

*Chet*

# WARRANTY DEED

Project 1-70-3(52)  
Code 0536  
Parcel 81

This Indenture Witnesseth, That **ATHA JANE KELLY (ADULT WIDOW)**

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

the STATE OF INDIANA for and in consideration of **THREE THOUSAND EIGHT HUNDRED** -----

----- **\$3,800.00** ----- Dollars,

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

LOT 139 IN SIMON YANDES SUBDIVISION OF THE EAST PART OF OUT LOT 129 IN THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 112, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

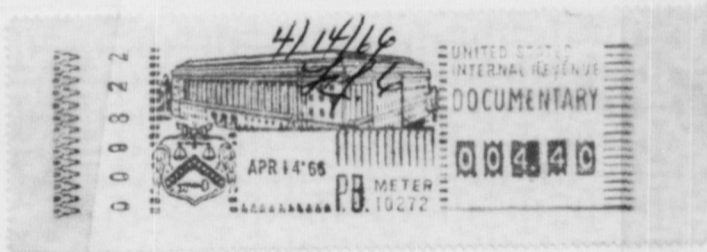
TOGETHER WITH THE PERMANENT EXTINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM, AND ACROSS THE ABOVE DESCRIBED REAL ESTATE.

DULY ENTERED  
FOR TAXATION

JUN 9 1966

*John T. Sutton*  
COUNTY AUDITOR

RECEIVED FOR RECORD  
1966 JUN 10 AM 8:01  
MARCIA M. HAVTHORNE  
RECORDER OF MARION COUNTY



4.40

A-98857

Paid by Warrant No. A-98858

Dated 5-17-19-66

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.

*JLO*  
4-18-66

In Witness Whereof, the said GRANTOR

has hereunto set HER hand and seal, this 13 day of APRIL 1966

*Atha Jane Kelly*  
**ATHA JANE KELLY (ADULT WIDOW)** (Seal)..... (Seal)

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

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

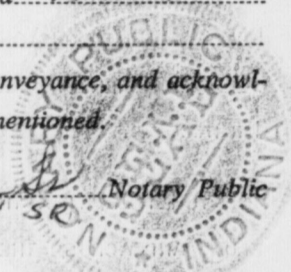
..... (Seal)..... (Seal)

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

*[Signature]*  
APR 20 1966

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 \_\_\_\_\_ 13 \_\_\_\_\_  
 day of \_\_\_\_\_ APRIL \_\_\_\_\_, A. D. 1966; personally appeared the within named \_\_\_\_\_ ATHA  
 \_\_\_\_\_ JANE KELLY \_\_\_\_\_ Grantor \_\_\_\_\_ in the above conveyance, and acknowl-  
 edged the same to be \_\_\_\_\_ HER \_\_\_\_\_ voluntary act and deed, for the uses and purposes herein mentioned.  
 I have hereunto subscribed my name and affixed my official seal.  
 My Commission expires \_\_\_\_\_ OCTOBER 21, 1969 \_\_\_\_\_ Notary Public  
 FRANK W. COLLIVAN SR.



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

**WARRANTY DEED**

FROM

TO

STATE OF INDIANA

Received for record this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ m, and

Recorded in Book No. \_\_\_\_\_ page \_\_\_\_\_

Recorder \_\_\_\_\_ DULY ENTERED \_\_\_\_\_ County

Duly entered for taxation this \_\_\_\_\_

day of \_\_\_\_\_ JUN 9 1965 \_\_\_\_\_ 19\_\_\_\_

Auditor's Seal \_\_\_\_\_ Auditor \_\_\_\_\_ County

Auditor \_\_\_\_\_ County

(50)

Division of Land Acquisition  
 Indiana State Highway Commission



## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

13

May 31, 1966

19

To Atha Jane Kelly  
531 Vinton  
Indianapolis, Indiana

## GENTLEMEN:

We enclose State Warrant No. A-98857 5-17-66 19  
in settlement of the following vouchers: Transmittal #166

DESCRIPTION	AMOUNT
Purchase	
<i>For the purchase of Right of Way on State Road</i>	
No. I-70 in Marion	
County I Project 70-3	
Section (52) as per Grant dated	
April 13, 1966	
Parcel 81	3500.00

## PLEASE RECEIPT AND RETURN

Received Payment:

Atha Jane Kelly

Date:

6-3-66

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

May 31, 1966 19

To Atha Jane Kelly  
531 Vinton  
Indianapolis, Indiana'

## GENTLEMEN:

We enclose State Warrant No. A-98858 5-17-66 19  
in settlement of the following vouchers:

Transmittal #166

DESCRIPTION	AMOUNT
Purchase  <i>For the purchase of Right of Way on State Road</i> No. I-70 in Marion County I Project 70-3 Section (52) as per Grant dated April 13, 1966  Parcel 81 Escrow	300.00

PLEASE RECEIPT AND RETURN

Received Payment:

Atha Kelly

Date

8-3-66



Control

APPRAISAL REVIEW FORM

Division of Land Acquisition  
Indiana State Highway Commission

Project I-70-3(52)  
Parcel No. 81  
Road I-70  
County Marion  
Owner Atha J. Kelly  
Address 531 Vinton  
Address of Appraised Property:  
531 Vinton

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

- 1. I have personally checked all comparables and concur in the determinations made. Yes
- 2. Planning and Detail Maps were supplied appraisers. Adv. Acq.
- 3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Yes
- 4. Necessary photos are enclosed. Yes
- 5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. Yes
- 6. Plats drawn by the appraisers are attached. Yes
- 7. I have personally inspected the Plans. Adv. Acq.
- 8. I have personally inspected the site and familiarized myself with the parcel on... March 8, 1966
- 9. The computations of this parcel have been checked and reviewed. Yes
- 10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. Yes

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

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

It is my opinion as of March 8, 1966 :  
(Date)

Estimate of Appraisers:

	By: <u>Day</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$ <u>3,800</u>	\$	\$ <u>3,800</u>
(b) The fair market value of the property after the taking, assuming the completion of the improvement is:	\$ <u>- 0 -</u>	\$	\$ <u>- 0 -</u>
The Total Value of Taking Is: (a minus b) TOTAL	\$ <u>3,800</u>	\$	\$ <u>3,800</u>
(1) Land and/or improvements	\$ <u>3,800</u>	\$	\$ <u>3,800</u>
(2) Damages	\$ <u>- 0 -</u>	\$	\$ <u>- 0 -</u>
(3) Less non-compensable items	\$ <u>- 0 -</u>	\$	\$ <u>- 0 -</u>
(4) Estimated Total Compensation	\$ <u>3,800</u>	\$	\$ <u>3,800</u>

Approved	Date	Signed
	<u>3-8-66</u>	<u>Phillip J. Job</u>
Rev. Appr.	<u>3-8-66</u>	<u>Jamie P. [Signature]</u>
Asst. or Chief Appr.	<u>MAR 11 1966</u>	<u>[Signature]</u>

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

AFFIDAVIT

STATE OF INDIANA }  
MARION COUNTY } SS

ATHA JANE KELLY being duly sworn upon (~~his~~)  
(her) oath says that (~~he~~) (she) is over 21 years of age and knew in  
(~~his~~) (her) lifetime FRANK KELLY, deceased,  
and knows that said decedent died April 27, 1960

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Atha Jane Kelly  
ATHA JANE KELLY

Subscribed and sworn to before me this 13 day of APRIL, 1966

Frank L. Cullivan Sr  
Notary Public  
FRANK L. CULLIVAN SR

My commission expires OCTOBER 21, 1969



INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

PROJECT NO. I-70-3(52)

BUYER'S REPORT NUMBER: 1 COUNTY Marion PARCEL NO. 81

NAME & ADDRESS OF OWNER Atha Jane Kelly 531 Vinton  
Indpls Ind PHONE # 638-4604

NAME & ADDRESS OF PERSON CONTACTED Atha Jane Kelly 531 Vinton  
Indpls Ind PHONE # 638-4604

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

DATE ASSIGNED 3/11/66 DATE OF CONTACT 3/16/66

OFFER \$ 3800 TIME OF CONTACT 10:00 a.m.

