

67-20161

WARRANTY DEED

Project 1-70-3(51)
Code 0574
Parcel 103

This Indenture Witnesseth, That GERTIE ELLEN COLEY (UNMARRIED ADULT FEMALE)

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

the STATE OF INDIANA for and in consideration of

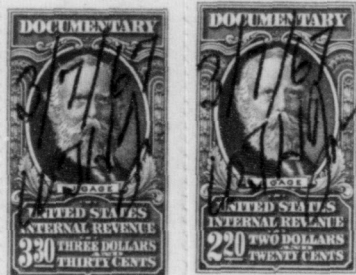
FOUR THOUSAND SEVEN HUNDRED FIFTY (\$4750) - Dollars,

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

LOT 3 IN BYBEE AND PRATT'S FIRST WEST SIDE ADDITION TO THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 200, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, EXCEPTING THE FOLLOWING DESCRIBED PORTION, BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3 THENCE NORTHWESTERLY IN AND ALONG THE SOUTHWESTERLY LINE THEREOF 81 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES 20 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES 12 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES 20 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SAID LOT 3; THENCE SOUTHEASTERLY IN AND ALONG SAID NORTHEASTERLY LINE 69 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 3; THENCE SOUTHWESTERLY IN AND ALONG THE NORTHWESTERLY LINE OF RIVER AVE., 40 FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH THE PERMANENT EXTINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM, AND ACROSS THE ABOVE DESCRIBED REAL ESTATE.

RECEIVED FOR RECORD
1967 MAY 15 AM 10:55
MARCIA H. HAWTHORNE
RECORDER OF MARION COUNTY



5.50

DULY ENTERED FOR TAXATION

074854 MAY 15 '67

John T. Sutton
COUNTY AUDITOR

A-148585
A-148586

Paid by Warrant No.

Dated

4-14-67

W.H.B.
3-9-67

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 her hand and seal, this 6TH day of MARCH 1967

Signatures and seals of Gertie Ellen Coley and other parties.

MAR 17 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, MARION County, ss:
Before me, the undersigned, a Notary Public in and for said County and State, this 6TH
day of MARCH, A. D. 1967; personally appeared the within named _____
GERTIE ELLEN COLEY
Grantor _____ in the above conveyance, and acknowl-
edged the same to be HER voluntary act and deed, for the uses and purposes herein mentioned.
I have hereunto subscribed my name and affixed my official seal.
My Commission expires OCTOBER 4, 1970. William T. Haman, Jr. Notary Public
WILLIAM T. HAMAN, JR.

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

67 20161

WARRANTY DEED

FROM _____

TO _____

STATE OF INDIANA

Received for record this _____, 19____
day of _____, 19____
at _____ o'clock _____ m, and
Recorded in Book No. _____ page _____
Recorder _____ County _____
Duly entered for taxation this _____
day of _____, 19____
Auditor's fee \$ _____
Auditor _____ County _____

ENVELOPE

(8)

217M 4288Y0

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



April 21 1967

To Gertie Ellen Coley
922 Marion
Indianapolis, Indiana

GENTLEMEN:

4-14

We enclose State Warrant No. A-148585 ~~XXX~~ 19 67
in settlement of the following vouchers:
Transmittal #67-307

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3 (51)</u> Parcel No. <u>103</u> as per Grant/Warranty Deed, Dated <u>March 6, 1967</u>	\$4275.00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Gertie Ellen Coley
Date 5/9/67

INDIANA STATE HIGHWAY COMMISSION

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

April 21 19 67

To Gertie Ellen Coley
 922 Marion
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-148586 4-14 19 67
 in settlement of the following vouchers:
 Transmittal #67-307

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3 (51)</u> Parcel No. XBA <u>103</u> as per Grant/Warranty Deed, Dated <u>March 6, 1967</u> Escrow	\$475.00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By

By

Gertie Ellen Coley

Date

5/9/67

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. 270-3(51)

BUYER'S REPORT NUMBER: 2 COUNTY MARION PARCEL NO. 103

NAME & ADDRESS OF OWNER GERTIE TELLER COLLEY
922 MARION, INDCPLS, IND - PHONE # 632 4119

NAME & ADDRESS OF PERSON CONTACTED SAME

PROP 1001 & 1003 MARION PHONE # _____
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED RE-ASSIGNED 3/6/67 DATE OF CONTACT 2/6/67

OFFER \$ 4750.00 TIME OF CONTACT 6 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: Mrs. Colley accepted the offer and
All necessary papers were signed. Tax
responsibility was explained & tax letter left.
Recd the 1966 B tax duplicate to be xeroxed
and returned - also \$5.50 for Federal Documenting
Stamps.

Voucher # 1 4275 Both sides rent for
Voucher # 2 475 1100 wk. each - including
154750 water. one tenant

will sign up for water. Recommend 1000 wk rent To offset
2/7/67 - WATER

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

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

[Signature]
(Signature)

INDIAN STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3(51)

BUYER'S REPORT NUMBER: 1 COUNTY MARION PARCEL NO. 103

NAME & ADDRESS OF OWNER GERTIE ELLAN COLEY
922 MARION INDALS. IND. PHONE # 632-4119

NAME & ADDRESS OF PERSON CONTACTED SAME

RE PROP AT 1001-03 MARION PHONE # _____
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 2/3/67 DATE OF CONTACT 2/6

OFFER \$ 4750⁰⁰ TIME OF CONTACT 3:15 P.M.

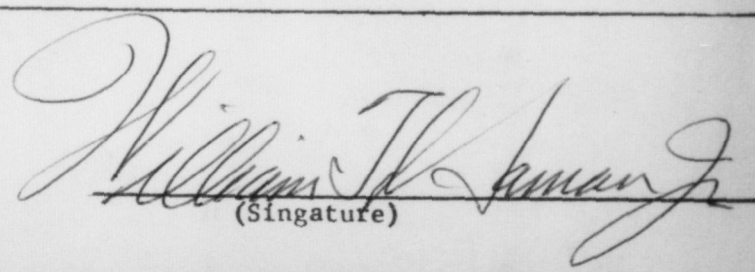
YES NO N/A (Circle N/A if all questions are not applicable)

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? By Myself)
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: Mrs. Coley felt the offer a little low but was more concerned about finding something in property which would give her the present return of \$2200 a wk. (Double each side rents for 1100 per wk. She also felt that the County Auditor should not bill her for '67 taxes due '68 and added she might as well have the prop. & collect the rents if she could be responsible for the taxes - she insisted that it was her responsibility to find another double for 4750⁰⁰ that would produce a comparable return - there is no point in my keeping this parcel. Will put it in hold.

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

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


(Signature)

GUARANTY OF TITLE

1103

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
I70	I70-3(51)	Marion	66-5673-0

Names on Plans Gerty E. Coley

PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby guarantees that as of the 7th day of July, 19 66, 8 A.M.

Gerty Ellen Coley

922 Marion Ave., Indianapolis, Ind.

are the Record Owner or Owners of the property described in Schedule "A" as disclosed by a search of the Public Record for a twenty-year period immediately prior to the effective date of this Guaranty, and that said search disclosed no defects or liens or encumbrances in the title to said property except those shown in or referred to in Schedule "B".

This Guaranty is issued for the use and benefit of the State of Indiana.

The maximum liability of the undersigned under this Guaranty is limited to the sum of \$5,000.00.

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

Russell Nelson
Assistant Secretary

Walter A. McLean
Vice President

Countersigned and validated as of the 13th day of July, 19 66.

James I. Wright
Authorized Signatory
James I. Wright
Attorney

SCHEDULE "A"

The property covered by this Guaranty is situated in the County of Marion in the State of Indiana and is described as follows:

REAL ESTATE DESCRIPTION ATTACHED

The Record Owner or Owners disclosed above acquired title by

Deed from Roscoe Naylor and Ruth Naylor, husband and wife dated February 13, 1951, recorded February 13, 1951, in Deed Record 1406, Instrument #8477. (U.S.R. \$2.75.)

SCHEDULE "B"

This certificate is a guarantee of Record Ownership only and as such does not purport to cover nor disclose:

1. the rights of parties in possession
2. matters that might be disclosed by an accurate survey
3. statutory liens for labor or materials unless filed of record
4. ordinances, laws or regulations enacted by governmental authority

The search of the record of the property described in Schedule "A" discloses the following liens, encumbrances or defects in the title of the Record Owner or Owners.

- on 69 ft SLine and 71.5 ft WLine W End Lot 3 Herein
5. Taxes for 19 65 payable 19 66 in name of Gertie Ellen E. Coley
Duplicate # 6018015 Parcel # 1093414 Township I-Center Code # 1-01
May \$ 67.59 (paid) (~~unpaid~~) November \$ 67.59 (~~paid~~) (unpaid)
Taxes for 19 66 payable 19 67 now a lien.

Assessed Valuation

Land \$150.00 Improvements \$1,270.00 Exemptions None

REAL ESTATE DESCRIPTION

Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 200, in the office of the Recorder of Marion County, Indiana, excepting the following described portion. Beginning at the Southeast corner of said Lot 3 thence Northwesterly in and along the Southwesterly line thereof 81 feet; thence Northeasterly at right angles 20 feet; thence Southeasterly at right angles 12 feet; thence Northeasterly at right angles 20 feet to a point in the Northeasterly line of said Lot 3; thence Southeasterly in and along said Northeasterly line 69 feet to the Northeasterly corner of said Lot 3; thence Southwesterly in and along the Northwesterly line of River Ave., 40 feet to the place of beginning.

Par 103

INTERIM CERTIFICATE OF TITLE

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
I-70	I-70-3 (51)	Marion	66-5673-S

Name on Plans Gerty E. Coley

Name of Fee Owner Gertie Ellen Coley

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 July 7, 1966, 8 A.M. to and including March 8, 1967, 8 A.M. reveals no changes as to the real estate described under PNTIC # 66-5673-O except:

1. Taxes for 19 65 payable 19 66 in name of Gertie Ellen E. Coley
Duplicate # 6018015 Parcel # 1093414 Township I-Center Code # 1-01
May \$ 67.59 (paid) (~~unpaid~~); November \$ 67.59 (paid) (~~unpaid~~)
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.

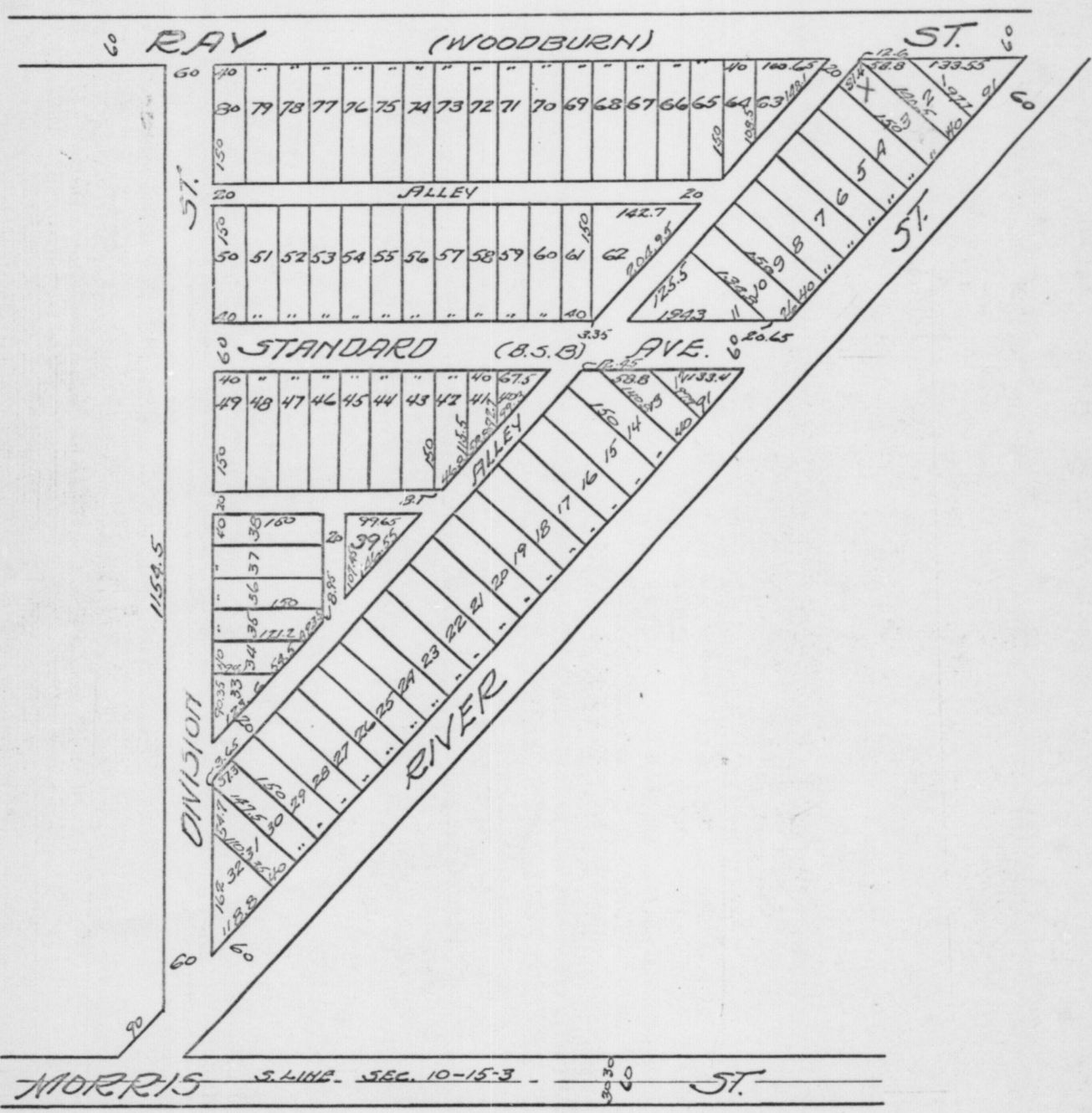
ATTEST: PIONEER NATIONAL TITLE INSURANCE COMPANY

Bruce A. Nelson
Assistant Secretary

Walter A. McLean
Vice President

Countersigned and validated as of the 13th day of March, 19 67.

