

C. nofel

WARRANTY DEED

Project 1-70-3(52)  
Code 0536  
Parcel 46

This Indenture Witnesseth, That James W. Phillips adult husband  
AND Agnes V. Phillips adult wife

of Marion County, in the State of Indiana Convey and Warrant to  
the STATE OF INDIANA for and in consideration of

Six thousand five hundred dollars-----\$6,500.00 Dollars,

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

LOT 10 IN JOHN ROSET'S SUB-DIVISION OF PART OF OUT LOTS 107 AND 108 OF THE DONATION LANDS OF THE  
CITY OF INDIANAPOLIS, AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 80 IN THE OFFICE OF THE  
RECORDER OF MARION COUNTY, INDIANA.

THIS CONVEYANCE IS FOR THE PURPOSES OF A LIMITED ACCESS FACILITY, AND THE GRANTOR ALSO CONVEYS AND  
EXTINGUISHES ALL RIGHTS OR EASEMENTS OF INGRESS OR EGRESS TO, FROM, OR ACROSS THE ABOVE-DESCRIBED  
REAL ESTATE.

RECEIVED FOR RECORD

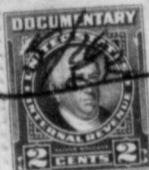
1966 JUL -7 AM 10:44

MARCIA M. HAWTHORNE  
RECORDER OF MARION COUNTY

DULY ENTERED  
FOR TAXATION

JUL 7 1966

John T. Sutton  
COUNTY AUDITOR



7.70

Paid by Warrant No. 4-104097  
17-104096

Dated 6-22 1966

W.H.B  
5-17-66

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.

In Witness Whereof, the said

Grantors

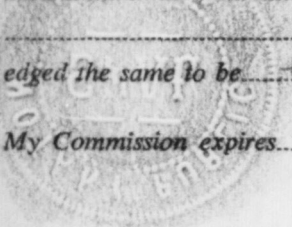
James W. Phillips (Seal) Agnes V. Phillips (Seal)  
James W. Phillips adult husband (Seal) Agnes V. Phillips adult wife (Seal)  
(Seal) (Seal)  
(Seal) (Seal)  
(Seal) (Seal)

MAY 26 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, ..... 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 16  
 day of MAY, A. D. 1966; personally appeared the within named.....  
JAMES W. PHILLIPS AND AGNES V. PHILLIPS  
 ..... Grantor..... in the above conveyance, and acknowl-  
 edged the same to be THE R 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 2-6-69 ..... Notary Public  
J. Keach  
L. Keach



66 34138

**WARRANTY DEED**

FROM

TO

**STATE OF INDIANA**

Received for record this.....  
 day of....., 19.....  
 at..... o'clock..... m, and  
 Recorded in Book No..... page.....  
 Recorder..... County  
 Duly entered for taxation  
 FOR TAXATION  
 day of..... 1966, 19.....  
 Auditor's fee \$ 11.1  
 Auditor John T. Sutton County Auditor  
 COUNTY AUDITOR..... County

35

Division of Land Acquisition  
 Indiana State Highway Commission

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

June 27 1966

To

Phillips, James W. and Agnes V.  
2435 E. Bradbury ST.  
Indianapolis,  
Indiana

## GENTLEMEN:

We enclose State Warrant No. A-104096 6-22-1966  
in settlement of the following vouchers: Transmittal #187

DESCRIPTION	AMOUNT	
Purchase  <i>For the purchase of Right of Way on State Road</i> No. <u>I 70</u> in <u>Marion</u> County <u>I</u> Project <u>70-3</u> Section <u>(52)</u> as per Grant dated <u>May 16, 1966</u>  Parcel #46		.5,900 00

## PLEASE RECEIPT AND RETURN

Received Payment:

Date:

*James W. Phillips*  
*Agnes V. Phillips*  
7/8/66

## INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 • 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA

June 27 1966

To

Phillips, James W. and Agnes V  
2435 E. Bradbury ST.  
Indianapolis,  
Indiana

## GENTLEMEN:

We enclose State Warrant No. 17-104097 6-27-66  
in settlement of the following vouchers:

Transmittal #187

DESCRIPTION	AMOUNT
Purchase	
For the purchase of Right of Way on State Road	
No. <u>I 70</u> in <u>Marion</u>	
County <u>I</u> Project <u>70-3</u>	
Section <u>(52)</u> as per Grant dated	
<u>May 16, 1966</u>	
Parcel #46	600 00
(Escrow)	

## PLEASE RECEIPT AND RETURN

Received Payment:

Date

James W. Phillips  
Agnes V. Phillips  
Aug 24, 1966

Control  
~~Parcel~~

APPRAISAL REVIEW FORM

Division of Land Acquisition  
Indiana State Highway Commission

Project I-70-3(52)  
Parcel No. 46  
Road I-70  
County Marion  
Owner James Phillips et al  
Address 3240 Payne Drive  
Address of Appraised Property:  
1009 High Street

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. Acc.
- 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. Acc.
- 8. I have personally inspected the site and familiarized myself with the parcel on... 4-20-66
- 9. The computations of this parcel have been checked and reviewed. Yes
- 10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices. Yes

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

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

It is my opinion as of April 20, 1966 :  
(Date)

Estimate of Appraisers:

	By: <u>Dawson</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$6,500	\$	\$6,500
(b) The fair market value of the property after the taking, assuming the completion of the improvement is:	\$ - 0 -	\$	\$ - 0 -
The Total Value of Taking Is: (a minus b) TOTAL	\$6,500	\$	\$6,500
(1) Land and/or improvements	\$6,500	\$	\$6,500
(2) Damages	\$ - 0 -	\$	\$ - 0 -
(3) Less non-compensable items	\$ - 0 -	\$	\$ - 0 -
(4) Estimated Total Compensation	\$6,500	\$	\$6,500

Approved	Date	Signature
Rev. Appr.	4-20-66	<u>James Phillips et al</u>
Asst. or Chief Appr.	4-22-66	<u>[Signature]</u>
	APR 28 '66	<u>[Signature]</u>

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 2

PROJECT # 1-70 3 (52) PARCEL # 46 COUNTY Merrion

NAME & ADDRESS OF OWNER James Phillips  
1009 High St PHONE # 574-1651

NAME & ADDRESS OF PERSON CONTACTED James et al  
2435 Broadway Ineffs PHONE # ME 6 2211 X 389

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

DATE ASSIGNED 5-2 66 DATE OF CONTACT 5-16-66

OFFER \$ 6500 TIME OF CONTACT 5 PM

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

- 1. ( ) ( ) (X) Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
- 2. ( ) ( ) (X) Showed plans, explained take, made offer, etc.?
- 3. ( ) ( ) (X) Any mortgage? (Is it VA \_\_\_\_, FHA \_\_\_\_, FNMA \_\_\_\_, Fed.Ld. Bk. \_\_\_\_, Conv'l. \_\_?)
- 4. ( ) ( ) (X) Explained about retention of Buildings? (any being retained? ( ) Yes, ( ) No)
- 5. ( ) ( ) (X) Filled out RAAP Form?
- 6. ( ) ( ) (X) Walked over property with owner ( or who? \_\_\_\_\_ )
- 7. ( ) ( ) (X) Arranged for payment of taxes? (Explain how in remarks)
- 8. ( ) ( ) (X) Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
- 9. ( ) ( ) (X) Explained Eminent Domain Procedures?

REMARKS: met prearranged for signature  
DEED STAMPS \$7.70 ← attached to deed & R

TAX RECEIPT 66 B (GIVEN)

PHONE 633-4385

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

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

L Reent  
L KRAEIN  
(Signature)

INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division

BUYERS REPORT # 1

PROJECT #

1703 (52)

PARCEL #

46

COUNTY

Marion

NAME & ADDRESS OF OWNER

JAMES PHILLIPS  
1009 HIGH ST

PHONE #

574 1631

NAME & ADDRESS OF PERSON CONTACTED

Saml

BLDG 25 Eli Lilly & Co  
Indpls

PHONE #

4662211 387

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

DATE ASSIGNED

5-2-66

DATE OF CONTACT

5-12-66

OFFER \$

\$6500.

