2, 1903.

20.

LAST WILL AND TESTAMENT OF FREDERICK SUHR,  
PROBATED FEBRUARY 19, 1906.

I, Frederick Suhr, being of sound and disposing  
mind and memory do make this my last will and  
testament.

1st: All my just debts be paid out of the  
proceeds of my estate in the event it should have to  
be sold by my wife Minnie Suhr,

2. I give and bequeath to my beloved wife,  
Minnie Suhr, all and singular my real and personal  
property to be hers absolutely free and dis-  
charged from any and all obligations. She to  
have the right at any time to mortgage sell or  
convey any and all of my estate and further she  
shall have the right to parcel and divide my  
estate according to her wishes.

Witness my hand this 2nd day of May 1903.

Frederick Suhr.

We the subscribing witnesses at request of  
testator and in his presence acknowledge the same  
as attesting witnesses this 2nd day of May 1903.

Louis Reinier  
John L. Reardon.

Estate Docket  
30 p. 7164

21.

February 19, 1906, Martha Suhr, was appointed  
and qualified as administratrix with the will  
annexed of the estate of Frederick Suhr, deceased.  
Order Book 172, page 351.

March 20, 1906, Proof of publication filed.

April 15, 1907, Final report filed.

May 11, 1907, Proofs filed final report approved,  
and Estate closed. Order Book 2, page 35.

22.

Wilhelmina Suhr, died intestate August 22, 1924.

Estate Docket  
70 p. 22838

23. October 18, 1924, Frank C. Olive was appointed and qualified as Administrator of the Estate of Wilhelmina Suhr, deceased, Order Book 91, page 274. November 3, 1924, proof of publication filed. Pending.  
Application for letters of administration contains the verified statement that said decedent left surviving her as her sole and only heirs at law her sons Fred Suhr, Charles G. Suhr, and John Suhr, and her daughters Martha Hedges, Lena F. Meyer, and Emma A. Suhr.
24. Examination made for judgments against Minnie Suhr, Wilhelmina Suhr, Frank C. Olive, Administrator, Fred Suhr, Charles G. Suhr, John Suhr, Emma A. Suhr, Martha Hedges and Lena F. Meyer, and against none other.
25. Taxes for the year 1923 fully paid.
26. Taxes for the year 1924, 1st installment paid. 2nd installment not paid.
27. Taxes for the year 1925 payable in 1926 now a lien.
28. Indianapolis, Indiana, September 9, 1925.

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 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 *Charles J. Leavel*  
V-PRES. & GENERAL MANAGER



1

INDIANAPOLIS Continuation of Abstract of Title to Lot numbered One Hundred Thirty-two (132) in McCarty's Subdivision of the West part of Out Lot 120 in 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 right of way of the City of Indianapolis for sewer purposes.

TITLE Prepared for Dunlop & Holtegel,  
 since date of September 9, 1925.

OF CONVEYANCES

IN THE PROBATE COURT OF MARION COUNTY.

Estate Docket  
 70 page 22838

ABSTRACTS Wilhelmina Suhr Estate

(Continued from former abstract)

2

November 30, 1925, Final report filed.  
 December 16, 1925, Proof of Publication of Final Notice filed.  
 January 2, 1926, Final Report approved and estate closed. Order Book 95 page 313.  
 Entry on final report recites decedent left surviving her as her sole and only heirs:  
 Fred A. Suhr, Charles G. Suhr, John Suhr,  
 Emma A. Suhr, Martha Hedges and Lena F. Meyer children of said decedent. That said decedent died the owner of the following described real estate situated in Marion County, Indiana:  
 Lot 132 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.  
 That no inheritance tax was assessed against said estate. Schedule of property filed, in determining inheritance tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$2550.00.

*L. M. Brown Abstract Co.,*

Deed Record  
Town Lots  
751 page 339  
Inst. 41588  
Sept. 16, 1925  
Recorded  
Oct. 5, 1925

3

INDIANAPOLIS

Fred A. Suhr, unmarried, ✓  
Charles G. Suhr and ✓  
Helen Suhr, his wife, ✓  
Emma A. Suhr, unmarried, ✓  
Lena F. Meyer and  
Theodore A. Meyer, her husband,  
Martha Hedges and  
George Hedges, her husband,

Warranty Deed

To  
John Suhr and  
Augusta Suhr,  
husband and wife.