Ralph W. Fraker
Authorized Signatory
RALPH W. FRAKER, Attorney



BYBEE & PRATT'S 1ST WEST SIDE ADD.
P.B. 8 - P. 200

No. 47684

ABSTRACT OF TITLE

TO

Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8 page 200 in the office of the Recorder of Marion County, Indiana.

Prepared for L. P. Davis,

BY

UNION TITLE COMPANY

INCORPORATED

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

INDIANAPOLIS, INDIANA
CAPITAL STOCK, \$1,000,000.00
UNION TITLE BUILDING
159 E. MARKET STREET
LINCOLN 8361 - 8362 - 8363
ABSTRACTS OF TITLE
TITLE INSURANCE, ESCROWS

DIRECTORS
REILY C. ADAMS
HOWARD C. BINKLEY
ARTHUR V. BROWN
W. T. CANNON
FRED COONS
WILLIS N. COVAL
LINTON A. COX
JAMES S. CRUSE
R. F. DAVIDSON
FRED C. DICKSON
GEORGE B. ELLIOTT
GEO. C. FORREY, JR.
GEORGE A. KUHN
DICK MILLER
FRANK W. MORRISON
C. N. THOMPSON
JOHN R. WELCH
C. N. WILLIAMS
JOSH. ZIMMERMAN

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

(OVER)

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

TERRITORIAL GOVERNMENT. The maintenance of a government, in the Territory of the United States Northwest of the River Ohio, was provided for by a series of Resolutions of April 23, 1784. By authority of an Ordinance of Congress, July 13, 1787, Indiana Territory was organized May 7, 1800.

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

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

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

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

SCHOOL LANDS. By the proposition on the part of the United States, offered in the Enabling Act, approved April 19, 1816, which when accepted, as hereinbefore noted, became obligatory, every section numbered 16, in every township, in Marion County, was granted to the inhabitants of such township, for the use of Schools. 3 U. S. Statutes at Large, p. 290. R. S. 1824, p. 33. By Acts, approved January 31, 1831, the Congressional Townships were constituted bodies corporate. By the Act of 1824, the lands were vested in such corporation. By an Act of Congress, approved May 24, 1828, the legislature of the State of Indiana was authorized to sell and convey in fee simple, after complying with certain provisions, all or any part of the lands heretofore reserved and appropriated by Congress for the use of the schools within said state. 4 U. S. Statutes at Large, p. 298. Provisions for the sale of such lands, and authority for certain officers to execute deeds were provided, by the Acts of 1829, 1831, 1843, 1852 and 1865. R. S. 1824, p. 379; Acts 1829, p. 120; R. S. 1831, p. 493; R. S. 1843; Article 13, R. S. 1852, p. 450; Acts 1865, p. 1.

- Tract Book
July 21, 1821
-1-
The United States of America,
to
Daniel Yandes,
South East Quarter Section 10, Township 15 North
Range 3. 160 acres.
See Deed Record "E" page 672 for certificate of
Register of Lands. Original Entry
- Land Record
66 p. 401
Nov. 13, 1822
Recorded
Sept. 10, 1918
-2-
United States of America,
to
Daniel Yandes, his heirs
and assigns,
The west half of the south east quarter of section
10 in township 15 of range 3 in District of Brookville
and State of Indiana, containing 80 acres, according to
the Official Plat of the survey of said lands returned
to the General Land Office by the Surveyor General. Patent
- Land Record
C. p. 160
May 7, 1831
Recorded
May 7, 1831
-3-
Daniel Yandes and
Ann Yandes, his wife,
to
Abraham A. Hall,
The undivided one half of the south east quarter
of section 10, township 15, range 3. Warranty Deed
- Land Record
C. p. 321
Oct. 5, 1831
Recorded
Mch. 3, 1832
-4-
Abraham A. Hall and
Lydia Hall, his wife,
to
Nicholas McCarty,
The undivided half of the south east quarter of
section 10, township 15, range 3. Warranty Deed
- Land Record
C. p 320
Oct. 5, 1831
Recorded
Mch. 3, 1832
-5-
Daniel Yandes and
Ann Yandes, his wife,
to
Nicholas McCarty,
The undivided one half of the south east quarter
of section 10, township 15 range 3.
The deed re-recorded September 25, 1902, in Land
Record 40 page 255.
See No. 5 hereof. Warranty Deed
- Land Record
40 p.255
Oct. 5, 1831
Recorded
Sept. 25, 1902
-6-
Daniel Yandes and
Ann Yandes, his wife,
to
Nicholas McCarty, his heirs and
assigns,
All that tract or parcel of land described as
follows to-wit: The equal and undivided half of the Warranty Deed

South East Quarter of Section 10, Township 15, North Range 3 and also the undivided half of the residue of the fractional section 11, same township and range which lies west of White River, after taking out the contents of the following survey and bounds, to-wit:- Commencing at the North West corner of the section, and running south along the line of said section until it strikes the bayou; thence up along the bayou to the River; thence up the river to the East and west lines of the Section; thence west along the said line to the beginning, containing 36-3/4 acres and 4 poles and also 3-1/4 acres lying as follows: Beginning at the half mile stake on the North and south line of said section and running south 12 rods, thence east 40 rods to the River, thence up the same 12 rods thence to the place of beginning.

This Deed is re-record of a deed in Land Record C. page 320.

-7-

Nicholas McCarty died intestate May 17, 1854 leaving as his sole and only heirs surviving him his widow Margaret McCarty and four children, namely: Nicholas Margaret R., Susanna and Frances J. McCarty, see complete Record 11, page 66 Marion Common Pleas Court.

-8-

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

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.

Marriage Record
6 p. 659
Dec. 9, 1857

Susannah McCarty,
to
Henry Day,

Marriage

-9-

Marriage Record
10 p. 36
Oct. 2, 1867

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

Marriage

-10-

-11-

Margaret McCarty, widow of Nicholas McCarty, deceased died intestate February 18, 1873, leaving her surviving as her sole and only heirs at law, Nicholas McCarty, Susanna McCarty Day, Margaret R. McCarty Harrison and Frances J. McCarty.

See Order Book Marion Circuit Court 69, page 542 for corrected affidavit of death executed by Nicholas McCarty which contained the statement that Margaret McCarty died intestate February 18, 1874, when in fact she died on February 18, 1873.

Estate Docket
C. p. 283

-12-

Nicholas McCarty was appointed and qualified as administrator of the estate of Margaret McCarty, deceased March 14, 1874, See Order Book 34 page 551.

The estate of Margaret McCarty deceased was finally settled and closed September 12, 1899, see Order Book 140 page 121 of the Marion Circuit Court.

-13-

Susannah McCarty Day died testate August 30, 1873.

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

-14-

LAST WILL AND TESTAMENT OF SUSANNA McCARTY DAY, DECEASED.
Probated September 19, 1873.

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

I give and bequeath to my brother Nicholas McCarty all my personal property, except that in the dwelling house occupied by me which I give and bequeath to my husband, Rev. Henry Day and the crops growing upon my lands at the time of my death, but on condition that he, within sixty days after the probate of this my will does not pay to my executor the sum of five thousand -- dollars, and execute his two promissory notes payable to my Executor with interest without relief from valuation or appraisement laws, each in the sum of seven thousand five hundred dollars, 1 on or before one year after date, one on or before two years after date, then said devise to him shall fail and then and thereupon I give and bequeath said personal property and growing crops and the proceeds of any thereof disposed of by said Nicholas in the meantime the one third thereof to my said husband Rev. Henry Day, one third to my son Henry McCarty Day and one third to my daughter Margaret McCarty Day.

I give and bequeath to my said brother, Nicholas McCarty the undivided one fourth of the real estate, situate in the County of Marion and State of Indiana, described as follows to-wit: The north half of the North West Quarter of Section Twenty-two (22) Township fifteen (15) North of Range three (3) East, but on condition that -- does not within sixty days after the probate of this my will pay to my Executor the sum of twenty-five hundred dollars and execute his three promissory notes payable to my executor each in the sum of twenty-five hundred dollars with interest without relief from valuation or appraisement laws, one, one year, one two years, and one three years after date, this bequest shall fail and then and thereupon

I give said described real estate, the one third to my said husband, Rev. Henry Day, one third to my son, Henry McCarty Day, and one third to my daughter Margaret McCarty Day.

I give and bequeath the moneys which may be paid and the notes which may be executed by my said brother Nicholas McCarty in compliance with the conditions attached to the bequests or either of them hereinbefore set forth, and I give and bequeath all the residue of my real property of whatever description and wherever situate the one third of said moneys notes and real property to my said husband Rev. Henry Day, the one third to my son, Henry McCarty Day, and 1/3 to my daughter Margaret McCarty Day.

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

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

In Witness Whereof, I, the said Susanna McCarty Day have this 21st day of August A.D. 1873, set my hand and seal.

(Signed) Susanna McCarty Day (Seal)

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

(Signed) Margaret A. Wood,
John S. Tarkington,

-15-

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

Guardians Docket
3 p. 30

-16-

Henry Day was appointed and qualified as Guardian October 15, 1873 of Henry McCarty Day and Margaret McCarty Day aged 14 and 10 years respectively. See Order Book 34 page 309 of the Marion Circuit Court.

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

Guardianship discharged as to Margaret McCarty Day September 11, 1885, see Order Book 72 page 284.

Land Record
18 p. 555
Sept. 25, 1886
Recorded
Dec. 29, 1886

-17-

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

Warranty Deed

to

Bybee and Pratt, a firm composed of
Addison Bybee and Julius F. Pratt,

Part of the south east quarter section 10, township 15, range 3 east described as follows: Beginning in the center of the Railroad of the Belt Railroad and Stock Yard Company at a point 30 feet North of the south line and 470-35/100 feet east of the west line of said quarter section, and running Northwardly in the center of said Railroad 1171-35/100 feet; thence East parallel to the south line of said quarter section 1122-2/10 feet, thence southwardly parallel to said Railroad 682-65/100 feet to the north west line of River Avenue thence southwestwardly with said line of River Avenue 650-5/10 feet to the north line of Morris Street, thence west with the north line of Morris Street 567-9/10 feet to the place of beginning, except a strip 50 feet wide along the west side of the above described tract, (which has been heretofore sold to said Railroad Company) containing exclusive of said strip 25 acres, more or less.

Land Record
19 p. 71
Feb. 7, 1887
Recorded
Mch. 2, 1887

-18-

Nicholas McCarty, unmarried and
Margaret R. McCarty Harrison, and
John C. S. Harrison, her husband by
Nicholas McCarty, their attorney in
fact, and Frances J. McCarty, unmarried,
Henry Day, unmarried, Henry McCarty Day,
unmarried and Margaret McCarty Day, unmarried.

