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STATE OF INDIANA)
)SS:
COUNTY OF MARION)

IN THE CIRCUIT COURT OF MARION COUNTY

Cause No. C 69 212
0536-355
FILED
CC JUN 15 1971
E. R. Allen
CLERK

STATE OF INDIANA
VS
WILLIAM OZMAN
EVA OZMAN

COURT DECREE.

Comes now the parties by Counsel, and the cause being at issue is hereby submitted to the Court for trial, without the intervention of a jury, and the Court having heard argument of counsel, and being duly advised in the premises finds for the plaintiff; and that the allegations of plaintiff is true.

The Court further finds that the plaintiff has appropriated the real estate enumerated in plaintiffs complaint, being part of Road No. 1-70, project 1-70-3(52)77., said real estate being known as 114, except the south 10 feet, McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the city of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana.

The Court finds that the parties herein have agreed to an amount of \$800.00., to be paid by the plaintiff to the defendant for the above parcel of real estate.

IT IS THEREFORE CONSIDERED AND ADJUDGED BY THE COURT, that the defendant shall receive from the State of Indiana, the amount of \$800.00., in full for the title to the above entitled real estate.

Signed and dated by the Judge of the Circuit Court on this 15th day of June, 1971.

John F. Hubbleck
JUDGE OF MARION CIRCUIT COURT.

RECEIVED

JUN 21 1971

ATTORNEY GENERAL
OF INDIANA

LAW OFFICES OF
JOSEPH MALDOF
INDIANAPOLIS 4, IND.
27
Shelby St.
0481

SETTLEMENT ANALYSIS

DEPUTY Thomas O. Wigent TRIAL DATE None set

STATE VS William Ozman, et ux FILED March 3, 1969

COURT Marion Superior Circuit CAUSE NO. 069-212

PROJECT I-70-3(52)77 PARCEL NO. 355 ROAD _____

GENERAL DESCRIPTION AND LOCATION OF SUBJECT PROPERTY:

This is a bare lot level at street grade, located at approximately 1022 Kenwood, Indianapolis, Indiana.

IMPROVEMENTS:

none

DESCRIPTION OF TAKE: (Attach sketch)

Total take

AREA OF TAKING 1800 sq. ft. AREA OF REMAINDER -0-

OFFER PRIOR TO CONDEMNATION \$ 500.00 COURT AWARD \$ 600.00

DEFENDANTS' ATTORNEY Joe Maloof, Indianapolis, Indiana

COURT APPRAISERS' REPORT - DATE FILED _____

EXCEPTIONS - STATE No DATE _____ DEFENDANTS No DATE _____

REVIEW APPRAISERS:

REVIEWERS NAME & DATE	LAND TAKEN	IMPROVEMENTS TAKEN	RESIDUE DAMAGE	OTHER DAMAGE OR BENEFITS	TOTAL COMPENSATION
<u>6-30-67 Phillip York</u>	<u>500.00</u>				<u>500.00</u>

SUMMARY PROPOSED SETTLEMENT:

Review Appraisers' Amount \$ 500.00

Adjustments (See Memo) \$ 100.00

Court Costs: (See Memo)
Additional Appraisals \$ _____

Witness Fees \$ _____

Local Counsel Fees \$ _____

Jury Costs \$ _____

Miscellaneous Costs \$ _____

Interest (6% or 4%)
from _____ to _____ \$ _____

REFUND DUE STATE from
Deposit with Court:

\$ _____

ADDITIONAL AMOUNT to
Pay into Court:

\$ ~~100.00~~ _____

SETTLEMENT AT:

TOTAL \$ 600.00 \$ 600.00

RANGE OF STATE'S APPRAISALS:

APPRAISERS NAME & DATE	LAND TAKEN	IMPROVEMENTS TAKEN	RESIDUE DAMAGE	OTHER DAMAGE OR BENEFITS	TOTAL COMPENSATION
6-27-67 Grist	500.00				

RANGE OF DEFENDANTS' APPRAISALS:

APPRAISERS NAME & DATE	LAND TAKEN	IMPROVEMENTS TAKEN	RESIDUE DAMAGE	OTHER DAMAGE OR BENEFITS	TOTAL COMPENSATION

BREAKDOWN OF COURT APPRAISERS AWARD:

	600.00				600.00
--	--------	--	--	--	--------

COURT APPRAISERS AWARD:

Deposited (date): _____ Withdrawn: No _____ Yes & Date _____

Amount Withdrawn \$ _____ by _____

\$ _____ by _____

EXPLANATION - Any increase over Review Appraisers' determination including adjustments, court costs and interest, on separate memo and attach. (Use attachment 1 to P.P.M. 80-6 as a guide)

EXPLAIN FULLY.

PREPARED AND SUBMITTED BY:

DATE: 9-16-70

Thomas O. Wigent
Deputy Attorney General
Thomas O. Wigent

We concur in the above settlement:

THEODORE L. SENDAK
Attorney General of Indiana

By _____

Title _____

Indiana State Highway Commission

By _____

Date: _____

Title _____

MEMORANDUM

State vs Ozman, et ux

This case involves the total taking of a bare lot consisting of 1800 square feet at 1022 South Kenwood; in Indianapolis, Indiana.

The State's appraisal was made almost two year prior to the date of taking. Therefore a review and possible adjustment of the State's appraisal would be desireable.

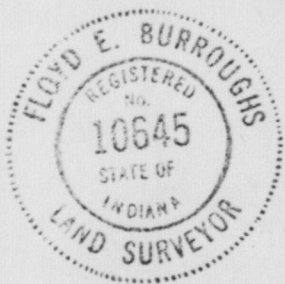
Since an adjustment for time would likely be in order and since this amount is not substantially above the State's offer, I believe it is in the best interest of the State to settle this case ~~for~~ ^{for} \$600.00.

