

STATE OF INDIANA, County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this day of, A. D. 19.....; personally appeared the within named.....

..... Grantor..... in the above conveyance, and acknowledged the same to be..... voluntary act and deed, for the uses and purposes herein mentioned. I have hereunto subscribed my name and affixed my official seal.

My Commission expires..... Notary Public

STATE OF INDIANA, County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this day of, A. D. 19.....; personally appeared the within named.....

..... Grantor..... in the above conveyance, and acknowledged the same to be..... voluntary act and deed, for the uses and purposes herein mentioned. I have hereunto subscribed my name and affixed my official seal.

My Commission expires..... Notary Public

STATE OF INDIANA, Marion County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 8th day of December, A. D. 19.65.; personally appeared the within named.....

..... Edna Kelly, unmarried adult Grantor..... in the above conveyance, and acknowledged the same to be..... her..... 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 2-21-67 Notary Public

Joseph J. Schisla
Joseph J. Schisla

66 11523

QUITCLAIM DEED

FROM

TO

STATE OF INDIANA

Received for record this.....

day of....., 19.....

at..... o'clock..... m, and

Recorded in Book No..... page.....

Recorder..... COUNTY TAXATION

Duly entered for taxation this 1956

day of..... 19.....

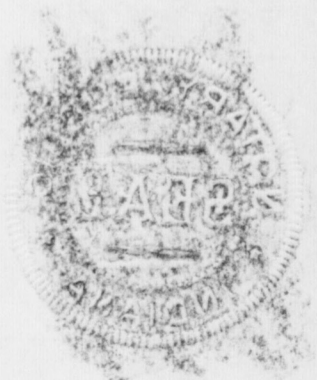
Auditor's fee \$..... COUNTY AUDITOR

Auditor..... County

ENVELOPE

(9)

Division of Land Acquisition
Indiana State Highway Commission



INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

May 25, 1967

To Edna P. Kelly
736 W. 25th
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. _____ 19____
 in settlement of the following vouchers:

Description	Amount
For <u>Recreation Exp</u> on State Road No. <u>219</u> in <u>Marion</u> County, Project <u>I-70-3(52)</u> Parcel No. <u>55</u> as per Grant/Warranty Deed, Dated <u>April 24, 1967</u>	<u>8202</u> ⁰⁵

FILE COPY

Payment Received: By _____

Date _____

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

February 17, 1966 19

To Edna Kelly &
 Joseph J. Schisla
 902 First Federal Building
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-84963 2-14-66 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>December 8, 1965</i> Parcel 55 Escrow	500.00

PLEASE RECEIPT AND RETURN

Received Payment:

Date:

Joseph J. Schisla, Realtor
 2/24/66

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA

February 14, 1966 19

Elizabeth A. Henderson, Admx.
To Estate of Helena L. McCollough
 Merchants National Bank
 Edna Kelly % Joseph J. Schisla
 902 First Federal Building

GENTLEMEN: Indianapolis, Indiana

We enclose State Warrant No. A-84962 2-14-66 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	
December 8, 1965	
Parcel 55	4500.00

PLEASE RECEIPT AND RETURN

Received Payment:

Date

Joseph J. Schisla, Treas.

2/21/66

Central

APPRAISAL REVIEW FORM
Division of Land Acquisition
Indiana State Highway Commission

Project I 70 - 3(S2)
Parcel No. 55
Road I 70
County Marion
Owner McCullough
Address 1038 So. Illinois St.
Address of Appraised Property:
Same

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

1. I have personally checked all comparables and concur in the determinations made.
2. Planning and Detail Maps were supplied appraisers.
3. The three approaches required (Income, Market Data, and Cost Replacement) were considered.
4. Necessary photos are enclosed.
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.
6. Plats drawn by the appraisers are attached.
7. I have personally inspected the Plans.
8. I have personally inspected the site and familiarized myself with the parcel on...
9. The computations of this parcel have been checked and reviewed.
10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices.

yes
yes
yes
yes
yes
yes
yes
9-29-65
yes
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 9-29-65:
(Date)

Estimate of Appraisers:

- (a) The fair market value of the entire property before the taking is:
- (b) The fair market value of the property after the taking, assuming the completion of the improvement is:
- The Total Value of Taking Is:
(a minus b) TOTAL
- (1) Land and/or improvements
- (2) Damages
- (3) Less non-compensable items
- (4) Estimated Total Compensation

By:	By:	Approved By Reviewer
\$ 5000	\$	\$ 5000
\$ 0	\$	\$ 0
\$ 5000	\$	\$ 5000
\$ 5000	\$	\$ 5000
\$	\$	\$
\$	\$	\$
\$ 5000	\$	\$ 5000

Approved	Date	Signed
Rev. Appr.	9-29-65	Ernie V. Heathcock
Asst. or Chief Appr.	10/1/65	J.E. Gallagher

AFFIDAVIT

Comes now Elizabeth A. Henderson, who being first duly sworn on oath, states:

That she is the sister of Helena L. McCollough, who died intestate a resident of Indianapolis, Marion County, Indiana, on July 24, 1965.

Affiant further states that at the time of the death of the said Helena L. McCollough, she was the owner of the following described real estate in Indianapolis, Marion County, Indiana, to-wit:

Lot 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 2, Page 86 in the Office of the Recorder of Marion County, Indiana.

Affiant further states that William L. McCollough, the former husband of the said Helena L. McCollough, died intestate a resident of Indianapolis Marion County, Indiana, on December 16, 1961.

That this Affidavit is made for the purpose of showing that her sister, Helena L. McCollough, owned the fee simple title to the above described real estate at the time of her death on July 24, 1965.

Elizabeth A. Henderson
Elizabeth A. Henderson

Subscribed and sworn to before me this 2nd day of December, 1965.

My Commission Expires:
December 22, 1966

Leo T. Brown
Leo T. Brown, Notary Public

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

BUYERS REPORT # 2

PROJECT # I-70-3-(52) PARCEL # 55 COUNTY Marion

NAME & ADDRESS OF OWNER McCollough-Kelly
1038 E. Illinois St. Indianapolis PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Mr. Joseph J. Schiela
PHONE # _____

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

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

OFFER \$ 5000⁰⁰ TIME OF CONTACT 9:30

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

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

REMARKS: Secured the information necessary to
prepare the records

Elizabeth A. Henderson, Administrator of the
Estate of Helena L. McCollough
Merchants National Bank and Trust Co.
Edna Kelly
902 Third Federal Building.

Check on affidavit on death of William McCollough.

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

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

Luther C. Kasper
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

BUYERS REPORT # 1

PROJECT # I-70-3(52) PARCEL # 55 COUNTY Marion

NAME & ADDRESS OF OWNER Helena L Mc Collough

PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Contract Buyer (Edna Kelly)

Representative, Joseph J Schisla 902 7th Street, Ellettsville PHONE # ME 4-9780

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

DATE ASSIGNED October 7, 1965 DATE OF CONTACT October 12, 1965

OFFER \$ 5000⁰⁰ TIME OF CONTACT 10:30

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

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

REMARKS:

Mr. Schisla will contact the owner of the property about a settlement on the contract. He will call at a later date.

1st check in approximately 8 to 10 weeks. \$4500⁰⁰
Balance upon possession or rental of the property \$500⁰⁰

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

() Other, awaiting what? _____

Distribution Made

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

Frank Cullenan
Letter C Hooper
(Signature)
ME 3-6635

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. E-70-3(52)

BUYER'S REPORT NUMBER: _____ COUNTY Marrison PARCEL NO. 55

NAME & ADDRESS OF OWNER Edna Kelly 1038 S Illinois
Indianapolis Ind PHONE # no

NAME & ADDRESS OF PERSON CONTACTED Edna Kelly 1038 S Illinois
Indianapolis Ind PHONE # _____

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

DATE ASSIGNED 4/15/67 DATE OF CONTACT 4/10/67

OFFER \$ 202⁰⁰ Money TIME OF CONTACT 2:00 PM

- YES NO N/A (Circle N/A if all questions are not applicable)
1. () () () Checked abstract with owner? (Affidavit taken?: Yes ___ No ___)
 2. () () () Showed plans, explained take, made offer, etc.?
 3. () () () Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___)
 4. () () () Explained about retention of Bldgs. (any being retained? Yes ___ No ___)
 5. () () () Filled out RAAP Form?
 6. () () () Walked over property with owner? (or who? _____)
 7. () () () Arranged for payment of taxes? (Explain how in remarks)
 8. () () () Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___)
 9. () () () Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it?