TIME OF CONTACT

2 PM

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

1.    Checked abstract with owner? Affidavit taken? ( ) Yes ( ) No
2.    Showed plans, explained take, made offer, etc.?
3.    Any mortgage? (Is it VA\_\_\_, FHA\_\_\_, FNMA\_\_\_, Fed.Ld. Bk.\_\_\_, Conv'l. \_\_\_?)
4.    Explained about retention of Buildings? (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) 66BT4X
8.    Secured Right of Entry? Secured Driveway Permit? ( ) Yes ( ) No ( ) N/A
9.    Explained Eminent Domain Procedures?

REMARKS:

Rearranged met Mr Phillips. Discussed

ABSTRACT H+W

TAX MEMO ENC-23 LEFT

TENANTS discussed

TAX RCT

DEED \$700

ACCEPTANCE INDICATED

APPOINTMENT MONDAY BY PHONE

Status of Parcel: ( ) Secured, ( ) Bought, awaiting mortgage release, ( ) Condemned

( ) Other, awaiting what?

PHONE 633-4385

Distribution Made

- Parcel  Weekly Summary  
 Owner  Other, Specify:

J Kern

B KEACH (Signature)

368091

CAPTION

-1-

Continuation of Abstract of Title to Lot 10 in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 80, in the office of the Recorder of Marion County, Indiana. Since September 20, 1949.

Prepared for: Indiana National Bank Madison Avenue Branch

Town Lot Record  
1353 page 55  
Inst. #61909  
Oct. 14, 1949  
Recorded  
Oct. 15, 1949

-2-

STATE OF INDIANA, COUNTY OF MARION, SS:

Louise M. Staehle, being first duly sworn, deposes and says:

That on January 18, 1944, her aunt, Mina Staehle, conveyed to her the following described real estate:

Lot No. 10 in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 2, page 80, in the office of the Recorder of Marion County, Indiana.

That in said deed of conveyance, the said Mina Staehle reserved a life estate; that at said time, said Mina Staehle was in ill health and the consideration for said conveyance was that this affiant should care for the said Mina Staehle during the remainder of her natural life; affiant states that she moved into the home of the said Mina Staehle after the execution of said conveyance and cared for, nursed, furnished food, medical care and the necessities of life for the said Mina Staehle until her death on January 29, 1946 and that the said Mina Staehle resided in the dwelling located on this real estate from the time of said conveyance until her death; that the fair market value of said real estate on January 18, 1944 was \$3500.00 and that through error the United States Revenue Stamps were not affixed to said deed.

Louise M. Staehle

Subscribed and sworn to before me this 14th day of October, 1949.

Roy O. Hooks (LS)  
Notary Public

My Commission Expires Jan. 28, 1953.



368091

Judgment Search

-6-

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:

Louise M. Staehle

from September 20, 1949  
to and including  
October 15, 1949

and vs.

James W. Phillips  
and  
Agnes V. Phillips  
Jointly and  
not individually

for the 10 years  
last past and  
against none other.

-7-

Taxes for the year 1948 on the Real Estate for which this Abstract is prepared are assessed in the name of Louise M. Staehle and are due and payable on or before the first Mondays in May and November of 1949.

General Tax Duplicate No. 411456, "S", Indianapolis, Center Township, Parcel No. 69359.

May Installment \$35.47 Paid.

November Installment \$35.47 Unpaid.

SINCE PAID IN FULL  
ATTEST, UNION TITLE  
BY *Edward Blum*  
PRESIDENT

-8-

Taxes for the year 1949 now a lien.

368091

Town Lot Record  
1353 page 56  
Inst. #61910  
Oct. 14, 1949  
Recorded  
Oct. 15, 1949

Louise M. Staehle,  
unmarried  
to  
James W. Phillips and  
Agnes V. Phillips,  
husband and wife

Warranty Deed  
(U.S. Revenue  
Stamp Attached)

-3-

Lot #10 in John Roset's Sub-division of part of  
Out Lots #107 and #108 of the Donation Lands of the  
City of Indianapolis, as per plat thereof, as re-  
corded in Plat Book #2, page #80 in the office of the  
Recorder of Marion County, Indiana.

Subject to the general taxes for the last half of  
1948 payable in November 1949 and thereafter.  
Proper citizenship clause is attached.

Mortgage Record  
1527 page 240  
Inst. #61911  
Oct. 14, 1949  
Recorded  
Oct. 15, 1949

James W. Phillips and  
Agnes V. Phillips,  
husband and wife  
to  
The Indiana National Bank  
of Indianapolis

SATISFIED OF RECORD 2-16-53  
ATTEST IN TITLE CO.  
BY *P. Edward Blair*  
PRESIDENT

-4-

Lot No. 10 in John Roset's Subdivision of parts  
of Out Lots 107 and 108 of the Donation Lands of the  
City of Indianapolis, the plat of which is recorded in  
Plat Book 2, page 80, in the Office of the Recorder of  
Marion County, Indiana.

To secure the performance of the provisions here-  
of and the payment of the indebtedness as evidenced by  
a promissory note of even date herewith in the princi-  
pal amount of \$900.00 repayable in installments together  
with interest as provided for in said note, the final  
installment thereof being due and payable on March 14,  
1953 and attorney's fees.

Old Age Assistance  
Search

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 May 1, 1947.

-5-

368091

# GUARANTEED CERTIFICATE

-9-

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 9 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 4 both inclusive.

Dated at Indianapolis, Indiana, October 17, 1949, 8 A.M.

UNION TITLE COMPANY

by *Albert M. Bush*  
President

-4-

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

368091

## 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:* Indiana National Bank Madison Avenue Branch

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 17, 1949, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

October 17, 1949, 8 A.M.

Louise M. Staehle  
James W. Phillips  
Agnes V. Phillips

UNION TITLE CO.

BY Albert M. Bush  
PRESIDENT

HHG

65-5641A

CAPTION

-1-

Continuation of Abstract of Title to Lot 10 in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, page 80, in the office of the Recorder of Marion County, Indiana. Since October 17, 1949, 8 A.M.

Prepared for: James W. Phillip's

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.

Uniform Commercial Code

-4-

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.

65-5641A

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:

James W. Phillips  
and  
Agnes V. Phillips  
jointly and  
not individually

for the 10 years  
last past and  
against none other

-6-

Taxes for the year 1962 and prior years paid in full.

-7-

Taxes for 1963 payable 1964 in name of James W. and Agnes V. Phillips.

Duplicate No. 416125, PQR, Indianapolis,  
Center Township, Code No. 1-01, Parcel No. 69359.

May Installment \$59.54 Paid

November Installment \$59.54 Paid

Assessed Valuation:

Land \$430.00 Improvements \$1,330.00 Exemptions \$430.00

-8-

Taxes for 1964 in name of James W. and Agnes V. Phillips, unpaid.

-9-

Taxes for 1965 now a lien.

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

-10-

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

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

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.

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, 4,800 square feet per family; Class A-3, 2,400 square feet per family; Class A-3, (corner lot) 2000 square feet per family; Class A-4, 1200 square feet per family; Class A-4, (corner lot) 1000 square feet per family; Class A-5, 600 square feet per family; Class A-5 (corner lot) 500 square feet per family; Class A-6, 300 square feet per family.

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

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

Computation of Lot Areas.

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

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

Restrictions on Reduction of Lot Areas.

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

Restrictions of Floor Areas in Dwelling Houses.

(General Ordinance No. 113, 1952)

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

In Class AA district 1500 square feet;

In Class A1 district 1200 square feet;

In Class A2 district 900 square feet;

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

Building line and Yard Restrictions in U1 and U2 districts.

