

66 12399

WARRANTY DEED

Project 1-70-3(52)
Code 0536
Parcel 88

C. M. Jones

This Indenture Witnesseth, That **RICHARD MURRAY (UNMARRIED ADULT) AND CLAIRIE FRANKLIN (UNMARRIED ADULT)**

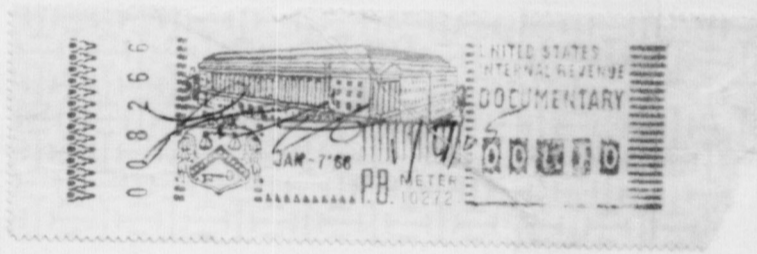
of **MARION** County, in the State of **INDIANA** Convey and Warrant to

the STATE OF INDIANA for and in consideration of **SEVEN HUNDRED FIFTY** Dollars,
(\$ 750⁰⁰)

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

Lot #112 IN McCARTY'S SUBDIVISION OF THE EAST PART OF OUT LOT 120 IN THE CITY OF INDIANAPOLIS, AS PER PLAT OF SAID SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 86, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

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



RECEIVED FOR RECORD
1966 MAR -9 PM 2:06
MARCIA M. HAWTHORNE
RECORDER OF MARION COUNTY

1.10

CITY ENTERED
TAXATION
MAR 9 1966

John T. Sutton
COUNTY AUDITOR

Paid by Warrant No. **A. 85933**

Dated **2-17-1966**

*W.H.B.
1-6-66*

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 **RICHARD MURRAY (UNMARRIED ADULT) AND CLAIRIE FRANKLIN (UNMARRIED ADULT)** have hereunto set their hands and seals, this **5** day of **JANUARY** 19 **66**

..... (Seal) (Seal)
Richard Murray *Clairie Franklin*
RICHARD MURRAY (UNMARRIED ADULT) CLAIRIE FRANKLIN (UNMARRIED ADULT)
..... (Seal) (Seal)
..... (Seal) (Seal)
..... (Seal) (Seal)

FAS

This Instrument Prepared by **S. W. BURRE** 9/9/65

66 12399

John T. Sutton
JAN 10 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 5
day of January, A. D. 1966; personally appeared the within named
RICHARD MONTGOMERY (UNMARRIED ADULT) CLAIRE FRANKLYN (UNMARRIED ADULT)
..... Grantor S in the above conveyance, and acknowl-
edged the same to be THEIR voluntary act and deed, for the uses and purposes herein mentioned.
I have hereunto subscribed my name and affixed my official seal.
My Commission expires January 19, 1966 LOTHER C. HEBLER Notary Public
LOTHER C. HEBLER

66 12359

WARRANTY DEED

FROM

TO

STATE OF INDIANA

Received for record this

day of DUTY ENTERED, 19.....

at P.M. FAXFLOON m, and

Recorded in Book 66 page 12359

Recorder John T. Jackson County

Duly entered FOR MARRIAGE

day of, 19.....

Auditor's fee \$

Auditor County

ENVELOPE

(12)

Division of Land Acquisition
Indiana State Highway Commission

INDIANA STATE HIGHWAY COMMISSION
 Division of Land Acquisition
 ROOM 1105 • 100 NORTH SENATE AVENUE
 INDIANAPOLIS, INDIANA

March 1, 1966 19

To Richard Murray
 Claire Franklin
 947 South Illinois Street
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-85933 2-17-66 19
 in settlement of the following vouchers:

DESCRIPTION	AMOUNT
Purchase	
<i>For the purchase of Right of Way on State Road</i>	
No. I-70 in Marion	
County L Project 70-3	
Section (52) as per Grant dated	
January 5, 1966	
Parcel 88	750.00

PLEASE RECEIPT AND RETURN

Received Payment: Richard Murray + Claire Franklin

Date 3-7-66

Control

APPRAISAL REVIEW FORM

Division of Land Acquisition
Indiana State Highway Commission

Project I-70-3(52)
Parcel No. 88
Road I-70
County Marion
Owner Richard Franklin & Claire Murray
Address 947 S. Illinois St.
Address of Appraised Property:
1014-16 S. Kenwood Ave.
Indianapolis

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

- 1. I have personally checked all comparables and concur in the determinations made. Yes
- 2. Planning and Detail Maps were supplied appraisers. Adv. Acq.
- 3. The three approaches required (Income, Market Data, and Cost Replacement) were considered. Yes
- 4. Necessary photos are enclosed. Yes
- 5. The appraisal is fully documented and supported as required by the State Highway Commission and the requirements of P.P.M. 21-4.1 of the Federal Bureau of Roads. Yes
- 6. Plats drawn by the appraisers are attached. Yes
- 7. I have personally inspected the Plans. Adv. Acq.
- 8. I have personally inspected the site and familiarized myself with the parcel on... Dec. 9, 1965
- 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 Dec. 9, 1965 :
(Date)

Estimate of Appraisers:

	By: <u>Cantwell</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$ 750.	\$	\$ 750.
(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	\$ 750.	\$	\$ 750.
(1) Land and/or improvements	\$ 750.	\$	\$ 750.
(2) Damages	\$ - 0 -	\$	\$ - 0 -
(3) Less non-compensable items	\$ - 0 -	\$	\$ - 0 -
(4) Estimated Total Compensation	\$ 750.00	\$	\$ 750.00

Approved	Date	Signed
Rev. Appr.	12-9-65	<u>Phillip [Signature]</u>
Asst. or Chief Appr.	12-16-65	<u>[Signature]</u>
	12-17-65	<u>[Signature]</u>

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

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

BUYERS REPORT # 1

PROJECT # I-70-3(52) PARCEL # 88 COUNTY Martin

NAME & ADDRESS OF OWNER Richard Murray and Claire Franklin
947 S Illinois St. Indianapolis PHONE # 634-7642

NAME & ADDRESS OF PERSON CONTACTED Mr Murray and Mrs Franklin
same PHONE # _____

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

DATE ASSIGNED December 21, 1965 DATE OF CONTACT January 5, 1966

OFFER \$ 750⁰⁰ TIME OF CONTACT 6:00 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)
8. () () Secured Right of Entry? Secured Driveway Permit? () Yes () No () N/A
9. () () Explained Eminent Domain Procedures?

REMARKS: Mr Murray and Mrs Franklin signed the Deed,
Voucher, agreement for possession, and the
Superal letter.
Received 1.10 for documentary stamps
Received 22.19 for payment of taxes.
Please return the paid receipts to Mr Murray
and Mrs Franklin after making copies.

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

() Other, awaiting what? _____

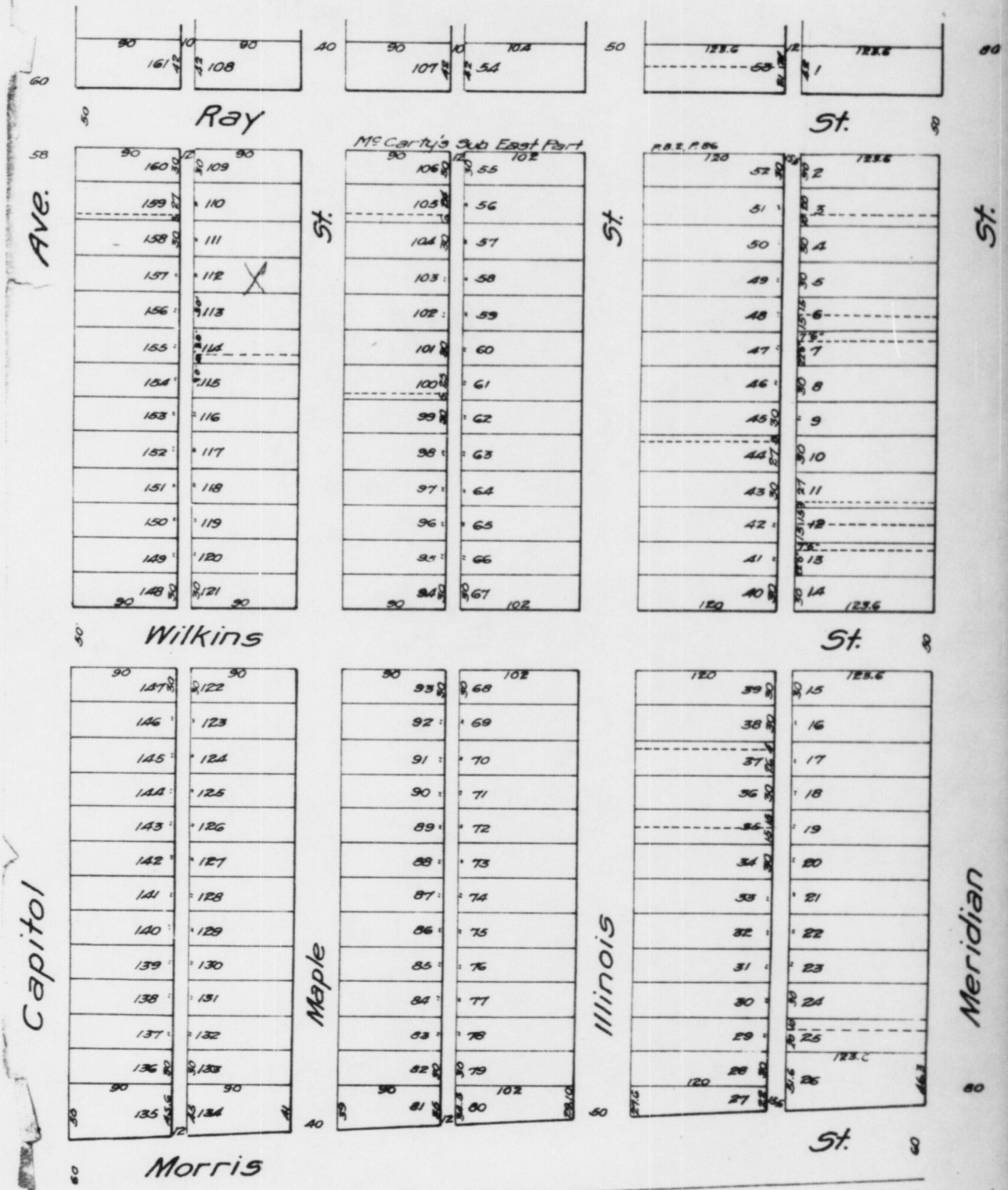
Distribution Made

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

Letter C Hopler
(Signature) ME 3-6630

E. Pt. Out Lot No 12C.

U2-24-74



J. CLYDE HOFFMAN
ATTORNEY AT LAW
12 EAST MARKET STREET
INDIANAPOLIS, IND.

September 9, 1912.

Fletcher Savings and Trust Company,
Indianapolis, Indiana.

Gentlemen,

I have examined the annexed abstract of title last certified to by the Marion Title Guaranty Company, covering the following described real estate situate in Marion County, Indiana, to-wit:-

Lot 112 in McCarty's Subdivision of the east part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 2, page 86 in the office of the Recorder of Marion County, Indiana.

From such examination of said abstract I am of the opinion that the title to said real estate was on said last mentioned date good in Frank Lemontree, subject to the following:-

1. Second installment of taxes for 1911.
Taxes for 1912, payable in 1913.

The abstracter calls attention to second Park and Boulevard Assessment for the south park District for which this property may be assessed.

Respectfully submitted,

J. Clyde Hoffman

STATE OF INDIANA }
MARION COUNTY } ss.

Michael Plum

say }
to-wit:

that *he is* the owner

being duly sworn, on *his* oath

in fee of the following described real estate in said County and State,

*Lot 12 in McCarty's Subdivision
East part of
of Out lot 120*

that there are no unsatisfied mortgages, judgments, liens or incumbrances of any kind thereon, except

Current Taxes

that *he has* made no conveyances of or placed any mortgages or other incumbrance on said real estate, or contract for the sale of the same, or any part thereof, nor *has he* caused or permitted any such mortgages, conveyances, contract or incumbrances to be made for *him* which is or may become a charge against or affect *his* title to said real estate, since *he* became the owner thereof, ~~except~~

and *he* not allowed any claim to be made against *him* which can be hereafter filed and enforced against the same; that no person, persons, corporation or corporations is entitled to any lien on said real estate for work or labor or materials; that *he is* in the peaceable possession of said real estate; that *his* title thereto has never been questioned; that there is no unsatisfied judgment in any of the United States Courts of Indiana that is or can become a lien upon said real estate.

And affiant further swear } that *he is an* married man over the age of twenty-one years, and that *his wife* also more than twenty-one years old at this time; and said affiant further says that not now either principal or surety on any recognizance bond, and that *he is* not now a defendant in any action on a bond payable to the State of Indiana

These statements are made for the purpose of inducing

to purchase said real of this affiant

Frank Leventree
M. Plum

Subscribed and sworn to before me, a Notary Public in and for said County, this

9th day of *May*

191 *2*

My commission expires

Oct 26-1913

S. W. Means
Notary Public.

ABSTRACT OF TITLE

—TO—

Lot One Hundred and Twelve (112) in McCarty's Subdivision of the East part of Out Lot 120, in the City of Indianapolis, as per Plat thereof in Plat Book 2, page 86.

Marion County, Indiana

Prepared for **MICHAEL CLUNE.**

—BY—

Indiana Title Guaranty and Loan Company
INDIANAPOLIS, IND.

HISTORICAL NOTES

After the first permanent settlement of the North American Continent by the Spaniards in Florida, about 1568, by the French in Nova Scotia in 1605, and again at Quebec in 1608, and by the English in Virginia in 1607, the French, with the aid of the Catholic Church through its Jesuit missionaries, succeeded in gaining control of the country between the Great Lakes and the Ohio River.

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

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

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

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

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

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

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

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

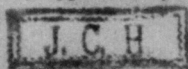
Indiana was admitted into the Union of States in 1816. After the assumption by the United States of the government of the territory northwest of the Ohio River, war with the Indian tribes ensued, which resulted in various treaties of cession and peace. By virtue of the treaty at Greenville, Ohio, in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

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

By act of Congress the United States granted to the State of Indiana four sections of land for a State capital, the donation consisting of sections 1, 2 and 12, and part of sections 3 and 11, in township 15 north, range 3 east, containing in all 2,560 acres, the surveys being made in 1819.

The town of Indianapolis was laid off in 1821. The original survey of 101 squares, of which some were subdivided into lots, embraced an area of one square mile near the center of the four sections comprising the donation. The remaining portion of the donation was surveyed and platted in 1831. A plat including the original survey was filed in the recorder's office July 5, 1831.

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



Deed Record
D. p. 535
May 2, 1834,
Recorded
June 21, 1834.