Lot No. 132 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.

TITLE

OF

Deed Record  
963 page 291  
Inst. 4431  
Feb. 11, 1937  
Recorded  
Feb. 15, 1937

4

ABSTRACTS

John Suhr and  
Augusta Suhr,  
husband and wife,

Warranty Deed  
No Revenue Stamps  
Attached

To  
Josephine T. Wilson, Trustee.

Lot No. 132 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.

This deed is given to Josephine T. Wilson, Trustee, in trust with full power and authority to convey the above described real estate immediately upon demand to John Suhr and Augusta Suhr, husband and wife.

Deed Record  
963 page 294  
Inst. 4434  
Feb. 11, 1937  
Recorded  
Feb. 15, 1937

5

*L. M. Brown Abstract Co.,*

Josephine T. Wilson, Trustee  
and unmarried,  
To

Quit Claim Deed  
No Revenue Stamps  
Attached

John Suhr and  
Augusta Suhr,  
husband and wife.

Lot No. 132 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.

This deed is given upon demand of John Suhr and Augusta Suhr, by Josephine T. Wilson, Trustee, to the said John Suhr and Augusta Suhr, husband and wife, in full satisfaction and execution of the trust created by deed of even date to the above described real estate.



6	INDIANAPOLIS	ABSTRACTER'S NOTE:	Affidavit
Misc. Record 1488 page 102 Inst. #27198 Dec. 12, 1952 Recorded April 28, 1953	TITLE	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 grant of letters of Administration upon the estate of John Suhr who died, intestate, April 24, 1952. See affidavit following.	Affidavit
7	OF	Affiant says that she and John Suhr were the owners by entireties of the following described real estate located in Indianapolis, Marion County, Indiana, to wit: Lot 132 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.	Affidavit
7	ABSTRACTS	That the said John Suhr died intestate on the 24th day of April, 1952, a resident of Marion County, Indiana, leaving this affiant as the owner in fee simple of the above described real estate. This affidavit is made for the purpose of inducing the Auditor of Marion County, Indiana, to transfer the above described real estate from the name of John Suhr and Augusta Suhr, husband and wife, to this affiant, Augusta Suhr. Further affiant saith not. Augusta Suhr.	Affidavit
Deed Record 1598 page 26 Inst. 89119 Nov. 28, 1955 Recorded Nov. 30, 1955	<i>L. M. Brown Abstract Co.,</i>	Augusta Suhr surviving wife of John Suhr, To Pauline M. Swick.	Warranty Deed Revenue Stamps Attached
8		Lot 132 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. Subject to 1955 taxes payable 1956. Subject to all easments and restrictions of record. Deed contains usual citizenship statement by grantor.	Warranty Deed Revenue Stamps Attached
9		WE FIND NO FURTHER CONVEYANCES	Warranty Deed Revenue Stamps Attached

- INDIANAPOLIS
- ENCUMBRANCES
- MORTGAGES
- 10 None found unsatisfied of record filed within the period of this search.
- TITLE
- MECHANICS' LIENS
- 11 None found unsatisfied of record filed within the period of this search.
- OF
- OLD AGE ASSISTANCE LIENS
- 12 Provided by the Acts concerning Public Welfare approved March 12, 1947.  
Search has been made as to 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.
- ABSTRACTS
- JUDGMENTS
- 13 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.  
John Suhr and Augusta Suhr, jointly and not individually from April 5, 1946 to April 24, 1952 inclusive;  
Augusta Suhr from April 5, 1946 to November 30, 1955 inclusive;  
Pauline M. Swick for the ten years last past.  
None found unsatisfied.



INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS  
  
*L. M. Brown Abstract Co.,*

ASSESSMENTS

14

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

TAXES

15

Taxes for the year 1954 paid in full.

16

Taxes for the year 1955 assessed in the name of Augusta Suhr  
Parcel No. 71325  
General Tax Duplicate No. 374499  
Indianapolis, Center Township  
are due and payable the first Monday in May, and the first Monday in November, 1956.  
May installment \$43.96 unpaid,  
Nov. installment \$44.96 unpaid.

SINCE PAID IN FULL  
ATTEST. UNDER SEAL  
BY *William G. Stone*  
PRESIDENT

17

Taxes for the year 1956 became a lien March first and are due and payable in May and November of the year 1957.

