

Free

WARRANTY DEED

Project 1-70-3(52)  
Code 0536  
Parcel 189

This Indenture Witnesseth, That

THE HARVEL INVESTMENT Co., INC., AN INDIANA CORPORATION

of MARION County, in the State of INDIANA

Convey and Warrant to

the STATE OF INDIANA for and in consideration of

THREE THOUSAND SIX HUNDRED FIFTY — (\$3650.00) — Dollars,

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

A PART OF LOT 108 IN McCARTY'S SUBDIVISION OF THE EAST PART OF OUT LOT 120 IN THE CITY OF INDIANAPOLIS, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 2, PAGE 86, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE WESTERLY 30.00 FEET ALONG THE SOUTH LINE OF SAID LOT; THENCE NORTH 62 DEGREES 17 MINUTES 30 SECONDS EAST 33.70 FEET TO THE EAST LINE OF SAID LOT; THENCE SOUTHERLY 16.5 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 247 SQUARE FEET, MORE OR LESS.

ALSO, AN EASEMENT IN AND TO THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A PART OF LOT 108 IN McCARTY'S SUBDIVISION OF THE EAST PART OF OUT LOT 120 IN THE CITY OF INDIANAPOLIS, INDIANA, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 2, PAGE 86, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTH LINE OF SAID LOT AT A POINT 30.00 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT; THENCE WESTERLY 32.00 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF THE OWNER'S LAND; THENCE NORTHERLY 16.50 FEET ALONG THE WEST LINE OF THE OWNER'S LAND, WHICH LINE IS PARALLEL WITH THE EAST LINE OF SAID LOT, TO THE NORTHWEST CORNER OF THE OWNER'S LAND; THENCE EASTERLY 62.00 FEET ALONG THE NORTH LINE OF THE OWNER'S LAND, WHICH LINE IS PARALLEL WITH THE SOUTH LINE OF SAID LOT, TO THE NORTHEAST CORNER OF THE OWNER'S LAND; THENCE SOUTH 62 DEGREES 17 MINUTES 30 SECONDS WEST 33.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 775 SQUARE FEET, MORE OR LESS, FOR THE PURPOSE OF THE REMOVAL OF A BUILDING WHICH ENCROACHES UPON THE LANDS HEREIN CONVEYED IN FEE SIMPLE, WHICH EASEMENT WILL REVERT TO THE GRANTOR UPON THE COMPLETION OF SAID BUILDING REMOVAL AND THE LEGAL RELEASE OF THIS EASEMENT IN THE OFFICE OF THE RECORDER OF THE AFORESAID COUNTY.

Paid by Warrant No. A-203218  
Dated 4-8-1968

Land and improvements \$ 3595.00; Damages \$ 55.00; Total consideration \$ 3650.00

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

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

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

In Witness Whereof, the said GRANTORS

have hereunto set hands and seal, this 6th day of MARCH 1968

THE HARVEL INVESTMENT Co., INC. (Seal) CONTRACT BUYERS: (Seal)

AN INDIANA CORPORATION (Seal) BY JOHN F. RAHTER, ITS PRESIDENT (Seal) WILLIE TYLER, JR. ADULT, UNMARRIED (Seal)

ATTEST: Georgia J. Hanshaw (Seal) ALBERTA TYLER, ADULT UNMARRIED (Seal)

GEORGIA J. HANSHAW ITS SECRETARY ALBERTA TYLER, ADULT UNMARRIED (Seal)

Prepared by JOHN W. BROSSART ATTORNEY

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 6 TH  
day of MARCH, A. D. 1968; personally appeared the within named \_\_\_\_\_

WILLIE TYLER JR., & ALBERTA TYLER, UNMARRIED ADULTS  
CONTRACT BUYERS Grantor 5 in the above conveyance, and acknowl-  
edged the same to be THEIR 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 AUGUST 19, 1968 Donald Biddinger Notary Public  
DONALD BIDDINGER

STATE OF INDIANA, MARION County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this 6 TH  
day of MARCH, A. D. 1968; personally appeared the within named \_\_\_\_\_

THE HARVEL INVESTMENT Co, INC, AN INDIANA CORPORATION, BY JOHN F. RAFFERTY,  
ITS PRESIDENT, ATTEST GEORGE T. HANSHEN, ITS SECRETARY Grantor 3 in the above conveyance, and acknowl-  
edged the same to be THEIR 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 AUGUST 19, 1968 Donald Biddinger Notary Public  
DONALD BIDDINGER

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

(Seal) (Seal)

(Seal) 68 16868 (Seal)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss:

Personally appeared before me \_\_\_\_\_

\_\_\_\_\_ above named and duly acknowledged the execution of the above release  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Witness my hand and official seal.

My Commission expires \_\_\_\_\_ Notary Public

|                      |                  |    |                                    |                                    |  |                                       |  |  |                            |
|----------------------|------------------|----|------------------------------------|------------------------------------|--|---------------------------------------|--|--|----------------------------|
| <b>WARRANTY DEED</b> | FROM             | TO | Received for record this <u>16</u> | day of <u>April</u> , 19 <u>68</u> | at <u>8:41</u> o'clock <u>a.m.</u> , and | Recorded in Book No. _____ page _____ | Recorder <u>Marissa M. Hawthorn</u> County <u>Marion</u> | Endorsed NOT TAXABLE this _____ day of _____, 19____ | Auditor _____ County _____ |
|                      | STATE OF INDIANA |    |                                    |                                    |  |                                       |  |  |                            |

Division of Land Acquisition  
Indiana State Highway Commission

RECEIVED FOR RECORD DULY ENTERED  
1968 APR 16 AM 8:41 FOR TAXATION

STATE OF INDIANA )  
COUNTY Marion )

MARCIA M. HAWTHORNE  
RECORDER OF MARION COUNTY

2760 APR 16 '68

*John T. Sutton*  
COUNTY AUDITOR

A F F I D A V I T

I, Georgia T. Hanshew, Secretary of The Harval Investment Co., Inc.

that I am familiar with the books and  
being duly sworn upon my oath swear ~~and do hereby certify that the following~~  
records and the name of "The Harval Investment Co., Inc." and state that  
~~and do hereby certify that the following~~ the Harvel Investment Co., Inc. and The  
Harval Investment Co., Inc. is one and the same Corporation; the articles  
of said Corporation having been duly filed and recorded upon July 17, 1930  
in the office of the Recorder of Marion County, Indiana.

Signature of Affiant: *Georgia T. Hanshew*  
Georgia T. Hanshew

Subscribed and sworn to before me this 6th day of March 19 68.

*Q. Donald Biddinger*  
Notary Public  
Q. Donald Biddinger

My commission expires Aug. 19, 1968

MY COMMISSION EXPIRES \_\_\_\_\_ 19 \_\_\_\_\_

This instrument prepared by *Q. Donald Biddinger*

68 16868

THE CORPORATE AUTHORITY AFFIDAVIT

STATE OF INDIANA )  
COUNTY OF MARION ) SS:

Georgia T. Hanshew, being first duly sworn upon ~~the~~<sup>her</sup> oath  
deposes and says:

That she is duly elected Secretary of the The Harval Investment Co., Inc.  
(Corporation)  
-----; that the following resolution was duly adopted at a  
(Name)  
regular meeting of the Board of Directors of said corporation held on  
December 5th, 1967, and has not since been revoked, to-wit:  
(Date)

"Resolved, that the John F. Raftery, President  
(President)  
shall be, and he is hereby,  
authorized to convey to the State of Indiana real  
estate of this corporation, and to execute all neces-  
sary instruments in connection therewith; and said  
conveyance shall be attested by the Secretary,  
Georgia T. Hanshew of this corpora-  
(Secretary)  
tion, who shall affix the corporate seal thereto;  
that said corporation shall be bound by all instru-  
ments executed by said officers under powers herein  
stated."

Georgia T. Hanshew  
Georgia T. Hanshew, Corporation Secretary

Subscribed and sworn to before me this 6th day  
of March, 19 68.

Q. Donald Biddinger  
Notary Public  
Q. Donald Biddinger

My Commission expires Aug. 19, 1968.

## INDIANA STATE HIGHWAY COMMISSION

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

April 2, 1968

19

To Willie Tyler  
 Alberta Tyler

City

GENTLEMEN:

We enclose State Warrant No. A 201612 3/27/68 19  
 in settlement of the following vouchers: 68-536

| Description  | Amount  |
|--|---------|
| For <del>relocation expense</del> on State Road<br>No. <u>49</u> in <u>Marion</u><br>County, Project <u>I-70-3(52)</u><br>Parcel No. <u>189</u> as per Grant/Warranty<br>Deed, Dated <u>12/12/67</u> | 242. 00 |

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Willie Tyler  
 Date Alberta Tyler

DATE - June 14 - 1968

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

April 9 19 68

To The Harvel Investment Co., Inc.  
 Willie Tyler Jr.  
 Alberta Tyler  
 c/o The Harvel Investment Co., Inc.  
 404 Union Federal Building

GENTLEMEN: Market & Penn. Indianapolis, Indiana

We enclose State Warrant No. A-203218 4-8- 19 68  
 in settlement of the following vouchers:

Transmittal #68-564

| Description   | Amount     |
|---|------------|
| For <u>Purchase</u> on State Road<br>No. <u>I-70</u> in <u>Marion</u><br>County, Project <u>I-70-3 (52)</u><br>Parcel No. <u>189</u> as per Grant/Warranty<br>Deed, Dated <u>3-6-68</u> | \$3,650.00 |

189

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By

By

*The Harvel Inv Co.*

Date

*B. Hanshaw, Secy.  
April 10-1968*

APPRAISAL REVIEW

Project I-70-3(52) Road I-70 County MARION Parcel # 189  
 Appraiser JERRY SPEEDY Address 514 CHAMBER OF COMMERCE BLDG  
INDIANAPOLIS, IND

Type of Appraisal

Partial Taking

Total Taking

Review Check List

Yes See Remarks

- (1) Are all pages and sections of report complete? .....
- (2) Is parcel number, project name, and number correct? .....
- (3) Is property owner's name and address correct? .....
- (4) Is five year sales record shown? .....
- (5) Is area or size correctly shown? .....
- (6) Are photos, or sketches, included and properly identified? ..
- (7) Is appraisal data, signature, and certification complete? ...

|  | Yes  | See Remarks |
|--|--|-------------|
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  | <input checked="checked" type="checkbox"/> |             |
|  |  |             |

Value of Property Before and After Taking

- (1) Is description and highest and best use shown and clearly set out? .....
- (2) Are proper approaches to value used? .....
- (3) Is reason for approaches NOT used shown? .....
- (4) Is justification of value and correlation complete? .....

Value of Taking

- (1) Is description and highest and best use given? .....
- (2) Is tabulation of right-of-way and easements correct? .....
- (3) Is the recapitulation and summary of salient facts shown correctly? .....
- (4) Is this appraisal acceptable for review? .....
- (5) Do you recommend payment of fee (if staff, indicate)? .....

REMARKS:

Date 12-5-67

Signed Robert C. Bommer  
Review Appraiser

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3 (52)

BUYER'S REPORT NUMBER: 12 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harval Investment Co., Inc. Tru Owner.