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

Where no such lines are established, from set-back line shall be equal to  $1/3$  of the average depth of the lot up to 50 feet, with minimum of 20 feet.

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

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

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

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

Garages. Private garage shall not provide storage space for more than one motor vehicle for each 2000 square feet of lot area in U1 district, or 500 square feet in U2 district.



65-5641A

Non-Conforming Uses.

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

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

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

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

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

METROPOLITAN PLAN COMMISSION

DOCKET NO. 60-AO-4  
65-5641A

ORDINANCE

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, as amended, be amended as follows:

That Sub-Sections (e), (f), and (g) of Section 11-118 of Chapter 1 of Title 11 of the Municipal Code of the City of Indianapolis (said Chapter 1 of Title 11 thereof having been adopted as part of Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended) be amended to read respectively:

(e) Class A4 District. In a class A4 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 1700 square feet of the area of the lot.

(f) Class A5 District. In a class A5 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 1100 square feet of the area of the lot.

(g) Class A6 District. In a class A6 district no building shall be erected, altered or used to accomodate or make provision for more than one family for each 800 square feet of the area of the lot.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

John D. Hardin

Fred W. Nordsiek

Frank J. Billeter

Louie Moller

John A. Kitley

\_\_\_\_\_  
THE MARION COUNTY COUNCIL

DATED May 31, 1960

ATTEST Clem Smith  
AUDITOR OF MARION COUNTY, INDIANA.

METROPOLITAN PLAN COMMISSION  
DOCKET NO. 61-AO-2

65-5641A

O R D I N A N C E

BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, as amended be amended as follows:

That Sub-Section (j) of Section 11-118 of Chapter 1 of Title 11 of the Municipal Code of the City of Indianapolis (said Chapter 1 of Title 11 thereof having been adopted as part of Ordinance No. 8-1957 by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended) be amended to read as follows:

(J) Restrictions of Floor Areas in Dwelling Houses,  
In a Class AA District no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 1,500 square feet for each family, or 1,000 square feet for each family if additional floor area of at least 500 square feet per family is provided on any floor or floors.

In a class A1 or A2 District no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 900 square feet for each family, or 660 square feet for each family if additional floor area of at least 240 square feet per family is provided on any floor or floors.

In a class A3, A4, A5, or A6 District no dwelling house may be erected, altered, or used in which the minimum main floor area, exclusive of garage area, carports and open porches is less than 720 square feet for each family, or 600 square feet for each family if additional floor area of at least 120 square feet per family is provided on any floor or floors.

For purposes of this section, "minimum main floor area" shall be the area of that floor or floors (excluding basement or underground floor area) nearest to the level of the finished lot grade measured within the outer face of exterior walls and under the roof of a dwelling house.

For purposes of this section, "Additional Floor Area" shall include basement or other floor area (exclusive of garage area, carports and open porches, and excepting "minimum main floor area") measured within the outer face of exterior walls and under the roof of a dwelling house; provided, however, that:

- (1) At least one complete side of such floor area shall be at ground level or above; and 60% or more of the exterior wall surface for such floor area (excluding that portion of the exterior wall surface enclosing any higher floor) shall be above the level of the finished lot grade; and
- (2) Said exterior wall surface shall have a minimum total window area equal to 7% of such "additional floor area".

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

\_\_\_\_\_  
John A. Kitley

\_\_\_\_\_  
Albert L. Steinmeier

\_\_\_\_\_  
Josephine K. Bicket

\_\_\_\_\_  
Frank J. Billeter

\_\_\_\_\_  
John D. Hardin

\_\_\_\_\_  
THE MARION COUNTY COUNCIL

DATED July 7, 1961

ATTEST: Clem Smith By: Mary N. Darko, Deputy  
AUDITOR OF MARION COUNTY, INDIANA

RESOLUTION ADOPTING EXISTING MASTER PLANS AND MAKING  
RECOMMENDATIONS TO THE MARION COUNTY COUNCIL

- 11- Be it resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in order to consolidate the various existing Master Plans and Zoning and Subdivision control Ordinance now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana, The Metropolitan Plan Commission of Marion County, Indiana, adopts all existing Master Plans now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana.

And to the end that adequate light, air, convenience of access and safety from fire, flood, and other danger may be secured, that congestion in the public streets may be lessened or avoided, that property values may be preserved, and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted, be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that it recommends to The Marion County Council the adoption by it without amendment of all existing zoning and Subdivision control ordinances now in force in Marion County, Indiana, and the classified Cities and Towns of Marion County, Indiana.

And be it further resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in case any lands within Marion County, Indiana, are not zoned by existing Zoning Ordinances, The Metropolitan Plan Commission of Marion County, Indiana, recommends that the resolution to be adopted by the Marion County Council pursuant to Section 5 of Chapter 184 of the Acts of 1957, set forth the following residential or agricultural zoning classifications for such unzoned land.

If such lands lie inside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned R-3 as that classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance, and

If such lands lie outside the corporate limits of any incorporated City or Town within Marion County, Indiana, that they be classified and zoned A-2 as that classification and zoning is defined and prescribed in the existing Marion County Master Plan Permanent Zoning Ordinance.

said existing Marion County Master Plan Permanent Zoning Ordinance being one of the aforesaid existing zoning ordinances now in force in Marion County, Indiana, which The Metropolitan Plan Commission of Marion County, Indiana, hereby recommends to The Marion County Council for adoption by it without amendment.

NOTE: Above resolution passed by The Metropolitan Plan Commission of Marion County, at its regular meeting, held March 27, 1957, and certified to the Marion County Council by the Secretary of the Metropolitan Plan Commission and adopted by said Marion County Council as Ordinance #8, 1957.

Effective March 28, 1957.

Copy of above resolution recorded April 1, 1957 in Town Lot Record 1657, page 486.

- 12- March 12, 1965. 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.

EXCERPTS OF THE "AIRPORT DISTRICT ORDINANCE", ADOPTED BY THE MARION COUNTY COUNCIL, SEPTEMBER 4, 1963.

-13-

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by The Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended by the addition of the following provisions:

SECTION 1.01 AIRPORT DISTRICT

An AIRPORT DISTRICT, a secondary zoning district, is hereby established for Marion County, Indiana. The AIRPORT DISTRICT shall consist of two parts, the "Airport Approach Area" and the "Airport Circling Area" as each is defined in this ordinance and indicated on the Airport District Map for each public airport (which Map dated November 7, 1962 is a part of this ordinance and incorporated herein by reference).

All land so defined and indicated is hereby zoned and classified as the AIRPORT DISTRICT.

SECTION 2.01 AIRPORT DISTRICT REGULATIONS

The following regulations shall apply to land within the Airport District. These regulations shall be in addition to all other primary or secondary zoning district regulations applicable to said land, and in case of conflict, the more restrictive regulations shall control.

1. USE

Within that part of the Airport Approach Area of the Airport District within a horizontal radius of 10,000 feet from the airport reference point, as defined in this ordinance, no building, structure or premises shall be erected, relocated or converted for use as a school, church, child caring institution, hospital, stadium, public auditorium, theater, public assembly hall, public swimming pool, picnic grounds, carnival, amusement park, penal institution or sports arena.

2. HEIGHT

a. Within the Airport Circling Area and the Airport Approach Area, of the Airport District, no projection of any building, structure, or plant growth hereafter constructed, located or grown, or of any existing building, structure, or plant growth hereafter reconstructed, relocated or enlarged shall penetrate above the approach surfaces, the runway surfaces, the transitional surfaces, the horizontal surface, or the conical surface, whichever is more restrictive.

b. Provided, however, projections may extend to a maximum height of 50 feet above the established airport elevation.