SINCE PAID IN FULL  
ATTEST. UNDER SEAL  
BY *William G. Stone*  
PRESIDENT

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

18

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 District, 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, 1,200 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 building 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.



Computation of Lot Area.

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 A3, 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, front set-back lines 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 dimensions 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 dimensions 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.

389155

Non-Conforming uses.

Building, structure, or land use existing or permitted by the original zoning ordinance, and existing at effective date or later ordinance but 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.

The 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 as shown by the district zone 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.

March 23, 1956.

19

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.



## CERTIFICATE

The undersigned, L. M. BROWN ABSTRACT COMPANY, Inc., 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.

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 September 9, 1925 to and including  
April 5, 1956

and covers Paragraph No. 1 to 20  
both inclusive, and Sheets No. 1  
to 9 both inclusive.



L. M. BROWN ABSTRACT COMPANY, Inc.  
By *Russell A. Furr*  
President & Mgr.

OFFICERS

Established 1868

DIRECTORS

RUSSELL A. FURR  
PRESIDENT  
FRED G. APPEL  
VICE-PRESIDENT  
VOLNEY M. BROWN  
VICE-PRESIDENT  
LOWELL W. MYERS  
ASST. VICE-PRESIDENT  
MARION DAVIS  
ASST. VICE-PRESIDENT  
EDSON T. WOOD  
SECRETARY  
ARCHIE H. ADAMS  
ASST. SECRETARY  
CORNELIUS O. ALIG  
TREASURER  
RICHARD W. BIRSFIELD  
ASST. TREASURER  
M. L. SULLIVAN  
TITLE OFFICER

L. M. BROWN ABSTRACT COMPANY, Inc.

150 1/2 EAST MARKET STREET

Phone MEIrose 2-3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

389155

CORNELIUS O. ALIG  
FRED G. APPEL  
VOLNEY M. BROWN  
FERMOR S. CANNON  
HOWARD W. FIEBER  
EDWARD P. FILLION  
RUSSELL A. FURR  
A. C. MOLDTAN  
J. ALBERT SMITH  
SAMUEL B. SUTPHIN  
EDSON T. WOOD  
FRED H. WUELFING

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

Dunlop & Holtegel

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

The undersigned L. M. BROWN ABSTRACT COMPANY, Inc., 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. ~~Also Lafayette.~~

This certificate covers the Indianapolis Division down to and including April 5, 1956. and all other Divisions of the State of Indiana, down to and including March 27, 1956.

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.

John Suhr  
Augusta Suhr

Pauline M. Swick

Dated..... April 5, 1956.....

L. M. BROWN ABSTRACT COMPANY, Inc.

By Russell A. Furr  
President



700669

CAPTION

-1-

Continuation of Abstract of Title to Lot 132 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 April 5, 1956.

Prepared For: Forest M. Knight

Misc. Record  
558 page 389  
Instr. #30423  
May 2, 1956  
Recorded  
May 3, 1956

-2-

STATE OF INDIANA, COUNTY OF MARION, SS:

Comes now, Pauline M. Swick, and upon her oath deposes and says:

1. That she is a resident of Marion County, Indiana, residing at 3732 Rockville Road, in said County and State; and that she is over the age of 21 years.

2. That she is the Granddaughter of both Fredrick Suhr, who died testate on the 18th day of January, 1906; and Wilhelmina (Minnie) Suhr, who died the 22nd day of August, 1924; and that she was and is well acquainted with their affairs.

3. That the Minnie Suhr, Legatee of the Will of Fredrick Suhr, which was probated in the Probate Court of Marion County, Will Record U, page 20, is the one and same person as the Wilhelmina Suhr whose Estate was administered upon in the Probate Court of Marion County, Estate Docket 30, page 7164.

4. Deponent further says that John Suhr, who died the 24th day of April, 1952, a resident of Marion County, Indiana, was the father of this affiant; and that she was well acquainted with said decedent's affairs.

5. That said John Suhr left no property other than his interest as a tenant by the entirety in: "Lot 132 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"; and that there was no Indiana State Inheritance Tax nor Federal Estate Tax due or payable on his Estate.

Further the deponent sayeth naught.

Pauline M. Swick

Subscribed and sworn to before me, this 2 day of May, 1956.

