

67-37876

*note*

**WARRANTY DEED**

Project I-70-3(52)  
Code 0536  
Parcel 133

This Indenture Witnesseth, That **Leonard E. Kerd, unmarried,**

of **Marion** County, in the State of **Indiana** Convey and Warrant to

the STATE OF INDIANA for and in consideration of

*Four Thousand and 00/100 (4000<sup>00</sup>)* Dollars,

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

Lot Numbered 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74 in the office of the Recorder of Marion County, Indiana.

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



*440*

*A-162015*  
*A-162014*

DULY ENTERED  
FOR TAXATION

Paid by Warrant No. *A-162014*

Dated *2-13-* 19*67*

082135 AUG 15 '67

*John T. Sutton*  
COUNTY AUDITOR

RECEIVED FOR RECORD

1967 AUG 15 AM 8:09

MARCIA M. HAWTHORNE  
RECORDER OF MARION COUNTY

*W.H. 2-21*

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 **Leonard E. Kerd, unmarried**

has hereunto set his hand and seal, this **1st** day of **May** 19**67**

..... (Seal) ..... (Seal)  
..... (Seal) ..... (Seal)  
..... (Seal) *Leonard E. Kerd* ..... (Seal)  
..... (Seal) **Leonard E. Kerd, unmarried** ..... (Seal)  
..... (Seal) ..... (Seal)

djh

67-37876

This Instrument Prepared by **S. W. Burres** / 6/23/66

*[Signature]*  
JUN 15 1967

STATE OF INDIANA, ..... County, ss:

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

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

My Commission expires..... Notary Public

STATE OF INDIANA, ..... County, ss:

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

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

My Commission expires..... Notary Public

STATE OF INDIANA, ..... **Marion** ..... County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this **first**  
day of **May**, A. D. 19<sup>**67**</sup>; personally appeared the within named .....

**Leonard E. Kord, unmarried,**

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

My Commission expires **January 11, 1969** *Claude J. Horn* Notary Public  
(Claude J. Horn)

67 37876

WARRANTY DEED

FROM

TO

STATE OF INDIANA

Received for record this.....

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

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

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

Recorder..... County

Duly entered for taxation this.....

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

Auditor's fee \$.....

Auditor..... County

ENVELOPE

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

July 20, 19 67

To Leonard E. Kord  
 c/o Dunlop & Holtegel  
 106 North Delaware  
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-162015 7-13-1967  
 in settlement of the following vouchers:  
 Transmittal #68-7

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>#133</u> as per Grant Warrant Deed, Dated <u>May 8, 1967</u>	\$400.00 esc.

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Leonard E. Kord  
Dunlop & Holtegel Agts.  
 Date Earl M. Archer  
8/11/67

Control

APPRAISAL REVIEW FORM

Division of Land Acquisition  
Indiana State Highway Commission

Project I-70-3(52)  
Parcel No. 133  
Road I-70  
County Mason  
Owner Leonard E. Kord  
Address 4802 College Ave.  
Address of Appraised Property:  
1034 S. Senate Ave.

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

- 1. I have personally checked all comparables and concur in the determinations made. Yes
- 2. Planning and Detail Maps were supplied appraisers. Adv. Acq.
- 3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Yes
- 4. Necessary photos are enclosed. Yes
- 5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. Yes
- 6. Plats drawn by the appraisers are attached. Yes
- 7. I have personally inspected the Plans. Adv. Acq.
- 8. I have personally inspected the site and familiarized myself with the parcel on... 11-10-66
- 9. The computations of this parcel have been checked and reviewed. Yes
- 10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. Yes

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

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

It is my opinion as of Nov. 10, 1966 :  
(Date)

Estimate of Appraisers:

	By: <u>Davidson</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$ 4,000	\$	\$ 4,000
(b) The fair market value of the property after the taking, assuming the completion of the improvement is:	\$ -0-	\$	\$ -0-
The Total Value of Taking Is: (a minus b) TOTAL	\$ 4,000	\$	\$ 4,000
(1) Land and/or improvements	\$ 4,000	\$	\$ 4,000
(2) Damages	\$ -0-	\$	\$ -0-
(3) Less non-compensable items	\$ -0-	\$	\$ -0-
(4) Estimated Total Compensation	\$ 4,000	\$	\$ 4,000

Approved	Date	Signed
Rev. Appr.	11-10-66	Phillip G. York
Asst. or Chief Appr.	11-14-66	Jay R. Lusk

*acting*

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

AFFIDAVIT

STATE OF INDIANA )  
                          ) SS  
MARION          )

LEONARD E. KORD being duly sworn upon (his) (her) oath says that (he) ~~(she)~~ is OVER 21 years of age and says that (he) ~~(she)~~ is the owner of the following described real estate located in \_\_\_\_\_

MARION County, State of INDIANA, to wit:

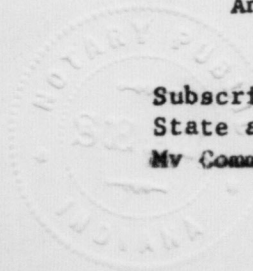
1034 SOUTH SENATE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Affiant further says that (he) ~~(she)~~ is the surviving SPOUSE of OPAL E. KORD, who died intestate in the City of \_\_\_\_\_ Indianapolis State of Indiana, on Dec 19 - 1958, 19\_\_\_\_ that this affiant and the said OPAL E. KORD lived together continuously as husband and wife from date of May 15 - 1928, 19\_\_\_\_ to the date of ~~(his)~~(her) death on Dec 19, 1958, and were so living together on said date, that no administration was had upon the Estate of the said Opal E. Kord, but that all funeral expenses and debts of every kind and character of said decedent were fully paid, that no Indiana Inheritance Taxes were due the State of Indiana by reason of the death of the said Opal E. Kord and that his Estate <sup>INCLUDING INTERESTS IN JOINTLY OWNED PROPERTY AND THE RECEIPTS OF LIFE INSURANCE</sup> was substantially less than the sum of \$60,000.00 and that no Federal Estate Taxes were due thereon.

And further affiant saith not.

Subscribed and sworn to before me the undersigned, a Notary Public, in and for said State and County this 1st day of May 1967  
My Commission Expires: January 11, 1969.

Leonard E. Kord  
Claude J. Horn  
(Claude J. Horn Notary Public)



INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

*Don*

PROJECT NO. I 70-3 (52)

BUYER'S REPORT NUMBER: \_\_\_\_\_ COUNTY MARION PARCEL NO. 133

NAME & ADDRESS OF OWNER LEONARD E KORO  
c/o DUNLOP & HOLTZGEL 106 N O DEL IND IND PHONE # MR 2-6517

NAME & ADDRESS OF PERSON CONTACTED EARL M ARCHER OF  
DUNLOP & HOLTZGEL PHONE # MR 2-6517

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

DATE ASSIGNED 11-15-66 DATE OF CONTACT 5-8-67

OFFER \$ 4000<sup>00</sup> TIME OF CONTACT 11 AM

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

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

REMARKS: MET - MR ARCHER GAVE ME SIGNED DEED - VOUCHERS -  
STATEMENT OF OCCUPANCY - HE WILL SEND TAX RECEIPTS  
FOR 66B - 67A AND 67B. I LEFT CLOSING STATEMENT -  
COPY OF DEED - COPY OF STATEMENT OF OCCUPANCY  
RECEIPT FOR DEED AND COPY BUYERS REPORT.

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

To BROKER  
Distribution Made  
(1) Parcel (1) Weekly Summary  
(X) Owner ( ) Other, Specify.

Charles D. Hall  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I70-3 (52)

BUYER'S REPORT NUMBER: \_\_\_\_\_ COUNTY MARION PARCEL NO. 133

NAME & ADDRESS OF OWNER LEONARD E RORO THROUGH DUNKLEY HOLFIDGEL  
BROKERS 106 NO DELAWARE PHONE # MA2-6517

NAME & ADDRESS OF PERSON CONTACTED ~~THE ABOVE~~ MR ARCHER ~~( )~~  
PROP AT 1034 SO SENATE PHONE # \_\_\_\_\_  
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 11-15-66 DATE OF CONTACT 12-21-66

OFFER \$ 4000<sup>00</sup> TIME OF CONTACT 9:30 AM

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

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

REMARKS: MEET ALL PAPERS WITH MR ARCHER

(PROP VACANT)

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

Distribution Made

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

Chadwick H Hall  
(Signature)



Par 133

INTERIM CERTIFICATE OF TITLE

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
I-70	I-70-3 (52)	Marion	66-3637-S

Name on Plans Leonard Kord

Name of Fee Owner Leonard E. Kord

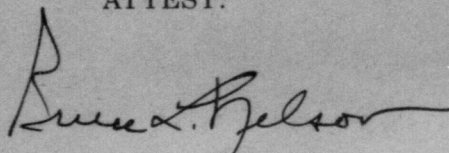
PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby certifies that a search of the records from June 10, 1966, 8 A.M. to and including June 2, 1967, 8 A.M. reveals no changes as to the real estate described under PNTIC # 66-3637-0 except:

- Taxes for 19 66 payable 19 67 in name of Leonard E. and Opal L. Kord  
Duplicate # 7137804 Parcel # 1038187 Township I-Center Code # 1-01  
May \$ 45.39 (~~paid~~) (unpaid); November \$ 45.39 (~~paid~~) (unpaid)  
Taxes for 1967 payable 19 68 now a lien.

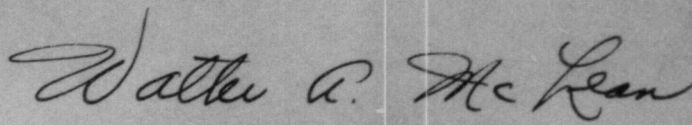
IN WITNESS WHEREOF, PIONEER NATIONAL TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereto affixed by its duly authorized officers.

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

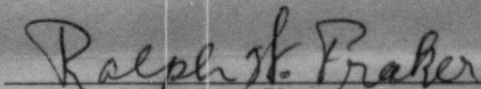


Assistant Secretary



Vice President

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



Authorized Signatory  
RALPH W. FRAKER, Attorney

GUARANTY OF TITLE

#133

Pioneer National Title Insurance Company

Union Title Division

S.R. I 70	PROJECT I 70-3 (52)	COUNTY Marion	PNTIC # 66-3637-0
--------------	------------------------	------------------	----------------------

Names on Plans Leonard Kord

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 10th day of June, 1966 8 A.M.

Leonard E. Kord  
4802 College Ave.  
Indianapolis, Indiana

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

*Ray E. Sweat*  
Assistant Secretary

*Walter A. McLean*  
Vice President

Countersigned and validated as of the 20th day of June, 1966.

*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:

Lot Numbered 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74 in the office of the Recorder of Marion County, Indiana.

The Record Owner or Owners disclosed above acquired title by Warranty Deed from Thomas C. Butler and Mildred Butler, husband and wife dated March 10, 1955 and recorded March 10, 1955 in Deed Record 1564 Inst. #18144. (USR \$3.30).

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.

5. Taxes for 19 65 payable 19 66 in name of Leonard E. and Opal L. Kord  
Duplicate # 6052227 Parcel # 1038187 Township I-Center Code # 1-01  
May \$ 42.36 (paid) ~~XXXXXX~~; November \$ 42.36 ~~XXXX~~ (unpaid)  
Taxes for 19 66 payable 19 67 now a lien in name of Leonard E. Kord.