Ebenezer Sharpe, Agent of State
for the Town of Indianapolis,
to
Nicholas McCarty.

Agent's Deed.

Out Lot 120, containing 52-33/100 acres.
Also other property in the Town of Indianapolis.

Nicholas McCarty died intestate May 17, 1854, leaving him surviving as his sole and only heirs at law, his widow, Margaret McCarty and four children, to-wit:- Nicholas McCarty, Margaret R. McCarty, Susannah McCarty and Frances J. McCarty; see full proceedings in Complete Record 11, page 66 of the Marion Common Pleas Court.

Margaret McCarty was appointed and qualified as Administratrix of the Estate of Nicholas McCarty, deceased, June 3, 1854, see Order Book 7 page 463.

The Estate of Nicholas McCarty, deceased, was finally settled and closed January 7, 1860; see full proceedings in Complete Record 11 page 66 of the Court of Common Pleas, of Marion County, Indiana.

See affidavit following.

AFFIDAVIT.

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

STATE OF INDIANA, MARION COUNTY, SS:

I, Henry Day, the undersigned, being duly sworn according to law say, that ever since the year 1857, I was acquainted with the family of the Nicholas McCarty to whom the Agent of State deeded Out Lot 120 in the City of Indianapolis, Indiana, on the 2nd day of May, 1835, which deed is recorded on page 535 of Marion County Deed Record "D" That said Nicholas McCarty died previous to the Fall of 1854; that he left Margaret McCarty, his widow, surviving him; that the only children he left surviving him were Nicholas McCarty, Junior, Margaret R. McCarty, Frances J. McCarty, and Susanna McCarty, who subsequently married affiant; that he left surviving him no grand children by deceased sons or daughters; that the said Nicholas McCarty, Junior, Frances J. McCarty and Margaret R. McCarty were of age and unmarried on the 9th day of February, 1864; and that the said Susannah McCarty, affiant's wife, was of age on the 9th day of February, 1864.

(Signed) Henry Day.

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

(Signed) William Watson Woollen,
Notary Public, (L.S.)

J. C. H.

IN THE COURT OF COMMON PLEAS OF MARION COUNTY.
OCTOBER TERM, 1854.

6 Partition proceedings wherein there is set off to the widow, Margaret McCarty, certain parts of the real estate of Nicholas McCarty, deceased, not including however Out Lot 120 or any part thereof as her full share of the estate leaving the above named children and heirs, tenants in common of Out Lot 120 free of all claims of the said widow, see proceedings in full in Complete Record 4, page 159.

Marriage Record

6. p. 689.
Dec. 9, 1857.
6

Susan McCarty,
to
Henry Day.

| Marriage.

Plat Book

2. p. 86.
Jan. 27, 1863,
Recorded
Jan. 27 1863.

Nicholas McCarty, Susanna McCarty Day, Henry Day, her husband, Margaret R. McCarty, and Frances J. McCarty filed Plat of McCarty's Subdivision of the East part of Out Lot 120 into 161 lots, numbered 1 to 161 both inclusive.

7

25. p. 664.
Aug. 26, 1865,
Recorded
Aug. 30, 1865.

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

| Warranty Deed

8

to
William H.H. Johnson.

Lots 46, 48, 49, 60, 63, 94, 95, 109, 110, 111, 112, 121, 122, 123, 159, 160 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the Plat of said Subdivision as recorded in the Recorder's Office of said County of Marion.

See affidavit following.

AFFIDAVIT.

Misc. Record

66. p. 436.
Mch. 16, 1911,
Recorded
Mch. 23, 1911.

9

STATE OF INDIANA, COUNTY OF MARION, SS:

Nicholas McCarty being first duly sworn on his oath says that he is the son of Nicholas and Margaret McCarty, both deceased, and that by a deed dated August 26th, 1865, recorded August 30, 1865, in Record 25, page 664, in the Office of the Recorder of Marion County, Indiana, Nicholas McCarty, et al, conveyed to William H.H. Johnson Lots 94 and 95, with other lots, in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, Marion County, Indiana.

That among the grantors in said deed Nicholas McCarty, the affiant, Margaret R. McCarty and Frances J. McCarty, were all unmarried at the date of said deed.

The affiant further says that he by deed

J. C. H.

dated September 3rd, 1887, recorded in said Recorder's Office in Record 194 page 94 conveyed to Frank Lemontree the said Lots 94 and 95 and that the affiant at the date of said deed was and now is unmarried.

(Signed) Nicholas McCarty.

Subscribed and sworn to this 16th day of March, 1911.

(Signed) Grace Jacques,
Notary Public (L.S.)

My Commission expires January 7th, 1913.

187. p. 544.
Jan. 18, 1887,
Recorded
Jan. 22, 1887.

William H.H. Johnson,
By Sheriff Marion County.
to
Nicholas McCarty.

Sheriff's Deed.

10

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, according to the Plat of said Subdivision recorded in the Recorder's Office in said County.

Sale on judgment and decree of foreclosure of a certain mortgage executed by William H.H. Johnson to Margaret McCarty, dated August 26th, 1865, and recorded in Mortgage Record T.T. page 596. This mortgage was assigned by order of Marion Circuit Court to Nicholas McCarty July 14, 1884.

IN THE MARION CIRCUIT COURT.

#3919.
Complaint filed
May 14, 1885.

Nicholas McCarty,

vs

William H.H. Johnson, Anna Johnson,
James W. Bryan, Flavius J. VanVorhis, William
I. Ripley, Charles H. Wischmeier, Eva Wischmeier,
and William Hadley, Guardian of William H.H. Johnson,
Hannah Wischmeier.

August 24, 1885, Supplemental Complaint filed showing death of Wm. H.H. Johnson, making his heirs party to suit, to-wit:- his widow, Mary Ann Johnson, who on August 17th, 1885, was appointed administratrix of his estate and his only children Mary F. Johnson, Called Florence Johnson, George E. F. Johnson, called Frank Johnson, Clara L. Johnson called Lulu Johnson, William H.H. Johnson, Jr., Edward Johnson, and Elizabeth Johnson, and Mary A. Johnson, Jr., who are minors within the age of 21 years.

SHERIFF'S RETURN, Came to hand August 24, 1885, and served by reading to and delivering a copy to Mary Ann Johnson, Administrator of the estate of Wm. H.H. Johnson, deceased, Mary Ann Johnson, and by reading to William H.H. Johnson, Jr., Edward Johnson, Elizabeth Johnson, Mary A. Johnson, Jr., Mary F. Johnson, known as Florence Johnson, George E. F. Johnson, known as Frank Johnson, and Clara L. Johnson, known as Lulu Johnson, August 26, 1885.

May 16, 1885, served Anna Johnson by reading.

Came to hand May 14, 1885, served William H.H. Johnson, by reading this writ to him and to Anna Johnson, his wife, by leaving copy, and James W Bryan, by reading May 15, 1885, served William Hadley, Guardian, etc., and Flavius J. Van Vorhis by reading, served William I. Ripley by reading and served Charles H. Wischmeier by reading, served Hannah Wischmeier, wife of Charles H. Wischmeier, by reading.

December 2, 1885, Mary A. Johnson files separate answer and Mary A. Johnson, Administratrix files answer, plaintiff files reply.

December 2, 1885, Robert Denny, Guardian ad litem (heretofore appointed) files answer in general denial and demands strict Proof.

December 2, 1885, Judgment and decree of fore-

closure, and order of sale see Order Book 73, page 480, Execution Docket "Q" page 125, and proceedings in full in Complete Record 37, page 330.

189. p. 67.
Mch. 16, 1887,
Recorded
Mch. 17, 1887.

William H.H. Johnson, by auditor of
Marion County,
to
Nicholas McCarty.

| Tax Deed

11

Lots 46, 48, 60, 63, 84, 88, 94, 95, 111, 112, 121, 122, 123, 160 in McCarty's Subdivision of Out Lot 120, and Lot 60 in Elliott's Subdivision of Out Lot 156 in the City of Indianapolis, Marion County, Indiana, was sold for non payment of taxes, costs and charges of 1866, and 1867.

189. p. 443.
Mch. 29, 1887,
Recorded
Apr. 11, 1887.

William H.H. Johnson, by Auditor of
Marion County,
to
Nicholas McCarty.

| Tax Deed.

12

Lots 123, 111, 95, 60, 122, 112, 94, 84, 82, 48, 46, 49 in Out Lot 120 in the City of Indianapolis, was sold for non payment of taxes, costs and charges for 1866, and 1887.

217. p. 479.
Mch. 13, 1890,
Recorded
Mch. 14, 1890.

Nicholas McCarty, unmarried,
to
Patrick Clune.

| Warranty Deed

13

Lots 46, 91, 92, 111, 112, 121, in McCarty's Subdivision of the Eastpart of Out Lot 120 in the City of Indianapolis, according to the Plat of said Subdivision as recorded in the Office of the Recorder of the said County of Marion.

319. p. 195.
Nov. 2, 1899
Recorded
Nov. 4, 1899.

Patrick Clune, widower,
to
Michael Clune.

| Warranty Deed

14

Lots 20, 21, 25, and 26 in McKernan and Pierce's Subdivision of a part of Out Lot 121 in the City of Indianapolis, Indiana.
Also Lots 48, 49, 111, and 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, Indiana, Marion County,

There are no further conveyances.

15

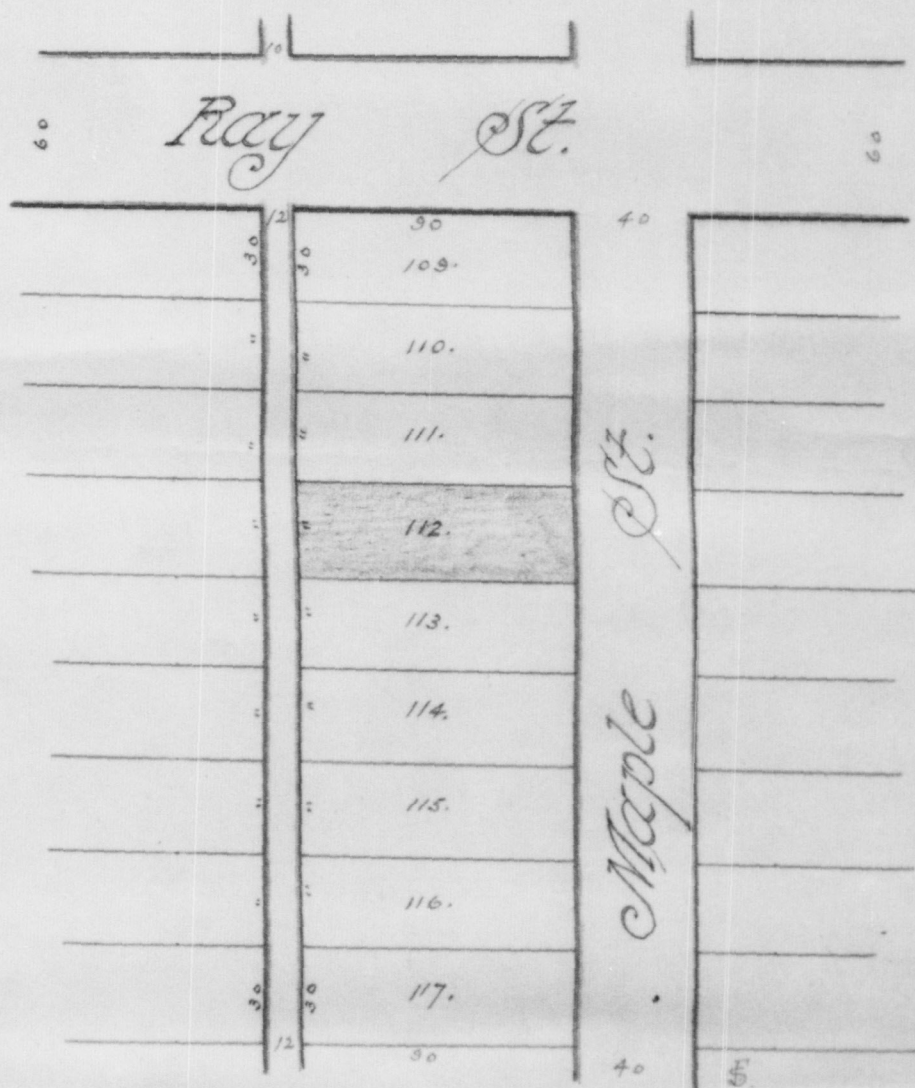
Taxes for 1911 now due.

16

Taxes for 1912 now a lien.

--33892--

NOTICE:- The Park Commissioners have divided the City into Four Park Districts, North, East, South and West. This property lies within the South District, and may be assessed for Park and Boulevard purposes. Park assessment approved March 6, 1911, is paid.



Indianapolis, May 6, 1912.

From a search of the Records in the Recorder's Office, Tax Sale Records in the Auditor's Office, Tax Duplicates, and the Records of Street, Alley, Park and Sewer Improvement Assessments in the Treasurer's Office, as certified by the City Comptroller, and the Lis Pendens Records of Complaints and Attachments and Judgment Dockets of the Marion Probate, Circuit and Superior Courts, as said Records and Dockets are now entered up, we find no further conveyances, nor unsatisfied encumbrances of record on tract as described in Caption.

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

E. & J. C. H.
Completed with "C".

INDIANA TITLE GUARANTY AND LOAN CO.

(6)

By *[Signature]*
Secy & Treas.

#48029.

Continuation of Abstract of Title to Lot 112, in McCarty's Sub-division of the East part of Out Lot 120, in the City of Indianapolis.

Prepared for Fletcher Saving and Trust Company, since date of former continuation, dated May 6, 1912.

493, p. 357.
May 8, 1912.
Recorded
May 10, 1912.

Michael Clune, and
Cecelia Clune, husband and wife.
to
Frank Lemontree.

Warranty Deed

Lot 112, in McCarty's Sub-division of the East part of Out Lot 120, in the City of Indianapolis, as per Plat thereof in Plat Book 2, page 86, in the office of the Recorder of Marion County, Indiana.
Subject to the taxes for the year 1912.

There are no further conveyances.

Taxes for the year 1911, 1st installment paid.
2nd installment unpaid.

Taxes for the year 1912, now a lien.

Attention called to second park and Boulevard Assessment for South Park District for which this property may be assessed.

Indianapolis, August 28, 1912.

We find no further conveyances nor unsatisfied encumbrances of record on lot as described in caption, since date of May 6, 1912.

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

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

MARION TITLE GUARANTY COMPANY

By *A. J. Van Dusen* Secretary

J. C. H.

Continuation of Abstract of Title to Lot 112, in McCarty's Sub-division of the East part of Out Lot 120, of the Donation lands of the City of Indianapolis, reference being made to the recorded plat thereof as recorded in Plat Book 2, page 86, of the Recorder's Office of Marion County, Indiana.

Prepared for Fletcher Savings and Trust Company, since date of former continuation, dated August 28, 1912.