3. PERFORMANCE STANDARDS

The following performance standards shall apply within the Airport Circling Area and the Airport Approach Area, of the Airport District, except that part of the Airport Area whose horizontal distance from the airport reference point is greater than the radius of the Airport Circling Area:

Interference with Communication

No use shall create interference with any form of communication whose primary purpose is for air navigation.

Smoke, Dust and Particulate matter

(1) No use shall create or emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the United States Bureau of Mines.

(2) No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the visibility of air crews using the airport in landing, taking off, or maneuvering of aircraft.

NOTE: COPIES OF MAP ABOVE REFERRED TO BEING A DISTRICT MAP FOR INDIANAPOLIS (WEIR COOK) MUNICIPAL AIRPORT ARE ON FILE IN THE OFFICE OF THE METROPOLITAN PLANNING DEPARTMENT: ALSO A COPY FILED OCTOBER 7, 1963, AS INSTRUMENT #59018, IN THE MARION COUNTY RECORDER'S OFFICE.

Parcel 46

INTERIM CERTIFICATE OF TITLE

Pioneer National Title Insurance Company  
Union Title Division

S.R. I-70	PROJECT I-70-3 (52)	COUNTY Marion	PNTIC # 65-5641-S
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Name on Plans James W. Phillips and Agnes V. Phillips

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 March 31, 1965 to and including May 19, 1966 reveals no changes as to the real estate described under PNTIC # 65-5641-A except:

on John Rosets Sub L 10

1. Taxes for 19 65 payable 19 66 in name of James W. and Agnes V. Phillips  
Duplicate # 6071385 Parcel # 1069359 Township I-Center Code # 1-01  
May \$ 83.78 ~~paid~~ (unpaid); November \$ 83.78 ~~paid~~ (unpaid)  
Taxes for 19 66 payable 1967 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. Sweet*

Assistant Secretary

*Walker A. McLean*

Vice President

Countersigned and validated as of the 24th day of May, 19 66.

*James I. Wright*  
Authorized Signatory

JAMES I. WRIGHT, Attorney

**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, 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 14 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 11 both inclusive.

Dated at Indianapolis, Indiana, March 31, 1965, 8 A.M.

**UNION TITLE COMPANY**

by L. Edward Blum  
President

-11- r1



# 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

65-5641A

## UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

NORTHERN DISTRICT

Indianapolis Division  
Terre Haute Division  
Evansville Division  
New Albany Division

South Bend Division  
Hammond Division  
Fort Wayne Division  
Lafayette Division

SEARCH FOR  
PENDING BANKRUPTCIES  
INTERNAL REVENUE TAX LIENS

Prepared for: James W. Phillip's

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  
March 24, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

March 25, 1965, 8 A.M.

James W. Phillips  
and  
Agnes V. Phillips  
jointly and  
not individually

UNION TITLE CO.

BY C. Edward Blum  
PRESIDENT

rl

-1-

INDIANAPOLIS

Continuation of Abstract of Title to Lot Numbered Ten (10) in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 2 page 80 in the office of the Recorder of Marion County, Indiana.

TITLE

Prepared for Starks Realty Co., since date of March 15, 1930.

CONVEYANCES

OF  
ABSTRACTS

Deed Record  
1134 page 117  
Jan. 18, 1944  
Recorded  
Jan. 25, 1944

Mina Staehle,  
unmarried,  
to  
Louise M. Staehle,  
Lot No. 10 in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 2, at page 80 thereof.  
(Also other real estate)  
Subject to all taxes, liens and easements.  
The grantor reserves the rents, issues and profits of said real estate, and each tract thereof, during her life time and generally reserves a life estate therein.  
Deed contains usual citizenship clause.

Warranty Deed  
No Stamps

-2-

Misc. Record  
419 page 427  
Mar. 27, 1948  
Recorded  
May 15, 1948

Louise M. Staehle

Affidavit

Affiant says that she is a resident of Indianapolis, Indiana, and that she resides at 4341 Guilford Avenue, Indianapolis, Indiana, and that she is a niece of the one Mina Staehle. That on January 18, 1944, the said Mina Staehle who at that time was unmarried, conveyed to this affiant Lot No. 19 in Rand Receivers Subdivision of part of Out Lot 104 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 8 page 104 in the office of the Recorder of Marion County, Indiana, and that such conveyance was made to this affiant subject to a life estate reserved by said grantor. That on the 15th of May 1945; this affiant conveyed said real estate above described to Glen W. White and Mary S. White and that the said Glen W. White and Mary S. White immediately took possession of said real estate and have ever since to

-3-

L. M. Brown Abstract Co.,

INDIANAPOLIS

the present day, so far as this affiant knows, have enjoyed and obtained the rents and profits of said real estate. That said Mina Staehle departed this life on January 29, 1946 and that she no longer has an interest in said real estate by reason of her demise, that this affiant held the title to said real estate and made conveyance thereto to White and White as the respective and or Trustee of said Mina Staehle.

Further affiant saith not.

Louise M. Staehle.

TITLE

-4-

OF

ABSTRACTER'S NOTE: A careful search in the Probate Indexes in the office of the Marion Circuit Court fails to disclose any entry of the Probate of the last will or of the granting of letters of administration upon the estate of Mina Staehle who died intestate January 29, 1946.

ABSTRACTS

-5-

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

-6-

MORTGAGES

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

-7-

MECHANIC'S LIENS

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

*L. M. Brown Abstract Co.,*

## INDIANAPOLIS OLD AGE ASSISTANCE LIENS

-8-

Provided by the Acts concerning Public Welfare, approved March 12, 1947.

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

We find none.

TITLE

## JUDGMENTS

-9-

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

ABSTRACTS

Mina Staehle from September 20, 1939 to January 29, 1946 inclusive.

Louise M. Staehle, for 10 years last past.

None found unsatisfied.

## ASSESSMENTS

-10-

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

## TAXES

-11-

Taxes for the year 1947 paid.

-12-

Taxes for the year 1948 assessed in the name of Louise M. Staehle, are due and payable the first Monday in May and the first Monday in November, 1949.

General Tax Duplicate No. 411456  
Parcel No. 69359

Indianapolis, Center Township

May Installment \$35.47 Paid.  
Nov. Installment \$35.47 Unpaid.

-13-

Taxes for the year 1949 became a lien March 1st and are due and payable in May and November of the year 1950.

L. M. Brown Abstract Co.,

SEE JUDGMENT CONTINUATION

## ZONING

-14-

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

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

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

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

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

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

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

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

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

## CERTIFICATE

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

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

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

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

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

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

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

The period of search covered by this certificate is  
 from March 15, 1930 to and including  
September 20, 1940 and covers Paragraphs No. 1 to 15

both inclusive, and Sheets No. 1  
 to 5 both inclusive.



L. M. BROWN ABSTRACT COMPANY  
 By *[Signature]*

President & Mgr.

Established 1868

OFFICERS

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

# L. M. BROWN ABSTRACT CO.

150½ EAST MARKET STREET

Phone Market 3448

ABSTRACTS — TITLE INSURANCE — ESCROWS

Capital \$150,000.00

INDIANAPOLIS 4, IND.

279371

DIRECTORS

EDSON T. WOOD, JR.  
FERMOR S. CANNON  
VOLNEY M. BROWN  
FRED G. APPEL  
CORNELIUS O. ALIG  
FRED WUELFING  
ALLAN P. VEETAL  
ALBERT E. UHL  
RUSSELL A. FURR  
SAMUEL B. SUTPHIN  
J. ALBERT SMITH

In The UNITED STATES DISTRICT COURT

SEARCH FOR  
BANKRUPTCIES

At the Request of

STARKS REALTY CO.

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

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

This certificate covers the Indianapolis Division down to and including September 20, 1949 and all other Divisions of the State of Indiana, down to and including September 20, 1949

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

Mina Staehle

Louise M. Staehle

Dated..... September 20, 1949

L. M. BROWN ABSTRACT CO.

By.....  
President and Manager

mmr

279371

INDIANAPOLIS

1.