REMARKS: Mr Bullman met with Edna Kelly and
gave to her a 180 day letter explaining the
same also explained in full as all of her
rights contained in Trust Bill # 1347. It was
explained that the rent she is paying to the
State will stop for the time being. Mr Bullman
allowed \$102⁰⁰ for relocation of 442 rooms
of furniture and dislocation of \$100⁰⁰ a total
of \$202⁰⁰. If other information is needed
call me 3-5232

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

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

Frank L Bullman Jr
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: _____ COUNTY Marion PARCEL NO. 55

NAME & ADDRESS OF OWNER Mr & Mrs George Scott

1006 S New Jersey Middle Ind PHONE # No Phone

NAME & ADDRESS OF PERSON CONTACTED Mr & Mrs George Scott

1006 S New Jersey Middle Ind PHONE # _____

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

DATE ASSIGNED 4/5/67 DATE OF CONTACT 4/12/67

OFFER \$? TIME OF CONTACT 2:30 PM

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

1. () () () Checked abstract with owner? (Affidavit taken?: Yes ___ No ___)
2. () () () Showed plans, explained take, made offer, etc.?
3. () () () Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___)
4. () () () Explained about retention of Bldgs. (any being retained? Yes ___ No ___)
5. () () () Filled out RAAP Form?
6. () () () Walked over property with owner? (or who? _____)
7. () () () Arranged for payment of taxes? (Explain how in remarks)
8. () () () Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___)
9. () () () Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it?

REMARKS: Mr Bullman met with Mrs Scott and gave
to her a 30 day letter explaining the same. Also
explained in full what all of her rights contained
in House Bill #1347. It was explained that the
rent she is paying to the State of Indiana
will stop for the present. Mr Bullman
allowed \$108.00 for relocation and dislocation
of \$,000.00 a total of \$208.00. If other
information is needed call me 3-5232.

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

Distribution Made

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

Frank L Bullman Jr
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: _____ COUNTY Marion PARCEL NO. 55

NAME & ADDRESS OF OWNER Edna Kelly 1038 S. Illinois
Indianapolis, Ind PHONE # no

NAME & ADDRESS OF PERSON CONTACTED Edna Kelly 1038 S. Illinois
Indianapolis, Ind PHONE # _____

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

DATE ASSIGNED 4/5/67 DATE OF CONTACT 4/10/67

OFFER \$ \$202.00 Moving TIME OF CONTACT 2:00 P.M.

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

- 1. () () () Checked abstract with owner? (Affidavit taken?: Yes ___ No ___)
- 2. () () () Showed plans, explained take, made offer, etc.?
- 3. () () () Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___)
- 4. () () () Explained about retention of Bldgs. (any being retained? Yes ___ No ___)
- 5. () () () Filled out RAAP Form?
- 6. () () () Walked over property with owner? (or who? _____)
- 7. () () () Arranged for payment of taxes? (Explain how in remarks)
- 8. () () () Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___)
- 9. () () () Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it?

REMARKS: Mr. Bullhorn met with Edna Kelly and
gave to her a 180 day letter explaining the
same. Also explained in full was all of her
rights contained in House Bill #1347. It was
explained that the rent she is paying to the
State will stop for the time being. Mr. Bullhorn
allowed \$102.00 for relocation of 4 1/2 rooms
of furniture and dislocation of \$100.00 a total
of \$202.00. If other information is needed
call me 3-5232

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

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

Frank L. Bullhorn Sr.
(Signature)

AFFIDAVIT

STATE OF INDIANA

COUNTY OF Marion

The undersigned, an agent of the Indiana State Highway Commission, having been duly sworn, says on his oath that he has personally delivered or sent by First Class U.S. Mail, at their last known address, notice of possession to those persons named in the attached notice, in accordance with the Relocation Assistance Act as passed by the 1967 General Assembly.

This affidavit is given in compliance with Section 11 (b) of that Act.

Frank L. Culbrink Jr

Subscribed and sworn to before me this 11 day of April, 1967.

Donald S. Rogers
Notary Public

My commission expires

May 5, 1968

No. 69497

ABSTRACT OF TITLE TO

-1-

(Lot 64 in McCarty's Subdivision of the
East part of Out Lot 120 in the City of
Indianapolis, as per plat thereof recorded in
Plat Book 2 page 86 in the office of the
Recorder of Marion County, Indiana.)

Prepared for WALTER T. HUNT

BY

UNION TITLE COMPANY

INCORPORATED

INDIANAPOLIS, INDIANA

CAPITAL STOCK, \$1,000,000.00

UNION TITLE BUILDING

159 E. MARKET STREET

LINCOLN 8361 - 8362 - 8363

ABSTRACTS OF TITLE

TITLE INSURANCE, ESCROWS

OFFICERS

JAMES S. CRUSE
PRESIDENT

WILLIS N. COVAL
VICE-PRES. AND GENERAL MANAGER

FRED COONS
VICE-PRESIDENT

GEORGE A. KUHN
SECRETARY-TREASURER

DIRECTORS

REILY C. ADAMS
HOWARD C. BINKLEY
ARTHUR V. BROWN
FRED COONS
WILLIS N. COVAL
LINTON A. COX
JAMES S. CRUSE
R. F. DAVIDSON
FRED C. DICKSON

GEORGE B. ELLIOTT
GEO. C. FORREY, JR.
GEORGE A. KUHN
DICK MILLER
J. EDWARD MORRIS
FRANK W. MORRISON
C. N. THOMPSON
JOHN R. WELCH
C. N. WILLIAMS

JOSH. ZIMMERMAN

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 cession were made to the United States. The conveyance by Virginia, the only state recognized to have a valid claim on lands in Marion County, was accepted by Congress March 1, 1784.

(OVER)

-1- B.C.

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, 1784. 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, 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 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 continuation of Kentucky, Massachusetts, Virginia, New Jersey, north, and Delaware, Pennsylvania, Meridian and Illinois streets, 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. 129; R. S. 1831, p. 463; R. S. 1843; Article 13, R. S. 1852, p. 450; Acts 1865, p. 16.

D, p. 535
 May 2, 1834
 Recorded
 June 21, 1834
 -2-

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

Agents Deed

Nicholas McCarty, to have
 and to hold to said McCarty
 his heirs and assigns forever.

The following described lots in the Town of Indiana-
 polis, described as follows: Lot 120 containing 52.33
 acres and other real estate.

Deed made in pursuance of the law of Indiana entitled
 "An act appointing Commissioners to lay off a town on the
 side selected for the permanent seat of Government".

Approved January 6, 1821.

-3-

Nicholas McCarty died intestate May 17, 1854.

-4-

IN THE COMMON PLEAS COURT OF MARION COUNTY, INDIANA.

June 3, 1854. Margaret McCarty appointed and qualified
 as Administratrix of the estate of Nicholas McCarty, deceased
 Order Book 7 page 463.

January 7, 1860. Estate Settled. Order Book 9 page 83.
 Complete Record 11 page 66.

-5-

It appears from reference to the proceedings in the
 settlement of the estate of Nicholas McCarty, deceased,
 Complete Record 11 page 66, Common Pleas Court, that said
 decedent left surviving him, Margaret McCarty, his widow,
 Nicholas McCarty, Margaret R. McCarty, Susanna McCarty,
 and Frances J. McCarty, his children.

Misc. Record
 17, p. 11
 Sept. 7, 1881
 Recorded
 Jan. 23, 1893
 -6-

STATE OF INDIANA, MARION COUNTY, 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, Indiana, on the 2nd day of May 1835, which
 deed is recorded on page 535 of Marion County Deed Record
 D. That said Nicholas McCarty died previous to the Fall of
 1854, that he left Margaret McCarty his widow, surviving
 him, that the only children he left surviving him were
 Nicholas McCarty, Junior, Margaret R. McCarty, Frances J.
 McCarty and Susannah McCarty who subsequently married
 affiant, that he left surviving him no grand children by
 deceased sons or daughters.

That the said Nicholas McCarty, Junior, Frances J.
 McCarty and Margaret R. McCarty were of age and unmarried

69497

on February 9, 1864 and that the said Susannah McCarty
affiants wife was of age on the 9th day of February 1864.
(Signed) Henry Day.

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

William Watson Woollen.
Notary Public.

Misc. Record
79, p. 22
Nov. 14, 1913
Recorded
Nov. 15, 1913
-7-

STATE OF INDIANA, MARION COUNTY, SS:

Nicholas McCarty, first duly sworn on his oath says,
that he is the son of Nicholas McCarty, deceased who died
intestate May 17, 1854 and who at his death was the owner
of Out Block 25 in the City of Indianapolis.

That affiant is now 79 years of age and that he is
the brother of Margaret R. McCarty, Frances J. McCarty
and Susanna McCarty Day, that neither this affiant nor his
sister, Frances J. McCarty have ever been married and that
his sister, Margaret R. McCarty was married on the second
day of October 1867 to John C. S. Harrison.