Willie & Alberta Tyler, Contract Buyers PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Harval Investment Co Inc

PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 3-6-68

OFFER \$ 3,650.00 TIME OF CONTACT 3:00 PM

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

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

REMARKS: Met with Mr. John J. Pasterly, President, and Mrs. Georgia J. Hanshen, Secretary, of Harval Investment Co. Inc., in their offices at 404 Union Federal Bldg. Obtained signatures of one or both on Warranty deed, receipt for deed, Claim voucher, Corporate authority affidavit, and a "one-and-the-same-as" affidavit. Title binder had mis-spelled Corporate name. Left tax letter (copy) with them and picked up 67B. Paid tax bill for Xerox copy. - Parcel should now be secure.

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

Distribution Made  
(  ) Parcel (  ) Weekly Summary  
( ) Owner ( ) Other, Specify \_\_\_\_\_

Don Biddinger  
(Signature)



INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3 (52)

BUYER'S REPORT NUMBER: 11 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harrod Investment Co.,  
404 Union Federal Bldg PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Mrs. Hanshaw, Secy, Harrod Investment Co.  
Same PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 3-4-68

OFFER \$ 3650.00 TIME OF CONTACT 2:30

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

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

REMARKS: Received notification that Mr. Webster's office lifted  
the "stop order" to buy this parcel, and to proceed with  
the buying. - Called Contract buyers and notified them,  
and stopped in office of Harrod Investment Co. and set up  
appointment for Wed 3-6-68 3:00 PM to wind up  
all signing. Corporation officers to be present.

Status of Parcel: ( ) - Secured, ( ) - Bought, awaiting mortgage release, ( ) - Condemned  
( ✓ ) Other, awaiting what? Making Wed 3-6-68

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

Don Piddinger  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3 (54)

BUYER'S REPORT NUMBER: 10

COUNTY Marion

PARCEL NO. 189

NAME & ADDRESS OF OWNER Harval Investment Co.,  
404 Union Federal Bldg

PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Mrs. Alberta Tyler (cont. Buyer)  
Indiana State Blind School - 7700 College

PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67

DATE OF CONTACT 1-24-68

OFFER \$ NA

TIME OF CONTACT 1:30

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

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

REMARKS:

Saw Mrs Tyler in Administration Office of Blind School on N. College Ave. - She is a Cook in Cafeteria. Obtained her signature on Warranty Deed Receipt for deed, and vouchers (Relocation and purchase) -

Now ready to approach fee owner and complete this parcel. -

2-15-68 Phone call to Mr Townsend. MTA involved because of Illinois St connector. This corner will definitely not be needed. Do not buy - W.H.B.

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

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

Dou Baldwin  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 9 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harold Investment Co.  
404 Union Federal Bldg PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Willie Tyler - Cont'd Purchaser  
124 W. Ray St. PHONE # \_\_\_\_\_  
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 12-8-67 DATE OF CONTACT 1-23-68

OFFER \$ 3,650.00 TIME OF CONTACT 5:10

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

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

REMARKS:  
Stopped by house and talked to Mr. Tyler.  
Obtained his signature on Warranty deed  
receipt for deed and claim packet. -  
Will see Mrs. Tyler Thurs about noon to  
sign her up, then for owners. -

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

Distribution Made  
 Parcel (F) Weekly Summary  
 Owner ( ) Other, Specify \_\_\_\_\_

Don Bidwell  
 (Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 8 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harval Investment Co.  
404 Union Federal Bldg PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Mr. Willie Lyles - Contr Purchaser  
124 W. Ray St. PHONE # 635-4740  
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 12-8-67 DATE OF CONTACT 1-19-68

OFFER \$ 3,650. TIME OF CONTACT 9:00

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

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

REMARKS: Made arrangements to get with him Tues. evening 4:15 PM; 1-23 to revive this parcel. Due to his working days, and fee owner stilling around not knowing what to do next, in spite of my recommendations, this case has slowed to a standstill. Will get this rolling next week and have secured within a week or two.

Status of Parcel: ( ) - Secured, ( ) - Bought, awaiting mortgage release, ( ) - Condemned  
(  ) Other, awaiting what? Appointment Tues PM 4:15 - 1-23

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

Don Bidinger  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 7 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harval Investment Co.,  
404 Union Federal Bldg PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED Mrs. Hunschew, Secy-  
PHONE # Same

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 1-16-68

OFFER \$ 3,650.00 TIME OF CONTACT 12:00

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

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

REMARKS: Made personal call to Joe Dancer in Union Federal Bldg.  
Have persuaded Mrs. Hunschew to go ahead with winding  
up the sale of the part of the property the Highway wants to  
buy, and worry about conveyance of the residue to the contract  
buyers later. This should not prevent parcel from being  
purchased, but Mrs. Hunschew thought it all had to be done  
simultaneously.  
Will arrange with occupied buyer a meeting to  
get papers signed.

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

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

Don Pudding jr  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 6 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harval Investment Co., Free Owner  
404 Union Federal Bldg PHONE # 634-6546

NAME & ADDRESS OF PERSON CONTACTED mail PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 1-8-68

OFFER \$ 3,600 TIME OF CONTACT mail

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

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

REMARKS:

Mailed copies of Mr. Tyler's divorce papers to Harval Investment Co., as per request.

Status of Parcel: ( ) - Secured, ( ) - Bought, awaiting mortgage release, ( ) - Condemned  
( ) Other, awaiting what? word from Harval Investment Co. to proceed with deed signing.

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

Don Biddinger  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 5 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harrel Investment Co., Inc. Owner  
PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Mrs. Henshaw, Secy of Harrel Inv. Co.  
PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 1-4-68

OFFER \$ 3,650 TIME OF CONTACT 3:40

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

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

REMARKS:  
Called Mrs Henshaw to see where we are on this case now. She said they still have to order a survey to be made on the residue of land left to contract buyers (Willis Tyler). This has not been done yet. Also, they want Xerox copies of divorce decree - told them I will copy ours in file and send them copies. - By then, they will call me to set up appointment to continue wind up of case.

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

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

Don Biddinger  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(54)

BUYER'S REPORT NUMBER: 4 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harrel Investment Co. - See owner

Willie Tyler Jr. PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Mrs. Hanshaw, Secy of Harrel Inv. Co.

PHONE # 634-6546

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 12-19-67

OFFER \$ 3,650.- TIME OF CONTACT 1:00 PM

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

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

REMARKS:

Was in building on other business. Stopped in to see Mrs. Hanshaw and see if Mr. Rafter, atty for company and President had gone over case. - Mrs. Hanshaw expects him in this afternoon.

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

Distribution Made

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

Don Biddinger  
(Signature)



INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(5v)

BUYER'S REPORT NUMBER: 3 COUNTY Marion PARCEL NO. 189

NAME & ADDRESS OF OWNER Harvel Investment Co - Inc  
Willie Tyler Jr. 574 W. Contract Jackson

NAME & ADDRESS OF PERSON CONTACTED  
Harvel Investment Co. PHONE # \_\_\_\_\_

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

DATE ASSIGNED 12-8-67 DATE OF CONTACT 12-14-67

OFFER \$ 3,650. TIME OF CONTACT 10:30-11:30

- Write YES, NO, or NA (for Not Applicable), as appropriate, in each numbered blank space:
1. YES Checked abstract with owner? 2. NO Any affidavits taken?
  3. NO Any mortgage(s)? 4. NO Any other liens, judgements, etc.?
  5. YES Showed plans, explained take, made offer, etc.?
  6. YES Explained about retention of buildings, etc.? 7. NO Any being retained?
  8. YES Walked over property with owner? (or with whom? \_\_\_\_\_)
  9. YES Arranged for owner to pay taxes? (Explain how in remarks) PAID
  10. NO Secured Right of Entry? 11. NA Secured Driveway Right of Entry?
  12. YES Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
  13. YES Was 180 Day Notice Letter delivered or mailed to all parties?
  14. NA Waivers, were any secured? 15. NA Filled out RAAP Form?

REMARKS:  
 Picked up Mr. Tyler at subject property residence and took him down town, to the office of Harvel Investment Co. 404 Union Federal Building to review "partial take" situation and resolve the residue and remainder of lot arrangements, being purchased on contract. Lane fee owner 180 day letter. Mr. John Rattery Pres. of Harvel will advise us soon as he is ready to proceed with closing papers.

Status of Parcel: ( ) - Secured, ( ) - Bought, awaiting mortgage release, ( ) - Condemned  
 ( ) Other, awaiting what? Call from Mr. Rattery

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

Don Bunniger  
 (Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 2 COUNTY Morris PARCEL NO. 189

NAME & ADDRESS OF OWNER Harvel Investment Co, Inc.  
PHONE # \_\_\_\_\_

NAME & ADDRESS OF PERSON CONTACTED Willie Tyler (contract Buyer)  
124 W. Ray St, Indpls PHONE # 635-4740  
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 12-8-67 DATE OF CONTACT 12-13-67

OFFER \$ 3650.00 TIME OF CONTACT 2:45

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

1. YES Checked abstract with owner? 2. NO Any affidavits taken?
3. NO Any mortgage(s)? 4. NO Any other liens, judgements, etc.?
5. YES Showed plans, explained take, made offer, etc.?
6. YES Explained about retention of buildings, etc.? 7. NO Any being retained?
8. YES Walked over property with owner? (or with whom? \_\_\_\_\_)
9. NO Arranged for owner to pay taxes? (Explain how in remarks)
10. NO Secured Right of Entry? 11. NA Secured Driveway Right of Entry?
12. YES Was Chapter 316, Acts of 1967 Indiana General Assembly, explained?
13. YES Was 180 Day Notice Letter delivered or mailed to all parties?
14. NO Waivers, were any secured? 15. YES Filled out RAAP Form?

REMARKS:

Met with Mr Tyler. He and Mrs Tyler are separated. She can be seen at employment, Blind School on N. College, any morning after 10:00 -  
Explained partial take, gave the States offer and left 180 day letter. Obtained Occupant list, relocation paper and his signature on voucher. Will see her later this week to sign relocation voucher.  
Mr. Tyler accepts offer, and spoke to Mrs Tyler on phone and she also accepts states offer.

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

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

Don Biddinger  
(Signature)

Paul 189

# CHICAGO TITLE INSURANCE COMPANY

## INTERIM GUARANTY OF TITLE

S. R. I-70 PROJ. I-70-3(52)225 COUNTY Marion

Names on Plans The Harvel Investment Company

CTIC # 6500-179 -S

Name of Fee Owner The Harvel Investment Co., Inc., an Indiana Corporation

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation authorized to do business in the State of Indiana, in consideration of premium paid, hereby guarantees that a search of the records from December 12, 1966 to and including

March 8, 1968 reveals no changes as to the real estate described under

CTIC # 6500-179 except:

1. Taxes for 1966 payable 19 67 in name of The Harvel Investment Company  
 Duplicate # 7099339 Parcel # 1097538 Township Center Code # 101  
 May \$ 72.93 (paid) (~~unpaid~~); November \$ 72.93 (paid) (~~unpaid~~)  
 Taxes for 19 67 payable 1968 now a lien.  
**Taxes for 1968, payable in 1969.**

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

CHICAGO TITLE INSURANCE COMPANY



*John A. Binsley*  
President

*Robert Kratochvil*  
Secretary

ATTEST:

Countersigned and validated as of the 18th day of March,  
1968.

*Ronald R. Evans*  
Authorized Signatory

*Not in file #189*

# CHICAGO TITLE INSURANCE COMPANY

## GUARANTY OF TITLE

S. R. I-70 PROJ. I-70-3(52)225 COUNTY Marion

Names on Plans The Harvel Investment Company

CTIC # 6500-179

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation authorized to do business in the State of Indiana, in consideration of premium paid, hereby guarantees that as of the 12th day of December, 19 66

**The Harvel Investment Co., Inc., an Indiana Corporation**

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

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

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

CHICAGO TITLE INSURANCE COMPANY



*John A. Binkley*

ATTEST:

President

*Robert Kratochvil*

Secretary

Countersigned and validated as of the 3rd day of January

19 67.

