

67. 6916

WARRANTY DEED

Project I-70-3(52)
Code 0536
Parcel 73

Chitica

This Indenture Witnesseth, That WENDELL P. BAXTER, UNMARRIED ADULT

of MARION County, in the State of INDIANA

Convey and Warrant to

the STATE OF INDIANA for and in consideration of

SEVEN THOUSAND FIVE HUNDRED --- 00/100 (\$ 7,500 00) ----- Dollars,

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

Lot No. 44 in McCarty's Subdivision of Lot 119 and west part of out lot 118 of the donation lands in the city of Indianapolis, the plat of which is recorded in Plat Book 1, Page 253 in the Office of the Recorder of Marion County, Indiana.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the above described real estate.

DULY ENTERED FOR TAXATION

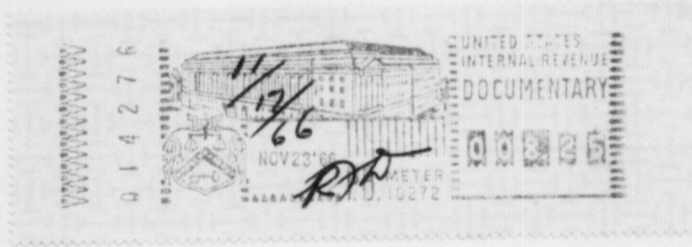
FEB 21 1967

John T. Sutton COUNTY AUDITOR

RECEIVED FOR RECORD

1967 FEB 21 AM 9:06

MARGA M. HAWTHORNE RECORDER OF MARION COUNTY



Paid by Warrant No. A-136298

Dated 1-19-67

8.25

A-136299
A-136298
1-19-67

Land and improvements \$ 7,500 00; Damages \$ 0; Total consideration \$ 7,500 00

The grantor shall clear and convey free of all leases, licenses, or other interests both legal and equitable, and all encumbrances of any kind or character on, in and under said land as conveyed.

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

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

In Witness Whereof, the said GRANTOR

has hereunto set his hand and seal, this 3rd day of NOVEMBER 1966

Wendell P. Baxter (Seal)
WENDELL P. BAXTER UNMARRIED ADULT (Seal)

016047

djh

67. 6916

This Instrument Prepared by S. W. Burres 2/9/66

M. E. Moore JAN 3 1967

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

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

My Commission expires..... Notary Public

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

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

My Commission expires..... Notary Public

STATE OF ~~INDIANA~~ ^{FLORIDA} ^{HIGHLANDS} County, ss:
Before me, the undersigned, a Notary Public in and for said County and State, this..... ¹⁹⁷⁴
day of ^{November}....., A. D. 19⁷⁴.....; personally appeared the within named.....
^{WENDALL P. BAXTER}

..... Grantor..... in the above conveyance, and acknowl-
edged the same to be ^{his}..... 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

NOTARY PUBLIC, STATE of FLORIDA at LARGE
MY COMMISSION EXPIRES NOV. 8, 1968.
BONDED THROUGH FRED W. DIESTELHORST

The undersigned, owner of a mortgage and/or lien on the land herein conveyed, hereby releases from said mortgage
and/or lien said conveyed land, and does hereby consent to the payment of the consideration therefor as directed in this trans-
action, this..... day of....., 19.....

..... (Seal) (Seal)
..... (Seal) (Seal)

State of..... }
County of..... } ss: **67 6916**

Personally appeared before me.....
..... above named and duly acknowledged the execution of the above release
the..... day of....., 19.....

Witness my hand and official seal.

My Commission expires..... Notary Public

WARRANTY DEED
FROM.....
TO.....
STATE OF INDIANA
Received for record this.....
day of....., 19.....
at..... o'clock.....m, and
Recorded in Book No..... page.....
Recorder..... County.....
Endorsed NOT TAXABLE this.....
day of....., 19.....
Auditor..... County.....
ENVELOPE (28)
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

 October 3, 1967 19 _____

To
 George and Edna Goff
 1464 S. Illinois
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-173746 9-27 19 67
 in settlement of the following vouchers: 68-129

Description	Amount
<p>For <u>Relocation Expense</u> on State Road No. <u>49</u> in <u>Marion</u> County, Project <u>I-70-3(52) c</u> Parcel No. <u>73</u> as per Grant/Warranty Deed, Dated <u>9-6-67</u></p>	<p><u>\$222</u> 00</p>

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By George + Edna Goff
 Date Oct. 4th 1967

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition
 ROOM 1105 — 100 NORTH SENATE AVENUE
 INDIANAPOLIS, INDIANA 46209

February 16, 1967 19 *62*

To Wendell P. Baxter
 Holiday Hills, Route #2
 Sebring, Florida 33870

GENTLEMEN:

We enclose State Warrant No. A-136298 1-19-67 19
 in settlement of the following vouchers:

Transmittal #67-241

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3(52)</u> Parcel No. <u>#73</u> as per Grant/Warranty Deed, Dated <u>November 3, 1966</u>	\$ 6750.00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Wendell P. Baxter
 Date Feb 21st 1967

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition
 ROOM 1105 — 100 NORTH SENATE AVENUE
 INDIANAPOLIS, INDIANA 46209

February 16, 1967 19

To Wendell P. Baxter
 Holiday Hills, Route #2
 Sebring, Florida 33870

GENTLEMEN:

We enclose State Warrant No. A-136299 1-19-67 19
 in settlement of the following vouchers: Transmittal #67-241

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3(52)</u> Parcel No. <u>#73</u> as per Grant/Warranty Deed, Dated <u>November 3, 1966</u> Escrow	\$ 750.00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Wendell P. Baxter,
 Date March 25th 1967

Control

APPRAISAL REVIEW FORM
Division of Land Acquisition
Indiana State Highway Commission.

Project I-70-3(52)
Parcel No. 73
Road I-70
County Marion
Owner Wendell P. Boster
Address 1105 Union St.
Address of Appraised Property:
1105 Union St.

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. Yes
- 2. Planning and Detail Maps were supplied appraisers. Adv. Acq.
- 3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Yes
- 4. Necessary photos are enclosed. Yes
- 5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. Yes
- 6. Plats drawn by the appraisers are attached. Yes
- 7. I have personally inspected the Plans. Adv. Acq.
- 8. I have personally inspected the site and familiarized myself with the parcel on... 8-24-66
- 9. The computations of this parcel have been checked and reviewed. Yes
- 10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. Yes

I have made a determined effort to consider all competent information that I have secured and that is documented by the appraisers, including any comments by the property owner, along with any recent awards by condemnation juries that have been brought to my attention, that is relevant to this matter.

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

It is my opinion as of August 24, 1966
(Date)

Estimate of Appraisers:

	By: <u>Davidson</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$ <u>7,500</u>	\$	\$ <u>7,500</u>
(b) The fair market value of the property after the taking, assuming the completion of the improvement is:	\$ <u>-0-</u>	\$	\$ <u>-0-</u>
The Total Value of Taking Is: (a minus b) TOTAL	\$ <u>7,500</u>	\$	\$ <u>7,500</u>
(1) Land and/or improvements	\$ <u>7,500</u>	\$	\$ <u>7,500</u>
(2) Damages	\$ <u>-0-</u>	\$	\$ <u>-0-</u>
(3) Less non-compensable items	\$ <u>-0-</u>	\$	\$ <u>-0-</u>
(4) Estimated Total Compensation	\$ <u>7,500</u>	\$	\$ <u>7,500</u>

Approved	Date	Signed
Rev. Appr.	<u>8-24-66</u>	<u>Phillip G. York</u>
Asst. or Chief Appr.	<u>8/31/66</u>	<u>Fred W. Lehling</u>

INDIAN STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 7 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell P. Baxter
1105 Union St. PHONE # 637-6966

NAME & ADDRESS OF PERSON CONTACTED Wendell P. Baxter, Holiday Hills,
Lebring, Fla. PHONE # _____

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 11-22-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT _____

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: Received all signed papers from Mr.
Wendell Baxter, now living in St. Petersburg, Fla
for conveyance of this parcel.
Confirmation of ⁷payment of taxes (property) in parcel.
Doc Stamps will be picked up at attorney's
office.
Parcel secured.

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

Distribution Made

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

Robert J. Seeks
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 6 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Baxter
1105 Union St. PHONE # 638-4196

NAME & ADDRESS OF PERSON CONTACTED _____
PHONE # _____

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 11-3-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT AM

- | | 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: Mailed all necessary papers to Wendell P. Baxter, now living in Holiday Hills, Sebring, Fla., for processing this parcel.

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

Distribution Made

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

Robert Decker
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 5 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Baxter
1105 Union St. (Now in Florida) PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Mr. L. Sivens, atty.

D.S.T.B. Rm. 506. PHONE # Me 4-4242
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 9-2-66 DATE OF CONTACT 10-28-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT 3:15 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: Met with Mr. Sivens atty, representing Mr Baxter's interest. Buyer showed all papers to be sent to him for processing. Mr. Sivens explained that Wendell Baxter was a spastic and also there was considerable friction among the brothers & sisters as to looking to his interest. Mr. Sivens further explained that there had been several conflicting stories as to whom would receive the money for subject. He was quite satisfied when buyer explained our procedure of purchase and encouraged buyer to continue his negotiations.

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

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

Robert Deeks
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 4 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Boster
1105 Union St. PHONE # Me 7-6966

NAME & ADDRESS OF PERSON CONTACTED Mr. Sivins Atty
PHONE # Me 4-4242

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 10-17-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT 2:15 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: Received phone call from Mr. Sivins seeking information as to status of this parcel in relation to a brother of owner named Sheldon Boster. Buyer explained he had received instructions to mail all necessary papers to Mr. Wendell Boster, who is staying with his sister in Florida.

It appears Mr. Sivins had been given some wrong information concerning brother Sheldon's interest and was satisfied as to methods of progress being made

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

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

Robert Deeks
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 3 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Baxter
1105 Union St. PHONE # 638-4196

NAME & ADDRESS OF PERSON CONTACTED Sheldon Baxter
751 Hiatt St. PHONE # 637-6966

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 10-14-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT 12:50 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: Received call from Mr. Sheldon Baxter, brother
of owner of subject property instructing buyer to
forward prepared papers to Mr. Wendell Baxter
in Florida. Mr. Wendell's Florida Address is:

Wendell P. Baxter
Route #2
Holiday Hills
Sebring Florida 33870

Status of Parcel: () Secured () Bought, awaiting mortgage release, () Condemned
() Other, awaiting what? Mailed papers to owner in Fla.

Distribution Made Brother of owner.
(1) Parcel (1) Weekly Summary
() Owner () Other, Specify.

[Signature]
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 2 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Baxter
1105 Union St. PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Sheldon Baxter
751 Hiatt St. PHONE # 637-6964

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 10-5-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT 12:15 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. Baxter phoned to inquire if the
tenants now in dwelling could remain until
finding another location. Buyer said they could
remain for a reasonable period.

He said he would report to his brother,
the owner, who is living in Florida.

Status of Parcel: () Secured () Bought, awaiting mortgage release, () Condemned
() Other, awaiting what? Decision on offer.

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

Robert Bretho
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 70-3(51)

BUYER'S REPORT NUMBER: 1 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Mr & Mrs Goff 1105 S. Senate
Indianapolis Ind PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Mr & Mrs Goff 1105 S. Senate
Indianapolis Ind PHONE # _____

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

DATE ASSIGNED 4/5/67 DATE OF CONTACT 4/6/67

OFFER \$ 222.00 Morning 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 Mr & Mrs Goff Senate
in State Capital Mr. Bullman explained that
the 180^{day} he was hearing was ~~not~~ confirmation
that the property must be vacated or out
before 180 days. Relocation and Substitution
payment were arranged for and all papers.
If not House Bill 1347 were explained
to Mr & Mrs Goff

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

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

Frank L. Bullman
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. 2-70-3(52)

BUYER'S REPORT NUMBER: 7 COUNTY Madison PARCEL NO. 78

NAME & ADDRESS OF OWNER Wendell P. Ratter
1105 Union St. PHONE # 688-4196

NAME & ADDRESS OF PERSON CONTACTED _____
PHONE # _____

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 12-12-66

OFFER \$ 2,000.00 TIME OF CONTACT AM

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: _____

*Was finally able to get Nov. 66 B property,
had deposits for part of tax payment as required
all other conditions satisfied 3 to 4 weeks
earlier.*

Peace secured

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

Distribution Made

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

[Signature]
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: I COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Wendell Baxter
1105 Union Street PHONE # 638-4196

NAME & ADDRESS OF PERSON CONTACTED Sheldon Baxter, brother,
751 Hiatt St. PHONE # _____

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

DATE ASSIGNED 9-2-66 DATE OF CONTACT 9-21-66

OFFER \$ 7,500⁰⁰ TIME OF CONTACT 11:00 AM

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

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

REMARKS: Met with Mr Sheldon Baxter, brother of
owner of above parcel. Buyer informed owner is
in Florida. Appraiser made note in report that
all contact on this parcel be made through said
Sheldon Baxter, however he is not considered as
an a guardian or such in an official capacity.
Mr. Sheldon Baxter stated he would forward
written offer letter and other information to brother
and will contact buyer on reply.

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

Distribution Made

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

Robert Deeks
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 1 COUNTY Marion PARCEL NO. 73

NAME & ADDRESS OF OWNER Mr & Mrs Goff 1105 S. Senate
Indianapolis, Ind PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Mr. & Mrs Goff 1105 S. Senate
Indianapolis, Ind PHONE # _____

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

DATE ASSIGNED 4/5/67 DATE OF CONTACT 4/6/67

OFFER \$ A 222⁰⁰ Moring 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 Culbren met with Mr. & Mrs Goff tenants
in State Property. Mr. Culbren explained that
the 180^{day} he was leaving was ~~not~~ notification
that the property must be vacated on or
before 180 days. Relocation and Dislocation
payments were arranged for and all pages
of Act. House Bill 1347 were explained
to Mr & Mrs Goff.

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

Distribution Made

- (1) Parcel (1) Weekly Summary
(~~1~~) Owner () Other, Specify Tenant.