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

TITLE

Prepared for O. L. Starks Realty Company.

OF

2.

ABSTRACTER'S NOTE:

ABSTRACTS

An inspection of the plats in the office of the Recorder of Marion County, Indiana, discloses, and we hereby certify, that there is only one John Roset's Subdivision of part of Out Lots 107 and 108, and that the same appears of record in Plat Book 2 page 80.

*L. M. Brown Abstract Co.,*



L. M. BROWN ABSTRACT CO.

By *Russell A. Jann*  
President and Manager

October 3, 1949  
AS

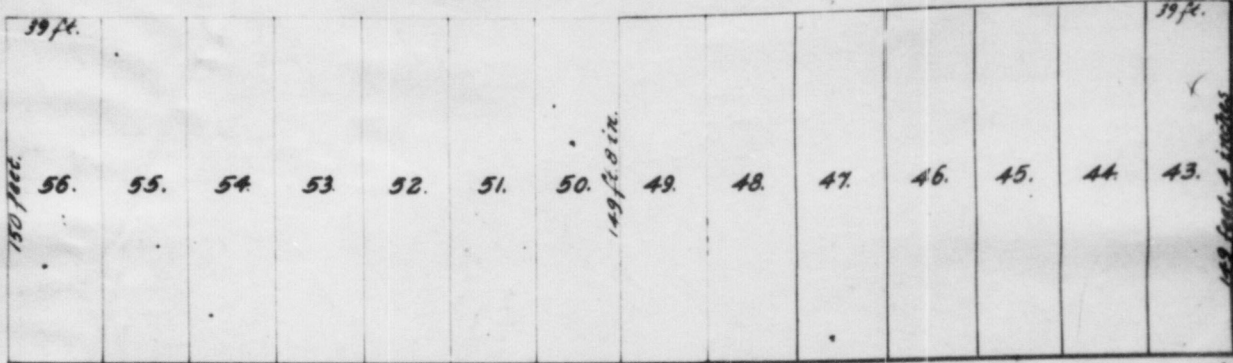


EAST

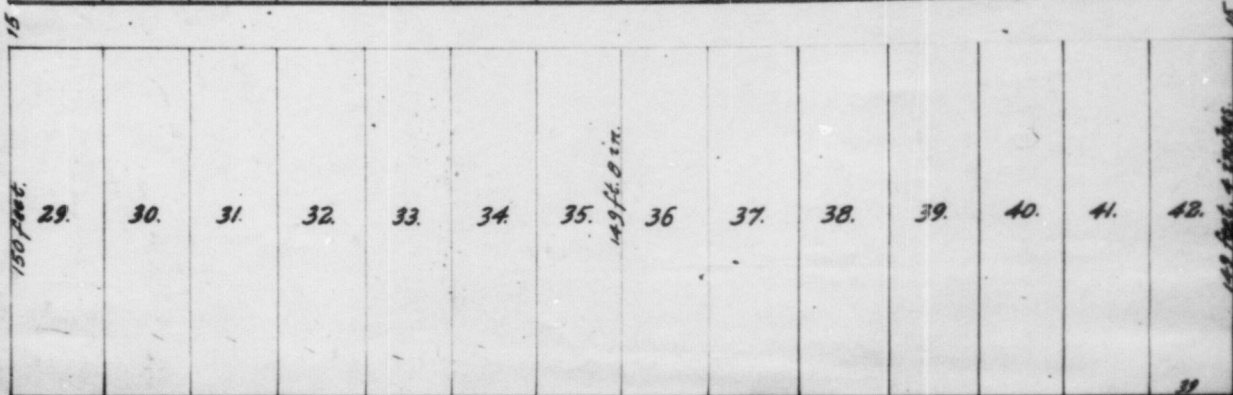
ROSETTS  
JOHN ROSSETTS  
SUB. O.L. 107.108  
702 79 80

STREET.

60



STREET.



ALLEY.

60

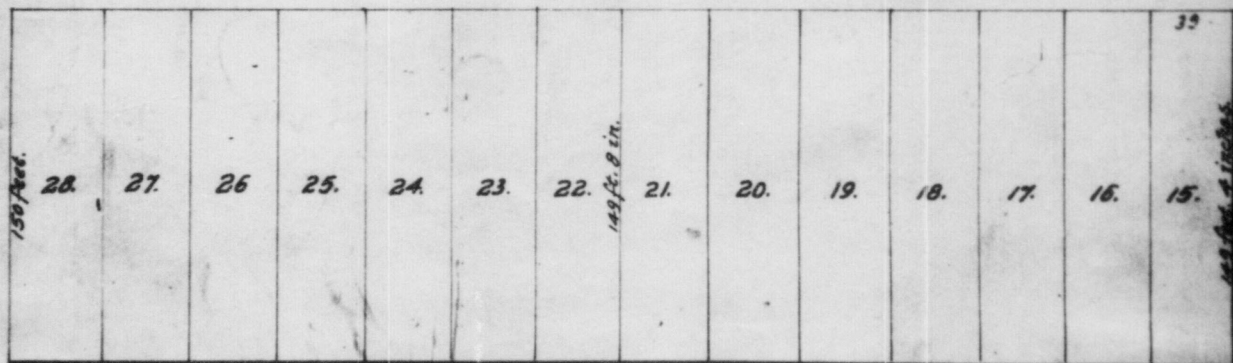
ROSET

NEW JERSEY

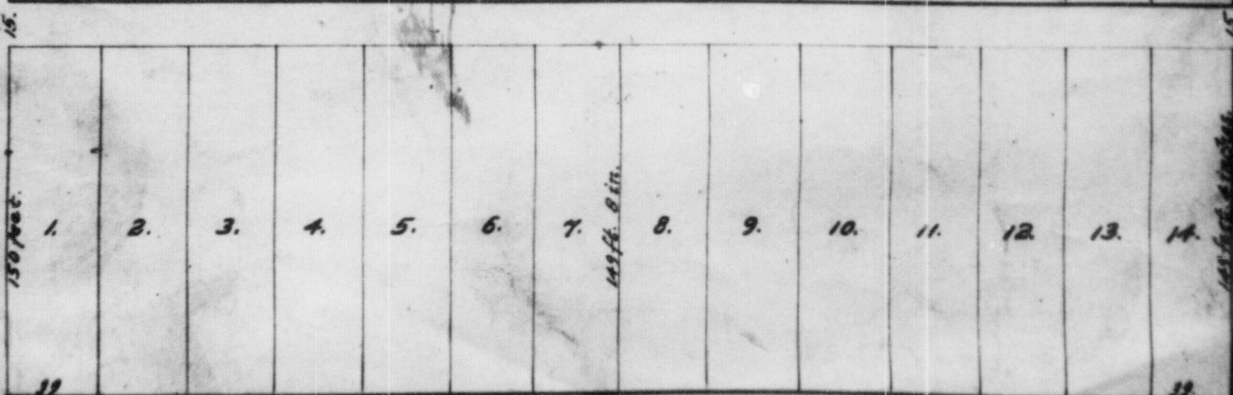
STREET.

60

BICKING



GROVE



SOUTH

60

HIGH

STREET.

60

# ABSTRACT OF TITLE

To

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

PREPARED BY

## L. M. BROWN ABSTRACT COMPANY

INCORPORATED

321-330 Lemeke Building

INDIANAPOLIS, MARION COUNTY, INDIANA

TELEPHONE: LIncoln 2571

Plant Established 1868

Capital Stock, \$150,000, Fully Paid

FRED G. APPEL, President

J. ALBERT SMITH, Vice-President

HIRAM BROWN, Treasurer

FOREST M. KNIGHT, Secretary

RUSSELL A. FURR, Manager

### HISTORICAL NOTES

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

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

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

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

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

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

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

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

American State Papers, 2 Indian Affairs, page 169.