*J.R. Watson*

Authorized Signatory

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 Number 108 in McCarty's Subdivision of the East part of Out Lot 120 to the City of Indianapolis, as per plat thereof recorded in Plat Book 2, page 86, of the records of the Recorder's Office of Marion County, State of Indiana.

Except, part of Lot 108 in McCarty's Subdivision of the East part of Out Lot 120, of the Donation Lands in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the Office of the Recorder of Marion County, Indiana, more particularly described as follows, to-wit: Beginning at a point on the East line of said Lot, 16.5 feet North of the Southeast corner of said Lot, thence West parallel to the South line of said lot, 58 feet, thence North parallel to the East line of said lot 25.5 feet to the North line of said lot, thence East upon and along the North line of said Lot, 58 feet to the Northeast corner of said Lot, thence South upon and along the East line of said Lot, 25.5 feet to the place of beginning.

(Legal description continued on attached page.)

CTIC # 6500-179

The Record Owner or Owners disclosed above acquired title by Warranty Deed dated December 8, 1944 and recorded December 13, 1944 in Deed Record 1162 page 219 as Instrument No. 47887 by "Kiser, Cohn & Shumaker, as Substitute Trustee under Mortgage Indenture executed by Stella B. Lippman on or about January 13, 1930." (\$3.30 Federal Documentary stamps affixed.)

SCHEDULE "B"

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

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

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

- e. taxes for the year 1965, each half for \$68.07, assessed in the names of The Harvel Investment Company, due and payable in May and November, 1966, are paid. (Center Township - Inside, Parcel No. 101-1097538, Duplicate No. 6038015.) (Assessed Value - Land \$120; Improvements \$1310; Exemptions None.)
- f. Taxes for the year 1966, due and payable in 1967.

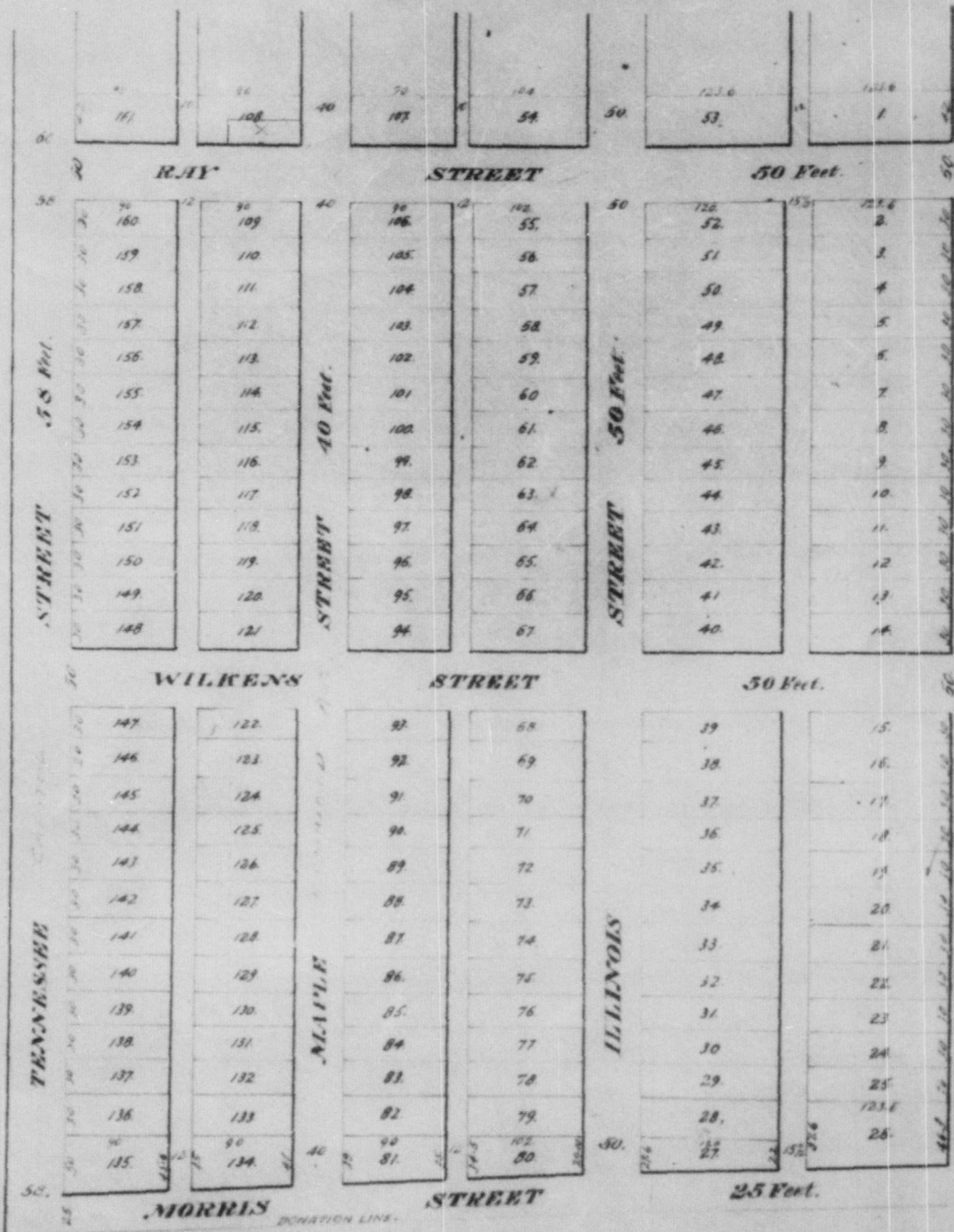
Form 3296-15

- g. Note: Contiguous Real Estate owned by the party shown in title - said party is reputed to own numerous parcels of real estate in Marion County, Indiana.

Page 3.

(Legal description continued.)

Also, except, part of Lot 108 of McCarty's Subdivision of the East part of Out Lot 120, Plat Book 2, page 86 and being more particularly described as follows: Beginning at the Southwest corner thereof, thence North 42 feet to the Northwest corner thereof, thence East in and along the North line thereof 32 feet, thence South parallel with the West line thereof 25.5 feet, thence West parallel with the North line thereof 4 feet, thence South 16.5 feet to a point in the South line thereof, thence West in and along said South line 28 feet to the place of beginning.



No. 391557

# ABSTRACT OF TITLE

TO

-1-

Part of Lot 108 in McCarty's Subdivision of the East part of Out Lot 120, of the Donation Lands in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast corner of said Lot, thence west upon and along the South line of said Lot, 62 feet, thence north parallel to the East line of said Lot, 16.5 feet, thence east parallel to the South line of said Lot, 62 feet to the East line of said Lot, thence south upon and along the East line of said Lot, 16.5 feet to the place of beginning.

Prepared for HARVAL INVESTMENT COMPANY, INC.

BY

**OFFICERS**

**WILLIS N. GOVAL**  
CHAIRMAN OF THE BOARD

**ALBERT M. BRISTOR**  
PRESIDENT

**H. E. STONECIPHER**  
SECRETARY

**S. W. THOMPSON**  
TREASURER

**VERM E. BUNDRIDGE**  
MANAGER

## UNION TITLE COMPANY

INCORPORATED

CAPITAL STOCK \$1,000,000.00

ABSTRACTS OF TITLE, TITLE INSURANCE, ESCROWS

1511 EAST MARKET STREET — MARKET 2361-3

**Indianapolis, Indiana**

**DIRECTORS**

**EDWARD ADOLAY**  
**ALBERT M. BRISTOR**  
**ALBERT F. BROWLEY**  
**VERM E. BUNDRIDGE**  
**WILLIS N. GOVAL**  
**LINTON A. GOR**  
**GEORGE S. ELLIOTT**  
**GEORGE C. FORREY, JR.**  
**FRANK P. HUSE**  
**JOHN K. PARRY**  
**GEORGE SABLIER**  
**TIMOTHY P. SEXTON**  
**GEORGE W. SHYDER**  
**H. E. STONECIPHER**  
**LEO F. WELCH**

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

(OVER)



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

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

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

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

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

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

**SCHOOL LANDS.** By the proposition on the part of the United States, offered in the Enabling Act, approved April 19, 1816, which when accepted, as hereinbefore noted, became obligatory, every section numbered 16, in every township, in Marion County, was granted to the inhabitants of such township, for the use of Schools. 3 U. S. Statutes at Large, p. 290. R. S. 1824, p. 33. By Acts, approved January 31, 1831, the Congressional Townships were constituted bodies corporate. By the Act of 1824, the lands were vested in such corporation. By an Act of Congress, approved May 24, 1828, the Legislature of the State of Indiana was authorized to sell and convey in fee simple, after complying with certain provisions, all or any part of the lands heretofore reserved and appropriated by Congress for the use of the schools within said state. 4 U. S. Statutes at Large, p. 298. Provisions for the sale of such lands, and authority for certain officers to execute deeds were provided, by the Acts of 1829, 1831, 1843, 1852 and 1865. R. S. 1824, p. 379; Acts 1829, p. 120; R. S. 1831, p. 463; R. S. 1843; Article 13, R. S. 1852, p. 450; Acts 1865, p. 16.