Warranty Deed

to

Bybee and Pratt, a firm composed of
Addison Bybee and Julius F. Pratt,

A part of the south east quarter of section 10, Township 15, Range 3; described as follows: Beginning in the center of the railroad of the Belt Rail Road and Stock Yard Company in said quarter section at a point 1171-35/100 feet measured along the center line of said Railroad North of the North line of Morris Street and running East parallel to the North line of Morris Street 1122-2/10 feet, thence southwardly parallel to said Railroad 682.65 feet to the north west line of River Avenue; thence Northeastwardly with said North west line of said River Avenue 1015-8/10 feet, thence west parallel to the North line of Morris Street 1988-2/10 feet to the center of Rail Road, thence southwardly with the center of said Railway 81-8/10 feet to the place of beginning, containing 9-36/100 acres, except a strip 50 feet wide along the west side of the above mentioned real estate.

Misc. Record
S. p. 533
Dec. 13, 1886
Recorded
Jan. 21, 1887

POWER OF ATTORNEY

Power of Attorney

Margaret R. McCarty Harrison and
John C. S. Harrison, her husband
to
Nicholas McCarty,

-19-

To let or lease, bargain, sell and convey for cash or upon credit, to make, sign, seal, acknowledge and deliver conveyance by quit claim or warranty deed, and in his own name or the names of us or either of us, to take, receive and collect notes and mortgages for purchase money, rents and profits, to subdivide and re-subdivide into lots and to make addition to any City or Town, Layout, locate, establish and dedicate to public use, and to improve streets and alleys, establish Rail Road Switches and tracts, etc., and generally to control and dispose of all real estate in Marion County, State of Indiana owned by them etc.
See Instrument of Record.

Plat Book
8 page 200
Sept. 1, 1887
Recorded
Sept. 2, 1887

ADDISON BYBEE AND JULIUS F. PRATT, filed plat of Bybee and Pratt's First West Side Addition to the City of Indianapolis, being a subdivision of part of the south east quarter of section 10, township 15, range 3., in the Town of West Indianapolis, Marion County, Indiana, described as follows:-

-20-

Beginning on the north edge of Morris Street at a point 30 feet north of the south line and 1038-25/100 feet east of the west line of said quarter section, and running north 42-1/4 degrees east with the River Avenue 90 feet, thence north 1 degree west 1154-5/10 feet to South side of Woodburn Avenue at a point 1075-4/10 feet East of the west line of said Quarter Section; thence east with south side of Woodburn Avenue 1963 feet to River Avenue; thence south 42-1/4 degrees West with River Avenue 1666 feet to the place of beginning, containing 14-25/100 acres, more or less, into 80 lots with streets and alleys with size and number of lots and width of streets and alleys marked on the plat. Distance given in feet and decimals. All streets and alleys in this Addition are hereby dedicated to public use.

For annexation of above Addition to the City of Indianapolis, see Council proceedings for 1897.

For location of River Avenue as approved by the Board of Marion County Commissioners June 15, 1876 see Road Record 1 pages 367, 390 and 405, also Road Record 2 pages 170 and 185. Commissioner's Court

199 page 167
Feb. 15, 1888
Recorded
Mar. 26, 1888.

Addison Bybee and
Mary I--- Bybee,
(Signed Mary Isabella Bybee)
his wife,
Julius F. Pratt and Mary A. Pratt,
his wife,

Warranty Deed

-21-

to
Thomas B. Carroll, unmarried,
Lot 3 in Bybee and Pratt's First West Side Addition
to the City of Indianapolis according to the plat of

said addition as recorded in Plat Book 8 page 200 in the Office of the Recorder of said County and State.

-22-

Thomas B. Carroll died intestate January 19, 1889

Estate Docket
15- page 1186

January 24, 1889 John W. Schmidt appointed and qualified as Administrator of the estate of Thomas B. Carroll, deceased.

-23-

February 26, 1889. Proof of Publication of Notice of Appointment filed.

January 20, 1891, Final Report filed.

Feb. 12, 1891, Proofs filed, Final Report approved and estate closed.

Order Book 90 page 308.

Neither the final report or the entry approving the same gives the names or number of the heirs of said decedent.

Clerk's Docket
Sale of Real
Estate #2 page 255.
No. 1323
Petition filed
May 25, 1889

IN THE CIRCUIT COURT OF MARION COUNTY, INDIANA.

John W. Schmidt, Admr. of
Estate of Thomas B. Carroll, dec'd.

Petition for
Sale of
Real Estate

vs
Michael Carroll,
Walter W. Carroll,
Henry B. Carroll,
Michael Leonard,
Matthew Leonard,
Rose Leonard
Margaret Leonard,
Frank Leonard,
Thomas Leonard,
Julia Leonard,
Winnie Sturwald,
and William Sturwald, her husband,
Addison Bybee and
Julius F. Pratt,

John W. Schmidt administrator of the Estate of Thomas B. Carroll, deceased, complains of Michael Carroll, Walter W. Carroll, Henry B. Carroll, Michael Leonard, Matthew Leonard, Rose Leonard, Margaret Leonard, Frank Leonard, Thomas Leonard, Julia Leonard, Winnie Sturwald and William Sturwald, her husband, heirs of Thomas B. Carroll, deceased, Addison Bybee and Julius F. Pratt, mortgage creditors of said decedent and other heirs of said decedent whose names are unknown to your petitioner and shows the court that the whole personal estate of the decedent which has come to his possession and knowledge amounts in the aggregate to the sum of four hundred and fifty 50/100 Dollars as shown by the inventory and appraisement heretofore filed in the matter of said estate and upon sale to the aggregate sum of Four Hundred Forty & 64/100 Dollars, that there now are filed and allowed against

said estate claims amounting in the aggregate to Four Hundred and fifty four 53/100 dollars and that there now are filed and are now pending against said estate other claims amounting in the aggregate to six hundred and seventy six 20/100 dollars; that there is still another just claim against said estate as your petitioner is informed and verily believes unfiled, but which is about to be filed, amounting to the sum of about one hundred and fifty dollars; that all this shows a large insufficiency of the personal estate to pay debts; that the said decedent died intestate the owner in fee of the following described real estate situate in the county of Marion in the State of Indiana to-wit:

Lot numbered three (3) in Bybee and Pratt's First West Side Addition to the City of Indianapolis, according to the plat of said addition as recorded in Plat Book 8 on page 200 in the office of the Recorder of said County of the probable value of Three Hundred Dollars, also

Lot Number Three in Johnson and Hogshire's East Washington Street Addition to the said City of Indianapolis; also of the probable value of Three Hundred Dollars; that the defendants Addison Bybee and Julius F. Pratt hold a mortgage on said first herein described real estate to secure three several promissory notes for ninety one 67/100 dollars, each with interest at the rate of eight per centum per annum after maturity one of which is now past due and the remaining two will fall due, one on Feb. 16, 1890 and the other on Feb. 16, 1891 and that said lot is of the probable value of about twenty five dollars over and above said encumbrances.

And your petitioner further shows the Court that said decedent left no widow or children and that his heirs are as follows: one brother Michael Carroll and the following named children of a deceased brother and sister to-wit: Walter W. Carroll and Henry B. Carroll, Michael Leonard, Mathew Leonard, Winnie Sturwald, now the wife of William Sturwald, Julia Leonard, Rose Leonard, Margaret Leonard, Frank Leonard and Thomas Leonard, all over the age of twenty one years, except the three last named who are still infants under the age of twenty one years, also other heirs whose names are to your petitioner unknown.

And your petitioner further shows that it would be for the best interest of the Estate that the said real estate should be sold at private sale.

Wherefore your petitioner asks for an order of sale of said real estate at private vendue to pay debts.

John W. Schmidt,
Administrator.

STATE OF INDIANA, COUNTY OF MARION SS.

John W. Schmidt Administrator of the Estate of Thomas B. Carroll, deceased swears that the matters and things set forth in the foregoing petition are true in substance and in fact.

John W. Schmidt.

Subscribed and sworn to before me this 17th day of May, 1889.

Edgar A. Brown,
Notary Public. (LS)

Appraisement filed appraising said Lot 3 in Bybee and Pratt's First West Side Subdivision to the City of Indianapolis for \$300.00.

Oct. 11, 1889, Comes now John W. Schmidt, administrator of the estate of Thomas B. Carroll, deceased and shows to the Court that heretofore to-wit on the 25th day of May, 1889 he filed his petition as such administrator for the sale of the real estate belonging to the estate of said decedent, which petition is in the words and figures following: (Here insert).

And he further shows to the Court that due notice of the filing and pendency of said petition was given as required by law and files proof of publication of a notice to all the defendants herein, which proof of publication is as follows: (Not on file)

And now come the defendants Bybee and Pratt and file their answer.

And now said Administrator files an Additional Bond in sum of \$1000.00 with Edward Schmidt as surety, which is now approved by the court.

And this matter is now submitted to the Court, the evidence being heard and the Court being sufficiently advised in the premises finds that due notice to the heirs and all the defendants herein has been given as required by law and that the personal property left by said decedent is not sufficient to pay the indebtedness of said estate and that it is necessary to sell the real estate described in the petition in order to pay the debts of said estate.

The Court further finds that there is a lien upon said Lot Three (3) in Johnson & Hogshire's East Washington Street Addition for the sum of \$1.39 taxes and on said lot three (3) in Bybee & Pratt's First West Side Addition to the City of Indianapolis for the sum of \$3.59 unpaid taxes and also a mortgage lien to said defendants Bybee and Pratt for the sum of \$---- as set out in the petition and also in the answer of said defendants and that a part of said notes secured by said mortgage are not due but that the amount of the debt so secured that is now due together with the present worth of the notes not yet due, amount to the sum of \$317.39 which is a lien upon said lot subject only to the lien for taxes above set out.

It is therefore considered, ordered and adjudged by the Court that the real estate described in said petition to-wit Lot number three (3) in Johnson & Hogshire's East Washington Street Addition to the City of Indianapolis, Marion County, Indiana, and also Lot number three (3) in Bybee & Pratt's First Westside Addition to the City of Indianapolis, Marion County, Indiana be sold by said administrator for the purpose of paying the indebtedness of the estate of said decedent.

It is further ordered that said real estate be sold free from incumbrances.

It is further ordered that said real estate be sold at private sale by said administrator and that he give due notice of the time, place and terms of sale by publishing the same for three weeks in some weekly newspaper of general circulation in said county of Marion and also by posting printed notice thereof in five or more public places in said Township wherein said real estate is situate.

It is further ordered that said real estate be sold for one third cash and the balance of the purchase money to

be paid in nine and eighteen months respectively from the date of sale and that the notes for the deferred payments be secured by mortgage upon the real estate sold.

It is further ordered that if said administrator shall sell said real estate freed from incumbrances thereon, that he shall apply the purchase money received from said lots respectively in the payment of the liens herein found to exist on said lots respectively in the order as herein found.

It is further ordered that if said real estate should not be sold on the day advertised, then said administrator shall continue to hold said real estate for sale at private sale upon the same terms as herein provided but without further notice until further order herein.

All of which is ordered and adjudged by the Court and day is given. Order Book 86 page 504.

Dec. 21, 1889 Proof of Posting Notice of sale filed and report of sale filed.

Comes now John W. Schmidt, administrator of the estate of Thomas B. Carroll, deceased and reports to the court and shows that pursuant to the order of Court heretofore made on the 11 day of October, 1889 in this cause, he offered the real estate ordered to be sold, for sale at private sale upon the terms specified in said order and gave due notice of the time, place and terms of sale, by publishing notice thereof three weeks prior to the time of sale in "The People" a weekly newspaper of general circulation, printed and published in the City of Indianapolis, Marion County, Indiana, and also by posting more than five printed notices thereof in Center Township, Marion County, Indiana, where said real estate was situated, proof of the publishing and posting of which notices are filed herewith. (Here insert)

That said real estate was not sold upon the day advertised and that pursuant to said order of court he continued hold said real estate for sale at private sale upon the terms therein specified and without further notice and that thereafter to-wit on the 19th day of December, 1889 he sold at private sale to Alexander C. Ayres for the sum of \$450. upon the terms specified in said order the following described portion of said real estate to-wit: "Lot number three (3) in Bybee & Pratt's First Westside Addition to the City of Indianapolis, Marion County, Indiana". Said real estate being sold free from incumbrances.

But said purchaser desires to pay all of said purchase money cash in hand and he has accepted the same subject to the approval of the court.

He further shows that the appraised value of said real estate was \$300 and that the price at which the same was sold being \$150.00 more than the appraised value, was the highest and best price that he could receive from any person after strenuous efforts to secure the highest and best price therefor.