Assessed Valuation

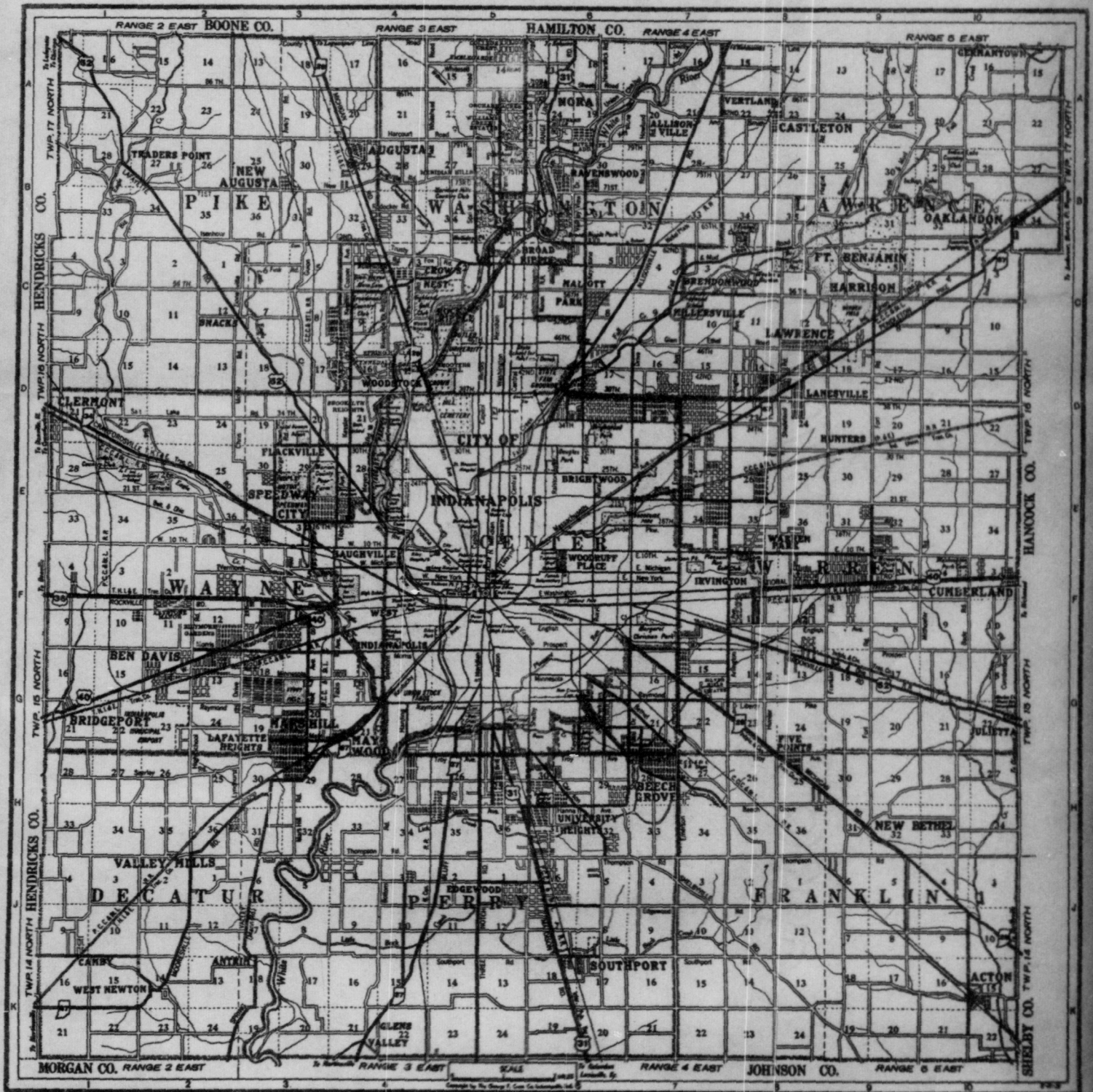
Land \$280.00 Improvements \$610.00 Exemptions None.

6. Record title was acquired by Leonard E. Kord and Opal L. Kord, husband and wife, by deed dated March 10, 1955 in Deed Record 1564 Inst. #18144. It should be shown that said persons were husband and wife continuously from date of said deed until the death of Opal L. Kord intestate, on December 19, 1958, and that decedent's total estate, including interests in jointly owned property, and the proceeds of life insurance did not exceed \$60,000.00 and was not subject to Federal Estate Tax.



231663

# MAP OF MARION COUNTY



**L. M. BROWN ABSTRACT COMPANY**  
**INDIANAPOLIS**

231663

# ABSTRACT OF TITLE

To

The Real Estate more particularly described  
on the following page of this Caption Sheet.

PREPARED BY

## L. M. BROWN ABSTRACT COMPANY

INCORPORATED

150 East Market Street

INDIANAPOLIS, MARION COUNTY, INDIANA

TELEPHONES: Market 3448-3449

Plant Established 1868

Capital Stock, \$150,000, Fully Paid

RUSSELL A. FURR, President and Manager

EDSON T. WOOD, Jr., Secretary

VOLNEY M. BROWN, Vice-President

CORNELIUS O. ALIG, Treasurer

FRED G. APPEL, Vice-President

JACOB F. DELKER, Assistant Manager

### HISTORICAL NOTES

Showing Original Title from earliest times down to the organization  
of Marion County and the location of Indianapolis, County Seat.

The land Northwest of the Ohio River was first a part of Louisiana and was governed by the officers of the French King. The French in 1763 ceded the land North of the Ohio to the British, who retained it until 1783, when they surrendered the country South of the Great Lakes to the United States, by whom the land in Marion County was purchased of the Miami Indians.

The Indians who made any claims to the lands South of the Wabash River were primarily the Miami Nation. The Delawares occupied this immediate region, and were considered as having a title by grant or permission from the Miami Nation, which was at least a title by permanent occupation.

Cessions were made at St. Mary's, Ohio, in October, 1818, as follows:

By the Weas, in general terms, October 2—U. S. Statutes at Large, Vol. 7, page 186.

By the Delawares, in general terms, October 3—U. S. Statutes at Large, Vol. 7, page 188.

By the Miamis, by boundaries, October 6—U. S. Statutes at Large, Vol. 7, page 189.

The Weas, or Ouiatenons, were properly a part of the Miami Nation. So were also the Kickapoos, who relinquished their claims, in general terms, July 30, 1819—U. S. Statutes at Large, Vol. 7, page 200. These four treaties covered all tribes having any claims to lands in Marion County. The record in the Statutes at Large is the official one, including the signatures of the parties.

American State Papers, 2 Indian Affairs, page 169.

By authority of Congress, Indiana Territory was organized May 7, 1800, and the State government, under authority of Congress superseded the territorial government in November of 1816, and Indiana was fully admitted into the Union December 11, 1816. Marion County was organized December 1821 and the boundary lines of the County were established January 7, 1824—Acts of 1824, page 52.

By clause 5 of Section 5 of the Enabling Act of Congress of April 19, 1816, four sections of land were granted to the new State of Indiana, to be selected by the legislature, "for the purpose of fixing the seat of government thereon."

3 U. S. Statutes at Large, page 290.

By the Act of March 3, 1819, the Indiana legislature was authorized to select for that purpose any contiguous parts of sections, "not to exceed in the whole the quantity contained in the four sections."

3 U. S. Statutes at Large, page 516.

January 11, 1820, the Indiana legislature appointed commissioners to locate the seat of government. Act of 1820, page 18.

January 6, 1821, the legislature approved the 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 north and south lines as will complete four entire sections, or 2560 acres of land in township 15 North and range 3 East of the Second Principal Meridian."

Three commissioners were appointed to lay off the town site, and to offer lots for sale. The office of the agent was created to sell and convey lots, and the site was named Indianapolis.

Acts 1821, page 44.

By the original survey section one contained 658.20 acres; section 2, 611.53 acres; section 12, 640 acres, and section 11, East of White River, contained 448.20 acres, leaving 202.07 acres to be taken out of the east side of section 3.

231663

The original survey of the city of Indianapolis, as made in the year 1821, is included within North, South, East and West Streets, embracing Squares numbered 1 to 101 inclusive, which were subdivided into lots.

In pursuance of an Act of 1824, Out-lots numbered 1 to 10 on the North, and 11 to 20 on the South side of the city were laid off, and in 1825 an additional survey of Out-lots, including 21 to 30 on the South, and 31 to 40 on the North side of the City was also authorized. "H" is a square of two acres laid out and sold for a brick yard.

The seat of government was permanently established at Indianapolis, January 20, 1824.  
R. S. 1824, page 370.

January 26, 1827, the alleys in certain squares were vacated, and the "steam mill" lot authorized.  
Acts 1827, page 5.

February 9, 1831, a survey of the remaining part of the donation was authorized and a plat of such survey was filed in the Recorder's office of Marion County, July 5, 1831, embracing Out-lots numbered 41 to 184 inclusive, and Out-lots numbered 1 to 18 inclusive, west of White River.

The office of Agent of State, created by the Act of 1821, was continued until 1844, when it was abolished and the papers and records of the Agent were transferred to the Secretary and Auditor of State, who are at present their custodians.

Land in Townships 14, 15, 16 and 17, North of Base Line and in ranges 2, 3, 4 and 5, East of the Second Principal Meridian are within Marion County.

While the lands outside the original donation were patented by the United States to those entering the same or their assigns at the Land Offices that had been established by the General Government at Brookville, Indianapolis or Crawfordsville, the squares or out-lots within the boundaries of the donation itself were sold by the Agent of the State of the Town of Indianapolis, duly appointed by an Act of the Legislature.

#### Caption Description

-1-

Lot Number Seventy Five (75) in McCarty's  
Subdivision of the West Part of Out Lot 120  
of the Donation Lands of the City of Indianapolis,  
the Plat of which is recorded in Plat Book 7 page  
74, in the Office of the Recorder of Marion County,  
Indiana.

PREPARED FOR: W. H. ABEL.

-2-

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

CONVEYANCES.

Deed Record  
D page 535  
May 2, 1834,  
Recorded  
June 21, 1834,

Ebenezer Sharpe, Agent of the State of Indiana, for the Town of Indianapolis, for and in behalf of the State of Indiana in pursuance of the laws of Indiana, entitled "An Act appointing Commissioners to lay off a town on the site selected for the permanent seat of Government", approved January 6, 1821, and in consideration of \$1390.50, which has been paid to said State of Indiana,  
to  
Nicholas McCarty, his heirs and assigns forever.

Agent's Deed

-2-

All the following described lots in the Town of Indianapolis, viz:

- Lot 116, containing 7.80 acres.
  - Lot 107, containing 26.25 acres.
  - Lot 110, containing 3.63 acres.
  - Lots 7 and 10 West of White River, containing 13.54 acres.
  - Lot 109 containing 2.60 acres.
  - Lot 120 containing 52.33 acres.
  - Lot 111 containing 4.14 acres.
  - Lot 6 West of White River, containing 5.85 acres, and the North 1/2 of Lot 108, which 1/2 contains 14.56 acres; containing in the aggregate 130.60 acres; and all the estate, right, title and interest of the said State of Indiana, in and to the above described lots.
- NOTE: Above deed not acknowledged.

-3-

Nicholas McCarty died, intestate, May 17, 1854.

COMMON PLEAS COURT OF MARION COUNTY.

Complete Record  
11 page 66,

Nicholas McCarty, Estate.

June 3, 1854, Bond filed and letters of Administration issued to Margaret McCarty.  
July 7, 1854, Approved by the Court.  
Jan. 7, 1860, The estate was finally settled, distribution was made to Margaret McCarty, the widow, and to Nicholas McCarty, Junior, Margaret R. McCarty, Frances McCarty and Susanna McCarty Day, said four persons being the only children and heirs of said decedent.

-4-

L. M. Brown Abstract Co.,



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

-5-

INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*

Henry Day,

Affidavit.

Affiant says, that ever since the year 1857, he was acquainted with the family of Nicholas McCarty, to whom the agent of State deeded Out Lot 120, City of Indianapolis, that said Nicholas McCarty died previous to the Fall of 1854; that he left Margaret McCarty, his widow, surviving him; that the only children he left surviving him were:

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

Henry Day.

COMMON PLEAS COURT OF MARION COUNTY.

Margaret McCarty,  
vs.  
Susan -- McCarty,  
Margaret R. McCarty,  
Nicholas McCarty,  
Francis J. McCarty.

June 23, 1854, Petition filed, reciting death of Nicholas McCarty, leaving as heirs-at-law him surviving the petitioner, Margaret McCarty, his widow, and children Susan McCarty, Margaret R. McCarty, Nicholas McCarty, and Francis J. McCarty (said Nicholas and Francis J. being then and now infants); decedent left personal property sufficient to pay all of his debts and died owning many tracts of land (including the homestead, Out Lot 25 of Indianapolis), and including Out Lot 120 in Indianapolis set out in the petition.

Petitioner is owner of 1/3 of said realty in fee simple, and said children are joint owners of the other 2/3 thereof.

Partition is asked.

All of the defendants are served by reading of summons. Susanna and Margaret R. McCarty default; Lucien Barbour is appointed Guardian ad litem for Nicholas Jr., and Francis J. McCarty, who are infants, and files answer.

July 21, 1864, Interlocutory Decree entered; Court finds that matters alleged in the petition are true; partition is decreed and 1/3 part of all of said realty is ordered set off to said petitioner in severalty.

-4- (over)

Complete Record  
4 page 159,

-6-

Court appoints James Blake, Andrew Wilson and James Wood Commissioners to make partition.

October 13, 1854, said commissioners file report setting off to said Margaret McCarty, her heirs and assigns in severalty forever, for and in full of the 1/3 part of the premises aforesaid, certain lots and tracts being a portion of the realty described in the petition, and including the homestead.

NOTE:- No portion of Out Lot 120 in Indianapolis, is set off to the widow by the Commissioners.

-7-

Margaret McCarty died, intestate, February 18, 1873.

MARION CIRCUIT COURT.

Margaret McCarty, Estate.

Appearance  
Docket of  
Estates  
8 page 283,

February 23, 1885, Order of Court entered amending affidavit of death, showing that said decedent died on February 18, 1873.

-8-

Order Book 69 page 542.

March 14, 1874, Bond filed and letters of administration granted to Nicholas McCarty, Administrator.

Order Book 34 page 551.

September 12, 1899, Final report approved and estate settled and closed.

Order Book 140 page 121.

In an entry of July 14, 1884, the Court finds that Margaret McCarty at the time of her death, on February 18, 1873, left as her only heirs at law her four children Susanna McCarty Day (wife of Rev. Henry Day), Margaret McCarty Harrison (wife of John C. S. Harrison), Nicholas McCarty and Frances J. McCarty, all then of full age,

Order Book 64 page 496.

In the entry approving the final report September 12, 1899, the Court finds that said decedent left surviving her as her sole and only heirs at law, her children:

Nicholas McCarty, Margaret McCarty Harrison, Frances J. McCarty and her grandchildren, Henry McCarty Day, and Margaret McCarty Day.