That affiant was acquainted with one Henry Day who
was the husband of affiants sister, Susanna McCarty Day.
That Susanna McCarty Day died August 30th, 1873 leaving
surviving her, her husband, Henry Day and two children,
Henry McCarty Day and Margaret Day.

That both Henry Day and his son, Henry McCarty Day
were unmarried men on December 29, 1883 the said Henry Day
never having remarried after the death of his wife,
Susanna McCarty Day.

Further affiant sayeth not.

(Signed) Nicholas McCarty.

Subscribed and sworn to before me this 14th day of
November 1913.

(Signed) Wm. L. Elder, (LS)
Notary Public.

My commission expires April 1, 1914.

IN THE COMMON PLEAS COURT OF MARION COUNTY, INDIANA.

Margaret McCarty,

vs.

Susanna McCarty, Margaret
R. McCarty, Nicholas McCarty
and Frances J. McCarty.

Your petitioner, Margaret McCarty would respectfully
represent, that one Nicholas McCarty died leaving as his
heirs at law him surviving, your petitioner, Margaret
McCarty, his widow, and children, Susanna McCarty, Margaret
R. McCarty, Nicholas McCarty and Frances J. McCarty the said
Nicholas and Frances J. being infants, that decedent died
seized of the following real estate: Out Lot 120 in the
City of Indianapolis, (and other real estate not certified
to herein).

That one third of said real estate be set off in
severalty to your petitioner.

Filed
June 23, 1854
-8-

All defendants served by reading: Lucian Barbour appointed guardian ad litem for defendants Nicholas McCarty and Frances J. McCarty, infants.

Partition ordered and James Blake and Andrew Wilson and James Wood appointed Commissioners to make same. Report of Commissioners filed in Open Court October 13, 1854. Commissioners set off and assigned to Margaret McCarty other real estate than certified to herein.

Report approved and confirmed by the court. Complete Record 4 page 159.

Marriage Record
6, p. 659
Dec. 9, 1857
-9-

Susannah McCarty
to
Henry Day.

Marriage

Plat Book
2, p. 86
Jan. 27, 1863
Recorded
Jan. 27, 1863
-10-

McCARTY'S SUBDIVISION of the East part of Out Lot 120 in the City -- of -- County of Marion and State of Indiana.

We hereby lay out and subdivide the east part of Out Lot 120 into 161 lots. The lots from 2 to 25 both inclusive are each 123 feet 6 inches deep by 30 feet wide. Lot 26 being 46 feet and 3 inches wide on the east line, 51 feet 6 inches on the west line and 123 feet and 6 inches on the north line. Lots 28 to 52 both inclusive are each 30 feet wide by 120 feet deep; Lot 27 is 22 feet wide on the east line 27 feet 6 inches on the west line and 120 feet long on the north line; lots from 55 to 79 both inclusive are each 30 feet wide by 102 feet long; lot 80 is 29 feet 10 inches wide on the east line and 34 feet and 5 inches wide on the west line and 102 feet long on the north line, lots 82 to 106 both inclusive are each 30 feet wide and 90 feet deep. Lot 81 is 35 feet deep on the east line 39 feet on the west line and 90 feet long on the north line lots 109 to 133 both inclusive are each 30 feet wide and 90 feet long, lots 134 is 41 feet wide on the east line 45 feet wide on the west line and 90 feet on the north line. Lots from 136 to 160 both inclusive are each 30 feet wide and 90 feet long; lot 135 is 45 feet and 6 inches on the east line 50 feet on the west line and 90 feet long on the north line. Lots 1 and 53 are each 42 feet wide and 123 feet 6 inches long; lot 54 is 42 feet wide and 104 feet long; lots 107, 108 and 161 each 42 feet wide and 90 feet deep.

The streets and alleys are as laid out on the annexed plat, Tennessee Street south of Ray Street is 58 feet wide that part of Tennessee North of Ray Street being 60 feet wide. Maple Street is 40 feet wide, Illinois is 50 feet wide. All of the above streets run north and south.

The following streets run east and west viz:
Ray Street is 50 feet wide, Williams Street is 50 feet wide; Morris Street is 25 feet wide. The alley between Illinois Street and Bluff Road south of Ray Street is 15-1/2 feet wide. The alley between 1 and 53 is 12 feet wide. The alley between Illinois Street and Maple Street south of Ray Street is 12 feet wide. The alley between lots 54 and 107 being 10 feet wide. The alley between Maple Street and Tennessee Street south of Ray Street is 12 feet wide and the alley between lots 108 and 161 being

10 feet wide. Said subdivision is made subject to any right the State of Indiana had for the use of the Central Canal along Tennessee Street of any present right of way that the grantees of the State may legally have along said Street.

Witness our hands and seals this 27th day of January 1863.

(Signed) Henry Day,
Susannah McCarty Day,
Margaret R. McCarty,
Nicholas McCarty,
Frances J. McCarty.

Acknowledged January 27, 1863 by Henry Day, Susannah McCarty Day, Margaret R. McCarty, Nicholas McCarty and Frances J. McCarty.

Town Lot Record
23, p. 141
July 19, 1864
Recorded
Aug. 19, 1864
-11-

Nicholas McCarty, --
Henry Day, and
Susanna McCarty Day,
his wife,
Margaret R. McCarty, --
and Frances J. McCarty, --
to
John Hunt.

Warranty Deed

Lot numbered 64 in McCarty's Subdivision of the East part of Out Lot numbered 120 in the City of Indianapolis according to the Plat of said subdivision as recorded in the Recorder's Office of the said County of Marion.

-12-

John Hunt died intestate March -- 1866, as appears from a subsequent entry herein leaving as his sole and only heirs Mary Hunt his widow, Edgar A. Hunt, David L. Hunt, Hiram W. Hunt, John W. Hunt and Mary E. Hunt, children.

-13-

We find no record of administration of the estate of John Hunt in Marion County, Indiana.

Town Lot Record
152, p. 132
Feb. 15, 1882
Recorded
April 12, 1882
-14-

William A. Pfaff, Auditor
of Marion County,
to
John V. Martin.

Tax Deed

Lot 64 in out-lot 120 Indianapolis, in Marion County, Indiana.

Sold February 14, 1880 in the name of John Hunt for the non-payment of the taxes, costs and charges for the years 1878 and 1879.

See Tax Sale Register 7 page 175. Certificate #12417.

Town Lot Record
151, p. 209
April 7, 1882
Recorded
April 12, 1882
-15-

John V. Martin, and
Rebecca J. Martin,
his wife,
to
Nicholas McCarty.
Lot 64 in Out Lot 120 Indianapolis, Marion County,
Indiana.

Quit Claim Deed

-16-

Mary E. Hunt died April 13, 1884 intestate as appears from a subsequent entry herein without any descendant, leaving as her sole and only heirs her mother Mary Hunt and brothers Edgar A. Hunt, David L. Hunt, Hiram W. Hunt and John W. Hunt.

-17-

We find no record of administration of the estate of Mary E. Hunt in Marion County, Indiana.

Mortgage Record
RR, p. 7
July 19, 1864
Recorded
July 20, 1864
-18-

John Hunt, --
to
Margaret McCarty.

Mortgage

Lot numbered 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the plat of said subdivision as recorded in the Recorder's office of the said County of Marion.

To secure the payment of four promissory notes bearing even date herewith, for the unpaid balance of the purchase money of said real estate, payable respectively in 1, 2, 3 and 4 years after date with interest from date each for the sum of \$65.00.

IN THE SUPERIOR COURT OF MARION COUNTY, INDIANA.

Cause #32594
Filed
July 15, 1884
-19-

Nicholas McCarty,
vs.
Mary Hunt,
Edgar A. Hunt,
David L. Hunt,
Hiram W. Hunt,
and John W. Hunt.

Suit instituted to foreclose a certain mortgage recorded in Mortgage Record RR, page 7 in the Recorder's Office of Marion County, Indiana.

July 15, 1884. Summons issued to the Sheriff of Marion County, Indiana commanding him to summon said defendants to appear in said Court on September 1, 1884 and answer said complaint, which writ was returned endorsed as follows:

Came to hand July 15, 1884 and July 11th, 1884, and served Mary Hunt by reading this writ to her and served David L. Hunt by reading this writ to him and delivering to him a copy thereof, and served Hiram W. Hunt & John W. Hunt by leaving a true copy of this writ for each of them at their last and usual place of residence. Edgar A. Hunt

not found in my bailiwick.

James W. Hess,
Shff. Marion Co.