Project 1-70-3(52)77

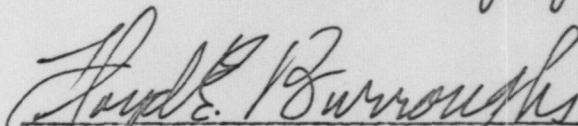
Parcel 355

IN FEE - LIMITED ACCESS

Lot 114, except the South 10 feet, McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana.



Given under my hand and seal

July 1, 1968
Floyd E. Burroughs, Registered Land
Surveyor No. 10645, State of Indiana

PARCEL 355
IN FEE - LIMITED ACCESS

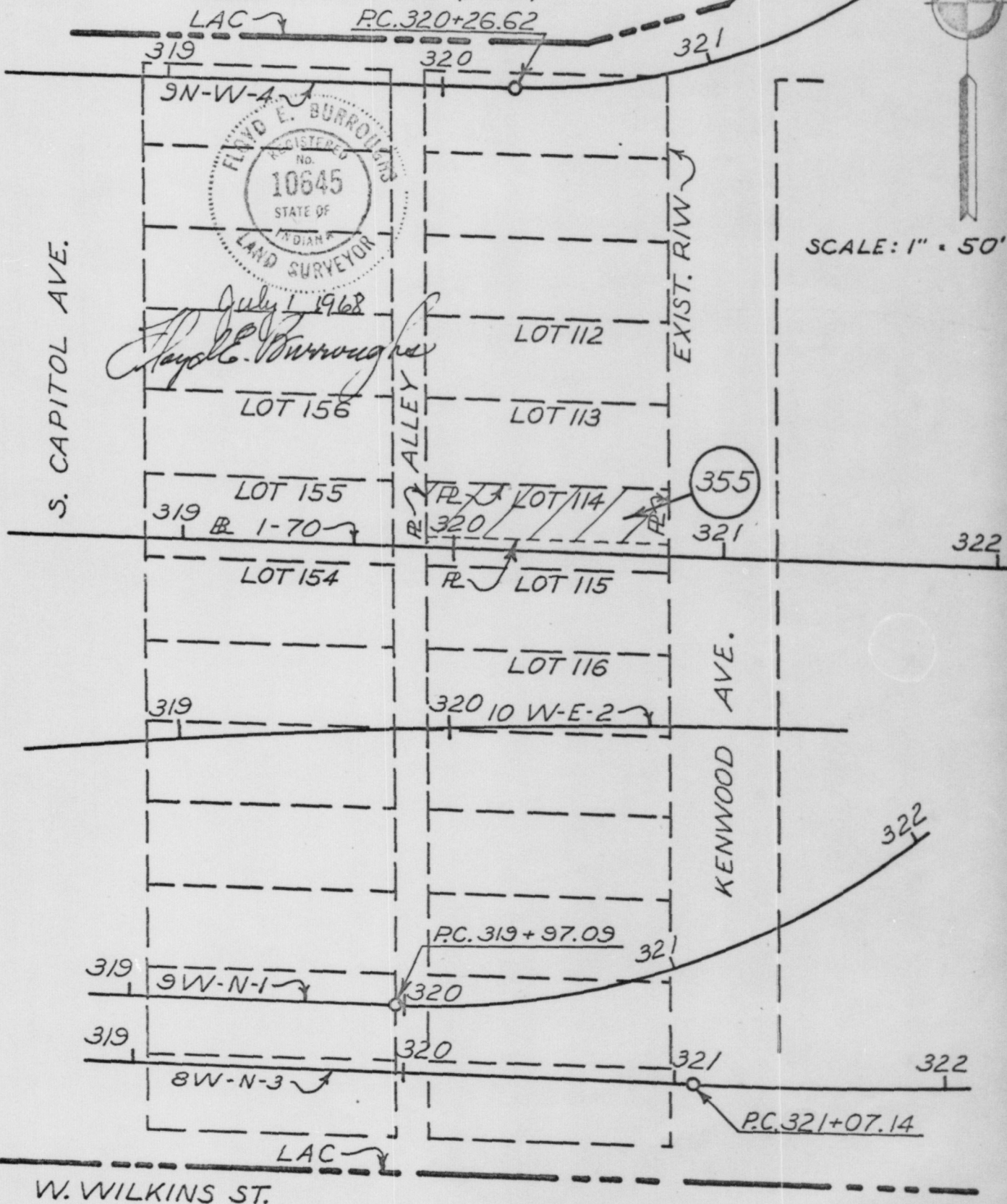
PLAN SHEET 13
SKETCH 1 OF 1
PARCEL NUMBER 355

LOT 114, EXCEPT THE SOUTH 10 FEET, IN
M^cCARTY'S SUBDIVISION OF THE EAST PART
OF OUT LOT 120 OF THE DONATION LANDS
OF THE CITY OF INDIANAPOLIS, AS PER
PLAT THEREOF, RECORDED IN PLAT
BOOK 2, PAGE 86, IN THE OFFICE OF THE
RECORDER OF MARION COUNTY, INDIANA.

AREA: 1,800 SQ.FT., MORE OR LESS

LEGEND

= LIMITED ACCESS RIGHT OF WAY AND
ACCESS CONTROL LINE (IN FEE)

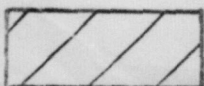


FLYOD E. BURROUGHS
REGISTERED
NO. 10645
STATE OF INDIANA
LAND SURVEYOR
July 1, 1968
Floyd E. Burroughs

INDIANA STATE HIGHWAY COMMISSION

PROJECT: 1-70-3 (52) 77
ROAD: 1-70
RIGHT OF WAY PLAT SHOWING LAND REQUIRED FROM
MARION COUNTY
OZMAN, WILLIAM ET UX.

SEC. 11 T. 15 N. R. 3 E.



HATCHED AREA IS
APPROXIMATE TAKING

CONTAINING 1,800 SQ.FT. PERM., MORE OR LESS
DRAWN BY B.J. FERGUSON CHECKED BY J. BRIDGES DATE 7-1-68

R/W
(Comm.)
by State
Board of Accounts
February 1964

INDIANA STATE HIGHWAY COMMISSION—RIGHT OF WAY—CLAIM VOUCHER

CLERK OF MARION SUPERIOR COURT

CITY COUNTY BLDG.
INDIANAPOLIS, INDIANA

PAYEE'S NAME AND ADDRESS

Warrant No.