Order Book 140 page 121.

Marriage Record  
6 page 659  
Dec. 9, 1857,

-9-

Marriage Record  
10 page 30  
Oct. 2, 1867,

-10-

-11-

Will Record  
E page 123,  
Aug. 21, 1873,  
Probated  
Sept. 19, 1873,

-12-

INDIANAPOLIS  
TITLE

Susanna McCarty,  
and  
Henry Day.

Marriage

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

Marriage

Susanna McCarty Day died testate August 30, 1873.

OF  
ABSTRACTS

Susanna McCarty Day,

Will.

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 day after the probate of this my will, does not pay to my executor the sum of Five Thousand Dollars and execute his two promissory notes payable to my Executor, with interest, without relief from valuation or appraisement laws, each in the sum of seven thousand five hundred dollars, one on or before one year after date, one on or before two years after date, then said devise to him shall fail and then and thereupon I give and bequeath said personal property and growing crops and the proceeds of any thereof, disposed of by said Nicholas in the mean time, 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 1/2 of the North West Quarter of Section 22, in Township 15 North of Range 3 East, but on condition

*L. M. Brown Abstract Co.,*

that he does not within sixty days after the probate of this my will, pay to my Executor the sum of twenty five hundred dollars and execute his three promissory notes payable to my Executor each in the sum of twenty-five hundred dollars, with interest, without relief from valuation or appraisement 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, 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 the one-third to my daughter, Margaret McCarty Day.

I hereby appoint my said husband, Rev. Henry Day Executor of this my last will and testament and direct that no bond be required to 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 31st day of August, A. D. 1873, set my hand and seal.

Susanna McCarty Day.

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.

Margaret A. Wood,  
John S. Tarkington.

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

Appearance  
Docket of  
Estates  
8 page 248,  
  
-13-

MARION CIRCUIT COURT.  
  
Susanna McCarty Day, Estate.  
  
Oct. 15, 1873, Bond filed and letters testamentary granted to Henry Day, Executor.  
Order Book 34 page 309.  
October 17, 1874, Final report filed and approved  
Executor discharged and estate settled and closed.  
Order Book 35 page 80.

Guardian's Docket  
3 page 30 & 135  
Order Book  
34 page 309,  
  
-14-

MARION CIRCUIT COURT.  
  
Henry McCarty Day, aged 14 Guardianship  
on October 19, 1873,  
Margaret McCarty Day, aged  
10 on June 16, 1874.  
  
October 15, 1874, Bond filed and Court appoints  
Henry Day, Guardian.  
September 11, 1885, Final report filed and approved  
and Guardian discharged.  
Order Book 72 page 284.  
Costs all paid.

Plat Book  
7 page 74,  
April 10, 1875,  
Recorded  
April 13, 1875,  
  
-15-

McCarty's Subdivision Plat  
of Part of Out Lot 120  
  
The annexed is a plat of McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, in Marion County, in the State of Indiana, divided into 136 lots consecutively numbered and 2 blocks lettered respectively "A" and "B" and into streets and alleys; the names of the streets are designated on the plat.  
The width of the streets and alleys are designated by figures in feet and width and depth of the lots are designated by figures in feet and inches and the size of Lots "A" and "B" are designated by figures in feet and inches.  
  
Nicholas McCarty,  
John C. S. Harrison,  
Frances J. McCarty,  
Margaret McCarty Harrison,  
Henry Day for himself and as  
Guardian of  
Henry McC. Day and  
Margaret McC. Day.

Misc. Record  
71 page 357,  
May 1, 1912,  
Recorded  
May 14, 1912,

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INDIANAPOLIS

TITLE

OF

ABSTRACTS

Nicholas McCarty,

Affidavit.

Affiant says, that he was acquainted during his lifetime with one Henry Day, who was the husband of Susanna McCarty Day, who was formerly the owner of the North 1/2 of the Northwest 1/4 of Section 22, Township 15, Range 3 in Marion County, State of Indiana, which ground was subsequently subdivided and known as McCarty's Subdivision of the west part of Out Lot 120 in the City of Indianapolis, and that the said Henry Day, who together with Nicholas McCarty and others, conveyed by Warranty Deed the undivided 5/6 part of lot 109 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, said deed bearing date of April 28th, 1875, and recorded in Town Lot Record 114, at page 234, was at that time an unmarried man and that the said Henry Day never remarried after the death of his wife, Susanna McCarty Day, but died a widower.

Further affiant sayeth not.

Nicholas McCarty.

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

-17-

Nicholas McCarty,

Affidavit.

Affiant says, that he is the son of Nicholas McCarty deceased, who formerly owned in his life time Out Lot 120 in the City of Indianapolis, Indiana. That this affiant is now 78 years of age and that he is the brother of Margaret R. McCarty, Frances J. McCarty and Susannah McCarty Day; that affiant has never been married and his sister, Frances J. McCarty has never been married, and that Margaret R. McCarty was married on the 3d day of October 1867 to John C. S. Harrison.

Nicholas McCarty.

MARION CIRCUIT COURT.

Guardian's Docket  
3 pages 30 & 135  
Sale Real Estate  
Docket  
1 pages 235 & 336

-18-

IN THE MATTER OF THE  
GUARDIANSHIP OF:  
Henry McCarty Day and  
Margaret McCarty Day.

Sale of Real Estate.

May 19, 1875, Henry Day, Guardian of Henry McCarty Day and Margaret McCarty Day, minor heirs of Susanna McCarty Day, deceased, respectfully represents to the court that said wards are the owners in their own right of an undivided 1/6 part of the following described real estate to wit:

The following designated lots in McCarty's Subdivision of the west part of Out Lot 120 in the

*L. M. Brown Abstract Co.,*

City of Indianapolis, according to the plat of said subdivision recorded in the Recorder's Office of Marion County, to wit:

Lot 75 (and other lots) of the estimated value of about \$9,500.00.

That the personal estate of said wards amounts to about \$1600.00.

That the annual rental value of the real estate of said wards is about the sum of \$500.00.

The undersigned shows that the interest of said wards requires that the said undivided 1/6 interest in said lands should be sold and the proceeds thereof invested in improvements of their other real estate.

That the said lands are unproductive and as the wards have only an undivided interest in the lands, their interest cannot be made productive, and this application for the sale of the lands is for the purpose of a better investment. He further shows that it would be for the interest of said wards that the premises should be sold at private sale and that such parcels as shall be appraised at less than \$1000 should be sold without publication of notice of the time, terms and conditions of sale, and he prays that the lands may be sold at private sale upon such terms as the court shall direct.

(Petition duly verified).

May 20, 1875, and the court having inspected said petition and being fully advised in the premises orders said guardian to appraise said real estate.

Lawrence G. Hay and William Mansur appointed appraisers to appraise real estate; Oath of appraisers filed; the undivided 1/6 part in value of the following lots in McCartys Sub. of the West part of Out Lot 120 in the City of Indianapolis, appraised as follows:

Lot 75 appraised at \$58.00.

Total for all lots appraised at \$8,863.00

Additional bond filed and approved by the court in the amount of \$18,000.00.

And the court having heard the allegations of the said petition and being fully advised in the premises do order, adjudge and decree that said guardian be and he is hereby authorized and directed to sell the 1/6 interest of said lots to wit:

Lot 75 (also other lots in McCarty's Subdivision of -- Out Lot 120 in the City of Indianapolis, Marion County, State of Indiana, at private sale not less than the full appraised value; and it appearing to the court that it would be for the interest of the estate of said wards that the 1/6 interest in said lots should be sold, without giving notice by publication of the time, place and condition of the sale; It is therefore ordered, adjudged and decreed by the court that such private sale be made without giving notice by publication of the time, place and condition of the sale, whenever the amount of such sale shall not exceed the sum of \$1000.

And the court further directs that such sale shall be made upon such terms of payment and credit as will realize the greatest amount in value of said wards and that the credit shall not exceed the term of 5 years, to be secured by mortgage upon the premises, and the said guardian is ordered to report the sales he may make and the time and terms thereof to this court for approval.

Order Book 35 page 486.

November 19, 1881, Henry Day, Guardian files his verified petition for reappraisal of certain real estate heretofore by this court ordered to be sold and which remains unsold to wit: (With other lots).

The undivided 1/12 being the interest of his said ward in Lot 75 McCarty's Subdivision of the west part of Out Lot No. 120 in said City, appraised and ordered to be sold May 20, 1875, on petition No. 336.

Guardian shows that by reason of the length of time since said order of sale, said Henry McCarty Day has become of full age, and that for the better information of the court and the guidance of said guardian in making sales of the interest of said Margaret being 1/12 interest under said orders, a reappraisal of said real estate is necessary, also that it would be the best interest of his said ward the terms of payment of purchase money for the lots ordered to be sold which are yet unsold should be modified so that they might suit purchasers as they might desire to pay cash in hand or in installments upon a credit not to exceed 5 years from date of sale, and he asks that said terms be so modified. (Duly verified).

And the court having heard and inspected the evidence given of the matters represented in said petitions and being sufficiently advised in the premises and being satisfied of the truth of the matters set forth in said petition finds that said real estate should be sold by said Guardian and that said lots should be reappraised so as to appraise the one undivided twelfth thereof the interest of said ward therein, does now appoint William S. Hubbard and William Mansur, appraisers to appraise all the aforesaid real estate.

Oath of appraisers filed. The fair cash value of said lots are appraised as follows:

Lot 75 in McCarty's Sub. of the west part of Out Lot 120 appraised at \$26.00, also other lots appraised at different values.

Guardian files additional bond and approved by the court in the sum of \$9000.00.

And the court now orders the sale of all the foregoing real estate to be for cash or upon credit not to exceed five years from the day of sale deferred payments to be made payable in annual installments with interest from day of sale until due at the rate of 6% interest, and the court now orders said sale of said real estate.



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

Order Book 58 page 268.

April 18, 1882, Proof of publication of notice and proof of posting notices filed.

Henry Day, Guardian of said Margaret McCarty Day reports and shows that pursuant to and in accordance with the orders of said court, first having given three days notice of the time, place, terms and conditions of sale of the hereinafter described real estate by publication thereof in two daily newspapers printed and published in the City of Indianapolis, he did sell at private sale for the best price that could be obtained for more than the full appraised value of each lot respectively, for cash in hand paid, to Frances J. McCarty of said city, the one undivided twelfth, being the interest of his said ward in, to and of the real estate, situate in the County of Marion and State of Indiana, described and for the prices of the lots respectively as follows, to wit:

Lots in McCartys Subdivision of the west part of Out Lot 120 in said City according to the plat of said subdivision as recorded in said office, numbered and for the prices respectively following, to wit:

Lot 75 for \$27.00, (Also other real estate).

That all of said lots were offered and sold separately. That all the lots so sold as aforesaid, sold for the total sum of \$4484.00; that said purchase prices were the highest offered or could be obtained by said Guardian, and said guardian asks the court to approve and confirm said sales of all the lots aforesaid.

And said guardian further shows to the court that he as such guardian has made, signed, sealed and acknowledged a deed of this date conveying to said Frances J. McCarty the right, title and interest of said Margaret McCarty Day, being the 1/12 of, in and to all the real estate hereinbefore described and sold as aforesaid and prays the court that upon the approval of said sale of said real estate, said deed be by the court approved, confirmed and ordered to be fully executed by the delivery thereof to said Frances J. McCarty.

Henry Day, Guardian.

Subscribed and sworn to this 18th day of April 1882.

Daniel M. Ransdell.  
Clerk.

And the court having examined said report and being fully advised in the premises does now approve and confirm the said sale of the several lots for the respective prices to said Frances J. McCarty as aforesaid as in all things according and pursuant to the orders of this court and for the best interest of the estate of said ward and orders said guardian to make, sign, seal and acknowledge a deed conveying to

the said Frances J. McCarty all and singular the right, title and interest of the said Margaret McCarty Day, being the 1/12 of, in and to all real estate hereinbefore described and sold as aforesaid.

And said guardian now in open court reports and presents to the court a deed of the hereinbefore described real estate, so sold as aforesaid made, signed, sealed and acknowledged by him of this date, conveying said 1/12 of said real estate to said Frances J. McCarty.

And the court having examined said deed finds the same to be in accordance with the orders of this court, now approves and confirms the same, writes thereupon such approval and orders the same to be delivered by said Guardian to said grantee, which is now done.

Complete Record 27 page 228; 35 pages 90 and 116.

Deed Record  
Town Lots  
152 page 306,  
April 18, 1882,  
Recorded  
April 24, 1882,

Henry Day, Guardian of the  
estate of Margaret McCarty Day,  
minor heir of Susanna McCarty Day,  
deceased, by order of the Marion  
Circuit Court of the State of  
Indiana, entered in Volume 60  
of the Order Book records of  
said Court on page 228,  
to

Guardian's Deed.

Frances J. McCarty.

The one undivided twelfth being the interest of his said ward, in, to and of the real estate situated in the County of Marion, State of Indiana, described as follows, to wit:

Lot 75 in McCarty's Subdivision of the West Part of Out Lot 120 in said City of Indianapolis, according to the Plat of said Subdivision as recorded in said Recorder's Office.

(Also other real estate).

This deed examined and approved in open Court this April 18, 1882.