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

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

REMARKS: Mr Bullivan went to the home of Mrs Kelly to explain that the State Highway wished to purchase her property for the R/W. Mr Bullivan then made an offer of 3800 Mrs Kelly will let Mr Bullivan know later

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

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

me 3-4385  
Frank L. Bullivan Jr  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

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

BUYER'S REPORT NUMBER: 2 COUNTY Marion PARCEL NO. 81

NAME & ADDRESS OF OWNER Atha Jane Kelly 5.31 Vinton  
Indpls, Ind PHONE # 638-4604

NAME & ADDRESS OF PERSON CONTACTED Atha Jane Kelly 5.31 Vinton  
Indpls, Ind PHONE # 638-4604

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

DATE ASSIGNED 3/11/66 DATE OF CONTACT 4/13/66

OFFER \$ 3,800 TIME OF CONTACT 2:00 P.M.

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

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

REMARKS: Mr Sullivan met with Mrs Kelly to  
purchase her property for the Indiana State  
Highway. Mrs Kelly signed the Vouchers,  
Warranty Deed, Agreement for Possession, Mr Sullivan  
left copies of the Warranty Deed, Receipt for  
Warranty Deed, Agreement for Possession, and a  
Key letter.  
Mrs. is Exempt from Property Tax  
Received \$440 Cash for Documentary Stamps.

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

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

me 3-4385  
Frank L Sullivan Sr  
(Signature)



parcel 81

INTERIM CERTIFICATE OF TITLE

Pioneer National Title Insurance Company

Union Title Division

S.R. I70	PROJECT I70-3 (52)	COUNTY Marion	PNTIC # 65-14049-S
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Name on Plans Frank Kelly and Atha Jane Kelly

Name of Fee Owner Not Available

PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby certifies that a search of the records from July 7, 1965, 8 A.M. to and including April 20, 1966, 8 A.M. reveals no changes as to the real estate described under PNTIC # 65-14049-A except:

- Taxes for 19 65 payable 19 66 in name of Frank and Atha Jane Kelly  
Duplicate # 6050181 Parcel # 1004833 Township I-Center Code # 1-01  
May \$ None Payable ~~(XXXXXX)~~ November \$ None Payable ~~(XXXXXX)~~  
Taxes for 19 66 payable 19 67 now a lien.

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

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

*Ray E. Sweat*

Assistant Secretary

*Walter A. McLean*

Vice President

Countersigned and validated as of the 26th day of April, 19 66.

*James I. Wright*  
Authorized Signatory  
**JAMES I. WRIGHT,**  
Attorney

**ARTHUR F. HAUFLE**

CIVIL ENGINEER & SURVEYOR

327 PEOPLES BANK BUILDING

INDIANAPOLIS, INDIANA

TELEPHONE MA. 5003

Lot 139; in Simon Yandes Subdivision  
House # 531 Vinton Street

Railroadmen's Fed. Sav. & Loan Assn.  
Indianapolis, Indiana.

Re: Frank Kelley -Loan # New loan -Dept. Legal

Gentlemen:

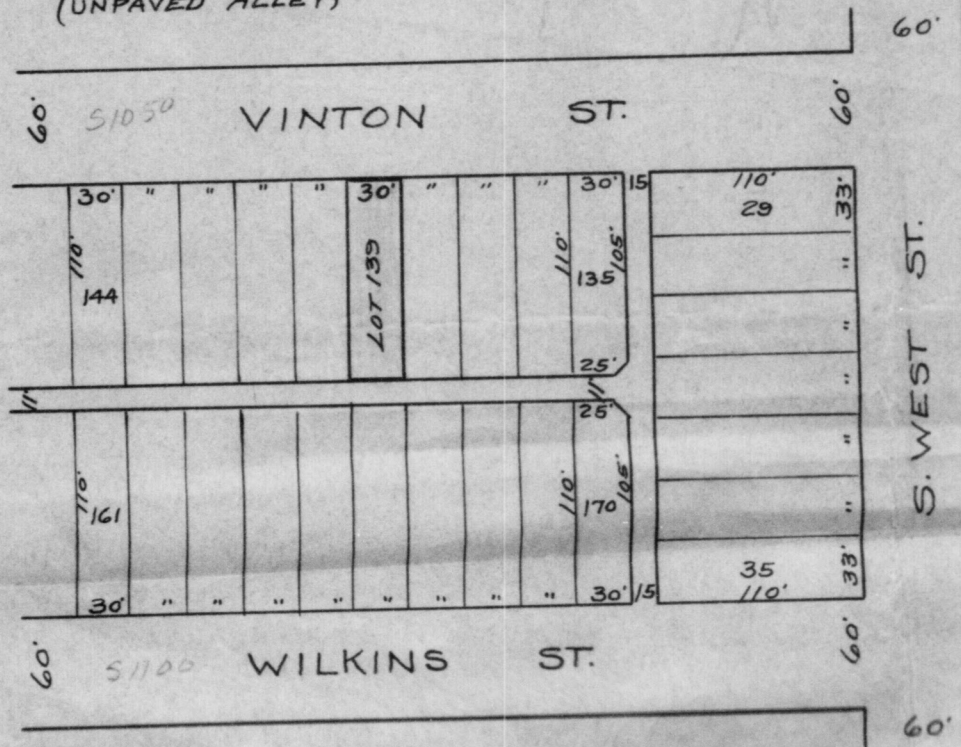
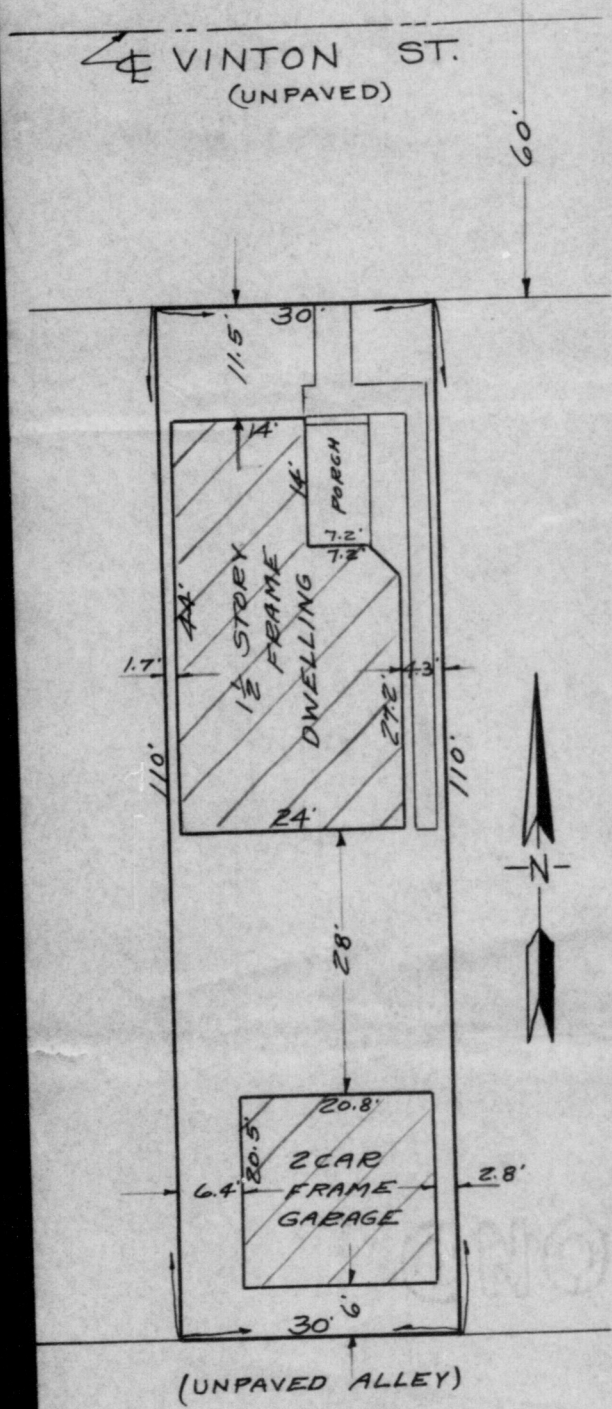
I, the undersigned, hereby certify that the within plat is true and correct of the following described real estate to-wit:- Lot 139, in Simon Yandes Subdivision of the East part of Out Lot 129, in the City of Indianapolis, recorded in plat book 2, page 112, in the office of the Recorder, Marion County, Indiana.