STATE AGENCY FILL IN. This form may be used only for claims chargeable to Purchase of Right of Way.

Account Number: 400-861.611-

State Agency: State Highway Commission 800

Appr. Name: Construction

State Share: \$ 75.00

Federal Share: \$ 675.00

Total Amt. of Check: \$ 750.00

DISTRIBUTION

DATE	3	2	8	6	9	Project Number	I	7	0	3	5	2
	Month	Day	Year				Prefix	Road	Section	Parcn.		
LOCATION CODE			5	0	0	Participating or Non-Participating	Cost Account	Dr. or Cr.	Amount			
FUNCTION CODE				3	5	Appraisers Award	475.00		600.00			
OBJECT CODE						Appraisers Fee	486.00		100.00			
PARCEL NO.						State vs-Ozman et al						
COUNTY NAME & NO.	Marion			4	9	Cause No. C69 212						
								Total	750.00			

CLAIMANTS

Pursuant to the provisions and penalties of Chapter 155 Acts of 1953, as amended:
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid. I also authorize payment to be made as indicated above.

3-28-69 X F. Allen Hunter
(If a firm or corporation, give name)

X By _____ Title _____
Personal Signature

X _____ Signature if individual

X _____ Signature if individual

X _____ Signature if individual

X _____ Signature if individual

Recommend Approval:

William C. Coy 3-28-69
Originator Date

LIENHOLDERS

I hereby sign this claim voucher as a lienholder and only certify to the extent of my interest therein and authorize payment to be made as indicated above.

X _____ (If a firm or corporation, give name)

X By _____ Title _____
Personal Signature

Grant Approved as to Form and Parcel Abstract Checked, Excepting Real Estate Description.

Deputy Attorney General _____ Date _____

Payment Approved as to Account No. and Funds Available.
Quentin E. Godek APR 17 1969
Controller Date

Approved _____

Member, Indiana State Highway Commission _____ Date _____

Vice Chairman, Indiana State Highway Commission _____ Date _____

I certify to the foregoing indebtedness as indicated and recommend payment thereof. I also certify that to the best of my knowledge and belief the above data are correct; that the right-of-way necessary for the hereinabove described Federal-aid highway project has been acquired in the name of the State of Indiana and at the price as stated based on bona fide appraisals by appraisers duly qualified as required by the right-of-way procedures of the Bureau of Public Roads and other written justification now contained in the State's files, in accordance with procedures as submitted to and accepted by the Federal Highway Administrator.

I further state that this certification is made in my official capacity as Chief of the Division of Land Acquisition pursuant to section 1.31 of Title 23 of the Code of Federal Regulations and section 121 of Title 23, United States Code, for the purpose of securing, pursuant thereto, by the State of Indiana, Federal-aid funds in connection with the above-designated Federal-aid highway projects, and that neither I nor, to the best of my knowledge, any other officer, agent or employee of the State authorized in an official capacity to perform services in connection with the appraisal or acquisition of any of such right-of-way has any interest or contemplates any benefit from any transaction which involves the acquisition of property for right-of-way for such project, other than as herein disclosed.

Approved: James W. Townsend APR 7 1969
Asst. Chief, Division of Land Acquisition Date

Approved: _____
Chairman, Indiana State Hwy. Comm. Date

WARRANT No. 0110918

PAYEE'S NAME AND ADDRESS

**Clerk of Marion Superior Court
City County Building
Indianapolis, Indiana**

STATE AGENCY FILL IN. This form may be used only for claims chargeable to Purchase of Right of Way.

Account Number: 400-861.611-
State Agency: State Highway Commission 800
Appr. Name: Construction
State Share: \$ _____
Federal Share: \$ _____
Total Amt. of Check: \$ _____

DISTRIBUTION

DATE	3	2	4	7	2	Project Number	I	7	0	3	5	2
	Month	Day	Year				Prefix	Road	Section	Parcel		
LOCATION CODE			5	0	0	Federal Code I or 2	Cost Account	Dr. Cr.	Amount			
FUNCTION CODE				3	5							
OBJECT CODE												
PARCEL NO.				3	5							
COUNTY NAME & NO.	Marion			4	9							
										Total	\$200.00	

Purpose of This Payment:

Additional Amount to Satisfy Agreed Judgment
State vs. William Osman, et ux
Cause No. C 69-212

Check Delivery Instructions: Yes (See reverse side)

Send when ready

CLAIMANTS

Pursuant to the provisions and penalties of Chapter 155 Acts of 1953, as amended:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid. I also authorize payment to be made as indicated above.

3-28-72 X E. Ellen Hunter
(If a firm or corporation, give name)

X By _____
Personal Signature Title

X _____
Signature if individual

X _____
Signature if individual

X _____
Signature if individual

X _____
Signature if individual

Recommend Approval:

Lillian Heaton 3-30-72
Originator Date

Approved:

William H. Belky
Chief, Division of Land Acquisition Date

LIENHOLDERS

I hereby sign this claim voucher as a lienholder and only certify to the extent of my interest therein and authorize payment to be made as indicated above.

X _____
(If a firm or corporation, give name)

X By _____
Personal Signature Title

Grant Approved as to Form and Parcel Abstract Checked, Excepting Real Estate Description.

Deputy Attorney General Date

Payment Approved as to Account No. and Funds Available.