July 15, 1884. Summons issued to the Sheriff of Clark County, Indiana, commanding him to summon Edgar A. Hunt to appear in said Court on September 1, 1884 to answer said complaint which summons was returned endorsed as follows:

Served as commanded on the within named Edgar A. Hunt by reading this summons to and in his presence and hearing this 21st day of July 1884.

Jas. W. Davis,
Sheriff C.C.

September 2, 1884. Finding, judgment and decree rendered as follows.

Comes the plaintiff in the above entitled action and shows to and it is found by the court, that as appears by the return of the Sheriff of this Marion County to and indorsed on the summons issued in said action to him by the Clerk and under his hand and the seal of this court on the 15th day of July 1884 which summons and return are as follows towit: (here insert), the defendants Mary Hunt, David L. Hunt, Hiram W. Hunt, and John W. Hunt have each been personally served by said Sheriff with said summons on the 16th day of July 1884 and more than ten days before the first day of the present September term of this Court, and that said named defendants are of full age and have failed to appear or answer herein, now on motion of plaintiff by order of the court said named defendants are each three times loudly called by the Sheriff of this court but come not and herein wholly make default. And it is further shown to and found by the Court that as appears by the return of the Sheriff of Clark County in the State of Indiana, to and indorsed on the summons issued in said action to him by the clerk under his hand and the seal of this court on the 15th day of July 1884 which summons and return are as follows, towit: (here insert) the defendant Edgar A. Hunt was personally served with said summons on the 21st day of July 1884 and more than ten days before the first day of the present September term of this Court and that said named defendant is of the full age of twenty one years and has failed to appear or answer herein, now on motion of plaintiff by order of the court, said defendant Edgar A. Hunt is three times loudly called by the Sheriff of this Court but comes not and herein wholly makes default.

Thereupon on motion of plaintiff this cause is submitted for trial to the court without the intervention of a jury upon said defaults of all the defendants as aforesaid the complaint and the evidence, oral, written and of record now given; And the court having sufficiently considered the matters submitted as aforesaid and being fully advised in the premises finds for the plaintiff, including that on July 19th, 1864 John Hunt who was then the husband of defendant Mary Hunt and the father of the other defendants executed his mortgage as set forth in the complaint to Margaret McCarty and thereby conveyed the real estate in said mortgage complaint and hereinafter described to said Margaret McCarty to secure the payment of the purchase money for said real estate then owing and unpaid by said John Hunt to said mortgagee evidenced by the four notes executed by said John Hunt to said mortgagee described in said mortgage and set forth in the complaint upon which there is

now due and unpaid the sum of five hundred and forty nine & 70/100 dollars collectible without relief from valuation or appraisement laws which mortgage was recorded in the Recorder's office of said County in Mortgage Record RR page 7 on July 20, 1864. That said John Hunt died on the -- day of March 1866, intestate, and not indebted save as herein found leaving him surviving as his only descendants and heirs at law said Mary Hunt, his widow and his said children said defendants Edgar A., David L., Hiram W. & John W. Hunt and one Mary E. Hunt.

That said Mary E. Hunt afterwards towit: On the 13th day of April 1884 died intestate, without indebtedness without any descendant, without being married, leaving as her only heirs at law the defendants herein; that said Margaret McCarty died at said County of Marion on the 18th day of February 1873 intestate and Nicholas McCarty was appointed and qualified as the administrator of her estate and in the matter of her estate such proceedings were had in the distribution thereof in the Marion Circuit Court of the State of Indiana on the 14th day of July 1884 that by order of said court said mortgage and notes were transferred and assigned by said administrator to said Nicholas McCarty, the plaintiff herein as one of the distributees of the estate of said Margaret McCarty, deceased, as of his share therein and said plaintiff thereby became and is the owner of said notes and mortgage and is entitled to foreclose the same against the defendants herein.

That the defendants, the said Mary as widow of said John Hunt deceased or as mother and heir of said Mary E. Hunt, deceased has not and the said other defendants as children & heirs of said John Hunt deceased, or as brothers and heirs of said Mary E. Hunt, deceased have not nor have the defendants or any of them otherwise or in any other right, any right, title, interest, estate, claim or demand prior, equal or superior to the lien of said mortgage, but said lien as of the said date of said mortgage towit:

July 19th, 1864 and for the payment of the unpaid purchase money for said real estate in said sum found due and unpaid as aforesaid is prior and paramount to all and singular right, title, interest, estate, claim or demand of the defendants and each of them in, to or of said real estate or any part thereof.

It is therefore by the court considered, ordered and adjudged that said mortgage in the complaint set forth and hereinbefore mentioned be and is hereby foreclosed, that the equity of redemption of the defendants and each of them in, to & of said real estate situate in the city of Indianapolis, County of Marion, State of Indiana in said complaint, mortgage and as follows, described towit:

Lot numbered sixty four (64) in McCarty's subdivision of the east part of Out Lot numbered 120 according to the plat of said subdivision as recorded in the Recorder's office of said county, be and hereby is forever barred and foreclosed and that said described real estate be sold to pay the plaintiff said sum of five hundred and forty nine & 70/100 dollars with interest at the rate of six percent thereon from this date and costs accrued herein taxed at \$--- and accruing costs of sale, without relief from valuation or appraisement laws, by the Sheriff of said County as lands are sold on execution upon a certified copy of this decree to him issued by the Clerk and under

the seal of this court; that if said real estate shall sell for more than is necessary to pay said sum the surplus shall be paid into court for the further order of the court; that the purchaser at such sale shall take have and hold said real estate free and clear of all equity, right, title, interest and estate in, to or of the same except the statutory right of redemption from such sale within a year thereafter.

Order Book 107 page 527.

October 15, 1884. Copy of judgment and decree issued to the Sheriff of Marion County, Indiana, who reported the following proceedings had in said cause.

Came to Hand October 15th, 1884 at 3:50 o'clock P.M. and I advertised the within described real estate by first giving due and legal notice of the time and place of sale, for at least twenty days next before the day of sale, by posting printed notices thereof in three of the most public places in Center Township, and one at the Court House door of Marion County, Indiana, and also by publication for three weeks successively next before the day of sale in the Independent, a weekly newspaper of general circulation, printed and published in said County. Said sale was set for the 15th day of November 1884, and I did, on said day at the door of the Court House of said County, between the hours prescribed by law, at public auction, first expose to sale the rents and profits for a term not exceeding seven years of said real estate, and receiving no bid therefor I then and there offered at public auction as aforesaid, the fee simple of said Real Estate, and Nicholas McCarty did then and there bid the sum of six hundred and five dollars and eleven cents, and no person bidding more, the same was in due form openly struck off to the said Nicholas McCarty, he being the highest and best bidder therefor, and that being the highest and best price bid for the same, and that the said Nicholas McCarty having paid \$48.72 the costs and receipted the judgment and interest herein in full \$556.39, I executed and delivered to him a certificate of sale of said premises, also filed a duplicate thereof in the Clerk's Office and I have paid Sol Hathoway \$10.00 printers fee hereon and I have paid Clerk, Moses G. McLain, eighteen and 50/100 dollars, all costs made and accrued herein, except twenty and 22/100 dollars which I retain as my own costs, and this writ is returned satisfied.

James W. Hess, Sheriff
Marion County.

By James A. Hamilton, Deputy.

Execution docket 36 page 184.

Town Lot Record
193, p. 386
June 14, 1887
Recorded
Aug. 11, 1887
-20-

Isaac King, Sheriff
of Marion County,
to
Nicholas McCarty.

Sheriff's Deed

Lot numbered 64 in McCarty's Subdivision of the East part of Out Lot numbered 120 in the City of Indianapolis according to the plat of said Subdivision as recorded in the Recorder's Office of said County.

Sold by virtue of proceedings had in Cause No. 32594 in the Superior Court of Marion County, Indiana, wherein

Nicholas McCarty was plaintiff and Mary Hunt etal were defendants. See Order Book No. 107 page 527. Execution Docket No. 36 page 184.

Town Lot Record
229, p. 537
April 16, 1891
Recorded
April 16, 1891
-21-

Nicholas McCarty, unmarried,
to
John W. Hunt.
Lot numbered 64 in McCartys Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the plat of said subdivision as recorded in the Recorder's Office of the said County of Marion. Warrantly Deed

-22-

John W. Hunt died intestate March 8, 1907.

IN THE PROBATE COURT OF MARION COUNTY, INDIANA.

Estate Docket
33, p. 8090
-23-

In the matter of the estate of John W. Hunt, deceased.
September 24, 1907. Elizabeth Hunt appointed and qualified as administrator of the estate of John W. Hunt, deceased.

Order Book 3 page 256.

October 21, 1907. Affidavit and proof of publication of notice of appointment filed.