512, p. 336.
June 21, 1913.
Recorded
June 21, 1913.

Frank Lemontree, and
Fannie Lemontree, his wife.
to
Daisy Groninger.

Warranty Deed

Lot 112, in McCarty's Sub-division of the East part of Out Lot 120, in the City of Indianapolis, as per plat Book 2, page 86.

512, p. 335.
June 21, 1913.
Recorded
June 21, 1913.

Daisy Groninger, single and
unmarried.

Quit Claim Deed

to
Frank Lemontree, and
Fannie Lemontree, husband and wife.

Lot 112, in McCarty's Sub-division of the East part of Out Lot 120, in the City of Indianapolis, as per plat thereof in Plat Book 2, page 86.

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

STATE OF INDIANA, MARION COUNTY, S. S.

Nicholas McCarty, being duly sworn on his oath says that he is the son of Nicholas McCarty, deceased, who formerly owned in his life time, Out Lot 120, in the City of Indianapolis, Indiana.

That this affiant is now 78 years of age, and that he is the brother of Margaret R. McCarty, Frances J. McCarty, and Susannah McCarty Day. That this affiant has never been married and his sister Frances J. McCarty has never been married, and that Margaret R. McCarty, was married on the 3rd day of October 1867, to John C. S. Harrison.

Nicholas McCarty.

There are no further conveyances.

Lis Pendens.

IN THE SUPERIOR COURT OF MARION COUNTY.

Cause #100485.
Lis Pendens record
5. p. 68.
Complaint filed
Sept. 18, 1915.

Hymen Lemontree, et al.,
vs.
Fannie Lemontree, et al.,
Lot 112, as above.

Lis Pendens.

This Cause has been dismissed but Lis Pendens
is not released of record.

*rs v r
om*

Mortgage.

598. p. 7.
Aug. 31, 1912.
Recorded
Sept. 11, 1912.

Frank Lemontree, and
Fannie Lemontree, his wife.

to
Charlotte Heim,

Lot 112, in McCarty's Sub-division of the East
part of Out Lot 120, in the City of Indianapolis.
To secure the payment of one principal note of
\$1000.00 payable 5 years from August 31, 1912 and 10
interest notes for \$30.00 each due in 6, 12, 18, 24, 30,
36, 42, 48, 54 and 60 months after date.
Privilege to pay \$100.00 or any multiple thereof
at the end of one year or any interest paying period
thereafter.

Satisfied of Record
Attest: UNION TITLE COMPANY
INCORPORATED
BY *Willis N. Corval*
PRES. & GENERAL MANAGER
June 29-1923

*retrified
June 29, 1923
sm*

Assessments.

227. p. 188.
Approved
May 4, 1917.

Frank and Fennie Lemontree,
to
Curb in Maple street.

Lot 112 as above described for \$25.67, in ten
Annual installments with 6% interest per annum, pay-
able semi-annually. 1/10 of said principal sum being
payable annually and the interest payable in April
and November of each year.
First installment due November 1917.

paid installments to and including
UNION TITLE COMPANY
INCORPORATED
BY *Willis N. Corval*
PRES. & GENERAL MANAGER
9/12/1925

*PAID IN FULL
AS
9/12/1925
sm*

Taxes for the year 1916, 1st installment paid.
2nd installment unpaid, payable
in November 1917.

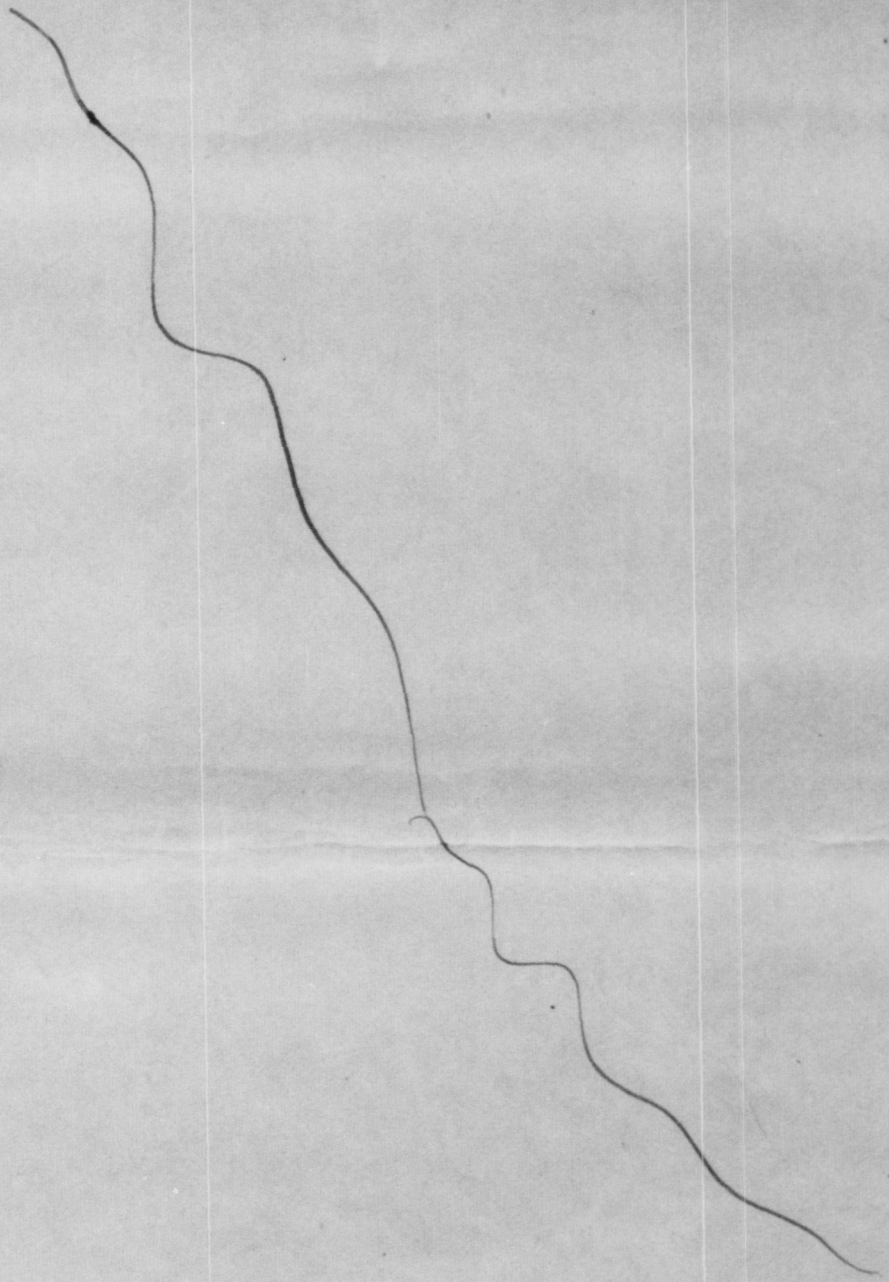
Taxes for the year 1917, now a lien, payable in May and
November 1918.

PAID IN FULL
UNION ABSTRACT CO.
INCORPORATED
BY *Willis N. Corval*
PRES. & GENERAL MANAGER

Attention called to 4th Park Road in Full
for South Park District for full assessment
assessed.

*Amell
on*

MARION GUARANTY COMPANY
By *Willis N. Coaf*



Indianapolis, July 25, 1917.

We find no further conveyances nor unsatisfied encumbrances of record on Lot as described in caption, since date of **August 28, 1912.**

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

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

MARION GUARANTY COMPANY
By *Willis N. Coaf*

#19878.

-1- Continuation of Abstract of Title to Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 2 page 86 in the Office of the Recorder of Marion County, Indiana. Since date of July 25, 1917.

Prepared for T. W. Annabal, Administrator.

-2- Frank Lemontree, died intestate on the 17th day of September, 1915.

Estate Docket
47, p. 13806

-3-

September 23, 1915, Fannie Lemontree, was appointed and qualified as Administratrix of the estate of Frank Lemontree, deceased; see Order Book 35 page 439.

October 11, 1915, Proof of publication of appointment filed.

September 5, 1916, Petition to settle estate as insolvent, filed, approved and ordered; see Order Book 42 page 104.

September 16, 1916, Proof of publication of notice of Insolvency filed.

October 16, 1916, Final Report filed.

October 18, 1916, Proof of posting final notice filed.

November 1, 1916, Proof of publication of final notice filed.

November 4, 1916, Final Report approved and estate closed; see Order Book 39 page 393.

No Inheritance tax assessed against said estate.

IN THE SUPERIOR COURT OF MARION COUNTY.

Cause #101877
Complaint filed
Jan. 25, 1916.
Lis Pendens Records
5, p. 104.

Hymen Lemontree, Jacob Lemontree,
Nathan Lemontree, Rose Burke,
Sarah Davidson, Goldie Slutsky,
Esther Finkelstein,

Complaint to
Quiet Title.

vs.

Fannie Lemontree, Daisy Groninger
Roy Dushman, Elmer Dushman,
and Mamie Dushman.

-4-

The plaintiffs, Hymen Lemontree, Jacob Lemontree, Nathan Lemontree, Rose Burke, Sarah Davidson, Goldie Slutsky and Esther Finkelstein, complain of defendants Fannie Lemontree, Daisy Groninger, Roy Dushman, Elmer Dushman and Mamie Dushman, and for a cause of action allege;

#19878

That plaintiffs are each the owners in fee simple of an undivided one eighth interest in the following described real estate situate in Marion County, Indiana, to wit:-

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof in Plat Book 2 page 86 in the Recorder's Office of said County and State.

Also lot 42 in E. T. Fletcher's Subdivision of part of E. T. and S. K. Fletcher's Addition to the City of Indianapolis, according to the plat thereof in Plat Book 3 at page 123 in the Recorder's Office of said County and State.

Also part of lots number 5 and 6 in Square 29 in James P. Drake's Addition to the City of Indianapolis, more particularly described as follows:

Beginning at a point 39 feet East of the South West Corner of said lot 6 in Square 29 in Drake's Addition to the City of Indianapolis, thence North in a straight line 81-1/2 feet to a point on the South line of a 10 foot alley in the South Half of said lot 5 in Square 29; thence East along said line of said alley 35 feet to a point, thence diagonally or South East five feet and eight inches to a point, thence South in a straight line 77-1/2 feet to a point on the South line of said lot 6, thence West along said line 39 feet to the place of beginning.

Also the following described real estate: Beginning at the North West Corner of lot 26 in James O. Woodruff's Subdivision of lots 7, 8, 9, 10, 11, 12, 17, 18 and 19 in Bethuel F. Morris' Addition to the City of Indianapolis, running thence East along the North line of said lot 26 143 feet, thence North and parallel to the East line of Alabama Street 51 feet to the South line of Nebraska Street now Terrace Avenue said South line of Nebraska Street being the North line of said Woodruff's Subdivision, running thence West along the South line of Nebraska Street and the North line of said Woodruff's Subdivision 43 feet, running thence South and parallel to the East line of Alabama Street 25 Street, thence West 100 feet to the East line of Alabama Street, thence South along the East line of Alabama Street 26 feet to the place of beginning.

Also lot 26 in Thomas Taggart's Addition to the City of Indianapolis, according to the plat thereof in Plat Book 11 page 29 in the Recorder's Office of said County and State.

Plaintiff further avers that defendants Roy Dushman, Mamie Dushman, are minors and under the age of twenty one years and that these two named defendants and Elmer Dushman, are the owners in fee simple of an undivided one eighth interest in said real estate.

Plaintiff further avers that defendant Fannie Lemontree is the owner of a life estate in one third of said real estate.

Plaintiffs further allege that defendant Fannie Lemontree, claims an interest in said real estate adverse to the rights of the owners of said real estate herein described, which claim is without right and unfounded and said claim is a cloud upon the title of said owners of the fee estate.

#19878

That defendant Daisy Groninger, is made a party herein to answer to her interest if any she has in said real estate.

Wherefore plaintiffs pray the Court that the claim of defendant Fannie Lemontree, be declared null and void except as to her life estate in one third therein, and that any and all other claims of said Fannie Lemontree be declared null and void and that the title of plaintiffs and defendants Roy Dushman, Elmer Dushman and Minnie Dushman, to said real estate be quieted.

White & Jones,

Attorneys for plaintiffs.

January 26, 1916, Fannie Lemontree and Daisy Groninger, served by reading and copy.

February 14, 1916, Proof of publication of notice to non resident defendants filed.

February 7, 1916, Defendant Daisy Groninger files disclaimer. Defendant Fannie Lemontree, files answer and cross complaint.

April 1, 1916, Wm. G. White, appointed Guardian ad litem for minor defendants.

May 23, 1916, Plaintiffs dismisses complaint and said cause is continued on the cross complaint of Fannie Lemontree; see Order Book 363 page 168.

May 29, 1916, Come the parties and the Jury having returned their verdict herein, the Court renders Judgment thereon.

It is therefore considered and adjudged by the Court that the cross complainant Fannie Lemontree, is the owner in fee simple of the real estate in Marion County, Indiana, described in the cross complaint to wit:-

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof in Plat Book 2 page 86 in the Recorder's Office of said County and State; also,

Lot 42 in E. T. Fletcher's Subdivision of part of E. T. and S. K. Fletcher's Addition to the City of Indianapolis, according to the plat of said Subdivision in Plat Book 3 page 123 in the Recorder's Office of said County and State; also,

Part of lots 5 and 6 in Square 29 in James P. Drake's Addition to the City of Indianapolis, more particularly described as follows:

Beginning at a point 39 feet East of the South West Corner of said lot 6 in Square 29 in Drake's Addition to the City of Indianapolis, thence North in a straight line 81-1/2 feet to a point on the South line of a 10 foot alley in the South 1/2 of lot 5 in said Square 29, thence East along said line of said alley 35 feet to a point thence diagonally or South East five feet eight inches to a point, thence South in a straight line 77-1/2 feet to a point on the South line of said lot 6, thence West along said line 39 feet to the place of beginning; also,

The following described real estate: Beginning at the North West Corner of lot 26 in James O. Woodruff's

Order Book
348, p. 538

#19878

Subdivision of lots 7, 8, 9, 10, 11, 12, 17, 18 and 19 in Bethuel F. Morris' Addition to the City of Indianapolis, running thence East along the North line of said lot 26, 143 feet; thence North and parallel to the East line of Alabama Street 51 feet to the South line of what was formerly Nebraska Street, now Terrace Avenue, said South line of Nebraska Street being the North line of said Woodruff's Subdivision, running thence West along the South line of Nebraska Street and the North line of said Woodruff's Subdivision 43 feet, running thence South and parallel to the East line of Alabama Street 25 feet thence West 100 feet to the East line of Alabama Street thence South along the East line of Alabama Street 26 feet to the place of beginning; also,

Lot 26 in Thomas Taggart's Addition to the City of Indianapolis, according to the plat thereof in Plat Book 11 page 29 in the Recorder's Office of said County and State, and that the claims of the defendants to the said cross complaint thereto are without right and unfounded and that cross complainant's title thereto be and the same is hereby quieted.