Controller Date

Approved:

Member, Indiana State Highway Commission Date

Vice Chairman, Indiana State Highway Commission Date

Approved

Chairman, Indiana State Hwy. Comm. Date

APR 4 1972

APPRAISAL REVIEW FORM

Division of Land Acquisition
Indiana State Highway Commission

Control

Project I-70 (52)
Parcel No. 355
Road I-70
County Marion
Owner William & Eva Ozman
Address 1902 N. Spencer
Address of Appraised Property:
1022 S. Kenwood

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

- | | |
|--|-------------------|
| 1. I have personally checked all comparables and concur in the determinations made. | <u>Yes</u> |
| 2. Planning and Detail Maps were supplied appraisers. | <u>Adv. Appr.</u> |
| 3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. | <u>Yes</u> |
| 4. Necessary photos are enclosed. | <u>Yes</u> |
| 5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. | <u>Yes</u> |
| 6. Plats drawn by the appraisers are attached. | <u>Yes</u> |
| 7. I have personally inspected the Plans. | <u>Yes</u> |
| 8. I have personally inspected the site and familiarized myself with the parcel on... | <u>6-30-67</u> |
| 9. The computations of this parcel have been checked and reviewed. | <u>Yes</u> |
| 10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. | <u>Yes</u> |

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

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

It is my opinion as of June 30, 1967 :
(Date)

Estimate of Appraisers:

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

By: <u>Gust</u>	By:	Approved By Reviewer
\$ <u>500⁰⁰</u>	\$	\$ <u>500⁰⁰</u>
\$ <u>—</u>	\$	\$ <u>—</u>
\$ <u>500</u>	\$	\$ <u>500⁰⁰</u>
\$ <u>500</u>	\$	\$ <u>500⁰⁰</u>
\$ <u>—</u>	\$	\$ <u>—</u>
\$ <u>—</u>	\$	\$ <u>—</u>
\$ <u>500⁰⁰</u>	\$	\$ <u>500⁰⁰</u>

Approved	Date	Signed
Rev. Appr.	<u>8-7-67</u>	<u>Phillip G. York</u>
Asst. or Chief Appr.	<u>8/8/67</u>	<u>Fred C. Lehling</u>

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

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I70-3(52)

BUYER'S REPORT NUMBER: 4 COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William & Eva Ozman
1902 Spencer Indpls Ind PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED Same PHONE # _____

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

DATE ASSIGNED 8-9-67 DATE OF CONTACT 8-21-67

OFFER \$ 500⁰⁰ ex TIME OF CONTACT 6:30 PM

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
5. _____ Showed plans, explained take, made offer, etc.?
6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
8. _____ Walked over property with owner? (or with whom? _____)
9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS Presented Mr Ozman with the
180 Day firm offer letter. Says
he should sign for \$750⁰⁰ ex only.

W M Ozman

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

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

Geoff Johnson
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I70-3(52)

BUYER'S REPORT NUMBER: 3 COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William & Eva Ozman 1902
Spencer Ave Indpls Ind PHONE # 256 3260

NAME & ADDRESS OF PERSON CONTACTED _____
PHONE # _____

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

DATE ASSIGNED 8-9-67 DATE OF CONTACT 8-17-67

OFFER \$ 500⁰⁰ KN TIME OF CONTACT 5:30

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

- 1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
- 3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
- 5. _____ Showed plans, explained take, made offer, etc.?
- 6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
- 8. _____ Walked over property with owner? (or with whom? _____)
- 9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
- 10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
- 12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
- 13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
- 14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: Called Mr Ozman for an
appointment, said they were home
after 6:00 PM in evening so have
appointment with them for
Monday (8-21-67)

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

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

Ray Johnson
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I70-3(52)

BUYER'S REPORT NUMBER: 2 COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William & Eva Ozman 1902 Spencer
Indianapolis Ind PHONE # 3563260

NAME & ADDRESS OF PERSON CONTACTED _____

PHONE # _____

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

DATE ASSIGNED 8-9-67 DATE OF CONTACT 8-17-67

OFFER \$ 500⁰⁰ x TIME OF CONTACT 1:35 Pm

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

- 1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
- 3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
- 5. _____ Showed plans, explained take, made offer, etc.?
- 6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
- 8. _____ Walked over property with owner? (or with whom? _____)
- 9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
- 10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
- 12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
- 13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
- 14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: Called the Ozman's for an
appointment no answer will
try later today.

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

Distribution Made

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

Ray Johnson
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I70-3(52)

BUYER'S REPORT NUMBER: 1 COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William & Eva Ogmen 1902 N Spencer
Indianapolis Ind PHONE # _____

NAME & ADDRESS OF PERSON CONTACTED _____
PHONE # _____

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

DATE ASSIGNED 8-9-67 DATE OF CONTACT 8-14-67

OFFER \$ 500⁰⁰ ~~xx~~ TIME OF CONTACT 4:00 PM

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

- 1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
- 3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
- 5. _____ Showed plans, explained take, made offer, etc.?
- 6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
- 8. _____ Walked over property with owner? (or with whom? _____)
- 9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
- 10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
- 12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
- 13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
- 14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: Studied parcel, prepared papers
for call

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

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

Ray Johnson
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3-(52)

BUYER'S REPORT NUMBER: 3A COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William Ozman + Eva Ozman 1902 N Spencer
Indianapolis Indiana PHONE # 356-3260

NAME & ADDRESS OF PERSON CONTACTED _____

PHONE # _____

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

DATE ASSIGNED 4-25-68 DATE OF CONTACT 5-22-68

OFFER \$ 500⁰⁰ TIME OF CONTACT _____

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
5. _____ Showed plans, explained take, made offer, etc.?
6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
8. _____ Walked over property with owner? (or with whom? _____)
9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: Condemned Parcel

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

Distribution Made

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

Merle M. Walker
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3-(52)

BUYER'S REPORT NUMBER: 2A COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William Ozman + Eva Ozman
PHONE # 356-3260

NAME & ADDRESS OF PERSON CONTACTED William Ozman 1902 N. Spencer
Indianapolis Indiana PHONE # _____

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

DATE ASSIGNED 4-25-68 DATE OF CONTACT 5-20-68

OFFER \$ 500⁰⁰ TIME OF CONTACT 9:00 AM

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

- 1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
- 3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
- 5. _____ Showed plans, explained take, made offer, etc.?
- 6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
- 8. _____ Walked over property with owner? (or with whom? _____)
- 9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
- 10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
- 12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
- 13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
- 14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: Mr. Ozman says he positively will not
sell for the offer made by the State