I further certify that the buildings situated on the above described real estate are located on and within the boundaries of said premises. I further certify that the buildings located on the adjoining property do not encroach upon said Lot 139.

The survey was made by me this 27th day of October, 1943.

A. F. Haufler,

By A. F. Haufler





# ABSTRACT OF TITLE.

Book 139 in Gaudes' Subdivision  
of Out Lot 129, in the City  
of Indianapolis, in

Marion County, Indiana,  
Prepared for Simon Gaudes Esq.

—BY—

**THEODORE STEIN,**

Successor to Wm. C. Anderson,

Hartford Block, 86 East Market St.

Indianapolis, Indiana.

## HISTORICAL NOTES.

After the first permanent settlement of the North American Continent by the Spaniards in Florida about 1568 by the French in Nova Scotia in 1605 and again at Quebec in 1608 and by the English in Virginia in 1607, the French with the aid of the catholic church through it's Jesuit missionaries succeeded in gaining control by way of the great lakes, of the country south thereof and north of the Ohio River.

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

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

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

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

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

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

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

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

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

By virtue of the treaty at St. Marys, Ohio, in 1818, all lands in Central Indiana with certain exceptions were ceded to the United States; the territory thus acquired including the present boundaries of Marion County.

By act of Congress, the United States granted to the State of Indiana, four sections of land for a State Capital, the donation consisting of section 1, 2 and 12 and part of sections 3 and 11 in Township 15 North of Range 3 East, containing in all 2560 Acres; the surveys being made in 1819.

The town of Indianapolis was laid off in 1821; the original survey of 101 Squares, of which some were subdivided into lots, embracing an area of 1 square mile, near the center of the 4 sections comprising the donation. The remaining portion of the donation was surveyed and platted in 1831, when a plat including the original survey was filed in the Recorders Office July 5, 1831.

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





H. p, 453  
Apr. 14, 1837.  
Recorded  
Oct. 28, 1837.  
1.

Thomas H. Sharpe, Agent of State  
for the Town of Indianapolis,  
to  
Edwin J. Peck.  
Out Lot 129. in the Town of Indianapolis.

Agent's Deed.

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J. p, 142  
May 28, 1838.  
Recorded  
May 28, 1838.  
2.

Edwin J. Peck,  
to  
Stoughton A. Fletcher and Henry Bradley.  
Out Lot 129. and other property in the Town  
of Indianapolis.

Warranty Deed.

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C.C. p, 122  
May 10, 1852.  
Recorded  
Aug. 19, 1852.  
3.

Stoughton A. Fletcher and Julia R.  
Fletcher his wife, Henry Bradley  
and Maria Bradley his wife,  
to  
The Lawrenceburgh and Upper  
Mississippi Rail Road Company.  
Out Lot 129. in the Town of Indianapolis.

Warranty Deed.

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1. p, 275  
Aug. 29, 1853.  
Recorded  
Sept. 12, 1853.  
4.

The Lawrenceburgh and Upper  
Mississippi Rail Road Company  
by G. H. Dunn, President,  
to  
William N. Jackson.  
Out Lot 129. in the Town of Indianapolis.

Warranty Deed.

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4. p, 466  
June 14, 1856.  
Recorded  
July 30, 1856.  
5.

Alexander C. Lanier,  
to  
William N. Jackson.  
Out Lot 129. in the Town of Indianapolis.  
For affidavit relative to Lanier being unmarried June  
14, 1856, see Miscellaneous Record 13. page 350, and  
14. page 356.

Warranty Deed.

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19. p, 102  
Sept. 29, 1863.  
Recorded  
Oct. 31, 1863.  
6.

William N. Jackson,  
to  
Simon Yandes.  
Out Lot 129. in the Town of Indianapolis.  
See affidavit in Miscellaneous Record 13. page 350, and  
14. page 356.

Warranty Deed.

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Plat Book  
2. p, 112  
Oct. 12, 1863.  
Recorded  
Nov. 4, 1863.  
7.

Simon Yandes filed Plat of Simon Yandes' Subdivision of  
the East part of Out Lot 129. in the City of Indianapolis  
into 250 lots, numbered 1 to 250 inclusive.

37. p, 74  
Oct. 2, 1868.  
Recorded  
Oct. 5, 1868.

Winslow S. Pierce and  
Ann H. Pierce his wife,  
to  
James H. McKernan.

Warranty Deed.

8.

Undivided  $\frac{1}{3}$  of lot 139. in Yandes' Subdivision  
of Out Lot 129. and other property in the Town of  
Indianapolis.

9.

James H. McKernan died testate in January 1877.

Will Record

F. p, 158  
Jan. 24, 1874.

10.

Last Will and Testament of James H. McKernan, deceased,  
probated January 31, 1877.

Bequeaths to his wife Susan McKernan one equal  $\frac{1}{3}$   
of his Real Estate and all the remainder is to be divi-  
ded into 5 equal parts.

1. One part to the wife and 2 children of David S.  
McKernan.

2. One part to Louis McKernan in fee simple.

3. One part to Joseph V. McKernan in fee simple.

4. One part to Leo A. McKernan in fee simple.

5. The remaining  $\frac{1}{5}$  to William E. McKernan in fee  
simple to be held by and vested in the Right Rev. Maurice  
de St. Palais the present Bishop of Vincennes, and after  
his death to his successor as Bishop with power to sell  
and convey any of the property of the said William E.  
McKernan, but said Trust and power to terminate with the  
life of said William E. McKernan.

11.

The Estate of James H. McKernan deceased, was finally  
settled and closed November 28, 1890; see Order Book  
90. page 115, etc.

148. p, 338  
Dec. 28, 1881.  
Recorded  
June 3, 1882.

12.

Aquilla Q. Jones, Special Master  
Commissioner by order Superior Court  
of Marion County in Cause No. 17906;  
see Order Book 95 page 525, etc.

Commissioner's  
Deed.

to  
Susan McKernan, Joseph V. McKernan,  
Louis H. McKernan, Leo A. McKernan,  
William E. McKernan, Mary McKernan  
and Henry McKernan, heirs and devisees  
of James H. McKernan, deceased.

The undivided  $\frac{2}{3}$  of Lot 139. and other property  
as above described; included in this order is also the  
confirmation of the title to the remaining  $\frac{1}{3}$  of said  
lots in Simon Yandes.

Examined and approved by Lewis C. Walker, Judge.

170. p, 3  
June 12, 1884.  
Recorded  
June 12, 1884.

13.

Leo A. McKernan, unmarried,  
to  
Joseph V. McKernan.

Warranty Deed.

All the grantor's Interest in same lot 139. and  
other property, being the undivided  $\frac{2}{15}$ ths of the undi-  
vided  $\frac{2}{3}$ rds of same.



14. Louis H. McKernan died testate in 1889.

Will Record

K. p, 1  
Apr. 8, 1889.

Last Will and Testament of Louis H. McKernan, deceased, probated April 22, 1889.

Gives all his property to his wife Ella McKernan.

15.

In the Marion Circuit Court.

In the matter of the Trusteeship of William E. McKernan.