*M<sup>c</sup>Carty's Sub.*

E. PT. OUT LOT 120

P. D. 2-86

|                    |     |     |     |     |     |     |     |     |     |
|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 60                 |     | 80  | 40  | 80  | 80  | 80  | 80  | 80  | 80  |
| 141                |     | 108 | 127 | 119 | 123 | 123 | 123 | 123 | 123 |
| <i>Ray St</i>      |     |     |     |     |     |     |     |     |     |
| Ar Capitol         | 148 | 103 | 103 | 103 | 103 | 103 | 103 | 103 | 103 |
|                    | 157 | 110 | 104 | 104 | 104 | 104 | 104 | 104 | 104 |
|                    | 158 | 111 | 105 | 105 | 105 | 105 | 105 | 105 | 105 |
|                    | 157 | 112 | 106 | 106 | 106 | 106 | 106 | 106 | 106 |
|                    | 156 | 113 | 107 | 107 | 107 | 107 | 107 | 107 | 107 |
|                    | 155 | 114 | 108 | 108 | 108 | 108 | 108 | 108 | 108 |
|                    | 154 | 115 | 109 | 109 | 109 | 109 | 109 | 109 | 109 |
|                    | 153 | 116 | 110 | 110 | 110 | 110 | 110 | 110 | 110 |
|                    | 152 | 117 | 111 | 111 | 111 | 111 | 111 | 111 | 111 |
|                    | 151 | 118 | 112 | 112 | 112 | 112 | 112 | 112 | 112 |
|                    | 150 | 119 | 113 | 113 | 113 | 113 | 113 | 113 | 113 |
|                    | 149 | 120 | 114 | 114 | 114 | 114 | 114 | 114 | 114 |
| 148                | 121 | 115 | 115 | 115 | 115 | 115 | 115 | 115 |     |
| <i>Wilkins St</i>  |     |     |     |     |     |     |     |     |     |
| Ar (Tennessee)     | 147 | 122 | 99  | 60  | 39  | 15  | 15  | 15  | 15  |
|                    | 146 | 123 | 98  | 61  | 38  | 16  | 16  | 16  | 16  |
|                    | 145 | 124 | 97  | 62  | 37  | 17  | 17  | 17  | 17  |
|                    | 144 | 125 | 96  | 63  | 36  | 18  | 18  | 18  | 18  |
|                    | 143 | 126 | 95  | 64  | 35  | 19  | 19  | 19  | 19  |
|                    | 142 | 127 | 94  | 65  | 34  | 20  | 20  | 20  | 20  |
|                    | 141 | 128 | 93  | 66  | 33  | 21  | 21  | 21  | 21  |
|                    | 140 | 129 | 92  | 67  | 32  | 22  | 22  | 22  | 22  |
|                    | 139 | 130 | 91  | 68  | 31  | 23  | 23  | 23  | 23  |
|                    | 138 | 131 | 90  | 69  | 30  | 24  | 24  | 24  | 24  |
|                    | 137 | 132 | 89  | 70  | 29  | 25  | 25  | 25  | 25  |
|                    | 136 | 133 | 88  | 71  | 28  | 26  | 26  | 26  | 26  |
| <i>Maple St</i>    |     |     |     |     |     |     |     |     |     |
| Ar (Bluff Road)    | 135 | 134 | 87  | 72  | 27  | 27  | 27  | 27  | 27  |
|                    | 134 | 135 | 86  | 73  | 26  | 28  | 28  | 28  | 28  |
|                    | 133 | 136 | 85  | 74  | 25  | 29  | 29  | 29  | 29  |
|                    | 132 | 137 | 84  | 75  | 24  | 30  | 30  | 30  | 30  |
|                    | 131 | 138 | 83  | 76  | 23  | 31  | 31  | 31  | 31  |
|                    | 130 | 139 | 82  | 77  | 22  | 32  | 32  | 32  | 32  |
|                    | 129 | 140 | 81  | 78  | 21  | 33  | 33  | 33  | 33  |
|                    | 128 | 141 | 80  | 79  | 20  | 34  | 34  | 34  | 34  |
|                    | 127 | 142 | 79  | 80  | 19  | 35  | 35  | 35  | 35  |
|                    | 126 | 143 | 78  | 81  | 18  | 36  | 36  | 36  | 36  |
|                    | 125 | 144 | 77  | 82  | 17  | 37  | 37  | 37  | 37  |
|                    | 124 | 145 | 76  | 83  | 16  | 38  | 38  | 38  | 38  |
| <i>Illinois St</i> |     |     |     |     |     |     |     |     |     |
| Meridian St        |     |     |     |     |     |     |     |     |     |
| Bluff Road         |     |     |     |     |     |     |     |     |     |

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

Ebenezer Sharpe, Agent of  
The State of Indiana, for  
the Town of Indianapolis  
to  
Nicholas McCarty, to have  
and to hold to said McCarty  
his heirs and assigns.

Agent's Deed

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

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

Approved January 6, 1821.

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Nicholas McCarty died intestate May 17, 1854.

IN THE COMMON PLEAS COURT OF MARION COUNTY

Complete Record  
11 page 66

IN THE MATTER OF THE ESTATE OF NICHOLAS McCARTY,  
DECEASED.

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June 3, 1854, Margaret McCarty appointed and  
qualified as Administratrix of the estate of Nicholas  
McCarty, deceased.

Order Book 7 page 463.

January 7, 1860, Estate settled.

Order Book 9 page 83.

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

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

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STATE OF INDIANA, MARION COUNTY, SS:

I, Henry Day the undersigned being duly sworn according to law says that ever since the year 1857, I was acquainted with the family of the Nicholas McCarty to whom the agent of the State deeded Out Lot 120 in the City of Indianapolis, Indiana, on the 2nd day of May, 1835, which deed is recorded on page 535 of Marion County, Deeds Record D. That said Nicholas McCarty died previous to the Fall of 1854 that he left Margaret McCarty, his widow surviving him that the only children he left surviving him were Nicholas McCarty, Junior, Margaret R. McCarty, Frances J. McCarty and Susannah McCarty, who subsequently married affiant, that he left surviving him no grand children by deceased sons or daughters.

That the said Nicholas McCarty, Junior, Frances J. McCarty and Margaret R. McCarty were of age and unmarried on February 9, 1864 and that the said Susannah McCarty affiant wife, was of age on the 9th day of February 1864.

Henry Day

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

William Watson Woollen,  
Notary Public.

IN THE COMMON PLEAS COURT OF MARION COUNTY

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

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

Filed  
June 23, 1854

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

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

Partition ordered and James Blake and Andrew Wilson and James Wood appointed commissioners to make same.

Report of commissioners filed in open Court October 13, 1854, Commissioners set off and assigned to Margaret McCarty other real estate than certified to herein.

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

Marriage Record  
6 page 659  
Dec. 9, 1857

Susannah McCarty  
to  
Henry Day

Marriage

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Plat Book  
2 page 86  
Jan. 27, 1863  
Recorded  
Jan. 27, 1863

McCARTY'S SUBDIVISION OF THE EAST PART OF OUT LOT 120 IN THE CITY OF -- OF -- COUNTY OF MARION AND STATE OF INDIANA.

We hereby lay out and subdivide the east part of Out Lot 120 into 161 lots. The lots from 2 to 25 both inclusive are each 123 feet 6 inches deep by 30 feet wide.

Lot 26 being 46 feet and 3 inches wide on the east line, 51 feet 6 inches on the west line and 123 feet and 6 inches on the North line. Lots 28 to 52 inclusive are each 30 feet wide by 120 feet deep; Lot 27 is 22 feet wide on the East line 27 feet 6 inches on the West line and 120 feet long on the North line; Lots from 55 to 79 both inclusive are each 30 feet wide by 102 feet long; Lot 80 is 29 feet 10 inches wide on the East line and 34 feet and 5 inches wide on the West line and 102 feet long on the North line, Lots 82 to 106 both inclusive are each 30 feet wide and 90 feet deep. Lot 81 is

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35 feet deep on the East line 39 feet on the West line and 90 feet long on the North line. Lots 109 to 133 both inclusive are each 30 feet wide and 90 feet long, Lot 134 is 41 feet wide on the east line 45 feet wide on the West line and 90 feet on the North line. Lots from 136 to 160 both inclusive are each 30 feet wide and 90 feet long; lot 135 is 45 feet and 6 inches on the East line 50 feet on the West line and 90 feet long on the North line. Lots 1 and 53 are each 42 feet wide and 123 feet 6 inches long; Lot 54 is 42 feet wide and 104 feet long; Lot 107, 108 and 161 each 42 feet wide and 90 feet deep.

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

The following streets run east and west, viz:

Ray Street is 50 feet wide, Williams Street is 50 feet wide; Morris Street is 25 feet wide. The alley between Illinois Street and Bluff Road south of Ray Street is 15, 1/2 feet wide, the alley between 1 and 53 is 12 feet wide. The alley between Illinois Street and Maple Street south of Ray Street is 12 feet wide. The alley between lots 54 and 107 being 10 feet wide. The alley between Maple Street and Tennessee Street South of Ray Street is 12 feet wide and the alley between Lots 108 and 161 being 10 feet wide. Said subdivision is made subject to any right the State of Indiana, has for the use of the Central Canal along Tennessee Street of any present right of way that the grantees of the State may legally have along said Street.

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

Henry Day,  
Susannah McCarty Day,  
Margaret R. McCarty,  
Nicholas McCarty,  
Frances J. McCarty

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

Town Lot Record  
20 page 710  
March 30, 1864  
Recorded  
April 1, 1864

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

Warranty Deed

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to  
William H. H. Johnson

Lots 107, 108 and 161 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the plat of said Subdivision as recorded in the Recorder's office of the said county of Marion.

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Town Lot Record  
21 page 382  
May 30, 1864  
Recorded  
June 2, 1864

William H. H. Johnson

Warranty Deed

-----  
to

Hezekiah S. McCormack

Lots 107 and 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the plat of said Subdivision as recorded in the Recorder's office of the said County of Marion.

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Mortgage Record  
QQ page 438  
May 30, 1864  
Recorded  
June 2, 1864

Hezekiah S. McCormack,

Mortgage

to

William H. H. Johnson

Lots No. 107 and 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, the plat of which is recorded in the office of the Recorder of Marion County, Indiana.

To secure the payment of 5 principal promissory notes of \$95.00 each of even date and payable in 1, 2, 3, 4 and 5 years after date, with - % interest.

ON MARGIN: "for value received I hereby assign the within mortgage and the notes therein described to Margaret McCarty, June 2, 1864.

William H. H. Johnson".

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IN THE COMMON PLEAS COURT OF MARION COUNTY

Cause #4432  
Complaint filed  
Nov. 13, 1868  
Complete Record  
28 page 701

Margaret McCarty

vs.

Hezekiah S. McCormack

Suit instituted to foreclose a certain mortgage recorded in Mortgage Record QQ, page 438, in the office of the Recorder of Marion County, Indiana.

November 13, 1868, defendant filed confession of judgment. Finding for plaintiff in the sum of \$481.52 without relief from valuation or appraisement laws and that the same is secured by mortgage on the real estate described in plaintiff's complaint and that plaintiff is entitled to have said mortgage foreclosed and the equity of redemption of the defendants and each of them be forever barred and foreclosed.

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Judgment on finding. Decree of foreclosure and order of sale.

Order Book 26 page 319.

December 29, 1868, Certified copy of decree issued to the sheriff of Marion County, who after duly advertising said real estate for sale did on the 13th day of January 1869, first offer at public outcry the rents and profits of same (in parcels and as a whole) and receiving no bid, he then in like manner offered the fee simple of the same (in parcels and as a whole) and Margaret McCarty bid therefor the sum of \$400.00 and no one bidding more and she being the highest and best bidder the same was openly struck off to her, certificate of sale issued and writ returned satisfied.

Town Lot Record  
51 page 523  
Oct. 16, 1871  
Recorded  
Jan. 15, 1872

Nicholas R. Ruckle  
Sheriff of Marion County,  
Indiana  
to  
Margaret McCarty

Sheriff's Deed

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Lots 107 and 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, Marion County, Indiana.

Sold January 13, 1869 in pursuance of a judgment and decree rendered November 13, 1868 in the Common Pleas Court of Marion County, Indiana, in Cause #4432 wherein Margaret McCarty was plaintiff and Hezekiah S. McCormick was defendant.

Town Lot Record  
52 page 363  
September 11, 1871  
Recorded  
November 20, 1871

Margaret McCarty -  
to  
Charlotte Buhning

Warranty Deed

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Lot 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the Plat of said Subdivision as recorded in the Recorders Office of the said County of Marion.



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Town Lot Record  
479 page 142  
June 8, 1911  
Recorded  
June 12, 1911

STATE OF INDIANA, MARION COUNTY, SS:

Comes now Nicholas McCarty, who being first duly sworn on his oath, says that he is a son of Margaret McCarty, who on Jan. 4, 1861, was the owner of Lot 22, in McCarty's Subdivision of Out Lot 119 and part of Out Lot 118 in the City of Indianapolis, Indiana, and who on that date conveyed said real estate to the Trustees of the First Baptist Church of Indianapolis, and their successors which deed appears of Record in Deed Record 13, page 15, of the Marion County Recorders Office. And affiant says that his mother was a widow on said date. That she became a widow by the death of her husband Nicholas McCarty Sr. the father of this affiant, on or about the 17th day of May, 1854, and that she remained unmarried from date until her death on the 18th day of Feb. 1873.

Nicholas McCarty.

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

Fred Seinsticker (LS)  
Notary Public

My commission expires June 1, 1914.

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Charlotte Buhning died testate July 28, 1885.