It is further considered and adjudged that cross complainant recover of the defendants to the cross complaint her costs and charges in this Cause laid out and expended.

It is further considered and adjudged that defendant Daisy Groninger, recover her costs in this action on her answer of disclaimer taxed at \$-- all of which is finally ordered, adjudged and decreed by the Court.

June 26, 1916, Plaintiffs (defendants to cross complaint) file motion for a new trial.

July 1, 1916, Motion for new trial is overruled and nine days given to file bill of exceptions.

December 20, 1916, Plaintiffs Sarah Davidson Goldie Slutsky and Esther Finkelstein, file notice of appeal to Appellate Court of Indiana.

December 2, 1919, Certified copy of opinion of appellate Court filed.

THE STATE OF INDIANA.

IN THE APPELLATE COURT, DIVISION NUMBER TWO
NOVEMBER TERM, 1918.

On the 9th day of May, 1919, being the 143rd
Judicial day of said November Term, 1918.

No. 9840

Hon. Ethan A. Dausman, Chief Judge
Hon. Willis S. McMahon }
Hon. Alonzo L. Nichols } Judges

IN THE CASE OF

Sarah Davidson, et al., } Appealed from the Marion
vs } Superior Court, No. 101877.
Fannie Lemontree. }

Come the parties by their attorneys and the Court being sufficiently advised in the premises, gives its opinion and judgment as follows, pronounced by McMahon, J.

#19878

This case was set for trial on the 15th day of May 1916. On May 10, the appellants filed a verified motion for a change of venue from the County. There was at that time a rule in force in the trial Court requiring all motions for a change of venue from the County to be filed at least five days before the day on which the cause stands for trial on the trial calendar. The Court overruled this motion for the reason that it was not filed five days before May 15th. The motion was filed in time and it should have been sustained. Section 1350, Burns R. S. 1914. The rule of the Court did not require that five full days should intervene between the day on which the motion was filed and the day set for trial as was the case in Fry vs. Hoffman, 54 Ind. App. 434. Appellee suggests that where it appears to the Court that the merits of the Cause have been fairly tried or determined that the cause should not be reversed. The evidence not being in the record we are not able to say that substantial justice has been done.

Judgment reversed directions to sustain the motion for a new trial and for further proceedings not inconsistent with this opinion.

And afterwards to wit: On the 17th day of October, 1919, the Court being fully advised overrules the petition for rehearing hereto filed herein by Appellee.

And afterwards, to wit: On the -- day of -- 191- the Supreme Court being fully advised denies the petition to transfer to the Supreme Court heretofore filed herein by ---.

It is therefore considered by the Court that the Judgment of the Court below in the above entitled cause be in all things reversed at the cost of the Appellee, all of which is ordered to be certified to said Court.

And it is further considered by the Court that the Appellant recover of the Appellee the sum of \$29.25 for their costs and charges in this behalf expended.

THE STATE OF INDIANA, APPELLATE COURT.

Patrick J. Lynch, Clerk of the Supreme Court and ex-officio Clerk of the Appellate Court of the State of Indiana, certify the above and foregoing to be a true and complete copy of the opinion and judgment of said Appellate Court in the above entitled cause.

IN WITNESS WHEREOF, I hereto set my hand and affix the seal of said Appellate Court at the City of Indianapolis, this 1st day of December, 1919.

Patrick J. Lynch, C. A. C.

Costs unpaid.

COSTS PAID

ATTORNEY UNION TITLE CO. INC.

BY Willis N. Coval

V. PRES. & GENL. MGR.

-5-

McA. (over)

Wm. Mar 8-1927 Costs pd
OK Prof

#19878

-5-

Fannie Lemontree, died testate on the 9th day of February, 1918.

Will Record
"CC" p. 199
Feb. 8, 1918
Probated
Feb. 14, 1918.

-6-

LAST WILL AND TESTAMENT OF FANNIE LEMONTREE,
DECEASED.

With the help of God, The undersigned of my hand tells and witnesseth on me that I am writing this will with my good will and with my sound mind and this is my last will that I have ever written; I have in Indianapolis, Indiana, one property #1415 Yandes Street, I give this away to my daughter Anna Schuman. One property #1416 Maple Street, I give that to Elmer Duschman, a grand child of Frank Lemontree; one property #442 West Raymond Street and one property #1405 Alabama Street, one property 347 Terrace Avenue, one property #114 West 15th Street, all of this I leave on the following conditions, to wit:- \$500.00 for Ida Schuman, my daughter and \$200.00 for Dora Schuman, my daughter; \$200.00 for Sarah Schuman, my daughter; \$100.00 for my sister Lizzie Rabinowitz, \$100.00 for my mother Bessie Rebecca Blachman; \$200.00 for Daniel Schuman, my son, \$25.00 for my son Mitchell Schuman, and Peter Schuman, my son shall get \$300.00 providing if he will circumcise his child, if not he get only \$25.00; \$100.00 for the Jewish Hospital of Cincinnati; \$100.00 for Yeshivat Iech Cham of Jerusalem; \$100.00 for Indianapolis United Hebrew School; \$100.00 for the Hebrew School of

Cincinnati; \$100.00 for the Chave Shelom Relief Committee of Cincinnati, \$25.00 for the Ladies Auxilliary, of Indianapolis, the rest of the assets shall be divided equally among all of my children; all of this I am dictating with my good will and my sound mind, this 8th day of February, 1918, in Cincinnati, Ohio and to divide this for the children I left Rabbi Levin.

Fannie Lemontree.

Before us witnesses Fannie Lemontree, instructed us to write and she signed her name on the will and to acknowledge the foregoing instrument to be true we the undersigned, placed our hands and seals this 8th day of February, 1918, in Cincinnati, Ohio.

Witness 2/8/18, Dr. Max Dreyfoos
Rabbi J. M. Levin.

Estate Docket
52, p. 15922

-7-

February 14, 1918, Will probated in Open Court and Taylor E. Groninger, was appointed and qualified as administrator with the will annexed of the estate of Fannie Lemontree, deceased; see Order Book 44 page 239.

-6-

McA. (over)

#19878

March 12, 1918, Proof of publication of appointment filed.

February 26, 1921, Report and resignation of Taylor E. Groninger, Administrator filed. Report approved and resignation accepted. Order Book 68 page 544.

March 7, 1921, Isidor Wulfson, was appointed and qualified administrator de bonis non with the will annexed of said estate; see Order Book 68 page 576.

June 14, 1923, Report and resignation of Isidor Wulfson, administrator de bonis non filed, approved and resignation accepted; see Order Book 84 page 275.

June 18, 1923, On report and resignation of former administrator T. Wilson Annabel was appointed and qualified administrator de bonis non with the will annexed of the estate of Fannie Lemontree, deceased; see Order Book 84 page 289.

June 25, 1923, Administrator files petition to collect the rents and profits of real estate filed and granted; see Order Book 84 page 329.

June 28, 1923, Administrator files petition to pay off mortgage on lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, executed to Charlotte Heim, shown in Mortgage Record 598 page 7. Petition granted and said administrator is ordered to satisfy mortgage out of funds remaining in his hands; see Order Book 83 page 175.

June 30, 1923, Report of Isidor Wulfson, administrator filed June 14, 1923, Approved and said administrator is released and discharged; see Order Book 84 page 361.

Estate pending.

Sept. 3, 1931. Verified final report filed. Hearing October 24, 1931. Pending.

CHECKED TO 9-27-62
UNION TITLE COMPANY

WILLIS McCOY
W. PRES. & GENL. MGR.

IN THE PROBATE COURT OF MARION COUNTY.

Cause #1177
Complaint filed
June 21, 1918.

IN THE MATTER OF THE ESTATE OF
FANNIE LEMONTREE, DECEASED.

Elmer Dushman,

vs.

Taylor E. Groninger, Administrator
with the will annexed of said estate
Peter Schuman, Daniel Schuman,
Mitchel Schuman, Anna Schuman,
Ida Schuman, Sarah Schuman,
Grossman, and Dora Schuman.

Complaint to construe will of Fannie Lemontree, probated February 14, 1918, in Will Record "CC" page 199.

Publication ordered to non resident defendants returnable September 3, 1918, see Order Book 53 page 95.

No action has been taken on the above proceedings.

June 6-1927 Case dismissed for want of prosecution cost vs. plaintiff. Cost not paid
L. M. BROWN ABSTRACT CO.

#19878.

231, p. 244
Approved
Oct. 10, 1917.

-9-

*PP in full
Lm*

Frank and Fannie Lemontree
to
Walks in Maple Street.
Lot 112 as above described assessed for \$21.60
in ten Annual Installments with 6% interest per annum
payable semi-annually, 1/10 of said principal sum being
payable annually and the interest payable in May and
November of each year.

8/10ths paid including November 1925 installment.

265, p. 60
Approved
June 30, 1922.

-10-

*since paid
in full
Lm*

*SINCE PAID IN FULL
THE UNION TITLE CO. INC.
BY WILLIS N. COVAT
Nov 1927 to Nov 1929
delinquent
May 1927*

Asphalt Roadway in Maple Street
Lot 112 as above described assessed for \$130.12
in ten Annual Installments with 6% interest per annum
being payable annually and the interest payable in May
and November of each year.

4/10ths paid including November 1925 installment.

*All Insts. Pd. to & Incl. May 1927
Lm Balance Due to pay in full \$68.56*

Order Book
397, p. 251.
No. "A"-8126

-11-

*pd on
Lm*

IN THE MARION SUPERIOR COURT
Wm. Schuman vs. Ida Schuman
May 27, 1920

*CLASSIFIED of record
L. M. BROWN ABSTRACT CO.
Runcell to Lm Mgr.*

Costs.

Order Book
395, p. 323.
No. "A"-5754

-12-

*on
Lm*

IN THE MARION SUPERIOR COURT.
Wm. Schuman, vs. Ida Schuman.
September 30, 1919.

Costs.

-13-

Examination for Judgments made against Fannie Lemontree,
from November 12, 1915, to and including
February 9, 1918 and Bessie Rebecca Blackman,
Elmer Duschman, Lizzie Rabinowitz, Daniel Schuman,
Anna Schuman, Ida Schuman, Dora Schuman, Sarah Schuman,
Mitchel Schuman, and Peter Schuman, for the ten years
last past and against none other.

#19878

-14- Taxes for the year 1923, paid in full.

-15- Taxes for the year 1924, paid in full.

-16- Taxes for the year 1925, now a lien, payable in May and November, 1926.

PAID IN FULL
BROWN ABSTRACT CO.
L. J. Brown
Abstractor

-17- Indianapolis, Indiana, November 12, 1925.

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 Marion Probate, Circuit and Superior Courts, as said records and dockets are now entered up; we find no further conveyances, nor unsatisfied encumbrances of record, on the tract described in the Caption.

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.

Union Title Company
Incorporated

By: *Willis N. Coval*
PRES. & GENERAL MANAGER 715H

1. A Continuation of an Abstract of Title to Lot one hundred twelve (112) in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.

Prepared for Meyer-Kiser Bank, since date of
November 12, 1925.

IN THE SUPERIOR COURT OF MARION COUNTY.

Cause # 101877.
Dec. 8, 1925.

Hyman Lemontree, et al,
Vs.

Fannie Lemontree, et al.

2.

As continued from preceding continuation.

(We find no papers on file, the following are
Order Book entries.)

Comes now Peter Schulman, Daniel Schulman, Anna Schulman, Finkelstein, Ida Schulman Bishoff, Sarah Schulman Grossman, Dora Schulman Jacobs and file their petition (H.I.) asking that they be made parties cross complainants in said action and also asking that they be granted permission to amend the cross complaint so as to make them parties cross complainants and the court having been fully advised in the premises finds that this cause cannot be finally adjudicated without these petitioners be made parties to said cause and therefore orders that the above petitioners be made parties cross complainants and that they be permitted to amend the cross complaint and all other pleadings necessary to make them parties thereto.

And the said defendants now file their amended answer and cross complaint herein as follows (H.I.) and the court now rules the plaintiffs to reply to said amended answer and answer the cross complaint herein by December 15, 1925. Order Book 459 page 316.

December 12, 1925, comes now the plaintiffs by counsel and files answer in general denial to the amended cross complaint herein as follows (H.I.) Order Book 459 page 331.

February 20, 1926, comes now the parties by their respective counsel, and it appearing to the satisfaction of the Court that the plaintiffs herein Hyman Lemontree, Jacob Lemontree, Nathan Lemontree, Rose Burke, Sarah Davidson, Goldie Slutsky, and Esther Finklestein, on January 25th, 1916, filed their complaint against the defendants Fannie Lemontree, Daisey Groninger, Roy Dushman, Elmer Dushman and Mamie Dushman to quiet the title to the real estate hereinafter described; that Roy Dushman, Elmer Dushman, and Mamie Dushman, were properly plaintiffs in such action, but refused to join with the plaintiffs herein, and for such reason were made defendants in said complaint and that the

(over)

defendant Daisy Groninger, was made a party to answer as to any interest she claimed in and to said real estate and thereafter come into Court and filed a disclaimer and upon such issue she was found to have no interest in said real estate; that thereafter the defendant Fannie Lemontree filed her answer to said complaint and also a cross complaint making the plaintiffs herein and said Roy, Elmer and Mamie Dushman, cross defendants and thereafter said plaintiffs dismissed their complaint and answered the cross complaint and this action went to trial upon the issues formed by the cross complaint of Fannie Lemontree aforesaid, resulting in a judgment in her favor from which an appeal was prosecuted to the Appellate Court of Indiana and was by said Court reversed and certified back to this Court for a new trial that pending said appeal said defendant and cross complaint Fannie Lemontree departed this life testate on or about the 9th day of February 1918.

That thereafter on or about the 8th day of December 1925, the defendants Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Sarah Schulman Grossman and Dora Schulman Jacobs, filed their intervening petition showing to the satisfaction of the Court that they were the sole and surviving heirs at law of Fannie Lemontree deceased, and asking leave of the Court to intervene herein and file a cross complaint, which petition upon due consideration of the Court was granted and said persons made parties herein and by leave of Court filed their cross complaint herein against said plaintiffs, Hyman Lemontree, Jacob Lemontree Nathan Lemontree, Rose Burke, Sarah Davidson, Goldie Slutsky and Esther Finkelstein and said defendants Roy Dushman, Elmer Dushman and Mamie Dushman, making them cross defendants thereto; and now on this 20th day of February 1926, comes Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Sarah Schulman Grossman, and Dora Schulman Jacobs by their attorney Elton F. Leffler, Esq. and at the same time also comes Hyman Lemontree, Jacob Lemontree, Nathan Lemontree, Rose Burke, Sarah Davidson, Goldie Slutsky, Esther Finkelstein, Roy Dushman, Elmer Dushman, and Mamie Dushman by their attorneys Messrs. White and Jones and this cause now being at issue upon the joint and several motions of said cross complaints and said cross defendants the same is submitted to the Court for trial without the intervention of a jury, and the evidence being heard and the court being fully advised in the premises, finds for the cross complaints and that the material averments of their cross complaint are true; that the cross complaints, Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Sarah Schulman Grossman, and Dora Schulman Jacobs, are the sole and surviving heirs at law of Fannie Lemontree deceased, that pending this litigation the parties hereto both cross complainants and cross defendants, arrived
(over)

at a compromise agreement of all and singular the matters and things in controversy, by the terms whereof the cross complaints and cross defendants are to receive forty and 60 per cent respectively of the value of the real estate in controversy.