Resignation of the Right Rev. Francis Silas Chatard Bishop of Vincennes as successor of the Right Rev. Maurice de St. Palais, in the Trust of William E. McKernan filed December 3, 1890, and accepted by the Court who then and there appointed Joseph V. McKernan as such Trustee with full power and authority to do and perform each and every act with reference to said William E. McKernan and his property as said Will of James H. McKernan deceased, directed; see papers on file.

16.

For appointment of John A. Reaume Trustee in place of Joseph V. McKernan deceased, on January 12, 1892, see Order Book 94. page 555, etc.

17.

Edmonia G. McKernan died intestate in 1879.

Estate Docket

10. p, 179  
Sept. 15, 1879.

Joseph V. McKernan was appointed, and qualified as administrator of the Estate of Edmonia G. McKernan deceased:

On April 21, 1891, Joseph V. McKernan resigned and William H. A. Dell was appointed and qualified as administrator de bonis non, of the Estate of Edmonia G. McKernan deceased; see Order Book 91. page 513.

18.

June 24, 1898. The Estate of Edmonia G. McKernan, deceased, was finally settled and closed. See Order Book 134 page 63.

In the Marion Circuit Court.

No. 5667.  
Suit filed  
May 4, 1891.

William H. A. Dell, Administrator  
etc. of the Estate of Edmonia G.  
McKernan, deceased,  
versus

Partition.

19.

Susan McKernan, Ella McKernan, David S. McKernan, William E. McKernan, Mary McKernan, Henry McKernan, Joseph V. McKernan, Alexander C. Ayres Trustee, Joseph V. McKernan Trustee of William E. McKernan, Patrick C. Leary and Robert F. Catterson.

The Commissioners herein set off to the defendants Susan McKernan, Ella McKernan, William E. McKernan, Mary McKernan, Henry McKernan and Joseph V. McKernan, the undivided  $\frac{2}{3}$  of above described lot 139. and others;

See Entry and confirmation July 3, 1891, in Order Book 93. page 437, and full proceedings in Complete Record 51. page 343, etc. = See also Town Lot Record 262. page 37. =

ATTEST, UNION TITLE CO.  
BY Albert M. Briston  
PRESIDENT

20. Joseph V. McKernan died testate December 5, 1891.

Will Record

L. p, 70  
May 9, 1891.

Last Will and Testament of Joseph V. McKernan, deceased, probated December 11, 1891.

21.

Gives all his property Real and personal to his mother Susan McKernan and appoints his said mother, Executrix.

Estate Docket

16. p, 1734  
Dec. 11, 1891.

Susan McKernan was appointed, and qualified as Executrix of the last Will and Testament of Joseph V. McKernan deceased; see Order Book 94. page 475.

22.

The Estate of Joseph V. McKernan deceased, was finally settled and closed September 4, 1893; see Order Book 102. page 431.

243. p, 34  
May 12, 1892.  
Recorded  
May 28, 1892.

Henry McKernan, unmarried,

Deed.

to

Mary McKernan.

The undivided 2/43rds, being all his interest in lot 139. and other property in the City of Indianapolis.

23.

24.

For marriage of Mary Gertrude McKernan to John H. McMorrow, see Marriage Record 24. page 237.

250. p, 284  
Dec. 16, 1892.  
Recorded  
Jan. 18, 1893.

Simon Yandes, unmarried,

Quit Claim Deed.

to

Susan McKernan, Ella McKernan, William E.

McKernan, Mary McMorrow, formerly Mary McKernan.

Lot 139. and other property in Yandes' Subdivision as above described.

25.

256. p, 523  
June 16, 1893.  
Recorded  
June 19, 1893.

Ella McKernan widow, Mary McMorrow and John H. McMorrow her husband, William

Quit Claim Deed.

E. McKernan, unmarried, and William E.

McKernan by John A. Reaume, Trustee,

to

26.

Susan McKernan.

Lot 139. and other property in Yandes' Subdivision of the East part of Out Lot 129. in the City of Indianapolis.

285. p, 146  
Mch. 28, 1896.  
Recorded  
Apr. 18, 1896.

Susan McKernan,

Quit Claim Deed.

to

Simon Yandes.

Undivided 1/3 part of lot 139. in Simon Yandes' Subdivision of East part of Out Lot 129. and other property in the City of Indianapolis.

27.

The above described lot and parts of lots were by mistake included in a deed from Ella McKernan, Mary McMorrow, John H. McMorrow, William E. McKernan and John A. Reaume Trustee for William E. McKernan, to me said Susan McKernan, of date June 16, 1893, (recorded in Deed Record 256. page 523). The said grantors having no interest or claim to the above described lot and parts of lots, and the Quit Claim Deed is now executed for the purpose of removing the cloud thereby created, from the title of said Yandes to said described lot and parts of Lots.



There are no further conveyances.

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- 28. Mortgages none unsatisfied.
  - 29. Assessment for Improvement of West Street paid.
  - 30. Assessment for Kentucky Avenue Interceptor paid.
  - 31. Taxes for 1895 paid as to First Installment.
- 

Indianapolis, Ind., June 16, 1896.

I find no further conveyances, nor unsatisfied encumbrances of record on tract as described in caption.

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

*Theodore Stein*  
Suite 229 Lemeke Building.

Continuation of Abstract of Title to lot 139. in Simon Yandes' Subdivision of the East part of Out Lot 129. in the City of Indianapolis.

Prepared for Mrs. Ida J. Brake, since date of former continuation June 16, 1896.

287. p, 350  
June 18, 1896.  
Recorded  
July 15, 1896.

Susan McKernan and Simon Yandes,  
both unmarried,  
to  
Ida J. Brake.

Lot 139. in Simon Yandes' Subdivision of the East part of Out Lot 129. in the City of Indianapolis.

Warranty Deed.

There are no further conveyances.

314. p, 188  
June 18, 1896.  
Recorded  
July 13, 1896.

Mortgage.

Ida J. Brake and  
Thomas Brake her husband,  
to  
Susan McKernan and Simon Yandes.

Same lot 139. as described in caption.  
To secure 8 promissory notes; 4 of said notes for \$66.67 each, payable in 12, 24, 36 and 48 months after date to the order of Susan McKernan, and 4 of said notes of \$33.33 each, at 12, 24, 36 and 48 months after date to the order of Simon Yandes, with 6% p.a. interest payable annually; 8% after maturity and 5% attorney's fees; given to secure the unpaid balance purchase money.

Mortgage.

Assessment for Improvement Vinton Street paid: Record 36. page 292.

Assessment for Main Sewer in Morris Street paid: Record 46. page 57:

1898 assessment for Sprinkling Vinton Street paid: Record 16. page 219:

Taxes for 1898 paid as to first installment: Second Installment amounting to \$5.07 not paid:

Taxes for 1899 now a lien.

*Release  
Recorded  
Sept 5-1899  
S.*

*Z since paid  
S.*

*RELEASED  
MORTGAGE PAID  
SINCE PAID TO  
MARION TITLE GUARANTY COMPANY  
BY  
S. J. P. [Signature]*

*Sept. 5. 1899  
RELEASED  
MORTGAGE PAID  
SINCE PAID TO  
MARION TITLE GUARANTY COMPANY  
BY  
S. J. P. [Signature]*



Indianapolis, August 31, 1899.  
I find no further conveyances, nor unsatisfied encumbrances of record on tract as described in caption.

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

*Richard H. ...*  
*Jr.*

Suite 229 Lemcke Building.

Continuation of Abstract of Title to Lot 139, in Simon Yandes' Sub-division of the Eastpart of Out Lot 129, in the City of Indianapolis, Indiana.

Prepared for John R. Welch, since date of former continuation, dated August 31, 1899.

317, p. 345.  
Sept. 1, 1899.  
Recorded  
Sept. 5, 1899.

Ida J. Brake, and  
Thomas Brake, her husband.  
to

Warranty Deed.

John Barton.  
Lot 139, in I. Yandes' Sub-division of the East part of Out Lot 129, in the City of Indianapolis.  
Subject to the taxes for the year 1899.

There are no further conveyances.

Taxes for the year 1903, paid in full.