He therefore prays that the sale to said lot be confirmed and that as to the other lot described in said order of sale, which has not been sold, he asks further time to sell the same.

John W. Schmidt, Adm'r.

Subscribed and sworn to before me this 20th day of December 1889.

Edgar A. Brown, Notary Public (LS)

And the court being sufficiently advised in the premises finds that due notice of the time, place and terms of sale was given as provided in said order of sale and that the said real estate was sold for the highest and best price that could be obtained for the same and for more than the appraised value thereof and that it is to the interest of said estate to accept all of said purchase money cash.

It is therefore ordered and adjudged that said sale be in all things approved and confirmed and that said administrator be directed to accept all of said purchase money cash and make a proper conveyance to said purchaser of said real estate and now comes said administrator and exhibits to the Court for approval a conveyance of said real estate executed by him to said purchaser which deed is now approved by the Court and the approval of the Court indorsed thereon and the same is ordered to be delivered to the to the purchaser. Order Book 88 page 58.

NOTE: The mortgage referred to above is recorded in Mortgage Record 164 page 46 and satisfied of record Sept. 23, 1890.

223 page 501
Dec. 20, 1889
Recorded
Sept. 23, 1890

John W. Schmidt,
Administrator of the
estate of Thomas B. Carroll, as
such Administrator by order of
the Circuit Court of Marion County in
the State of Indiana, entered in Order
Book 88 of said Court on page 58,
to

Administrator's
Deed

-25-

Alexander C. Ayres,
Lot 3 in Bybee and Pratt's First West Side Addition
to the City of Indianapolis.
Approved by the Court.
Livingston Howland, Judge,
Marion Cir. Court.

534 page 351
Oct. 19, 1914
Recorded
Oct. 24, 1914

Alexander C. Ayres, unmarried
to
Levi P. Ayres,
The undivided one half of Lot 3 in Bybee and
Pratt's First West Side Addition to the City of Indianapolis.

Quit Claim Deed

-26-

-27-

Alexander C. Ayres, died testate October 12, 1918.

Will Record
DD page 285
Probated
Oct. 15, 1918

LAST WILL AND TESTAMENT OF ALEXANDER C. AYRES, DECEASED
I, Alexander C. Ayres of the City of Indianapolis,
Marion County, Indiana, do hereby make, publish and declare

-28-

47684

this to be my last will and testament hereby revoking all former wills by me at any time made.

After the payment of all my just debts and funeral expenses, I dispose of my estate as follows:-

First: I desire that a modest monument shall be erected on my lot in Crown Hill Cemetery, Indianapolis, Indiana.

Second: To my daughter Mabel Ayres, I give and bequeath the sum of \$20,000.00. I intend that Mabel being less able than the boys to earn a living shall receive more than they and I therefore do not intend the \$20,000.00 hereinafter bequeathed to her to in any way reduce her share of the remainder hereinafter devised and bequeathed.

Third: All the rest and residue of my estate, both real and personal of every name and character and description shall be divided equally between my four children namely:- Elliott Ayres, Mabel Ayres, Frank C. Ayres, and Henry Lee Ayres, provided however, that the share of my son Elliott shall be held in trust for him by my brother Levi P. Ayres for 10 years after my death the income to be paid to said Elliott annually. Said trustee shall have the power at his discretion to invest the principal or any part thereof in real estate or otherwise as he deems best for the benefit of my said son and at the end of said 10 years from my death my said son shall receive the principal thereof, unless the same has been previously invested for his benefit.

I further provide that the share of my said son Henry Lee Ayres be held in trust for him by my son Frank C. Ayres until he shall arrive at the age of 30 years, when he shall receive the principal thereof. The income therefrom shall be paid to him annually during said time. I provide however that if Henry Lee Ayres shall be of good habits said trustee may at his discretion, pay at any time a small portion of the principal to him, and if said Henry Lee Ayres shall manage that portion well, said trustee may gradually pay him the principal prior to his arrival at the age of thirty years. If however, said Henry Lee Ayres shall waste or squander so much of the principal as he shall first receive the remainder shall be held in trust until he becomes thirty years of age.

I desire that my said trustee - shall receive a reasonable compensation for their services, such compensation to be fixed by the Judge of the Marion Probate Court.

Fourth: I nominate and appoint my son Frank C. Ayres as executor of this my last will and testament.

In Witness Whereof, I have hereunto set my hand and seal at said City of Indianapolis, this 30th day of November, 1910.

Alexander C. Ayres,

(Duly Witnessed)

Codicil No. 1.

I, Alexander C. Ayres do hereby make a codicil to the above and foregoing will executed by me on the 30th day of November, 1910, and provide as follows:-

That in addition to the provisions in the above and foregoing will I give and devise the following described real estate to-wit: Lot 20 in Alexander C. Ayres East Washington Street Addition in the City of Indianapolis

Marion County, Indiana, to my niece Birdie E. Bray in fee simple.

In Witness Whereof I have hereunto set my hand and seal this 18th day of June, 1918.

Alexander C. Ayres (Seal)

(Duly Witnessed)

Estate Docket
No. 54
Estate Number
16492

-29-

IN THE PROBATE COURT OF MARION COUNTY, INDIANA:

In Re:- Administration on the Estate of Alexander C. Ayres, deceased.

Oct. 15, 1918. Last Will and Testament and Codicil of said Testator probated in open court; Bond filed and John E. Hollett was appointed Administrator with the will annexed of the Estate of said decedent and qualified as such. See Order Book 44 page 334.

Nov. 4, 1918. Proof of publication of Notice of appointment filed.

Sept. 6, 1919. Inheritance Tax determined, said estate is assessed \$1758.95. See Order Book 48 page 498.

NOTE: In the Final Report said Administrator reports by voucher "No. 73, 1921, Feb. 24, Paid, State Inheritance Tax \$1671.00".

Feb. 28, 1921. Final Report Filed.

Mar. 16, 1921. Proof of Publication of Final Notice filed.

April 9, 1921. Proof of Posting filed.

NOTE:- The "Entry" of April 9, 1921, on the Final Report of the administrator of the estate of said decedent reads as follows to-wit:-

Comes now John E. Hollett, Administrator of said Estate and submits to the Court the account and vouchers by him filed in final settlement thereof, on the 28th day of February, 1921, and also filed and submits proof of the posting of publication of notices to the creditors, heirs at law, and all others interested in said estate of the filing of said account and vouchers and when the same would be heard which notices and proofs the Court on, examination, holds to be sufficient and that said account and matters connected therewith are now properly before the Court for final action thereon; and the court having examined said account and vouchers and heard evidence relating thereto, finds that more than one year has elapsed since the grant of letters upon said estate and the giving of notice thereof; that said administrator has paid the debts and liabilities of said estate and fully administered the same and that he has distributed all of the personal property in said estate to the four beneficiaries under said decedent's will, Frank C. Ayres, Mabel E. Ayres, Levi P. Ayres, Trustee for Elliott Ayres and Frank C. Ayres Trustee for Henry Lee Ayres.

That said administrator distributed to the above mentioned beneficiaries the amount of \$72,918.52 of personal property of which said administrator was chargeable in his inventory in said estate, and which said personal property so distributed was listed in said final report in

Exhibit "3" attached thereto, and which said personal property is made a part of this entry, marked Exhibit "1" and attached hereto.

That in addition to said \$72,918.52 of personal property distributed, transferred and delivered equally to said above mentioned beneficiaries, said administrator also transferred and delivered to said beneficiaries \$700.00 par value 4th Liberty Loan Bonds, which had been subscribed for by said decedent in his lifetime but which were paid for by this administrator after decedent's death.

That said administrator also distributed to said beneficiaries the balance of all cash in hand in the total amount of \$380.60.

And the court now allows the credits claimed by said Administrator in his said account, including therein the amounts claimed for his own purposes and in payment of attorney's fees. The Court further finds from the statement of said administrator filed with or contained in said account and from proof heard in support thereof that said testate died seized in fee of certain real estate described in Exhibit "C" attached to said final report and which is attached hereto, made a part of this entry and marked Exhibit "2".

That by the terms of said decedent's will Lot 20 in Alexander C. Ayres E. Wash. St. Addition to the City of Indianapolis, Marion County, Indiana, was devised to his niece Birdie E. Bray, and that all of the remainder of said real estate so described in Exhibit "2" attached to this entry was devised equally to said above mentioned beneficiaries, Frank C. Ayres, Mabel E. Ayres, Levi P. Ayres, Trustee for Elliott Ayres, and Frank C. Ayres, Trustee for Henry Lee Ayres.

And the Court now in all things approves and confirms said account in final settlement and the acts of said Administrator as by him therein reported.

And it is further and finally ordered by the Court that said Administrator be, and he is now released and discharged from his said trust and that said estate be and the same is adjudged fully administered upon and finally settled and determined.

NOTE: - Exhibit 2 referred to herein reads as follows to-wit:

REAL ESTATE OWNED BY ALEXANDER C. AYRES
AT THE TIME OF HIS DEATH

1. Lot #15 in Ayres East Washington Street Addition to the City of Indianapolis, Marion County, Indiana.
2. Lot #31 in Woodruff Place, Marion County, Indiana.
3. Part of lots 2 and 3 in Square 73 in the City of Indianapolis, Marion County, Indiana, described as follows: Commencing at a point on Capitol Avenue in said City 45 feet South of the North East corner of said Lot 2; and running North on Capitol Avenue 38 feet to a point; thence West at right angles to Capitol Avenue to an alley, on the West side of said Lot 3; thence South along said alley 38 feet to a point; thence East to the place of beginning.

Also, a strip of ground 6 inches wide; Beginning at a point in Capitol Avenue 6 feet and 6 inches south of the North line of said lot 2; thence West 102 feet, more or less to an alley; thence South along said alley 6 inches thence East 102 feet; more or less to Capitol Avenue; thence

North 6 inches to the place of beginning.

4. Part of the North West Quarter of North West Quarter of Section 16, Township 15 North, Range 4 East, in Marion County, State of Indiana, described as follows:- Beginning at the north west corner of said Quarter Quarter and running South with the West line thereof 805 feet thence East parallel to the South line of said Quarter Quarter 412-5/10 feet; thence South parallel to the West line of said Quarter Quarter 528 feet to the South line thereof, thence East with said South line 568 feet; thence North parallel to the West line of said Quarter Quarter 1333 feet to the North line of said Section; thence West 980-5/10 feet to the beginning, containing 25 acres.

5. Part of the North East Quarter of the North West Quarter of Section 16, Township 15 North, Range 4 East in Marion County, State of Indiana, described as follows:-

Beginning at the North West corner of said Quarter Quarter and running East with the North line thereof, 850-15/100 feet, thence South parallel to the East line of said Quarter Quarter 797 feet to the center of the Michigan Road; thence North 58 degrees West with the center of said road 1029-7/10 feet to the West line of said Quarter Quarter; thence North 202 feet to the place of beginning, containing 9-75/100 acres.

6. Lot 1677 in Mars Hill Addition, being a subdivision of the south west quarter of section 20, and parts of the North West Quarter North East Quarter and south East quarter of Section 20, and part of the North East Quarter and part of the North West Quarter of Section 29, and part of the North East Quarter of Section 30, all in Township 15 North of Range 3 East, in Marion County, Indiana

7. Lot #2 in Leathers Subdivision in A.E. Fletcher's 2nd Addition to the City of Indianapolis, Marion County, Indiana.

8. The West half of the South Half of Lot 2 in Yandes and Wilkins Subdivision, Square 100 in the City of Indianapolis, Marion County, Indiana.

9. An undivided one half interest in Lot 3 in Bybee & Pratt's 1st West side Addition to the City of Indianapolis Marion County, Indiana, excepting the right of way of the railroad.

(Although this property stands in the name of Alexander C. Ayres, Levi P. Ayres, claims a one-half interest in the same).

10. An undivided one half interest in a part of the South West Quarter of Section 17, Township 15 Range 4 east in Marion County, Indiana:- Beginning at the North East Corner of said quarter section, running thence West 8 chains and 27 links, thence south 6 chains and 82 links thence East 8 chains and 26 links, thence north 6 chains and 82 links to the beginning, containing 5.62 acres.

