

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MARION )

STATE OF INDIANA, )  
                          ) Plaintiff, )

-vs-

MIKE BLACK and MARY LEE )  
BLACK, INDIANA NATIONAL )  
BANK, AUDITOR OF MARION )  
COUNTY, TREASURER OF )  
MARION COUNTY, )  
                          ) Defendants )

IN THE SUPERIOR COURT OF  
MARION COUNTY, INDIANA

Code 0536  
parcel 573

CAUSE NO. S373 607

FILED  
S3 MAR 10 1975 S3

*Thomas R. O'Brien*  
CLERK

FINDING AND JUDGMENT

Comes now the plaintiff, State of Indiana, by Theodore L. Sendak, Attorney General, by and through J. Gordon Gibbs, Jr., Deputy Attorney General, and come now the defendants, Mike Black and Mary Lee Black, by their attorney of record herein Chalmer Schlessor and defendant, Indiana National Bank, by its attorney of record herein, Stephen E. Plopper, and defendant, Treasurer of Marion County, by his attorney of record herein, William R. Richards, and plaintiff and said defendants Black now withdraw their request for a jury trial, and this cause is now submitted to the Court upon the issues formed by the exceptions heretofore filed by the plaintiff and said defendants Black and the Court being duly advised finds as follows:

1. That the plaintiff, State of Indiana, filed its complaint for the appropriation of the fee simple title of defendants' real estate on the 5th day of June, 1973, which complaint is in words and figures as follows:

(H.I.)

and the defendants were properly served with notice as provided by statute prior to the hearing in this cause.

2. That on the 15th day of June, 1973, being the day set for the hearing of the cause, an order was entered upon the record of the Marion Superior Room No. 3 Court, signed by Glenn W. Funk, Judge, showing that the fee simple title of defendants' real estate was condemned for the uses and purposes described in said complaint.

3. That by said order the Court also appointed three disinterested freeholders of Marion County to assess the damages and benefits to the defendants caused by the appropriation.

4. That on the 11th day of July, 1973, said court-appointed appraisers returned their report to the Court showing total damages in the sum of Thirty Thousand Five Hundred Dollars (\$30,500.00), and the Court ordered the appraisers' fees set at Three Hundred Fifty Dollars (\$350.00) each.

5. That the plaintiff, State of Indiana, paid the award of the appraisers together with the fees for the services of said appraisers to the Clerk of the Court on the 27th day of August, 1973, and the defendants Black and Indiana National Bank subsequently withdrew Twenty Six Thousand Nine Hundred Fifty Dollars (\$26,950.00) of said award on or about the 18th day of September, 1973.

6. That the plaintiff, State of Indiana, filed exceptions to the court-appointed appraisers' report on the 6th day of July, 1973.

7. That the defendants, Mike Black and Iry Lee Black, filed exceptions to the court-appointed appraisers' report on the 23rd day of July, 1973.

8. That the total value of the fee simple title of defendants' real estate taken and the damages to the remaining land of the

SHEET 1 OF 1

PROJECT 1-70-3(52) PARCEL 573

LOTS 1 AND 2 IN MCKERNAN AND PIERCE'S SUBDIVISION OF PART OF OUT LOT 121 OF THE DONATION LANDS OF THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 94, IN THE OFFICE OF THE RECORDER OF MARTON COUNTY, INDIANA.

JAH 5-14-73

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendants, Mike Black, Mary Lee Black, Indiana National Bank, and Treasurer of Marion County, have and recover from the State of Indiana as final and total damages the sum of Thirty Thousand Five Hundred Dollars (\$30,500.00), which sum includes any interest to which the defendants may be entitled, and that the Clerk of the Court pay said amount to the defendants, which said amount has already been partially paid the defendants herein when defendants Black and Indiana National Bank withdrew Twenty Six Thousand Nine Hundred Fifty Dollars (\$26,950.00) of the Court award.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that defendant, Auditor of Marion County, is defaulted and shall take nothing in this cause of action.