Taxes for the year 1904, now a lien.

Indianapolis, June 18, 1904.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in caption, since date of August 31, 1899.

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

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



17721.

Continuation of Abstract of Title to Lot 139 in Simon Yandes' Subdivision of the East part of Out Lot 129, in the City of Indianapolis, Indiana.

Prepared for John Barton, since date of former continuation dated June 18, 1904.

There are no further conveyances.

Taxes for the year 1904 paid in full.

Taxes for the year 1905 now a lien.

SINCE PAID IN FULL  
ATTEST UNION TITLE CO.  
BY *Willis Wood*  
MANAGER

Indianapolis, Ind., May 27, 1905.

We find no further conveyances, nor unsatisfied encumbrances of record on lot as described in caption, since date of June 18, 1904.

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

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

MARION TITLE GUARANTY COMPANY,

-1-

BY *Arthur Cooper* MANAGER

247490

CAPTION

-1-

Continuation of Abstract of Title to Lot 139 in Simon Yandes' Subdivision of the East part of Out Lot 129 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 112, in the office of the Recorder of Marion County, Indiana. Since May 27, 1905.

Prepared for: J. E. McManamon.

Misc. Record  
123 page 387  
Dec. 20, 1921  
Recorded  
Jan. 6, 1922

-2-

STATE OF INDIANA, MARION COUNTY, SS:

John R. Welch, being duly sworn upon his oath says that he was well acquainted in their respective life time with James H. McKernan, Louis H. McKernan and Joseph V. McKernan. And affiant says that each of the above named died testate and that the will of James H. McKernan is of record in Will Record F. page 128 and that of Louis H. McKernan is of record in Will Record K. page 1 and that of Joseph V. McKernan is of record in Will Record L. Page 70 in the office of the Clerk of Marion Circuit Court. Affiant say that none of said testators had children born to them after the execution of said respective wills.

Affiant further says that he was well acquainted with Susan McKernan in her life time. That said Susan McKernan was unmarried on March 28, 1890, when she made deed to Simon Yandes of Lot 123 and other real estate in Simon Yandes Subdivision of the east part of Out Lot 129 in the City of Indianapolis, which deed is of record in Town Lot Record 285 page 146 of Marion County Recorders Office.

John R. Welch

Subscribed and sworn to this 20 day of December 1921.

Frank Seidensticker (LS)  
Notary Public

My Commission expires June 6, 1922.



247490

Misc. Record  
171 page 61  
May 24, 1924  
Recorded  
May 27, 1926

-3-

STATE OF INDIANA, COUNTY OF MARION, SS:

James H. McKernan Jr. being duly sworn upon his oath says:

That he is a resident of Indianapolis, Marion County, Indiana, and he is a grandson of James H. McKernan, Sr., whose will dated January 24, 1874 was probated January 31, 1877 in the Circuit Court of Marion County, Indiana, and which will is of record in Will Record F. at page 158 of the records in the Clerk's Office of Marion County, Indiana.

Affiant says that he is familiar with the children of James H. McKernan, Sr. and knows that no children were born to said James H. McKernan Sr., subsequent to January 24, 1874.

Affiant further says that the wife and two children of David S. McKernan, the son of James H. McKernan, Sr. referred to in Item 3 of said will were Edmonia G., his wife and Henry McKernan and Mary McKernan, his children.

He further says that said Edmonia G. McKernan died prior to her husband, David S. McKernan, without leaving a will and left surviving her as her only heirs her said husband, David S. McKernan and her said children Henry McKernan and Mary McKernan and that there survives said decedent, Edmonia G. McKernan, no other child or children, and no other descendant of a deceased child or children.

Affiant further says that he is a son of Louis H. McKernan, whose will dated April 8, 1869 was probated April 22, 1889 and is of record in Will Record K at page 1 of the records in the Clerk's Office of Marion County, Indiana, and affiant says that no children were born to his said father Louis H. McKernan after the date April 8, 1869 of said will.

James H. McKernan

Subscribed and sworn to before me this 24th day of May 1924.

My commission expires May 28, 1927.

J. Stephen Fullen (LS)

Notary Public

Marion County, Indiana.

Town Lot Record  
461, page 508  
Inst.#10041  
May 28, 1910  
Recorded  
May 31, 1910

John Barton and  
Catherine Barton,  
his wife,

to

Dennis Barton,  
Trustee, unmarried.

Warranty Deed

Lot 139 in Simon Yandes Subdivision of the East part of Out Lot 129 in the City of Indianapolis.  
Also other real estate.

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247490

Subject to all taxes and municipal assessments.  
The terms of the trust herein created are soley  
and only that said trustee shall immediately convey  
said described real estate to said John Barton and  
Catherine Barton, husband and wife, the grantors here-  
in as tenants by the entireties.

Town Lot Record  
461, page 509  
Inst. #10042  
May 28, 1910  
Recorded  
May 31, 1910

Dennis Barton, Trustee,  
unmarried,  
to  
John Barton and  
Catherine Barton,  
husband and wife,  
as tenants by the  
entireties.

Warranty Deed

-5-

Lot 139 in Simon Yandes Subdivision of the East  
part of Out Lot 129 in the City of Indianapolis.

Also other real estate.

Subject to all taxes and municipal assessments.

This conveyance is made to carry out the terms  
of the trust created in a deed of even date herewith  
and to vest the title of the above described real  
estate absolutely and in fee in the grantee herein,  
as tenants by the entireties.

-6-

Catherine Barton died -- May 31, 1932 as appears at  
a subsequent entry herein.

-7-

NOTE: No letters of administration issued in the  
Clerk's office of Marion County, Indiana, upon an  
estate of Catherine Barton, deceased. No will of  
said decedent filed for probate in said County.



247490

Town Lot Record  
1004 page 362  
Inst. #43199  
Dec. 24, 1938  
Recorded  
Dec. 24, 1938

-8-

STATE OF INDIANA, COUNTY OF MARION, SS:

Mary Barton being first duly sworn upon oath, says that she is of legal age and a resident of Marion County, Indiana. She is the daughter of John Barton, who holds title to the following described real estate in Joint Tenancy as husband and wife, with his deceased wife, Catherine Barton.

The real estate situated in Marion County, Indiana, is described as follows:

Lot numbered 5 in Allen and Root's North Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book #3 at page 129 in the office of the recorder of Marion County, Indiana, also

Lot 139 in Simon Yandes' Sub. of the East part of Out Lot 129 in Indpls., Marion County, Indiana.

Affiant states that her mother Catherine Barton with whom Joint Tenancy to the above Real Estate is held with her father John Barton departed this life May 31st, 1932.

This affidavit is made for the purpose of prevailing upon the Auditor of Marion County, Indiana, to change the Tax Duplicates and enter the above Real Estate for taxation in the name of John Barton.

Further affiant saith not.

Mary Barton

Sworn to before me and subscribed in my presence, this the 24th day of December, 1938.

Nettie T. Landers (L.S.)

My commission expires November 9, 1941.

Town Lot Record  
1004 page 363  
Inst. #43200  
Dec. 24, 1938  
Recorded  
Dec. 24, 1938

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John Barton, Widower of  
Catherine Barton, deceased  
and now unmarried,

Warranty Deed

to  
Dorathy Julian, Trustee  
for the sole purpose of  
reconveyance immediately

Lot Numbered 5 in Allen and Root's North Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book #3 at Page #129 in the office of the recorder of Marion County, Indiana.

Lot 139 in Simon Yandes Sub. of the East part of Out Lot 129 Indianapolis, Marion County, Indiana.

70 feet off the East End of Lot Numbered 30 in Noble Heirs Sub. of Out Lots 45, 50, 55, 56 and 61 Indianapolis, Marion County, Indiana.