And the court further finds that by reason thereof and thereby Fannie Lemontree died seized of the fee simple title of the real estate described in the cross complaint, being in the County of Marion and State of Indiana, described as follows, to wit:

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof in Plat Book 2 page 86 in the Recorder's Office of said County and State (also other real estate.) And that the fee simple title to said real estate is now vested in the cross complainants and each of them, by succession as the sole and surviving heirs at law of Fannie Lemontree deceased, in several proportions of an undivided 1/6 subject to the debts and liabilities of said decedent, and that the adverse claims of the cross defendants, and each of them, in and to said real estate are without right and unfounded, and that the cross complainants, and each of them are entitled to have their title to said real estate forever quieted and set at rest as against the claims of the cross defendants, and each of them, and all persons claiming under by or through them.

It is therefore considered and adjudged by the Court that the cross complainants Peter Schulman, Daniel Schulman Anna Schulman Finkelstein, Ida Schulman Bishoff, Sarah Schulman Grossman, and Dora Schulman Jacobs, and each of them, are the owners in fee simple of the real estate described in the cross complaint and this decree in the several proportions of an undivided 1/6, subject to the claims and liabilities of the estate of Fannie Lemontree deceased, being in the County of Marion and State of Indiana, described as follows, to wit:

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, in Plat Book 2 page 86 in the Recorder's Office of said County and State, (also other real estate). And that the cross defendant's claims of each of them thereto is without right and unfounded and that the cross complainant's title thereto be and the same is hereby quieted and forever set at rest as against the cross defendants and all persons claiming under by or through them.

And it is further ordered and adjudged by the Court that the costs of this action be taxed against the cross complainants and cross defendants in the proportion of forty and 60 per cent respectively.

Order Book 464 page 124 *Mar 8-1927 Costs paid*
Costs not paid.

L. M. BROWN ABSTRACT CO.

James G. Brown Mgr.

July 10, 1928 Transcript of decree in above cause filed per record in the office of the Recorder of Marion County, Indiana in Quiet title record 4 page 370.

Wills & Coval
W. PRES. & CIVIL. 1928

IN THE PROBATE COURT OF MARION COUNTY.

Estate Docket
52 page 15922.
May 6, 1926.

T. Wilson Annabal, Administrator
de bonis non with the will annexed
of the estate of Fannie Lemontree,
deceased,

Petition to sell
Real Estate.

3.

Vs.

Hyman Lemontree, Jacob Lemontree,
Nathan Lemontree, Rose Burke,
Sari Davidson, Goldie Slutsky,
Ester Finkelstein, Roy Dushman,
Elmer N. Dushman, Mamie Dushman,
Lizzie Rabinowitz, Bessie Rebecca Blanchman,
Jewish Hospital of Cincinnati,
Yeshivat Iech Chaim of Jerusalem,
Indianapolis United Hebrew School,
Hebrew School of Cincinnati,
Ohav Sholem Relief Committee of Cincinnati,
Ladies Auxiliary of Indianapolis,
Rabbi J.M. Levin, M. Klein,
Indianapolis Light & Heat Company,
Ernest Johnson, Dr. A.S. Jaeger,
L.Hornstein, Ohav Sholem Congregation,
The Indiana Trust Company
Peter Schulman, Daniel Schulman,
Anna Schulman Finkelstein,
Ida Schulman Bishoff,
Sari Schulman Grossman, Dora Schulman Jacobs
The unknown heirs, devisees and legatees of
J.M. Levin, deceased.

The undersigned, duly qualified and acting as
administrator de bonis non with the will annexed of the
estate of Fannie Lemontree, deceased, late of Marion County,
Indiana, deceased, respectfully shows to the court that
prior to and subsequent to the death of his testatrix,
litigation has been prosecuted in the court of this
state involving the title to the real estate hereinafter
described by and between the heirs at law of Frank Lemontree,
deceased, the late husband of the said testatrix and
said testatrix, and her heirs at law since her decease, which
litigation has recently been terminated by compromise
agreement by said litigants on the basis of sixty (60)
per cent of the net proceeds derived from the sale of
the real estate hereinafter described to the heirs at
law of Frank Lemontree, deceased, and forty (40) per
cent of said net proceeds to the heirs at law of Fannie
Lemontree, deceased, and a consent decree confirming
said settlement and finding that Fannie Lemontree died
seized of the fee simple title of the real estate herein-
after described and by succession now vested in the
heirs of Fannie Lemontree, deceased, free of all claims
and demands of the heirs of Frank Lemontree, deceased,
in Cause No. 101877, Room # 4 of the Superior Court of
Marion County, Indiana.

That the defendants herein, namely, Hyman Lemontree,
Jacob Lemontree, Nathan Lemontree, Rose Burke, Sari David-
son, Goldie Slutsky, Esther Finkelstein, Roy Dushman,
Elmer Dushman, Mamie Dushman, the sole and surviving heirs
(over)

at law of Frank Lemontree, deceased, have filed their claim in this estate for sixty (60) per cent of the net proceeds deriving from the sale of the real estate hereinafter described, which claim has been duly allowed by this administrator and that said claim will approximate the sum of 5790 dollars; that in addition to said claim miscellaneous claims have been filed by Ohav Sholem Congregation three hundred twenty-two dollars and fifty cents (\$322.50); Rabbi J.M. Levin Seventy-five dollars (\$75.00); M. Kline two dollars and ninety-five cents (\$2.95); Indianapolis Light and Heat Company three dollars and seventy-one cents (\$3.71); Ernest Johnson Five dollars and fifty cents (\$5.50); Dr. A.S. Jaeger Fifty one dollars (\$51.00); L. Hornstein fifteen dollars (\$15.00); aggregating the sum of four hundred seventy-five dollars and sixty-six cents (\$475.66), all of which claims have been allowed in this estate; and in addition to said claims there are miscellaneous cash bequests in the last will and testament of said testatrix as follows: Lizzie Babinowitz one hundred dollars (\$100.00); Bessie Rebecca Blanchman one hundred dollars (\$100.00); Jewish Hospital of Cincinnati one hundred dollars (\$100.00); Yeshivat Iech Chaim of Jerusalem one hundred dollars (\$100.00); Indianapolis United Hebrew School one hundred dollars (\$100.00); Hebrew School of Cincinnati one hundred dollars (\$100.00); Ohav Sholem Relief Committee of Cincinnati one hundred dollars (\$100.00); Ladies Auxiliary of Indianapolis twenty-five dollars (\$25.00); aggregating the sum of seven hundred twenty-five dollars (\$725.00).

That in addition to the above cash bequests said testatrix made the following devises of her real estate, to wit: To Anna Schulman (Finkelstein) the property known and designated as 1415 Yandes Street, being lot # 42 in Fletcher's Subdivision of lots 6 to 23 in E.T. and S.K. Fletcher's addition to Indianapolis; to Elmer Dushman the property known and designated as 1416 Maple Street, being lot 112 in McCarty's Subdivision of Out Lot 120 in the City of Indianapolis; that from the remainder of her real estate the following bequests are to be paid, to wit: To Ida Schulman (Bishoff) her daughter five hundred dollars (\$500.00); Dora Schulman (Jacobs) her daughter two hundred dollars (\$200.00); Sari Schulman (Grossman) her daughter two hundred dollars (\$200.00); Daniel Schulman her son two hundred dollars (\$200.00); Mitchel Schulman her son now deceased, twenty-five dollars (\$25.00), and to Peter Schulman her son three hundred dollars (\$300.00), provided that he has his son circumcised and failing so to do his bequest shall be reduced to twenty-five dollars (\$25.00).

This administrator further respectfully shows to the court that the devisees and legatees enumerated in the preceding paragraph have by reason of their joinder in the compromise agreement of the litigation as aforesaid severally waived all and singular, their rights to claim the devises and bequests as aforesaid.

(over)

That claims filed and allowed as aforesaid and the several cash bequests as aforesaid, aggregate the sum of 6990.60 dollars.

This administrator further respectfully shows to the court that the total value of the personal estate of said testatrix which has come to his knowledge or possession, amount to the sum of one hundred twenty-five dollars and twenty-five cents (\$125.25) as appears from the inventory filed in said estate, which personal estate consists of one certificate # 809 for twenty-five (25) shares of preferred stock of the par value of ten dollars (\$10.00) each, of the Indianapolis Securities Company, which is now valueless and and one KSS pin, one gentlemen watch, one ladies watch, one neck chain, one diamond set bracelet, two gold marriage rings, one sapphire ring, one snake ring, one ladies locket, one gentlemen watch, chain and locket, one short neck chain, one ladies berach, one ladies diamond ring.

This administrator further respectfully shows to the court that heretofore by order of this court the real estate of said testatrix, being the real estate hereinafter described, was placed in his charge, to collect the rents and profits arising therefrom and from said rents and profits to pay all necessary expenses for the maintenance of the improvements upon said real estate, and all taxes and assessments against the same, and that he now has on hand of the rents and profits of said real estate the sum of approximately fourteen hundred dollars (\$1400.00).

This administrator further respectfully shows to the court that there is a first mortgage lien executed on October 18, 1916 in favor of The Indiana Trust Company resting on the following described portion of said testatrix's real estate, to wit:

Part of lots number five (5) and six (6) in Square twenty-nine (29) in James P. Drake's Addition to the City of Indianapolis more particularly described as follows: Beginning at a point thirty-nine (39) feet East of the Southwest corner of said lot six (6) in Square 29 in Drake's Addition to the City of Indianapolis, thence North in a straight line 81, 1/2 feet to a point on the South line of a 10 foot alley in the South 1/2 of said lot 5 in Square 29, thence east along said line of said alley thirty-five (35) feet to a point, thence diagonally or southeast five (5) feet eight (8) inches to a point, thence south in a straight line seventy-seven and one-half (77, 1/2) feet to a point on the south line of said lot six (6) thence West along said line thirty-nine (39) feet to the place of beginning.

To secure the payment of one note of the principal sum of eight hundred dollars (\$800.00) with interest at the rate of 8 % per annum, which said mortgage is filed in mortgage record # 699 page 60 of the records of the Recorder's Office Marion County, Indiana.

This administrator further respectfully shows to the court that the personal estate of said testatrix and the rents and profits aforesaid arising from the real estate
(over)

hereinafter described are wholly insufficient to pay and discharge the debts and liabilities of the estate of said testatrix Fannie Lemontree, deceased, the mortgage lien and cash bequests aforesaid and the costs and expenses of this administration. That the real estate hereinafter described of which said testatrix died seized of the fee simple title thereto is liable to sale to make assets for the payment of the debts, liens and cash bequests of said testatrix and the probable value thereof is 11000 dollars.

That the mortgage of the Indiana Trust Company aforesaid is now due and that the real estate upon which said mortgage lien rests as aforesaid ought to be sold and discharged of said mortgage lien, and the lien thereof transferred to the funds arising from the sale of said mortgaged real estate.

That said testatrix left surviving her as her sole and surviving heirs at law, the defendants herein, Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Sari Schulman Grossman, and Dora Schulman Jacobs; that the surname of said Schulman defendants is sometimes spelled Schuman and that Peter Schuman, Daniel Schuman, Anna Schuman Finkelstein, Ida Schuman Bishoff, Sari Schuman Grossman and Dora Schuman Jacobs are the same and identical persons as the aforesaid named Schulman defendants.

This administrator further respectfully shows to the Court that the following named defendants herein are non-residents of the State of Indiana, to wit: Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Dora Schulman Jacobs, Sari Schulman Grossman, Roy Dushman, Elmer Dushman, Mamie Dushman, Lizzie Rabinowitz, Bessie Rebecca Blanchman, Jewish Hospital of Cincinnati, Yeshivat Iech Chaim of Jerusalem, Hebrew School of Cincinnati, Ohav Sholem Relief Committee of Cincinnati, Ohav Sholem Congregation, Rabbi J.M. Levin, the unknown heirs, devisees and legatees of J.M. Levin deceased.

This administrator further respectfully shows to the Court that his testatrix aforesaid died seized of the fee simple title in and to the following described real estate in the County of Marion, State of Indiana, to wit:

Lot number one hundred and twelve (112) in McCarty's Subdivision of the East part of Out Lot number one hundred and twenty (120) in the City of Indianapolis, as per Plat thereof, in Plat Book 2 page 86 in the Recorder's Office of said County and State.

Also, lot number forty-two (42) in E.T. Fletcher's Subdivision of part of E.T. and S.K. Fletcher's Addition to the City of Indianapolis, according to the plat thereof, in Plat Book 3 at page 123 in the Recorder's Office of said County and State.

Also part of the lots number five (5) and six (6) in Square twenty-nine (29) in James P. Drake's Addition to the City of Indianapolis, more particularly described as follows: Beginning at a point thirty-nine (39) feet east of the southwest corner of said lot six (6) in Square

(over)

(29) in Drake's Addition to the City of Indianapolis, thence North in a straight line eighty-one and one-half ($81\frac{1}{2}$) feet to a point on the south line of a ten (10) foot alley in the South half of said lot five (5) in Square 29, thence East along said line of said alley thirty-five (35) feet to a point, thence diagonally or southeast five (5) feet eight (8) inches to a point, thence south in a straight line seventy-seven and one-half ($77\frac{1}{2}$) feet to a point on the south line of said lot six (6), thence west along said line thirty-nine (39) feet to the place of beginning.

Also the following described real estate: Beginning at the northwest corner of lot number twenty-six (26) in James O. Woodruff's Subdivision of lots seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), seventeen (17), eighteen (18), and nineteen (19), in Bethuel F. Morris' Addition to the City of Indianapolis, running thence east along the north line of said lot twenty-six (26) one hundred and forth-three (143) feet; thence North and parallel to the East line of Alabama Street fifty-one (51) feet to the south line of Nebraska Street, now Terrace Avenue, said South line of Nebraska Street being the North line of said Woodruff's Subdivision, running thence West along the South line of Nebraska Street and the North line of said Woodruff's Subdivision, forty-three (43) feet; running thence South and parallel to the East line of Alabama Street twenty-five (25) feet; thence West one hundred (100) feet to the East line of Alabama Street; thence South along the east line of Alabama Street twenty-six (26) feet to the place of beginning.