Will Record  
I page 224  
Probated  
Aug. 28, 1885

LAST WILL AND TESTAMENT OF CHARLOTTE BUHNEING, DECEASED.

In the name of the Benevolent Father of All I Charlotte Buhneing residing at 96 Maple Street in the City of Indianapolis, Marion County, Indiana being in poor health but of sound and disposing mind and memory do make and publish this my last will and Testament.

Item I. I give, devise and bequeath unto my beloved husband Ernest Buhneing all of the Real Estate that I may own or have any interest in at the time of my death upon the condition that in no event and under no circumstance is he to Mortgage or incumber the same but is to keep the same in good repair and the

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taxes promptly paid. And it is further conditioned that should my said husband Ernest Buhneing marry another or second wife then and in that event he forfeits all rights as to the property herein devised and the same shall decend to my children share and share alike.

Item II. I do hereby nominate and appoint my said beloved husband Ernest Buhneing Executor of this my last will and Testament hereby revoking all former wills be me made.

In Witness Whereof I have hereunto set my hand and seal this 7 day of July 1885.

Charlotte Bohning

Signed and acknowledge by said Charlotte Buhneing as her last will and testament in our presents: and signed by us in her presents as witnesses and at her request.

F. Wm. Schaefer  
Wm. D. Tobin

IN THE MARION CIRCUIT COURT

Estate Docket  
13 page 622

IN THE MATTER OF THE ESTATE OF CHARLOTTE BUHNEING,  
DECEASED.

August 28, 1885, will probated in open court and ordered spread of record.

Order Book 72 page 230.

(Note: No letters were issued in this estate in Marion County, Indiana).

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IN THE SUPERIOR COURT OF MARION COUNTY

Cause #18333  
Complaint filed  
March 28, 1877

Leonhard Mueller

vs.

William Schoeneman and  
Ernst Boehning

Suit instituted to foreclose a certain promissory note for \$200.00 dated January 13, 1876 and due 1 day after date.

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March 20, 1877. Summons issued returnable on the first Monday in April 1877 and returned showing that William Schoeneman and Ernest Bohening were served by copy on March 20, 1877.

March 20, 1877. Answers filed by both defendants. April 14, 1877, cause submitted to court and court being duly advised rendered judgment against William Schoeneman as principal and Ernest Bohning surety thereon for \$212.50.

September 8, 1885, writ of execution issued to the Sheriff of Marion County, Indiana, who returned the same endorsed as follows:

CAME TO HAND, September 8th, A. D. 1885, at 4:05 o'clock P.M. October 5th 1885 I made demand of the within named William Schoeneman for the payment of the principal interest and costs due upon this writ and he failed and refused to pay the same; I then made demand of him for property wherein to levy and sell for the satisfaction of this Execution and he failed and refused to so turn out property. And I made diligent search but failed to find any goods or chattels lands or tenements belonging to the said William Schoeneman, whereon to levy this writ. And on the same day, failing to find sufficient personal property of the defendant Ernest Bohening, I levied this writ upon the following real estate to him belonging to wit: Lot numbered one hundred and eight in McCartys Subdivision of the East part of Out lot number 120 in the City of Indianapolis, Marion County, Indiana.

George H. Carter

Sheriff Marion Co.

R. S. B. Corbuley Deputy

And I advertised the above described Real Estate, by first giving due and legal notice of the time and place of sale, for at least twenty days next before the day of sale, by posting printed notices thereof in three of the most public places in Center Township, and one at the Court House door of Marion County, Indiana, and also by publication for three weeks successively next before the day of sale in the Indiana State Sentinel, a weekly newspaper of general circulation, printed and published in said County. Said sale was set for the 7th day of November 1885, and I did, on said day, at the door of the Court House of said County, between the hours prescribed by law, at public auction, first expose to sale the rents and profits for a term not exceeding seven years, of said Real Estate, first of the North half thereof and receiving no bid therefor then of the South half thereof and receiving no bid therefor, then of the whole of the Real Estate as above described together and as a whole and received no bid therefor, I then and there offered at public auction as aforesaid, the fee simple of said Real Estate first of the North half thereof and receiving no bid therefor then of the South half thereof and receiving no bid therefor then of the whole of the Real Estate as above described together and as a whole and Leonhard Mueller did then and there bid the sum of Four hundred and twenty eight Dollars and thirty nine cents, and no person bidding more, the same was in due form openly struck off to the said Leonhard Mueller he being the highest and best bidder therefor, and that being the highest and

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best price bid for the same, and the said Leonhard Mueller having paid \$22.30 of costs and receipts \$9.84 costs hereon due him also receipted the Judgment and interest herein in full \$396.25 executed and delivered to him a certificate of sale of said premises, also filed a duplicate thereof in the Clerks Office and I have paid the Sentinel Company \$6.00 printers fee and I have paid Clerk MOSES G. McLAIN, One and 211/100 Dollars, all costs made and accrued hereon, except Fifteen and 10/100 Dollars, which I retain as my own cost, and this writ is returned satisfied as to surety.

George H. Carter  
Sheriff Marion County.  
By James A. Hamilton Deputy.

Execution Docket 33 page 243.

Town Lot Record  
200 page 23  
November 10, 1886  
Recorded  
April 19, 1888

George H. Carter Sheriff's Deed  
Sheriff Marion County Indiana  
to  
Leonhard Mueller

Lot 108 in McCarty's subdivision of the East part of Out Lot 120 in the City of Indianapolis.

Sold on November 7, 1885 pursuant to judgment and decree issued on April 14, 1877 in the Superior Court of Marion County, Indiana in a certain cause wherein Leonhard Mueller was plaintiff and William Schoeneman and Ernest Bohning were defendants.

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Mortgage Record  
92 page 491  
April 9, 1877  
Recorded  
April 10, 1877

Ernst Bohning and Mortgage  
Charlotte Bohning his wife  
to  
William F. Sharpe

Lot 108 in McCartys sub. of the east part of out lot 120 in the City of Indianapolis. (Also other real estate and personal property) to secure the payment of 3 promissory notes of even date herewith, 2 of said note being for \$500.00 each and 1 for \$100.00, and maturing on October 1, 1877, January 1, 1878, and September 1, 1877 respectfully together with interest at the rate of 10% per annum after maturity and 5% attorneys fees.

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IN THE SUPERIOR COURT OF MARION COUNTY

Cause #21382  
Complaint filed  
January 31, 1878  
Complete Record  
52 page 431

Thomas L. Bartholomew  
vs.  
Charlotte Boehning and  
Ernst Boehning and  
William F. Sharpe.

Suit instituted to foreclose a certain mortgage being on real estate other than that certified to herein.

January 31, 1878 summons issued returnable on first Monday in February 1878 and returned showing that Charlotte Boehning was served by reading and Ernst Boehning was served by copy on February 2, 1878 and that the other defendant herein was not found.

March 16, 1878. William F. Sharpe filed answer and cross complaint setting up his certain mortgage recorded in mortgage record 92, page 491, in the office of the Recorder of Marion County, Indiana.

April 15, 1878. Charlotte Boehning filed answer to complaint and cross complaint.

January 9, 1879. Judgment and Decree. Finding for plaintiff on complaint; Judgment rendered against said defendant Ernst Boehning for \$587.96 and costs; Also finding for William F. Sharpe on cross complaint; Judgment rendered against said defendant Ernst Boehning for \$917.73 and costs, and decree entered for foreclosure of plaintiff's and cross complainants mortgage and sale of said mortgaged premises, all without relief from valuation and appraisement laws.

Order Book 65 page 330.

Copy of said judgment and decree issued and came to hand of Sheriff January 25, 1879. 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 twenty 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 in Indiana State Journal a weekly newspaper of general circulation in the City of Indianapolis. Said sale was set for the 22nd day of Feb. 1879, at which time he first exposed to sale the rents and profits for a term not exceeding seven years of said real estate and receiving no bid therefor, he offered at public auction the fee simple of said real estate, and sold the same to William F. Sharpe for the sum of \$1.00 and returned said writ unsatisfied. Certificate of sale issued to said purchaser.

Execution Docket 27 page 180.

Costs Paid.

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Town Lot Record  
211 page 411  
July 19, 1889  
Recorded  
July 20, 1889

Isaac King Sheriff  
of Marion County, Indiana

Sheriff's Deed

to  
Louisa Jay and  
Kate Weller

Lot 108 in McCarty's Subdivision of the East part  
of Out Lot 120 in the City of Indianapolis, Marion  
County, Indiana.

Sold February 22, 1879 in pursuance of a judg-  
ment and decree rendered January 9, 1879 in the  
Superior Court of Marion County, Indiana in Cause #21382.  
Order Book 65 page 330.

Execution Docket 27 page 180.

(Note: Above deed recites that Sheriff sold said  
real estate to William F. Sharpe who on July 18, 1889,  
assigned the Sheriff's certificate of sale to Louisa  
Jay and that said Louisa Jay assigned the one half in-  
terest thereto to Kate Weller on July 18, 1889).

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Marriage Record  
19 page 486  
Oct. 31, 1885

Ernst Bushning  
to  
Carrie Bushning

Marriage

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Town Lot Record  
212 page 351  
August 9, 1889  
Recorded  
August 30, 1889

Ernest Boehning and  
Caroline Boehning his wife  
to  
Adaline Denny

Warranty Deed

Lot 108 in McCarty's subdivision of the east part  
of out lot 120 in the City of Indianapolis.

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-13- HHG

-14- HHG -over-

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Town Lot Record  
212 page 352  
August 30, 1889  
Recorded  
August 30, 1889

Adaline Denny of  
lawful age and unmarried  
to  
Ernest Boehning and  
Caroline Boehning his wife  
and to the survivor of them as  
tenants by entireties

Quit Claim Deed

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Lot 108 in McCartys subdivision of the east part  
of out lot 120 in the City of Indianapolis.

Town Lot Record  
214 page 88  
Oct. 28, 1889  
Recorded  
Oct. 29, 1889

Leonard Mueller  
(signed Leonhart Mueller)

Quit Claim Deed

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-----  
to  
Caroline Boehning  
Lot 108 in McCarty's Subdivision of the East  
part of Out Lot 120 in the City of Indianapolis.

Town Lot Record  
216 page 17  
Jan. 15, 1890  
Recorded  
Jan. 21, 1890

Ernest Buhning  
(Acknowledged Ernest Boehning)  
and Caroline Buhning  
(Acknowledged Carolin- Boehning,  
his wife, and  
Louisa Jay and  
Thomas C. Jay,  
her husband,  
to  
Kate Weller

Quit Claim Deed

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Lot 108 in McCartys Subdivision of the east part  
of Out Lot 120 in the city of Indianapolis, as per  
plat book 2, page 86, in the office of the Recorder  
of said County. Whereas one Charlotte Buhning  
heretofore departed this life testate, seized in fee  
of said real estate leaving surviving her as her de-  
visees and only heirs at law, the grantor Ernest  
Buhning her then husband (since intermarried with  
the grantor Caroline) and her two children Louisa  
Jay one of the grantors and Kate Weller the grantee

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herein, and all of the parties having heretofore claimed some right, title or interest in and to or lien upon said real estate, either by virtue of said will or otherwise but having now settled and compromised their differences and the grantee herein having purchased the right, title, interest, claims and demands of all the grantors, this deed is intended to vest in her absolutely and in fee the whole of said real estate, free from the interests, claims or demands of each and all the grantors joint and several in whatever right heretofore claimed and the said grantors, do jointly and severally release and discharge the estate of Charlotte Buhning from any and all claims or demands of any and every nature whatsoever.