247490

Town Lot Record  
1004 page 364  
Inst. #43201  
Dec. 24, 1938  
Recorded  
Dec. 24, 1938

Dorathy Julian, unmarried  
and Trustee for the sole  
purpose of reconveyance  
at once

Quit Claim Deed

to

John Barton,  
✓Catherine Barton,  
Dennis Barton,  
✓Mary Barton,  
✓John Barton, Jr.  
✓Daniel Barton,  
✓Ann Barton, and  
✓Emmett Barton, in  
Joint Tenancy sur-  
vivor or survivors  
take whole

Lot Numbered 5 in Allen and Root's North Addi-  
tion to the City of Indianapolis, as per plat there-  
of recorded in Plat Book #3 at Page #129 in the of-  
fice of the recorder of Marion County, Indiana.

Lot 139 in Simon Yandes Sub. of the East part  
of Out lot 129 Indianapolis, Marion County, Indiana.

70 feet off the East End of Lot Numbered 30 in  
Noble Heirs Sub. of Out Lots 45, 50, 55, 56 and 61  
Indianapolis, Marion County, Indiana.

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John Barton died testate December 24, 1938.

Will Record  
ZZ page 482  
Probated  
Dec. 30, 1938

LAST WILL AND TESTAMENT OF JOHN BARTON, DECEASED.

I, John Barton, being of sound mind and memory  
do declare this to be my Last Will and Testament  
revoking any and all former Wills heretofore made  
by me.

ITEM I. I desire that all my just debts, ex-  
penses of my last sickness, and funeral be paid as  
soon as possible after my death.

ITEM II. I give, devise and bequeath to my  
wife, Catherine Barton, all of my property both  
real and personal that I may die the owner of.

ITEM III. If my wife, be dead at my death,  
then I desire that all of my property both real and  
personal be divided share and share alike amongst  
my following named children; Mary Barton, Catherine  
Barton, Dennis Barton, John Barton, Daniel Barton,  
Anna Barton, and Emmett Barton.

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247490

ITEM IV. I hereby constitute and appoint Mary Barton, my daughter, as the Executrix of this my Last Will and Testament.

Signed, and sealed this 29th day of December, 1928.

(SIGNED) John Barton

Signed, sealed and acknowledged and declared to be the last will and testament of John Barton who in his presence, at his request and in the presence of each other, we the undersigned, have hereunto set our hands and seals as witness thereof.

(SIGNED) Herbert E. Wilson

(SIGNED) Charles Unger

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket  
114 page 40807

-13-

IN THE MATTER OF THE ESTATE OF JOHN BARTON, DECEASED.

December 30, 1938 Will probated in Open Court. Bond filed. Mary E. Barton duly appointed and qualified as Executrix of the last will and testament of John Barton, deceased.

Order Book 184 page 685.

January 24, 1939 Proof of notice of appointment filed.

November 6, 1939 Petition to file final report after six months filed. Approved.

Order Book 189 page 208.

November 27, 1939 Verified final report filed.

December 22, 1939 Proof of publication of final notice filed.

January 6, 1940 Proof of posting of final notice filed, final report approved and estate closed.

Order Book 190 page 429.

Final Report Record 108 page 305.

NOTE: Entry on final report reads in part as follows, to-wit:- And the Court, having examined said report, finds that more than six months have elapsed since the granting of letters testamentary in said estate and the giving of notice thereof; that all of decedent's debts and legacies have been paid and discharged, and that said decedent died the owner of the following described real estate situated in Marion County, Indiana, to-wit:

Lot numbered 10 in Butler Heir's Subdivision of lots numbered 26, 27, and 28 in Butler's Addition to College Corner in the City of Indianapolis, Indiana, Marion County, Indiana, also known as 1533-35 Carrollton.

247490

Lot 5 in Allen & Root's North Addition to the City of Indianapolis, as per plat thereof, as recorded in Plat Book 3 page 129 in the records in the office of the Recorder of Marion County, Indiana, known as 1618 North Delaware, Indianapolis, Indiana.

Lot No. 139 in Simon Yandes Sub-division of the East part of Out Lot 129 in the City of Indianapolis, Indiana, known also as 515 Vinton.

Strip of ground of even width 70 feet off of the entire East end of Lot 30 in the Noble Heir's Subdivision of Out Lot 45, 50, 55, 56, and 61 in the City of Indianapolis, County of Marion, State of Indiana, as shown by Plat Book #1 on page 31 in the office of the Recorder of Marion County, Indiana, known also as 713-15 East Vermont Street.

That at the time of the death of said decedent the title to said real estate vested pursuant to the terms of the last will and testament of said decedent.

That an order has been duly entered authorizing the settlement of said estate after the expiration of six months from the completion of notice of the issuance of letters herein.

That no gross income tax was payable upon said estate.

And the Court further finds that said estate has been fully settled and administered upon, in accordance with the provisions of said last will and testament, as shown by said report and vouchers filed therewith.

That no inheritance tax was assessed against said estate.

And the Court further finds that said final report should be approved and said Executrix be discharged.

IT IS NOW ORDERED AND DECREED that said report be in all things approved and confirmed, and said Executrix be, and now is, discharged.

ABTRACTOR'S NOTE:- Schedule of property of said decedent filed with the Inheritance Tax Appraiser for Inheritance Tax Appraisement lists the real estate described in the caption hereof as an asset of said estate. Said Schedule further shows the gross value of said decedent's estate to be \$19,550.15.



247490

Town Lot Record  
1032 page 493  
Inst. #12915  
Jan. 31, 1940  
Recorded  
April 2, 1940

Warranty Deed  
No U.S. Revenue  
Stamp Attached  
(Consideration  
\$583.31.)

-14-

Mary Barton, unmarried,  
Catherine Barton (Signed  
and Ack. Catherine A.  
Barton) unmarried  
Dennis Barton (does not  
sign or acknowledge)  
Married, John Barton, Jr.  
unmarried, Daniel Barton,  
(Signed and Ack. Daniel M.  
Barton) Unmarried, Ann  
Barton (Signed and Ack.  
Ann M. Barton) Unmarried,  
Emmett Barton, (Signed and  
Ack. Emmett P. Barton) Un-  
married

to  
Dennis J. Barton  
(Real Estate (single frame house) at 531 Vinton  
St. Indianapolis, Marion County, Indiana.

The property is further described as: Lot 139  
in Simon Yandes' Sub. of the East part of Out Lot  
129, Indianapolis, Marion County, Indiana. Same was  
recorded Dec. 24, 1938 in Book No. 1004, page 364,  
in the office of the Recorder of Marion County, Ind-  
iana.

Subject to all taxes and municipal assessments.  
This conveyance is made to carry out the terms  
of the sales of the above described real estate by  
the owners: Mary Barton, Catherine Barton, Dennis  
Barton, John Barton, Jr., Daniel Barton, Ann Barton,  
and Emmett Barton to Dennis J. Barton, and to vest  
the title of the above described real estate, abso-  
lutely and in fee to the Dennis J. Barton.

It is further understood that the Interstate  
Lumber Company Account Receivable amounting to approxi-  
mately \$150.00 against the estate comprising the 7  
names mentioned above is paid in full, as part of  
this transaction.

Together with the appurtenances and all the  
estate and rights of the parties of the first part  
in and to said premises.

To have and to hold the premises herein granted  
unto the party of the second part, and assigns for-  
ever.

And the said covenant -- as follows:

First. That said parties- seized of the said  
premises in fee simple and have good right to con-  
vey the same.

Second. That the party of the second part shall  
quietly enjoy the said premises;

Third. That the said premises are free from  
incumbrances;

Fourth. That the part- of the first part will  
execute or procure any further necessary assurance  
of the title to said premises;

Fifth. That said Dennis J. Barton will forever  
warrant the title to said premises.

247490

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.

John Barton,

from October 9, 1933  
to and including  
December 24, 1938

Catherine Barton  
and  
Catherine A. Barton,  
Mary Barton,  
John Barton, Jr.,  
Daniel Barton,  
and  
Daniel M. Barton,  
Ann Barton  
and  
Ann M. Barton,  
Emmett Barton  
and  
Emmett P. Barton,

from October 9, 1933  
to and including  
April 2, 1940

and vs

Dennis Barton  
and  
Dennis J. Barton

for the 10 years  
last past and  
against none other.