Also lot twenty-six (26) in Thomas Taggart's Addition to the City of Indianapolis, according to the plat thereof, in Plat Book 11 page 29 in the Recorder's Office, said County and State.

This administrator further respectfully shows to the Court that by reason of the compromise agreement of the litigation by and between the heirs of Frank Lemontree, deceased, and the heirs of Fannie Lemontree, deceased, as aforesaid it will be necessary to sell all of said testatrix's real estate to ascertain the amount of money to be paid to the heirs of Frank Lemontree, deceased, in accordance with said compromise agreement, and to raise funds sufficient to pay said claims filed and allowed in this estate.

This administrator further respectfully shows to the court that if said real estate is sold at private sale it will command a better price than if sold at public auction, and by reason thereof and thereby it will be more advantageous to said estate to sell the same at private sale.

(over)

WHEREFORE, this administrator prays the court that upon a hearing of this petition, an order be made by the court empowering him to sell all of the aforesaid described real estate at private sale to discharge the debts, liabilities, cash bequests, mortgage lien and the costs and expenses of this administration, and that the court grant such other and further relief as the interests of said estate may require.

T. Wilson Annabal.

Subscribed and sworn to before me a Notary Public in and for said County and State this 3 day of May 1926.

Elton F. Leffler, Notary Public (L.S.)

My Commission will expire this 13 day of March 1928.

Affidavit of non residence and proof of publication filed as to defendants Peter Schulman, Daniel Schulman, Anna Schulman Winkelstein, Ida Schulman Bishoff, Sari Schulman Grossman, Dora Schulman Jacobs, Roy Dushman, Elmer N. Dushman, Mamie Dushman, Lizzie Rabinowitz, Bessie Rebecca Blanchman, Jewish Hospital of Cincinnati, Yeshivat Iech Chaim of Jerusalem, Hebrew School of Cincinnati, Ohav Sholem Relief Committee of Cincinnati, Ohav Sholem Congregation, Rabbi J.M. Levin, The unknown heirs, devisees and legatees of J.M. Levin, deceased.

Served by copy and reading Nathan Lemontree, The Indiana Trust Company, Hyman Lemontree, Sari Davidson, Goldie Slutsky, N. A. Perry Secy. of Indianapolis Light & Heat Company; Ernest Johnson, Rachel Demont, Pres. Ladies Auxiliary of Indianapolis.

Served by copy Rose Burke, Ester Finkelstein, M. Klein, Jack Cohn Director Indianapolis United Hebrew School, Dr. A.S. Jaeger, L. Hornstein.

Answer filed by The Indiana Trust Company, Jacob Lemontree, Hyman Lemontree, Nathan Lemontree, Rose Burke, Sari Davidson, Goldie Slutsky, Ester Finkelstein, Roy Dushman, Elmer N. Dushman, Mamie Dushman, Lizzie Rabinowitz, Bessie Rebecca Blanchman, Jewish Hospital of Cincinnati, Yeshivat Iech Chaim of Jerusalem, Indianapolis United Hebrew School, Hebrew School of Cincinnati, Ohav Sholem Relief Committee of Cincinnati, Ladies Auxiliary of Indianapolis, Rabbi J.M. Levin, M.Klein, Indianapolis Light & Heat Company, Ernest Johnson, Dr. A.S. Jaeger, L. Hornstein, Ohav Sholem Congregation, The unknown heirs, devisees and legatees of J.M. Levin, deceased, Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schulman Bishoff, Sari Schulman Grossman, Dora Schulman Jacobs, are called and defaulted.

June 30, 1926, William A. Brennan and James E. Berry appointed appraisers to appraise real estate. Oath of appraisers filed. Lot 112 in McCarty's Subdivision of East part of Out Lot 120 in the City of Indianapolis appraised at \$1500.00. Bond filed and approved by the Court in the sum of \$23,000.00.

(over)

And the court having heard the evidence and being sufficiently advised in the premises, finds that the personal assets of said estate are insufficient to pay and discharge the debts and liabilities thereof and the cash bequests and costs and expenses of the administration thereof; and that the real estate in said petition as hereinafter described, is liable to make assets in the hands of said Administrator to pay such indebtedness; that the lien of the mortgage in said petition mentioned, executed in favor of the defendant The Indiana Trust Company, appearing in Mortgage Record No. 699 page 60 of the records in the Recorders Office of Marion County, Indiana, should be transferred to and become a lien upon the funds arising from the sale of said mortgaged premises, and said real estate to be sold free and clear and discharged of said mortgage lien; the court further finds that to make assets for the payment of the debts and liabilities of said estate and cash bequests, it will be necessary to sell all of the decedents real estate and that the material allegations contained in the petition of said administrator are true as therein stated and set forth.

It is therefore, considered and ordered by the court that the real estate of said decedent in said petition mentioned and described as follows, to wit:

Lot number one hundred and twelve (112) in McCarty's Subdivision of the east part of Out Lot number one hundred and twenty (120) in the City of Indianapolis, as per plat thereof, in Plat Book 2 page 86 in the Recorder's Office of said County and State.

Also lot number forty-two (42) in E.T. Fletcher's Subdivision of part of E.T. and S.K. Fletcher's Addition to the City of Indianapolis, according to the plat thereof in Plat Book 3 at page 123, in the Recorder's Office of said County and State.

Also part of the lots number five (5) and six (6) in Square twenty-nine (29) in James P. Drake's Addition to the City of Indianapolis, more particularly described as follows: Beginning at a point thirty-nine (39) feet east of the southwest corner of said lot six (6) in Square (29) in Drake's Addition to the City of Indianapolis, thence North in a straight line eighty-one and one-half (81, 1/2) feet to a point on the South line of a ten (10) foot alley in the South half of said lot five (5) in Square 29, thence East along said line of said alley thirty-five (35) feet to a point, thence diagonally or Southeast five (5) feet eight (8) inches to a point, thence South in a straight line seventy-seven and one-half (77, 1/2) feet to a point on the South line of said lot six (6) thence West along said line thirty-nine (39) feet to the place of beginning,

Also the following described real estate: Beginning at the northwest corner of lot number twenty-six (26) in James C. Woodruff's Subdivision of lots seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), seventeen (17), eighteen (18), and nineteen (19), in
(over)

Bethuel F. Morris' Addition to the City of Indianapolis, running thence East along the North line of said lot twenty-six (26) one hundred and forth-three (143) feet; thence North and parallel to the East line of Alabama Street fifty-one (51) feet to the south line of Nebraska Street, now Terrace Avenue, said South line of Nebraska Street being the North line of said Woodruff's Subdivision, running thence West along the south line of Nebraska Street and the North line of said Woodruff's Subdivision, forty-three (43) feet; running thence South and parallel to the East line of Alabama Street twenty-five (25) feet; thence West one hundred (100) feet to the east line of Alabama Street; thence South along the East line of Alabama Street twenty-six (26) feet to the place of beginning.

Also, lot twenty-six (26) in Thomas Taggart's Addition to the City of Indianapolis, according to the plat thereof, in Plat Book 11 page 29 in the Recorder's Office, said County and State,

be sold by said Administrator at private sale for not less than the full appraised value thereof, for cash in hand.

The real estate shall be sold free and clear of and discharged of the said mortgage lien in favor of the defendant, The Indiana Trust Company and said mortgage lien shall be transferred and attached to the funds arising from such sale. The said administrator is required to give -- notice of the time, terms and place of said sale by publication in a newspaper of general circulation printed and published in the City of Indianapolis, Marion County, Indiana, and by posting printed notices thereof, in at least five public places in said County, three of which shall be posted in the township where said real estate is situated.

And said administrator is required to make due report of his proceedings under the foregoing order and time is given.

Pending. *SEE EXTENSION OF ABSTRACT*

- see return*
in
4. There are no further conveyances.
 5. Taxes for the year 1925 paid in full.
 6. Taxes for the year 1926 payable in 1927.
- SEE EXTENSION OF ABSTRACT*

2661

7.

Indianapolis, Indiana, December 4, 1926.

We find no further conveyances, nor unsatisfied encumbrances filed within the period embraced in this examination.

Searches made in the Recorder's office of Marion County, including the Federal Tax Lien Index in said office, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts, of the Probate Court of Marion County and of the Civil Municipal Courts of Marion County as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.

L. M. BROWN ABSTRACT CO.

Russell W. Jones

P.R.

-1- Continuation of Abstract of Title to Lot Numbered One Hundred Twelve (112) in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.

Prepared for T. W. Annabal, since date of December 4, 1926.

-2- There are no further conveyances.

-3- Taxes for the year 1926 not paid.

assessments for

SEE EXTENSION OF ABSTRACT

SEE EXTENSION OF ABSTRACT

-4- Taxes for the year 1927 payable in May and Nov. of 1928.

-5- Indianapolis, Indiana. March 28, 1927.

We find no further conveyances, nor unsatisfied encumbrances filed within the period embraced in this examination.

Searches made in the Recorder's office of Marion County, including the Federal Tax Lien Index in said office, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts, of the Probate Court of Marion County and of the Civil Municipal Courts of Marion County as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.

L. M. BROWN ABSTRACT CO.

[Signature]
Mgr.

-1-

Continuation of Abstract of Title to Lot Numbered One Hundred Twelve (112) in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.

Prepared for T. W. Annabal, since date of March 28, 1927.

Estate Docket
52 page 15922

IN THE MARION PROBATE COURT. Report of Sale of
(continued from former abstract.) Real Estate.
T. Wilson Annabal, Administrator, etc.
vs
Hyman Lemontree et al.

-2-

June 6, 1927. Proof of Publication of notice
of sale filed and Proof of posting of notices filed.

June 6, 1927.

The undersigned, administrator de bonis non with the will annexed of the estate of Fannie Lemontree, deceased, reports to the court that pursuant to the order heretofore made in this proceeding authorizing and directing the private sale of the real estate therein and hereinafter described, he gave notice of the time, terms and place of such sale by the publication and posting of notices thereof at the time and in the manner required by the terms of said order, and he attaches hereto and makes a part of this report copies of such notice, together with the proof of due posting and publication thereof, as aforesaid.

The time of said sale being fixed as July 15th, 1926, and from day to day thereafter until sold.

That on the 30th day of March 1927, being within the time fixed for such sale and at the place and upon the terms in said notice set forth, he sold said real estate, to-wit:- Lot number One Hundred Twelve (112) in McCarty's Subdivision of the East part of Out-Lot number One Hundred Twenty (120), in the City of Indianapolis, in the County of Marion and State of Indiana, as per plat thereof in Plat Book 2 page 86, of the records of the Recorder's Office, said County and State, at private sale to Joseph V. Hurley, subject to the approval of this court, for the sum of Fifteen Hundred Dollars (\$1500.00) cash, that being the highest and best bid received therefor and the full appraised value thereof.

Said real estate was sold free of all liens except the lien of taxes for the year 1927, payable in 1928. That there is now resting upon said real estate assessments liens for public improvements in the sum of sixty-eight and fifty-six hundredths (\$68.56) Dollars, and the lien of the second installment of taxes for the year 1926, in the sum of seventeen and sixty-eight hundredths (\$17.68) Dollars, and he therefor asks authority of the Court to pay the aforesaid liens.

Said purchaser complied with the terms of such sale by paying to this administrator the sum of fifteen hundred (\$1500.00) dollars in cash.

That the administrator further shows that in order to obtain the sale of said real estate at private sale it became necessary and in the interests of said estate to employ a real estate agent. That for such purposes he employed Glen B. Ralston, a real estate broker of skill and experience, and without whose agency said sale would not have been effected. He therefore asks authority to pay such real estate agent for his services, seventy-five (\$75.00) dollars, as a part of the expenses of such sale, said sum being the customary fee paid real estate agents for like services in the City of Indianapolis.

And said administrator now brings into court the cash payment so made and asks that said sale and his acts as herein reported may be approved and confirmed.

T. Wilson Annabal,

Administrator de bonis non with the will annexed of the estate of Fannie Lemontree, deceased.

Subscribed and sworn to before me, this 6th day of June 1927.

Hazel Elliott, Notary Public (L.S.)

My Commission expires August 4th, 1927.

ORDER CONFIRMING SALE OF REAL ESTATE.

Comes now said administrator and files the following verified report of the sale of certain real estate heretofore in this proceeding ordered sold, together with proofs of the posting and publication of notice of such sale (here insert); and the court having examined the same and being sufficiently advised, finds that said administrator, after giving notice of the time, terms and place of sale as required by the order of this Court authorizing the same, sold the real estate in his said report and the former order of this court, authorized, at private sale to Joseph V. Hurley, for the sum of fifteen hundred (\$1500.00) Dollars cash, that being the highest and best bid therefor, and the full appraised value thereof.

The Court further finds that said real estate was sold free of all liens save and except the lien of taxes for the year 1927, payable in 1928; and upon proof heard the Court now finds that there is now resting upon said real estate assessment liens for public improvements in the aggregate sum of sixty-eight and fifty-six hundredths (\$68.56) Dollars, and the lien of the second installment of taxes for the year 1926, in the sum of seventeen and sixty-eight hundredths (\$17.68) Dollars, and the court now orders said administrator to pay.

The court further finds that said purchaser has in all things complied with the terms of said sale by paying the purchase price thereof in cash, and the court, being satisfied that in the interest of said estate said sale ought to be approved, now in all things ratifies and confirms the same, together with the acts of said administrator as by him reported.

And said administrator is now ordered to execute his deed conveying said real estate so sold to said purchaser which deed is now reported by said administrator, and being examined, is approved by the court, and delivered to said purchaser.

And upon proof heard the court now allows Glen B. Ralston the sum of seventy-five (\$75.00) Dollars in payment for his services as agent in effecting said sale, and orders the same paid as a part of the expense thereof.

And this proceeding is adjudged finally disposed of.
Order Book -- page --.

Town Lot Record
793 page -
Inst. # 25853.
June 6, 1927.
Recorded
June 14, 1927,
1:50 P.M.

T. Wilson Annabal,
administrator de bonis non
with the will annexed of the
estate of Fannie Lemontree,
deceased, as such administrator
by order of the Probate Court
of Marion County, in the State of
Indiana, entered in Probate Order
Book No. 110 of said Court, on
page ---

Administrator's Deed

To
Joseph V. Hurley.

Lot number one hundred twelve (112) in McCarty's
Subdivision of the East part of Out-Lot number One Hundred
Twenty (120) in the City of Indianapolis, as per plat
thereof, recorded in Plat Book 2 page 86, of the records
of the Recorder's Office, said County and State.

APPROVED.

Mahlon E. Bash,
Judge of the Probate Court of
Marion County.

4.

There are no further conveyances.

5. Taxes for the year 1926 1st installment ^{of record these taxes are now} paid
2nd installment ^{not paid.} not paid.
BY *L. M. Brown*

6. Taxes for the year 1927 payable in May and November 1928.
SEE REFERENCE OF ABSTRACT

7. Indianapolis, Indiana, June 14, 1927, 1:50 P.M.
We find no further conveyances, nor unsatisfied encumbrances filed within the period embraced in this examination.