Frank L. Culbren
(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. Culbran Jr

Subscribed and sworn to before me this 7th day of April, 1967.

Chadwick S. Hall
Notary Public

My commission expires

January 29, 1969

UNION TITLE COMPANY

INCORPORATED

OFFICERS

WILLIS N. COVAL, President
ALBERT M. BHISTOR, Vice-Pres. & Treas.
H. E. STONECIPHER, Secretary

INDIANAPOLIS, IND.

CAPITAL STOCK \$1,000,000.00

ABSTRACTS OF TITLE TITLE INSURANCE, ESCROWS

UNION TITLE BUILDING

155 E. MARKET ST. LINCOLN 8361-2-3

DIRECTORS

SCOTT R. BREWER	DICK MILLER
ARTHUR V. BROWN	J. EDWARD MORRIS
WILLIS N. COVAL	FRANK W. MORRISON
LINTON A. COX	NORMAN A. PERRY
JAMES S. CRUSE	TIMOTHY P. SEXTON
FRED C. DICKSON	GEORGE W. SNYDER
GEORGE B. ELLIOTT	C. N. THOMPSON
GEORGE C. FORREY, Jr.	JOHN R. WELCH
GEORGE A. KUHN	C. N. WILLIAMS
	JOSH ZIMMERMAN

INDIANAPOLIS, IND., May 11 193 1

107288

Prepared for: C. Otto Janus

SEARCH FOR

FEDERAL JUDGMENTS, PENDING BANKRUPTCIES, INTERNAL REVENUE TAX LIENS

in the

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

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no unsatisfied judgments of record constituting liens on real estate in any of the seven divisions of the Federal Courts named above, rendered within that portion of the ten years last past prior to March 11, 1929, the date of the enactment of the Indiana Judgment Conformity Act; that there is no notice of lien for unpaid internal revenue taxes or notice of income tax lien constituting a lien on real estate; and that there are not upon the records of any of the seven divisions of the Federal courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:

Examination made 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:

Christina Backemeyer,
Christina Backemeyer, Executrix,
William T. Backemeyer,
Henry A. Backemeyer,
Herman F. Backemeyer,
Alfred C. Backemeyer,
Leonora M. Baase,
Wilhelmina Winter,
Frieda W. Backemeyer,
Frieda W. Josse,
Perry Backemeyer,
Carl Backemeyer,
Albert Backemeyer,
Alma Backemeyer,
Leo H. McAllister, Commissioner,
Louis Cohen,
Sarah Winkleman.

Union Title Co.

INCORPORATED
BY *Willis N. Coval*
PRES. & GENL. MGR.

79400

ABSTRACT OF TITLE TO

Lot Forty-four (44) in McCarty's Subdivision of Out Lot One Hundred nineteen (119) and West part of Out Lot No. One hundred Eighteen (118) in the City of Indianapolis, as per plat thereof in Plat Book 1 page 253 in the Recorder's Office of Marion County, Indiana.

MARION COUNTY, INDIANA

Prepared for American Estates Co.

BY

Indiana Title Guaranty and Loan Company
INDIANAPOLIS, IND.

HISTORICAL NOTES

After the first permanent settlement of the North American Continent by the Spaniards in Florida, about 1568, by the French in Nova Scotia in 1605, and again at Quebec in 1608, and by the English in Virginia in 1607, the French, with the aid of the Catholic Church through its Jesuit missionaries, succeeded in gaining control of the country between the Great Lakes and the Ohio River.

In 1672 several of these missionaries traversed that portion of Indiana lying north of the Kankakee River.

About the year 1712, Post Vincennes on the Wabash River was established by the French.

The lands northwest of the Ohio River, while under the protection of the French, were first a part of the province of Louisiana, and as such governed by the officers of the French crown; afterward by the representatives of the Western Company, and subsequently by the Indies Company; but government was again resumed by the crown in 1732, and administered for a short time by the officers of the Province of Quebec.

In 1763 the French possessions north of the Ohio River were ceded to the British, who retained control until, by the treaty of Paris in 1783, they surrendered their supremacy over the country south of the Great Lakes to the United States of America.

As a province of Great Britain, Virginia laid claim to greater part of the land northwest of the Ohio River, but on March 1, 1784, the State of Virginia transferred all right, title and claim in said lands to the United States. Among the conditions of the cession was the following: "That the French and Canadian inhabitants and others of Post Vincennes and the neighboring villages, who have professed themselves citizens of Virginia, have their possessions and titles confirmed to them," etc.

Prior to this transfer of its claims, the General Assembly of Virginia had passed an act for laying off the town of Clarksville, Indiana, at the falls of the Ohio River.

Subsequent to the transfer referred to the territory "Northwest of the Ohio River" was formed.

By an act of Congress, approved March 7, 1800, the country northwest of the Ohio River was divided into two territories, the line dividing them being the present eastern boundary line of Indiana. By subsequent acts the tracts now known as Illinois and Michigan were detached, giving to Indiana its present shape and size.

Indiana was admitted into the Union of States in 1816. After the assumption by the United States of the government of the territory northwest of the Ohio River, war with the Indian tribes ensued, which resulted in various treaties of cession and peace. By virtue of the treaty at Greenville, Ohio, in 1795, all lands lying east of a line drawn from Fort Recovery on the Wabash River, in Ohio, to a point on the Ohio River, opposite the mouth of the Kentucky River, were forever ceded to the United States. The line referred to forms the present western boundary line of Dearborn and Ohio Counties in this State.

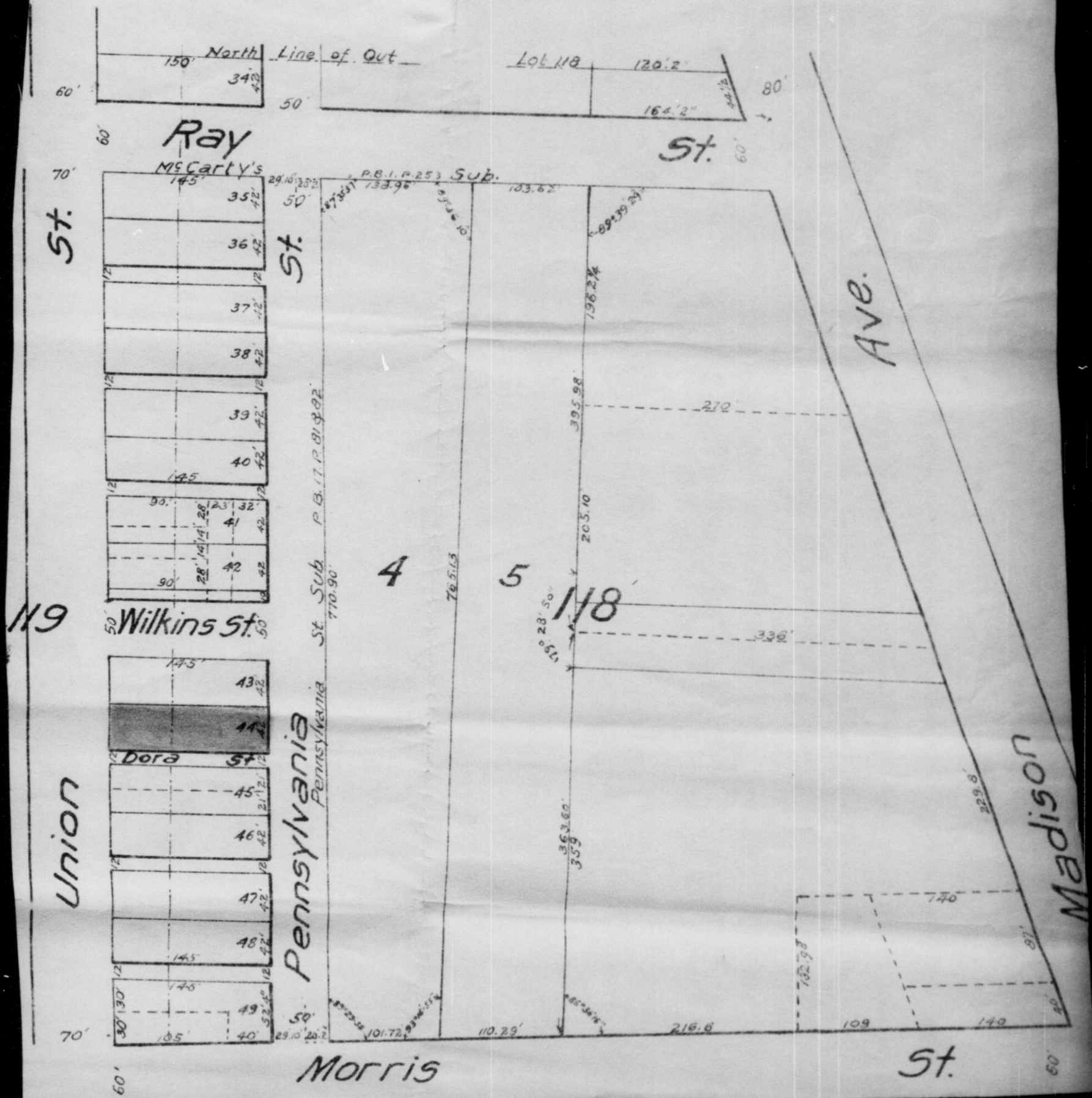
By an act of Congress at St. Mary's, Ohio, in 1818, all lands in central Indiana, with certain exceptions, were ceded to the United States, the territory thus being the present boundaries of Marion County.

By act of Congress the United States laid off in Indiana four sections of land for a State capital, the donation consisting of sections 1, 2, and 12, and part of sections 3 and 4. The original survey of 101 squares, containing in all 2,560 acres, the surveys being made in 1819.

The town of Indianapolis was laid off in 1821. The original survey of the four sections comprising the donation. The remaining area embraced an area of one square mile near the center of the four sections comprising the donation. The remainder of the donation was surveyed and platted in 1831. A plat including the original survey was filed in the recorder's office July 5, 1831.

While the titles to the lands outside of the donation were patented by the United States to those entering the same, or their assignees, the lots and outlots within the boundaries of the donations were sold by an agent of State for the town of Indianapolis, duly appointed by an act of the State Legislature.

Out Lot No 118 & Pt., 119.



- Land Record
 "B" p. 395
 May 9, 1825
 Recorded
 May 25, 1835.
- Ebenezer Sharpe, Agent of State,
 for the Town of Indianapolis.
 to
 John E. McCluer.
 Out Lot 118 and 119, and other property, in the
 Town of Indianapolis.
- Agent's Deed
- 1-
- Land Record
 "G" p. 450
 July 27, 1836
 Recorded
 Aug. 31, 1836.
- John E. McCluer, and
 Martha N. F. McCluer, his wife,
 to
 Nicholas McCarty, and
 Calvin Fletcher, their heirs
 and assigns.
 Out Lots 118 and 119 and other property in the
 City of Indianapolis.
- Warranty Deed
- 2-
- Land Record
 "N" p. 210
 Feb. 15, 1842
 Recorded
 Feb. 18, 1842.
- Nicholas McCarty and
 Margaret McCarty, his wife,
 to
 John Siter, his heirs and
 assigns forever.
 The Undivided half of same Out Lots 118 and 119, and
 other property, as above described.
- Warranty Deed
- 3-
- Land Record
 "Q" p. 279
 May 14, 1846
 Recorded
 May 27, 1846.
- Calvin Fletcher, and
 Sarah H. Fletcher, his wife,
 to
 John Siter, heirs and assigns forever.
 Same Out Lots 118 and 119, and other property as
 above described.
- Quit Claim Deed
- 4-
- Land Record
 "CC" p. 546
 Nov. 30, 1852
 Recorded
 Jan. 6, 1853.
- John Siter, and
 Maria Siter, his wife,
 to
 Nicholas McCarty, heirs and
 assigns forever.
 Out Lots 118 and 119, and other property, in the
 City of Indianapolis.
- Warranty Deed
- 5-
- Land Record
 1 p. 191
 June 6, 1853
 Recorded
 Sept. 26, 1853.
- John Siter, and
 Maria Siter, his wife,
 to
 Nicholas McCarty.
 Same Out Lots 118 and 119, and other property,
 This deed is made to correct error in deed of
 November 30, 1852, from same parties to same parties.
- Warranty Deed
- 6-
- 7-
- Nicholas McCarty died intestate May 17, 1854, leaving
 him surviving as his sole and only heirs at law, his
 widow Margaret McCarty and four children, to-wit:
 Nicholas McCarty, Margaret R. McCarty, Susannah McCarty
 and Frances J. McCarty, see Complete Record 11, page 66
 of the Marion Common Pleas Court.

-8-

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

IN THE COMMON PLEAS COURT OF MARION COUNTY.

#102
Complaint Filed
June 23, 1854.

Margaret McCarty,
versus
Susanna McCarty,
Margaret R. McCarty
Nicholas McCarty, Jr.,
Frances J. McCarty.

Petition for
Partition

-9-

Your petitioner Margaret McCarty, of said County would respectfully represent that one Nicholas McCarty late of said County, 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 then and now infants within the age of 21 years. That said decedent died possessed of personal property sufficient to pay all his debts. That he died seized of the following real estate situate in said County, to-wit:

So much of Block 25 in the City of Indianapolis, as lies West of the Madison and Indianapolis State Road, and so much of said Block as lies East of said Madison and Indianapolis State Road, except 113 feet 10 inches off of the North end thereof. Also Out Lots 112, 113, 114, 118 119 and 120 in the City of Indianapolis, also Lots 146 145, 155, 156 in Block 17 in McCarty's Addition to the City of Indianapolis, also lot 15 in Block 17, Lot 39 in Block 24, Lots 92, 94, 95, and 96 in Block 110, Lot 138 in Block 109 and lots 23, 29, 30, 19, 20, and 21 in Block 116, all in McCarty's Addition to the city of Indianapolis; also lots 9 and 11 and 7½ feet off of the East side of Lot 8 in Block 59 in the City of Indianapolis, also so much of Block 84 in the City of Indianapolis as lies South of the Union Rail Road Track and North of the Indianapolis and Cincinnati Rail Road Depot, being 207 feet 8 inches on Delaware and 374 feet 6 inches on Alabama Street also so much of Block 99 in said City of Indianapolis as lies South of the Indianapolis and Cincinnati Railroad Depot being 365 feet on Delaware Street and 365 feet on Alabama; Also the North part of the West half of the North West Quarter of Section 13, in Township 15, North of Range 3., East, containing 40-75/100 acres, except 5-8/100 acres off the South and adjoining N. B. Palmer's land, heretofore sold and conveyed to the Madison and Indianapolis Rail Road Company.