J. G. Adams,  
Judge M.C.C.

Deed Record  
Town Lots  
175 page 112,  
Dec. 28, 1882,  
Recorded  
April 23, 1885,

INDIANAPOLIS

Nicholas McCarty,  
(unmarried)  
John C. S. Harrison, and  
Margaret R. McCarty Harrison,  
his wife,  
Frances J. McCarty,  
(unmarried),  
Henry Day, (unmarried) and  
Henry McCarty Day,  
(Unmarried),

Warranty Deed.

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TITLE

to  
Julia C. McCue.  
Lot No. 75 in McCarty's Subdivision of the  
West Part of Out Lot 120 in the City of Indianapolis,  
according to the Plat of said Subdivision as recorded  
in the Recorder's Office of Marion County, Indiana.

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ABSTRACTS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

-22-

*L. M. Brown Abstract Co.,*

MORTGAGES.

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

-23-

MECHANICS LIENS.

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

Indianapolis December 5, 1946

-24-

# CERTIFICATE

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

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

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

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

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

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

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

The period of search covered by this certificate is from DATE OF DONATION to and including June 15, 1899 and covers Paragraphs No. 1 to 24 both inclusive, and Sheets No. 1 to 15 both inclusive.

L. M. BROWN ABSTRACT COMPANY

By *Russell W. Fourn*  
President & Mgr.



MLB.

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, according to the plat of said Subdivision, as recorded in the Recorder's Office of Marion County, Indiana.

Prepared for John R. Welch since date of former continuation dated June 15, 1899.

315, P. 367.  
June 24, 1899.  
Recorded  
June 24, 1899.

Julia C. McCue, widow,  
to  
Mary T. Rule.

Warranty Deed.

Lot 75 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis, according to the plat of said subdivision as recorded in the Recorder's Office of Marion County, Indiana.

Subject to the taxes for the year 1899.

There are no further conveyances.

Encumbrances.

364, P. 572.  
June 24, 1899.  
Recorded  
June 24, 1899.

*Sat apr 14 1904  
F.P.S.*

Mary T. Rule, and  
Thomas Rule, her husband  
to  
Celtic Saving and Loan  
Association # 3.

*Satisfied  
Apr 14 - 04  
Title Guaranty Company*

Mortgage.

Lot 75 in McCarty's Subdivision of the West part of Out Lot 120 in the City of Indianapolis.

To secure a certain bond of even date herewith for \$400.00, together with certain dues, interest fines, etc.

*since pd  
F.P.S.*

Taxes for the year 1903 now due.

Taxes for the year 1904 now due.

*Marion Title Guaranty Company  
F.P.S.*

Indianapolis, Ind. March 30, 1904.

We find no further conveyances, nor unsatisfied encumbrances of record on lot as described in caption, since date of June 15, 1899.

Search made in the Recorder's Office, the Tax Sale Records in the Auditor's Office, the Tax Duplicates in the Treasurer's Office, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Superior and Marion Circuit Courts; also Records of Street, Alley and Sewer Improvement Assessments in the Treasurer's Office, as certified by the City Comptroller, as said Records and Dockets are now entered up.

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

MARION TITLE GUARANTEE COMPANY.

BY Arthur Leppel MANAGER

Continuation of Abstract of Title to Lot 75 in McCarty's Sub-division of the West part of Out Lot 120 in the City of Indianapolis.

Prepared for John R. Welch, since date of former continuation, dated March 30, 1904.

411, P. 499.  
Jan. 15, 1907,  
Recorded  
Jan. 15, 1907.

Mary T. Rule and  
Thomas Rule, her husband,  
to  
Margaret Kelly.

Warranty Deed.

Lot 75 in McCarty's subdivision of the West part of Out Lot 120 in the City of Indianapolis.

Subject to the taxes for 1906.

There are no further conveyances.

Taxes for the year 1908, paid in full.

Taxes for the year 1906, now a lien.

*since 1906*

*Marion Title Guaranty Company  
By Arthur Leopold Manager*

**SINCE PAID**

Judgments.

IN THE CIRCUIT COURT OF MARION COUNTY.

Order Book.  
171, P. 322  
#14007.

*Outlawed*

Sallie B. Swigert, et al, ads Mary L. Rule.  
September 27, 1906, Costs.

Indianapolis, Ind., December 15, 1909.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in Caption, since date of March 30, 1904.

Search made in the Recorder's Office, the Tax Sale Records in the Auditor's Office, the Tax Duplicates in the Treasurer's Office, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Marion Superior, Circuit and Probate Courts; also Records of Street Alley and Sewer Improvement Assessments in the Treasurer's Office as certified by the City Comptroller, as said Records and Dockets are now entered up.

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

F.

MARION TITLE GUARANTY COMPANY  
BY Arthur Leopold MANAGER

Continuation of Abstract of Title to Lot 75, in McCarty's Sub-division of the West part of Out Lot 120, of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof as recorded in Plat Book 7, page 74, of the Recorder's Office of Marion County, Indiana.

Prepared for John R. Welch, since date of December 15, 1909.

There are no further conveyances.

Taxes for the year 1919, 1st installment paid.  
2nd installment unpaid, payable in November 1920.

Taxes for the year 1920, now a lien.

Judgment.

IN THE SUPERIOR COURT OF MARION COUNTY.

Chauncy 1914 vs. Margaret Kelly.  
June 26, 1914. Costs.

*Fully paid*  
*FWN*  
Order Book  
375, p. 417.  
No. 98866.

Indianapolis, October 13, 1920.

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

Search made in the Recorder's Office, the Tax Sale Records in the Auditor's Office, the Tax Duplicates in the Treasurer's Office, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Marion Superior, Circuit and Probate Courts; also Records of Street Alley Park and Sewer Improvement Assessments in the Treasurer's Office, as certified by the City Comptroller, as said Records and Dockets are now entered up.

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

MARION COUNTY GUARANTEE COMPANY  
*[Signature]*



-1- Continuation of an Abstract of title to lot 75 in McCartys Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof as recorded in plat book 7 page 74 in the Recorders Office of Marion County, Indiana, Since October 13, 1920.

781 page 421.  
Oct. 22, 1920.  
Recorded  
Oct. 22, 1920.

Margaret Kelly, unmarried  
To  
Celtic Saving and Loan Association No. 3. Mortgage

-2-

*lot 8-17-85*

Lot 75 in McCartys Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis as per plat thereof recorded in plat book 7 at page 74 in the Recorders Office of Marion County, Indiana.

To secure the performance of a certain bond of even date herewith in penalty of \$350.00 with interest at the rate of 6 1/2% per annum together with certain dues, fines etc., and 10% attorneys fees.

Record 251 page  
136.  
May 27, 1921.

Margaret Kelly  
To  
Local sewer 1st alle of Senate Avenue from Ray Street to 20 feet N. of Wilkins Street. Lot 75 herein assessed for \$129.98. Now 4/10 paid including November 1924 installment. Assessment

-3-

-4-

Examination made for judgments in the name of Margaret Kelly from October 13, 1920 to February 19, 1925 and against none other.

-5-

Taxes for 1923 fully paid.

-6-

Taxes for 1924 new lien.

Attest: *Walter N. Corral*  
PRES. & GENERAL MANAGER  
SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED

-1- B. T.

-7-

Indianapolis Indiana, February 19, 1925.  
Examination of October 13, 1920 Continued to date and we find no change in title or incumbrances upon the real estate described in the Caption of this Continuation except as within shown as appears from the records in the Recorders Office, the General Judgment Dockets of the Marion Circuit Superior and Probate Courts, the Lis Pendens records of complaints and Attachments, the Tax Duplicates and Municipal assessment records in the Treasurers Office, and the Indexes of Tax Sales in the Auditors Office, all in Marion County, Indiana, as said records and dockets are now entered up.

-2- B.

Union Title Company  
Incorporated

By Wendell W. Loyal  
Secretary

139715

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof as recorded in plat book 7 page 74 in the Recorder's Office of Marion County, Indiana.

Since February 19, 1925.

Prepared for: Home Owners' Loan Corporation.

Mortgage Record  
916 page 442  
Inst. #9421  
March 6, 1925  
Recorded  
March 7, 1925

-2-

*lot 8-17-35*

Margaret Kelly, unmarried  
to  
Celtic Saving and Loan  
Association No. 3 OF INDIANAPOLIS, INC.  
Mortgage  
Lot number 75 in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the city of Indianapolis, as per plat thereof, recorded in Plat Book 7 at page 74 in the Recorder's Office of Marion County, Indiana.

To secure the performance of a certain bond of even date herewith in penalty of \$300.00 and interest at the rate of 6-1/2% per annum, together with certain dues, fines, etc. with 10% attorney's fees.

Judgment Search

-3-

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:

Margaret Kelly, for the 10 years last past and against none other.

139715

-4-

Taxes for the year 1930 paid.

-5-

Taxes for the year 1931, 1st 1/3 paid; and 1/3 unpaid.

SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED  
ATTEST: *William H. Corral*  
BY: \_\_\_\_\_  
PRES. & GENERAL MGR.

-6-

Taxes for the year 1932, 1st 1/3 paid; and 1/3 unpaid.

SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED  
ATTEST: *William H. Corral*  
BY: \_\_\_\_\_  
PRES. & GENERAL MGR.

-7-

Taxes for the year 1933 unpaid.

SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED  
ATTEST: *William H. Corral*  
BY: \_\_\_\_\_  
PRES. & GENERAL MGR.

-8-

Taxes for the year 1934 on the real estate for which this abstract is prepared are assessed in the name of Margaret Kelly and are due and payable on or before the first Mondays in May and November of 1935.

General Tax Duplicate No. 83594, K. L. Mc. Indianapolis Center Township.

May installment \$6.32 unpaid.

Nov. installment \$6.32 unpaid.

SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED  
ATTEST: *William H. Corral*  
BY: \_\_\_\_\_  
PRES. & GENERAL MGR.

-9-

Taxes for the year 1935 now a lien

SINCE PAID IN FULL  
UNION TITLE COMPANY  
INCORPORATED  
ATTEST: *William H. Corral*  
BY: \_\_\_\_\_  
PRES. & GENERAL MGR.

# GUARANTEED CERTIFICATE

-10-

STATE OF INDIANA }  
COUNTY OF MARION } ss:

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

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

**THIRD** That according to the current tax duplicates and special tax duplicates, and the municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes 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 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 10 both inclusive and sheets water-  
marked "Union Title Company" Nos. 1 to 3 both inclusive.  
Dated at Indianapolis, Indiana, May 25, 1935, 8:00 A.M.

UNION TITLE COMPANY

By Walter N. Coval  
President and General Manager

-3- J.W.

INCORPORATED

INDIANAPOLIS, IND.

CAPITAL STOCK \$1,000,000.00

**ABSTRACTS OF TITLE  
TITLE INSURANCE, ESCROWS**

UNION TITLE BUILDING  
155 E. MARKET ST. LINCOLN 8361-2  
139715

INDIANAPOLIS, IND., May 24, 1935  
8:00 A.M.

DIRECTORS

ALBERT M. BRISTOR	FRANK P. HUSE
ARTHUR V. BROWN	DICK MILLER
VERN E. HUNDRIDGE	NORMAN A. PERRY
WILLIS N. COVAL	FRED T. REED
LINTON A. COX	TIMOTHY P. SEXTON
FRED C. DICKSON	GEORGE W. SNYDER
GEORGE B. ELLIOTT	H. E. STONECIPHER
GEORGE C. FORREY, Jr.	LEO F. WELCH
MARION F. HINKLE	

OFFICERS

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

Prepared for: Home Owners' Loan Corporation  
SEARCH FOR  
FEDERAL JUDGMENTS, PENDING BANKRUPTCIES, INTERNAL REVENUE TAX LIENS  
in the  
UNITED STATES DISTRICT COURTS OF INDIANA

Southern District  
Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

Northern District  
South Bend Division  
Hammond Division  
Fort Wayne Division

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no unsatisfied judgments of record constituting liens on real estate in any of the seven divisions of the Federal Courts named above, rendered within that portion of the ten years last past prior to March 11, 1929, the date of the enactment of the Indiana Judgment Conformity Act; 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 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 **May 15, 1935, 8:00 A.M.**

and

The Indianapolis Division of the Southern District down to and including **May 24, 1935, 8:00 A.M.**

Margaret Kelly

Union Title Company  
INCORPORATED  
BY *Willis N. Coval*  
PRES. & GENERAL MANAGER

CAPTION

-1-

Continuation of an Abstract of Title to Lot 75 in  
McCarty's Subdivision of the west part of Out Lot  
120 of the Donation Lands of the City of Indianapolis,  
reference being made to the recorded plat thereof  
as recorded in Plat Book 7 page 74 in the Recorder's  
Office of Marion County, Indiana.

Since May 25, 1935, 8:00 A.M.

Prepared for Home Owners' Loan Corporation.

Mortgage Record  
1139 page 501  
Inst. #20425  
July 12, 1935  
Recorded  
Aug. 14, 1935  
11:05 A.M.

Margaret Kelly, unmarried  
to

Mortgage

Home Owners' Loan Corporation

Lot 75 in McCarty's Subdivision of the West  
part of Out Lot 120 of the Donation Lands of the  
City of Indianapolis, reference being made to the  
recorded plat thereof, as recorded in Plat Book  
7 page 74 in the Recorder's Office of Marion  
County, Indiana.