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

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

Mark W. Walker
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I-70-3-(52)

BUYER'S REPORT NUMBER: 1A COUNTY Marion PARCEL NO. 355

NAME & ADDRESS OF OWNER William Ozman + Eva Ozman
PHONE # 356-3260

NAME & ADDRESS OF PERSON CONTACTED Eva Ozman 1902 N. Spencer
Indianapolis Indiana PHONE # _____
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 4-25-68 DATE OF CONTACT 4-30-68

OFFER \$ 500⁰⁰ TIME OF CONTACT 4:15

Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:

- 1. _____ Checked abstract with owner? 2. _____ Any affidavits taken?
- 3. _____ Any mortgage(s)? 4. _____ Any other liens, judgements, etc.?
- 5. _____ Showed plans, explained take, made offer, etc.?
- 6. _____ Explained about retention of buildings, etc.? 7. _____ Any being retained?
- 8. _____ Walked over property with owner? (or with whom? _____)
- 9. _____ Arranged for owner to pay taxes? (Explain how in remarks)
- 10. _____ Secured Right of Entry? 11. _____ Secured Driveway Right of Entry?
- 12. _____ Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
- 13. _____ Was 180 Day Notice Letter delivered or mailed to all parties?
- 14. _____ Waivers, were any secured? 15. _____ Filled out RAAP Form?

REMARKS: She said they would discuss the sale of this parcel to the State Highway and call me.

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

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

Merkle W. Walker.
(Signature)

COPY

3-25-69

STATE OF INDIANA)
)
COUNTY OF MARION) SS:

IN THE CIRCUIT COURT _____
OF MARION COUNTY, INDIANA

STATE OF INDIANA,)
)
Plaintiff)

-vs-

WILLIAM OZMAN And)
)
EVA OZMAN (H&W))
)
)
)
)

CAUSE NO. C69-212

REPORT OF APPRAISERS

The undersigned appraisers in the above-entitled proceedings, appointed by the Hon. John L. Niblack, Judge of the Marion Superior Court on the 18 day of March, 1969, after being duly sworn by the Clerk of the Marion Superior Court to honestly and impartially assess the damages and the benefits, if any, that may be sustained by or result to said defendants by reason of the appropriation of the real estate described in the complaint in said proceeding, met at the office of the Marion Superior Court, at 2:00 o'clock P. M., on the 18 day of March, 1969, and after being duly sworn and instructed by the Court as to their duties as appraisers, proceeded in a body to view said real estate that will be affected by said appropriation and to assess and appraise the damages and the benefits sustained and resulting to each of said defendants by reason of the appropriation thereof, and said appraisers now report the damages and benefits to said defendants to be as follows:

The value of the land sought to be appropriated as described in the Court's order and warrant hereto attached, the appraisers find to be the sum of Six Hundred ⁰⁰/₁₀₀ Dollars (\$ 600.00).

The value of improvements, if any, on the portion of said realty sought to be appropriated, we find to be the sum of None Dollars (\$ _____).

The damages, if any, to the residue of the real estate of such defendant owners caused by taking out the part sought to be appropriated as above described, we find to be the sum of

\$ None.

Such other damages, if any, as will result to the defendants from the construction of the improvement described in the complaint, in the manner proposed by plaintiff, we find to be

\$ None.

The benefits, if any, to the residue of the real estate of said defendants, resulting by taking out the part sought to be appropriated as above described, we find to be the sum of

\$ None.

The total damages we find to be the sum of \$ 600.00.

Dated: March 25, 1969

Ralph C. Jacoma
Robert G. Elrod
John F. McQueen

RESOLUTION

WHEREAS, the carrying out of the construction and improvement by the Indiana State Highway Commission of Project No. I-70-3(52)77 Sec. 3 in Marion County, Indiana requires construction, reconstruction, relocation or maintenance and repair (strike out inappropriate) of a public highway in said County, locally known as the I-70 Road, which highway forms a part of a State Highway designated in the records and files of the Indiana State Highway Commission as Road No. 70 which extends from the Indiana-Illinois boundary west of Terre Haute in a Northeasterly and Easterly direction through Indianapolis to the Indiana-Ohio boundary east of Richmond in Wayne County.

the general width of the right of way for said project is 400 feet, which proposed construction project necessitates acquisition of right of way as provided in the plans of said project on file in the offices of the Indiana State Highway Commission at Indianapolis, Indiana, and which highway is to be constructed and improved as a "limited access facility", subject to regulations as proved in Chapter 245 of the Acts of the General Assembly of 1945, the general route, location and termini thereof being as follows: Beginning at a point approximately 900 feet North of the South line and approximately 1620 feet East of the West line of Section 11, T 15 N, R 3 E, and extending in the Easterly direction for a distance of 5,354.03 feet to a point approximately 550 feet North of the South line and approximately 2,700 feet West of the East line of Section 12, T 15 N, R 3 E, all in the City of Indianapolis, Marion County

AND WHEREAS it is necessary in making said improvement to acquire a right of way as hereinafter described over the land of William Ozman & Eva Ozman (H&W)

and,

WHEREAS, that the fee to the said land hereinafter described, is to be taken for the reason that the public interest will be best served and economy effected, and,

WHEREAS, the Indiana State Highway Commission has made an offer to said owner(s) for the purchase of said land, but has been unable to agree with said owner(s) upon purchase price, thereof, or upon the amount of damages sustained by said owner(s), by reason of the taking thereof for the purpose aforesaid, and,

WHEREAS, the failure to obtain said land for said purpose is delaying the work of said highway improvement.