That your petitioner as the widow of said deceased is the owner of one third undivided in fee of said premises and the said children before named are as heirs of the deceased are the joint owners of the remaining two thirds undivided.

Your Petitioners therefore asks that the said Susanna McCarty, Margaret R. McCarty, Nicholas J. McCarty and Frances J. McCarty may be made defendants hereto and that the one third part of said premises may be assigned and set off in severalty to your petitioner in the manner provided by and in accordance with the statute in such cases provided. And that judgment be rendered therefor and commissioners appointed to make such partition.

And for further relief.

(over)

July 21, 1852. Nicholas McCarty, Jr. and Frances J. McCarty by Lucien Barbour their Guardian ad litem appointed by the Court files answer in general denial.

Susanna McCarty, Margaret R. McCarty, Nicholas McCarty Jr. and Frances J. McCarty served by reading July 23, 1854.

July 31, 1854. And thereupon this cause is by agreement submitted to the court for judgment upon the petition, default of said adult defendants, the answer of said Guardian ad litem and the evidence adduced and the Court after hearing the evidence and being sufficiently advised in the premises finds that the matters and things set forth and charged in said petition to be true. That the said petitioner Margaret McCarty is the widow of said Nicholas McCarty, deceased, who died seized in fee of the premises named and described in said petition and as such widow, she the said Margaret McCarty is the owner in fee simple of the undivided one third part of said premises and it appears to the satisfaction of the Court that partition of said premises ought to be made in accordance with the prayer of said petition.

It is therefore adjudged by the Court that partition be made of said premises and that one third part of said premises be assigned and set off to the said petitioner Margaret McCarty in severalty forever.

And the Court now appoints James Blake, Andrew Wilson and James Wood, three disinterested freeholders of the County of Marion, Commissioners to make partition of said premises in pursuance of the foregoing judgment and it is ordered that said Commissioners make report thereof into this court at the next term thereof, until when further proceedings herein are continued.

October 13, 1854. Commissioners report that after being duly sworn according to law and having such oath indorsed on the order of the Court hereto attached, they proceeded to make partition of said premises in accordance with said order and have assigned and set off the said Margaret McCarty, her heirs and assigns in severalty forever, for and in full of the one third part of the premises, aforesaid, the following described tracts and parcels of land, with the appurtenances, the same being part and parcels above described, to-wit: Out Lots 118 and 119 in the City of Indianapolis in fee, free of all claims of the other heirs.

For full proceedings in the above cause see Complete Record 4, page 159.

Plat Book
1 page 253
Dec. 20, 1854
Recorded
Dec. 21, 1854.

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The above Out Lot 119 and West part of No. 118 are Subdivided into 65 lots, Lot No. 1 is 42 feet wide and 184½ feet deep. Lots from 2 to 17 inclusive are respectively 42 feet wide and 184½ feet deep. Lot 18 is 64 feet wide in front and 73½ feet in rear and is 179½ feet deep. Lots Nos. 19 to 32 inclusive are respectively 43 feet wide and 179½ feet deep. Lot 33 is 42 feet wide and 184½ feet deep and lot No. 34 is 42 feet wide and 150 feet deep. Lots from 35 to 48 inclusive are respectively 42 feet wide and 145 feet deep. Lot No. 49 is 60 feet wide in front and 52-1/3 feet in rear and 145 feet deep. Lot No. 50 is 55-1/3 feet wide in front and 63 feet wide in the rear and 144 feet deep on South side and 146 feet 7 inches on North side, Lots from No. 51 to 64 inclusive are all 42 feet wide as depths are marked on the plat. Lot 65 is 42 feet wide and 195 feet 5 inches deep. A strip of ground 10 feet wide is given off the West side of Out Lot 119 to widen the Bluff Road as exhibited by the dotted line of the plat. The width of streets and alleys are marked on the plat.

(Signed) Margaret McCarty.

20 p. 224
June 23, 1863
Recorded
Dec. 28, 1863.

Margaret McCarty --
to
Ann C. St. John.

Warranty Deed

Lots 45 and 46 in Margaret McCarty's Subdivision of Out Lot numbered 119 and the West part of Out Lot 118 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.

-11-

18 p. 13
Mch. 2, 1863
Recorded
May 2, 1863.

Margaret McCarty
to
William Sudmeir.

Warranty Deed

Lots numbered forty three (43) and forty four (44) in Margaret McCarty's Subdivision of Out Lot numbered one hundred and eighteen (118) 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.

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AFFIDAVIT

Town Lot Rec.
479 p. 142
June 8, 1911
Recorded
June 12, 1911.

STATE OF INDIANA, MARION COUNTY, SS:

Comes now Nicholas McCarty, who being first duly sworn on his oath says: That he is a son of Margaret McCarty, who on January 4, 1861, was the owner of lot 22 in Margaret McCarty's Subdivision of Out Lot 119, and part of Out Lot 118, in the City of Indianapolis, Indiana and who on that date conveyed said real estate to the Trustees of the First Baptist Church of Indianapolis, and their successors which deed appears of record in Deed Record 13, page 15 of the Marion County Recorder's Office, And affiant says that his mother was a widow on said date.

That she became a widow by the death of her husband Nicholas McCarty, Sr., the father of this affiant, on or about the 17th day of May 1854, and that she remained unmarried from that date until her death on the 18th day of February 1873.

(Signed) Nicholas McCarty.

Subscribed and sworn to this 8th day of June 1911.

(Signed) Frank Seidensticker, Notary Public.

(L.S.)

My commission expires June 1, 1914.

-13-

21 p. 358
May 30, 1864
Recorded
May 31, 1864.

William Sudmeir,
Christina Sudmeir, his wife.
to
Christian Hackstein.

Warranty Deed

Lot number Forty Four (44) in Margaret McCarty's Subdivision of Out Lot One Hundred and Nineteen (119) and the West part of Out Lot 118 in the City of Indianapolis.

-14-

35 p. 383
Feb. 25, 1868
Recorded
Mch. 4, 1868.

Christian Hackstein
Christena Hackstein, his wife,
to
Fred G. Burkameyer.

Warranty Deed

Lot numbered forty four in Margaret McCarty's

-15-

Subdivision of Out Lot number one hundred and nineteen, and the west part of Out Lot number one hundred and eighteen in the City of Indianapolis.
Subject to the taxes of 1868.

318 p. 453
Oct. 17, 1899
Recorded
Oct. 18, 1899.

Frederick G. Backemeyer and
Christina Backemeyer
to
Carl G. Winter.

Warranty Deed

-16-

Lot number Forty four (44) in Margaret McCarty's Subdivision of Out Lot numbered one hundred nineteen (119) and the West part of Out Lot numbered one hundred and eighteen (118) in the City of Indianapolis in said County and State.

319 p. 74
Oct. 20, 1899
Recorded
Oct. 28, 1899

Carl G. Winter
Wilhelmina Winter, his wife
to
Frederick G. Backemeyer
Christina Backemeyer, husband and wife.

Warranty Deed

-17-

Lot numbered Forty four (44) in Margaret McCarty's Subdivision of Out Lot numbered one hundred and nineteen (119) and the West part of Out Lot one hundred and eighteen (118) in the City of Indianapolis in said County and State.

-18-

Frederick G. Backemeyer died testate November 9, 1907.

Will Record
V. p. 66
Apr. 11, 1907

LAST WILL AND TESTAMENT OF FREDERICK G. BACKEMEYER, DECEASED,
PROBATED NOVEMBER 14, 1907.

-19-

I, Frederick G. Backemeyer, residing at No. 1105 Union Street in the City of Indianapolis, Marion County, in the State of Indiana, being of sound mind and in memory and strong in body, but aware of the uncertainties of Life and feeling desirous to dispose of my temporal affairs in case of death do make, ordain, establish and publish this as my last Will and Testament.

First: It is my will that after my death my body be decently interred and that all expenses of my funeral and last sickness and all other just debts which I may owe to any body be paid out of my estate as soon after my decease as possible.

Second: I give, bequeath and devise to my beloved wife Christina Backemeyer all of my property both real and personal which may be left after the payment of my debts as above stated, to be used, possessed, enjoyed controlled and disposed of by her as she in her discretion may deem best.

Third: I hereby revoke, annul and cancel all previous wills or codicils made by me at any time or date previous to the expiration of these presents.

Fourth: I hereby appoint my aforesaid wife sole Executrix of this my last Will and Testament.

IN WITNESS WHEREOF, I, Frederick G. Backemeyer the testator have hereunto set his hand and seal this eleventh day of April in the year 1907.

(Signed) Frederick G. Backemeyer.

Signed, sealed, published and declared by the above named Frederick G. Backemeyer as his Last Will and Testament in the presence of us who have hereunto subscribed our names as witnesses at the special request of said testator in the presence of the said Frederick G. Backemeyer and in the presence of each other this 11th day of April 1907.

(Signed) Joseph T. Lipps
Frank M. Hueber.

Estate Doc.
33 p. 8171.

-20-

November 14, 1907. Will probated in Open court and Christina Bakemeyer appointed and qualified as Executrix and bond approved. Order Book 3 page 525.

December 15, 1908. Final report filed, proof of publication filed, final report approved, January 9, 1909 and estate closed and determined. Order Book 2 page 410. Administrator's Reports 37 page 173.

Final Report shows that after payment of all claims all property remaining has been received by the executrix as the wife of deceased according to the Will. Costs paid.

-21-

Christina Backemeyer died testate January 27, 1923.

Will Record
G.G. p. 160.

-22-

LAST WILL AND TESTAMENT OF CHRISTINA BACKEMEYER, DECEASED.
PROBATED FEBRUARY 3, 1923.

I, Christina Backemeyer residing at number 1105 Union Street in the City of Indianapolis, Marion County, in the State of Indiana, being of sound mind and memory but aware of the uncertainties of life and feeling desirous to dispose of my temporal affairs in case of death do make, ordain, establish and publish this as my last Will and Testament.

First: It is my will that after my death my body be decently interred, and that all expenses of my funeral and all other just debts which I may owe to anybody be paid out of the proceeds of my Estate as soon after my decease as possible.

Second: In case I should die before the death or marriage of my daughter Freida, I give and bequeath to her the sum of \$300.00.

Third: I give, bequeath and devise to my beloved children Elepora Base, Wilhelmina Winter, Charles C. Backemeyer, William Backemeyer, Henry Backemeyer, Herman Backemeyer, Alfred Backemeyer, and Frieda Backemeyer all the residue of my property, real, personal or mixed that may be left after payment of my debts and bequests above stated, to be equally divided between them share and share alike. To my son Charles C. I have advanced the sum of \$1660.75 up to this time if this sum is repaid before my death he shall have share equal with the balance of my children, but if it is not repaid then and in that case he must pay my executor the amount due me

before sharing in my Estate, that is if his share of my Estate does not amount to as much as he owes me he must pay his brother and sisters the difference.

Fourth: I hereby revoke and annul and cancel all previous wills or codicils made by me at any time or date, previous to the execution of these presents.

Fifth: I do hereby appoint my son Alfred Backemeyer sole Executor of this my last will and testament.

IN WITNESS WHEREOF, I, Christina Backemeyer the testatrix have hereunto set my hand and seal this seventh day of July in the year 1914.

(signed) Christina Backemeyer, (Seal)

Signed, sealed, published and declared by the above named Christina Backemeyer as her last Will and Testament in the presence of us who have hereunto subscribed our names as witnesses at the special request of said testatrix in the presence of the said Christina Backemeyer and in the presence of each other this seventh day of July in the year 1914.

(Signed: George F. Maloney.

Frank M. Hueber.

Codicil to my last Will and Testament.

I, Christina Backemeyer residing in the City of Indianapolis, Marion County, Indiana, being of sound mind and memory and who on July 7th, 1914 executed the above Will do hereby add a codicil to my original Will making a change in Item 3, that is to say: That my son Charles C. Bakemeyer having departed this life his share in Item 3 shall descend to his children providing they, his children repay to the Executor of this my last Will and Testament the sum of 1651.80 with interest at 5% from August 1st, 1919, that being the sum I advanced my son during his life time. If the above amount is not paid to me before my death or to my executor the same shall be deducted from the pro ratio share of the children of my (deceased) son Charles C. Backemeyer.

IN WITNESS WHEREOF I, have hereunto set my hand and seal this 19th day of September 1919.

(Signed) Christina Backemeyer.

(Seal)

Signed, sealed, published and declared by the above named Christina Backemeyer as a Codicil to her last Will and Testament in the presence of us who have hereunto subscribed our names as witnesses at the special request of the said testatrix in the presence of the said Christina Backemeyer and in the presence of each other this 19th day September 1919.

(Signed) George F. Maloney

Frank M. Hueber.

Est.Doc.
65 p. 20855.

-23-

February 5, 1923. Will & Codicil probated in open Court. Bond filed and approved and Alfred C. Backemeyer appointed and qualified as Executor. Order Book 61 page 505.

March 6, 1923. Notice of appointment filed.

February 14, 1924. Petition to sell personal property at private sale filed and granted. Order Book 88 page 14.

February 14, 1924. Report of sale of personal property filed and approved. Order Book 88 page 14.

March 4, 1924. Final Report filed, recites payment of all debts; that decedent left surviving her the following named heirs who are entitled to share in said estate, four sons, to-wit: William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer and Alfred C. Backemeyer, to-wit: Leonora M. Basse, Wilhelmina Winter and Frieda W. Backemeyer who has since married Carl Josse; four grandchildren, children of a deceased son Charles C. Backemeyer, to-wit: Perry Backemeyer, Carl Backemeyer, Albert Backemeyer and Alma Backemeyer. The codicil to the will provides that the children of the deceased son Charles C. Backemeyer shall not share in the estate until the other children receive \$1651.80 with interest. The distributive share to each child out of the personal estate of the testator is \$631.51. That decedent died the owner of Lot 44 in McCarty's Subdivision of Out Lots 118 and 119 in the City of Indianapolis; that said Executor appeared before the Inheritance Tax Appraiser of Marion County, Indiana, who after investigation found the same not subject to the tax.