11. Lot 1 in the plat of the four acre Hospital Block being part of out lot 159 of the City of Indianapolis, as platted by the City Council of the City Council of the City of Indianapolis, as per plat thereof recorded in Plat Book 1 page 51 and 52 in the office of the Recorder of Marion County, Indiana, also so much of Bright Street vacated as shown by proceedings spread of record in Town Lot Record 441 page 561 in the office of said Recorder, except however, all of that part

of said Lot 1 described as follows to-wit: Beginning on Indiana Avenue at the northwest corner of said lot, and running thence 45 feet in a southeasterly direction on the southwest line of Indiana Avenue to a point, thence south parallel with the west line of Bright Street to the North line of Walnut Street, thence west on the north side of Walnut Street to the west line of said Lot, 1, thence north and northeasterly on the west line of said lot to the place of beginning, said excepted piece being more particularly described in deed dated November 12, 1909 from Alexander C. Ayres, et al, to John A. Victor et al, and recorded in Town Lot Record 453 page 130 of the records in said Recorder's Office. (Sold to G.H. Taylor, January 3, 1920).

12. An undivided two thirds interest in Lots 34, 35, 36, 37, 38 and 39 in Atkinson's 3rd Addition to the City of Indianapolis, Indiana.

13. An undivided one half interest in a part of Lots 33 and 34 in Aaron Kaufman's Woodside Addition to the City of Indianapolis, Marion County, Indiana, being a strip 46 feet in width west of 46 feet off of the east end thereof.

14. Lot 6 in Blake & Ray's Subdivision, (West of White River) of Out lot 12 of Square 4 in the City of Indianapolis, Marion County, Indiana.

15. Part of the North East Quarter of the North West Quarter and part of the North West Quarter of the North East Quarter all in Section 16, Township 15 North, Range 4 East in Marion County, State of Indiana, described as follows:- Beginning at the North East Corner of said North west Quarter quarter and running west with the North line of said Section 1440 feet; thence South parallel to the West line of said North West Quarter Quarter 666 feet; thence East parallel to the North line of said Section 1441 feet to the East line of said North West Quarter Quarter; thence North 666 feet to beginning, containing 22 acres; 1, 1/2 acres of which are in said North East Quarter of said North West Quarter, excepting that part used and occupied by the Indianapolis & Cincinnati Traction Company being 2 rods along the entire north end thereof.

16. Lot 20 in Ayres East Washington Street Addition to the City of Indianapolis, Marion County, Indiana.

17. Part of the North East Quarter of the North West Quarter and part of the North West Quarter of the North East Quarter, all in Section 16, Township 15, North Range 4 East in Marion County, State of Indiana, described as follows: Beginning at the South East corner of said North West Quarter Quarter and running North with the East line thereof 670 feet; thence west parallel to North line of said Quarter Quarter 1441 feet; thence South parallel to the West line of said North West Quarter Quarter 409 feet to the center of the Michigan Road; thence South 58 degrees East with the center of said road 453 feet to the South line of said North West Quarter Quarter; thence East with the said South line 1068 feet to the beginning, containing 21-1/100 acres; one acre of which is in the said North East Quarter of the North West Quarter of said Section, excepting that part used and occupied by the Indianapolis & Cincinnati Traction Company being 2 rods along the entire north end thereof.

(And other real estate, not located in Marion County, Indiana.) See Order Book 64 pages 497 etc.

April 24, 1923. Application for letters of administration de bonis non with the will annexed of said estate filed.

And the Court having examined the same and being duly advised finds that said estate has been duly administered upon in this Court and the executor of said decedents will released and discharged, that there are assets of said estate which have not been and should be administered upon, whereupon Frank C. Ayres filed bond and was appointed and qualified as administrator de bonis non with the will annexed of said estate April 24, 1923.

See Order Book 84 page 68.

"Pending".

November 23, 1928 First and Final Report of Administrator, de bonis non filed. Approved. Estate closed. Order Book 119 page 96.

ATTEST, UNION TITLE CO., INC.
BY *Willis N. Corral*
NOTARY PUBLIC

-30-

NOTE:- The Final Report of John E. Hollett, Administrator with the will annexed of the estate of Alexander C. Ayres deceased contains the verified statement, "that said decedent died leaving no widow surviving him, but leaving four children who were born out of the wedlock of said decedent and his wife Anna F. Ayres, as follows, to-wit: Elliott Ayres, a son, Mabel E. Ayres, a daughter Frank C. Ayres a son, Henry Lee Ayres a son, that the said four children of said decedent are the only surviving heirs at law of said decedent". Also the following payments to-wit:-

Voucher 38, 1919 Oct. 11, Paid Wm. L. Elder, Collector Federal Inheritance Tax \$3,784.00.

Voucher 52, 1920, May 6. Paid Wm. L. Elder, Collector of Internal Revenue Additional determined Federal Inheritance Tax, \$13.17.

Voucher 73, 1921 Feb. 24. Paid State Inheritance Tax, \$1671.00.

See Administrator Reports Record 58 pages 717, etc.

Misc. Record
141 p. 554
Oct. 5, 1923
Recorded
Oct. 9, 1923

-31-

STATE OF INDIANA, COUNTY OF MARION SS:

Frank C. Ayres, being duly sworn upon oath deposes and says:- That he is a son of Alexander C. Ayres, deceased who died testate on the 12th day of October, 1918 in Marion County, State of Indian, and that his father was survived by no widow and that no children were born to his father subsequent to November 30, 1910.

That there are no judgments of record against any of the following to-wit:-

Levi P. Ayres, Alexander C. Ayres, Elliott Ayres, Mabel Ayres, Frank C. Ayres, Henry Lee Ayres, Levi P. Ayres Trustee, Frank C. Ayres, Trustee in the Criminal Court of Marion County or in the United States District Court for the District of Indiana.

Further affiant saith not.

Frank C. Ayres,

Subscribed and sworn to before me this 5th day of October, 1923.

Grace Blankenship (LS)

Notary Public.

My commission expires January 12, 1925.

Trust Docket
#2 page 318

-32-

IN THE PROBATE COURT OF MARION COUNTY, INDIANA.

In Re:- Trusteeship of Henry Lee Ayres, under the Will of Alexander C. Ayres, deceased,

Aug. 4, 1919. Petition for appointment of Trustee filed, granted, Bond filed and Frank C. Ayres was appointed Trustee and qualified as such and certificate issued See Order Book 57 page 271.

Nov. 27, 1922. Final Report filed, approved, Trustee discharged and trust terminated. See Order Book 82 page 108.

Trust Docket
#2 page 317

-33-

IN THE PROBATE COURT OF MARION COUNTY, INDIANA.

In Re: Trusteeship of Elliott Ayres, under the last will and Testament of Alexander C. Ayres, deceased.

Aug. 4, 1919. Petition for appointment of Trustee filed, granted, Bond filed and Levi P. Ayres was appointed Trustee and qualified as such. Certificate issued. See Order Book 57 page 271. "Pending".

October 15, 1928 Verified Final Report of Trustee filed. Approved. Trust closed. Order Book 117 page 526. Costs Paid.

IN THE PROBATE COURT OF MARION COUNTY, INDIANA

ATTEST, UNION FILE CO., INC.

PRES. & GEN. MGR.

Trust Docket
2 page 317
Petition filed
April 30, 1926

-34-

In Re: Trusteeship of Elliott Ayres, under the Will of Alexander C. Ayres, deceased.
(Petition not on file)

Comes now Levi P. Ayres, Trustee for Elliott Ayres, and files his petition for the approval of this Court of an equal division made by the four devisees under the will of Alexander C. Ayres, deceased of said real estate described in said petition, which petition is in the words and figures as follows to-wit: (H.I.) and said court having examined said petition and being duly advised in the premises finds that the allegations of said petition are true and that the division of said real estate as shown therein should be approved.

It is therefore ordered, adjudged and decreed by the Court that said petition be and it is hereby approved and the division of said real estate as shown thereby be and it is hereby approved, and said Trustee be and he hereby is authorized to execute said deeds as shown for his signature in such petition and all of the deeds as shown by said petition be and they are hereby approved. Order Book 101 page 393.

768 page 138
April 10, 1926
Recorded
June 29, 1926

-35-

Elliott Ayres, unmarried,
Levi P. Ayres, Trustee for
Elliott Ayres,
Frank C. Ayres, and
Myrtle L. Ayres, his wife,
Henry Lee Ayres, and
Jennie M. Ayres, his wife,
to
Mabel E. Ayres,

Warranty Deed

An undivided one half interest in Lot 3 in Bybee

and Pratt's First West side Addition to the City of Indianapolis as shown in Plat Book 6 page 171 of the records of the Recorder's Office of Marion County, Indiana. (And other real estate)

Subject to the taxes of 1926 payable in 1927 and all other taxes and assessments from the date of this deed.

Barrett Law
Record 279 p.1
Resolution #10479
Approved
Jan. 5, 1923

Alexander C. Ayres and
Levi P. Ayres,
to
Concrete Pavement and
Curb in River Ave.

SINCE PAID IN FULL
ATTEST UNION TITLE CO. ASSESSMENT
BY *Willis McCarroll*
PRES. & GENL. MGR.

-36-

Lot 3 herein assessed for \$336.20 payable in 10 annual installments and interest on said principal sum payable semi-annually in May and November of each year.

Now 4/10 paid up to and including Nov. 1926 installment.

-37-

Adopted March 14, 1924, Resolution 11614, White River Flood Prevention, from Morris Street to Washington St., including new five span bridge over White River to replace present bridge at Oliver Ave. and new seven span bridge over Kentucky Ave. to replace present bridge over Kentucky Ave. and appropriation of land.

SINCE PAID IN FULL
ATTEST UNION TITLE CO. INC.
BY *Willis McCarroll*
PRES. & GENL. MGR.

-38-

Adopted Dec. 2, 1925, Resolution 12763, White River Flood Prevention from 775 ft. S. of Center line of Ray-St. to Morris St. constructing levees and walls for changing, widening, dredging stream, reconstruction of present highway bridge at Morris St. by replacing same with a new bridge to conform to new channel and condemning land.

*Rescinded
76*

RESCINDED
ATTEST UNION TITLE CO. INC.
BY *Willis McCarroll*
PRES. & GENL. MGR.

-39-

Examination made for judgments against Alexander C. Ayres from January 19, 1917 to and including October 12, 1918, Frank C. Ayres as Trustee of Henry Lee Ayres from Aug. 4, 1919 to and including Nov. 27, 1923; Levi P. Ayres as Trustee of Elliott Ayres from Aug. 4, 1919 to and including June 29, 1926 and Elliott Ayres, Frank C. Ayres and Henry Lee Ayres from January 19, 1917 to and including June 29, 1926, and Mabel E. Ayres and Levi P. Ayres for the ten years last past and against none other.

47684

- 40- Taxes for 1924 paid in full
- 41- Taxes for 1925 paid in full.
- 42- Taxes for 1926 not paid.

ONCE PAID IN FULL
AT THE UNION TITLE CO., INC.
Willis N. Corral
PRES. & GENL. MGR.

Indianapolis, Indiana. February 1, 1927.

-43- The foregoing is the chain of title to and encumbrances upon Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 200 in the office of the Recorder of Marion County, Indiana, as appears from a search of the records in the Recorder's Office, including the Federal Tax Lien Index in said office, tax sale records in the Auditor's Office, current tax duplicates for real estate, and municipal assessment records in the Treasurer's Office, as certified by the City Comptroller; the Lis Pendens records of Complaints and Attachments and the general judgment dockets of the Circuit Superior and Probate Courts of Marion County, and the Civil Municipal Courts of Marion County, Indiana, as said records and dockets are now entered up; we find no further conveyances, nor unsatisfied encumbrances of record, affecting the tract described in the Caption hereof. No search made for judgments in the United States District Court at Indianapolis, for the District of Indiana.

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

Union Title Co.

Willis N. Corral

182164

CAPTION

-1-

Continuation of Abstract of Title to Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8 page 200 in the office of the Recorder of Marion County, Indiana. Since February 1, 1927.

Prepared for General Protestant Orphan Association.

Misc. Record
256 page 317
Inst. # 23661
July 16, 1934
Recorded
July 25, 1934

-2-

STATE OF INDIANA, COUNTY OF MARION, SS:

Henry Lee Ayres, of said county and state, being duly sworn, upon his oath says that he is a son of Alexander C. Ayres and Anna F. Ayres, and a grandson of Levi Ayres and Jane C. Ayres; that Levi Ayres died testate, a resident of Marion County, Indiana, on the 14th day of December, 1888; that his last will and testament is of record in Will Record "J" page 426 of the Clerk's office of Marion County, Indiana; that said Levi Ayres had no child or children born on or subsequently to the 20th day of November, 1888 the date of the execution of said will.