Date:

March 10, 1975

*Betty Portman*

Judge of Marion Superior Court  
Room No. 3

SETTLEMENT ANALYSIS

DEPUTY J. Gordon Gibbs, Jr. TRIAL DATE \_\_\_\_\_  
 STATE VS. Mike Black, et al. FILED June 5, 1973  
 COURT Marion Superior CAUSE NO. S373-607  
 PROJECT I-70-3(52) PARCEL NO. 573 ROAD I-70

GENERAL DESCRIPTION AND LOCATION OF SUBJECT PROPERTY:

Parcel is an improved tract with a restaurant and warehouse located 800 South Illinois Street in Indianapolis.

IMPROVEMENTS:

A two story residence-restaurant, warehouse facilities which were leased, and a repair garage.

DESCRIPTION OF TAKE: (Attach sketch)

A total take of buildings and land.

AREA OF TAKING 6,240 sq. feet AREA OF REMAINDER -0-

OFFER PRIOR TO CONDEMNATION \$ 26,950.00 COURT AWARD \$ 30,500.00

DEFENDANTS' ATTORNEY Chalmer Schlosser

COURT APPRAISERS' REPORT - DATE FILED July 11, 1973

EXCEPTIONS - STATE yes DATE 7-16-73 DEFENDANTS yes DATE 7-23-73

REVIEW APPRAISERS:

REVIEWERS NAME & DATE	LAND TAKEN	IMPROVEMENTS TAKEN	RESIDUE DAMAGE	OTHER DAMAGE OR BENEFITS	TOTAL COMPENSATION
4-6-73 David Gallivan	\$10,000.	\$16,950.00	-0-	-0-	\$26,950.00

SUMMARY PROPOSED SETTLEMENT:

Review Appraisers' Amount	\$ <u>26,950.00</u>	REFUND DUE STATE from Deposit with Court:
Adjustments (See Memo)	\$ <u>3,550.00</u>	\$ <u>-0-</u>
Court Costs: (See Memo)	\$ _____	ADDITIONAL AMOUNT to Pay into Court:
Additional Appraisals	\$ _____	\$ <u>-0-</u>
Witness Fees	\$ _____	SETTLEMENT AT:
Local Counsel Fees	\$ _____	\$ <u>30,500.00</u>
Jury Costs	\$ _____	
Miscellaneous Costs	\$ _____	
TOTAL .....	\$ <u>30,500.00</u>	

RANGE OF STATE'S APPRAISALS:

APPRAISERS NAME & DATE	LAND TAKEN	IMPROVEMENTS TAKEN	RESIDUE DAMAGE	OTHER DAMAGE OR BENEFITS	TOTAL COMPENSATION
2-9-73 Rob't Sell	\$10,000.00	\$16,950.00	-0-	-0-	\$26,950.00

RANGE OF DEFENDANTS' APPRAISALS:

Not known					

BREAKDOWN OF COURT APPRAISERS' AWARD:

7-11-73	\$7,000.00	\$23,500.00	-0-	-0-	\$30,500.00
---------	------------	-------------	-----	-----	-------------

COURT APPRAISERS' AWARD:

Deposited (date): 8-27-73 Withdrawn: No    Yes & Date 9-18-73

Amount Withdrawn \$ 20,648.55 by Black

\$ 6,306.45 by Indiana National Bank

EXPLANATION - Any increase over Review Appraisers' determination including adjustments, court costs and interest, on separate memo and attach. (Use attachment 1 to P.P.M. 80-6 as a guide)

EXPLAIN FULLY.