April 5, 1924. Finding that the title to said real estate at the time of the death of the testatrix vested by devise pursuant to last will and testament of said decedent: that said estate has been fully settled and administered upon and in accordance with the provision of the last Will and Testament of said decedent as shown by said report and vouchers filed therewith: That no inheritance tax was assessed against said Estate, and that said report should be approved and said Executor discharged.

It is now ordered and decreed that said report be in all things approved and confirmed and said Executor discharged.

-24-

There is no record of the death or administration on the Estate of Charles C. Backemeyer in Marion County, Indiana.

-25-

There is no record of the appointment of Guardian for any of the children of Charles C. Backemeyer in Marion County, Indiana.

There are no further conveyances.

-26-

Taxes for the year of 1923 paid in full.

-27-

Taxes for the year of 1924 a lien.

SINCE PAID IN FULL
 TRUST UNION TITLE CO., INC.
 BY *[Signature]*
 PRES & GENL MGR.

79400

Indianapolis, Indiana, Apr. 7, 1924.

From a search of the records in the Recorder's office, tax sale records in the Auditor's office, current tax duplicates and the records of street, alley, park and sewer improvement assessments in the Treasurer's office, as certified by the City Comptroller and the Lis Pendens Records of complaints and attachments and judgment dockets of the Marion Probate, Circuit and Superior Courts as said records and dockets are now entered up we find no further conveyances, nor unsatisfied encumbrances of record on tract as described in Caption.

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

M-M
Compared with "T"

INDIANA TITLE GUARANTY & LOAN CO.

J. J. [Signature]
By _____
Sec'y of Excess

Continuation of Abstract of Title to Lot forty-four (44) in McCarty's subdivision of Out Lot one hundred nineteen (119) and west part of Out Lot No. one hundred eighteen (118) in the City of Indianapolis, as per Plat thereof in Plat Book 1 page 253 in the Recorder's office of Marion County, Indiana.

Prepared for American Estates Company, since date of former Abstract dated April 7, 1924.

IN THE PROBATE COURT OF MARION COUNTY.

#1780
May 13, 1924.

STATE OF INDIANA, COUNTY OF MARION, SS:
William T. Backemeyer, and Minnie Backemeyer, his wife, Henry A. Backemeyer, unmarried, Herman F. Backemeyer, and Sophie Backemeyer, his wife, Alfred C. Backemeyer, and Amelia Backemeyer, his wife, Leonora M. Baase, and Henry Baase, her husband, Wilhelmina Winters, and Carl G. Winters, her husband, Frieda W. Josse, (Formerly Backemeyer) and Carl M. Josse, her husband,
versus
Perry Backemeyer,
Carl Backemyer,
Albert Backemeyer,
Alma Backemeyer,

Complaint for
Partition.

The plaintiffs for complaint against the defendants and by way of petition herein show to the Court that they and the defendants, under the Will of Christina Backemeyer and Codicil thereto, are the record owners in fee simple as tenants in common of the following described real estate, to-wit: Lot 44 in Margaret McCarthy's Subdivision of Out Lot 119 and west part of Out Lot 118 in the City of Indianapolis, as per plat thereof in Plat Book 1, page 253, in the Recorder's office of Marion County, Indiana.

That on January 27th, 1923, Christina Backemeyer died testate the owner of the above described real estate; and left surviving her seven children, to-wit: William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters, and Frieda W. Backemeyer, since married to Carl M. Josse, the plaintiffs in the above entitled cause; also four grandchildren, to-wit: Perry Backemeyer, Carl Backemeyer, Albert Backemeyer and Alma Backemeyer, children of a deceased son, Charles C. Backemeyer, said grandchildren being defendants in this action. The defendants Perry Backemeyer, and Carl Backemeyer are twenty-one years of age and unmarried and the other defendants, Albert and Alma Backemeyer are minors.

Plaintiffs would further show that Christina Backemeyer provided in her will and codicil thereto, which was probated in the Probate Court of Marion County, Indiana, February 3, 1923, that after the payment of debts and a certain bequeath to her daughter Frieda, her children, William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters and Frieda W. Josse, should share in her estate equally, share and share alike; that she had advanced to a deceased son Charles C. Backemeyer a certain sum of money and his share should descend to his children, defendants herein, provided they, his children, repay to the executor of her will the sum of one thousand six hundred fifty-one dollars and eighty cents

(\$1651.60) with interest at five per cent (5%) from the first day of August, 1919, that being the sum she advanced to her son during his lifetime, and if the amount is not paid to her before her death or to her executor, the same shall be deducted from the pro rata share of the children of her deceased son, Charles C. Backemeyer.

Your petitions would further show that under the provisions of the will and codicil that the children of said Christina Backemeyer, plaintiffs in this action, must each receive one thousand six hundred fifty-one dollars, and eighty cents (\$1651.80) plus interest at five per cent (5%) from August 1, 1919, before the defendants are entitled to share in the estate of said Christina Backemeyer.

The personal estate of Christina Backemeyer was administered by Alfred C. Backemeyer, executor under the will, and the distributive share of each child of said Christina Backemeyer amounted to six hundred thirty-one dollars and fifty-one cents (\$631.51); that said estate has been closed and the executor discharged.

Your petitioners further aver that said real estate above described consists of a house and lot, the same being a resident property in the City of Indianapolis of the value of approximately seven thousand dollars (\$7,000.00); that the same is not susceptible of division nor is any part thereof and cannot be partitioned among the respective owners that said premises will have to be sold and the proceeds divided according to the interest of the parties herein as aforesaid.

Your petitioners would further show that the defendants did not pay to the executor of the will of said Christina Backemeyer the amount required of them to be paid and that taking into consideration the distributive share each child of said Christina Backemeyer received out of her personal estate, together with the amount they will receive from the sale of the above described real estate, said sum will not equal the amount required under the terms of the will and codicil to be received by each child of said Christina Backemeyer before the defendants in this action participate in her estate; that after giving defendants credit for their pro rata share in said estate, the credits will be insufficient to equal the sum advanced to their father, Charles C. Backemeyer. That by reason of the premises aforesaid William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters and Frieda W. Josse, (formerly Backemeyer), are each the owners of an undivided one-sevent (1/7) of the above described real estate.

WHEREFORE plaintiffs pray the Court that partition may be awarded and adjudged of said real estate in accordance with the rights of the parties therein as above set forth and that a commissioner be appointed by this Court to make sale of said real estate and distribute the proceeds thereof according to the interest of the parties thereof and for all other proper relief.

(Signed) Watson Carter Ross & McCord.
attorney's for Plaintiffs.

Sheriff's Return: This writ came to hand May 13, 1924 and served this writ by leaving a true copy of the same at the last and usual place of residence of the within named Carl Backmeyer, Perry Backmeyer, 5/14/24.

George Snider, Sheriff of Marion County and served this writ by reading to and within the hearing of the within named Albert Backmeyer (minor) Alma Backmeyer (minor) and delivering to them a true copy of the same.

(Signed) George Snider, Sheriff of Marion County.

By J. C. Thompson, Deputy.

May 28, 1924, Earl E. McFerren appointed Guardian ad litem of the minor defendants Albert Backemeyer and Alma Backemeyer, by the Court.

The minor defendants Albert Backemeyer and Alma Backemeyer by Earl E. McFerren their Guardian ad litem file answer in general denial.

And upon default of all other defendants and the court having heard the evidence and being sufficiently advised in the premises finds that as alleged in the complaint, said plaintiffs and defendants are the owners as tenants in common of the following described real estate in Marion County Indiana, to-wit:

(Same property as above described)

The Court further finds from the evidence that said real estate can not be divided as aforesaid without damage to the owners thereof and that a sale of said lands should be made and the proceeds of such sale distributed in accordance with the rights and interests of said parties as the same are herein found and determined.

The Court further finds that on January 27, 1923, Christina Backemeyer died testate the owner of the above described real estate and left surviving her seven children, to-wit: William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters, and Frieda W. Backemeyer, since married to Carl M. Josse, the plaintiffs in the above entitled cause; also four grandchildren, to-wit: Perry Backemeyer, Carl Backemeyer, Albert Backemeyer and Alma Backemeyer, children of a deceased son, Charles C. Backemeyer, said grandchildren being the defendants in this action. That Christina Backemeyer provided in her will and codicil thereto, which was probated in the Probate Court of Marion County, Indiana, February 3, 1923, and is duly recorded in Will Record G.G. page 160, that after the payment of debts and a certain bequeath to her daughter Frieda, her children, William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters and Fried W. Josse, should share in her estate equally, share and share alike; that she had advanced to a deceased son Charles C. Backemeyer a certain sum of money and his share should descend to his children, defendants herein, provided they, his children repay to the executor of her will the sum of one thousand six hundred fifty-one dollars and eighty cents (\$1651.80) with interest at five per cent (5%) from the first day of August, 1919, that being the sum she advanced to her son during his lifetime, and if the amount is not paid to her before her death or to her executor, the same shall be deducted from the pro rata share of the children of her deceased son, Charles C. Backemeyer. That the personal estate of Christina Backemeyer was administered by Alfred C. Backemeyer, executor under the will, and the distributive share of each child of said Christina Backemeyer amounted to six hundred thirty-one dollars and fifty-one cents (\$631.51); that said estate has been closed and the executor discharged.

The Court further finds that the defendants did not pay to the executor of the will of said Christina Backemeyer the amount required of them to be paid under the provisions of said will. And that after giving said defendants credit for their pro rata share in the personal estate of said Christina Backemeyer and in the amount to be received from the sale of the above described real estate after all expenses are paid, if said total credits do not exceed one thousand six hundred fifty-one dollars and eighty cents (\$1651.80) plus interest thereon at five per cent (5%) from August 1, 1919, the defendants will not be entitled to share in the proceeds received from the sale of the above described real estate.

That by reason of the premises aforesaid, said parties own said real estate in the following proportion: The

plaintiffs, William T. Backemeyer, Henry A. Backemeyer, Herman F. Backemeyer, Alfred C. Backemeyer, Leonora M. Baase, Wilhelmina Winters and Frieda W. Josse, (formerly Backemeyer) each own an undivided one-eighth (1/8) thereof, and said defendants own an undivided one-eighth (1/8) less one thousand six hundred fifty-one dollars and eighty cents (\$1651.80), plus interest at five per cent (5%) from August 1, 1919, That if the credit given defendants based on their pro rata share in the personal estate of said Christina Backemeyer and the further credit to be given them based on their pro rata share in the amount to be received from the sale of the above described property does not exceed one thousand six hundred fifty-one dollars and eighty cents (\$1651.80) plus interest at five per cent (5%) from August 1, 1919, defendants will have no interest in the amount received from the sale of said property and the plaintiffs will each be entitled to one-seventh (1/7) of the amount received from the sale of said property after all expenses are paid; and they are entitled to have their said interest set off and assigned to them in severalty.

IT IS THEREFORE CONSIDERED AND DECREED BY the Court that the parties hereto are the owners of and have interest as above found and set forth 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 said owners, thereof. Wherefore, it is by the Court further ordered and adjudged 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 not less than the full appraised value thereof and upon the following terms and conditions; cash in hand.

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 Marion County, Indiana, at least five days prior to the time fixed for such sale. And upon such sale being made and confirmed, all claims or title in and to said real estate held by said owners thereof shall be as effectually barred as if said parties had themselves executed a conveyance thereof to the purchaser.

And the court now appoints Leo H. McAllister a commissioner thereof, to make sale of said real estate in accordance with the foregoing order and requires him to execute bond in the penalty of \$14,000.00, conditioned for the faithful discharge of his duties and with surety thereon to the approval of the court. And now comes said Leo H. McAllister and accepts such trust and tenders his bond as commissioner in the penalty and conditioned as aforesaid, which bond is approved by the court and reads as follows: (H.I.)

And said commissioner is directed 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 during the June Term of the Court.

Order Book 90, page 18.

Pending.

*See subsequent
fm*

See Subsequent Continuation

There are no further conveyances.

80829

Taxes for the year 1923 paid in full.

✓ Taxes for the year 1924 paid in full.

SINCE PAID IN FULL
ATTEST. UNION TRUST CO. INC.
BY *[Signature]*
V. PRES. & GENL. MGR.

Indianapolis, Indiana. June 10, 1924.

From a search of the records in the Recorder's office, tax sale records in the Auditor's office, current tax duplicates and the records of street, alley, park and sewer improvement assessments in the Treasurer's office, as certified by the City Comptroller and the Lis Pendens Records of complaints and attachments and judgment dockets of the Marion Probate, Circuit and Superior Courts as said records and dockets are now entered up we find no further conveyances, nor unsatisfied incumbrances of record on tract as described in Caption.

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

"K" & "F"

Compared with "E"

INDIANA TITLE GUARANTY & LOAN CO.

[Signature]

Geo. W. Evans

-141193-

Continuation of Abstract of Title to Lot Forty-four (44) in McCarty's Subdivision of Out Lot One Hundred Nineteen (119) and west part of Out Lot No. one hundred eighteen (118) in the city of Indianapolis, as per plat thereof in Plat Book 1 page 253 in the Recorder's Office of Marion County, Indiana.

Prepared for C.E.Holloway and Son since date of June 10, 1924.

IN THE MARION PROBATE COURT.

July 1, 1924.

-1-

William T. Backemeyer, et.al.

-vs-

Perry Backemeyer, et.al.

No. 1780.

COMMISSIONER'S REPORT OF SALE.

Leo H. McAllister, 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 William Pruitt and H.M. Freeman, disinterested householders of the neighborhood where said real estate is located, 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 attached hereto.