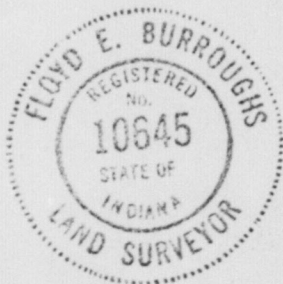
BE IT RESOLVED, that condemnation proceedings be instituted by the Attorney General in the name of the State of Indiana in a court of appropriate jurisdiction for the land hereinafter described in fee, the same being in Marion County, Indiana, and to be used as a right of way for said highway improvement as a limited access facility, and being necessary for such purposes, which land is specifically described as follows to-wit:

Project 1-70-3(52)77

Parcel 355

IN FEE - LIMITED ACCESS

Lot 114, except the South 10 feet, McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana.



Given under my hand and seal

July 1, 1968

Floyd E. Burroughs
Floyd E. Burroughs, Registered Land
Surveyor No. 10645, State of Indiana

Form CR-2
Rev. 5-61

Resolution (cont.)

and a Right of Way Plat as shown in attached exhibit and
marked "Exhibit A."

WHEREAS this matter was considered and adopted by
voice vote by a quorum of members of the Indiana State
Highway Commission present at a regular meeting held in
the office of the Indiana State Highway Commission in
Indianapolis, Indiana on the 27th day of June
19 68.

BE IT FURTHER RESOLVED, that a copy of this resolution
be referred to the Attorney General of Indiana.

INDIANA STATE HIGHWAY COMMISSION

COPY

STATE OF INDIANA)
)
COUNTY OF MARION) SS:

IN THE CIRCUIT COURT
~~CLERK~~ OF MARION COUNTY, INDIANA

STATE OF INDIANA,)
)
Plaintiff)

-vs-

CAUSE NO. 069 312

WILLIAM OZMAN & EVA OZMAN,)
(H&W))

FILED

MAR 3 1969

Defendants)

[Handwritten Signature]

COMPLAINT FOR APPROPRIATION OF REAL ESTATE

NUMBER 1

The plaintiff, State of Indiana, complains of the above-named defendants, and says: That the plaintiff, acting through its legally organized and constituted Commission, known and designated as the Indiana State Highway Commission, is now engaged in the improvement of a certain public highway in Marion County, Indiana, said highway being known as Road No. I-70 Project I-70-3(52)77, said highway being one of and a part of the State Highway System of the State of Indiana and the same is to be improved and maintained by said Highway Commission as a part of said State Highway System. That, under the plans of said Commission, now on file in its office, said highway is to be constructed, used and maintained by plaintiff, through said Commission, as a limited access facility as defined and authorized under the Act of the General Assembly of Indiana of 1945, Chapter 245, and subject to such regulations as therein provided as to access or use or to such subsequent regulations or use as may be made, adopted or provided by law governing such highways or highways in general.

Form CR-3
Rev. 12-65

Offices of the Indiana State Highway Commission of
Indiana, Indianapolis, Indiana.


This is to certify that the attached and foregoing
is a full, true and complete copy of a Resolution with
Right of Way map attached affecting the lands of _____

William Ozman & Eva Ozman (H&W), 1902 N. Spencer,

Indianapolis, Indiana

in Marion County, Indiana, as the same appears
on records in the files of said Commission in the State
Office Building in the City of Indianapolis, Indiana.

IN WITNESS WHEREOF, I, Clyde Goen, Secretary of the
Indiana State Highway Commission of Indiana, hereto place
my hand and seal of said Commission on this 27th day
of June, 1968.


Secretary

SEAL:

That the defendants William Ozman & Eve Ozman (H&W)

are the owners of certain real estate in said county in which is included the real estate hereby sought to be appropriated and condemned. Defendants' said real estate is described as follows:

Lot 114, except the South 10 feet, in McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana.

NUMBER 3

That for the purpose of improving said highway, it is necessary and proper that plaintiff take and appropriate under the powers vested in it by the General Assembly of the State of Indiana, the fee simple title to all of said tract of real estate described in Paragraph 2 herein. The part so sought to be appropriated and condemned is described as follows:

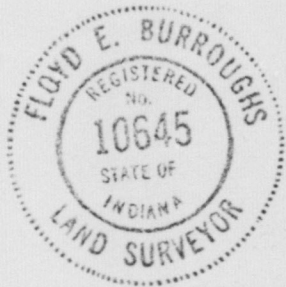
A blue-print sketch plat of the above described real estate sought to be appropriated and identified by means of cross-hatched lines is attached hereto and made a part hereof and designated as Exhibit "A".

Project 1-70-3(52)77

Parcel 355

IN FEE - LIMITED ACCESS

Lot 114, except the South 10 feet, McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana.



Given under my hand and seal

July 1, 1968

Floyd E. Burroughs
Floyd E. Burroughs, Registered Land
Surveyor No. 10645, State of Indiana

NUMBER XXXXXXX

~~That the residue of said real estate described in Paragraph 2, and owned by the above-named defendants, will be benefited by said proposed improvement of said road as alleged herein~~

NUMBER 4

That prior to the bringing of this action, the plaintiff, through the said Indiana State Highway Commission, made an effort to purchase said real estate described in Paragraph 3 from the above-named owners, but that the plaintiff and said owners have been unable to agree as to the purchase price thereof, or as to the amount of damages, if any, sustained by said defendants by reason of the appropriation of said real estate for the use hereinbefore stated.

NUMBER 5

That prior to the bringing of this action, the said Indiana State Highway Commission adopted a resolution setting forth the description of said real estate sought to be acquired by it, as above set forth, which said resolution alleged and set forth that said real estate herein sought to be condemned was necessary for the carrying out of said highway improvement project and directed that condemnation proceedings therefore be instituted by the Attorney General in the name of the State of Indiana.