DATE: October 4, 1974

*Resubmitted January 31, 1975*

We concur in the above settlement:

FEB 17 1975

PREPARED AND SUBMITTED BY:

J. Gordon Gibbs, Jr.  
Deputy Attorney General  
J. Gordon Gibbs, Jr.

THEODORE L. SENDAK  
Attorney General of Indiana

By Theodore L. Sendak

Title Attorney General  
Indiana State Highway Commission

By John W. Brockett

Title: Chief, Division of Land Acquisition

Date: 2-24-75

MEMORANDUM

Re: State v. Mike Black, et al.  
Marion Superior Court  
Cause No. S373-607

The adjustments to the State's offer drawn on page 1 of the mimeographed sheet is thought to be justified on the basis of the following considerations:

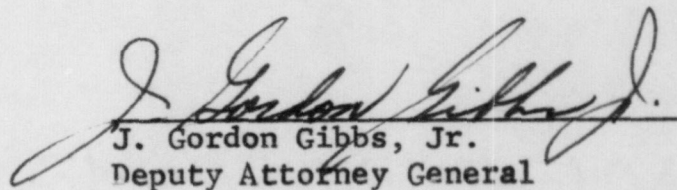
The appraisal of the property put very little emphasis upon the income approach to evaluating the land. Recent information which has come to light in preparation of this case and is documented by the letter attached to this memo indicates that the income for this tract is substantially higher than that believed by the State's appraiser. (PPM 80-6, Attachment 1, Paragraph B-2)

The State's appraiser basis his opinion chiefly on the market approach, but the market comps which he uses are from 4 to 6 years earlier than the date of take. The adjustments which must be made to 4 year old comps are highly speculative and very susceptible to attack on the cross-examination. The jury is certain to look unfavorably upon these speculative adjustments. (PPM 80-6, Attachment 1, Paragraph B3d, B-4)

This commercial tract was being used as a small restaurant with several outside rentals, i.e., a garage, warehouse and several sleeping rooms. This type of varied commercial use is the highest and best use of the land. The State's appraiser may have over-reacted to the exterior condition of the buildings in evaluating them and clouded his opinion as to the income producing effects of these buildings. This valuation problem will lead to uncertainty in the minds of the jury. (PPM 80-6, Attachment 1, Paragraph B-8)

Recent jury awards in Marion County have averaged 188% of the State's offer which would indicate a verdict of \$40,666 in this case.

For the above reasons, it is the opinion of this deputy that the best interest of the State of Indiana would be served by settlement of this case at the court award of \$30,500.00.

  
J. Gordon Gibbs, Jr.  
Deputy Attorney General


Date: October 4, 1974



PARCEL NO. 373  
 PROJECT NO. E-70-3(52)  
 ROAD NO. I-70  
 COUNTY : MARION  
 SECTION : 11  
 TOWNSHIP : 15N.  
 RANGE : 3E.

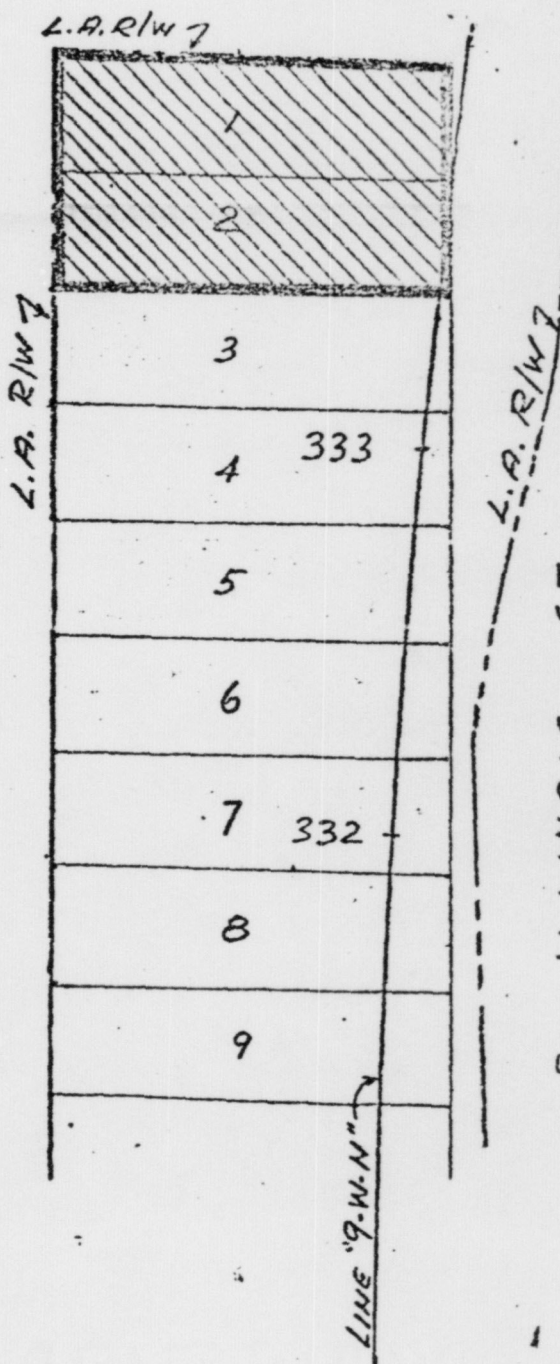
OWNER: BLACK, MIKE ET UX.  
 DEED-RECORD -PAGE ,DATED  
 TOWN LOT RECORD 2035, INSTR. 70193, DATED 11-26-63.