Searches made in the Recorder's office of Marion County, including the Federal Tax Lien Index in said office, the Lis Pendens records of complaints and attachments, and the general Judgment dockets of the Marion Circuit Court, of the Marion Superior Courts, of the Probate Court of Marion County and of the Civil Municipal Courts of Marion County as said records and dockets are now entered up; the Auditor's indexes of tax sales; the current tax duplicates and the duplicates of unpaid municipal assessments, as same now appear in the hands of the Treasurer of Marion County for collection.

B.A. &
P.R.

L. M. BROWN ABSTRACT CO.
L. M. Brown Mgr.

1.

INDIANAPOLIS

Continuation of an Abstract of Title to Lot One Hundred Twelve (112) in McCarty's Subdivision of the East part of Out Lot 120 in 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 86 thereof.

TITLE

Prepared for Fletcher Avenue Saving & Loan Association since date of June 14, 1927 1:50 PM

CONVEYANCES.

Misc. Record
200 page 613
Oct. 17, 1928
Recorded
Oct. 25, 1928

OF
ABSTRACTS

Marvin C. Williams

Affidavit

2.

L. M. Brown Abstract Co.,

Affiant says that he was acquainted with one Fannie Lemontree; that no child was born to her subsequent to February 7, 1918; that her sole and only heirs surviving her were Peter Schulman, Daniel Schulman, Anna Schulman Finkelstein, Ida Schuman Bishoff, Sarah Schuman Grossman, and Dora Schulman Jacobs. That Sarah Davidson named in suit to quiet title is one and the same person as Sari Davidson, party defendant to petition to sell real estate; that Esther Finkelstein named in suit to quiet title is one and the same person as Ester Finkelstein, party defendant to petition to sell real estate; that Elmer Dushman, named in suit to quiet title is one and the same person as Elmer N. Dushman defendant in petition to sell real estate; that Anna Schuman, named in will is one and the same person as Anna Schulman Finkelstein, defendant in petition to sell real estate; that Ida Schuman named in the will and Ida Schulman Bishoff, defendant in suit to quiet title is one and the same person; that Dora Schuman named in the will and Dora Schulman Jacobs, defendant in suit to sell real estate is one and the same person; that Sarah Schuman named in the will and Sari Schulman Grossman defendant in petition to sell real estate, is one and the same person; that Bessie Rebecca Bachman named in the will and Bessie Rebecca Blanchman, defendant in petition to sell real estate is one and the same person; that Daniel Schuman named in the will and Daniel Schulman, defendant in petition to sell real estate, is one and the same person; that Peter Schuman named in the will and Peter Schulman, defendant in petition to sell real estate, is one and the same person; that Yeshivat Iech Cham of Jerusalem, named in the will and Yeshivat Iech Chain of Jerusalem, defendant in petition to sell real estate is one and the same organization; that Rabbi Levin, named in the will and Rabbi J. M Levin defendant in petition to sell real

38791

INDIANAPOLIS

estate, is one and the same person; that the name of each herein written last is the right and proper name of each person so identified. That Mitchell Schuman, named in the will, was one and the same person as Mitchell Schulman, and who died, leaving surviving him no child nor children, nor widow, but only his brothers and sisters as his only heirs, And affiant further saith not. This affidavit applies to Part Lot 5, Square 29 Drakes Add. and part Lot 25 Woodruff's Sub.

Marvin C. Williams.

TITLE

Deed Record
Town Lots
794 p. 258
June 20, 1927
Recorded
June 22, 1927

Joseph V. Hurley and
Jenny A. Hurley,
his wife,

Warranty Deed

3.

to
Glenn B. Ralston,
Lot No. 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as shown by the plat thereof recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana. Subject to all liens and incumbrances.

ABSTRACTS

Deed Record
Town Lots
835 page 56
Jan. 16, 1929
Recorded
Jan. 19, 1929

Glenn B. Ralston,
unmarried
to
Frank McIntire

Warranty Deed

4.

With other realty.
Lot No. 112 in McCarty's Sub. of East Part of Out Lot 120 in City of Indianapolis as shown by the plat thereof recorded in Plat Book 2 page 96 in the office of the Recorder of Marion County, Indiana.

5.

WE FIND NO FURTHER CONVEYANCES.

ENCUMBRANCES.

MORTGAGES.

Mtg. Rec.
984 p. 600
June 21, 1927
Recorded
June 22, 1927

Glenn B. Ralston, unmarried
to
Fletcher Avenue Saving and Loan Association,

Mortgage

6.

Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as shown by the plat thereof, recorded in Plat Book 2 page 86 in

L. M. Brown Abstract Co.,

INDIANAPOLIS

the office of the Recorder of Marion County, Indiana.
To secure the performance of a certain bond in
the sum of \$1500.00 with interest at 7% per annum with
certain dues, fines, etc. together with 10% attorney's fees.

CHECKED TO 9-27-60
UNION TITLE COMPANY

MECHANIC'S LIENS.

- 7. None found unsatisfied of record within the period of this search.

TITLE

JUDGMENTS.

- 8. 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.
Joseph V. Hurley from June 13, 1927 to June 22, 1927 inclusive.
Glenn B. Ralston from January 21, 1920 to January 19, 1929 inclusive.
Frank McIntire for 10 years last past.
We find the following.

ABSTRACTS OF

MARION CIRCUIT COURT .

Cause No.42107
Order Book 237 p.592

L. M. Brown Abstract Co.,

The Celtic Saving and Loan Association No. 3 Judgment

vs
Glenn B. Ralston,
Judgment rendered June 30, 1928 against defendant for costs. For the sum of \$1345.25 and costs. August 28, 1928. Execution issued returned partly satisfied. Execution Docket B. B. page 102.

- 9.

ASSESSMENTS.

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

38791

INDIANAPOLIS

TAX SALE.

Tax Sale Register 21 p. 293 Certificate 70871

Auditor Marion County to J. W. Parker,

Tax Sale

Lot 112 McCarty's Sub. East part Out Lot 120. Returned delinquent in the name of Glenn B. Ralston for the non payment of taxes, costs and charges for the year 1927 and 1928.

11.

Sold February 11, 1929 for \$78.89.

TITLE

Seed made to J. W. Parker, Feb 25, 1931

TAXES. SEE No. 2 SUBSEQUENT CONTINUATION

Wills, McNeal

Taxes for the years 1927 and 1928 paid by sale, See Tax Sale above.

12.

OF

Taxes for the year 1929 assessed in the name of Frank McIntire are due and payable the first Monday in May and the first Monday in November of the year 1930.

ABSTRACTS

General Tax Duplicate No. 78046, Indianapolis, Center Township

May installment \$19.10 Unpaid.
Nov. installment \$19.10 Unpaid.

SEE No. _____

13.

L. M. Brown Abstract Co.,

Taxes for the year 1930 will become a lien March 1st and are due and payable in May and November of 1931.

SEE No. _____

38791

CERTIFICATE

14.

January 21, 1930

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 mortgage, 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.

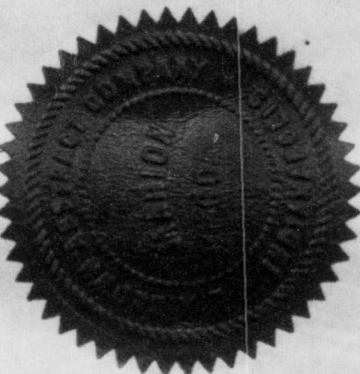
V. From the searches as above enumerated, we find no further conveyances, nor unsatisfied encumbrances as indexed or entered up, within the period embraced in the examination here certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this Certificate is from June 14, 1927 1:50 PM to January 21, 1930 and covers Paragraphs No. 1 to 14 both inclusive and sheets No. 1 to 5, both inclusive.

L. M. BROWN ABSTRACT COMPANY.

By *Russell A. Furr*

L. M. Brown Abstract Co.,



112471

1. A Continuation of an Abstract of Title to Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat thereof, recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana, since January 31, 1930.

Prepared for Fletcher Avenue Savings & Loan Association.

Town Lot Record
874 page 90
Inst. # 4937
Feb. 25, 1931
Recorded
Feb. 25, 1931.

Harry Dunn, Auditor of
Marion County

Tax Title Deed

To
J. W. Parker

Lot 112 McCarty's East Sub. Out Lot 120 sold in the name of Glen B. Ralston. (Also other real estate).

2.

Sold on the 11th day of February 1929 for the non-payment of taxes, costs and charges for the years 1927 and 1928.

See Tax Sale Record 21 page 293, Certificate #70871 for Tax Sale.

Town Lot Record
875 page
Inst. # 6817
Feb. 26, 1931
Recorded
March 17, 1931.

J. W. Parker and
Donna M. Parker,
husband and wife

Quit Claim Deed

To
Fletcher Avenue Saving
and Loan Association.

McCarty's East Sub. Lot 112 of Out Lot 120, City of Indianapolis, County of Marion and State of Indiana.

3.

This instrument conveys only such right, title and interest as acquired by virtue of Tax Deed covering Certificate No. 70871 issued by the County Auditor of Marion County, Indiana, from the 1929 sale.

Misc. Record
12 page 173
Aug. 30, 1890
Recorded
Sept. 16, 1890

ARTICLES OF INCORPORATION OF FLETCHER AVENUE SAVING AND LOAN ASSOCIATION.

Name: Fletcher Avenue Saving and Loan Association.

Object: To invest the funds received by it on subscription for shares of its Capital Stock from its members as to secure to such members the best result.

4.

Capital Stock: \$1,000,000.00 which shall be divided into shares of such denomination as shall be prescribed by its by-laws:

Location: City of Indianapolis, Marion County, State of Indiana.

For Certificate increasing the capital stock in the sum of \$1,000,000.00 see Miscellaneous Record 69 page 415.

112471

Also for certificate increasing the capital stock in the sum of \$25,000,000.00 filed June 6, 1925, see Miscellaneous Record 160 page --

Also for certificate increasing the capital stock from \$25,000,000.00 to \$40,000,000.00 filed November 6, 1926, see Miscellaneous Record 176 page 69.

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;
Frank McIntire from January 21, 1930 to date and against none other.

6.

*Some paid
m*

Taxes for 1929 unpaid and delinquent with penalty.

7.

*Some paid
m*

Taxes for the year 1930 unpaid and delinquent with penalty.

8.

Taxes for the year 1931 on the Real Estate for which this abstract is prepared are assessed in the name of J.W. Parker and are due and payable on or before the first Monday in May and the first Monday in November of 1932. General Tax Duplicate No. 88459, P.Q.R. Indianapolis Center Township.

May Installment \$18.83 unpaid.

Nov. Installment \$18.83 unpaid.

SINCE PAID IN FULL
ATTES. UNION TITLE CO.
BY *William A. Conroy*
PRES. GENL. MGR.

SEE No. _____
SUPPLEMENT CONTINUATION

112471

CERTIFICATE

9.



STATE OF INDIANA }
COUNTY OF MARION }SS:

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

FIRST That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, affecting the title to the tract 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 tract described in the caption hereof, except as shown herein. That there are no notices of Lis Pendens filed in the Lis Pendens Records of Complaints and Attachments, and no judgments against, nor any Recognizance or Replevin Bail signed by any of the parties named above under the caption of judgment search which are now liens upon the real estate described in the caption hereof, as appears from the General Judgment Dockets of the Criminal, Circuit, Superior and Probate Courts, and the Civil Municipal Courts of Marion County, nor any transcripts of judgments of the United States Courts filed in the Office of the Clerk of the Circuit Court of Marion County, as said records and dockets are now entered up, except as hereinabove set out.

THIRD That according to the current tax duplicates and special tax duplicates and 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.

The undersigned has two complete independent sets of indexes to the foregoing records of said County, compiled from the records and not copied from the official indexes, and the searches covered by this certificate reflect said records of said County and are not restricted to the indexes thereof.

In the preparation of this abstract an examination was made of one set of indexes and the findings thereof were re-checked with the other independent set of indexes, said examination made by one examiner and re-checked by another.

This certificate covers entries Nos. 1 to 9 both inclusive and sheets water-
marked "Union Title Company" Nos. 1 to 3 both inclusive.
Dated at Indianapolis, Indiana, February 19, 1932, 8:00 A.M.

UNION TITLE COMPANY

By Willis N. Coval
President and General Manager

-3-7

113498

1. A Continuation of an Abstract of Title to Lot 112 in McCarty's Sub-division of the East part of Out Lot 120 in the City of Indianapolis, as per plat of said Subdivision recorded in Plat Book 3 page 86 in the office of the Recorder of Marion County, Indiana, since February 19, 1932, 8:00 A.M.

Prepared for Fletcher Avenue Saving & Loan Association.

Cause A 66846
Complaint filed
April 20, 1932.

IN THE SUPERIOR COURT OF MARION COUNTY, INDIANA.
Fletcher Avenue Saving and Loan Association

vs

2.

Frank McIntire, - McIntire,
Glenn B. Ralston and
The Celtic Saving and
Loan Association, No. 3.

Suit instituted to foreclose mortgage recorded June 22, 1927 in Mortgage Record 984 page 600 in the Recorder's Office of Marion County, Indiana, and for the appointment of a Receiver to take charge of real estate described in said mortgage.

(Pending). SEE SUBSEQUENT CONTINUATION

Judgment Search.

3.

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

Frank McIntire from February 19, 1932, 8:00 A.M. to date and against none other.

4.

Taxes for the year 1930 paid.

5.

Taxes for the year 1931 on the Real Estate for which this abstract is prepared are assessed in the name of J.W. Parker and are due and payable on or before the first Monday in May and the first Monday in November of 1932. General Tax Duplicate No. 88459 P.Q.R. Indianapolis, Center Township.

May Installment \$18.83 unpaid.

Nov. Installment \$18.83 unpaid.

6.

Taxes for the year 1932 now a lien.

113498

CERTIFICATE



7.

STATE OF INDIANA }
COUNTY OF MARION } ss:

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

FIRST That the foregoing contains a true and correct abstract of all deeds, mortgages unsatisfied of record, notices of mechanic's liens unsatisfied of record, and all other instruments filed for record or recorded in the Office of the Recorder of said County, including the Federal Tax Lien Index in said Office, affecting the title to the tract 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 tract described in the caption hereof, except as shown herein.

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

THIRD That according to the current tax duplicates and special tax duplicates and 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.

The undersigned has two complete independent sets of indexes to the foregoing records of said County, compiled from the records and not copied from the official indexes, and the searches covered by this certificate reflect said records of said County and are not restricted to the indexes thereof.

In the preparation of this abstract an examination was made of one set of indexes and the findings thereof were re-checked with the other independent set of indexes, said examination made by one examiner and re-checked by another.

This certificate covers entries Nos. 1 to 7 both inclusive and sheets water-
marked "Union Title Company" Nos. 1 to 2 both inclusive.
Dated at Indianapolis, Indiana, April 22, 1932, 8:00 A.M.