November 13, 1909. Final report filed.

November 30, 1909. Affidavit and proof of publication of final notice filed.

December 11, 1909. Affidavit and proof of posting of final notice filed, final report approved and estate closed.
Order Book 9 page 126.

Entry of approval of final report shows that said decedent left surviving as his sole and only heirs at law the following:- Elizabeth A. Hunt, widow, and his children Walter T. Hunt, John E. Hunt, Harry Hunt, Elmer Hunt, Elizabeth A. Hunt Jr., and Helen- L. Hunt.

IN THE PROBATE COURT OF MARION COUNTY, INDIANA.

Guardian's Docket
11, p. 229
-24-

In the matter of the Guardianship of Walter T. Hunt, etal.

November 13, 1909. The Indiana Trust Company was appointed and qualified as Guardian of Walter T. Hunt, John E. Hunt, Harry Hunt, Elmer Hunt, Elizabeth A. Hunt and Helena L. Hunt, all minors, aged 13, 11, 9, 7, 5 and 3 years respectively. Order Book 10 page 232.

October 2, 1925. Guardian filed final report as to wards Walter T. Hunt, John E. Hunt, Harry Hunt, Elmer Hunt, and Elizabeth A. Hunt, and current report as to ward Helena L. Hunt, which report was approved and guardianship continued as to Helena L. Hunt and dismissed as to other five wards.
Order Book 100 page 56.

December 12, 1927, final report of guardian filed showing that Helena L. Hunt, the youngest ward had reached the age of 21 years. Report approved and guardian discharged.
Order Book 113 page 203.

-25-

The final report of Guardian in the guardianship of Helena L. Hunt filed December 12, 1927 shows that at that time she was married to -- Berkemier. However we find no record of such marriage in Marion County, Indiana.

-26-

Elizabeth A. Hunt died intestate May 5, 1924.

IN THE PROBATE COURT OF MARION COUNTY, INDIANA.

Estate Docket
69, p. 22718
-27-

In the matter of the estate of Elizabeth A. Hunt, deceased. September 9, 1924. Walter T. Hunt appointed and qualified as administrator of the estate of Elizabeth A. Hunt deceased.

Order Book 91 page 69.

September 30, 1924. Affidavit and proof of publication of notice of appointment filed.

October 6, 1925. Final report filed.

October 21, 1925. Affidavit and proof of publication of final notice filed.

December 19, 1925. Affidavit and proof of posting of final notice filed, final report approved and estate closed.

Order Book 95 page 309.

Entry on final report shows said decedent left as her sole and only heirs, Walter T. Hunt, John E. Hunt, Harry X Hunt, Elmer Hunt, Elizabeth A. Hunt, and Helena L. Hunt, and that no inheritance tax was assessed against said estate.

Judgment Search
-28-

Examination made for judgments against Elizabeth A. Hunt from May 14, 1918 to and including May 5, 1924, The Indiana Trust Company, Guardian and Helen L. Hunt (or Helena L. Hunt) from May 14, 1918 to and including December 12, 1927 and Helena L. Berkemeir, Walter T. Hunt, John E. Hunt, Harry Hunt, Elmer Hunt and Elizabeth A. Hunt Jr. within the ten years last past and against none other.

-29-

Taxes for the year 1926 fully paid.

-30-

Taxes for the year 1927 on the real estate for which this Abstract is prepared, are assessed in the name of John W. Hunt and are due and payable in May and November of 1928.

May Installment \$25.08 paid.

Nov. Installment \$25.08 unpaid.

-31-

Taxes for the year 1928 now a lien.

CERTIFICATE



-32-

STATE OF INDIANA }
COUNTY OF MARION } ss:

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

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

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

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

THIRD That according to the current tax duplicates and special tax duplicates and municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That no search has been made for pending resolutions for municipal improvements where the lien has not attached. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

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

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

This certificate covers entries Nos. 1 to 32 both inclusive and sheets water-
marked "Union Title Company" Nos. 1 to 12 both inclusive.
Dated at Indianapolis, Indiana, May 19, 1928, 8:00 A.M.

UNION TITLE COMPANY

INCORPORATED

By 

Vice President and General Manager

-12- B.C.

1. A continuation of an Abstract of title to Lot 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana Since May 19, 1928 8:00 A.M.

Prepared for Wm. T. Rasmussen:

Cause A-41370
Complaint Filed
Sept. 24, 1927

IN THE MARION SUPERIOR COURT.

Helena -- Berkemeier

vs

2.

Henry Berkemeier

Suit instituted for divorce.

Dec. 15, 1927 Proof of publication filed.

Entry filed.

Defendant called and defaulted. Submitted evidence heard finding for plaintiff divorce granted. Costs vs plaintiff. O.B. 492 page 532.

Costs unpaid.

3.

We are unable to find record of marriage of Helena L. Berkemeier (or Berkemeir) to William McCollough in the Clerks Office of Marion County, Indiana.

4.

We find no record of marriage of Elizabeth A. Hunt, (or Elizabeth A. Hunt Jr.) to Charles Henderson in the Clerks Office of Marion County, Indiana.

Cause 2358
Complaint Filed
Dec. 31, 1928

IN THE MARION PROBATE COURT.

Helena L. McCollough

vs

Walter Hunt,

Bertha Hunt, his wife

John Hunt,

Harry Hunt,

Elizabeth A. Henderson,

Charles Henderson, her husband

Elmer Hunt,

Lydia Hunt, his wife

and William McCollough.

5.

COMPLAINT FOR PARTITION

The plaintiff, Helena L. McCollough, complains of the defendants, Walter Hunt, Bertha Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson, Charles Henderson, Elmer Hunt, Lydia Hunt, and William McCollough, and for cause of action says;

That plaintiff and defendants, Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson and Elmer Hunt are the owners in fee simple as tenants in common of the following

described real estate located in the City of Indianapolis, Marion County Indiana, to-wit:

Lot number sixty-four (64) in McCarty's Subdivision of the east part of Out Lot One hundred and twenty (120) in the City of Indianapolis, Marion County, Indiana according to the plat thereof recorded in Plat Book 2 at page 86, in the Recorder's Office of Marion County.

The plaintiff is the owner of an undivided one-sixth (1/6) of said real estate, and said defendants, Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson and Elmer Hunt are each the owners of an undivided one-sixth (1/6) of said real estate.

That the plaintiff desires that her interest therein be set off to her in severalty, but said real estate consists of a house and lot located in the City of Indianapolis, Marion County, Indiana, the same being a residence property of the probable value of Three thousand (\$3000.00) Dollars; that the same is not susceptible of division, nor is any part thereof and the same cannot be divided or the interests of the respective owners set off to them without damage to the owners thereof, and that said premises will have to be sold and the proceeds divided according to the interests of said parties therein, as aforesaid.

Plaintiff further says that defendant, Bertha Hunt, is the wife of defendant, Walter Hunt; that defendant, Charles Henderson, is the husband of defendant, Elizabeth A. Henderson; that defendant, Lydia Hunt, is the wife of defendant, Elmer Hunt, that defendant, William McCollough, is the husband of this plaintiff, Helena L. McCollough, and are made parties to this action to set up any right or claim that they or either of them might assert in said real estate, but this plaintiff asserts that they are either of them have no such right or claim.

WHEREFORE, plaintiff prays the court that the parties herein be adjudged the owners of said real estate in the shares above stated, and that this plaintiff may have partition thereof and that a commissioner be appointed by the court to make sale of said real estate and distribute the proceeds thereof, according to the interests of the parties, as so adjudged by the court, and that the court allow a fee of \$_____ for plaintiff's counsel fees, to be included as a part of the costs of this action, and for any and all other proper relief.

Jan. 2, 1929 Served Bertha Hunt with summons by reading and Copy.

Served Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson, Charles Henderson, Elmer Hunt, Lydia Hunt, and William McCollough with summons by copy.

Feb. 6, 1929 interlocutory decree ordering sale of Real Estate filed that the defendants, Walter Hunt, Bertha Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson, Charles Henderson, Elmer Hunt, Lydia Hunt and William McCollough have been duly served with process more than ten days before the date fixed by the plaintiff by endorsement on her complaint at the time of filing the same, and said defendants, Walter Hunt, Bertha Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson, Charles Henderson, Elmer Hunt, Lydia Hunt and William McCollough each failing to appear, are now each three times loudly called and come not, and herein wholly make default and this cause is submitted to the Court for trial, finding, judgment and decree, upon plaintiff's petition and the defaults

of the defendants Walter Hunt, Bertha Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson, Charles Henderson, Elmer Hunt, Lydia Hunt and William McCollough.