-2- ✓

To secure the payment of the indebtedness  
evidenced by one promissory note (and any extension  
or renewal thereof), of even date herewith, for the  
principal sum of \$880.00, with interest at the rate  
of five per cent per annum, principal and interest  
payable in installments as therein provided, and  
with reasonable attorney's fees.

Judgment Search

-3-

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:

Margaret Kelly

from May 25, 1935, 8:00 A.M.  
to date and against none  
other.

-4-

For taxes see preceding continuation.

# 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, 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 hereinabove set out.

**THIRD** That according to the current tax duplicates and special tax duplicates, and the municipal assessment records in the County Treasurer's Office as certified by the City Comptroller, there are no taxes 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 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 water-  
 marked "Union Title Company" Nos. 1 to 2 both inclusive.

Dated at Indianapolis, Indiana, August 14, 1935, 11:05 A.M.

UNION TITLE COMPANY

By *Willis W. Coval*  
 President and General Manager

-2-W

W-2



171613

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof, as recorded in Plat Book 7 page 74 in the Recorder's Office of Marion County, Indiana.

Since August 14, 1935, 11:05, A.M.

Prepared for: Home Owners' Loan Corporation

Misc. Record  
286 page 445  
Inst. #3119  
Oct. 5, 1937  
Recorded  
Feb. 3, 1938

2-

DISTRICT OF COLUMBIA, CITY OF WASHINGTON, SS:

H. R. Townsend, being duly sworn upon his oath says that he is the duly appointed, qualified and acting Assistant Secretary of the Home Owners' Loan Corporation of Washington, D. C., and that the following is a true and correct copy of a Resolution adopted by the Board of Directors of said Home Owners' Loan Corporation on September 27, 1937;

BE IT RESOLVED, That the following officers of Home Owners' Loan Corporation, to-wit: The Chairman of the Board of Directors or Vice Chairman, or any member of the Board of Directors, the General Manager or any Deputy General Manager, the Secretary or any Assistant Secretary, the Treasurer or any Assistant Treasurer, any Regional or Assistant Regional Manager, any Regional or Assistant Regional Treasurer, or any State, Division or Territorial Manager or any Assistant State, Division or Territorial Manager, or any State, Division or Territorial Counsel, or any Assistant State, Division or Territorial Counsel, be and each is, hereby authorized to execute, seal with the corporate seal, attest, acknowledge on behalf of the corporation and deliver or accept any instrument, and perform any and all acts necessary or appropriate, in connection with: (a) the exercise of any power-of-attorney now or hereafter running to Home Owners' Loan Corporation and the appointment of substituted trustees under deeds of trust or other instruments securing debt now or hereafter held by the corporation, or

171613

(b) the foreclosure of any mortgage or security now or hereafter held by said corporation, including foreclosure deeds in pursuance of sales under power-of-attorney, or (c) the purchase, sale, management, ownership, or rental of any property to or by said Corporation, including deeds conveying title to real estate or any interest therein now or hereafter held by the Corporation and contracts or other obligations for the sale of real estate or any interest therein now or hereafter held by the corporation, or (d) the acquisition by giving in payment, reconveyance, assignment, complete or partial release, sub-ordination, satisfaction, cancellation or discharge of any judgment, lien, security, mortgage or instrument of indebtedness now or hereafter held by said corporation, or (e) the appointment of an attorney in fact to act for the corporation in the foregoing matters or to acknowledge any instrument on behalf of the corporation; and

BE IT FURTHER RESOLVED, That this resolution shall become effective on October 1st, 1937; and the Secretary or any Assistant Secretary of the Corporation is authorized to certify and furnish such copies of this resolution as may be required, and to authenticate, acknowledge, and do any other act necessary to entitle it to be recorded in any jurisdiction.

H. R. Townsend,  
Assistant Secretary  
(Corp. Seal)

DISTRICT OF COLUMBIA, CITY OF WASHINGTON, SS:

Personally appeared before me, H. R. Townsend, Assistant Secretary of Home Owners' Loan Corporation of Washington, D. C., and known by me to be such, and subscribed and swore to the truth of the foregoing affidavit and resolution and acknowledged his signature to said affidavit this 5th day of October, 1937.

Mary E. Wagner (LS)  
Notary Public

My commission expires: September 8, 1939.

171613

-3-

Margaret Kelly died intestate March 3, 1936.

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket  
108 page 38390

IN THE MATTER OF THE ESTATE OF MARGARET KELLY,  
DECEASED.

-4-

March 6, 1937. Bond filed, Kathleen Kelly  
Roach duly appointed and qualified as Administra-  
trix of the Estate of Margaret Kelly, deceased.  
Order Book 172 page 630.

March 23, 1937. Proof of notice of  
appointment filed.

(Pending.)

NOTE: Application for letters of adminis-  
tration shows that said decedent left surviving  
the following and only heirs at law to wit:

John F. Kelly, son,  
Kathleen Kelly Roach, Daughter,  
Ray Reeser, Grandson  
Antoinette Reeser, and  
Margaret Ann Reeser, Granddaughters  
and Richard Reeser -.

SEE SUBSEQUENT CONTINUATION

Tax Sale Register  
22 page 327  
Certificate #77886  
April 11, 1938

Auditor of  
Marion County, Indiana  
to  
George A. Street

-5-

Lot 75 McCarty West Sub. of Out Lot 120.  
Addition sold in the name of Margaret Kelly in  
the sum of \$30.84 for the non-payment of taxes  
costs and charges for the year 1935.

6/3/38  
REDEEMED  
Tax Sale  
UNION TITLE CO. INC.  
BY: *Willis M. Neal*  
PRES. & GENL. MGR.

171613

Old Age Assistance  
Search

-6-

Examination has been made as to the persons named under the heading of Judgment Search, and for the period so specified under said search, for 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 March 18, 1936.

We find none.

Judgment Search

-7-

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

Margaret Kelly,

from August 14, 1935  
11:05 A.M. to and  
including  
March 3, 1936

and -vs-

John F. Kelly,  
Kathleen Kelly Roach,  
Ray Reeser,  
Antoinette Reeser  
Margaret Ann Reeser, and  
Richard Reeser,

for the 10 years  
last past and  
against none  
other.

NOTE:

Special Attention is called to the fact that no examination for judgments is made vs. John F. Kelly without the middle initial "F".

171613

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause# 28527  
January 19, 1931  
Order Book  
29 page 115

Wm. C. Hurdle  
-vs-  
Ray G. Reeser  
Judgment rendered vs. defendant for  
costs.

-8-

*mb  
out*

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause # 27091  
June 24, 1931  
Order Book  
33 page 160

Roy E. Baker - *Jensinmacher Li 7097*  
-vs-  
Ray G. Reeser  
Judgment rendered vs. defendant for \$95.49 ✓  
and costs.

-9-

*mb  
out*

IN THE SUPERIOR COURT OF MARION COUNTY

Cause #A 88710  
December 2, 1936  
Order Book  
600 page 101

Eileen Kelly  
-vs-  
John F. Kelly  
Judgment rendered vs. defendant for costs.

-10-

*mb  
out*

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause# 62407  
December 4, 1936  
Order Book  
61 page 444

Fidelity Trust Company  
-vs-  
John F. Kelly  
Judgment rendered vs. defendant for \$41.08  
and costs.

-11-

*mb  
out*

January 4, 1937, execution issued.  
Returned not satisfied. See Execution Docket 19  
page 364.

171613

IN THE MARION CIRCUIT COURT

Warrant # 2609  
December 30, 1936  
Filed  
January 4, 1937

State of Indiana  
Department of  
Treasury

-vs-  
Ray G. Reeser

Warrant under Section 13 A, Chapter 50,  
Acts of Indiana for 1933; in the sum of \$16.25  
and costs.

JUDGMENT SATISFIED  
AND COSTS PAID  
ATTEST, UNION TITLE CO.  
BY *Albert M. Gristor*  
PRESIDENT

-12-

*RRR*  
*Judgment*  
*Released*  
*Oct. 7, 1943*  
*Costs paid*

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause # 63700  
February 8, 1937  
Order Book  
58 page 98

Harley Horton  
-vs-  
Ray Reeser

*E. B. Teckemeyer*

Judgment rendered vs. defendant for \$.01  
and costs.

-13-

*am*  
*out*

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause # 67238  
October 4, 1937  
Order Book  
60 page 379

Edward Monn doing  
business under the  
firm name of the  
Monn Coal Company

-vs-  
Raymond Reeser

Judgment rendered vs. defendant for \$8.00  
and costs.

-14-

*am*  
*out*

171613

IN THE SUPERIOR COURT OF MARION COUNTY

Cause #A 97884  
February 19, 1938  
Order Book  
614 page 423

Ray Reeser

-vs-

Ethel Reeser

Judgment rendered vs. plaintiff for costs.

-15-

*amr -  
on R.*

-16-

Taxes for the year 1936 unpaid.

SINCE PAID IN FULL  
ATTEST UNIONVILLE CO., I.C.  
BY *Willis Wood*  
PRES. & GENL. MGR.

-17-

Taxes for the year 1937 on the Real Estate for which this Abstract is prepared are assessed in the name of Margaret Kelly, and are due and payable on or before the first Mondays in May and November of 1938.

General Tax Duplicate No. 85855. K. L. Mc.  
Indianapolis Center Township.

May installment \$ 7.04 unpaid.

November installment 7.04 unpaid.

SEE SUBSEQUENT CONTINUATION

-18-

Taxes for the year 1938 now a lien.

SEE SUBSEQUENT CONTINUATION

# 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 8 both inclusive.

Dated at Indianapolis, Indiana, May 31, 1938, 8 A.M.

UNION TITLE COMPANY

By Willis N. Corral  
President and General Manager

-8-

MS-14



# 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



171613

## 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:* HOME OWNERS' LOAN CORPORATION

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  
May 25, 1938, 8 A.M. and

The Indianapolis Division of the Southern District down to and including  
May 25, 1938, 8 A.M.

Margaret Kelly  
John F. Kelly  
Kathleen Kelly Roach  
Ray Reeser  
Antoinette Reeser  
Margaret Ann Reeser  
Richard Reeser

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

MS-14

171613-A

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof, as recorded in Plat Book 7, page 74, in the Recorder's Office of Marion County, Indiana. Since May 31, 1938, 8:00 A.M.

Prepared for: Home Owners' Loan Corporation

-2-

Suit instituted in the Superior Court of Marion County, Indiana, under Cause #A-99799 to foreclose Mortgage recorded in Mortgage Record 1139 page 501.

(Pending).

SEE SUBSEQUENT CONTINUATION

Old Age Assistance Search

-3-

Examination has been made as to the persons named under the heading of Judgment Search, and for the period so specified under said search, for 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 March 18, 1936.

We find none.

Judgment Search

-4-

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

John F. Kelly,  
Kathleen Kelly Roach,  
Ray Reeser,  
Antoinette Reeser,  
Margaret Ann Reeser, and  
Richard Reeser

from May 31, 1938,  
8:00 A.M. to date and  
against none other

171613-A

IN THE MUNICIPAL COURT OF MARION COUNTY

Cause #75534  
Jan. 6, 1939  
Order Book  
66 page 348

Russell J. Dean  
vs.  
Ray Reeser  
Judgment rendered vs defendant for \$25.00  
and costs.

-5-

-6-

Taxes for the year 1937 on the Real Estate for which this Abstract is prepared are assessed in the name of Margaret Kelly and are due and payable on or before the first Mondays in May and November of 1938.

General Tax Duplicate No. 85855, K, L, Mc,  
Indianapolis, Center Township.

May Installment \$7.04 paid.

November Installment \$7.04 unpaid

SINCE PAID IN FULL  
STATE UNION TITLE CO.  
BY *Albert M. Grist*  
PRESIDENT

-7-

Taxes for the year 1938 now a lien.

SINCE PAID IN FULL  
STATE UNION TITLE CO.  
BY *Albert M. Grist*  
PRESIDENT

# GUARANTEED CERTIFICATE



-8-

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 8 both inclusive and sheets water-  
marked "Union Title Company" Nos. 1 to 3 both inclusive.  
Dated at Indianapolis, Indiana, January 18, 1939, 8:00 A.M.

## UNION TITLE COMPANY

By Willis N. Coral  
President and General Manager

-3-

B-17

# 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



171613-A

## 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:* Home Owners' Loan Corporation

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  
January 11, 1939, 8:00 A.M. and

The Indianapolis Division of the Southern District down to and including  
January 12, 1939, 8:00 A.M.

John F. Kelly  
Kathleen Kelly Roach  
Ray Reeser  
Antoinette Reeser  
Margaret Reeser  
Richard Reeser

Union Title Co.  
INCORPORATED  
BY *Willis A. Coal*  
PRES. & GENL. MGR.

R-17

273487

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in  
McCarty's Subdivision of the West Part of Out Lot  
120 of the Donation Lands of the City of Indiana-  
polis, reference being made to the recorded plat  
thereof, as recorded in Plat Book 7, page 74,  
in the Recorder's Office of Marion County, Indiana.  
Since January 18, 1939, 8 A.M.