NUMBER 6

That said highway so to be improved extends from the Indiana-Illinois boundary west of Terre Haute in a Northeasterly and Easterly direction through Indianapolis to the Indiana-Ohio boundary east of Richmond in Wayne County. THAT THE COURSE AND TERMINI OF THE PARTICULAR PROJECT INVOLVED IS AS FOLLOWS: Beginning at a point approximately 900 feet North of the South line and approximately 1620 feet East of the West line of Section 11, T 15 N, R 3 E, and extending in the Easterly direction for a distance of 5,354.03 feet to a point approximately 550 feet North of the South line and approximately 2,700 feet West of the East line of Section 12, T 15 N, R 3 E, all in the City of Indianapolis, Marion County.

in Marion County, State of Indiana, and said right of way is to be 400 feet wide, excepting where additional width may be required for construction purposes.

NUMBER 7

That the plaintiff, through said Indiana State Highway Commission, intends to use the real estate herein sought to be condemned for the purpose of the improvement of said highway and the widening thereof, and said real estate as herein described is necessary and proper for the carrying out of said work, and said real estate when obtained will be used for such purpose.

NUMBER 8

WHEREFORE, the plaintiff prays that three disinterested freeholders of said county be appointed to appraise the value of the real estate sought to be condemned, and to fix the amount of benefits and damages, if any, and that such appraisers be ordered to report their appraisal, as by law provided, and that all other steps be taken and all proceedings had necessary for the Indiana State Highway Commission to acquire, by the right of eminent domain, the real estate so sought to be condemned for the purpose aforesaid.

Respectfully submitted,
Theodore L. Sondak
~~JOHN S. DILLON~~
 Attorney General of Indiana

James J. Eubank
 Deputy Attorney General
 Attorneys for Plaintiff

Room 219
 State House
 Indianapolis, Indiana
 633-5512

PARCEL 355
IN FEE - LIMITED ACCESS

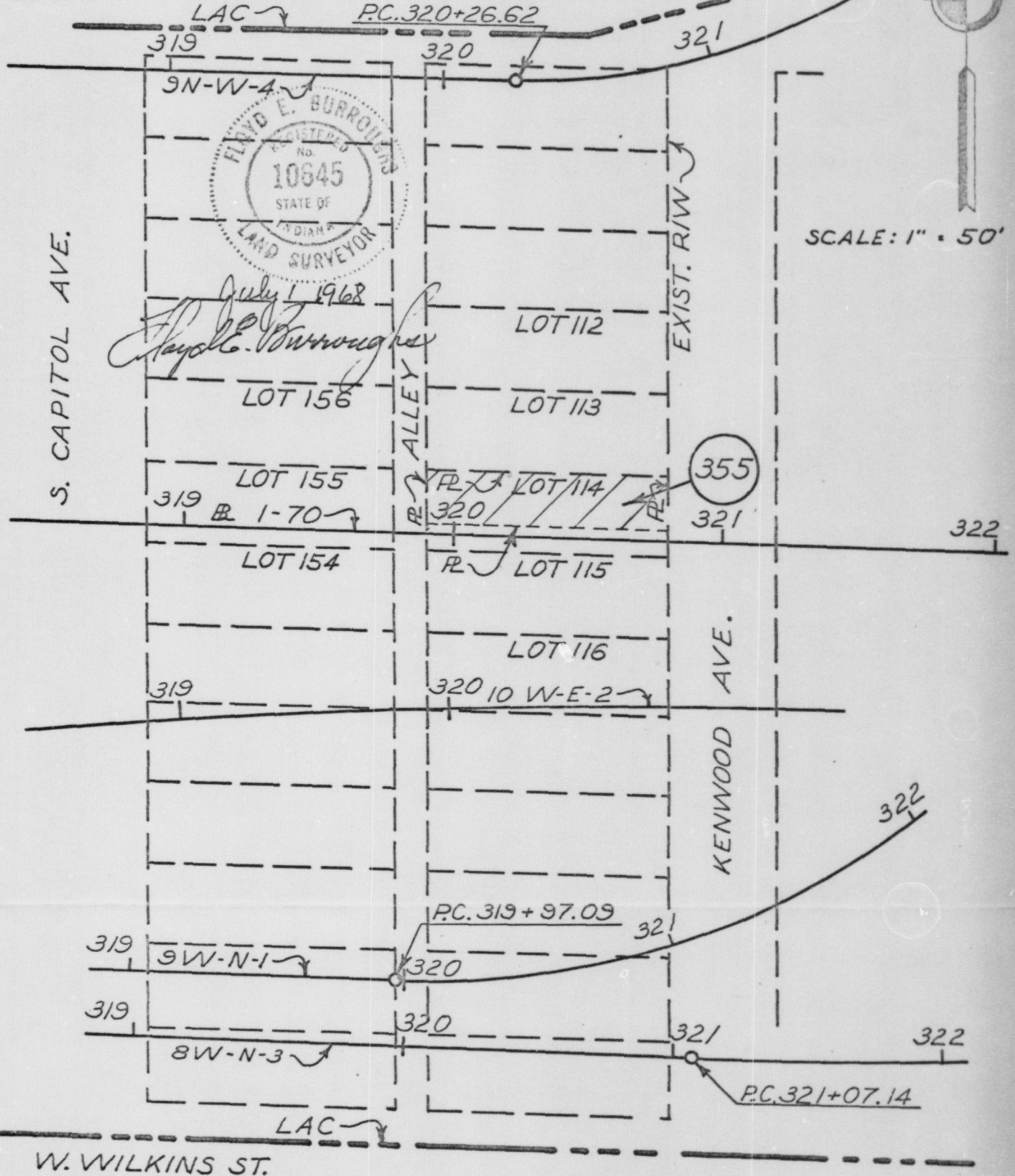
PLAN SHEET 13
SKETCH 1 OF 1
PARCEL NUMBER 355

LOT 114, EXCEPT THE SOUTH 10 FEET, IN
M^CCARTY'S SUBDIVISION OF THE EAST PART
OF OUT LOT 120 OF THE DONATION LANDS
OF THE CITY OF INDIANAPOLIS, AS PER
PLAT THEREOF, RECORDED IN PLAT
BOOK 2, PAGE 86, IN THE OFFICE OF THE
RECORDER OF MARION COUNTY, INDIANA.