-16-

Taxes for the year 1942 on the real estate for which this abstract is prepared are assessed in the name of Dennis J. Barton and are due and payable on or before the first Mondays in May and November of 1943.

General Tax Duplicate No. 303044, A-B.,  
Indianapolis, Center Township, Parcel No. 4833.

May installment \$11.86 paid.

November installment \$11.86 unpaid.

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Taxes for the year 1943 now a lien.

SINCE PAID IN FULL  
ATTEST. UNION TITLE CO.  
Robert M. Bristol  
PRESIDENT



**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 Old Age Certificate Index in said Office, affecting the title to the real estate described in the Caption hereof.

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 18 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 10 both inclusive.

Dated at Indianapolis, Indiana, October 11, 1943, 8:00 A.M.

**UNION TITLE COMPANY**By *Willie N. Coral*  
President and General Manager

-10-BMS

# UNION TITLE COMPANY

INCORPORATED

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market St.

UNION TITLE BUILDING

Market 2361-5

INDIANAPOLIS, INDIANA

Capital Stock \$1,000,000.00

★  
247490

## 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: J. E. McManamon

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 6, 1943, 8:00 A.M. and

The Indianapolis Division of the Southern District down to and including

October 8, 1943, 8:00 A.M.

John Barton  
Catherine Barton  
Catherine A. Barton  
Mary Barton  
John Barton, Jr.  
Daniel Barton  
Daniel M. Barton  
Ann Barton  
Ann M. Barton  
Emmett Barton  
Emmett P. Barton  
Dennis Barton  
Dennis J. Barton

UNION TITLE CO.

BY *Willis A. Leval*  
PRES. & GENL. MGR.

51115



341160

CAPTION

-1-

Continuation of Abstract of Title to Lot 139 in Simon Yandes' Subdivision of the East part of Out Lot 129 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 112, in the office of the Recorder of Marion County, Indiana.

Since October 11, 1943, 8 A.M.

Prepared for: Railroadmen's Federal Savings and Loan Association

Misc. Record  
349 page 79  
Inst. #39246  
Nov. 2, 1943  
Recorded  
Nov. 3, 1943

-2-

STATE OF INDIANA, COUNTY OF MARION, SS:

Dennis J. Barton being first duly sworn on oath states that he is of lawful age and resides in Marion County, Indiana. That he is the son of John Barton and Catherine Barton, husband and wife, who took title to the following described real estate situated in Marion County, Indiana, to-wit:

Lot 139 in Simon Yandes Subdivision of the East part of Out Lot 129 in the City of Indianapolis, as recorded in Plat Book 2, page 112, in the Office of the Recorder of Marion County, Indiana, by Warranty Deed of Dennis Barton, Trustee, unmarried, executed on May 28, 1910, and recorded in Town Lot Record 461, page 509, in the office of the Recorder of Marion County, Indiana.

That on May 31, 1932, said Catherine Barton died intestate leaving as her surviving husband, said John Barton who as such husband and survivor became the owner of the above described real estate. That said John Barton and said Catherine Barton were husband and wife at the time they took title to the above realty and that they remained such continuously until the death of said Catherine Barton.

That thereafter on December 24, 1938, said John Barton died testate in Marion County, Indiana. That said John Barton was unmarried at the time of his death, and that no child or children were born to him subsequent to December 29, 1928, the date of the execution of his Last Will and Testament recorded in Will Record ZZ page 482. That the gross value of the Estate of said John Barton together with his investment in all property in which - held a joint interest was less than \$40,000.00 and not subject to Federal Estate Tax.

341160

Affiant herein states that the grantees, Catherine Barton, Dennis Barton, Mary Barton, John Barton, Jr., Daniel Barton, Ann Barton, and Emmett Barton, as referred to in deed in T.L. Record 1004, page 364, and the devisees Mary Barton, Catherine Barton, Dennis Barton, John Barton, Daniel Barton, Anna Barton, and Emmett Barton, mentioned in Item III under the Last Will and Testament of said John Barton, deceased, are all one and the same persons as Mary Barton, Catherine Barton, who signed, Catherine A. Barton, John Barton, Jr., Daniel Barton, who signed Daniel M. Barton, Ann Barton who signed Ann M. Barton, and Emmett Barton, who signed Emmett P. Barton, all grantors in Warranty Deed, and Dennis J. Barton, grantee in said deed executed on January 31, 1940, and recorded in Town Lot Record 1032, page 493 in the office of the Recorder of Marion County, Indiana.

Further affiant sayeth not.

Dennis J. Barton

Sworn to before me and subscribed in my presence,  
this 2nd day of Nov., 1943.

H.J. Hollenbeck(L.S.)  
Notary Public

My commission expires: Nov. 5, 1943.

Town Lot Record  
1128 page 372  
Inst. #39255  
Nov. 2, 1943  
Recorded  
Nov. 3, 1943

Dennis J. Barton and  
Mary F. Barton, his wife,  
to  
Frank Kelley and  
Atha Jane Kelley,  
husband and wife

Warranty Deed  
(U.S. Revenue  
Stamp attached.)

Lot 139 in Simon Yandes Subdivision of the East  
part of Out Lot 129 in the City of Indianapolis, as  
per plat thereof, recorded in Plat Book 2, page 112,  
in the office of the Recorder of Marion County, Indiana.  
(Proper citizenship clause is attached.)



341160

Old Age Assistance  
Search

-4-

Examination has been made as to the persons named under the heading of Judgment Search, and for the period so specified under said search for liens shown by notices of Old Age Assistance filed in the Office of the Recorder of Marion County, as provided by the Acts concerning Public Welfare approved March 12, 1947.

We find none.

Judgment Search

-5-

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

Dennis Barton  
and  
Dennis J. Barton

from October 11, 1943  
8 A.M. to and including  
November 3, 1943

and vs

Frank Kelly  
and  
Atha Jane Kelly  
jointly and  
not individually

for the 10 years  
last past and  
against none other.

341160

-6-

Taxes for the year 1947 on the Real Estate for which this Abstract is prepared are assessed in the name of Frank and Atha Jane Kelley and are due and payable on or before the first Mondays in May and November of 1948.

General Tax Duplicate No.360537, K.L.Mc.  
Indianapolis, Center Township, Parcel No.4833.

May Installment \$16.92 Paid.

November Installment \$16.92 Unpaid.

SINCE PAID IN FULL  
ATTEST. UNION TITLE CO.  
BY C. Edward Blum  
PRESIDENT

-7-

Taxes for the year 1948 now a lien.

SEE SUBSEQUENT CONTINUATION



**GUARANTEED CERTIFICATE**

-8-

STATE OF INDIANA }  
COUNTY OF MARION } ss:

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

**FIRST** That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, and notices of liens for Old Age Assistance entered in the Abstract 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 8 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 5 both inclusive.  
Dated at Indianapolis, Indiana, July 26, 1948, 8 A. M.

**UNION TITLE COMPANY**By *Albert M. Bristol*

-5-WJG- President

# UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market St.

UNION TITLE BUILDING

Market 2361-5

INDIANAPOLIS, INDIANA

Capital Stock \$1,000,000.00



341160

## 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: Railroadmen's Federal Savings and Loan Association*

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

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

This certificate covers all divisions of both Districts of the State down to and including July 21, 1948, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

July 22, 1948, 8 A.M.

Dennis Barton

Dennis J. Barton

Frank Kelly and  
Atha Jane Kelly  
jointly and  
not individually

UNION TITLE CO.

BY *Albert M. Bristol*

PRESIDENT

MJB



65-14049A

CAPTION

-1-

Continuation of Abstract of Title to Lot 139 in Simon Yandes' Subdivision of the East part of Out Lot 129 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, Page 112, in the Office of the Recorder of Marion County, Indiana.

Since July 26, 1948, 8 A.M.