DRAWN BY: A. J. NICKSON  
 CHECKED BY: 5-14-1973

 HATCHED AREA IS THE APPROXIMATE TAKING

SCALE: 1" = 50'

W. MCCARTY ST.



TOTAL AREA 6,240 S.F.  
 R/W EXISTING 0  
 NET TOTAL AREA 6,240 S.F.

MCKERNAN AND PIERCE'S  
 SUBDIVISION OF PART OF  
 OUTLOT 121 OF THE  
 DONATION LANDS OF THE  
 CITY OF INDIANAPOLIS

EXHIBIT "A"

Warrant No. 0413817

PAYEE'S NAME AND ADDRESS

**Clerk of Marion Superior Court  
City-County Building  
Indianapolis, Indiana**

STATE AGENCY FILL IN. This form may be used only for claims chargeable to Purchase of Right of Way.

Account Number: 400-861.611-  
State Agency: State Highway Commission 800  
Appr. Name: Construction  
State Share: \$ \_\_\_\_\_  
Federal Share: \$ \_\_\_\_\_  
Total Amt. of Check: \$ \_\_\_\_\_

**DISTRIBUTION**

DATE	Month <u>7</u>	Day <u>19</u>	Year <u>73</u>	Project Number	Prefix <u>I</u>	Road <u>703</u>	Section <u>52</u>	Par. <u></u>
LOCATION CODE	<u>5</u>	<u>0</u>	<u>0</u>	Federal Code 1 or 2	Cost Account	Dr. Cr.	Amount	
FUNCTION CODE	<u>3</u>	<u>5</u>						
OBJECT CODE								
PARCEL NO.		<u>5</u>	<u>7</u>					
COUNTY NAME & NO.	<b>MARION</b>			<u>4</u>	<u>9</u>			
							Total	<b>\$21,550.00</b>

Purpose of This Payment:

**Appraisers' Award \$30,500.00**  
**Appraisers' Fees 1,050.00**

**State vs. Mike Black, et al.**  
**Cause No. S373-607**

Check Delivery Instructions: Yes  (See reverse side)

Send when ready

**CLAIMANTS**

Pursuant to the provisions and penalties of Chapter 155 Acts of 1953, as amended:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid. I also authorize payment to be made as indicated above.

~~Clerk of the Marion Circuit Ct.~~  
(If a firm or corporation, give name)

X By E. Allen Hanks, Clerk  
Personal Signature Title

X \_\_\_\_\_  
Signature if individual

X \_\_\_\_\_  
Signature if individual

X \_\_\_\_\_  
Signature if individual

X \_\_\_\_\_  
Signature if individual

Recommend Approval:

Robert Wade 7-31-73  
Deputy City Clerk Date

Approved: William H. Selby  
Chief, Division of Land Acquisition Date 5

**LIENHOLDERS**

I hereby sign this claim voucher as a lienholder and only certify to the extent of my interest therein and authorize payment to be made as indicated above.