And the court having heard the evidence and being sufficiently advised in the premises, finds that all of said defendants are of lawful age, and that as alleged in the complaint said plaintiff, Helena L. McCollough and defendants, Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson and Elmer Hunt are the owners as tenants in common of the real estate described and set out in plaintiff's complaint, and therein described as follows, to-wit:

Lot number sixty-four (64) in McCarty's Subdivision of the east part of Out Lot One hundred and twenty (120) in the City of Indianapolis, Marion County, Indiana, according to the plat thereof recorded in Plat Book 2 at page 86, in the Recorder's Office of Marion County.

The plaintiff, Helena L. McCollough, and defendants, Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson and Elmer Hunt are each the owner of an undivided one-sixth ($1/6$) of said real estate, and that plaintiff is entitled to have her said interest in said real estate set off and assigned to her in severalty.

The court further finds from the evidence that said real estate cannot be divided as aforesaid, without damage to the owners thereof, and that a sale of said real estate should be made and the proceeds of such sale distributed in accordance with the rights and interests of the parties in and to said real estate, as the same are herein found and determined, and that said real estate should be sold by a commissioner appointed by this court.

The court further finds that defendant, Bertha Hunt, is the wife of Walter Hunt; that defendant, Charles Henderson, is the husband of Elizabeth A. Henderson, that defendant, Lydia Hunt is the wife of Elmer Hunt, and defendant William McCollough is the husband of plaintiff, Helena L. McCollough, and that they and each of them have no title, claim or interest of any kind or character whatsoever in the real estate described in plaintiff's complaint.

The court further finds that the plaintiff is entitled to recover herein the sum of \$150.00 as and for the services of her attorney in bringing this suit, and that the commissioner hereinafter appointed pay the same out of the proceeds of such sale.

It is therefore considered, adjudged and decreed by the court that the plaintiff, Helena L. McCollough, and defendants, Walter Hunt, John Hunt, Harry Hunt, Elizabeth A. Henderson and Elmer Hunt are each the owners, in fee simple of an undivided one-sixth ($1/6$) in and to said real estate or to any proceeds derived from its sale, and that said real estate is not susceptible of partition without damage to the said owners thereof. It is further considered, adjudged and decreed by the court that defendants, Bertha Hunt, Charles Henderson, Lydia Hunt and William McCollough, and each of them have no right, interest, claim or title in and to said real estate.

or the proceeds derived from the sale thereof.

It is further considered, adjudged and decreed by the court that the plaintiff is entitled to recover herein the sum of \$150.00 as and for the services of her attorney in bringing said suit, and that the commissioner hereinafter appointed pay the same out of the proceeds of such sale.

WHEREFORE, it is by the court further ordered, adjudged and decreed that said real estate, after being duly appraised as provided by law, be sold by a commissioner appointed for that purpose, at private sale for cash, and for not less than the full appraised value thereof. Notice of the time terms and place of said sale shall be given by one publication thereof in some daily newspaper, printed and published in Indianapolis, Marion County, Indiana at least five (5) days prior to the time fixed for such sale. And upon such sale being made and confirmed, all claim or title in and to said real estate held by any of the said owners thereof shall be as effectually barred as if the said parties had themselves executed a conveyance therefor, to the purchaser.

It is further considered, adjudged and decreed by the court that William T. Rasmussen be and he is hereby appointed commissioner to make sale of said real estate in accordance with the foregoing order, and said commissioner is required to execute bond in penalty of \$3000.00 conditioned for the faithful discharge of his duties, and with surety thereon to the approval of the court, and said commissioner to have an appraisement made of said real estate, and thereupon proceed to the execution of the foregoing order for the sale thereof, and make due report of his proceedings to this court.

O.B. 119 page 528. Bond filed in the penal sum of \$3000.00 approved by the court.

March 4, 1929 inventory and appraisement filed.

Frank A. Dunlop and John A. Hugg appointed appraisers.

Oath of appraisers filed.

Real Estate herein abstracted appraised at \$1600.00

O.B. 120 page 344. (Pending.)

all sub con

Judgment Search

6.

Examination made for judgment vs Walter Hunt, John Hunt, Harry Hunt, Elmer Hunt, Elizabeth A. Hunt (or Elizabeth A. Hunt Jr.) and Helena L. Berkemeier (or Berkemeier) from May 19, 1928 8:00 A.M. to date and Helena L. McCollough and Elizabeth A. Henderson for the 10 years last past and against none other.

Examination made versus said parties as the names hereinabove specifically appears and not otherwise.

Order Book
492 page 532
Cause A-41370

7.

IN THE SUPERIOR COURT OF MARION COUNTY, INDIANA
Henry Berkemeier

vs

Helena-Berkemeier.

December 15, 1927 Costs. \$ 4⁵⁰

8. Taxes for the year 1927 fully paid.

9. Taxes for the year 1928 on the real estate for which this abstract is prepared are assessed in the name of John W. Hunt, and are due and payable in May and November of 1929.

May Installment \$25.65 unpaid.

Nov. Installment \$25.65 unpaid.

10. Taxes for the year 1929 now a lien.

As shown of record these taxes are now
L. W. Hunt Title Co., Inc.
BY *M. L. Sullivan*
PRES.

As shown of record these taxes are now
L. W. Hunt Title Co., Inc.
BY *M. L. Sullivan*
PRES.

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, affecting the title to the tract described in the Caption hereof.

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

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

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

THIRD That according to the current tax duplicates and special tax duplicates and municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes nor municipal assessments assessed or entered against said real estate, either general or special, due and unpaid, except as shown herein. That no search has been made for pending resolutions for municipal improvements where the lien has not attached. That according to the tax sale records in the Auditor's Office, there are no tax sales unredeemed, except as shown herein.

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

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

This certificate covers entries Nos. 1 to 11 both inclusive and sheets water-
marked "Union Title Company" Nos. 1 to 6 both inclusive.
Dated at Indianapolis, Indiana, March 26, 1929 8:00 A.M.

UNION TITLE COMPANY

INCORPORATED

By *Willis K. Covale*

President and General Manager

-1-

Continuation of Abstract of Title to Lot Sixty-four (64) in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, the plat of which is recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.

Prepared for: Joseph J. Schisla
Since date of March 25, 1929.

INDIANAPOLIS, INDIANA

CONVEYANCES

PROBATE COURT OF MARION COUNTY

Cause No.
2358

Helena L. McCollough
vs.
Walter Hunt, et al

Complaint for
Partition

-2-

L. M. Brown Title Company, Inc.

(Continued from former abstract.)
April 18, 1929, Proof of publication of notice of commissioner's sale real estate filed showing publication by one insertion on February 27, 1929 in The Indianapolis Commercial.

April 18, 1929, COMMISSIONER'S REPORT OF SALE.
The undersigned, commissioner appointed in the above entitled cause, to make sale of the real estate hereinafter described, respectfully reports that pursuant to the order in said cause entered he had an appraisement made of said real estate by Frank A. Dunlap and John E. Hugg disinterested householders of the neighborhood, who were duly chosen to make the same in the manner appraisers are selected in cases of land sold upon execution and which appraisement is herewith returned and filed (here insert.)

That said commissioner gave notice of the time, terms and place of the sale of such real estate, by one publication in The Indianapolis Commercial, a daily newspaper of general circulation, printed and published in Indianapolis, Marion County, Indiana, which publication was so made on the 27 day of February, 1929, and at least five days prior to the time fixed for such sale, a copy of which notice and proof of publication thereof being hereto attached and made a part of this report.

That on the 5th day of March, 1929, that being the time fixed for such sale, and at the place in said notice specified, said commissioner offered said real estate for sale, at private sale, but did not receive any offer therefor; that he did continue to offer for sale, from day to day thereafter said real estate, and on the 5 day of April, 1929, John E. Hunt, having then and there bid therefor the sum of \$2800.00 and that being the best and highest bid received, and the full appraised

value thereof, said commissioner, subject to the approval of this court, sold to said John E. Hunt, for said sum, the real estate so ordered sold, and described as follows, to wit:

Lot Number 64 in McCarty's Subdivision of the east part of Out Lot 120 in the City of Indianapolis, Marion County, Indiana, according to the plat thereof recorded in Plat Book 2 at page 86, in the Recorder's office of Marion County, Indiana.

That said purchaser has complied with the terms of such sale by paying the purchase price in cash.

And said commissioner now brings into court the proceeds of such sale and prays that his acts in the premises may be approved.

William T. Rasmussen

Subscribed and sworn to before me this 18 day of April, 1929.

Wm. S. Canfield (LS)
Notary Public

My commission expires
June 24, 1929.

April 18, 1929, and the court being sufficiently advised in the premises now in all things approves said report, and ratifies and confirms said sale, and said commissioner is ordered to execute to said purchaser a deed for said real estate. And now said commissioner reports such deed, and the same being examined, is approved by the court and delivered to said purchaser.