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 Marion County, Indiana, which publication was made on the 6th day of June, 1924, a copy of the notice given and the proof of publication thereof being hereto attached and made a part of this report. That on the 11th day of June, 1924, being the time fixed for said sale, and in the place in said notice specified, said commissioner offered said real estate for sale at private sale, and Louis Cohen having then and there bid therefor the sum of Seven Thousand Two Hundred Fifty Dollars, (\$7,250.) and that being the highest and best bid received and the full appraised value thereof, said Commissioner, subject to the approval of this Court, sold to said Louis Cohen for said sum the real estate so ordered sold and described, as follows, to-wit:-

Lot 44 in Margaret McCarty's Sub-division of Out Lot 119 and West part of Out Lot 118 in the city of Indianapolis, as per plat thereof in Plat Book 1, page 253 in the Recorder's Office of Marion County, Indiana.

Thatsaid purchaser has complied with the terms of such sale by paying in cash the full purchase price of said real estate. And said Commissioner now brings into Court the proceeds of such sale and prays that his acts in the premises may be approved.

Leo H. McAllister.

Subscribed and sworn to before me this 1st day of July, 1924.

Adolph Schreiber, ---
Notary Public.

My commission expires
March 9, 1926.

APPRAISEMENT OF REAL ESTATE.

An Appraisement of certain real estate, situated in Marion County, Indiana, and belonging to the heirs of Christina Backemeyer, deceased, late of said County. Said real estate appraised by Wm. Pruitt and H.M. Freeman, two disinterested and reputable householders of the neighborhood where said real estate is situated.

DESCRIPTION OF LANDS.	Appraised value
Lot 44 in Margaret McCarty's	\$7000.00 cts.
Subdivision of Out Lot 119 and West part of Out Lot 118 in the city of Indianapolis.	

The foregoing appraisement made by us, this 6th day of June, 1924.

Wm. Pruitt.
H.M. Freeman, Appraisers.

Attest, Leo. H. McAllister,
Commissioner.

Before making said appraisement said appraisers took and subscribed the following oath:

STATE OF INDIANA, MARION COUNTY, SS:

The undersigned, selected to appraise certain real estate belonging to the heirs of Christina Backemeyer, deceased, late of said County, being the real estate above described, do solemnly swear that we will honestly appraise the same at its fair cash value, so help us God.

Wm. Pruitt.
H.M. Freeman.

Subscribed and sworn to before me, this 6th day of June, A.D. 1924.

Mrs. Irene L. Hancock. (LS)
Notary Public.

My commission expires February 6, 1928.

NOTICE OF COMMISSIONERS SALE OF REAL ESTATE.

The undersigned commissioner by virtue of an order of the Probate Court of Marion County, made and entered in a cause therein pending, entitled "William T. Backemeyer, et.al.-vs-Perry Backemeyer, et.al." and numbered 1780 upon the Dockets thereof, hereby gives notice that at 801 Occidental Building, Indianapolis, on Wednesday, the 11th day of June, 1924, at 10 o'clock A.M. of said day he will offer for sale at private sale and at not less than the full appraised value thereof the following described real estate, to-wit:

Lot Number 44 in Margaret McCarty's Subdivision of Out Lot Number 119 and the west part of Out lot 118 in the city of Indianapolis, Indiana.

Terms of sale, cash in hand.

Leo H. McAllister,
Commissioner.

LEGAL NOTICE FROM THE INDIANAPOLIS COMMERCIAL.
STATE OF INDIANA, MARION COUNTY, SS:

Personally appeared before the undersigned, a Notary Public in and for said County and State, Helen G. Brown, who, being duly sworn upon her oath, says that she is a clerk for THE INDIANAPOLIS COMMERCIAL, INC., publishers of THE INDIANAPOLIS COMMERCIAL, a daily newspaper of general circulation, printed and published in the English language, in the city of Indianapolis, in the County aforesaid, and that the notice, of which the attached is a true copy, was duly published in said paper for one time, on the 6th day of June, 1924.

Helen G. Brown.

Subscribed and sworn to before me, this 6th day of June, 1924.

Ella W. Quick, (LS)
Notary Public.

My commission expires Nov. 29, 1925.

Come now the parties and comes also Leo H. McAllister the Commissioner heretofore appointed, and file an appraisement and report of sale of the real estate in this proceeding ordered sold.

From which it appears and the Court so finds that after giving notice of the sale of said real estate as required by the order of this Court authorizing such sale, said Commissioner sold the same to Louis Cohen for the sum of Seven Thousand Two Hundred Fifty Dollars (\$7,250.) that being the highest and best bid received and more than the full appraised value thereof. That said purchaser paid the full amount of the purchase price in cash, which cash is by said Commissioner now brought into Court. And the Court being sufficiently advised in the premises, now and in all things approves said sale and ratifies and confirms the same. And the said Commissioner is ordered to execute to said purchaser a deed for said real estate and 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 \$362.50, and allows Matson, Carter, Ross & McCord for services as plaintiff's counsel \$100.00 and orders the same taxed and paid as 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 cast proceeds of such sale among the parties hereto in proportion to their respective interest herein as hereinbefore 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 vouches in evidence of such payment. And this Cause is continued for report of said Commissioner. Order Book 90, page 271.

Commissioner files final report showing distribution, report approved, commissioner discharged and trust closed. Costs paid, Order Book 90, page 294.

July 3, 1924.

721 p 403.
July 1, 1924.
Recorded.
July 2, 1924.

-2-

Leo H. McAllister, commissioner appointed by the Probate Court of Marion County, in the State of Indiana, in a case pending therein entitled "William T. Backemeyer, et. al. -vs- Perry Backemeyer, et. al." and numbered "1780", upon the docket thereof, pursuant to the order of said court in said cause made and entered on page-- of Order Book 90 of the records thereof.

to
Louis Cohen.

Lot 44 in Margaret McCarty's Sub-division of Out Lot 119 and West part of Out lot 118 in the city of Indianapolis, as per plat thereof in Plat Book 1, page 253, in the Recorder's Office of Marion County, Indiana.

Subject to the taxes for the year 1924, payable in 1925. Examined and approved in open court this 1st day of July, 1924.

M. E. Bash, Judge, of the
Probate Court, of
Marion County, Indiana.

Misc. Record.
150 p 302.
July 1, 1924.
Recorded.
July 2, 1924.

-3-

STATE OF INDIANA, COUNTY OF MARION, SS:

Henry A. Backemeyer upon his oath deposes and says; That he is a resident of the city of Indianapolis, is 43 years of age and the son of Frederick G. Backemeyer and Christina Backemeyer, both deceased; that his father, Frederick G. Backemeyer, on the 25th day of February 1868, received title by Warranty Deed to the following described real estate in Marion County, State of Indiana, to-wit:-

Lot 44 in Margaret McCarty's Subdivision of Out Lot 119 and West part of Out lot 118 in the city of Indianapolis, as per plat thereof in Plat Book 1, page 253, in the Recorder's Office of Marion County, Indiana.

That said deed was recorded on the 4th day of March, 1868, in deed Record 35, page 383, in the office of the Recorder of Marion County, Indiana; that affiant's father, Frederick G. Backemeyer, on the 17th day of October, 1899, conveyed said above described real estate to Carl G. Winter for the purpose of having said real estate re-conveyed to Frederick G. Backemeyer and Christina Backemeyer, husband and wife, that said deed is recorded in Deed Record 318 page 453, in the office of the Recorder of Marion County, Indiana, affiant would show that in the deed first referred to in this affidavit Frederick G. Backemeyer, received title to the real estate herein described in the name of Fred G. Burkameyer, that said Fred G. Burkameyer was one and the same person as Frederick G. Backemeyer; that said Frederick G. Backemeyer took possession of said real estate in the year 1868 and held title and possession of the same with his wife until the time of his death,

(over)

which occurred on the 9th day of November 1907, and continued in the possession of his wife, until the time of her death, which occurred on the 27th day of January, 1923, affiant would further show that he has always lived at home, and was well acquainted with the business affairs of his family, and makes this affidavit on knowledge gained from examination of deeds and records pertaining to this real estate and from his own personal knowledge.

Affiant would further show that on September 19, 1919, the date on which the will of Christina Backemeyer was executed, who was this affiant's mother, said Christina Backemeyer, was unmarried and never remarried after the death of her first husband, Frederick G. Backemeyer, and no child or children was born to her after September 19, 1919, and further affiant saith not.

Henry A. Backemeyer.

Subscribed and sworn to before me, this 1st day of July, 1924.

Adolph Schreiber, (LS)
Notary Public.

My commission expires March 19, 1926.

-4-

There are no further conveyances.

Encumbrances.

897 p -- 129
Inst. #26972.
July 1, 1924.
Recorded.
July 2, 1924.

Louis Cohen, unmarried.
to
The Indiana Savings and Investment Company.

Mortgage.

Lot 44 in McCarty's Subdivision of Out Lot 119 and the West part of Out Lot 118 in the city of Indianapolis, as per plat thereof in Plat Book 1, page 253 of the Recorder's Office of Marion County, Indiana.

To secure the loan of \$4500.00 with certain interest, etc.

CHECKED TO
UNION TITLE COMPANY

*Released on margin
magn
by me*

896 p 416.
July 1, 1924.
Recorded.
July 3, 1924.
-6-

Louis Cohen, unmarried.
to
Wilhelmina Winter

Mortgage.

Lot 44 in Margaret ~~Winter~~ *W. Covell*'s Subdivision of Out Lot 119 and West part of Out Lot 118 in the city of Indianapolis, as per plat thereof in Plat Book 1, page 253, in the Recorder's Office of Marion County, Indiana.

To secure the payment of one principal promissory note in the sum of \$950.00 due one year after date,

-5-

(over)

Not. 8-14-26

ATTEST. UNION TITLE CO. INC.
Aug 14 1926

said note bearing interest at the rate of 7% per annum, payable semi-annually, until maturity, and said notes being dated July 1, 1924, and all bearing interest at 8% per annum, after maturity with attorneys fees.

This mortgage is a second and junior mortgage to a mortgage held by Chas. E. Holloway & Son, Inc. in the sum of \$4500.00.

-7-

Taxes are the same as previous continuation.

Judgments.

IN THE CIRCUIT COURT OF MARION COUNTY.

Order Book
217 p 35.
29008
-8-

out

State of Indiana, -vs- Louise Cohen.
Sept 11, 19 19.

\$200.00 and
\$10.00 Docket Fee.
and Costs.

IN THE SUPERIOR COURT OF MARION COUNTY.

Order Book.
349 p 213.
97928.
-9-

out

Levi F. Hilton -vs- Louis Cohen. et. al.
Feb 12, 1916.

Costs.

Order Book
380 p 572.
A-813.
-10-

out

Albert C. Pearson. -vs- Louis Cohen.
March 18, 1918.

\$39.50, and
Costs,

IN THE SUPERIOR COURT OF MARION COUNTY.

Order Book
380 p 662.
106323
-11-

out

William Small-vs- Louis Cohen.
April 22, 1918.

\$290.00 and
Costs.

Sept 15, 1924.

Indianapolis, Indiana.

We find no further conveyances, nor unsatisfied encumbrances of record on lot as described in Caption.

Search made in the Recorder's office, the Tax Sale Indexes in the Auditor's office, the current tax duplicates in the Treasurer's office and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Marion Superior, Circuit and Probate Courts; also Record of street, alley, park and sewer improvement assessments in the Treasurer's office, as certified by the City Comptroller, as said records and dockets are now entered up.

No search made as to pending improvements in the office of the Board of Public Works or Park Board.

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

B.S.

Marion Title Guaranty Company
J. B. Wilkins Manager

-1- Continuation of Abstract of Title to Lot Forty-four (44) in
McCarty's Subdivision of Cut Lot One Hundred Nineteen (119) and
West part of Cut Lot No. one hundred eighteen (118) in the City of
Indianapolis, as per plat thereof, in Plat Book 1 page 253 in the
Recorder's Office of Marion County, Indiana.
Since September 15, 1924

Prepared for Fletcher American National Bank.

Mortgage Record
929 page 84
July 1, 1925
Recorded
July 2, 1925
-2-

Louis Cohen --- Mortgage
to
Fletcher American National Bank
20 feet off the south side of Lot No. 13 and 20 feet
off the north side of Lot No. 14, both in Block 2 of
Wm. S. Hubbard Park Heights Addition to the City of
Indianapolis.
Lot No. 44 in McCarty's Subdivision -- of the City of
Indianapolis.
To secure the payment when the same shall become
- of a promissory note in the principal amount of
\$1,000.00 dated July 1st, 1925, due 90 days after date
with interest at 6% per annum from date until paid.
This mortgage is second and junior to a mortgage
on the first above described lot, given to secure a
promissory note in the principal amount of \$3100.00 dated
April 15, 1924, and payable to the Railroadmen's Building
& Loan Association, and a mortgage on the second above
described tract of real estate, given to secure a
promissory note in the principal amount of \$4500.00 dated
July 1st, 1924.

Release Record
17 page 63
Oct. 7, 1925
Recorded
Oct. 15, 1925
-3-

RELEASE OF MORTGAGE.

This certifies That a certain mortgage executed by
Louis Cohen to The Fletcher American National Bank of
Indianapolis, on First day of July 1925, calling
for \$1000.00 and duly recorded in the record of Mortgages
of Marion County, State of Indiana, in Record No. 929 on
page 84, has been fully paid, and satisfied, and the same
is hereby released.

Witness my hand and seal this seventh day of October
1925.

(Corporate Seal) Fletcher American Nat'l. Bank,
Indianapolis, Ind.

Ralph K. Smith, Cashier.

STATE OF INDIANA, MARION COUNTY, SS:

Before me, Blanche Osborn, Notary Public in and
for said County, this seventh day of October, 1925,
appeared Ralph K. Smith and acknowledged the execution
of the annexed satisfaction of Mortgage.

Witness my hands and notarial seal.

Blanche Osborn (LS)

Notary Public

My commission expires Dec. 3, 1928.

80187

Judgment Search
-4-

Examination made for judgments against Louis Cohen from
September 15, 1924 to date and against none other.

IN THE MUNICIPAL COURT OF MARION COUNTY, INDIANA.

Cause #10098
Order Book
14 page 247
-5-

1/26
Loyd Christey
vs
Louis Cohen
Nov. 2, 1928

\$306.00 & Costs.