Prepared for: Home Owners' Loan Corporation.

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket  
108 page 38390

-2-

IN THE MATTER OF THE ESTATE OF MARGARET KELLY, DECEASED.  
(As continued from a previous continuation).

October 9, 1939, Verified final report filed.

October 19, 1939, Proof of publication of final  
notice filed.

November 4, 1939, Proof of posting of final notice  
filed, final report approved and estate closed.

Order Book 190, page 273.

Final Report Record 107, page 662.

Note: Entry on final report reads in part as  
follows, to-wit:- That said decedent left the following  
named heirs John F. Kelly, Ray Reeser, Jr., Antoinette  
Reeser, Margaret Reeser, Richard Reeser, Kathleen  
Roach.

That no gross income tax was payable on said  
estate.

That said estate was found to be not subject to  
Inheritance Tax.

ABTRACTOR'S NOTE:- Schedule of property of said  
decedent filed with the Inheritance Tax Appraiser for  
Inheritance Tax Appraisal lists the real estate des-  
cribed in the caption hereof as an asset of said estate.  
Said Schedule further shows the gross value of said  
decedent's estate to be \$85.90.

IN THE SUPERIOR COURT OF MARION COUNTY

Cause A-99799  
Complaint filed  
June 13, 1938  
Complete Record  
-- page --

Home Owners' Loan Corporation,  
Plaintiff,

vs.

✓ John F. Kelly,  
✓ Kathleen Kelly Roach,  
✓ Wilton Roach,  
✓ Ray Reeser,  
✓ Antoinette Reeser,  
✓ Margaret Ann Reeser,  
✓ Richard Reeser,  
✓ Kathleen Kelly Roach, as  
Administratrix of the  
Estate of Margaret Kelly,  
Deceased,  
✓ William C. Hurdle,  
✓ Roy E. Baker,  
✓ Eileen Kelly,  
✓ Fidelity Trust Company,  
✓ Harley Horton,  
✓ Edward Monn,  
✓ Ethel Reeser,  
State of Indiana, Department of  
Treasury.

Defendants.

Suit instituted to foreclose Mortgage recorded  
August 14, 1935 in Mortgage Record 1139, page 501,  
in the Recorder's Office of Marion County, Indiana.

June 13, 1938; AFFIDAVIT FOR PUBLICATION

Adolph Schreiber, being duly sworn, upon his  
oath says that:

He is the attorney for the plaintiff in the above-  
entitled cause and makes this affidavit for and on its  
behalf.

Affiant says that John F. Kelly, defendant in  
the above-entitled cause of action, is a non-resident  
of the State of Indiana, and that his residence and the  
residence of defendant William C. Hurdle are unknown  
and, upon diligent inquiry, can not be ascertained,  
and that the cause of action herein is to foreclose a  
mortgage on real estate in Marion County in the State  
of Indiana.

And further affiant saith not.

Adolph Schreiber.

Subscribed and sworn to this 13 day of June, 1938.

Clara Swango (LS)

Notary Public.

My Commission expires March 4, 1942.

273487

June 13, 1938, Summons issued returnable June 30, 1938, returned endorsed as follows:

Came to Hand 1938 June 13 PM 2:14, and served the within named State of Indiana, Department of Treasury by reading this writ to and within the hearing of Peter Hein as Chief Administrative Officer of the Department of Treasury of the State of Indiana -- Attorney and delivering to him true copies of the same.  
6/14/38

Otto Ray  
Sheriff of Marion County  
Per Bayt Deputy

and served the within named Fidelity Trust Company by reading this writ to, and within the hearing of E. W. Cox Assistant Secretary of said Company and delivering to him a true copy thereof, he being the highest Officer of said Company found within my bailiwick.

6/14/38

Otto Ray  
Sheriff of Marion County  
Per Bayt Deputy

and served this writ by reading to and within the hearing of the within named Kathleen Kelly Roach, Kathleen Kelly Roach, as Administratrix of the within named Estate of Margaret Kelly, Deceased, Antoinette Reeser, Eileen Kelly, Edward Monn and delivering to them h--a true copy of the same.

6/14/38

Otto Ray  
Sheriff of Marion County  
Per Hendershot,  
Barrett & Bredell, Deputy.

and served this writ by leaving a true copy of the same at the last and usual place of residence of the within named Wilton Roach, Ray Reeser, Margaret Ann Reeser; Richard Reeser, Ethel Reeser,

6/14/38

Otto Ray  
Sheriff of Marion County  
Per Hendershot, Barrett, Deputy

and I have made diligent search, and fail to find any of the within named defendants within by bailiwick.  
Roy E. Baker, Harley Horton.

6/14/38

6/30/38

Otto Ray  
Sheriff of Marion County  
Per Bredell & Barrett,  
Deputy.

June 30, 1938 affidavit and Proof of Publication of notice as to non-resident defendant John Kelly and defendant William C. Hurdle filed disclosing by the affidavit of Norma Bray that such notice was duly published in The Indianapolis Commercial, a daily newspaper of general circulation for three weekly insertions successively, the first of which publications was on the 14th day of June 1938 and the last on the 28th day of June 1938.

June 28, 1938, Defendant Fidelity Trust Company files answer in General Denial and for second paragraph of its answer sets up its judgment recovered Dec. 4, 1936 in Cause 62407 of Municipal Court of Marion County, Indiana for \$41.08 and Costs and prays that it be protected.



273487

June 28, 1938; Defendant State of Indiana, department of Treasury files Answer in General Denial.

June 30, 1939; Defendants Ray Resser, Antoinette Resser, Margaret Ann Resser, and Richard Resser, minor defendants, by John L. Coleman, guardian ad litem under the appointment of this Court files answer in General Denial.

January 30, 1939; Defendants Roy E. Baker and Harley Horton file answer in General Denial.

January 30, 1939; Judgment and Decree.

Defendants John F. Kelly, Kathleen Kelly Roach, Wilton Roach, Kathleen Kelly Roach, as administratrix of the estate of Margaret Kelly, deceased, William C. Hurdle, Eileen Kelly, Edward Monn and Ethel Resser called and defaulted. Comes now Russell Dean and the Court orders him made a defendant, and said defendant waives the issue and service of summons and files answer in General Denial. Finding for plaintiff on complaint, judgment rendered In Rem for \$1,107.49, and costs, and decree entered for foreclosure of plaintiff's mortgage and sale of said mortgaged premises, all without relief from valuation and appraisement laws.

Order Book -- page --.

Copy of said judgment and decree issued and came to hand of Sheriff October 20, 1939. Sheriff's return recites that he advertised said real estate by giving due and legal notice of the time and place of sale for at least 20 days next before the day of sale by posting notices in three public places in Center Township and one at the Court House door and by publication for three weeks successively the first being 30 days or more before the date of sale in The Indianapolis Star, a daily newspaper of general circulation in the City of Indianapolis. Said sale was set for the 2nd day of December 1939, at which time he offered at public auction the fee simple of said real estate and sold same to Home Owners' Loan Corporation for the sum of \$1,151.77 and return said writ fully satisfied. Deed executed and delivered to said purchaser.

Execution Docket 83, page 333.

"Costs Paid."

273487

Town Lot Record  
1026 page 118  
Inst. #47109  
Dec. 5, 1939  
Recorded  
Dec. 8, 1939

Al Feeney, Sheriff of  
Marion County, Indiana

Sheriff's Deed

to  
Home Owners' Loan Corporation.

Lot 75 in McCarty's Subdivision of the West part  
of Out Lot 120 of the Donation Lands of the City of  
Indianapolis, reference being made to the recorded plat  
thereof in Plat Book 7, page 74, in the Recorder's  
Office of Marion County, Indiana.

Sold as the property of John F. Kelly, Kathleen  
Kelly, Roach, Ray Reeser, Antoinette Reeser, Margaret  
Ann Reeser and Richard Reeser, by virtue of proceedings  
as shown in the Superior Court of Marion County,  
Indiana, in Cause No. A-99799.

-4-

-5-

NOTE:- The Home Owners' Loan Corporation was  
created to provide emergency relief with respect  
to home mortgage indebtedness, to refinance  
home mortgages, to extend relief to the owners  
of homes occupied by them and who are unable  
to amortize their debt elsewhere, etc.  
(Public No. 43, 73 d., Cong., H. R. 5240.)

Act signed by President Franklin D. Roosevelt,  
June 13, 1933.

Judgment Search

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

-6-

Home Owners' Loan Corporation

for the 10 years  
last past and against  
none other.

273487

-7-

Taxes for the year 1944 on the Real Estate for which this Abstract is prepared are assessed in the name of Home Owners' Loan Corporation and are due and payable on or before the first Mondays in May and November of 1945.

General Tax Duplicate No. 350132, H.I.J, Indianapolis, Center Township, Parcel No. 38187.

May installment \$13.69 Paid.

*See next cont*  
*2*

November installment \$13.69 Unpaid.

-8-

*See next cont*  
*2*

Taxes for the year 1945 now a lien.

# GUARANTEED CERTIFICATE

-9-

STATE OF INDIANA }  
 COUNTY OF MARION } ss:

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

**FIRST** That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, 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 9 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 7 both inclusive.

Dated at Indianapolis, Indiana, August 22, 1945, 8 A.M.

**UNION TITLE COMPANY**

By

*Albert M. Bristor*

President

-7-

# 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



273487

## 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:* Home Owners' Loan Corporation

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

August 22, 1945, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

August 22, 1945, 8 A.M.

Home Owners' Loan Corporation

UNION TITLE CO.

BY *Albert M. Bristol*  
PRESIDENT

231663

-1-

INDIANAPOLIS

Continuation of Abstract of Title to Lot Number Seventy Five (75) in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the Plat of which is recorded in Plat Book 7 page 74, in the Office of the Recorder of Marion County, Indiana.

Prepared for W. H. Abel, since date of August 21, 1945.

TITLE

-2-

WE FIND NO FURTHER CONVEYANCES.

OF

ENCUMBRANCES.

ABSTRACTS

MORTGAGES.

-3-

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

*L. M. Brown Abstract Co.,*

MECHANICS LIENS.

-4-

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

231663

INDIANAPOLIS

JUDGMENTS.

-5-

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

Home Owners Loan Corporation from August 21, 1945 to date.

None found unsatisfied.

TITLE

ASSESSMENTS.

-6-

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

OF

ABSTRACTS

TAXES.

-7-

Taxes for year 1944, paid in full.

-8-

Taxes for year 1945, assessed in name of Home Owners' Corporation are due and payable the first Monday in May and the first Monday in November, 1946,

General Tax Duplicate No. 350108,  
Parcel No. 38187,  
Indianapolis, Center Township,

May installment \$15.04 paid,  
Nov. installment \$15.04 paid.

-9-

Taxes for year 1946 became a lien March 1st and are due and payable in May and November of the year 1947.

*L. M. Brown Abstract Co.,*

231663

ZONING

-10-

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

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

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

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

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

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

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

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

The real estate herein abstracted appears in Use District, Class U-2 ; Height District, Class H-1 ; and Area District, Class A-4 ; all as shown by 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.



231663

-11-

# CERTIFICATE

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

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

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

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

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

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

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

The period of search covered by this certificate is from August 21, 1945 to and including December 5, 1946, and covers Paragraphs No. 1 to 11

both inclusive, and Sheets No. 1 to 4 both inclusive.



L. M. BROWN ABSTRACT COMPANY

By

*Russell A. Fran*  
President & Mgr.

MLB.

Established 1868

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

# L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND

231663

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

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

W. H. ABEL

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

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

This certificate covers the Indianapolis Division down to and including Dec. 5, 1946, and all other Divisions of the State of Indiana, down to and including Dec. 3, 1946,

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

Home Owners' Loan Corporation.

Dated .... December 5, 1946, .....

L. M. BROWN ABSTRACT CO.

By ..... *Russell A. Furr* .....  
President and Manager

MLB.

1.

Matters appended to the foregoing abstract at the instance of examining Counsel.

Prepared for W. H. Abel.

INDIANAPOLIS

ITEM NO. 2 "A", "B", "C" OF OPINION

SUPERIOR COURT OF MARION COUNTY

Cause #A-99799

TITLE

Home Owners' Loan Corporation,

vs.

2.

John F. Kelly, et al.

No Complete Record has been made of these proceedings and the papers are not now on file.

January 30, 1939, Comes now the plaintiff, Home Owners' Loan Corporation, by its attorney, and it appearing from the Sheriff's returns of the summons that the defendants, Kathleen Kelly Roach, Wilton Roach, her husband, Ray Reeser, Antoinette Reeser, Margaret Ann Reeser, Richard Reeser, Kathleen Kelly Roach, as Administratrix of the Estate of Margaret Kelly, deceased, Eileen Kelly, Fidelity Trust Company, Edward Monn, Ethel Reeser and State of Indiana, Department of Treasury, have each been duly served with process more than 10 days before the 30th day of June, 1938, the return date endorsed on plaintiff's complaint, which said summons and returns thereon are in the words and figures, as follows, to-wit:- (H.I.)