And the court, upon proof heard, now allows said commissioner for his services \$-, and allows Adolph G. Emhardt for his services as the commissioner's counsel, \$-, and orders the same taxed and paid as a part of the costs of this proceeding.

The court further orders and directs said commissioner, after payment of all proper costs and allowances, to distribute, without delay, the cash proceeds of such sale among the parties hereto, in proportion to their respective interests therein, as heretofore found and determined by this court, and upon such distribution being made, said commissioner is required to make due report thereof to this court, and file therewith proper vouchers in evidence of such payments.

And this cause is continued for report of said commissioner.

Order Book 123 page 267.

April 29, 1929, Commissioner files final report and final report approved and commissioner discharged.

Order Book 123 page 129.

L. M. Brown Title Company, Inc.

INDIANAPOLIS, INDIANA

Deed Record
841 page 204
Inst. #15378
Apr. 18, 1929
Recorded
Apr. 20, 1929

William T. Rasmussen, Commissioner
appointed by the Probate Court
of Marion County, in the State of
Indiana, in a case pending therein
entitled Helena L. McCullough against
Walter Hunt, Bertha Hunt, his wife,
John Hunt, Harry Hunt, Elizabeth
A. Henderson, Charles Henderson, her husband,
Elmer Hunt, Lydia Hunt, his wife, and
William McCullough and numbered
2358 upon the docket thereof, pursuant
to the order of said court in said
cause made and entered on page - of
order book 123 of the records thereof

Commissioner's Deed

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INDIANAPOLIS, INDIANA

to
John E. Hunt -

Lot No. 64 in McCarty's Subdivision of the east
part of Out Lot 120 in the City of Indianapolis,
Marion County, Indiana according to the plat thereof
recorded in Plat Book 2 page 86 in the office of the
Recorder of Marion County, Indiana.

Examined and approved in open court this 18th
day of April 1929.

M. E. Bash

Judge of the Probate Court of
Marion County, Indiana.

-4-

John E. Hunt died intestate June 3, 1955.

PROBATE COURT OF MARION COUNTY

Estate Docket
165 page 61178

John E. Hunt

Estate

-5-

June 7, 1955, Petition for letters filed. Bond
filed and Walter T. Hunt appointed administrator.
Order Book 362 page 379.

July 1, 1955, proof of publication of notice of
appointment filed.

February 14, 1956, Final report filed.

March 5, 1956, Proof of publication of final notice
filed.

March 12, 1956, Final report approved and returned
to court for supplemental report.

Order Book 379 page 71.

April 18, 1956, Supplemental final report filed.

April 18, 1956, Supplemental final report approved
and estate closed.

Order Book 381 page 522.

L. M. Brown Title Company, Inc.

Entry on final report recites decedent left surviving him as his sole and only heirs:

Helena L. McCollough, adult, sister; Elizabeth A. Henderson, adult, sister; Elmer A. Hunt, adult, brother; Walter T. Hunt, adult, brother. The deceased died seized of certain real estate situated in Marion County, Indiana, described as follows:

Lot 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, the plat of which is recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.

That all claims filed against said estate have been paid. Neither said decedent nor his administrator were employers of labor within the meaning of that term as used in the Indiana Employment Security Act; and all estate taxes, inheritance taxes and gross income taxes assessed in said estate have been paid.

Schedule of property filed, in determining inheritance tax, lists the real estate herein abstracted, and shows the gross value of the estate to be \$13,257.20.

INDIANAPOLIS, INDIANA

Deed Record
1736 page 633
Inst. #73132
Sept. 30, 1955
Recorded
Feb. 5, 1959

Elmer A. Hunt and
Dorothy H. Hunt, his wife;
Walter T. Hunt and
Martha A. Hunt, his wife;
and Elizabeth A. Henderson
and Charles A. Henderson,
her husband
to

Quit Claim Deed
No Revenue Stamps
Attached.

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Helena L. McCollough

Lot 64 in McCarty's Subdivision of East part of Lot 120 an addition to the City of Indianapolis, as recorded in Plat Book No. - page - in the Office of the Recorder of Marion County, Indiana.

Misc. Record
629 page 147
Inst. #56626
Aug. 4, 1959
Recorded
Aug. 5, 1959

William McCollough

Affidavit

Affiant says that he is lawful age and resides in the County of Marion, State of Indiana.

That his wife, Helena L. McCollough, is the owner of the following described real estate to wit:

Lot 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 2, page 86 in the office of the Recorder of Marion County, Indiana.

That Elizabeth A. Henderson, who owned an undivided interest in the above described property, was not one and the same person as Elizabeth Henderson, 610 North Dearborn Street, Indianapolis, Indiana, against whom an old age assistance was filed May 1st, 1947, No. 3612-A49-18208.

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William McCollough

This instrument prepared by: Fred W. Steiger.

L. M. Brown Title Company, Inc.

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WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

INDIANAPOLIS, INDIANA

MORTGAGES

Mtg. Record
2000 page 284
Inst. #56629
Aug. 4, 1959
Recorded
Aug. 5, 1959

Helena L. McCollough and
William McCollough,
her husband

Mortgage

to
Merchants National Bank
& Trust Company of Indianapolis

Lot 64 in McCarty's Subdivision of the East part
of Out Lot 120 in the City of Indianapolis, as per
plat thereof recorded in Plat Book 2, page 86 in the
office of the Recorder of Marion County, Indiana.

To secure the payment of a certain promissory
note of one principal note in the sum of \$2,500.00
with interest at the rate of 6% per annum. Both
principal and interest of said note payable in
monthly installments of \$28.00 commencing on the
11th day of September, 1959, and on the 11th day of
each month thereafter until the principal and interest
are fully paid with the balance due and payable at the
expiration of 10 years from date are payable without
relief from valuation or appraisement laws and with
interest at the rate of eight per cent per annum after
due until paid, and with ten per cent attorney's fees.

At the conclusion of the above instrument appears
the following: This instrument prepared by: Pauline M.
Dobbins of Merchants.

CHECKED TO 4-29-65
UNION TITLE COMPANY

MECHANICS' LIENS

-10-

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

L. M. Brown Title Company, Inc.

OLD AGE ASSISTANCE LIENS

-11-

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

We find none.

INDIANAPOLIS, INDIANA

SEARCH IN THE JUVENILE COURT OF MARION COUNTY, INDIANA

-12-

Individual Search has been made in the Juvenile Court of Marion County, Indiana, as to the persons named under the heading of Judgments and for the period so specified under such search for unsatisfied judgments, rendered in Paternity and Heirship proceedings and we find none.

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 E. Hunt from January 20, 1950 to June 3, 1955 inclusive.

Elmer A. Hunt, Walter T. Hunt and Elizabeth A. Henderson, individually from January 20, 1950 to September 30, 1955 inclusive.

Helena L. McCollough for ten years last past.

None found unsatisfied.

ASSESSMENTS

-14-

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

L. M. Brown Title Company, Inc.

439605

TAXES

-15-

Taxes for the year 1957 paid in full.

-16-

Taxes for the year 1958 assessed in the name of
 Helena L. McCollough
 Parcel No. 34512
 General Tax Duplicate No. 327100
 Indianapolis Center Township
 were due and payable the first Monday in May and
 November, 1959.
 May installment \$53.95 paid.
 Nov. installment \$53.95 paid.

-17-

Taxes for the year 1959 became a lien March 1st
 and are due and payable in May and November, 1960.

PAID IN FULL
 ATTORNEY IN TITLE CO.
 BY _____ PRESIDENT

INDIANAPOLIS, INDIANA

L. M. Brown Title Company, Inc.

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, width 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 U-2 district.

Non-Conforming uses.

Building, structure, or land use existing or permitted by the original zoning ordinance, and existing at effective date of 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 zoning map of the City of Indianapolis, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

January 8, 1960

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

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

-20-

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

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

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

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

If such lands lie outside the corporate limits of any incorporated city or town within Marion County, Indiana, that they be classified and zoned A-2 as 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 Deed Record 1657 page 486.

CERTIFICATE

-21-

The undersigned, L. M. BROWN TITLE 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, of the Juvenile Court of Marion County, and of the Civil Municipal Courts of Marion County, including Replevin Bail, Recognizance Bonds and Transcripts of Judgments of United States Courts, as said records and dockets are now indexed.

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

The period of search covered by this certificate is
from March 25, 1929 to and including

January 20, 1960

and covers Paragraphs No. 1 to 21
both inclusive, and Sheets No. 1
to 12 both inclusive.