-6-

Taxes for the year 1926 fully paid.

-7-

Taxes for the year 1927 on the Real Estate for which this
abstract is prepared are assessed in the name of Louis
Cohen and are due and payable in May and November of 1928.

May Installment \$35.24 paid.

Nov. Installment \$35.24 paid.

-8-

Taxes for the year 1928, due and unpaid.

PAID IN FULL
ATTEST L. M. BENTLEY CO. INC.
Walter H. Bond
BY _____
PRES. & GENL. MGR.

CERTIFICATE



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 9 both inclusive and sheets water-marked "Union Title Company" Nos. 1 to 3 both inclusive.

Dated at Indianapolis, Indiana, January 23, 1929, 8:00 A.M.

UNION TITLE COMPANY

INCORPORATED

By

Willis N. Corral

President and General Manager

107288

-1- A continuation of an abstract of title to Lot 44 in McCarty's Sub-division of Out Lot 119 and West part of Out Lot No. 118 in the City of Indianapolis as per plat thereof in Plat Book 1 page 253 in the Recorder's Office of Marion County, Indiana.
Since January 23, 1929, 8:00 A.M.

Prepared for C. Otto Janus.

Town Lot Record
843 page 323
Inst. #20370
May 20, 1929
Recorded
May 21, 1929

Louis Cohen
unmarried
to
Sarah Winkleman

Warranty Deed

Lot number 44 in McCarty's Subdivision to the City of Indianapolis, Marion County, Indiana, the same being in Out Lot number 119 subject to the encumbrance thereon.

-2-

Mortgage Record
1040 page 294
Inst. #3654
Jan. 25, 1929
Recorded
Jan. 26, 1929

Louis Cohen
(unmarried)
to
The Fletcher American
National Bank of Indianapolis

Mortgage

Lot No. 44 in McCarty's Subdivision of Out Lot 119 and west part of Out Lot 118 in the City of Indianapolis.

To secure the payment when the same shall become due of a promissory note in the principal amount of \$2400.00 dated January 25th, 1929 due ninety days after date with interest at 7% per annum from date until paid and with attorney's fees.

This mortgage is second and junior to a mortgage in favor of Indiana Savings and Investment Co. dated July 1st, 1924 in the amount of \$4500.00.

CHECKED TO *6-17-65*
UNION TITLE COMPANY

-3- *over*

Mortgage Record
1068 page 381
Inst. #24305
March 7, 1930
Recorded
July 10, 1930

Sarah Winkleman (widow)
to
Max M. Farb (unmarried)

Mortgage

McCarty's Sub. in Lot 44 Out Lot 119 (1105 Union Street).

This mortgage is given to secure a promissory note dated March 7, 1930 in the principal sum of \$2,200.00 due 12 months from date with interest at the rate of 8% and attorney's fees and this mortgage is second, subsequent and junior to a first mortgage given to the Ind. Investment Co. in the principal sum of \$4,500.00.

CHECKED TO *6-17-65*
UNION TITLE COMPANY

-4- *over*

-1-H

107288

Judgment Search

-5-

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:

Louis Cohen from January 23, 1929, 8:00 A.M. to and including May 21, 1929, Sarah Winkleman for the 10 years last past and against none other.

-6-

Taxes for the year 1929 fully paid.

-7-

Taxes for the year 1930 on the Real Estate for which this abstract is prepared are assessed in the name of Sarah Winkleman and are due and payable on or before the first Monday in May and the first Monday in November of 1931.

General Tax Duplicate No. 98670 T. to Z. Indianapolis Center Township.

May installment \$37 unpaid.

SEE No. _____

SEE SUBSEQUENT CONTINUATION

November installment \$37 unpaid.

SEE SUBSEQUENT CONTINUATION

-8-

Taxes for the year 1931 a lien.

SEE SUBSEQUENT CONTINUATION

CERTIFICATE

-9-



STATE OF INDIANA }
 COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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 9 both inclusive and sheets water-marked "Union Title Company" Nos. 1 to 3 both inclusive, search being made from Jan. 23, 1929 to and including May 12, 1931, 8:00 A.M.
 8:00 A.M.

UNION TITLE COMPANY

By

Willis N. Corral

President and General Manager

-3-H

- 1. A continuation of an Abstract of title to Lot 44 in McCarty's Subdivision of Out Lot 119 and West part of Out Lot No. 118 in the City of Indianapolis as per plat thereof in Plat Book 1 page 253 in the Recorder's Office of Marion County, Indiana. Since May 12, 1931 8 A.M.

Prepared for C. Otto Janus.

Cause #A-61119
Complaint filed
May 18, 1931

IN THE SUPERIOR COURT OF MARION COUNTY.
The Indiana Savings and Investment Company

vs

- 2.

Louis Cohen, Loyd Christley, Sarah Winkleman - Winkleman,
The Fletcher American National Bank of Indianapolis,
Max M. Farb.

see sub case ⑦

Suit instituted to foreclose a mortgage recorded on July 21, 1924 in Mortgage Record 987 page 129 in the Recorder's Office of Marion County, Indiana and for a receiver to take charge of and secure the application of rents and profits of said real estate.
Pending.

- 3. 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:
Sarah Winkleman from May 12, 1931 8 A.M. to date and against none other.

- 4. Taxes for the year 1929 paid.

- 5. Taxes for the year 1930 on the Real Estate for which this abstract is prepared are assessed in the name of Sarah Winkleman and are due and payable on or before the first Monday in May and the First Monday in November of 1931.
General Tax Duplicate No. 98670.
T. to Z. Indianapolis Center Township.

May installment \$37.11 paid.

Nov. installment \$37.11 unpaid.

- 6.

since paid ⑦

Taxes for the year 1931

As shown on
FULLY PAID.
L. M. Brown Abstract Co.
BY *[Signature]*
PRES. & MGR.

107435

CERTIFICATE



7

STATE OF INDIANA }
COUNTY OF MARION } SS:

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

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

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

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

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

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

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

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 7 both inclusive and sheets water-marked "Union Title Company" Nos. 1 to 2 both inclusive, search being made from May 12, 1931 8 A.M. to and including May 19, 1931 8 A.M.

UNION TITLE COMPANY

By

Willis N. Cora
President and General Manager

-2-HD

1.

INDIANAPOLIS

Continuation of Abstract of Title to Lot Number Forty-four (44) in McCarty's Subdivision of Out Lot 119 and West part of Out Lot 118 of the Donation Lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1 page 253, in the office of the Recorder of Marion County, Indiana.

TITLE

Prepared for: J.G. McCullough Agency, Inc. since date of May 18, 1931.

OF

CONVEYANCES.

SUPERIOR COURT OF MARION COUNTY.

Cause No. A 61119
Order Book 506
page 181
Complete Record
224 page 500

ABSTRACTS

The Indiana Savings and Investment Company
Vs.
Louis Cohen, Loyd Christley, Sarah Winkleman, - Winkleman, The Fletcher American National Bank of Indianapolis, Max M. Farb.

Foreclosure of Mortgage

2.

L. M. Brown Abstract Co.,

May 16, 1931, Complaint filed to foreclose mortgage given by Louis Cohen, to Plaintiff, and recorded in Mortgage Record 987 page 129, upon the following described real estate:

Lot No. 44 in McCarty's Subdivision of Out Lot No. 119 and the West part of Out Lot No. 118, in the City of Indianapolis, as per plat thereof, in Plat Book 1 page 253, of the Recorder's Office of Marion County, Indiana.

Summons issued returnable June 1, 1931.

Sheriff's return shows: Came to hand May 18, 1931 and served the within named The Fletcher American National Bank of Indpls. by reading this writ to, and within the hearing of R.K. Smith, Cash- of said Company and delivering to him, a true copy thereof. There being no Officer of said Company found within my bailiwick. May 19, 1931.

Charles L. Sumner, Sheriff of Marion County.

Per J. B. Tragesser, Deputy.

And served this writ by reading to and within the hearing of the within named Max M. Farb, and delivering to him a true copy of the same. May 19, 1931.

Charles L. Sumner, Sheriff of Marion County.

Per J. B. Tragesser, Deputy.

And served this writ by leaving a true copy of the same at the last and usual place of residence of the within named Louis Cohen, Sarah Winkleman, Mr. Winkleman. May 19, 1931. Charles L. Sumner, Sheriff of Marion County.

Per J. B. Tragesser, Deputy.

June 1, 1931, Defendant, Fletcher American-Bank of Indianapolis, filed cross complaint setting up its certain mortgage as recorded in Mortgage Record 1040 page 294 and prays judgment against said defendant, Louis Cohen in the amount of \$2000.00 with interest and costs and all other proper relief in the premises.

June 9, 1931. Defendants, Louis Cohen and Sarah Winkleman, filed answer to cross complaint of Fletcher American National Bank of Indianapolis,

July 15, 1931. Defendant Loyd Christley, filed disclaimer.

September 12, 1931. Plaintiff filed answer in general denial to all cross complaints filed in this cause or herein subsequently filed.

December 12, 1931. Comes now the plaintiff in the above entitled cause by Charles N. Thompson and Herman W. Kothe, its counsel, and come also defendants, Louis Cohen, Sarah Winkleman, -- Winkleman and Max Farb, by Joseph Markey and J. B. Kammins, their counsel, Loyd Christley, by Richard L. Ewbank, his counsel, and defendant and cross complainant, The Fletcher American National Bank of Indianapolis, by John G. Rauch, J.L. Caddick, William H. Wemmer and H. B. Randolph, its counsel, and it appearing to the satisfaction of the court by the sheriff's return to the summons, which summons and return of the sheriff endorsed thereon are in the words and figures following, to wit: (Here insert) that said defendants, Louis Cohen, Sarah Winkleman, -- Winkleman, Max M. Farb. Loyd Christley, and The Fletcher American National Bank of Indianapolis were each duly served with process of this court more than ten days prior to the 1st day of June 1931, being the date endorsed on said plaintiff's complaint for the return day of summons thereon.

And this cause of action being at issue is thereupon submitted to the court for trial, finding, judgment and decree without the intervention of a jury, and the evidence being heard and the court being fully advised in the premises, finds for said plaintiff herein that all of the allegations in said plaintiff's complaint are true; that there is due said plaintiff upon the first mortgage bond sued upon in said complaint, in principal and interest, for continuation of abstract of title and for taxes, the sum of \$3368.60, and further the sum of \$330.00 as fees for services of said plaintiff's counsel, making a total of \$3698.60, which sum said plaintiff is entitled to recover against said defendant, Louis Cohen, together with the costs of this action, all without relief from valuation or appraisement laws.

And the court further finds that said total sum of \$3698.60 is secured by a mortgage upon the real estate

described in said plaintiff's complaint and hereinafter described; that said plaintiff is entitled to have said mortgage foreclosed as against said defendants and said real estate sold.

And the court further finds that said mortgage to said plaintiff alleged in said complaint is a first lien upon said real estate; that said real estate is not susceptible of partition or division; that said defendant Sarah Winkleman is an unmarried woman and the owner in fee simple of said real estate; that said bond secured by said mortgage provides for interest at the rate of seven per cent per annum.

And the court finds for said cross complainant, The Fletcher American National Bank of Indianapolis, that all of the allegations in its cross complaint are true; that there is due said cross complainant upon the note sued upon in said complaint, in principal and interest, the sum of \$1492.95, and further the sum of \$250.00 as fees for services of said cross complainant's counsel, making a total of \$1742.95, which sum said cross complainant is entitled to recover against said defendant, Louis Cohen, together with its costs in this action, all without relief from valuation or appraisement laws.

And the court further finds that said total sum of \$1742.95 is secured by a mortgage upon the real estate described in said cross complaint and hereinafter described and that said cross complainant is entitled to have said mortgage foreclosed and said real estate sold.

And the court further finds that said mortgage of said cross complainant is a lien upon said real estate immediately junior and inferior to the lien of said mortgage to said plaintiff; that said real estate is not susceptible of partition or division; that said note secured by said mortgage to said cross complainant provides for interest at the rate of seven per cent. per annum.

And the court further finds that said defendant, Max M. Farb holds a mortgage upon said real estate executed by said defendant, Sarah Winkleman on the 7th day of March 1930, which mortgage was recorded on the 10th day of July 1930, in Mortgage Record 1068 page 381 of said Recorder's office, securing an obligation in the sum of \$---, the lien of which mortgage is junior and inferior to the lien of said mortgage to said plaintiff and said mortgage to said cross complainant.

IT IS THEREFORE CONSIDERED AND ADJUDGED by the Court that said plaintiff The Indiana Savings and Investment Company have and recover from said defendant, Louis Cohen the sum of \$3698.60 together with interest at the rate of seven per cent. per annum from the 11th day of December 1931, and further the costs of this action and all accruing costs, without relief from valuation and appraisement laws.

IT IS FURTHER CONSIDERED AND ADJUDGED by the court that said cross complainant, The Fletcher American National

Bank of Indianapolis have and recover from said defendant, Louis Cohen the sum of \$1742.95 together with interest at the rate of seven per cent. per annum from the 11th day of December 1931, and further the costs of this action and all accruing costs, without relief from valuation and appraisement laws.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE Court that the equity of redemption of said Louis Cohen and of all persons claiming from, under, by or through him in and to said mortgaged premises in Marion County, Indiana, to wit:

Lot numbered 44 in McCarty's Subdivision of Out Lot numbered 119 and the west part of Out Lot numbered 118 in the City of Indianapolis, as per plat thereof, in Plat Book 1 page 253, of the Recorder's office of Marion County, Indiana,

be and the same is hereby forever barred and foreclosed except as the right to redeem the same is provided by the statutes of the State of Indiana, and that said mortgage of said plaintiff The Indiana Savings and Investment Company, and of said cross complainant, The Fletcher American National Bank of Indianapolis, are hereby foreclosed, and said real estate and all right, title, interest and claim of said defendants or any of them, and all persons claiming from, under, by, or through them or any one of them in and to said real estate or so much thereof as may be necessary for that purpose shall be sold by the Sheriff of Marion County, Indiana, as other lands are sold on execution, said sale to be made without any relief from valuation or appraisement laws, and the proceeds arising from said sale the Sheriff is ordered and directed to apply in the following manner:

1. To the payment of the costs accrued and to accrue in this cause.
2. To the payment of the judgment of said plaintiff The Indiana Savings and Investment Company in the sum of \$3698.60 plus interest at the rate of seven per cent. per annum from the 11th day of December, 1931, as herein rendered.
3. To the payment of the judgment of said cross complainant, The Fletcher American National Bank of Indianapolis, in the sum of \$1742.95 plus interest at the rate of seven per cent. per annum from the 11th day of December 1931, as herein rendered.