Town Lot Record  
246 page 16  
September 3, 1892  
Recorded  
September 3, 1892

Kate Weller and  
Clement V. Weller  
her husband  
to  
Harry Efroymsen

Warranty Deed

Lot 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis according to the Recorded plat thereof in Plat Book 2, page 86, in the office of Recorder of Marion County, Indiana.

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Town Lot Record  
418 page 297  
June - 1907  
Ack. June - 1907  
Recorded  
June 11, 1907

Harry Efroymsen and  
Hannah Efroymsen his wife  
to  
Louis Hornstein and  
Kate Hornstein  
husband and wife  
tenants by entirety

Warranty Deed

Lot 108 in McCartys subdivision of the East part of Out Lot 120 in the City of Indianapolis.

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Town Lot Record  
690 page 421  
March 30, 1923  
Recorded  
April 2, 1923

Louis Hornstein and  
Kate Hornstein  
husband and wife  
to  
Joe Lieberman

Warranty Deed

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Lot 108 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per Plat Book 2 page 86, of the records in the office of the Recorder of Marion County, Indiana.

Town Lot Record  
797 page 22  
July 28, 1927  
Recorded  
August 1, 1927

Joe Lieberman and  
Anna Lieberman  
husband and wife  
to  
Stella Lippman

Warranty Deed

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Lot 108 in McCarty subdivision of the East part of Out Lot 120 to the City of Indianapolis, as per plat recorded in Plat Book 2, page 86, of the records of the Recorder's Office, said county and state.

This conveyance is subject to a first mortgage executed by grantors thereon in favor of Meyer-Kiser Bank, Trustee, bearing date February 8, 1926 and recorded February 9, 1926 in the Mortgage Records of Marion County, Indiana, upon which there is a principal sum of \$5,000.00 remaining unpaid.

Subject also to all interest accruing on said mortgage subsequent to the date of the delivery of this deed, which principal sum and interest grantee assumes and agrees to pay. Interest accruing on said mortgage prior to the date of delivery of deed, grantors agree to pay.

Mortgage above referred to recorded February 9, 1926 in Mortgage Record 948, page 140, released of record November 28, 1944.

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Stella Lippman died intestate April 14, 1934 as appears at a subsequent entry herein.

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NOTE: No letters of administration issued in the Clerk's office of Marion County, Indiana, upon an estate of Stella Lippman, deceased.

TRANSCRIPT

Town Lot Record  
1167 page 457  
Inst. #6245  
Dec. 7, 1944  
Recorded  
Feb. 21, 1945

We, the undersigned, sole heirs at law of Stella W. Lippman -- that the above named decedent, do hereby jointly request that letters of administration of the estate of said decedent be granted to the within named B. B. Bing.

In Witness whereof we have hereunto affixed our hands and seals this 30th day of April, 1934.

Rose Schmaltz  
Witness: Jas. S. Schmalz  
Leonard Lippman  
Witness: Ira L. Shuman  
Bernice Kiser  
Witness: Raymond A. Kiser

APPLICATION FOR LETTERS OF ADMINISTRATION  
STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

B. B. Bing, being duly sworn upon h-- oath says that Stella W. Lippman departed this life, intestate at Chicago in Cook County, Illinois, on the 14th day of April, 1934, without leaving any will and testament to his knowledge and belief; that said decedent left a personal estate of the probable value of five hundred dollars in the state of Indiana and real estate of the estimated value of twenty five thousand dollars, and that said decedent left surviving her as her sole and only heirs at law as far as known to the affiant as follows:

| NAME            | AGE   | YEARS | RELATIONSHIP | P. O. ADDRESS      |
|-----------------|-------|-------|--------------|--------------------|
| Rose Schmaltz   | Adult |       | Daughter     | Chicago, Ills.     |
| Leonard Lippman | Adult |       | Son          | Chicago, Ills.     |
| Bernice Kiser   | Adult |       | Daughter     | Indianapolis, Ind. |

THEREFORE, your affiant asks that letters of administration of the estate of said decedent be granted to B. B. Bing of Chicago, Cook County, Illinois.  
B. B. Bing

Subscribed and sworn to before me this 24 day of April, 1934.

Isabelle M. Bauerlein (---)  
Notary Public

My commission expires 11-5-37.

CLERK'S CERTIFICATE  
STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

I, Frank J. Bruggner, Clerk of the St. Joseph Superior Court No. 1 within and for the County of St.

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Joseph and State of Indiana, do hereby certify that the above and foregoing is a full, true, complete and correct copy of Application for Letters of Administration in Cause #4120 Stella W. Lippman Estate, as the same appears upon the record of said County and in my custody as Clerk.

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of said Court this 7th day of Dec. 1944.

Frank J. Bruggner (LS)  
Clerk  
By Irene M. Flanagan  
Deputy

TRANSCRIPT

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:  
IN THE ST. JOSEPH SUPERIOR COURT #1

November Term, 1934

IN THE MATTER OF THE ESTATE OF STELLA W. LIPPMAN,  
DECEASED.

ORDER ON ADMINISTRATOR'S FINAL REPORT. CAUSE #4120.

BE IT REMEMBERED. That on the 4th day of December 1934, the same being the 14th Judicial Day of the November Term 1934, of the St. Joseph Superior Court #1 begun, held and continued at the Court House in South Bend, before the Honorable J. Fred Bingham, Judge of said Court, the following judgment and decree was rendered in the above entitled cause, to-wit:

IN THE MATTER OF THE ESTATE OF STELLA W. LIPPMAN, DECEASED.

ORDER ON ADMINISTRATOR'S FINAL REPORT. #4120.

Comes now, B. B. Bing, Administrator of said estate, and submits to this Court account and vouchers by him filed in final settlement on the 2nd day of November, 1934, and also, files and submits proof of the posting and publication of notices to the creditors, heirs at law and all others interested in said estate, of the filing of said account and vouchers, and when the same would be heard, which notices and proofs, the court, on examination, holds to be sufficient, and that said account and matters connected therewith are now properly before the court for final action thereon; said accounts, notices and proofs are in these words (insert); and the court having examined said accounts and vouchers and having heard the evidence relating thereto, finds that more than six months has elapsed since the grant of letters on said estate and the giving of notice thereof; that

Town Lot Record  
1167 page 458  
Inst. #6247  
Dec. 7, 1944  
Recorded  
Feb. 21, 1945

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the inheritance tax assessed in said estate has been paid as evidenced by the original receipt therefor duly countersigned by the Board of Tax Commissioners of the State of Indiana now exhibited to and inspected by the Court; and the court further finds that said estate has been fully administered upon, excepting that under prior orders of this court this estate is being closed with claim No. 355 pending and with mortgage indebtedness outstanding, and the court now allows the credits claimed by said administrator including the rein the amounts claimed for his own services and for payment of attorney fees.

The court further finds from the statement of administrator contained in said account and from proof herard in support thereof that there remains after administration and of which said intestate died seized in fee, the following described real estate, to-wit:

Lot No. 108 in McCarty's Subdivision of the East part of Out Lot No. 120 to the City of Indianapolis, Marion County, State of Indiana, as per plat record in Plat Book No. 2 page 86 of the -----.

(Also other real estate in St. Joseph County, Indiana).

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

I, Frank J. Bruggner, Clerk of the Superior Court #1, in and for said County and State, do hereby certify that the foregoing is a full, true and complete copy of the judgment and decree of said court in the above entitled cause, on the day and year first aforesaid as appears of record in my office.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the seal of said court in my office at South Bend, this 7th day of December, A. D. 1944.

Frank J. Bruggner (LS)

Clerk

By Irene M. Flanagan, Deputy

ORDER DETERMINING VALUE OF ESTATE AND AMOUNT OF TAX, ETC.

Inheritance Tax  
Record 1 page 229  
Dec. 7, 1944  
Recorded  
Feb. 21, 1945

Cause No. 4120  
IN THE SUPERIOR COURT #1  
COUNTY OF ST. JOSEPH, STATE OF INDIANA  
IN THE MATTER OF THE ESTATE OF STELLA W. LIPPMAN  
At the May Term, 1944

The matter of determining the value of the property of said decedent, and the tax imposed by the inheritance and transfer tax laws upon the transfer thereof coming on to be heard at this time, pursuant to notice given on the -- day of -- (notices waived) to all persons interested, including the Indiana Tax Board and County Treasurer.

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And it appearing that the inventory and report of B. B. Bing, Administrator and the report of John S. Buczkowski (Appraiser) have heretofore been duly filed herein, and that said deceased died on or about the 14 day of April, 1944.

And having taken testimony and considered the inventory, appraisal, report and the whole record herein, and having heard all parties desiring a hearing, and being fully advised in the premises:

The court finds and determines that the clear market value of the property of the said decedent, subject to and within the jurisdiction of the laws of this State is as follows:

|  |             |
|--|-------------|
| Value of Personal Property (Gross)         | \$ 1,416.19 |
| Value of Real Property (Gross)             | \$47,800.00 |
| Total Gross Value of Estate                | \$49,216.19 |
| Deductions (Debts, Claims, Expenses, etc). | \$ 8,977.69 |
| Total net value of estate                  | \$40,238.50 |

And the court further finds and determines that the proportions and amounts of the property of the decedent transferred, the names and relationships of the persons beneficially entitled to receive the same, the rates and amounts of tax for which they are liable, are as follows:

| NAME  | RELATION | VALUE     | INTEREST EXEMPTION | RATE | AMOUNT OF TAX |
|---|----------|-----------|--------------------|------|---------------|
| Rose Schmaltz   | Daughter | 13,413.83 | 2,000              | 1%   | 114.12        |
| Leonard Lippman   | Son      | 13,412.84 | 2,000              | 1%   | 114.12        |
| Bernice Kiser   | Daughter | 13,412.83 | 2,000              | 1%   | 114.12        |
| Schedule filed; date June 14, 1934 Amount of penalty at 50¢ per day |          |           |                    |      | None          |
| Total Tax   |          |           |                    |      | \$342.36      |

Wherefore it is ordered, that B. B. Bing (executor or administrator) or said persons pay and deliver to the County Treasurer as and for the tax imposed by the Acts in relation to the taxable transfers of property, the proportions and amounts as above set forth.

Such tax shall be a lien upon the several items of personal property described in the schedule for determination and the appraiser's report, and the following real estate:

Lot No. 108 in McCarty's Subdivision of the East part of Out Lot No. 120 to the City of Indianapolis, Marion County, State of Indiana, as per plat record- in Plat Book No. 2, page 86, of the records of the recorder's office in said county.

(Also other real estate in St. Joseph County, Indiana).

It is further ordered that John S. Buczkowski, appraiser, be allowed and paid \$35.00 for his services and expenses in this matter.

Dated July 20, 1944.

By the Court, J. Fred Bingham, Judge  
CLERK'S CERTIFICATE

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

I, Frank J. Bruggner, Clerk of the St. Joseph Superior Court No. 1 within and for the County of St. Joseph and State of Indiana, do hereby certify that

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the above and foregoing is a full, true, complete and correct copy of Order Determining Inheritance Tax, in Estate #4120 Estate of Stella W. Lippman, deceased as the same appears upon the record of said county and in my custody as Clerk.

In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of said Court this 7th day of December, 1944.