That said Jane C. Ayres died intestate, a resident of Marion County, Indiana, on the 2nd day of May, 1894, the widow of said Levi Ayres, leaving surviving her her children, Alexander C. Ayres, and Levi P. Ayres, and her two grandchildren, Birdie E. Bray and Ida Jane Ayres, the sole children of John T. Ayres, a predeceased son; that said Jane C. Ayres left surviving her no other child or children or descendant or descendants of deceased child or children, with the possible exception of Franklin Ayres, a son whose whereabouts at the time of the death of said Jane C. Ayres were unknown, and who has never been heard from by any member of the family since the death of said Jane C. Ayres.

That said Alexander C. Ayres died testate, a resident of Marion County, Indiana, on the 12th day of October, 1918; that the last will and testament of said Alexander C. Ayres is of record in Will

182164

Record "DD" page 285 of the Clerk's Office of Marion County, Indiana; that said Alexander C. Ayres survived said Anna F. Ayres as her widower, and died as her widower; that said Alexander C. Ayres had no child or children born on or subsequently to the 30th day of November, 1910, the date of the execution of his last will and testament.

That said affiant was born on the 11th day of October, 1892.

And further affiant saith not.

Henry L. Ayres.

Subscribed and sworn to before me this 16 day of July, 1934.

H. G. Monen (LS)

Notary Public

My commission expires June 22, 1935.

Town Lot Record
785 page 24
Inst. # 6640
Feb. 8, 1927
Recorded
Feb. 15, 1927

Levi P. Ayres, unmarried, and
Mabel E. Ayres, unmarried
to
Nesbit L. Searcy and
Anna Searcy,
husband and wife

Warranty Deed

Lot numbered 3 in Bybee and Pratt's First West Side Addition to the city of Indianapolis, as per plat book 8 page 200 in the office of the Recorder of Marion County, Indiana.

Subject to taxes 1926 due and payable in 1927.

Subject to taxes first half of 1927, now a lien.

Subject to unpaid balance barrett for improvement of River Ave. (Street).

-3-

Town Lot Record
791 page 307
Inst. # 20278
May 9, 1927
Recorded
May 11, 1927

Nesbit L. Searcy and
Anna Searcy,
husband and wife
to

Warranty Deed

Charles N. McConnell

Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis.

Subject to a certain mortgage due the General

-4-

182164

Protestant's Orphan Association in the amount of \$2750.00, due in 1932.

Also subject to any and all municipal assessments now and hereafter due.

Town Lot Record
792 page 112
Inst.# 21913
May 18, 1927
Recorded
May 21, 1927

Charles N. McConnell and
Frances E. McConnell, his wife
to
J. Ray Monaghan

Warranty Deed

Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book -- page -- in the records of the Recorder of Marion County, Indiana.

-5-

Subject to a certain mortgage of \$2750.00 due the General Protestant Orphan Association, dated ---- due five years after date; Also subject to a certain mortgage of \$1850.00, due the Marion County State Bank, same being a second mortgage payable in installments of \$33.64 per month plus interest at the rate of seven per cent per annum, payable semi-annually, both of which mortgages, I assume and agree to pay; Also subject to all taxes and Barrett Law Assessments now or hereafter due.

(NOTE: Mortgage for \$1850.00 above referred to is recorded in Mortgage Record 990 page 188 and was duly entered satisfied of record on June 5, 1930)

ATTEST: *WILLIAM TITZEL CO. INC.*
BY *William A. Corral*
PRES. & GEN. MGR.

Town Lot Record
845 page 439
Inst.# 25904
June 25, 1929
Recorded
June 26, 1929

J. Ray Monaghan,
unmarried
to
Charles Muir and
Vida B. Muir,
husband and wife.

Special
Warranty Deed

Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 200, of the Recorder's office of Marion County, Indiana.

-6-

Subject to an unpaid balance of a certain mortgage in the principal sum of \$2750.00, payable

182164

to General Protestant Orphan Association, and recorded on February 15, 1927, in Mortgage Record 985 page --- Instrument #6641, which said mortgage the grantees assume and agree to pay as a part of the purchase price hereof.

Subject, further, to the unpaid balance of a certain mortgage in the sum of \$1850.00, payable to the Marion County State Bank, and recorded on May 11, 1927, in Mortgage Record 990, page -- Instrument #20279, which said mortgage the grantees assume and agree to pay as a part of the purchase price hereof.

(Also other real estate).

Grantor conveys each of the above tracts of real estate subject to the taxes payable in November, 1929 and thereafter, and subject to any and all assessments, liens and encumbrances of every kind and nature whatsoever and grantor warrants the title to said real estate as to his acts only.

(NOTE: Mortgage recorded in Mortgage Record 990 Inst. #20279 above referred to entered satisfied of record on June 5, 1930.)

WILLIAM H. COVILL
BY _____
PRES. & GEN. MGR.

Town Lot Record
866 page 26
Inst.# 30231
Aug.27,1930
Recorded
Aug.28,1930

Charles Muir and
Vida B.Muir,
husband and wife
to
Russe H.Hartman

Warranty Deed

Lot numbered 2 in Benjamin T.Thornton's Subdivision of Lots 29, 30 and 31 in Charles St.John West's Addition to the City of Indianapolis, reference being made to the plat of Thornton's Subdivision as recorded in Plat Book 8 page 154 in the office of the Recorder of Marion County, Indiana. Subject to the second half taxes for year 1929 payable in November 1930 and all subsequent taxes; also subject to balance due on the Barrett Law Assessment.

Also Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8 page 200 in the office of the Recorder of Marion County, Indiana. Subject to a certain mortgage of \$2750.00 due the General Protestant Orphan Association of Indianapolis, Indiana, with accrued interest from August 15th, 1930, all of which I assume and agree to pay; Also subject to the second installment of taxes for the year

-7-

182164

1929 payable in November 1930, and all subsequent taxes and all Barrett Law Assessments which are now or may hereafter become a lien against said real estate.

Town Lot Record
867 page 554
Inst.# 34579
Oct.1,1930
Recorded
Oct.4,1930

Russe H.Hartman and
May R.Hartman,his wife
to

Warranty Deed

- Harval Investment Co.,Inc.

Lot numbered 2 in Benjamin T.Thornton's Subdivision of Lots 29, 30 and 31 in Charles St.John West's Addition to the City of Indianapolis, reference being made to the plat of Thornton's Subdivision as recorded in Plat Book 8, page 154 in the office of the Recorder of Marion County,Indiana. Subject to the second half taxes for the year 1929 payable in November 1930 and all subsequent taxes; also subject to balance due on the Barrett Law assessment.

Also Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 200 in the office of the Recorder of Marion County,Indiana. Subject to a certain mortgage of \$2750.00 due the General Protestant Orphan Association of Indianapolis, Indiana, with accrued interest from August 15th, 1930 all of which it assumes and agrees to pay; Also subject to the second installment of taxes for the year 1929 payable in November 1930 and all subsequent taxes and all Barrett Law Assesmsnets which are now or may hereafter become a lien against said real estate.

-8-

182164

Misc. Record
222 page 600
Inst. #25135
July 15, 1930
Recorded
July 17, 1930

ARTICLES OF INCORPORATION OF THE HARVAL INVESTMENT CO., INC.

The name of this Corporation shall be The Harval Investment Co., Inc.

The purpose or purposes for which it is formed are as follows:

To engage in the general real estate, loan and insurance business.

The period during which it is to continue as a corporation is 50 years.

The total number of shares into which its authorized capital stock is to be divided is 100, consisting of shares as follows:

100 shares having a par value of \$100.00 each
--- shares having no par value.

All stock in this corporation is common stock.

The amount of paid in capital with which this corporation will begin business is \$500.00.

-9-

Misc. Record
228 page 319
Inst. #42667
Dec. 15, 1930
Recorded
Dec. 17, 1930

ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE HARVAL INVESTMENT CO., INC.

Thomas W. Kercheval and Cecilia C. Conway of the above named corporation respectfully show that:

1. The above named corporation was organized under "The Indiana General Corporation Act," approved March 16, 1929, on July 16th, 1930.

2. The above named corporation upon the proposal of its Board of Directors by resolution duly adopted by said Board of Directors setting forth the proposed amendment and directing that the same be submitted to a vote of the shareholders entitled to vote in respect thereof at a designated meeting of such shareholders and upon the adoption thereof by said shareholders at said meeting as provided by law and as hereinafter more specifically set out, does now hereby by Thomas W. Kercheval, its President and Cecilia C. Conway its Secretary execute and acknowledge the following:

-10-

Articles of Amendment of its Articles of Incorporation.

3. That Clause 2 of Article A be amended to read as follows:

2. The purpose or purposes for which it is formed are as follows:

In furtherance and not in limitation of the powers conferred by law:

(a) To continue as a corporation, under its corporate name, perpetually;

(b) To sue and be sued in its corporate name;

(c) To have a corporate seal and to alter the same at pleasure, and to use such seal generally, but the use of such seal shall be necessary only as required by law;

(d) To acquire, own, hold, use, lease, mortgage, pledge, sell, convey, or otherwise dispose of property, real and/or personal, tangible and/or intangible, legal or equitable;

(e) To borrow money, and to issue, sell or pledge its obligations and evidences of indebtedness and to mortgage or pledge its property and franchises to secure the payment thereof.

(f) To conduct business in this State and elsewhere; to have one or more offices out of this state; and to acquire, own, hold and use, and to lease, mortgage, pledge, sell, convey or otherwise dispose of property, real and/or personal, tangible and/or intangible, out of this state;

(g) To acquire, guarantee, hold, own and vote and to sell, assign, transfer, mortgage, pledge or otherwise dispose of the capital stock, bonds, securities or evidences of indebtedness of any other corporation, domestic or foreign;

(h) To purchase, own, and/or hold and to sell and transfer (but not to vote) shares of its own capital stock, if and when the capital of this Corporation is not thereby impaired;

(i) To appoint such officers and agents as the business of this Corporation may require, and to define their duties and fix their compensation;

(j) By its Board of Directors to make, alter, amend or repeal by-laws for the government and regulation of its affairs;

(k) To cease doing business and to dissolve and surrender its corporate franchise;

(l) To do all acts and things necessary, convenient or expedient to carry out the purpose for which it is formed;

(m) To carry on, engage in and/or conduct any business or businesses or do any act or acts which a natural person or persons might do and which are necessary, convenient or expedient to accomplish the purposes for which this corporation is formed and such as are not repugnant to law; but this Corporation shall not be deemed to possess the power of carrying on the business of receiving deposits of money, bullion or foreign coins, or of issuing bills, notes or other evidences of debt for circulation as money, and this corporation shall not engage in

the business of rural loan and savings association, credit unions nor conduct a banking, railroad insurance, surety, trust, safe deposit, mortgage guarantee or building and loan business.

(n) To purchase, acquire, hold, mortgage, pledge hypothecate, exchange, sell, deal in and dispose of, alone or in syndicates or otherwise in conjunction with others, commodities and other personal property of every kind, character and description whatsoever and wheresoever situated, and any interest therein.

(o) To pay for any property, real or personal, this corporation may acquire or purchase with shares of the capital stock, bonds or other obligations or securities of this corporation, or to issue its shares of stock in exchange therefor.

(p) The foregoing clauses shall be construed as powers as well as purposes, and the matters expressed in each clause shall, except if otherwise expressly provided, be in no wise limited, by reference to or inference from the terms of any other clause, but shall be regarded as independent powers and purposes; and the enumeration of specific powers and purposes shall not be construed to limit or restrict in any manner the meaning of general terms or the general powers of the corporation; nor shall the expression of one thing be deemed to exclude another not expressed, although it be of like nature, the corporation shall be authorized to exercise and enjoy all other powers, rights and privileges granted by an Act of the General Assembly of the State of Indiana entitled "The Indiana General Corporation Act", approved March 16, 1929 to corporations organized thereunder, and all the powers conferred by all acts heretofore or hereafter amendatory of or supplemental to the said Act or the said laws; and the enumeration of certain powers as herein specified is not intended as exclusive of, or as a waiver of, any of the powers, rights or privileges granted or conferred by the said Act or the said laws now or hereafter in force; provided, however, that the corporation shall not in any state, territory, district, possession or country carry on any business or exercise any powers which a corporation organized under the laws thereof could not carry on or exercise.