Joseph P. Grannan (LS) Notary Public

My commission expires: May 27, 1957.

-1- ssw

700669

Town Lot Record  
1615 page 682  
Instr. #29804  
April 30, 1956  
Recorded  
May 1, 1956

Pauline M. Swick and  
Leo L. Swick,  
her husband  
to  
Esther W. Wilson,  
Trustee and  
unmarried

Warranty Deed

-3-

Lot 132 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.

This deed is given to Esther W. Wilson, Trustee, in trust with full power and authority to convey the above described real estate immediately upon demand to Leo L. Swick and Pauline M. Swick, husband and wife, the grantors herein.

Proper Citizenship Clause is attached.

Town Lot Record  
1615 page 683  
Instr. #29805  
April 30, 1956  
Recorded  
May 1, 1956

Esther W. Wilson,  
Trustee and  
unmarried  
to  
Leo L. Swick and  
Pauline M. Swick,  
husband and wife

Quitclaim Deed

-4-

Lot 132 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.

This deed is given upon demand of Pauline M. Swick, by Esther W. Wilson, Trustee, to Leo L. Swick and Pauline M. Swick, husband and wife, in full satisfaction and execution of the trust created by deed of even date herewith for the above described real estate.

Proper Citizenship Clause is attached.



700669

Mortgage Record  
1840 page 45  
Instr. #29809  
April 30, 1956  
Recorded  
May 1, 1956

Leo L. Swick and  
Pauline M. Swick,  
husband and wife

Mortgage

5-23-63  
SATISFIED OF RECORD  
ATTEST UNION TITLE CO.  
BY *[Signature]*  
PRESIDENT

to  
Railroadmen's Federal Savings and  
Loan Association of Indianapolis

Lot Numbered 132 in McCarty's Subdivision of the  
West part of Out Lot 120 in 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.

-5-

To secure (1) the payment of a loan evidenced by  
a promissory note of even date herewith, payable on or  
before 10 years from date, in the principal sum of  
\$2,000.00, with interest as provided for in said note  
from date until paid, said principal and interest being  
payable in payments of not less than \$22.21, per month  
in advance, all of said payments to be made on or before  
the 1st day of each calendar month hereafter until the  
whole of said principal sum and interest is fully paid  
in compliance with all the stipulations in said note;  
and (2) any advances made by the mortgagee to the mort-  
gagor for any purpose, at any time before the release and  
cancellation of this mortgage, but at no time shall  
this mortgage secure advances on account of said original  
note and such additional advances in a sum in excess of  
the original principal amount of this mortgage, said  
additional advance to be evidenced by a note executed  
by the mortgagor to the mortgagee and secured by this  
mortgage; provided, however, that nothing herein con-  
tained shall limit the amount that shall be secured hereby  
when advanced to protect the security as hereinafter  
provided, and with 10% attorney's fees.

4-22-63  
CHECKED TO .....  
UNION TITLE COMPANY

Old Age Assistance  
Search

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.

-6-

700669

-9-

Taxes for the year 1960 and prior years paid in full.

-10-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of Leo L. & Pauline M. Swick and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 434712, S, Indianapolis, Center Township, Parcel No. 71325.

May Installment \$66.00 paid.

November Installment \$66.00 unpaid.

Assessed Valuation:

Land \$300.00      Improvements \$1170.00      Exemption (none)

-11-

Taxes for the year 1962 now a lien.



METROPOLITAN PLAN COMMISSION

DOCKET NO. 60-A0-4

700669

ORDINANCE

-12- 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-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 for 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.

METROPOLITAN PLAN COMMISSION  
DOCKET NO. 61-AO-2

700669

O R D I N A N C E

-13- 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.



700669

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 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 A. Kitley

Albert L. Steinmeier

Josephine K. Bicket

Frank J. Billeter

John D. Hardin

THE MARION COUNTY COUNCIL

DATED July 7, 1961

ATTEST: Clem Smith By: Mary N. Darko, Deputy  
AUDITOR OF MARION COUNTY, INDIANA

700669

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

-14-

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.

-15-

October 11, 1962. 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.



700669

# GUARANTEED CERTIFICATE

-16-

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 16 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 10 both inclusive.

Dated at Indianapolis, Indiana, November 1, 1962, 8 A.M.