The overplus, if any, after the payment of the foregoing judgment, interest and costs, to be paid by the Sheriff to the clerk of the court for the use of the person or persons lawfully authorized to receive the same. In the event that said mortgaged premises shall fail to sell for

a sum sufficient to pay said judgment of said plaintiff with interest and costs, the residue thereof shall be levied upon the property of Louis Cohen subject to execution, and sale had without any relief whatever from valuation or appraisement laws. In the event that said premises shall fail to sell for a sum sufficient to pay said judgment of said cross complainant, with interest and costs, the residue thereof shall be levied upon the property of Louis Cohen subject to execution, and sale shall be had without any relief whatever from valuation or appraisement laws.

It is further ordered, adjudged and decreed by the court that upon the making of said sale, the sheriff shall, as the law requires, issue to the purchaser a sheriff's certificate of sale for the real estate so sold, which shall, unless said real estate shall be redeemed from said sale, entitle said purchaser to a sheriff's deed for the real estate to which it applied upon the expiration of the period of redemption provided by the statutes of the State of Indiana; that upon the expiration of said period of redemption, if there shall be no redemption, the sheriff of Marion County, Indiana, shall execute to the person or persons entitled thereto, a deed of conveyance of the real estate so sold and not redeemed; that the defendants to this suit and all persons claiming from, under, by, or through them or any one of them, then in possession of said real estate, or of any part thereof, upon demand and on the exhibition of said sheriff's deed of conveyance, or of a certified copy thereof, shall forthwith surrender to the grantee or grantees in such deed of conveyance, or his or their assigns, the full possession of said real estate, and this cause shall remain on the docket for the enforcement of this order for possession.

Order Book 506 page 181.

January 25, 1932, Certified copy of decree issued to the sheriff of Marion County, who after duly advertising said real estate for sale did on the 12th day of March, 1932, first offer at public outcry, the rents and profits of same (in parcels and as a whole) and receiving no bid, he then in like manner offered the fee simple of the same (in parcels and as a whole) and The Indiana Saving and Investment Company bid therefor the sum of \$3400.00 and no one bidding more and it being the highest and best bidder, the same was openly struck off to it, certificate of sale issued and writ returned partly satisfied.

Execution Docket 73 page 226.

Deed Record
903 page 33
March 20, 1933
Recorded
Apr. 18, 1933

INDIANAPOLIS
TITLE

Charles L. Sumner,
Sheriff of Marion County,
Indiana.

Sheriff's Deed
Revenue Stamps
attached.

to
The Indiana Savings and
Investment Company.

Lot No. 44 in McCarty's Subdivision of Out Lot 119
and the west part of Out Lot 118 in the City of Indiana-
polis, as per plat thereof, in Plat Book 1, page 253 of
the Recorder's Office of Marion County, Indiana.

Sold in pursuance to proceedings had in the
Superior Court of Marion County, Indiana, under Cause
No. A-61119.

3.

Misc. Record
10 page 340
Feb. 25, 1889
Recorded
Feb. 25, 1889

OF
ABSTRACTS

The Indiana Savings and
Investment Company.

Articles

Corporate Name: The Indiana Savings and Invest-
ment Company.

Object: The object of this Company shall be to
furnish its members a convenient, safe and profitable
investment for their savings.

Capital Stock: \$1,000,000.00 which may be divided
into classes and such classes may be subdivided respect-
ively into such shares of such denominations as the
by-laws may prescribe.

4.

Misc. Record
315 page 295
Oct. 29, 1940
Recorded
Oct. 29, 1940

L. M. Brown Abstract Co.,

C. Otto Janus

Affidavit

Affiant says, that he is the duly elected qualified
and acting Secretary of The Indiana Savings and Invest-
ment Company.

That on the 25th day of February 1889, the Articles
of Association of said Company were recorded in Misc-
ellaneous Record 10 at page 340 of the Office of the
Recorder of Marion County, Indiana, and through an
error by the Scrivener in the Office of said Recorder,
the corporate name of the association was incorrectly
shown to be the Indiana Savings and Investment Company.
That from time to time questions have arisen as to the
correct corporate name of this Company and that to
avoid further uncertainty as to the exact corporate
name this affiant has procured from the Secretary of
State of the State of Indiana, a photostatic copy of
the Articles of Association as originally filed in said
office, showing the corporate name to be "The Indiana
Savings and Investment Company" that said Photostatic
copy of said original Articles of Incorporation are
attached hereto and made a part of this affidavit and

5.

INDIANAPOLIS

are hereby re-recorded so as to definitely establish of record in the office of the Recorder of Marion County, Indiana, the correct name as shown by said original articles.

And further affiant saith not.

C. Otto Janus.

NOTE: The copy of Articles of Association attached to this affidavit gives the name of this corporation as "The Indiana Savings and Investment Company".

TITLE

6.

WE FIND NO FURTHER CONVEYANCES.

OF

ENCUMBRANCES.

ABSTRACTS

MORTGAGES.

7.

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

MECHANIC'S LIENS.

8.

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

JUDGMENTS.

9.

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

The Indiana Savings and Investment Company, for 10 years last past.

(None found unsatisfied.)

L. M. Brown Abstract Co.,

INDIANAPOLIS

ASSESSMENTS.

10.

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

TITLE

TAXES.

11.

Taxes for year 1943 Paid in Full.

OF

12.

Taxes for year 1944, assessed in name of Ind. Sav. & Invest Co. are due and payable the first Monday in May and the first Monday in November, 1945.

ABSTRACTS

General Tax Duplicate No. 352002.

Indianapolis, Center Township.

Parcel No. 34988.

May installment \$44.33 Paid.

Nov. installment \$44.33 Unpaid.

Amount paid

L. M. Brown Abstract Co.

As shown of record these taxes are now FULLY PAID. L. M. BROWN Abstract Co. PRES. & MGR.

13.

Taxes for the year 1945 became a lien March 1st and are due and payable in May and November of the year 1946.

204273

ZONING

14.

INDIANAPOLIS
TITLE
OF
ABSTRACTS

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

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

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

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

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

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

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

40 feet East end of Lot 44

The real estate herein abstracted appears in Use District, Class U-3 ; Height District, Class H-1 ; and Area District, Class A-4 ; all as shown by said Ordinance and on the Zoning Map of the City, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

Lot 44, except
40 feet East end.

U-2, H-1, A-4.

L. M. Brown Abstract Co.,

CERTIFICATE

15.

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

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

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

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

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

The period of search covered by this certificate is
 from **May 18, 1931** to and including
May 5, 1945 and covers Paragraphs No. 1 to **15**
 both inclusive, and Sheets No. 1
 to **-10-** both inclusive.



L. M. BROWN ABSTRACT COMPANY

By

[Signature]

President & Mgr.

Established 1868

L. M. Brown Abstract Co.

150 1/2 EAST MARKET STREET

Phone Market 3448

ABSTRACTS OF TITLE—TITLE INSURANCE

Capital \$150,000.00

INDIANAPOLIS 4, IND.

204273

OFFICERS

RUSSELL A. FURR
PRES. & MANAGER
VOLNEY M. BROWN
VICE-PRESIDENT
FRED G. APPEL
VICE-PRESIDENT
CORNELIUS O. ALIG
TREASURER
EDSON T. WOOD, JR.
SECRETARY
KARL MOHR
ASST. MGR.

DIRECTORS

CHAS. H. YOKE
EDSON T. WOOD, JR.
FERMOR S. CANNON
VOLNEY M. BROWN
FRED G. APPEL
CORNELIUS O. ALIG
FRED WUELPING
ALLAN P. VESTAL
ALBERT E. UHL
RUSSELL A. FURR
SAMUEL S. SUTPHIN
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

J. G. McCULLOUGH AGENCY, INC.

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

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

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

May 5, 1945
April 30, 1945

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.

The Indiana Savings and
Investment Company

Dated May 5, 1945

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

LB

1.

INDIANAPOLIS

Continuation of an Abstract of Title to Lot Numbered Forty-four (44) in McCarty's Subdivision of Out Lot 119 and West part of Out Lot 118 of the Donation Lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1 page 253, in the office of the Recorder of Marion County, Indiana.

TITLE

Prepared for First Federal Savings and Loan Association of Indianapolis, since date of May 5, 1945.

OF

CONVEYANCES.

ABSTRACTS

Misc. Record
375 page 279
Jan. 3, 1946
Recorded
Jan. 14, 1946

C. Otto Janus

Affidavit

2.

Affiant s ays that he is the Secretary of The Indiana Savings and Investment Company, a corporation duly incorporated under and by virtue of the laws of The State of Indiana, that said corporation, by deed of conveyance recorded on September 21, 1909, in Town Lot Record 450 page 457 of the Recorders Office of said County, conveyed the following described real estate in said County and State, which has been acquired by it, to-wit:

Lot numbered 5 in Adolph G. Matyhe's Heirs Sub-division of Lot 11 in Vandeman and Hunter's Evergreen Addition to the City of Indianapolis, the plat of said Matyhe's Heirs Subdivision being of record in the office of the Recorder of Marion County, Indiana, in Town Lot Record 290 at page 506 thereof,

to one George M. Scheiring, that said corporation at no time has had any preferred stock outstanding; that this affiant, though not secretary at the time of the execution of said deed of conveyance of said corporation, is satisfied that said conveyance was made by the officers therein named for and in behalf of said corporation upon order of the Board of Directors of said corporation, or that said action was confirmed by said board; that available records of said association do not afford evidence of a formal authorization or conformation; that Charles E. Holloweg is named as secretary of said association in the abstract of title presented to this affiant containing abstract of said deed of conveyance; that in truth and in fact Charles E. Holloway was the secretary of said association at the time of the execution of said

L. M. Brown Abstract Co.,

INDIANAPOLIS

deed of conveyance; that therefore the name Holloweg is either the mistake of abstracter or mistake of the Recorder in transcribing the signature of said Holloway, that it is desired, said association will presently, by resolution of its Board of Directors, confirm the execution of said deed of reconveyance herein stated. And further affiant saith not.
C. Otto Janus.

TITLE OF ABSTRACTS

Deed Record
1177 page 203
May 24, 1945
Recorded
May 25, 1945

The Indiana Savings and Investment Company (Corp. Seal)
By, Joseph J. Schmid,
Vice President
Attest: C. Otto Janus,
Secretary

Warranty Deed
Revenue Stamps
Attached

3.

to
Sadie Alice Baxter
Lot No. 44 in McCarty's Subdivision of Out Lot 119 and west part of Out Lot 118 of the Donation Lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1 page 253 in the office of the Recorder of Marion County, Indiana.
Subject to all restrictions and easements of record.
Deed contains usual citizenship clause.

4.

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

MORTGAGES.

Mtg. Record
1353 page 439
May 24, 1945
Recorded
May 25, 1945

Sadie Alice Baxter,
unmarried
to
The Indiana Savings and Investment Company

SATISFIED OF RECORD
L. M. BROWN ABSTRACT CO., INC.
PRES. & MGR.

5.

Lot No. 44 in McCarty's Subdivision of Out Lot 119 and west part of Out Lot 118 of the Donation Lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1 page 253 in the office of the Recorder of Marion County, Indiana.

5-3-49
Released by
Margaret M. Brown
Abstract Co., Inc.

INDIANAPOLIS

To secure the performance of a certain bond of even date herewith in the sum of \$1900.00 with interest at the rate set forth in said bond together with certain dues, fines, etc. with 10% attorneys fees.

MECHANIC'S LIENS.

Misc. Record
356 page 514
Dec. 13, 1945
Recorded
Dec. 13, 1945

TITLE OF

J. Gilman Davis Mechanic's Lien
to
Sadie Alice Baxter
Lot No. 44 McCarty's Sub. O. L. 118.
For the sum of \$50.95.
NOTE: Complaint filed to foreclose the above lien in the Superior Court of Marion County, Indiana under Cause No. B-47062 said cause dismissed by plaintiff, Costs paid.

6.

ABSTRACTS

OLD AGE ASSISTANCE LIENS.

7.

Provided by the Acts concerning Public Welfare, approved March 12, 1947:
Search has been made as to Old Age Assistance Liens filed in the office of the Recorder of Marion County as to the persons listed, and for the period specified in the following Judgment Search.

We find none.

JUDGMENTS.

8.

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.

The Indiana Savings and Investment Company from May 5, 1945 to May 25, 1945, inclusive.
Sadie Alice Baxter for the 10 years last past.

None found unsatisfied.

L. M. Brown Abstract Co.,

271321

INDIANAPOLIS

ASSESSMENTS.

9.

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

TITLE

TAXES.

10.

Taxes for the year 1947 paid in full.

OF

11.

ABSTRACTS

Taxes for the year 1948 assessed in the name of Sadie Alice Baxter, are due and payable the first Monday in May and the first Monday in November, 1949.

General Tax Duplicate No. 303821
Parcel No. 34988
Indianapolis, Center Township

May installment \$41.53 unpaid
Nov. installment \$41.53 unpaid.

As shown of record these taxes are now
FULLY PAID.
L. M. Brown Abstract Co.
PRES. & MGR.

12.

Taxes for the year 1949 became a lien March 1st and are due and payable in May and November of the year 1950.

Since Paid by
L. M. Brown Abstract Co.,

13.

CERTIFICATE

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

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

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

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

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

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

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

The period of search covered by this certificate is
 from May 5, 1945 to and including
 April 4, 1949 and covers Paragraphs No. 1 to 13
 both inclusive, and Sheets No. 1



to 5 both inclusive.

L. M. BROWN ABSTRACT COMPANY

By *[Signature]*
 President & Mgr.