The above amendment was adopted in the following manner and by the following vote, that is to say:

The Board of Directors of said corporation, at a duly called (or regular meeting) of said Board held on December 12, 1930 at Indianapolis, adopted the following resolution of Articles of Amendment of the Articles of Incorporation of said corporation.

"Resolved, that the Articles of Incorporation be amended to read as **above** set out.

"Be it further resolved, that this proposed amendment be submitted to a vote of the shareholders entitled to vote thereon at a special meeting, to be held on the 12th day of December, 1930, at Indianapolis, Indiana.

"Be it further resolved that a special meeting of the shareholders entitled to vote thereon is hereby called for December 13, 1930 at Indianapolis, Indiana, and the secretary is hereby directed to give notice thereof as required by law."

b. At the shareholders' meeting the shareholders entitled to vote in respect of said amendments to the Articles of Incorporation, upon the call and notice required by law, did adopt the above amendment (s) by the affirmative vote of the holders of at least a majority and/or such greater proportion as required by its Articles of Incorporation, of the outstanding shares entitled to vote thereon; and/or by the affirmative votes of the holders of at least a majority and/or such greater proportion as required by its Articles of Incorporation of the outstanding shares entitled to vote as a class thereon; and/or at least a majority of the outstanding shares of all other classes entitled to vote thereon. That all of the holders of all the stock were present at said meeting and all voted in favor of said resolution.

IN WITNESS WHEREOF, the undersigned Thomas W. Kercheval and Cecilia C. Conway, respectively of said corporation have hereunto set their hands and seals this 15th day of December, 1930.

Thomas W. Kercheval

Cecilia C. Conway

STATE OF INDIANA, COUNTY OF MARION, SS:

Before me, Walter C. Clarke, a Notary Public in and for said County and State, personally appeared Thomas W. Kercheval and Cecilia C. Conway well known to me to be the Thomas W. Kercheval and Cecilia C. Conway, respectively of the above named corporations and severally acknowledged the execution of the foregoing Articles of Amendment.

Witness my hand and notarial seal this 15th day of December, 1930.

Walter C. Clarke (LS)

Notary Public

My Commission expires September 27, 1934.

Approved and filed December 15, 1930.

Frank Mayr, Jr.,

Secretary of State.

PAID IN CAPITAL AFFIDAVIT

Misc. Record
222 page 604
Inst. #25137
- - - - -
Acknowledged
July 9, 1930
Recorded
July 17, 1930

STATE OF INDIANA, COUNTY OF MARION, SS:

WHEREAS, the Articles of Incorporation, of The Harval Investment Co., Inc. 224 N. Delaware Street, Indianapolis, Marion County, Indiana, filed in the office of the Secretary of State of the State of Indiana, on the - day of July, 1930, and the duplicate approved original of which filed with the Recorder of Marion County, Indiana, contain the following:

"The amount of paid in Capital with which this corporation will begin business is \$500.00.

AND WHEREAS, the sum of \$500.00 aforesaid being the amount of paid in capital, with which it will begin business, as stated in the Articles of Incorporation has been fully paid in,

AND WHEREAS, said Articles of Incorporation prescribe that the number of Directors shall be three.

182164

NOW THEREFORE, the undersigned, being not less than a majority of the Board of Directors of said corporation, being duly sworn upon oath, do hereby state that the sum aforesaid in the amount of \$500.00 has been fully paid in, and

BE IT REMEMBERED, that this affidavit by not less than a majority of the Board of Directors of said corporation is made pursuant to Section 20 (c) of Article 2 of the act of the General Assembly of the State of Indiana, entitled "An act concerning domestic and foreign corporations for profit, providing penalties for the violation hereof and repealing all laws or parts of laws in conflict herewith", approved March 16, 1929.

DIRECTORS' SIGNATURES	STREET & NO.	CITY	STATE
Thomas W. Kercheval	220 N. Del. St.	Indpls.	Ind.
Cecilia C. Conway	"	"	"
Nellie E. Kercheval	"	"	"

STATE OF INDIANA, COUNTY OF MARION, SS:

On this 9th day of July, 1930, personally appeared before me, a Notary Public, in and for the County of Marion, State of Indiana, Thomas E. Kercheval, and made oath that the foregoing statement by him or them subscribed is true in substance and in fact.

Charles N. McConnell (LS)
Notary Public

My Commission expires December 3, 1932.
(Duly acknowledged as to Cecilia C. Conway and Nellie E. Kercheval.)

182164

Town Lot Record
897 page 384
Inst.# 23197
Oct.21,1932
Recorded
Oct.26,1932

The Harval Investment Co., Inc.
(----)
By Thomas W. Kercheval, Pres.,
By Cecilia C. Conway, Secy.
to
General Protestant Orphan
Association

Warranty Deed
U.S. Revenue
Stamp Attached

-12-

Lot numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8 page 200 in the office of the Recorder of Marion County, Indiana.

Subject to a certain mortgage of \$2750.00, due the General Protestant Orphan Association of Indianapolis, Indiana, with accrued interest thereon.

Subject also to all taxes and assessments of record.

The President and Secretary of The Harval Investment Co., Inc., grantor herein, do hereby certify that said company has no preferred stock issued or outstanding, and that they have been duly authorized and empowered by the Board of Directors of said Company, to execute and deliver this deed of warranty.

Misc. Record
9 page 134
Inst.# 8948
June 4, 1887
Recorded
July 7, 1887

ARTICLES OF ASSOCIATION OF GERMAN GENERAL PROTESTANT ORPHAN ASSOCIATION.

The name of the Association is "German General Protestant Orphan Association of Indianapolis."

The object of the Association is to receive all poor children of Marion County, Indiana, who are without parents, into the Asylum, erected for the education of Orphans, without compensation.

The business of the association is managed by the officers, consisting of one president, vice president, two secretaries, one treasurer, who are each elected for one year, and eleven Trustees, who are elected for two years, to wit: 5 in one and 6 in the next year. The Trustees are to furnish a Bond to such an amount as may be fixed by the Association.

To insure the permanency of the Association, all donations or legacies of money or real estate are to go into the Interest Fund, and only the income or interest thereof is to be used for the mainte-

-13-

182164

nance of the Asylum. The principal can only in case of necessity be used as a loan. The board is bound to see that in every such instance the money is to be repaid, as soon as possible. The Treasurer and second Secretary are to keep a separate account of this Fund and are to report semi-annually the exact condition thereof.

This association cannot be dissolved as long as twelve members desire the continuance of the same.

Sections 1, 2, 32, 35 and 36 of this Constitution are not to be subject to change; all other sections can only be amended, if a request, which is signed by ten members, is made for their amendment and two thirds of the meeting favor the amendment.

For the change of any Article a special meeting is to be called. All members are to be notified in writing and are to be invited by a notice published in a newspaper. In such special meeting the Constitutional proposition, if any such has been prepared, is to be considered by sections and afterward a vote is to be taken on the constitution as a whole before the construction is to become valid, it must be read in the two regular meetings succeeding the special meeting and adopted by a two thirds majority of the members present.

(For a more complete description of the articles of association and constitution of the above association, see instrument).

Misc. Record
104 page 245
Inst. # 1312
Dec. 1, 1918
Recorded
Jan. 21, 1919

-14-

AMENDMENT OF ARTICLES OF ASSOCIATION OF GERMAN GENERAL
PROTESTANT ORPHAN ASSOCIATION OF INDIANAPOLIS.

That section number one of said articles in incorporation was amended to read as follows:

Section No. 1. Name and Seal.

The name of the Association shall be and is "General Protestant Orphan Association", and its corporate seal shall be a circular disc containing the impression of the pictures of two children in the center and the letters G.P.C.A. Indianapolis, Ind. around the periphery thereof.

That Section number two of said articles of incorporation was amended to read as follows:

Object: Section No. 2. The object of the association shall be and is, to provide a home and to receive and care for therein poor children of Marion County, in the State of Indiana, who have no living parent,

182164

without compensation, which home shall hereafter be known as the "Orphanage", of the association; to secure to half orphans, that is to say, to such children who have but one living parent the same benefits as are provided for other orphans above referred to, provided however, that such half orphans shall be admitted to the orphanage, if their respective circumstances seem to require it only. Orphans, who may have means of their own may also be admitted and cared for in the orphanage for the payment of such monies for their support as may be required, the decision of the amount of which shall rest with the Board of Directors subject to the approval of any court of the state of Indiana as may have proper jurisdiction in such cases; provided further that all admissions to said orphanage shall be made in accordance with and subject to all of the rules, regulations and constitutions provided for in the articles of incorporation of the association as they now exist or as they may be made or amended hereafter and of the by-laws supplemental thereto; provided however that no orphans or half orphans shall ever be admitted to the orphanage if three members in good standing of the association shall object to such admission, which object shall in such case be correctly entered into the minutes by the recording secretary, should any surviving parent of any half orphan in the orphanage remarry the association may demand from such parent that his child or children shall be removed therefrom and such parent shall then within ten days after such demand take such child or children from the orphanage to his own home and assume all future responsibility for such child or children, provided, however, that upon sufficient reason shown the Board of Directors may grant further extension of time within which such child or children shall be removed.

(For amendment of other sections of the articles of association and constitution of the above Association, see instrument).

CERTIFICATE OF ACCEPTANCE BY THE "GENERAL PROTESTANT ORPHAN ASSOCIATION" OF AN ACT OF 1923, CHAPTER 17 OF THE ACTS OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA.

Indianapolis, Indiana,
February 14, 1938

To the Secretary of State of the State of Indiana.

George H. Herrmann, President and Edward A. Gardner, Secretary, of the above named corporation respectfully show that:

1. The above named corporation was formed prior to July 7, 1887 and did on that day file

Misc. Record
286 page 597
Inst. # 4409
Feb. 14, 1938
Recorded
Feb. 15, 1938

-15-

182164

Articles of Incorporation in the office of the Recorder of Marion County, State of Indiana and that a certified copy of said articles was filed in the office of the Secretary of State of the State of Indiana.

That although said articles of incorporation do not recite to have been filed pursuant to any particular law of the state of Indiana, said Association was declared to be legally incorporated by virtue of an Act of 1891, appearing as Chapter 68 on page 81 and an Act of 1923, appearing as Chapter 17 on page 56, respectively, in the published Acts of the General Assembly of the State of Indiana, for those years.

2. That said Association by resolution passed February 6, 1938 by a unanimous vote of the members of said association resolved to be governed by and exercise the privileges granted by an Act of 1923 published on page 56 as Chapter 17 of the Acts of the General Assembly of the State of Indiana for that year.

3. That the corporate facts of said Association do now exist as set forth in the articles of Incorporation as heretofore filed in the offices of the Secretary of State and the Recorder for Marion County.

The names and addresses of the last elected trustees are as follows:

Louis C. Brandt	Indianapolis
Herman Behrens	Indianapolis
Henry C. Baase	Indianapolis
John J. Nelson	Indianapolis
Edward C. Wiebke	Indianapolis
Henry Wilkens	Indianapolis
Tobias Roch	Indianapolis
Philip Klein	Indianapolis
Edward Iske	Indianapolis
Joseph H. Schaub	Indianapolis
Henry W. Walters	Indianapolis

The regular time of the annual meeting of this Association is third Thursday of August, of each year.

In Witness Whereof the undersigned, George H. Herrmann, president, and Edward A. Gardner, secretary, respectively, of said corporation have hereunto set their hands and seals this 14 day of February, 1938.

George H. Herrmann, President
Edward A. Gardner, Secretary

STATE OF INDIANA, COUNTY OF MARION, SS:

Before me, Ada C. Bauman, a Notary Public in and for said County and State personally appeared,

182164

George H.Herrmann and Edward A.Gardner well known to me to be the president and secretary, respectively of the above named corporation and severally acknowledged the excution of the forgoing certificate.

WITNESS my hand and notarial seal this 14 day of February, 1938.

Ada C.Bauman (LS)
Notary Public

My Commission Expires February 8, 1939.

Mortgage Record
985 page 86
Inst.# 6641
Feb.14,1927
Recorded
Feb.15,1927

-16-

Nesbit L.Searcy and
Anna Searcy,
husband and wife
to
General Protestant
Orphan Association

Lot number 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, a plat of which Addition is recorded in Plat Book No.8 at pageNo. 200 in the office of the Recorder of Marion County.

To secure the payment, when the same shall respectively become due of one principal promissory note of even date, due and payable five years thereafter, providing for the payment of \$2,750.00 with interest, costs and attorneys fees, and ten interest or coupon notes thereto attached each for the sum of \$82.50, each all of even date and each due respectively each six months thereafter. All of said notes and coupon notes are dated February - 1927 bearing interest at eight per centum per annum after maturity, payable with ten per cent attorney's fees.