And now plaintiff files proof of publication of notice to defendants, John F. Kelly and William C. Hurdle, and it appearing to the satisfaction of the Court by the notice and proof of publication herein that said defendants have each been duly notified of the pendency of this action by three successive weekly publications in the Indianapolis Commercial, a newspaper of general circulation printed in the City of Indianapolis, Marion County, State of Indiana, the last of which said publications being on the 28th day of June, 1938, and more than 30 days before the 6th day of September, 1938, the date fixed and endorsed on plaintiff's complaint for return date of publication thereof, which said notice and proof of publication thereof are in the words and figures as follows:- (H.I.)

And the defendants, John F. Kelly, Kathleen Kelly Roach, Wilton Roach, Kathleen Kelly Roach, as Administratrix, of the Estate of Margaret Kelly, deceased, William C. Hurdle, Eileen Kelly, Edward Monn and Ethel Reeser, failing to appear and each being now three times loudly called in open court, come not and herein wholly make default.

And it appearing to the Court that defendants, Ray Reeser, Antoinette Reeser, Margaret Ann Reeser and Richard Reeser, are minors, the Court appoints John L. Coleman as Guardian ad litem for said infant defendants, who now

L. M. Brown Abstract Co.,

ABSTRACTS OF

appear and accepts such trust and for and on their behalf files, as guardian, an answer to plaintiff's complaint in general denial and asks that strict proof thereof be made, which answer is in the words and figures as follows:- (H.I.)

And comes now defendant, Roy E. Baker by Fenstermacher, McCarthy & Richards, his attorneys, and files his answer in general denial, which is in the words and figures as follows:- (H.I.)

And comes now defendant, Harley Horton by E. B. Teckemeyer, his attorney, and files his answer in general denial, which is in the words and figures as follows:- (H.I.)

And comes now Russell J. Dean and the Court orders him made a defendant to this action, and said defendant now files his waiver of service and answer in general denial, which is in the words and figures as follows:- (H.I.)

And comes now defendant Fidelity Trust Company by Joseph & Dann, its attorneys, having heretofore filed its answer; and comes now State of Indiana by R.B.H. Smith, Deputy Attorney General, having heretofore filed its answer in general denial.

This cause is now submitted to the court for trial without the intervention of a jury upon the defaults of the defendants heretofore made and the issues joined by plaintiff's complaint and the answers now filed and the answers heretofore filed by the State of Indiana and Fidelity Trust Company, and the Court having heard the evidence and being duly advised in the premises, finds for the plaintiff that all of the allegations of its complaint are true, and that:-

On the 12th day of July, 1935, Margaret Kelly, now deceased, and the defendant, John F. Kelly by their promissory note promised to pay the plaintiff the sum of \$880.00 according to the terms thereof without relief from valuation or appraisal laws.

Contemporaneously with the execution and delivery of said note and to secure the payment thereof, Margaret Kelly, now deceased, executed to the plaintiff her mortgage on the real estate described in plaintiff's complaint and herein-after described, said mortgage being duly recorded on the 14th day of August, 1935, in Mortgage Record 1139 page 501 in the office of the Recorder of Marion County, Indiana.

Plaintiff's mortgage is a first lien on said real estate and prior to all liens except taxes.

On the date said mortgage was executed, Margaret Kelly was the record owner of the fee simple title of the real estate described therein, but on March 3, 1936, she died intestate, leaving surviving no husband, but two children, namely, defendants John F. Kelly and Kathleen Kelly Roach, and four grandchildren, namely, Ray Reeser, Antoinette Reeser, Margaret Ann Reeser and Richard Reeser, who were children of Margaret Kelly Reeser, a deceased daughter, and left surviving her no other child or descendants of a deceased child. Kathleen Kelly Roach was appointed and qualified as Administratrix of the Estate of her mother, Margaret Kelly, which estate is being administered in the

Probate Court of Marion County, Indiana. The defendants, John F. Kelly, Margaret Kelly Roach, Ray Reeser, Antoinette Reeser, Margaret Ann Reeser and Richard Reeser, are now the record owners of the hereinafter described real estate.

The note and mortgage so executed to the plaintiff are in default, and there is due and owing to the plaintiff upon said note and mortgage the following amounts:- Principal, \$880.00; Interest on Principal, \$69.27; Advanced for Taxes, \$70.59; Interest thereon, \$2.35; Advanced for Insurance, \$3.52; Interest thereon, \$0.41; Continuation of Abstract, \$31.35; Attorney fee, \$50.00; an aggregate sum of \$1,107.49, which said sum is secured by the mortgage herein described and is payable without relief from valuation or appraisement laws, and plaintiff is entitled to have a decree of foreclosure of said mortgage against all defendants to this action and each of them and to a sale of said real estate to satisfy the amount due on said note and mortgage, plus the cost of this action.

It is therefore ordered, adjudged and decreed by the Court that the plaintiff recover a judgment in this action in rem in the sum of \$1,107.49, also its costs and charges laid out and expended and all accruing costs without relief from valuation or appraisement laws, said judgment to bear interest at the rate of 5% per annum from rendition thereof until paid.

It is further ordered, adjudged and decreed by the Court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendants, and each of them, and all persons claiming from, under or through them, be forever barred and foreclosed, and that said real estate located in the County of Marion, State of Indiana, being the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit:-

Lot 75 in McCarty's Subdivision of the west part of Out Lot 120 of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof, as recorded in Plat Book 7 page 74, in the Recorder's office of Marion County, Indiana.

Be sold by the Sheriff of Marion County, without relief from valuation and appraisement laws in accordance with the provisions of Chapter 90 of the Acts of the 77th Regular Session of the General Assembly of the State of Indiana, approved March 7, 1931, to satisfy the plaintiff's judgment and costs herein; and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:-

First:- To the payment of all costs and accruing costs in this cause.

Second:- To the payment of the plaintiff's judgment and interest thereon in full.

The overplus, if any, remaining after the payment of the foregoing judgment, interest and costs, to be paid by the Sheriff of Marion County, to the Clerk of this Court for the use of the person or persons lawfully authorized

INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*

to receive the same, and the Sheriff is hereby ordered and directed, in case said real estate is sold to plaintiff and a deed is delivered to the plaintiff herein, immediately to place the plaintiff in possession of said real estate and shall oust and eject from said premises any other person in said real estate at the time of said sale.

Order Book 629 page 12.

State of Indiana, Marion County, SS:-

To the Sheriff of Marion County, Greeting:-

I, the undersigned, Clerk of the Superior Court of Marion County, in the State of Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings and judgment of said Court, had and entered in the above entitled cause, on the day and year first aforesaid, as appears of record in my office.

And I hereby further certify that pursuant to the Acts of 1931, the judgment heretofore rendered in this cause has not been satisfied and the real estate described therein has not been redeemed by the parties entitled to redeem.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Superior Court, at my office, in the City of Indianapolis, this 19th day of October, 1939.

Charles R. Ettinger, Clerk  
Superior Court Marion County,  
By J. E. Millikan, Deputy.

Came to hand October 20, 1939, at 8:18 o'clock A.M., and I advertised the within described real estate, by first giving due and legal notice of the time and place of sale for at least 20 days next before the day of sale, by posting printed notice thereof in three of the most public places in Center Township wherein said property is situate, and one at the Court House door of Marion County, Indiana, and also by publication for three weeks successively, one time each week, the first being 30 days or more before the date of sale in The Indianapolis Star, a daily newspaper of general circulation, printed in the English language, and published in the City of Indianapolis, in said County. Said sale was set for the 2nd day of December, 1939. And I did, on said day, at the door of the Court House of said County, between the hours of 10 o'clock A.M. and 4 o'clock P.M., at public auction, offer the fee simple of said real estate:- (As herein described), and Home Owners' Loan Corporation did then and there bid the sum of \$1219.17, and no person bidding more, and that being the highest and best bid, the same was in due form openly struck off and sold to it for said sum.

And having paid said bid by receipting the judgment for the sum of \$1151.77, and paying to me all costs hereon taxed at \$67.40, I executed and delivered to said purchaser a Deed to said real estate. I have disbursed the proceeds of said sale as follows:-

232975

INDIANAPOLIS

Paid Plaintiff on Judgment as per receipt hereon,.....	\$1,151.77
Paid The Indianapolis Star for advertising sale,.....	12.00
Retained my fee,.....	12.15
Retained Sheriff's fees taxed,.....	- - - -
And return balance herewith to the Clerk of Marion County,.....	<u>43.25</u>
And this writ is returned fully satisfied,.....	\$1,219.17

TITLE

Al Feeney, Sheriff of  
Marion County, Indiana,  
By Eleanor Hussey, Deputy.

Filed January 30, 1940, Charles R. Ettinger, Clerk.  
Execution Docket 83 page 333.

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*



December 24, 1946  
BRK

L. M. BROWN ABSTRACT CO.,  
By *Russell A. Furr*  
President & Manager

310438

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.  
Since December 5, 1946.

Prepared for: Union Federal Savings  
and Loan Association

Town Lot Record  
1247 page 43  
Inst. #3972  
Aug. 20, 1945  
Recorded  
Jan. 23, 1947

Home Owners' Loan Corporation  
(Corp. Seal)  
By Robert F. Crowley,  
Assistant Regional Treasurer,  
A Corporate Instrumentality of  
the United States of America,  
to

Warranty Deed  
(U.S. Revenue  
Stamp Attached)

-2-

Robert M. Lantry

Lot 75 in McCarty's Subdivision of the West part of Out Lot 120, of the Donation Lands of the City of Indianapolis, reference being made to the recorded plat thereof in plat book 7, page 74, in the Recorder's office of Marion County, Indiana.

The grantor covenants and warrants only as against the acts of said grantor and not against the acts of any other person.

Town Lot Record  
1247 page 44  
Inst. #3973  
Jan. 14, 1947  
Recorded  
Jan. 23, 1947

Robert M. Lantry, and  
Velma A. Lantry,  
husband and wife,  
to

Warranty Deed  
(U.S. Revenue  
Stamp Attached)

Happy Homes, Inc.,

Lot Number 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the Plat of which is recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.  
(Also other real estate.)

Subject to the first half 1946 taxes due and payable in spring 1947 and all taxes thereafter.  
Proper citizenship clause is attached.

-3-



310438

Misc. Record  
276 page 502  
Inst. #4308  
Feb. 13, 1937  
Recorded  
Feb. 13, 1937

ARTICLES OF INCORPORATION OF HAPPY HOMES, INC.

The following Articles of Incorporation and all matters heretofore done or hereafter to be done are in accordance with "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, and all acts amendatory thereof and supplemental thereto.

The name of this corporation shall be Happy Homes, Inc.

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

To acquire, own, hold, use, lease, work, develop, cultivate, farm, ranch, mine, drill, improve, subdivide, plat, supervise, manage, obtain insurance for, option, provide transportation to or from, trade, barter, exchange, mortgage, pledge, sell, convey or otherwise dispose of property, real and personal, tangible and intangible, either as principal, agent, contractor, lessee, administrator, executor, or otherwise; 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 its payment thereof in Indiana or elsewhere.

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

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

Approved and filed Feb. 13, 1937.

August G. Mueller  
Secretary of State

-4-

PAID IN CAPITAL AFFIDAVIT

FOR HAPPY HOMES, INC.

Misc. Record  
277 page 279  
Inst. #7775  
Recorded  
March 16, 1937

Affidavit signed by majority of directors of said corporation states that required capital has been fully paid in.

-5-

MJB

310438

Mortgage Record  
1406 page 42  
Inst. #3980  
Jan. 21, 1947  
Recorded  
Jan. 23, 1947

Happy Homes, Inc., (Corp Seal)  
By: Horace O. Wright, Jr., President,  
Attest: Mary E. Springer, Secretary,  
to  
Union Federal Savings and  
Loan Association

Mortgage

SATISFIED OF RECORD 7-5-50  
ATTEST. UNION TITLE CO.  
*Albert M. Burt*  
PRESIDENT

-6-

Lot Number 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the Plat of which is recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.

(Also other real estate.)

To secure the repayment of a loan as evidenced by a promissory note of even date herewith, in the principal sum of \$7250.00, payable on or before 9 years after date, with interest at the rate of 6% per annum from date until paid, said principal and interest being payable in payments of not less than \$90.00 per month, in advance, said payments to be made on or before the fifteenth day of each calendar month hereafter until the whole of said principal sum and interest is fully paid in compliance with the stipulations of said note, and with attorney's fees.

This mortgage also shall secure such additional amounts not to exceed \$725. which the Association at its option may loan to the mortgagor (s) during a period of 6 years from date hereof.

Judgment Search

-7-

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

Home Owners' Loan Corporation

from December 5, 1946  
to and including  
January 23, 1947

Robert M. Lantry

from May 26, 1937  
to and including  
January 23, 1947

and vs

Happy Homes, Inc.

for the 10 years  
last past and  
against none other.

310438

-8-

Taxes for the year 1946 on the Real Estate for which this Abstract is prepared are assessed in the name of Home Owners' Loan Corporation and are due and payable on or before the first Mondays in May and November of 1947.

General Tax Duplicate No. 350103, H-I-J, Indianapolis, Center Township, Parcel No. 38187.

May Installment \$17.86 Unpaid.

SEE SUBSEQUENT CONTINUATION

November Installment \$17.86 Unpaid.

SEE SUBSEQUENT CONTINUATION

-9-

Taxes for the year 1947 now a lien.