Frank J. Bruggner (LS)  
Clerk

By Irene M. Flanagan, Deputy

Town Lot Record  
925 page 543  
Inst. #39253  
Nov. 15, 1934  
Recorded  
Dec. 17, 1934

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STATE OF INDIANA, MARION COUNTY, SS:

Bernice Kiser, being duly sworn upon oath, says that Stella W. Lippman died April 14, 1934; that said decedent died intestate, leaving surviving her as her sole and only heirs at law Rose Schmaltz, Leonard Lippman and this affiant, who are decedent's children; that the estate of said decedent was opened on May 1, 1934, in the St. Joseph Superior Court No. 1, of St. Joseph County, Indiana, and the final report of the administrator of said estate was filed on the 2nd day of November, 1934; that said decedent's estate was assessed for inheritance tax purposes and the amount of tax determined by said court and the amount of the tax so determined, less the discount allowed by law, was paid on November 2, 1934; that said decedent died the owner in fee simple of the following described real estate in Marion County, to-wit:

Lot No. 108 in McCarty's Subdivision of the East part of Outlot No. 120 to the City of Indianapolis, Marion County, State of Indiana, as per plat record in Plat Book No. 2, page 86, of the records of the recorder's office in said county.

Affiant further says that this affidavit is made for the purpose of procuring a transfer of the above described real estate upon the tax duplicate upon which said real estate is assessed and taxed.

Bernice Kiser

Subscribed and sworn to before me this 15 day of Nov. 1934.

Forman McGurdy, (LS)  
Notary Public

My commission expires Dec. 1, 1935.

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Misc. Record  
292 page 11  
Inst. #25240  
July 30, 1938  
Recorded  
Aug. 9, 1938

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STATE OF INDIANA, MARION COUNTY, SS:

Bernice L. Kiser, being first duly sworn upon her oath, deposes and says that she is the daughter of Stella Lippman, deceased, who died on the 14th day of April, 1934.

That at the time of her death, said Stella Lippman was the owner, in fee simple, of the following described real estate, located in Marion County, Indiana to-wit:

Lot number 108 in McCarty's Subdivision of the East part of Out Lot 120 to the City of Indianapolis, as per plat recorded in Plat Book 2, page 86, of the records of the Recorder's office of Marion County, State of Indiana.

That said Stella Lippman died intestate; that her estate was administered upon in St. Joseph County, Indiana, the County of her residence, and that such estate has been fully closed.

Affiant says that this affiant, her brother, Leonard B. Lippman, an unmarried man, living in Chicago, Cook County, Illinois, and Rose L. Schmaltz, her sister, also residing in Chicago, Cook County, Illinois, were and are the sole heirs of said Stella Lippman, deceased, and that they, together with Raymond S. Kiser, the husband of this affiant, and James Schmaltz, the husband of said Rose L. Schmaltz, are the Grantors who, on the 25 day of June, 1938, conveyed the real estate hereinabove described to Kiser, Cohn & Shumaker, Inc., Trustee, of Marion County, Indiana.

And further affiant saith not.

Bernice L. Kiser

Subscribed and sworn to before me this 30 day of July, 1938.

Ralph Bamberger (L.S.)  
Notary Public

My commission expires: Jan. 6, 1942.

Town Lot Record  
996 page 200  
Inst. #25214  
June 25, 1938  
Recorded  
Aug. 9, 1938

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Bernice L. Kiser and  
Raymond S. Kiser,  
her husband  
Leonard B. Lippman,  
an unmarried man and  
Rose L. Schmaltz and  
James J. Schmaltz,  
her husband  
to  
Kiser, Cohn &  
Shumaker, Inc.  
Trustee

Quit Claim Deed  
(U.S. Revenue  
Stamp Attached)

Lot number 108 in McCarty's Subdivision of the East part of Out Lot 120 to the City of Indianapolis, as per plat recorded in Plat Book 2, page 86, of the

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records of the Recorder's Office of Marion County,  
State of Indiana.

Subject to all liens and encumbrances.

The Grantors, Bernice L. Kiser, Leonard B. Lippman,  
and Rose L. Schmaltz, are the sole heirs of their  
Mother, Stella Lippman, deceased.

Misc. Record  
248 page 237  
Inst. #7392  
May 8, 1933  
Recorded  
May 9, 1933

ARTICLES OF INCORPORATION OF KISER, COHN & SHUMAKER,  
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 supple-  
mental thereto.

The name of this corporation shall be Kiser,  
Cohn & Shumaker, Inc.

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

To buy, sell, and otherwise acquire, dispose of  
and deal in government, municipal, corporation, asso-  
ciation and individual bonds, mortgages and debentures  
of all kinds; also in stocks and choses in action of  
all kinds, in trust receipts, receiver's certificates,  
commercial paper and securities and evidences of in-  
debtedness of all kinds of social, business and gov-  
ernmental organizations and of individual persons.

To hold, purchase or otherwise acquire, to sell,  
assign, transfer, mortgage, pledge or otherwise dis-  
pose of shares of the capital stock and bonds, de-  
bentures or other evidences of indebtedness created  
by other corporation or corporations, and while the  
holder thereof, to exercise all the rights and privi-  
leges of ownership, including the right to vote thereon;

To act as fiscal agent, transfer agent and/or  
registrar for firms, partnerships, individuals and  
corporations.

To guarantee dividends on any shares of the  
capital stock of any corporation in which this cor-  
poration has an interest as stockholder, and to en-  
dorse, or otherwise guarantee the principal and in-  
terest, or either, of any bonds, securities, or other  
evidences of indebtedness created by any corporation  
in which this corporation has such an interest, pro-  
vided that authority for any such endorsement for  
guaranty be first given by resolution adopted by  
vote of at least two-thirds of the whole board of  
directors of this corporation;

To acquire the good will, rights, property and  
assets of all kinds, and to undertake the whole or  
any part of the liabilities of any persons, firm,  
association or corporation, and to pay for the same



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in cash, stock, bonds, debentures or other securities of this corporation or otherwise.

To buy, sell, exchange, improve, maintain, manage, lease and generally deal in real properties improved and unimproved, office buildings, store buildings, dwelling-houses, and any rights and interests therein; to build, construct, operate, maintain, lease and sell dwelling-houses, apartment houses, factories and business houses of all kinds and descriptions; to maintain a general real estate agency and broker's business, including the right to manage estates, to act as agent, broker or attorney-in-fact for any person or corporation; to make and obtain loans upon real estate, improved or unimproved, and to supervise, manage and protect such property and loans, and all interests and claims affecting the same; to acquire, buy, hold, sell, hire, lease, mortgage, pledge and otherwise deal in all kinds of property, chattels and chattels real; to have property insured against fire and other casualties; to investigate the credit, financial solvency and sufficiency of borrowers, mortgagors and sureties upon bonds, mortgages and undertakings; to improve, manage, operate, sell, mortgage, lease or otherwise dispose of any property, real or personal, and take mortgages and assignments of mortgages upon the same;

To act as rental agent and/or general property manager of real and personal property, and to enter into contracts for such services with individuals, firms, corporations or fiduciaries.

To act as insurance agent or broker in placing insurance of all kinds, excepting life insurance, and also in placing fidelity and casualty bonds.

To lend and advance money or give credit to such persons and on such terms as may seem expedient, and in particular to customers and others having dealings with the company.

To borrow money, to make and issue promissory notes, bills, of exchange, bonds, debentures and obligations and evidences of indebtedness of all kinds, whether secured by mortgage, pledge or otherwise, without limit as to amount, and to secure the same by mortgage, pledge or otherwise.

To have one or more offices to carry on all or any part of its operations and business, and unlimitedly and without restriction to hold, purchase, mortgage, lease, manage and convey real and personal property and to conduct its business in any state or territory of the United States, and in foreign country or place, but subject always to the laws thereof.

To carry on any other businesses which may, in the discretion of the directors, seem capable of being conveniently carried on in connection with the above or calculated directly or indirectly to enhance the value of the company's properties and rights, and

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the value of the company's properties and rights, and to possess and enjoy all the powers and authority conferred by the Indiana General Corporation Act of 1929 and all acts amendatory thereof and supplemental thereto, provided, however, that nothing herein contained shall be construed as an attempt to authorize the conduct of the business of a rural loan and savings association, credit union or banking, railroad, insurance, surety, trust, safe deposit, mortgage guarantee or building and loan business.

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

The total number of shares into which its authorized capital stock is to be divided is 120 shares having no par value.

The shares are not to be divided into classes or kinds or series.

The 120 shares of no par value common stock may be sold from time to time at price fixed by the Board of Directors, but at not less than ten dollars per share.

The amount of paid in capital with which this corporation will begin business is \$6000.00.

The number of directors of this corporation shall be three.

The names and addresses of the first board of directors are as follows:

Julian J. Kiser, 5127 Washington Blvd. Indianapolis, Marion County, Indiana.

Melville S. Cohn, 3743 North Meridian St., Indianapolis, Marion County, Indiana.

Fred I. Shumaker, 5501 North Pennsylvania St., Indianapolis, Marion County, Indiana.

The names and post office address of the incorporators are as follows:

Julian J. Kiser, 5127 Washington Blvd. Indianapolis, Marion County, Indiana.

Melville S. Cohn, 3743 North Meridian St., Indianapolis, Marion County, Indiana.

Fred I. Shumaker, 5501 North Pennsylvania St., Indianapolis, Marion County, Indiana.

PAID IN CAPITAL AFFIDAVIT

FOR KISER, COHN & SHUMAKER, INC.

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

Misc. Record  
248 page 237  
Inst. #7392  
Recorded  
May 9, 1933

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Misc. Record  
365 page 11  
Inst. #6244  
Nov. 24, 1924  
Recorded  
Feb. 21, 1945

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STATE OF INDIANA, COUNTY OF MARION, SS:

J. J. Kiser, being duly sworn, upon his oath says:

That he is president of Kiser, Cohn & Shumaker, Inc., a corporation organized under the laws of the State of Indiana with its principal office in Indianapolis, Marion County, Indiana and that said Kiser, Cohn & Shumaker, Inc., Trustee, was the Grantee under a certain deed executed by Bernice L. Kiser and Raymond S. Kiser, her husband, Leonard E. Lippman and Rose L. Schmaltz and James J. Schmaltz, her husband, to Kiser, Cohn & Shumaker, Inc., dated June 25, 1938 and recorded in Town Lot Record #996, page #200 in the Recorder's office of Marion County, Indiana, conveying Lot #108 in McCarty's sub-division of the east part of Out Lot #120 to the City of Indianapolis, as per plat recorded in Plat Book #2, page #86 of the records of the Recorder's Office of Marion County, Indiana and that in acting as such Trustee said Trustee acted in accordance with the terms of Certificates of Beneficial Interest aggregating \$3850.00 fact value, form of which Certificate of Beneficial Interest is as follows:

CERTIFICATE OF BENEFICIAL INTEREST

In property at the Northwest corner of Maple and Ray Street, Indianapolis (formerly incumbered by Stella Lippman Mortgage loan)

|                            |  |
|----------------------------|--|
| Certificate No. - - -      | Issued to - - -                            |
| Amount of Interest \$- - - | Total Certificates of this Class \$3850.00 |

This certificate evidences that the undersigned is the unconditional owner of the following described real estate, together with all improvements thereon, situated in the City of Indianapolis, Marion County, Indiana, to-wit:

Lot 108 in McCarty's subdivision of the east part of Out Lot 120 to the City of Indianapolis, Indiana, as per plat recorded in Plat Book 2, page 86, of the records of the recorder's office of Marion County, Indiana, but that the person named above to whom this certificate is issued holds an interest as personal property in the proceeds and avails of said real estate and improvements in the amount stated above.