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

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

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

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

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

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

January 6, 1821, the legislature approved the selection of "sections 1 and 12 east and west fractional sections numbered 2, east fractional section numbered 11, and so much of the east part of west fractional section numbered 3, to be set off by north and south lines as will complete four entire sections, or 2560 acres of land in township 15 North and range 3 East of the Second Principal Meridian.

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

Acts 1821, page 44.

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

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

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

The seat of government was permanently established at Indianapolis, January 20, 1824.

R. S. 1824, page 370.

January 26, 1827, the alleys in certain squares were vacated.

Acts 1827, page 5.

February 9, 1831, a survey of the remaining part of the donation was authorized and a plat of such survey was filed in the Recorder's office of Marion County, July 5, 1831.

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

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

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

### Caption Description

1. Lot numbered Ten (10) in John Roset's Subdivision of parts of Out Lots numbered One Hundred and Seven (107) and One Hundred and Eight (108) of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 2, at page 80 thereof.

Prepared for \*\*\*\*\* Hugo Wuelfing & Son.

INDIANAPOLIS

TITLE

OF

ABSTRACTS

CONVEYANCES.

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

2.

Ebenezer Sharpe,  
Agent of the State of  
Indiana, for the Town  
of Indianapolis,

Agent's Deed

to  
Nicholas McCarty, his  
heirs and assigns forever.

That the said Agent for and in behalf of the State of Indiana, 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 6th, 1821, and in consideration of the sum of \$1390.50 hath bargained, sold and conveyed and confirmed and by these presents doth grant, bargain, sell, convey and confirm unto the said Nicholas McCarty, his heirs and assigns forever all the following described lots in the Town of Indianapolis in the State of Indiana, viz:-

- Lot 116 containing 7.80 acres.
- Lot 107 containing 26.25 acres.
- Lot 110 containing 3.63 acres.
- Lots 7 and 10 West of White River containing 13.54 acres.
- Lot 109 containing 2.60 acres.
- Lot 120 containing 52.33 acres.
- Lot 111 containing 4.14 acres.
- Lot 6 West of White River containing 5.88 acres, and the North 1/2 of Lot 108 which half contains 14.56 acres, containing in the aggregate 130.60 acres.

Deed Record  
N page 279  
Apr. 1, 1842  
Recorded  
Apr. 9, 1842

3.

Nicholas McCarty and  
Margaret McCarty, his wife,

Warranty Deed

to  
John Roset and  
George Hillegas Bicking,  
their heirs and assigns forever.

Block 107 containing 26.25 acres, and the North 1/2 of Block 108, which half contains 14.46 acres of the Donation Lands adjoining the Town of Indianapolis.  
(Also other real estate).

*L. M. Brown Abstract Co.,*

Deed Record  
X page 357  
Apr. 25, 1850  
Recorded  
May 11, 1850

4.

Plat Book  
1 page 243  
Aug. 29, 1854  
Recorded  
Sept. 6, 1854

5.

*L. M. Brown Abstract Co.,*

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

John Roset and  
Mary Ann---, his wife,  
(Signed Jno. Roset,  
M. A. Roset),  
to

Warranty Deed

George M. Hollenback, his  
heirs and assigns forever.

All the full equal undivided moiety or half part  
of him, the said John Roset of, in and to all and  
every the following described lots of ground and premises  
in the Town of Indianapolis in the State of Indiana,  
that is to say:-

Block 107, containing 26.25 acres and the North 1/2  
of Block 108, which half contains 14.46 acres, the  
Donation Lands adjoining the Town of Indianapolis, (also  
other real estate), being the same premises which  
Nicholas McCarty by Indenture bearing date the 1st day  
of April 1842, duly recorded, granted and conveyed inter  
alia unto the said John Roset, party hereto and George  
Hillegas Bicking, their heirs and assigns forever.

The within draft exhibits the streets laid out upon  
Out Lot 107 and North 1/2 of Out Lot 108 of Donation  
Lands in the City of Indianapolis, Indiana, owned by  
the subscribers, George M. Hollenback and George H.  
Bicking and by them laid out into lots as exhibited in  
the within draft.

Witness the hands and seals of the said Geo. M.  
Hollenback and Geo. H. Bicking this 29th day of August  
1854.

G. M. Hollenback,  
Geo. Bicking.

Witnesses present at signing,  
W. G. Sterling,  
Edwd. M. Covell.

STATE OF PENNSYLVANIA, LUZERNE COUNTY, SS:-

Before Edward M. Covell, a Notary Public in and for  
said County, this 29th day of August 1854, personally came  
George M. Hollenback and Geo. H. Bicking and acknowledged  
the above written instrument to be their voluntary act  
and deed, and also acknowledged the within plat and  
description to be their voluntary act and deed for the  
use and purposes therein contained.

Witness my hand and seal of office at Wilkesbarre,  
the day and year above written.

Edwd. M. Covell, (L.S.),  
Notary Public.

Deed Record  
Town Lots  
2 page 338  
Aug. 30, 1854  
Recorded  
Sept. 8, 1854

6.

INDIANAPOLIS

TITLE

OF

ABSTRACTS

*L. M. Brown Abstract Co.,*

George M. (signs G. M.)  
Hollenback and  
Sarah K. Hollenback, his wife,  
(signs Sarah K. Hollinback),  
to  
George H. Bicking.

Quit Claim Deed

All that part or parcel of Out Block 107 of the Donation Lands in the City of Indianapolis, State of Indiana, bounded by line as follows:-

Beginning at North East corner of said Out Block 107 corner of East and McCarty Streets and running 690 feet 4-1/2 inches West along said McCarty Street to a 60 foot street running North and South called High Street, thence South along the East line of said High Street 564 feet 3 inches to a 60 foot street running East and West called Grove Street, thence East along the North line of said street 690 feet 4-1/2 inches to East Street, thence North along the West side of said East Street 564 feet 3 inches to the place of beginning.

Also that part or parcel of ground being the North-west part of the North 1/2 of Out Block 108, and the South West part of said Out Block 107 bounded as follows:-

Beginning at a point on Delaware Street where the South line of said Grove Street running East and West intersects said Delaware Street, and running thence South along said Delaware Street 379 feet 7-1/2 inches to a point, thence in a Southeasterly direction on the East side of the Madison Road 196 feet 11 inches to a point on said East line of said road, thence East 621 feet 10-1/2 inches to a 60 foot street called High Street, running North and South; thence North along the West line of said High Street 564 feet 3 inches to said Grove Street running East and West, thence West 694 feet and 4-1/2 inches to the place of beginning.

(Also other real estate), which became vested in the said George M. Hollenback by deed of John Roset and wife, dated the 25th day of April 1850, and recorded in the office for recording of deeds in Marion County, on the 11th day of May 1850.

Deed Record  
Town Lots  
2 page 341  
Aug. 30, 1854  
Recorded  
Sept. 11, 1854

7.

George H. Bicking, ---  
to  
George M. Hollenback.

Quit Claim Deed

All that portion or parcel of land being the North-west part of Out Block 107 of the Donation Lands in the City of Indianapolis, State of Indiana, contained in the following boundaries.

Beginning at the North West corner of said Out Block 107, corner of McCarty and Delaware Streets, and running South along the East line of Delaware Street 564 feet 3 inches to a 60 foot street running East and West called

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

Grove Street, thence East along the North line of said Grove Street 690 feet, 4-1/2 inches to 60 foot street, running North and South across said Out Block and intersecting McCarty Street at right angles, called High Street, thence North 564 feet 3 inches along the West line of said last named 60 foot street called High Street to McCarty Street and thence along the South line of said McCarty Street 690 feet, 4-1/2 inches to the place of beginning.