SEE SUBSEQUENT CONTINUATION

310438

# GUARANTEED CERTIFICATE

-10-

STATE OF INDIANA }  
COUNTY OF MARION } 881

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 10 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 5 both inclusive.

Dated at Indianapolis, Indiana, January 24, 1947, 8 A. M.

**UNION TITLE COMPANY**

By *Albert M. Brister*  
President

-5-

# 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



310438

## 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:* Union Federal Savings and Loan Association

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 24, 1947, 8 A. M.** and

The Indianapolis Division of the Southern District down to and including **January 24, 1947, 8 A. M.**

Home Owners' Loan Corporation

Robert M. Lantry

Happy Homes, Inc.

UNION TITLE CO.  
BY *Albert M. Bristol*  
PRESIDENT

459627

# 4.

CAPTION

-1-

Continuation of Abstract of Title to Lot 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.  
Since January 24, 1947, 8 A. M.

Prepared for: Standard Savings and Loan Association.

Mortgage Record  
1567 page 260  
Inst. #54343  
June 24, 1950  
Recorded  
Aug. 16, 1950

Happy Homes, Inc. (Corp. Seal)  
By Horace O. Wright, Jr.,  
President,  
Mary E. Sprenger, Secretary,  
to  
Union Federal Savings and  
Loan Association

Mortgage

-2-

Lot Numbered 75 in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7, page 74, in the office of the Recorder of Marion County, Indiana.

(Also other real estate).

SATISFIED OF RECORD

*in & caption, Realty*  
L. M. BROWN ABSTRACT CO., INC.

BY *Russell A. Ford*  
PRES. & MGR.

To secure the repayment of a loan as evidenced by a promissory note of even date herewith, in the principal sum of \$42,800.00 payable on or before 9 years after date, with interest at the rate of 6% per annum from date until paid, said principal and interest being payable in payments of not less than \$535.00, per month in advance, said payments to be made on or before the twenty-fourth day of each calendar month hereafter until the whole of said principal sum and interest is fully paid in compliance with the stipulations of said note, and with attorney's fees.

This mortgage also shall secure such additional amounts not to exceed \$4280.00, which the Association at its option may loan to the mortgagor (s) during a period of 6 years from date hereof.

459627

Judgment Search

-3-

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:

Happy Homes, Inc.

from January 24, 1947,  
8 A. M. to date and  
against none other.

-4-

Taxes for the year 1952 on the real estate for which this Abstract is prepared are assessed in the name of Happy Homes, Inc. and are due and payable on or before the first Mondays in May and November of 1953.

General Tax Duplicate No. 251235, H-I-J, Indianapolis, Center Township, Parcel No. 38187.

May Installment \$23.22 Paid.

November Installment \$23.22 Unpaid.

-5-

Taxes for the year 1953 now a lien.

-6-

October 13, 1953. 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.

*Pinel  
Paid  
(CS)*

*Shown of record these taxes are now  
PAID.  
L. M. BROWN ABSTRACT CO., INC.  
Russell  
PRES & MGR.*

**GUARANTEED CERTIFICATE**

-7-

STATE OF INDIANA }  
COUNTY OF MARION } ss:

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

**FIRST** That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, 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 **7** both inclusive and sheets watermarked "Union Title Company" Nos. **1** to **3** both inclusive.  
Dated at Indianapolis, Indiana, **October 15, 1953, 8 A. M.**

**UNION TITLE COMPANY**by *Albert M. Buel*  
President

-3-MJE-



# 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

459627

## 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: Standard Savings and Loan Association.**

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

October 14, 1953, 8 A. M. and

The Indianapolis Division of the Southern District down to and including

October 15, 1953, 8 A. M.

**Happy Homes, Inc.**

UNION TITLE CO.,

BY

*Albert M. Bush*

PRESIDENT

-MJE-

OFFICERS

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

Established 1868

L. M. BROWN ABSTRACT COMPANY, Inc.

150 1/2 EAST MARKET STREET

Phone Market 3448

ABSTRACTS—TITLE INSURANCE—ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

DIRECTORS

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

370688

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

GENTRY REALTY

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

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

This certificate covers the Indianapolis Division down to and including February 26, 1955 and all other Divisions of the State of Indiana, down to and including February 15, 1955

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

Happy Homes Inc.

Thomas C. Butler

Mildred Butler

Dated..... February 26, 1955

L. M. BROWN ABSTRACT COMPANY, Inc.

By *Russell A. Furr*  
President

370688

1.

INDIANAPOLIS

Continuation of Abstract of Title to Lot Numbered Seventy Five (75) in McCarty's Subdivision of the West Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana.

TITLE

Prepared for Gentry Realty Co., since date of October 14, 1953.

CONVEYANCES

Deed Record  
1509 page 39  
Inst. #71305  
Oct. 30, 1953  
Recorded  
Oct. 30, 1953

OF  
ABSTRACTS

Happy Homes Inc.,  
(Corp. Seal),  
By: Horace O. Wright, Jr.,  
its President and  
Mary E. Sprenger, its  
Secretary,

Warranty Deed  
Revenue Stamps  
Attached

2.

to  
Thomas C. Butler and  
Mildred Butler,  
husband and wife.

Lot 75, in McCarty's Subdivision of the West Part of Out Lot 120, in the City of Indianapolis, recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County.

Subject to its pro-rata share of the unpaid balance of a certain mortgage in favor of Union Federal Savings and Loan Association for the principal sum of \$42,800.00.

Subject to taxes for the last half of 1952 due and payable in November, 1953, and thereafter.

Subject to any unpaid assessments, restrictions, limitations or easements that may appear of record against this real estate.

The undersigned officers hereby certify that they have been duly authorized by the Board of Directors of Happy Homes, Inc., to execute and deliver this conveyance of real estate and that said corporation has no preferred stock outstanding.

(Deed contains usual citizenship statement).

3.

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

*L. M. Brown Abstract Co.,*

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

12.

The original comprehensive Zoning Ordinance adopted for the City of Indianapolis, being General Ordinance No. 114, 1922, as amended, was repealed and reordained, as changed by General Ordinance No. 104, 1950, except Section 22, as amended, being the establishment of the City Plan Commission, and except the District Zone Map, as amended, which were adopted, continued and are now in full force and effect.

The purpose of the "Municipal Code of Indianapolis, 1951" is to restate and codify, General Ordinance No. 104, 1950, as amended, and now in effect, so as to conform such zoning ordinances to become a part of said code. Said code contains the zoning and planning regulations of the City of Indianapolis, in order to regulate and restrict the height, area, bulk and use of all buildings to regulate and determine the area of yards, courts, and other open spaces, to specify and regulate the location of industries, commercial enterprises and the location and character of buildings designed for special uses, to establish building lines, and for all such purposes to divide the City of Indianapolis, into the following districts:

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

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

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

Seven classes of Area Districts, Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 4,800 square feet per family; Class A-3, 2,400 square feet per family; Class A-3, (corner Lot) 2000 square feet per family; Class A-4, 1,200 square feet per family; Class A-4 (corner Lot) 1000 square feet per family; Class A-5, 600 square feet per family; Class A-5 (corner Lot) 500 square feet per family; Class A-6, 300 square feet per family.

Provided, that in Class AA, A1 and A2 districts one single family dwelling, and in Class A3 district one dwelling for two families may be erected on any lot that was separately owned as of December 20, 1922, or on any numbered lot in a recorded plat or replat that is on record in the office of the county recorder.

Regulations are construed to determine number of families permitted to occupy residential building in area district. No building shall be erected or used for dwelling on lot having area of less than 4800 square feet, unless such lot was separately owned or was a numbered lot of full original size on recorded plat prior to effective date of General Ordinance No. 4-1954.

Mtg. Record  
1708 page 247  
Inst. #71306  
Oct. 30, 1953  
Recorded  
Oct. 30, 1953

4.

5.

6.

7.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

#### MORTGAGES

Thomas C. Butler and  
Mildred Butler,  
husband and wife,  
to  
Standard Savings and  
Loan Association.

Mortgage

Lot Numbered 75 in McCarty's Subdivision of the West part of Out Lot 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 7 page 74 in the office of the Recorder of Marion County, Indiana.

To secure the payment of a certain bond of even date herewith in the principal sum of \$1,900.00, payable at the rate of \$25.00 a month in advance, which includes 6% per annum interest until the maturity; all of said payments to be made on or before the 1st of each month until the whole of said principal sum, interest, fines and assessments are fully paid. Without relief from valuation or appraisal laws and with 10% attorney's fees.

#### MECHANICS' LIENS

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

#### OLD AGE ASSISTANCE LIENS

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

We find none.

#### JUDGMENTS

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

Happy Homes Inc., from October 14, 1953 to October 30, 1953, inclusive.

Thomas C. Butler and  
Mildred Butler, jointly and not individually for ten years last past.

None found unsatisfied.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

8. ASSESSMENTS  
None found unsatisfied of record which became a lien within the period of this search.
9. TAXES  
Taxes for the year 1952 paid in full.
10. Taxes for the year 1953 assessed in the name of Happy Homes Inc., were due and payable in May and November, the first Monday, 1954.  
General Tax Duplicate No. 251191  
Parcel No. 38187  
Indianapolis, Center Township  
May Installment \$26.03 Paid  
Nov. Installment \$26.03 Paid
11. Taxes for the year 1954 became a lien March 1st and are due and payable in May and November of the year 1955.

#### Computation of Lot Area.

In computing such area of the lot for the purpose of this section any part of the area of any corner lot in excess of 15,000 square feet, shall be considered an interior lot. In computing the area of a lot for the purpose of this section, if the depth of the lot is more than three times the width of such lot a depth of only three times such width shall be used.

In computing the area of the lot for the purpose of this section the lot shall be deemed to extend to the center line of any alley adjoining the rear line of such lot, but such center line shall not be deemed to be a lot line.

#### Restrictions on Reduction of Lot Areas.

The lot or yard area required by this chapter for a particular building shall not be diminished and shall not be included as part of the required lot or yard area of any other building.

#### Restrictions of Floor Areas in Dwelling Houses.

(General Ordinance No. 113, 1952)

No dwelling house may be erected, altered or used in which the ground floor area, exclusive of attached garage and open porches, for each family living in such dwelling house, is less than as specified.

In Class AA district 1500 square feet;

In Class A1 district 1200 square feet;

In Class A2 district 900 square feet;

In Class A3, A4, A5, or A6 district 720 Square feet.

#### Building line and Yard Restrictions in U1 and U2 districts.

Where front yard lines are established by recorded plat, such lines shall apply as minimum requirements, or lines may be established by average distance of existing houses.

Where no such lines are established, front set-back lines shall be equal to  $\frac{1}{3}$  of the average depth of the lot up to 50 feet, with minimum of 20 feet.

At least 20 per cent of average width of lot shall be devoted to side yards, up to total of 16 feet, minimum side yard 4 feet.

In case of apartment house, or in case of any building more than  $2\frac{1}{2}$  stories high, such least dimensions shall be not less than  $\frac{1}{6}$  of height of building.

At least 15 per cent of average depth of lot shall be devoted to rear yard, up to 30 feet, (computed to center of alley.) For building other than dwelling house, least dimension of rear yard shall be not less than  $\frac{1}{2}$  of height of building. Accessory building not more than 15 feet high may occupy up to 40 per cent of rear yard area. In case of two or more family dwelling, accessory building shall be at least 25 feet from main building on interior lot or 15 feet on corner lot.

Every building used for dwelling purposes shall have front yard directly abutting on public street, with building lines, yards and areas conforming to requirements.

Garages. Private garage shall not provide storage space for more than one more vehicle for each 2000 square feet of lot area in U1 district, or 500 square feet in U-2 district.

Non-Conforming uses.

Building, structure, or land use existing or permitted by the original zoning ordinance, and existing at effective date of later ordinance but not conforming thereto, shall be deemed to be a non-conforming use, which shall be permitted to continue, but which shall not be extended. In case of abandonment or destruction such non-conforming use shall not be renewed.

The city plan commission is hereby constituted and continued, without any lapse, (as so provided by Section 22 of General Ordinance No. 114, 1922, which section was reordained by the same section of General Ordinance No. 104, 1950, herein restated and reordained as amended), as the board of zoning appeals of this city, with all powers conferred thereon pursuant to law and by this chapter. Such commission and board, in addition to the continuance of any existing rules and regulations, adopted by either thereof, may from time to time amend, change and supplement the same, as needed to administer all statutes and this chapter, or any later ordinances, relating to their respective powers and duties.

The common council may from time to time, on petition, after public notice and hearing amend, supplement, or change the districts and regulations herein established.

This certificate is a synopsis only of the general provisions. For specific details, reference should be had to the complete text of the ordinance.

The real estate herein abstracted appears in Use District, Class U-2 ; Height District, Class H-1 ; and Area District, Class A-4 ; all as shown by the district zoning map of the City of Indianapolis, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

13. February 14, 1955.

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.



370688

# CERTIFICATE

14.

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

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

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

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

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

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

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

The period of search covered by this certificate is  
from October 14, 1953 to and including  
February 26, 1955

and covers Paragraph No. 1 to 14  
both inclusive, and Sheets No. 1  
to 7 both inclusive.

L. M. BROWN ABSTRACT COMPANY, Inc.

By *Russell A. Furr*  
President & Mgr.



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