The undersigned may deal as it alone sees fit with said real estate and improvements and has full power and authority without the joinder of any certificate holders or other person to convey, mortgage, lease, exchange, sell or transfer the same upon such terms and for such consideration in cash or otherwise as they see fit in their uncontrolled discretion, and such power shall not be exhausted by the exercise of one or more users thereof. The rights of the holder hereof are limited to a proportionate sharing in any cash proceeds actually coming into the hands of the undersigned above acquisition and administrative expenses and no person dealing

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with the undersigned shall be charged with seeing to the application of any such proceeds.

No right of partition or division with respect to said real estate or improvements exists in favor of any certificate holder but the rights of such holders are expressly agreed to be personalty and not realty and this certificate is transferable only by its surrender to the undersigned and the issuance of a substitute certificate to the endorsee hereof.

Norwithstanding the uncontrolled discretion of the undersigned in dealing with said property, and/or any proceeds thereof, if any part of said property or proceeds remain unliquidated and/or undivided 15 years from August 1, 1938, the undersigned shall thereupon sell the same for cash within 6 months thereafter and shall immediately distribute the net funds in their hands to the holders of this series of certificates pro rata according to their interest.

The undersigned shall be entitled to their reasonable charges for their services hereunder and should it make any advances for any purchases or borrow any sums in connection with this trust all such advances and loans shall be entitled to priority in payment together with interest over the certificates of this series and in connection with its duties and rights hereunder the undersigned may act either by itself or through such managers, agents or employees as they see fit.

The trust represented by this series of certificates was created by a quit claim deed "executed by the heirs of Stella Lippman, deceased, to Kiser, Cohn & Shumaker, Inc., Trustee, under date of June 25, 1938, conveying the real estate and improvements above described thereby extinguishing a mortgage executed by said Stella Lippman, dated January 13, 1930 and recorded in mortgage record 1060, page 290, in the recorder's office of Marion County, Indiana, said mortgage having originally been executed to the Meyer Kiser Bank, Trustee, and for which mortgage Kiser, Cohn & Shumaker, Inc. were appointed successor trustee. This instrument states all the terms and conditions of the trust thereby created and the holders hereof by the acceptance hereof consents to and agrees to be bound by all the terms hereof.

Dated at Indianapolis, Indiana, this -- day of ---, 19--.

KISER, COHN & SHUMAKER, INC.  
OF INDIANAPOLIS, INDIANA (- - -)  
By - - - -  
As Trustee."

Said affiant further states that while according to the terms of said Certificate of Beneficial Interest the consent of the holders thereof is not required to the sale of said property, nevertheless the holders thereof have all consented to the sale of said property for the sum of \$2750.00 and that the affiant makes this affidavit in order to show to the purchaser of said real

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estate the authority of said Trustee to sell and convey the same and that the beneficiaries of said trust have consented thereto.

Further affiant saith not.

J. J. Kiser

Subscribed and sworn to before me, a Notary Public in and for aforesaid County and State, this 24th day of November, 1944.

Thelma Minton (LS)

Notary Public

My commission expires Jan. 8, 1947.

Mortgage above referred to released of record November 22, 1944.

Town Lot Record  
1162 page 219  
Inst. #47887  
Dec. 8, 1944  
Recorded  
Dec. 13, 1944

Kiser, Cohn & Shumaker, Inc.  
(Corp. Seal)

By J. J. Kiser, President  
Attest: Fred I. Shumaker,  
Secretary as Substitute  
Trustee under Mortgage  
Indenture executed by  
Stella B. Lippman on or  
about January 13, 1930

Special Warranty Deed  
(U.S. Revenue  
Stamp Attached)

to

The Harval Investment Co., Inc.

Lot 108 in McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana.

Subject to taxes for 1944 payable in 1945.

The undersigned officers of said Kiser, Cohn & Shumaker, Inc. Substitute Trustee as aforesaid, hereby certify that they are duly authorized to execute this deed of conveyance and that they are the duly elected officers of said corporation, and that the holders of all certificates of beneficial interest have consented to the sale of said property and said deed is executed pursuant to said authority.

The covenants of warranty only extend to the acts of the grantor.

Proper citizenship clause is attached.

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

ARTICLES OF INCORPORATION OF THE HARVAL INVESTMENT CO. INC.

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

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

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

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

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

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

All stock in this corporation is common stock.

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

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

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

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

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

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

Articles of Amendment of its Articles of Incorporation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(m) To carry on, engage in and/or conduct any business or businesses or do any act or acts which a natural person or persons might do and which are necessary, convenient or expedient to accomplish the purposes for which this corporation is formed and such as are not repugnant to law; but this corporation shall not be deemed to possess the power of carrying on the business of receiving deposits of money, bullion or foreign coins, or of issuing bills, notes or other evidences of debt for circulation as money and this corporation shall not engage in the business of rural loan and savings associations, credit unions nor conduct a banking, railroad insurance, surety, trust, safe deposit, mortgage guarantee or building and loan business;

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

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

(p) The foregoing clauses shall be construed as powers as well as purposes, and the matters expressed in each clause shall, except if otherwise expressly provided, be in no wise limited, by reference to or inference from the terms of any clause, but shall be regarded as independent powers and purposes; and the enumeration of specific powers and purposes shall not be construed to limit or restrict in any manner the meaning of general terms or the general powers of the corporation; nor shall the expression of one thing be deemed to exclude another not expressed, although it be of like nature. The corporation shall be authorized to exercise and enjoy all other powers, rights and privileges granted by an Act of the General Assembly of the State of Indiana, entitled "The Indiana General Corporation Act", approved March 16, 1929 to corporations organized thereunder, and all the powers conferred by all Acts heretofore or



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hereafter amendatory of or supplemental to the said Act or the said laws; and the enumeration of certain powers as herein specified is not intended as exclusive of, or as a waiver of, any of the powers, rights, or privileges granted or conferred by the said Act or the said laws now or hereafter in force; provided, however, that the corporation shall not in any State, territory, district, possession or county carry on any business or exercise any powers which a corporation organized under the laws thereof could not carry on or exercise.

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

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

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

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

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

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

In Witness Whereof, the undersigned Thomas W. Kercheval and Cecilia C. Conway, respectively of

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said corporation have hereunto set their hands and seals this 15th day of December, 1930.

Thomas W. Kercheval  
Cecilia C. Conway

STATE OF INDIANA, COUNTY OF MARION, SS:

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

Witness my hand and Notarial Seal this 15th day of December, 1930.

Walter C. Clarke (LS)  
Notary Public

My commission expires Sept. 27, 1934.

Approved and filed Dec. 15, 1930.

Frank Mayr, Jr.,  
Secretary of State

PAID IN CAPITAL AFFIDAVIT

FOR THE HARVAL INVESTMENT CO., INC.

Misc. Record  
222 page 604  
Inst. #25137

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

-----  
Acknowledged  
July 9, 1930  
Recorded  
July 17, 1930

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Mortgage Record  
1497 page 317  
Inst. #11884  
Feb. 28, 1949  
Recorded  
Mar. 2, 1949

The Harval Investment  
Co. Inc. (Corp. Seal)  
By Thomas W. Kercheval,  
President  
Attest: Georgia T. Hanshew,  
Secretary

Mortgage

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to  
Union Federal Savings  
and Loan Association

Lot 108 in McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana.

To secure the repayment of a loan as evidenced by a promissory note of even date herewith, in the principal sum of \$4900.00 payable on or before 12 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 \$61.25 per month, in advance, said payments to be made on or before the 28th 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 \$490.00 which the Association at its option may loan to the mortgagor (s) during a period of 6 years from date hereof.

CHECKED TO 4-3-58  
UNION TITLE COMPANY

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Judgment Search

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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:

Kiser, Cohn & Shumaker Inc,  
Trustee

from October 17, 1940  
to and including  
December 13, 1944

and vs.

The Harval Investment Co. Inc.

for the 10 years  
last past and  
against none other.

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Taxes for the year 1949 on all of Lot 108 McCarty's Sub. O.L. 120 are assessed in the name of Harval Inv. Co. Inc. and are due and payable on or before the first Mondays in May and November of 1950.

General Tax Duplicate No. 438021, Corps., Indianapolis, Center Township, Parcel No. 39250.

May Installment \$91.55 Paid.

November Installment \$91.55 ~~Unpaid~~.

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Taxes for the year 1950 now a lien.

*Albert M. Gustor*  
SINCE PAID IN FULL  
ATTEST: UNION TITLE CO.  
PRESIDENT

391556

ZONING

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

General Ordinance #79, 1939, an ordinance to amend General Ordinance #114, 1922, Council Proceedings of 1939, page 645, introduced October 2, 1939, passed by the Common Council, October 16, 1939, and signed and approved by the Mayor, October 19, 1939, and effective January 10, 1940.

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, 120 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-3; Height District, Class H-1 and Area District, Class A-4; all as shown by said Ordinance and on the Zoning Map of the City, and is subject to the restrictions and uses therein provided for real estate in each of said respective districts.

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September 25, 1950. 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.

JAG

391557

# GUARANTEED CERTIFICATE

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STATE OF INDIANA }  
COUNTY OF MARION } ss:

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

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

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

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

That there are no notices of Lis Pendens filed in the Lis Pendens Records of Complaints and Attachments, and no judgments against, nor any Recognizance or Replevin Bail signed by any of the parties named above under the caption of judgment search which are now liens upon the real estate described in the caption hereof, as appears from the General Judgment Dockets of the Criminal, Circuit, 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 55 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 37 both inclusive.  
Dated at Indianapolis, Indiana, October 9, 1950, 8 A.M.

UNION TITLE COMPANY

by... *Albert M. Bush* .....  
President

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HHG

# 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

391557

## 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:* Harval Investment Company, Inc.

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 9, 1950, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

October 9, 1950, 8 A.M.

Kiser, Cohn & Shumaker Inc., Trustee

The Harval Investment Co. Inc.

UNION TITLE CO.

BY

*Albert M. Binst*

PRESIDENT

HHG

447167

CAPTION

-1-

Continuation of Abstract of Title to Part of Lot 108 in McCarty's Subdivision of the East part of Out Lot 120, of the Donation Lands in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the Southeast corner of said Lot, thence west upon and along the South line of said Lot, 62 feet, thence north parallel to the East line of said Lot, 16.5 feet, thence east parallel to the South line of said Lot, 62 feet to the East line of said Lot, thence south upon and along the East line of said Lot, 16.5 feet to the place of beginning.

Since October 9, 1950, 8 A.M.

Prepared For: Harval Investment Company

Judgment Search

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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:

The Harval Investment Co., Inc.

from October 9, 1950,  
8 A.M. to date and  
against none other.



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Taxes for the year 1952 on the Real Estate for which this Abstract is prepared are assessed in the name of Harval Inv. Co., Inc. and are due and payable on or before the first Mondays in May and November of 1953.

General Tax Duplicate No. 252228, H-I-J, Indianapolis, Center Township, Parcel No. 39250.

May Installment Unpaid.

November Installment Unpaid.

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

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Taxes for the year 1953 now a lien.

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March 23, 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.

# 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

447167

## 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: **Harval Investment Company**

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

April 1, 1953, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

April 3, 1953, 8 A.M.

The Harval Investment Co., Inc.

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

NKK

447167

# GUARANTEED CERTIFICATE

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STATE OF INDIANA }  
COUNTY OF MARION }<sup>ss:</sup>

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 6 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 3 both inclusive.

Dated at Indianapolis, Indiana, April 6, 1953, 8 A.M.

UNION TITLE COMPANY

by... *Albert M. Bristow*  
President

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