Also that part of ground being the South East portion of said Out Block 107 and the North East part of the North 1/2 of Out Block 108 in said City bounded as follows:-

Beginning at a point on East Street where the South line of Grove Street intersects said East Street and running thence West along the South line of said Grove Street, 690 feet, 4-1/2 inches to High Street, thence South 564 feet 3 inches along the East line of said High Street to a point, thence East 690 feet, 4-1/2 inches to East Street, thence North along said East Street 564 feet 3 inches to the place of beginning.

(Also other real estate).

Being part of the same premises which Nicholas McCarty by Indenture bearing date the 1st day of April 1842, duly recorded, granted and conveyed inter alia unto the said John Roset and George H. Bicking.

Deed Record  
Town Lots  
2 page 343  
Aug. 31, 1854  
Recorded  
Sept. 11, 1854

George M. Hollenback,  
Sarah K. Hollenback, his wife,  
to  
John Roset.

Quit Claim Deed

Know All Men By These Presents, That we, George M. Hollenback of the Borough of Wilkesbarre, County of Luzerne and State of Pennsylvania and Sarah K., his wife, in consideration of the sum of \$1.00 to them in hand paid by John Roset of the City of Philadelphia, Pennsylvania, the receipt whereof they do hereby acknowledge have granted, bargained, sold, assigned, transferred and set over and by these presents do grant, bargain, sell, assign, transfer and set over to the said John Roset and to his heirs and assigns forever all our right, title, interest, estate, claim and demand both at law and in equity as well in possession as in expectancy of, in and to all the premises described in the within deed of George H. Bicking to George M. Hollenback with all and singular the hereditaments and appurtenances thereto belonging.

8.

*L. M. Brown Abstract Co.,*

Deed Record  
Town Lots  
19 page 502  
Apr. 13, 1864  
Recorded  
Apr. 19, 1864

9.

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

George M. Hollenback and  
Sarah K. Hollenback, his wife,  
(Signed G. M. Hollenback,  
S. K. Hollenback),

Deed

to  
John Roset.

Whereas George M. Hollenback and Sarah K. Hollenback, his wife, of the Borough of Wilkesbarre, County of Luzerne and State of Pennsylvania, by deed dated August 31st, 1854, and recorded in Town Lot No. 2 page 343 of the Land Records of Marion County, Indiana, in the Recorder's office of said County; conveyed or intended to convey to John Roset, then of the City of Philadelphia in the State of Pennsylvania, but now of Bucks County in said last mentioned State, the following described real estate in the City of Indianapolis in Marion County and State of Indiana, to-wit:-

All that portion or parcel of land being the Northwest part of Out Block 107 of the Donation Lands in the City of Indianapolis, State of Indiana, contained in the following boundaries.

Beginning at the Northwest corner of said Out Block 107, corner of McCarty and Delaware Streets, and running South along the East line of Delaware Street 564 feet 3 inches to a 60 foot street running East and West called Grove Street, thence East along the North line of said Grove Street 690 feet 4-1/2 inches to 60 foot street running North and South across said Out Block and intersecting McCarty Street at right angles, called High Street, thence North 564 feet 3 inches along the West line of said last named 60 foot street called High Street to McCarty Street and thence along the South line of said McCarty Street, 690 feet 4-1/2 inches to the place of beginning.

Also that part of ground being the South East portion of said Out Block 107 and the North East part of the North 1/2 of Out Block 108 in said City bounded as follows:-

Beginning at a point on East Street where the South line of Grove Street intersects said East Street and running thence West along the South line of said Grove Street 690 feet, 4-1/2 inches to High Street, thence South 564 feet 3 inches along the East line of said High Street to a point, thence East 690 feet 4-1/2 inches to East Street, thence North along said East Street 564 feet 3 inches to the place of beginning.

(Also other real estate).

The said real estate having been on said 31st day of August 1854 sold to said John Roset by said Hollenback-.

And Whereas doubts have arisen as to the sufficiency of said deed for conveyance of a legal title in and to said real estate to said John Roset as a deed of bargain and sale and in order to confirm and perfect the legal title of said real estate in and to said John Roset and his heirs and assigns the said George M. Hollenback and Sarah K. Hollenback, his wife, have agreed to execute these presents.



TITLE INDIANAPOLIS

Now Therefore, This Indenture Witnesseth, That the said George M. Hollenback and Sarah K. Hollenback, his wife, in consideration of the sum of One Dollar, and also in consideration of the premises above recited the said sum of One Dollar to them in hand paid by said John Roset do hereby grant, bargain, sell, release, convey and confirm unto the said John Roset, his heirs and assigns forever all the above described real estate in the City of Indianapolis, County of Marion, and State of Indiana, being the same land and premises conveyed by George H. Bicking to said George M. Hollenback by deed dated August 31st, 1854 and recorded in Town Lot Record 2 page 338 in the Recorder's office of said Marion County.

OF ABSTRACTS

Plat Book  
2 page 80  
Dec. 3, 1862  
Recorded  
Dec. 6, 1862

Jno. Roset,  
M. A. Roset.

Plat

ROSET'S SUBDIVISION OF PARTS OF OUT LOTS 107 and 108.

Explanation: The annexed plat of 56 lots laid off by John Roset consists of parts of Out Lots 107 and 108 in the South part of the City of Indianapolis.

Said plat of lots is bounded on the North by Grove Street, on the East by East Street, on the West by High Street, and on the South by South alley which is a part of said plat.

Grove Street, High Street and Roset Street, which run North and South through the centre of said plat are each 60 feet wide.

The South alley is 16-1/2 feet wide and the two alleys running North and South are each 15 feet wide.

The lots are each 39 feet in width and of equal width throughout the length of the lots on the North line numbered 1, 28, 29 and 56 are each 150 feet in length, and the lots numbered 14, 15, 42 and 43 on the South line thereof are each 149 feet and 4 inches in length, the length of all intermediate being in the proper proportion to the above measured.

Royal Mayhew,  
Surveyor.

STATE OF PENNSYLVANIA, BUCKS COUNTY.

Before me, Enos Prizer, a Notary Public in and for said County this 3rd day of December 1862, came John Roset and Mary Ann Roset, his wife, and acknowledged the signing and execution of the annexed plat of ground as above described.

Witness my hand and notarial seal this 3rd day of December 1862.

Enos Prizer, (L.S.),  
Notary Public.

*L. M. Brown Abstract Co.,*

10.

Deed Record  
Town Lots  
25 page 36  
Apr. 26, 1864  
Recorded  
Apr. 18, 1865

11.

INDIANAPOLIS

John Roset and  
Mary Ann Roset,  
(Signs M. A. Roset), his wife,  
to  
Patrick Maroney.

Warranty Deed

Lot No. 10 in John Roset's Subdivision of parts  
of Out Lots No. 107 and 108 in the City of Indiana-  
polis, as shown by the plat thereof recorded in Plat  
Book 2 page 80 in the office of the Recorder of Marion  
County, Indiana.

Deed Record  
Town Lots  
26 page 547  
Feb. 26, 1866  
Recorded  
Apr. 10, 1866

12.

TITLE

Patrick Maroney and  
Hannah Maroney, his wife,  
to  
John Mack.

Warranty Deed

Lot No. 10 in John Roset's Subdivision of Out Lots  
107 and 108 in the City of Indianapolis, as shown by  
the plat thereof recorded in Plat Book 2 page 80 in  
the office of the Recorder of Marion County, Indiana.

Deed Record  
Town Lots  
153 page 576  
Aug. 18, 1882  
Recorded  
Aug. 19, 1882

13.

ABSTRACTS

John Mack and  
Rosa Mack,  
(Signs Rose Mack), his wife,  
to  
William Phelan.

Warranty Deed

Lot No. 10 in John Roset's Subdivision of Out Lots  
107 and 108 in the City of Indianapolis, as shown by  
the plat thereof recorded in Plat Book 2 page 180 in the  
office of the Recorder of Marion County, Indiana.