Prepared for: Atha Jane Kelly

Old Age Assistance Search

-2-

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

Juvenile Court Search

-3-

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

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

65-14049A

Uniform Commercial Code Search has been made of the records in the Office of the Recorder of Marion County, Indiana, which search discloses no financing statements as required by the Uniform Commercial Code (Chapter 317, 1963 Acts of Indiana General Assembly) with respect to any Security Interest in crops or in fixtures containing an adequate description of real estate herein, except none.

-4-

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

-5-

Frank Kelly  
and  
Atha Jane Kelly  
jointly and  
not individually

for the 10 years  
last past and  
against none other



65-14049A

-6- Taxes for the year 1963 and prior years paid in full.

-7- Taxes for 1964 payable 1965 in name of Frank & Atha  
Jane Kelley.

General Tax Duplicate No. 300595, Indianapolis  
Center Township, Code No. 1-01, Parcel No. 4833.

May Installment none payable

November Installment none payable

Assessed Valuation

Land \$230.00	Improvements \$420.00	Old Age Exemption \$650.00
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-8- Taxes for 1965 now a lien in name of Frank & Atha  
Jane Kelley.

## SYNOPSIS OF ZONING AND PLANNING REGULATIONS

-9- The original comprehensive Zoning Ordinance of the City of Indianapolis, General Ordinance No. 114-1922, was repealed and reordained by General Ordinance No. 104-1950, as amended, to regulate and restrict height, area, bulk and use of buildings and to specify and regulate location of industries and commercial enterprises.

A Marion County Master Plan, Permanent Zoning Ordinance, prepared by the Marion County Plan Commission, was adopted by the Board of Commissioners Nov. 12, 1948, and a certified copy was recorded February 24, 1949, in Miscellaneous Record 430, page 384 etc., for regulating use and intensity of use of land, location of industries and commercial enterprises, prescribing minimum dwelling dimensions and lot area requirements and defining use classifications, providing subdivision controls and thoroughfare plans.

The Metropolitan Plan Commission of Marion County, by Resolution adopted by the County Council as Ordinance No. 8-1957 effective March 28, 1957, recorded April 1, 1957, in Deed Record 1557, page 486, adopted and continued all existing Master Plans then in force in Marion County and in the various Cities and Towns as a consolidated Master Plan.

An Airport District Ordinance was adopted by the Marion County Council Sept. 4, 1963 and recorded Oct. 7, 1963 as Instrument #59018 in the Recorder's Office, establishing an "Airport Approach Area" within a radius of 10,000 feet from the airport reference point, and an "Airport Circling Area", prescribing regulations as to character, use and height of structures and cleanness of air in said areas.

A Central Business District Zoning Ordinance effective April 7, 1964, was adopted for Metropolitan Indianapolis, classifying areas and permitted businesses, with regulations respecting use of buildings, parking, etc.

An Industrial Zoning Ordinance #63-AO-4 was adopted Nov. 7, 1963, incorporating the Industrial Land Use Map and Industrial Land Use Plan adopted by the Metropolitan Plan Commission for the classification, regulation and development of Industrial uses in Indianapolis and Marion County, including regulation and limitation of height, area, bulk and floor space of structures, and performance standards, standards of density, and traffic distribution therefor.

Low Rise Multiple Dwelling Zoning Districts Zoning Ordinance was adopted August 4, 1964, to provide for establishment of Multiple Dwelling Zoning Districts and regulations pertaining thereto, to be designated by Zoning District symbols D-6, etc.

Ordinances generally provide that lots platted or owned previously may be used even if sub-standard in size and legally established non-conforming use may be continued under existing conditions. Specified set-back lines and yard sizes are required in all areas.

Attached hereto is an exhibit showing the basic classifications designated in the ordinances affecting the City of Indianapolis and Marion County. The provisions of the ordinances are too voluminous to permit adequate reporting herein. More details can be furnished upon request, but for specific information, reference should be had to the complete text of the appropriate ordinance. This statement is a synopsis only and is furnished for general information.

According to the maps filed with the respective ordinances, the real estate described herein appears to lie in District designated I-4-U.

-10- June 8, 1965. We hereby certify that no Variance has been granted by the Board of Zoning Appeals of the City of Indianapolis and/or Marion County; affecting the use of the real estate described in the caption hereof.



## SYNOPSIS OF BASIC CLASSIFICATIONS OF ZONING ORDINANCES

## CITY OF INDIANAPOLIS ZONING ORDINANCE AS AMENDED, ESTABLISHED THE FOLLOWING DISTRICTS:

Six classes of Use Districts termed respectively Class U-1, or Dwelling House Districts; Class U-2, or Apartment House Districts; Class U-3, or Business Districts; Class U-3, (S), or General Commercial Districts; Class U-4, or First Industrial Districts; and Class U-5 or Second Industrial Districts; In addition to the six classes of Use Districts, there are two additional classes, namely U-6 or Prohibited Uses, and U-7, or Special Permit Uses.

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

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

Seven classes of Area Districts, Class AA, 15,000 square feet per family; Class A-1, 7,500 square feet per family; Class A-2, 6,800 square feet per family; Class A-3, 6000 square feet per family; Class A-4, 1700 square feet per family; Class A-5, 1100 square feet per family; Class A-6, 800 square feet per family.

## Restrictions of Floor Areas:

In Class AA district 1500 square feet;

In Class A1 District 900 square feet;

In Class A2 District 900 square feet;

In Class A-3, A4, A5, or A6 district 720 square feet.

## MARION COUNTY MASTER PLAN AS AMENDED ESTABLISHED THE FOLLOWING:

F-1 Forestry District: A-1, A-2, Agricultural District: R-1, R-2, R-3, R-4, R-5, R-6, Residential Districts: B-1, B-2, B-3, B-4, B-5, B-6, Business Districts: I-1, I-2, I-3, Industrial Districts: RT-1, RT-2, RT-3, Residential District Temporary: S, Special Uses District: RR, Railroad District; G-s, Gravel Sand District.

## Minimum requirements as follows:

District - Lot Area - Lot Width - Dwelling Dimensions

			one-story	higher
A-1	15,000	80	900	660
A-2	15,000	80	900	660
R-1	24,000	100	1500	1000
R-2	20,000	90	1200	800
R-3	15,000	80	900	660
R-4	11,250	70	720	500
R-5	9,000	60	500	500
R-6	14,000	80	900	660

Variations of foregoing are provided for multiple dwellings.

## CENTRAL BUSINESS DISTRICT ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

Central Business District One (CBD-1)

Central Business District Two (CBD-2)

Central Business District Three (CBD-3)

## INDUSTRIAL ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT

I-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT

I-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT

I-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT

I-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT

I-2-U LIGHT INDUSTRIAL URBAN DISTRICT

I-3-U MEDIUM INDUSTRIAL URBAN DISTRICT

I-4-U HEAVY INDUSTRIAL URBAN DISTRICT.

**GUARANTEED CERTIFICATE**

-11-  
STATE OF INDIANA }  
COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 11 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 6 both inclusive.  
Dated at Indianapolis, Indiana, July 12, 1965, 8 A.M.

**UNION TITLE COMPANY**

by C. Edward Blum  
President



# UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

MEIrose 2-2361

Capital Stock \$1,000,000.00

65-14049A

## UNITED STATES DISTRICT COURTS OF INDIANA

### SOUTHERN DISTRICT

Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

### NORTHERN DISTRICT

South Bend Division  
Hammond Division  
Fort Wayne Division  
Lafayette Division

SEARCH FOR  
PENDING BANKRUPTCIES  
INTERNAL REVENUE TAX LIENS

Prepared for: **Atha Jane Kelly**

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

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

This certificate covers all divisions of both Districts of the State down to and including

July 7, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

July 8, 1965, 8 A.M.

Frank Kelly  
and  
Atha Jane Kelly  
jointly and  
not individually

UNION TITLE CO.

BY *C. Edward Blum*  
PRESIDENT

s1