UNION TITLE COMPANY

by *Heroin E. Stonecipher*  
President

-10- SSW

# 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

700669

## 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: **Forest M. Knight**

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

**October 24, 1962, 8 A.M.** and

The Indianapolis Division of the Southern District down to and including

**October 25, 1962, 8 A.M.**

**Pauline M. Swick**

**Leo L. Swick**

UNION TITLE CO.

BY

*Wm. E. Stonecipher*  
PRESIDENT

SSW



712826

CAPTION

-1-

Continuation of Abstract of Title to Lot 132 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 November 1, 1962, 8 A.M.

Prepared For: Forest M. Knight

Misc. Record  
719 Page 226  
Instr. #113324  
Nov. 28, 1962  
Recorded  
Dec. 4, 1962

-2-

STATE OF INDIANA, COUNTY OF MARION, SS:

Pauline M. Swick, being first duly sworn upon her  
oath, says:

That on November 28th, 1955, the following described  
real estate in Marion County, Indiana, to-wit:

Lot 132 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, was conveyed to this affiant by Augusta  
Suhr; that on said November 28th, 1955, said Augusta  
Suhr was unmarried.

That John Suhr and Augusta Suhr remained husband  
and wife continuously from February 11th, 1937 until  
April 24th, 1952 when said John Suhr died.

Pauline M. Swick

Subscribed and sworn to before me, a Notary Public,  
on this 28th day of November, 1962.

Olive W. Joyce (LS)

Notary Public

My Commission Expires: December 7, 1965.

Instrument shows name of person preparing same.

-1-sm

712826

Town Lot Record  
1966 Page 397  
Instr. #113325  
Nov. 28, 1962  
Recorded  
Dec. 4, 1962

Leo L. Swick and  
Pauline M. Swick,  
husband and wife

Warranty Deed  
(U.S. Revenue  
Stamp Attached)

to  
Forest M. Knight and  
Grace G. Knight,  
husband and wife

-3-

Lot 132 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.

Subject to the unpaid balance of a certain mortgage executed in favor of Railroadmen's Federal Savings and Loan Association of Indianapolis in the original principal sum of \$2,000.00, dated April 30, 1956, recorded May 1, 1956, in Mortgage Record 1840, page 45, in the office of the Recorder of Marion County, Indiana, which the grantee hereby assumes and agrees to pay.

Subject to taxes for the year 1962 due and payable in 1963 and all taxes thereafter.

Subject to all easements and restrictions of record. Proper Citizenship Clause is attached.

Instrument shows name of person preparing same.

Old Age Assistance  
Search

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.

-4-

Juvenile Court  
Search

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.

-5-

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



712826

Judgment Search

-6-

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:

Leo L. Swick  
and  
Pauline M. Swick,  
jointly and  
not individually

from November 1, 1962,  
8 A.M. to and including  
December 4, 1962

and vs

Forest M. Knight  
and  
Grace G. Knight,  
jointly and  
not individually

for the 10 years  
last past and  
against none other

-7-

Taxes for the year 1961 on the real estate for which this Abstract is prepared are assessed in the name of Leo L. & Pauline M. Swick and are due and payable on or before the first Mondays in May and November of 1962.

General Tax Duplicate No. 434712, S, Indianapolis, Center Township, Parcel No. 71325.

May Installment \$66.00 Paid.

November Installment \$66.00 Paid.

Assessed Valuation;

Land \$300.00      Improvements \$1170.00      Exemption (None)

-8-

Taxes for the year 1962 unpaid. lien.

SEE SUBSEQUENT CONTINUATION

-9-

Taxes for the year 1963 now a lien.

SEE SUBSEQUENT CONTINUATION

-10-

April 10, 1963. 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.

712826

## GUARANTEED CERTIFICATE

-11-

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 11 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 4 both inclusive.  
Dated at Indianapolis, Indiana, April 23, 1963, 8 A.M.

UNION TITLE COMPANY

by Herbert E. Thompson  
President

-4-sm



# UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

ME lrose 2-2361

Capital Stock \$1,000,000.00

712826

## UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

NORTHERN DISTRICT

Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

South Bend Division  
Hammond Division  
Fort Wayne Division  
Lafayette Division

SEARCH FOR  
PENDING BANKRUPTCIES  
INTERNAL REVENUE TAX LIENS

Prepared for: **Forest M. Knight**

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

**April 17, 1963, 8 A.M.** and

The Indianapolis Division of the Southern District down to and including

**April 18, 1963, 8 A.M.**

Leo L. Swick  
Pauline M. Swick  
Forest M. Knight  
Grace G. Knight

UNION TITLE CO.