Deed Record  
Town Lots  
156 page 409  
Oct. 19, 1882  
Recorded  
Oct. 19, 1882

14.

*L. M. Brown Abstract Co.,*

William Phelan and  
Bridget Phelan, his wife,  
to  
Rosa Mack.

Warranty Deed

Lot No. 10 in John Roset's Subdivision of Out Lots  
107 and 108 in the City of Indianapolis, as shown by  
the plat thereof recorded in Plat Book 2 page 180 in the  
office of the Recorder of Marion County, Indiana.

15.

INDIANAPOLIS

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

16.

TITLE

MORTGAGES.

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

17.

OF

MECHANIC'S LIENS.

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

ABSTRACTS

*L. M. Brown Abstract Co.,*

March 15, 1930.

CERTIFICATE.

INDIANAPOLIS

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies that the foregoing, within the limits of the period of search herein specified, is an abstract of the title to and unsatisfied encumbrances upon, the real estate described in the caption hereof.

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

TITLE

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

OF

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

ABSTRACTS

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

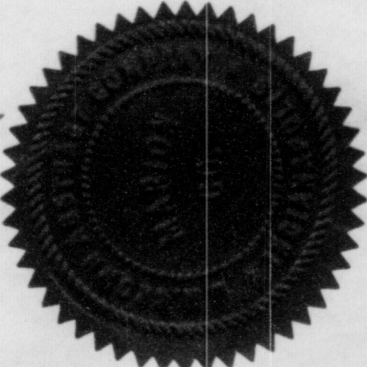
IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaints and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court of the Superior Courts of Marion County, of the Probate Court of Marion County, and of the Civil Municipal Courts of Marion County, as said records and dockets are now indexed.

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

The period of search covered by this Certificate is from **Date of Donation** to **July 18, 1891** and covers Paragraphs No. **1** to **18**, both inclusive and sheets No. **1** to **11**, both inclusive.

L. M. BROWN ABSTRACT COMPANY.

By *Burrill A. Jennings*



*L. M. Brown Abstract Co.,*

27638

1.

Continuation of Abstract of Title to Lot 10 in John Roset's Subdivision of parts of Out Lots 107 and 108 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 80, in the office of the Recorder of Marion County, Indiana. Since July 18, 1891.

Prepared for John W. Mack.

355 p 441  
Feb. 6, 1903  
Recorded  
Feb. 6, 1903

Rose Mack, unmarried  
to  
John W. Mack.

Special Warranty Deed.

2.

Lot No. 10 in John Roset's Subdivision of Parts of Out Lots numbered one hundred and seven (7) and one hundred and eight (108) in the City of Indianapolis, according to the plat of said subdivision as recorded in Plat Book No. 2 at page 80, in the Recorder's Office of said County of Marion.

Subject to all liens and incumbrances accrued and to accrue.

This grantor hereby warrants the above title to the herein described real estate as against her own acts only.

3

Examination made for judgments against John W. Mack for a period of 10 years last past, and against none other.

Examination made against said name as herein written only, and not otherwise.

4. Taxes for the year 1924, paid.
5. Taxes for the year 1925, now due and unpaid.
6. Taxes for the year 1926, now a lien.

7. Indianapolis, Indiana, March 13, 1926.

From a search of the records in the Recorder's Office, including the Federal Tax Lien Index in said office, tax sale records in the Auditor's Office, current tax duplicates and municipal assessment records in the Treasurer's Office, as certified by the City Comptroller; the Lis Pendens records of Complaints and Attachments and the General Judgment Dockets of the Circuit, Superior and Probate Courts of Marion County, and the Civil Municipal Courts of the City of Indianapolis, as said records and dockets are now entered up; we find no further conveyances, nor unsatisfied encumbrances of record, affecting the tract described in the Caption hereof.

No search made for judgments in the United States District Court at Indianapolis, for the District of Indiana.

No search made for pending resolutions for municipal improvements where the lien has not attached.

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

Union Title Company  
Incorporated

By *Charles J. Howard*  
V. PRES. & GENERAL MANAGER

1.

INDIANAPOLIS

Continuation of Abstract of Title to Lot numbered Ten (10) in John Roset's Subdivision of parts of Out Lots 107 and 108 of the Donation Lands of the City of Indianapolis, the plat of which appears of record in the office of the Recorder of Marion County, Indiana, in Plat Book 2, at page 80 thereof.

TITLE

Prepared for Hugo Wuelfing & Son, since date of March 13, 1926.

CONVEYANCES.

OF

Deed Record  
Town Lots  
858 page 332  
Mch. 15, 1930  
Recorded  
Mch. 15, 1930

John W. Mack, unmarried,  
to  
Mina Staehle.

Warranty Deed

ABSTRACTS

Lot No. 10 in John Roset's Subdivision of parts of Out Lots No. 107 and 108 in the City of Indianapolis, as shown by the plat thereof recorded in Plat Book 2 page 80 in the office of the Recorder of Marion County, Indiana.

2.

Subject to the taxes of 1929, payable in 1930.

3.

WE FIND NO FURTHER CONVEYANCES.

*L. M. Brown Abstract Co.,*

ENCUMBRANCES.

4.

MORTGAGES.

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

5.

MECHANIC'S LIENS.

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

6.

INDIANAPOLIS

**JUDGMENTS.**

Search is made, and strictly limited, for Judgments which may have been entered against the following parties, solely under the names as herein written, and not otherwise.

John W. Mack, from March 13, 1926, to date. Also Mina Staehle, for 10 years last past. None found unsatisfied.

7.

TITLE

**ASSESSMENTS.**

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

OF

**TAXES.**

ABSTRACTS

8.

Taxes for the year 1929, assessed in the name of John W. Mack, are due and payable the First Monday in May and the First Monday in November of 1930.

General Tax Duplicate No. 78437. Indianapolis, Center Township.

May installment, \$24.48 not paid.  
November installment, \$24.48 not paid.

*Miss P. R. / L. M. Brown Abstract Co.,*

*As shown of record these taxes are now FULLY PAID. L. M. Brown Abstract Co. PRES & MGR.*

9.

Taxes for the year 1930 became a lien March First and are due and payable in May and November of 1931.



10.

March 15, 1930.

CERTIFICATE.

INDIANAPOLIS  
TITLE  
OF  
ABSTRACTS

The undersigned, L. M. BROWN ABSTRACT COMPANY, a corporation, hereby certifies that the foregoing, within the limits of the period of search herein specified, is an abstract of the title to and unsatisfied encumbrances upon, the real estate described in the caption hereof.

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

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

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

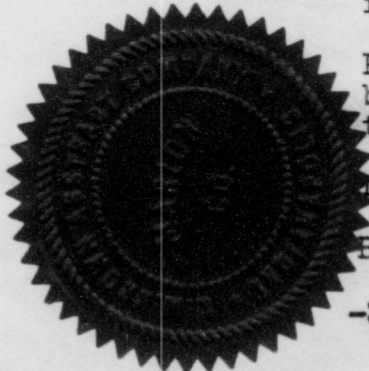
III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicate for unpaid taxes and in the assessment duplicates for unpaid municipal improvement assessments as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for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

IV. IN THE OFFICE OF THE CLERK OF THE MARION CIRCUIT COURT, search made in the Lis Pendens records of complaints and attachments, the will records and estate and guardianship dockets, and the general judgment dockets of the Marion Circuit Court of the Superior Courts of Marion County, of the Probate Court of Marion County, and of the Civil Municipal Courts of Marion County, as said records and dockets are now indexed.

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

The period of search covered by this Certificate is from **March 13, 1926** to **March 15, 1930** and covers Paragraphs No. **1** to **10**, both inclusive and sheets No. **1** to **3**, both inclusive.

*L. M. Brown Abstract Co.,*



L. M. BROWN ABSTRACT COMPANY.

By *Samuel A. Furr*