Provided, however, that the right to pay the debt above secured or any part thereof in sums of \$100.00 or multiples at any interest paying period after the expiration of one year after date upon 30 days notice in writing to the mortgagee of such intention, interest to be reduced accordingly.

Mortgage 3-13-47
SATISFIED OF RECORD
ATTEST, UNION TITLE CO.
BY *Albert M. Bruster*
PRESIDENT

182164

Judgment Search

-17-

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:

J.Ray Monaghan from March 25, 1929
to and including
June 26, 1929

Charles Muir and
Vida B.Muir,
not individually from March 25, 1929
to and including
August 28, 1930

Russe H.Hartman from March 25, 1929
to and including
October 4, 1930

(The) Harval
Investment Co.Inc. from July 15, 1930
to and including
October 26, 1932

and vs:

General Protestant
Orphan Association for the 10 years last past
and against none other.

-18-

Real estate herein abstracted listed on Assessors
Records as Non-Taxable Property.

182164

GUARANTEED CERTIFICATE

-19-

STATE OF INDIANA }
COUNTY OF MARION } SS:

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

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

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

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

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

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

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

The period of search of the General Judgment Dockets is specifically set forth in the judgment caption and as to all other matters the period of search covered by this abstract is from the date set out in the Caption hereof to the date of this certificate, both inclusive, and the foregoing recitals relate 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 water-
marked "Union Title Company" Nos. 1 to 17 both inclusive.
Dated at Indianapolis, Indiana, March 27, 1939, 8:00 A.M.

UNION TITLE COMPANY

By Willis N. Coval
President and General Manager

-17-W

W-2

UNION TITLE COMPANY

INCORPORATED

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market St. UNION TITLE BUILDING Lincoln 8361, 8362
INDIANAPOLIS, INDIANA

Capital Stock \$1,000,000.00

★
182164

UNITED STATES DISTRICT COURTS OF INDIANA

Southern District

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

Northern District

South Bend Division
Hammond Division
Fort Wayne Division

SEARCH FOR FEDERAL JUDGMENTS, PENDING BANKRUPTCIES, INTERNAL REVENUE TAX LIENS

Prepared for: General Protestant Orphan Association

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; nor any 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, and that there is no notice of lien filed in the Federal Tax Lien Index in the Office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the seven divisions of the Federal courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:

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

This certificate covers all divisions of both Districts of the State down to and including
March 22, 1939, 8:00 A.M. and
The Indianapolis Division of the Southern District down to and including
March 23, 1939, 8:00 A.M.

J. Ray Monaghan

Charles Muir

Vida B. Muir

Russe H. Hartman

(The) Harval Investment Co., Inc.

General Protestant Orphan Association

Union Title Co.
INCORPORATED
BY *Willis H. Coral*
PRES. & GENL. MGR.

W-2

209825

CAPTION

-1-

Continuation of Abstract of Title to ^{numbered 1/3} Lot 3 in
Bybee and Pratt's First West Side Addition to
the City of Indianapolis, as per plat thereof,
recorded in Plat Book 8, page 200, in the office
of the Recorder of Marion County, Indiana.
Since March 27, 1939. 8 A.M.

Prepared for: T. E. O'Connor.

Judgment Search

-2-

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:

General Protestant
Orphan Association

from March 27, 1939
8 A.M. to date and
against none other.

-3-

The real estate herein abstracted is listed on the
Assessor's record as non-taxable property.

-4-

Taxes for the year 1940 now a lien.

SEE SUBSEQUENT CONTINUATION

SEE SUBSEQUENT CONTINUATION

209825

GUARANTEED CERTIFICATE

-5-

STATE OF INDIANA }
COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 5 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 2 both inclusive.

Dated at Indianapolis, Indiana, February 20, 1941. 8 A.M.

UNION TITLE COMPANY

By Willis N. Cook
President and General Manager

-2-E.H.

UNION TITLE COMPANY

INCORPORATED

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market St. UNION TITLE BUILDING Market 2361-5

INDIANAPOLIS, INDIANA

Capital Stock \$1,000,000.00

★
209825

UNITED STATES DISTRICT COURTS OF INDIANA

Southern District

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

Northern District

South Bend Division
Hammond Division
Fort Wayne Division

SEARCH FOR
FEDERAL JUDGMENTS, PENDING BANKRUPTCIES,
INTERNAL REVENUE TAX LIENS

Prepared for: **T. E. O'Connor**

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; nor any 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, and that there is no notice of lien filed in the Federal Tax Lien Index in the Office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the seven divisions of the Federal courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:

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

This certificate covers all divisions of both Districts of the State down to and including **February 19, 1941, 8A.M.** and
The Indianapolis Division of the Southern District down to and including **February 19, 1941, 8A.M.**

**General Protestant
Orphan Association.**

Union Title Co.

INCORPORATED

BY *Willis H. Lord*
PRES. & GENL. MGR.

E.H.

307573

CAPTION

-1-

Continuation of Abstract of Title to Lot 3 in
Bybee and Pratt's First West Side Addition to
the City of Indianapolis, as per plat thereof,
recorded in Plat Book 8, page 200, in the office
of the Recorder of Marion County, Indiana.
Since February 20, 1941, 8 A.M.

Prepared for: Adolph G. Emhardt.

Judgment Search

-2-

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:

General Protestant
Orphan Association

from February 20, 1941
8 A.M. to date and
against none other.

-3-

Real Estate described in the Caption hereof listed
on the Assessor's Record as "Non-Taxable Property".

SEE SUBSEQUENT CONTINUATION

307573

GUARANTEED 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, and notices of liens for Old Age Assistance entered in the Abstract Old Age Certificate Index in said Office, affecting the title to the real estate described in the Caption hereof.

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 4 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 2 both inclusive.

Dated at Indianapolis, Indiana, February 20, 1947, 8 A.M.

UNION TITLE COMPANY

By Albert M. Gristor
President

-2-MB

UNION TITLE COMPANY

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

Capital Stock \$1,000,000.00

★
307573

UNITED STATES DISTRICT COURTS OF INDIANA

Southern District

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

Northern District

South Bend Division
Hammond Division
Fort Wayne Division

SEARCH FOR
PENDING BANKRUPTCIES,
INTERNAL REVENUE TAX LIENS

Prepared for: **Adolph G. Emhardt.**

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

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

This certificate covers all divisions of both Districts of the State down to and including **February 12, 1947, 8 A.M.** and

The Indianapolis Division of the Southern District down to and including **February 13, 1947, 8 A.M.**

**General Protestant
Orphan Association**

UNION TITLE CO.

BY: *Albert M. Quota*
PRESIDENT

398887

CAPTION

-1-

Continuation of Abstract of Title to Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 200, in the office of the Recorder of Marion County, Indiana, excepting the following described portion, Beginning at the Southeast corner of said Lot 3 thence Northwesterly in and along the Southwesterly line thereof 81 feet; thence Northeasterly at right angles 20 feet; thence Southeasterly at right angles 12 feet; thence Northwesterly at right angles 20 feet to a point in the Northwesterly line of said Lot 3; thence Southwesterly in and along said Northwesterly line 69 feet to the Northwesterly corner of said Lot 3; thence Southwesterly in and along the Northwesterly line of River Ave., 40 feet to the place of beginning.
Since February 20, 1947, 8 A. M.

Prepared for: Joseph G. Wood

Town Lot Record
1250 page 586
Inst. #10874
Feb. 28, 1947
Recorded
Feb. 28, 1947

General Protestant Orphan
Association (Corp. Seal)
By Adolph G. Emhardt,
its President
Attest: Edward A. Gardner,
its Secretary
an Indiana Corporation

Warranty Deed
(U.S. Revenue
Stamp Attached)

-2-

to
Ed. J. Kearns, and
Mae L. Kearns,
husband and wife

Lot 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 200, in the office of the Recorder of Marion County, Indiana.
Subject to any unpaid taxes and assessments and installments of assessments which may be assessed against the above described real estate, subsequent to April 1, 1939.

Subject to any easements, restrictions or covenants that may be of record.

The grantor, by its officers executing this deed, warrant and represent that the grantor acquired the

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above described real estate, pursuant to its articles of incorporation, constitution and by-laws, and in its usual course of business and that this deed is executed and delivered to the grantees herein pursuant to a duly adopted resolution of its Board of Directors, passed at a regular meeting of its board, authorizing its president, Adolph G. Emhardt, and its secretary, Edward A. Gardner, to execute and deliver the same on its behalf.

The grantor, by its officers executing this deed further warrant and certify that the General Protestant Orphan Association is incorporated under the laws of the State of Indiana, as a non-profit corporation and that it has no preferred stock, or stock of any character, issued or outstanding.

Proper citizenship clause is attached.

Mortgage Record
1409 page 495
Inst. #10876
Feb. 28, 1947
Recorded
Feb. 28, 1947

Ed. J. Kearns and
Mae L. Kearns,
husband and wife
to
General Protestant
Orphan Association

Mortgage
SATISFIED OF RECORD 2-2-51
ATTEST, UNION TITLE CO.
BY *Albert M. Smith*
PRESIDENT

-3-

All of Lot Numbered 3 in Bybee and Pratt's First West Side Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 8, page 200, in the office of the Recorder of Marion County, Indiana; except the following part thereof;

Beginning at the Southeast corner of said Lot 3; thence Northwesterly in and along the Southwesterly line thereof 81'; thence Northeasterly at right angles 20'; thence Southeasterly at right angles 12'; thence Northeasterly at right angles 20' to a point in the Northeasterly line of said Lot 3; thence Southeasterly in and along said Northeasterly line 69' to the Northeasterly corner of said Lot 3; thence Southwesterly in and along the Northwesterly line of River Ave., 40' to the place of beginning;

To secure the payment, when the same shall respectively become due of one promissory note in the principal sum of \$500.00 bearing interest at the rate of 6% per annum, computed every month, upon the balance existing at the beginning of each month. Said interest and principal are payable in monthly installments of

398887

\$10.00 each, beginning March 28, 1947 and continuing until paid in full. Said payments shall be first applied upon payment of interest and any balance remaining upon payment of principal, said note is dated February 28, 1947, bearing interest at eight per centum per annum, after maturity, with attorney's fees.

Old Age Assistance
Search

-4-

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

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:

General Protestant
Orphan Association

from February 20, 1947
8 A.M. to and including
February 28, 1947

and vs

Ed. J. Kearns
and
Mae L. Kearns
jointly and
not individually

for the 10 years
last past and
against none other.

398887

-6-

Taxes for the year 1949 on the Real Estate for which this abstract is prepared are assessed in the name of Ed. J. and May L. Kearns and are due and payable on or before the first Mondays in May and November of 1950.

General Tax Duplicate No. 360307, K-L-Mc, Indianapolis, Center Township, Parcel No. 89990.

May Installment Paid.

November Installment Paid.

NOTE: We do not set out the amount of taxes due as this real estate is carried on the Tax Duplicate with other property.

-7-

Taxes for the year 1950 now a lien.

ZONING

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 19, 1939, and effective January 10, 1940. General Ordinance #104, 1950, an ordinance to amend General Ordinance #114, 1922, Council Proceedings of 1950, page 981, introduced December 4, 1950, and signed and approved by the Mayor December 19, 1950, effective date December 19, 1950.

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

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

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

The real estate herein abstracted appears in Use District, Class U-3; Height District, Class H-1; and Area District, Class A-3; 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.

January 22, 1951. 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.

398887

GUARANTEED CERTIFICATE

-10-

92

STATE OF INDIANA }
COUNTY OF MARION }⁸⁸:

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, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, nor any transcripts of judgments of the United States Courts filed in the Office of the Clerk of the Circuit Court of Marion County, as said records and dockets are now entered up, except as herein above set out.

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

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

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

This certificate covers entries Nos. 1 to 10 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 6 both inclusive.
Dated at Indianapolis, Indiana, February 2, 1951, 8 A.M.

UNION TITLE COMPANY

by... *Albert M. Briston*
President

EB

-6-

UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

Market 2361-5

Capital Stock \$1,000,000.00

398887

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: Joseph G. Wood

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

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

This certificate covers all divisions of both Districts of the State down to and including
January 31, 1951, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

February 1, 1951, 8 A.M.

General Protestant Orphan Association

Ed. J. Kearns

Mae L. Kearns

UNION TITLE CO.

BY *Albert M. Brister*
PRESIDENT

EB