AREA: 1,800 SQ.FT., MORE OR LESS

LEGEND

LAC7 = LIMITED ACCESS RIGHT OF WAY AND
ACCESS CONTROL LINE (IN FEE)



SCALE: 1" = 50'

INDIANA STATE HIGHWAY COMMISSION

PROJECT: 1-70-3 (52) 77

ROAD: 1-70

MARION

COUNTY

RIGHT OF WAY PLAT SHOWING LAND REQUIRED FROM

OZMAN, WILLIAM

ET UX.

SEC. 11

T. 15 N.

R. 3 E.

HATCHED AREA IS

CONTAINING 1,800 SQ.FT. PERM.,

MORE OR LESS

APPROXIMATE TAKING

DRAWN BY B.J. FARE

CHECKED BY J. BRIDGES DATE 7-1-68

FEB

Pr 355

CHICAGO TITLE INSURANCE COMPANY

INTERIM GUARANTY OF TITLE

S. R. I-70 PROJ. I-70-3(52) COUNTY Marion

Names on Plans William & Eva Ozman
CTIC # 6500-70 -S

Name of Fee Owner Same As Shown in Title on March 6, 1967

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation authorized to do business in the State of Indiana, in consideration of premium paid, hereby guarantees that a search of the records from March 6, 1967 to and including June 14, 1968 reveals no changes as to the real estate described under

CTIC # 6500-70 except:

- Taxes for 1967 payable 1968 in name of William & Eva Ozman
 Duplicate # 8882215 Parcel # 1050960 Township Center Code # 101
 May \$ 8.22 (paid) ~~(unpaid)~~; November \$ 8.22 ~~(paid)~~ (unpaid)
 Taxes for 1968 payable 1969 now a lien.

General judgement entered November 29, 1967 in Cause No. S466-611 for \$200.00 and \$150.00 in favor of Robert L. Keeney d/b/a Keeney Electric Service against William Ozman and Eva Ozman.

7-18-68
SATISFIED
PER ATTY FOR
KEENEY (KRAMER)
Wiley

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

CHICAGO TITLE INSURANCE COMPANY



John A. Binsley
President

Robert Kratochvil
Secretary

ATTEST:

Countersigned and validated as of the 25th day of June 19 68.

M. A. Chode
Authorized Signatory

35-5

CHICAGO TITLE INSURANCE COMPANY

GUARANTY OF TITLE

S. R. I-70 PROJ. I-70-3(52) COUNTY Marion

Names on Plans William & Eva Ozman

CTIC # 6500-70

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation authorized to do business in the State of Indiana, in consideration of premium paid, hereby guarantees that as of the 6th day of March, 19 67

William Ozman and Eva Ozman

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".

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

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

CHICAGO TITLE INSURANCE COMPANY



John A. Binkley

ATTEST: President

Robert Kratochvil

Secretary

Countersigned and validated as of the 9th day of March
19 67.

J. M. Watson

Authorized Signatory

30

DESCRIPT

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:

Lot 114, except the South 10 feet, in McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana.

CTIC # 6500-70

The Record Owner or Owners disclosed above acquired title by County Commissioner's Deed dated November 15, 1960 and recorded February 28, 1961 in Deed Record 1851 page 214 by Board of Commissioners of Marion County, Indiana. (No Federal Documentary stamps affixed.)

SCHEDULE "B"

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

- a. the rights of parties in possession
- b. matters that might be disclosed by an accurate survey
- c. statutory liens for labor or materials unless filed of record
- d. 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.

- e. taxes for the year 1965, each half for \$7.14, assessed in the names of William and Eva Ozman, due and payable in May and November, 1966, are paid. (Center Township - Inside, Parcel No. 101-1050960, Duplicate No. 6068396.) (Assessed Value - Land \$150; Improvements None; Exemptions None.)
- f. Taxes for the year 1966, due and payable in 1967.
- g. Taxes for the year 1967, due and payable in 1968.
- h. Note: Contiguous Real Estate owned by the parties shown in title as disclosed by the County Commissioner's Deed dated November 15, 1960 and recorded February 28, 1961 in Deed Record 1851 page 214, as follows:
 - (1) Merritt Place 67 feet North End Block A.
 - (2) Merritt Place 40 feet North End Lot 1.
 - (3) Merritt Place 13.9 feet East Side of 40 feet East End Lot 2.
 - (4) Cooper and Pickens Second Northeast Addition Lot 150.
 - (5) Elmwood Lot 15 Block 1.

(continued.)

Page 3.

- (6) Hosbrooks Prospect Street Addition Lot 125.
- (7) Holliday Garfield Park Lot 571.
- (8) Ellerwise except 35 feet West End Lot 6.
- (9) McElrods North Meridian Heights 5 feet South End 30 feet East Side Lot 31.
- (10) Caven and Rockwood North Woodlawn Addition Lot 23 Block 5.

60	161	108	107	39	43	107
RAY STREET 50 Feet						
30	180	109	106	55	52	108
	159	110	105	56	51	107
	158	111	104	57	50	106
	187	112	103	58	49	105
	156	113	102	59	48	104
	155	114	101	60	47	103
	154	115	100	61	46	102
	153	116	99	62	45	101
	152	117	98	63	44	100
	151	118	97	64	43	99
	150	119	96	65	42	98
	149	120	95	66	41	97
	148	121	94	67	40	96
WILKENS STREET 50 Feet						
50	147	122	93	68	39	109
	146	123	92	69	38	108
	145	124	91	70	37	107
	144	125	90	71	36	106
	143	124	89	72	35	105
	142	127	88	73	34	104
	141	128	87	74	33	103
	140	129	86	75	32	102
	139	130	85	76	31	101
	138	131	84	77	30	100
	137	132	83	78	29	99
	136	133	82	79	28	98
	135	134	81	80	27	97
MORRIS STREET 25 Feet						

STREET 50 Feet

STREET 40 Feet

STREET 50 Feet

ROAD 80 Feet

TENNESSEE

MAINE KENWOOD AVE

ILLINOIS

BLUFF