WC

Established 1868

OFFICERS
RUSSELL A. FURR
PRES. & MANAGER
VOLNEY M. BROWN
VICE-PRESIDENT
FRED G. APPEL
VICE-PRESIDENT
CORNELIUS O. ALIG
TREASURER
EDSON T. WOOD, JR.
SECRETARY
JACOB F. DELKER
ASST. MGR.

L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

271321

DIRECTORS
CHAS. R. YOKE
EDSON T. WOOD, JR.
FERMOR S. GANNON
VOLNEY M. BROWN
FRED G. APPEL
CORNELIUS O. ALIG
FRED WUELFING
ALLAN P. VESTAL
ALBERT E. UHL
RUSSELL A. FURR
SAMUEL B. SUTPHIN
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

First Federal Savings and Loan Association
of Indianapolis

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

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

This certificate covers the Indianapolis Division down to and including April 4, 1949
and all other Divisions of the State of Indiana, down to and including April 1, 1949

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.

The Indiana Savings and Investment Company

Sadie Alice Baxter

Dated April 4, 1949

L. M. BROWN ABSTRACT CO.

By *Russell A. Furr*
President and Manager

390125.

1.

INDIANAPOLIS
Continuation of an Abstract of Title to Lot
Numbered Forty-four (44) in McCarty's Subdivision of
Out Lot 119 and West part of Out Lot 118, of the
Donation Lands in the City of Indianapolis, the plat
of which is recorded in Plat Book 1, page 253, in the
office of the Recorder of Marion County, Indiana.

Prepared for First Federal Savings and Loan
Association, since date of April 4, 1949.

2.

TITLE
WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

OF

MORTGAGES

Mtge. Record
1504, page 238
Inst. # 25541
Apr. 20, 1949
Recorded
May 5, 1949

ABSTRACTS
Sadie Alice Baxter,
an unmarried adult.
To
First Federal Savings and
Loan Association of
Indianapolis

Mortgage

SATISFIED OF RECORD
ATTEST UNION TITLE CO.
7-21-61
C. Edward Plum
PRESIDENT

3.

Lot Numbered 44 in McCarty's Subdivision of
Out Lot 119 and west part of Out Lot 118 of the Donation
Lands in the City of Indianapolis, the plat of which is
recorded in Plat Book 1, page 253, in the office of the
Recorder of Marion County, Indiana.

To secure the payment of a certain promissory note
of even date herewith in the principal sum of \$2,300.00,
payable on or before 12 years after date, with interest
thereon as provided in said note, said principal and
interest being payable in regular monthly installments of
\$23.00 each, payable on or before the 1st day of each
calendar month hereafter.

All without relief from valuation or appraisement
laws and with attorney fees.

MECHANICS LIENS.

4.

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

L. M. Brown Abstract Co.,

INDIANAPOLIS OLD AGE ASSISTANCE LIENS

5.

Provided by the Acts concerning Public Welfare, approved March 12, 1947.

Search has been made as to Old Age Assistance Liens, filed in the office of the Recorder of Marion County, as to the persons listed, and for the period specified in the following Judgment Search.

We find none

TITLE

JUDGMENTS

6.

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.

Sadie Alice Baxter, from April 4, 1949 to date.

None found unsatisfied.

ABSTRACTS

ASSESSMENTS.

7.

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

L. M. Brown Abstract Co.,

L. M. Brown Abstract Co.,

INDIANAPOLIS
TAXES.
8.
9.
ABSTRACTS
OF
TITLE

TAXES.

8.

Taxes for the year 1954, paid in full.

9.

Taxes for the year 1955, assessed in the name of Sadie Alice Baxter, are due and payable the first Monday in May and the first Monday in November, 1956.

General Tax Duplicate Number 264540.
Parcel Number 34988.

Indianapolis, Center Township.

May Installment \$75.69 Unpaid
Nov. Installment \$75.69 Unpaid

SEE SUBSEQUENT CONTINUATION

10.

Taxes for the year 1956 became due on March 1st and are due and payable in May and November of the year 1957.

SEE SUBSEQUENT CONTINUATION

ZONING.

11.

April 13, 1956.

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.

390125.

CERTIFICATE

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

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

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

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

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

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

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

The period of search covered by this certificate is from April 4, 1949 to and including

April 25, 1956

and covers Paragraph No. 1 to 12 both inclusive, and Sheets No. 1

to 4 both inclusive.

L. M. BROWN ABSTRACT COMPANY, Inc.

By *[Signature]*
President & Mgr.



a/c

OFFICERS

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

Established 1868

L. M. BROWN ABSTRACT COMPANY, Inc.

150 1/2 EAST MARKET STREET

Phone MEIrose 2-3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

DIRECTORS

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

390125.

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

FIRST FEDERAL SAVINGS AND
LOAN ASSOCIATION OF INDIANAPOLIS

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

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

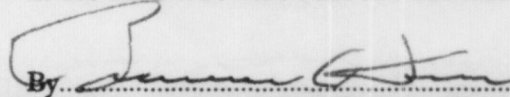
This certificate covers the Indianapolis Division down to and including April 25, 1956 and all other Divisions of the State of Indiana, down to and including April 25, 1956

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

Sadie Alice Baxter

Dated... April 25, 1956

L. M. BROWN ABSTRACT COMPANY, Inc.

By 

President

a/c

Parcel 23

INTERIM CERTIFICATE OF TITLE

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
I-70	I-70-3 (52)	Marion	65-11619-S

Name on Plans Wendell P. Baxter

Name of Fee Owner Not Available

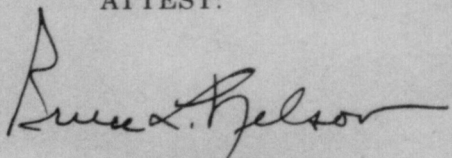
PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby certifies that a search of the records from June 18, 1965, 8 A.M. to and including December 20, 1966 reveals no changes as to the real estate described under PNTIC # 65-11619-A except:

- Taxes for 19 65 payable 19 66 in name of Wendell P. Baxter
Duplicate # 6006244 Parcel # 1034988 Township I-Center Code # 1-01
May \$ 91.39 (paid) ~~xxxxxx~~; November \$ 91.39 (paid) ~~xxxxxx~~
Taxes for 19 66 payable 19 67 now a lien.

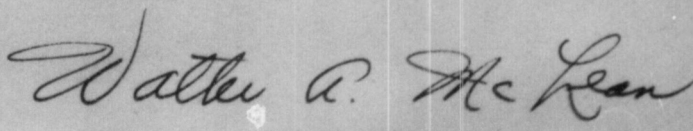
IN WITNESS WHEREOF, PIONEER NATIONAL TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereto affixed by its duly authorized officers.

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

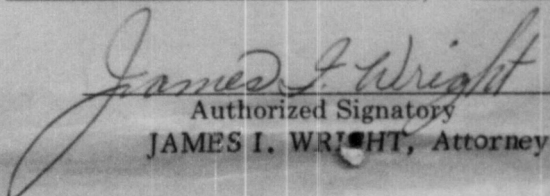


Assistant Secretary



Vice President

Countersigned and validated as of the 23rd day of December, 19 66


Authorized Signatory
JAMES I. WRIGHT, Attorney

65-11619A

CAPTION

-1-

Continuation of Abstract of Title to Lot 44 in McCarty's Subdivision of Out Lot 119 and West part of Out Lot 118, of the Donation Lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1, page 253, in the office of the Recorder of Marion County, Indiana.
Since April 25, 1956.

Prepared for: Mr. Wendell P. Baxter

-2-

Sadie Alice Baxter died -- February-1951 as appears at a subsequent entry herein.

-3-

NOTE: No letters of administration issued in the Clerk's Office of Marion County, Indiana, upon an estate of Sadie Alice Baxter; deceased. No will of said decedent filed for probate in said County.

Inst. #64-12614
Dated
March 12, 1964
Recorded
March 12, 1964

STATE OF INDIANA, COUNTY OF MARION, SS:
Comes now Zelma Hainley, who being duly sworn upon her oath deposes and says:
1. That she is the daughter of Sadie Alice Baxter, who died intestate on in February, 1951.

-4-

-1- cb-over-

65-11619A

2. That the said Sadie Alice Baxter died seized of the following described real estate.

Lot No. 44 in McCarty's Subdivision of Lot 119 and west part of out lot 118 of the donation lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1, Page 253 in the Office of the Recorder of Marion County, Indiana.

3. That the deceased Sadie Alice Baxter was survived by the following heirs only: Zelma Hainley, daughter; Howard Baxter, son; Sheldon S. Baxter, son; Amy Powley, daughter; Bessie Carpenter, daughter.

4. That all debts of the decedent, Sadie Alice Baxter, were paid and all taxes of the decedent were paid.

Further affiant sayeth not.

Zelma Hainley

STATE OF INDIANA, COUNTY OF MARION, SS:

Subscribed and sworn to before me this 12th day of March, 1964.

Joseph S. Sadler (LS)
Notary Public

My Commission expires: 12-4-64.

Instrument shows name of person preparing same.

Inst. #64-12615
Dated
Jan. 27, 1964
Recorded
March 12, 1964

William Hainley and
Zelma Hainley,
husband and wife
to
Wendell P. Baxter,
unmarried

Quit Claim Deed
(No U. S. Revenue
Stamp Attached)
Consideration \$1.00 and
other valuable consider-
ation

Lot No. 44 in McCarty's Subdivision of Lot 119 and west part of out lot 118 of the donation lands in the City of Indianapolis, the plat of which is recorded in Plat Book 1, page 253 in the Office of the Recorder of Marion County, Indiana.

Instrument shows name of person preparing same.

-5-

65-11619A

Inst. #64-12616
Dated
Jan. 28, 1964
Recorded
March 12, 1964

Carnie Carpenter and
Bessie Carpenter,
husband and wife
to
Wendell P. Baxter
unmarried

Quit Claim Deed
(No U. S. Revenue
Stamp Attached)
Consideration \$1.00
and other valuable
consideration.

-6-

Lot No. 44 in McCarty's Subdivision of Lot 119 and
west part of out lot 118 of the donation lands in the
city of Indianapolis, the plat of which is recorded in
Plat Book 1, Page 253 in the Office of the Recorder of
Marion County, Indiana.

Instrument shows name of person preparing same.

Inst. #64-12617
Dated
Feb. 7, 1964
Recorded
March 12, 1964

Frank Powley and
Amy Powley,
husband and wife
to
Wendell P. Baxter
unmarried

Quit Claim Deed
(No U. S. Revenue
Stamp Attached)
Consideration \$1.00
and other valuable considera-
tion.

-7-

Lot No. 44 in McCarty's Subdivision of Lot 119 and
West part of out lot 118 of the donation lands in the City
of Indianapolis, the plat of which is recorded in Plat
Book 1, Page 253 in the Office of the Recorder of Marion
County, Indiana.

IN WITNESS WHEREOF, the said Frank Powley and Amy
Powley, husband and wife have hereunto set their hands
and seal, this 7th day of February, 1964.

Mrs. Amy F. Powley
Mr. Frank E. Powley

Instrument shows name of person preparing same.

65-11619A

Inst. #64-12618
Dated
Jan. 27, 1964
Recorded
March 12, 1964

Howard M. Baxter and
Ellen Baxter
husband and wife
to
Wendell P. Baxter,
unmarried

Quit Claim Deed
(No U. S. Revenue
Stamp Attached)
Consideration \$1.00
and other valuable
consideration.

-8-

Lot No. 44 in McCarty's Subdivision of Lot 119 and west part of out lot 118 of the donation lands in the city of Indianapolis, the plat of which is recorded in Plat Book 1, Page 253 in the Office of the Recorder of Marion County, Indiana.

Instrument shows name of person preparing same.

Inst. #64-12619
Dated
Feb. 1, 1964
Recorded
March 12, 1964

Sheldon S. Baxter and
Mildred Baxter,
husband and wife
to
Wendell P. Baxter,
unmarried

Quit Claim Deed
(No U. S. Revenue
Stamp Attached)
Consideration \$1.00 and
other valuable considera-
tion.

-9-

Lot No. 44 in McCarty's Subdivision of Lot 119 and west part of out lot 118 of the donation lands in the city of Indianapolis, the plat of which is recorded in Plat Book 1, Page 253 in the Office of the Recorder of Marion County, Indiana.

Instrument shows name of person preparing same.

Old Age Assistance
Search

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

-10-

65-11619A

Juvenile Court
Search

-11-

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

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

Uniform Commercial
Code

-12-

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

-13-

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:

Zelma Hainley
Howard Baxter
Sheldon S. Baxter
Amy Powley
Amy F. Powley
and
Bessie Carpenter

from June 14, 1955,
to and including
March 12, 1964

and vs

Wendell P. Baxter

for the 10 years
last past and
against none other

65-11619A

-14- Taxes for the year 1963 and prior years paid in full.

-15- Taxes for 1964 payable 1965 in name of Sadie Alice Baxter.

Duplicate No. 245338, -AB-, Indianapolis, Center
Township, Code No. 1-01, Parcel No. 34988.

May Installment \$72.75 Paid

November Installment \$72.75 Unpaid

Assessed Valuation:

Land \$460.00 Improvements \$1,100.00 Exemptions None

-16- Taxes for 1965 now a lien in name of Wendell P. Baxter.

SYNOPSIS OF ZONING AND PLANNING REGULATIONS

-17-

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-3 H-1 A-4 as to 40 feet East end U-2 H-1 A-4 all of said Lot except 40 feet East end.

-18-

June 17, 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

			one-story	higher
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

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STATE OF INDIANA }
 COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 19 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 9 both inclusive.

Dated at Indianapolis, Indiana, June 18, 1965, 8 A.M.

UNION TITLE COMPANY

by

C. Edward Blum
 President

-9- cb

UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

ME lrose 2-2361

Capital Stock \$1,000,000.00

65-11619A

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: **Mr. Wendell P. Baxter**

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

June 16, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

June 17, 1965, 8 A.M.

Zelma Hainley
Howard Baxter
Sheldon S. Baxter
Amy Powley
Amy F. Powley
Bessie Carpenter
Wendell P. Baxter

UNION TITLE CO.

BY *C. Edward Blum*
PRESIDENT

cb