UNION TITLE COMPANY

By

Willis N. Corvay
President and General Manager

-2-W

641231

CAPTION

-1- Continuation of Abstract of Title to Lot 112 in McCarty's Subdivision of the East part of Out Lot 120 in the City of Indianapolis, as per plat of said Subdivision recorded in Plat Book 2 page 86 in the office of the Recorder of Marion County, Indiana.
Since April 22, 1932, 8 A.M.

Prepared For: Parkview Realty Corporation

-2- Maple Street was changed to Kenwood Avenue by Special Ordinance No. 1 year 1940.

IN THE SUPERIOR COURT OF MARION COUNTY

Cause No. A66846

Fletcher Avenue Saving and Loan Association

-3-

vs.

Frank McIntire, et al

(As continued from a preceding continuation)

Summons issued April 20, 1932, returnable May 4, 1932 and returned showing that defendants, Frank F. McIntire, Glenn B. Ralston and Celtic Saving and Loan Association No. 3 by J. R. Welch, President, were all served by reading and copy on April 21, 1932; and returned showing that defendant, - McIntire was not found.

April 25, 1932. The Court appoints Lewis C. Holtegel as receiver to take charge of the real estate herein and to collect the rents and profits therefrom.

Order Book 506 page 571.

October 10, 1932. Judgment and Decree. Defendant, The Celtic Saving and Loan Association No. 3 appears by Charles L. Barry, its counsel; defendants, Glenn B. Ralston and Frank McIntire called and defaulted. Upon motion of plaintiff said cause is now dismissed as to said defendant - McIntire. Finding for plaintiff on complaint; Judgment rendered against said defendant, Glenn B. Ralston for \$2,105.96, and costs, and decree entered for foreclosure of plaintiff's mortgage and sale of said mortgaged premises, and the equity of redemption thereof, all without relief from valuation and appraisement laws.

641231

The Court further finds that said Mortgage of said plaintiff is a first lien upon said real estate; that said real estate is not susceptible of partition or division; that said defendant Frank McIntire is unmarried, and the owner in fee simple of said real estate; that said defendant, The Celtic Saving and Loan Association No. 3 holds a judgment lien upon said real estate by virtue of a judgment rendered by the Marion Circuit Court against said defendant Glenn B. Ralston on the 30th day of June, 1928, in the sum of \$1345.25 and costs, Cause No. 42107; that said judgment is partly satisfied; that the lien of that part of said judgment which is now unpaid is immediately junior and inferior to the lien of said mortgage to said plaintiff.

Order Book 516 page 181.

Copy of said judgment and decree issued and came to hand of Sheriff November 28, 1932. Sheriff's return recites that he advertised said real estate by giving due and legal notice of the time and place of sale for at least twenty days next before the day of sale by posting notices in three public places in Center Township and one at the Court House Door, and by publication for three weeks successively in The Indianapolis Commercial, a daily newspaper of general circulation in the City of Indianapolis. Said sale was set for the 21st day of January, 1933, at which time he first exposed to sale the rents and profits for a term not exceeding seven years of said real estate and receiving no bid therefor, he offered at public auction the fee simple of said real estate, and sold the same to Fletcher Avenue Saving and Loan Association, partly for the sum of \$1500.00 and returned said writ partly satisfied. Certificate of sale issued to said purchaser.

Execution Docket 74 page 158.

Costs Paid.

Complete Record 226 page 190.

February 19, 1934. Receiver's verified final report filed and approved, receiver discharged.

Order Book 526 page 467.

Town Lot Record
913 page 214
Inst. #4676
Feb. 5, 1934
Recorded
Feb. 23, 1934

Charles L. Summer, Sheriff of
Marion County, Indiana

Sheriff's Deed
(U. S. Revenue
Stamp Attached)

to
Fletcher Avenue Saving and
Loan Association

Lot numbered 112 in McCarty's subdivision of the East part of out lot 120 in the City of Indianapolis, as per plat thereof in Plat Book 2, page 86 of the Recorder's Office of Marion County, Indiana.

-4-

-2- mjc -over-

641231

Sold as the property of Glenn B. Ralston, et al
by virtue of proceedings shown in the Superior Court of
Marion County, Indiana in Cause No. A-66846.

Town Lot Record
1224 page 583
Inst. #42019
April 29, 1946
Recorded
July 17, 1946

Fletcher Avenue Saving and
Loan Association
(Corp Seal)
By Edward H. Parry,
Vice President,
Attest: John K. Parry,
Secretary, a corporation
to

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

-5-

Consie Moore

Parcel G. Lot numbered 112 in McCarty's Subdivision
of the East part of Out Lot numbered 120 in the City
of Indianapolis, as per plat thereof, recorded in
Plat Book 2, page 86, in the office of the Recorder
of Marion County, Indiana.

(Also other real estate)

Subject to the taxes for the year 1945, payable in
the year 1946, the taxes for the year 1946, payable in
the year 1947, and all taxes thereafter.

Subject also to all easements and restrictions and
legal highways.

That the covenants of warranty herein are limited solely
to the acts and deeds of the grantor.

That parcels A. B. D. E. and H of said real estate
were conveyed to said association in satisfaction of
debts previously contracted in its business, and that
parcels C. F. and G, of said real estate were acquired
by said association by deeds of the County Sheriff, of
Marion County, Indiana, pursuant to sales under foreclosure
proceedings.

Proper citizenship clause is attached.

Town Lot Record
1224 page 585
Inst. #42020
April 29, 1946
Recorded
July 17, 1946

Consie Moore, unmarried
to
Parkview Realty Corporation

Warranty Deed
(U. S. Revenue
Stamp Attached)

Parcel G. Lot numbered 112 in McCarty's Subdivision
of the East part of Out Lot numbered 120 in the City of
Indianapolis, as per plat thereof, recorded in Plat
Book 2, page 86, in the office of the Recorder of Marion
County, Indiana;

(Also other real estate)

Subject to all taxes, liens and assessments.
Proper citizenship clause is attached.

-6-

641231

Misc. Record
349 page 98
Inst. #39355
Nov. 2, 1943
Recorded
Nov. 4, 1943

ARTICLES OF INCORPORATION OF PARKVIEW REALTY CORPORATION

The following Articles of Incorporation and all matters heretofore done or hereafter to be done are in accordance with "An Act concerning domestic and foreign corporations for profit, providing penalties for the violation hereof, and repealing all laws or parts of laws in conflict herewith, approved March 16, 1929, and all acts amendatory thereof and supplemental thereto.

The name of this corporation shall be "Parkview Realty Corporation".

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

(a) To buy, purchase, contract for the purchase, lease without restriction as to term of tenure, and, both as lessor and/or lessee, acquire, own hold, improve, deal in and with, mortgage, pledge, sell, contract for the sale, dispose of, transfer, assign and/or convey real property, wherever situated, and any and every estate or interest therein or appurtenant thereto and the fixtures and personal property incidental thereto or connected therewith.

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

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

Approved and filed Nov. 4, 1943.
Rue J. Alexander,
Secretary of State
of Indiana

-7-

PAID IN CAPITAL AFFIDAVIT
FOR PARKVIEW REALTY CORPORATION

Misc. Record
349 page 228
Inst. #40300
Nov. 8, 1943
Recorded
Nov. 12, 1943

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

-8-

-4- mjc

641231

Judgment Search

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

-9-

Parkview Realty Corporation

for the 10 years
last past and
against none other.

-10-

Taxes for the year 1958 and prior years paid in full.

-11-

Taxes for the year 1959 on the real estate for which this Abstract is prepared are assessed in the name of Parkview Realty Corporation and are due and payable on or before the first Mondays in May and November of 1960.

General Tax Duplicate No. 410526, P,Q,R, Indianapolis, Center Township, Parcel No. 21098.

May Installment \$10.03 Paid.

November Installment \$10.03 Unpaid.

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

Assessed Valuation

Land \$260.00

Improvements None

Exemption None

-12-

Taxes for the year 1960 now a lien.

SEE SUBSEQUENT CONTINUATION

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

-13-

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 $\frac{1}{3}$ of the average depth of the lot up to 50 feet, with minimum of 20 feet.

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

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

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

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

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

641231

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.

641231

METROPOLITAN PLAN COMMISSION

DOCKET NO. 60-AO-4

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

641231

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

-14-

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 Ordinances 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.

-15-

September 23, 1960. 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.

-10- mjc

641231

GUARANTEED CERTIFICATE

-16-

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 16 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 11 both inclusive.

Dated at Indianapolis, Indiana, September 28, 1960, 9 A.M.

UNION TITLE COMPANY

by *Veran R. Sandridge*
President

-11- mjc

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

641231

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: **Parkview Realty Corporation**

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no transcripts of judgments of the United States Courts filed in the office of the Clerk of the Circuit Court of Marion County, Indiana; that there is no notice of lien for unpaid internal revenue taxes or notice of income tax lien constituting a lien on real estate prior to March 4, 1925, the date of the Indiana Recording Act, that there is no notice of lien filed in the Federal Tax Lien Index in the office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the 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

September 21, 1960, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

September 22, 1960, 8 A.M.

Parkview Realty Corporation

UNION TITLE CO.

BY *Vernon E. Brundage*
PRESIDENT

mjc

65-16621A

CAPTION

-1-

Continuation of Abstract of Title to Lot 112 in
McCarty's Subdivision of the East part of Out Lot 120
in the City of Indianapolis, as per plat of said
Subdivision recorded in Plat Book 2 page 86 in the
Office of the Recorder of Marion County, Indiana.
Since September 28, 1960, 8 A.M.

Prepared For: Richard Murray

Deed Record
1858 Inst. #31621
Dated
October 17, 1960
Recorded
April 24, 1961

Parkview Realty Corporation
to
Richard Murray and
Claire Franklin,
as joint tenants
and to the
survivor of them

Warranty Deed
(U. S. Revenue
Stamp Attached)

-2-

Lot #112 in McCarty's Subdivision of the East part
of Out Lot 120 in the City of Indianapolis, as per plat
of said Subdivision recorded in Plat Book 2, page 86,
in the Office of the Recorder of Marion County, Indiana.

IN WITNESS WHEREOF, the said Parkview Realty Corpor-
ation, has caused its corporate name and seal to be here-
unto affixed by Howard J. E. Kemper its President, and
attested by Dudley J. E. Kemper its Secretary, this
17th day of October A. D., 1960.

By: Parkview Realty Corporation (Seal)
Howard J. E. Kemper
President
Attest: Dudley J. E. Kemper
Secretary

Instrument shows name of person preparing same.
Corporate Seal of Parkview Realty Corporation affixed.

65-16621A

Old Age Assistance
Search

-3-

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

-4-

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

-5-

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".

65-16621A

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:

Parkview Realty Corporation

from September 28, 1960,
8 A.M. to and including
April 24, 1961

and vs

Richard Murray
and
Claire Franklin

for the 10 years
last past and
against none other.

Cause No.C-37497

-7-

Judgment for \$1,427.38 and costs in favor of General Finance Corp. vs Richard Murry, Jr., rendered March 5, 1962 in the Superior Court, Cause No. C-37497, Order Book 997 page 91, Judgment Docket M-Mc 3, page 107.

-8-

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

-9-

Taxes for 1964 payable 1965 in name of Richard Murray and Claire Franklin.

Duplicate No. 323046, M-N-0, Indianapolis, Center Township, Code No. 1-01, Parcel No. 21098.

May Installment \$10.25 Unpaid

November Installment \$10.25 Unpaid

-10-

Assessed Valuation

Land \$220.00 Improvements None Exemptions None

-11-

Taxes for 1965 now a lien in name of Richard Murray and Claire Franklin.

SYNOPSIS OF ZONING AND PLANNING REGULATIONS

-12-

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

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

The Metropolitan Plan Commission of Marion County, by Resolution adopted by the County Council as Ordinance No. 8-1957 effective March 28, 1957, recorded April 1, 1957, in Deed Record 1657, page 486, adopted and continued all existing Master Plans then in force in Marion County and in the various Cities and Towns as a consolidated Master Plan.

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

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

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

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

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

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

According to the maps filed with the respective ordinances, the real estate described herein appears to lie in District designated U-2, H-1, A-4.

-13-

July 23, 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.

SYNOPSIS OF BASIC CLASSIFICATIONS OF ZONING ORDINANCES

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

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

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

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

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

Restrictions of Floor Areas:

In Class AA district 1500 square feet;

In Class A1 District 900 square feet;

In Class A2 District 900 square feet;

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

MARION COUNTY MASTER PLAN AS AMENDED ESTABLISHED THE FOLLOWING:

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

Minimum requirements as follows:

District - Lot Area - Lot Width - Dwelling Dimensions

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

Variations of foregoing are provided for multiple dwellings.

CENTRAL BUSINESS DISTRICT ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

Central Business District One (CBD-1)

Central Business District Two (CBD-2)

Central Business District Three (CBD-3)

INDUSTRIAL ZONING ORDINANCE CREATES CLASSES AS FOLLOWS:

I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT

I-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT

I-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT

I-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT

I-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT

I-2-U LIGHT INDUSTRIAL URBAN DISTRICT

I-3-U MEDIUM INDUSTRIAL URBAN DISTRICT

I-4-U HEAVY INDUSTRIAL URBAN DISTRICT.

GUARANTEED CERTIFICATE

-14-

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 **6** both inclusive.

Dated at Indianapolis, Indiana, **August 9, 1965, 8 A.M.**

UNION TITLE COMPANY

by.....
 President

-6- 1m

UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

ME lrose 2-2361

Capital Stock \$1,000,000.00

65-16621A

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: **Richard Murray**

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

August 4, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

August 5, 1965, 8 A.M.

Parkview Realty Corporation

Richard Murray

Claire Franklin

sm

UNION TITLE COMPANY

ABSTRACTS OF TITLE + TITLE INSURANCE + ESCROWS

155 East Market Street

Union Title Building

Indianapolis 4, Indiana

ME lrose 2-2361

Capital Stock \$1,000,000.00

65-10364A

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: **First Holding Corporation**

The undersigned hereby CERTIFIES, GUARANTEES, and WARRANTS to whoever relies upon this certificate, that there are no transcripts of judgments of the United States Courts filed in the office of the Clerk of the Circuit Court of Marion County, Indiana; that there is no notice of lien for unpaid internal revenue taxes or notice of income tax lien constituting a lien on real estate prior to March 4, 1925, the date of the Indiana Recording Act, that there is no notice of lien filed in the Federal Tax Lien Index in the office of the Recorder of Marion County, Indiana; and that there are not now pending upon the records of any of the 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

May 26, 1965, 8 A.M. and

The Indianapolis Division of the Southern District down to and including

May 27, 1965, 8 A.M.

**Robert F. Hamilton
and
Leah F. Hamilton
jointly and
not individually**

First Holding Corporation

UNION TITLE CO.

C. Edward Blum
SECRETARY

sab