L. M. BROWN TITLE COMPANY, Inc.

By

M. L. Sullivan
President

President



df

ESTABLISHED 1868

L. M. BROWN TITLE COMPANY, INC.

Abstracts - Escrows - Title Insurance

150 EAST MARKET STREET

PHONE MELROSE 8-6401

INDIANAPOLIS 4, INDIANA

439605

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

Joseph J. Schisla

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

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

This certificate covers the Indianapolis Division down to and including January 20, 1960 and all other Divisions of the State of Indiana down to and including January 19, 1960

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 E. Hunt

Elmer A. Hunt

Walter T. Hunt

Elizabeth A. Henderson

Helena L. McCollough

L. M. BROWN TITLE COMPANY, Inc.

Dated January 20, 1960

By

M. L. Sullivan
President

df

TITLE AND ENCUMBRANCE REPORT

RIGHT OF WAY DEPARTMENT

STATE HIGHWAY DEPARTMENT OF INDIANA

S. R. I70

PROJ. I70-3 (52)

COUNTY Marion

Names on Plans _____

Names in Trans Book _____

Description or Addition	Sec.	Twp.	Rge.	Acreage	Assessed Value
Lot 64 McCarty's Sub. OL 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 (X) LIS PENDENS RECORD Yes () None (X)

MISCELLANECUS RECORD Yes () None (X) EASEMENTS Yes () None (X)

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

TAXES Current Paid (X) 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.

Dated this 21 day of Dec 1965 by C. Edward Blum Abstractor

Prel. Approval of Title _____ Date _____ By _____ Deputy Attorney General

Final approval of Abstract of Title _____ Date _____ BY _____ Deputy Attorney General

65-26182A

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:

Helena L. McCollough from April 30, 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 Helena L. McCollough.

Duplicate No. 317703, M-N-0, Indianapolis, Center Township, Code No. 1-01, Parcel No. 34512.

May Installment \$75.07 Paid

November Installment \$75.07 Paid

Assessed Valuation

Land \$280.00 Improvements \$1,330.00 Exemptions None.

Taxes for 1965 now a lien in name of Helena L. McCollough.

65-8199A

CAPTION

-1-

Continuation of Abstract of Title to Lot 64 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, the plat of which is recorded in Plat Book 2 page 86 in the Office of the Recorder of Marion County, Indiana.
Since January 20, 1960.

Prepared For: Joseph J. Schisla

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.

65-8199A

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.

-4-

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:

-5-

Helena L. McCollough

from January 20, 1960
to date and
against none other.

-6-

Taxes for the year 1963 and prior years paid in full.

-7-

Taxes for 1964 payable 1965 in name of Helena L. McCollough.

Duplicate No. 317703, M-N-0, Indianapolis, Center Township, Code No. 1-01, Parcel No. 34512

May Installment \$75.07 Unpaid

November Installment \$75.07 Unpaid

Assessed Valuation

Land \$280.00 Improvements \$1,330.00 Exemptions None.

-8-

Taxes for 1965 now a lien in name of Helena L. McCollough.

SYNOPSIS OF ZONING AND PLANNING REGULATIONS

-9- The original comprehensive Zoning Ordinance of the City of Indianapolis, General Ordinance No. 114-1922, was repealed and reordained by General Ordinance No. 104-1950, as amended, to regulate and restrict height, area, bulk and use of buildings and to specify and regulate location of industries and commercial enterprises.

A Marion County Master Plan, Permanent Zoning Ordinance, prepared by the Marion County Plan Commission, was adopted by the Board of Commissioners Nov. 12, 1948, and a certified copy was recorded February 24, 1949, in Miscellaneous Record 430, page 384 etc., for regulating use and intensity of use of land, location of industries and commercial enterprises, prescribing minimum dwelling dimensions and lot area requirements and defining use classifications, providing subdivision controls and thoroughfare plans.

The Metropolitan Plan Commission of Marion County, by Resolution adopted by the County Council as Ordinance No. 8-1957 effective March 28, 1957, recorded April 1, 1957, in Deed Record 1657, page 486, adopted and continued all existing Master Plans then in force in Marion County and in the various Cities and Towns as a consolidated Master Plan.

An Airport District Ordinance was adopted by the Marion County Council Sept. 4, 1963 and recorded Oct. 7, 1963 as Instrument #59018 in the Recorder's Office, establishing an "Airport Approach Area" within a radius of 10,000 feet from the airport reference point, and an "Airport Circling Area", prescribing regulations as to character, use and height of structures and cleanness of air in said areas.

A Central Business District Zoning Ordinance effective April 7, 1964, was adopted for Metropolitan Indianapolis, classifying areas and permitted businesses, with regulations respecting use of buildings, parking, etc.

An Industrial Zoning Ordinance #63-AO-4 was adopted Nov. 7, 1963, incorporating the Industrial Land Use Map and Industrial Land Use Plan adopted by the Metropolitan Plan Commission for the classification, regulation and development of Industrial uses in Indianapolis and Marion County, including regulation and limitation of height, area, bulk and floor space of structures, and performance standards, standards of density, and traffic distribution therefor.

Low Rise Multiple Dwelling Zoning Districts Zoning Ordinance was adopted August 4, 1964, to provide for establishment of Multiple Dwelling Zoning Districts and regulations pertaining thereto, to be designated by Zoning District symbols D-6, etc.

Ordinances generally provide that lots platted or owned previously may be used even if sub-standard in size and legally established non-conforming use may be continued under existing conditions. Specified set-back lines and yard sizes are required in all areas.

Attached hereto is an exhibit showing the basic classifications designated in the ordinances affecting the City of Indianapolis and Marion County. The provisions of the ordinances are too voluminous to permit adequate reporting herein. More details can be furnished upon request, but for specific information, reference should be had to the complete text of the appropriate ordinance. This statement is a synopsis only and is furnished for general information.

According to the maps filed with the respective ordinances, the real estate described herein appears to lie in District designated U-2, H-1, A-4.

-10- April 23, 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.

SYNOPSIS OF BASIC CLASSIFICATIONS OF ZONING ORDINANCES

CITY OF INDIANAPOLIS ZONING ORDINANCE AS AMENDED, ESTABLISHED THE FOLLOWING DISTRICTS:

Six 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-3, (S), or General Commercial Districts; Class U-4, or First Industrial Districts; and Class U-5 or Second Industrial Districts; In addition to the six classes of Use Districts, there are two additional classes, namely U-6 or Prohibited Uses, and U-7, or Special Permit Uses.

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

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

Seven classes of Area Districts, Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 6,800 square feet per family; Class A-3, 6000 square feet per family; Class A-4, 1700 square feet per family; Class A-5, 1100 square feet per family; Class A-6, 800 square feet per family.

Restrictions of Floor Areas:

In Class AA district 1500 square feet;

In Class A1 District 900 square feet;

In Class A2 District 900 square feet;

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

MARION COUNTY MASTER PLAN AS AMENDED ESTABLISHED THE FOLLOWING:

F-1 Forestry District: A-1, A-2, Agricultural District: R-1, R-2, R-3, R-4, R-5, R-6, Residential Districts: B-1, B-2, B-3, B-4, B-5, B-6, Business Districts: I-1, I-2, I-3, Industrial Districts: RT-1, RT-2, RT-3, Residential District Temporary: S, Special Uses District: RR, Railroad District; G-s, Gravel Sand District.

Minimum requirements as follows:

District - Lot Area - Lot Width - Dwelling Dimensions

District	Lot Area	Lot Width	Dwelling Dimensions	Height
A-1	15,000	80	900	660
A-2	15,000	80	900	660
R-1	24,000	100	1500	1000
R-2	20,000	90	1200	800
R-3	15,000	80	900	660
R-4	11,250	70	720	500
R-5	9,000	60	500	500
R-6	14,000	80	900	660

Variations of foregoing are provided for multiple dwellings.

CENTRAL BUSINESS DISTRICT ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

Central Business District One (CBD-1)

Central Business District Two (CBD-2)

Central Business District Three (CBD-3)

INDUSTRIAL ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT

I-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT

I-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT

I-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT

I-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT

I-2-U LIGHT INDUSTRIAL URBAN DISTRICT

I-3-U MEDIUM INDUSTRIAL URBAN DISTRICT

I-4-U HEAVY INDUSTRIAL URBAN DISTRICT.

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 5 both inclusive.
 Dated at Indianapolis, Indiana, April 30, 1965, 8 A.M.

UNION TITLE COMPANY

by C. Edward Slum
 President

-5- 1m

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

65-8199A

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: **Joseph J. Schisla**

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 28, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

April 29, 1965, 8 A.M.

Helena L. McCollough

UNION TITLE CO.

C. Edward Blum
BY _____
PRESIDENT

lm