BY *Hiram E. Stonecipher*  
PRESIDENT

sm

65-2774A

CAPTION

-1-

Continuation of Abstract of Title to Lot 132 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 April 23, 1963, 8 A.M.

Prepared for: John W. Adams

Town Lot Record  
1994 page 595  
Inst. #30395  
Dated  
May 15, 1963  
Recorded  
May 17, 1963

Forest M. Knight and  
Grace G. Knight,  
husband and wife  
to

Warranty Deed  
(U. S. Revenue  
Stamp attached)

John W. Adams and  
O. Estelle Adams,  
husband and wife

Lot 132 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.

Subject to taxes for the year 1962 due and payable in 1963 and all taxes thereafter.

Subject to all easements and restrictions of record. Instrument shows name of person preparing same.

-2-

Mortgage Record  
2196 page 612  
Inst. #30397  
Dated  
May 16, 1963  
Recorded  
May 17, 1963

John W. Adams and  
O. Estelle Adams,  
husband and wife  
to

Mortgage

Railroadmen's Federal Savings  
and Loan Association of  
Indianapolis

Lot 132 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.

-3-



65-2774A

To secure (1) the payment of a loan evidenced by a promissory note of even date herewith, payable on or before 10 years from date, in the principal sum of \$2,750.00 with interest as provided for in said note from date until paid, said principal and interest being payable in payments of not less than \$30.54 per month in advance, all of said payments to be made without relief from valuation and appraisement laws. On or before the 1st day of each calendar month hereafter until the whole of said principal sum and interest is fully paid in compliance with all the stipulations in said note.

Instrument shows name of person preparing same.

Old Age Assistance  
Search

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.

-4-

Juvenile Court  
Search

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.

-5-

65-2774A

Uniform Commercial  
Code

-6-

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

-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:

Forest M. Knight  
and  
Grace G. Knight  
jointly and  
not individually

from April 23, 1963  
8 A.M. to and including  
May 17, 1963

and vs

John W. Adams  
and  
O. Estelle Adams  
jointly and  
not individually

for the 10 years  
last past and  
against none other



65-2774A

-8- Taxes for the year 1962 and prior years paid in full.

-9- Taxes for 1963 payable 1964 in name of Forest M. and Grace G. Knight.

Duplicate No. 386315, -KLM-, Indianapolis, Center Township, Code No. 1-01, Parcel No. 71325.

May Installment \$56.84 Paid.

November Installment \$56.84 Paid.

Assessed Valuation:

Land \$280.00 Improvements \$990.00 Exemptions None

-10- Taxes for 1964 now a lien in name of John W. and O. Estelle Adams

-11- January 22, 1965. 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.

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

-12-

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.



65-2774A

# GUARANTEED CERTIFICATE

-13-

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 13 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 6 both inclusive.

Dated at Indianapolis, Indiana, February 9, 1965, 8 A.M.

UNION TITLE COMPANY

by *C. Edward Blum*  
President

-6-srs-

# UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

ME lrose 2-2361

Capital Stock \$1,000,000.00

65-2774A

## UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

NORTHERN DISTRICT

Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

South Bend Division  
Hammond Division  
Fort Wayne Division  
Lafayette Division

SEARCH FOR  
PENDING BANKRUPTCIES  
INTERNAL REVENUE TAX LIENS

Prepared for: **John W. Adams**

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:

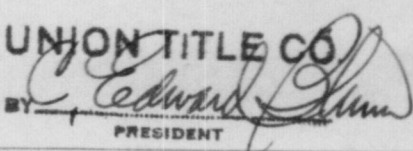
This certificate covers all divisions of both Districts of the State down to and including

**February 3, 1965, 8 A.M.** and

The Indianapolis Division of the Southern District down to and including  
**February 4, 1965, 8 A.M.**

**Forest M. Knight  
Grace G. Knight  
John W. Adams  
and  
O. Estelle Adams  
jointly and  
not individually**

UNION TITLE CO.

BY  PRESIDENT

SRS