X \_\_\_\_\_  
(If a firm or corporation, give name)

X By \_\_\_\_\_  
Personal Signature Title

Grant Approved as to Form and Parcel Abstract Checked, Excepting Real Estate Description.

Deputy Attorney General Date

Payment Approved as to Account No. and Funds Available.

Controller Date

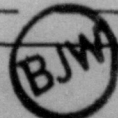
Approved:

Member, Indiana State Highway Commission Date

Vice Chairman, Indiana State Highway Commission Date

Approved

Chairman, Indiana State Hwy. Comm. Date



AUG 6 1973

*J*

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

*J*  
*0536*

1-14 1974

To LEATHA P. WRIGHT  
1126 S. Meridian  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 155044 12-12 1973  
in settlement of the following vouchers: 74-379

Description	Amount
<p style="text-align: center;"><i>1st of 4 payments</i></p> <p><b>SPECIAL RENTAL REPLACEMENT HOUSING</b> on State Road No. _____ in <b>MARION</b> County, Project <b>I-70-3 (52)</b> Parcel No. <b>573</b> as per Grant/Warranty Deed, Dated <b>12-4-73</b></p>	<p>\$600. 00</p>

*James B. Walker 2/4/74*

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By *Leatha P. Wright*  
Date *Feb 4, 1974*

# INDIANA STATE HIGHWAY COMMISSION

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

*J*  
0536

February 8, 1974 19

To Cardinal Industrial Contractors, Inc.  
3401 West Kelly Street  
Indianapolis, Indiana 46206

GENTLEMEN:

We enclose State Warrant No. 182396 1/22/74 19  
in settlement of the following vouchers: 74-460

Description	Amount
For <u>Estimate Fee for Billy Long State Road</u> <u>No. _____</u> in <u>Marion</u> <u>County, Project 1-70-3 (52)</u> <u>Parcel No. 573</u> as per Grant/Warranty <u>Deed, Dated 1/10/74</u>	\$136.00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By M. D. Owen  
Date 2-13-74

*Received*

*J*

**INDIANA STATE HIGHWAY COMMISSION**

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

*J*  
*0536*

February 8, 1974 19

To Specialized Carriers, Inc.  
522 East LaGrande Street  
Indianapolis, Indiana 46203

GENTLEMEN:

182397 1/22/74

We enclose State Warrant No. \_\_\_\_\_ 19\_\_\_\_  
in settlement of the following vouchers: 74-460

Description	Amount
For <u>Estimate Fee for Billy Long State Road</u> No. _____ in <u>Marion</u> County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>1/10/74</u>	\$146.80

*Received*

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By J. Kester Bookkeeper  
Date 2-13-74

INDIANA STATE HIGHWAY COMMISSION

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

0534

4-22 19 74

To **BILLY G. LONG d/b/a: Square Radiator Service**  
**227 WEST MC CARTY STREET**  
**INDIANAPOLIS, INDIANA**

GENTLEMEN:

We enclose State Warrant No. 288139 4-17 19 74  
in settlement of the following vouchers: 74-673

Description	Amount
For <u>IN LIEU OF BUSINESS MOVE</u> on State Road No. _____ in <u>MARION</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>3-28-74</u>	5,414. 70

*R. H. Brennan*

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded*

Payment Received: By

By

*Billy G. Long*

Date

*4-25-74*

*Square Radiator Serv  
227 W. Mc Carty*

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 - 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

0534

October 31, 1973

To MIKE BLACK  
802 SOUTH ILLINOIS STREET  
INDIANAPOLIS, INDIANA

GENTLEMEN:

We enclose State Warrant No. 90333 10-22- 1973  
in settlement of the following vouchers: 74-264

Description	Amount
For SPECIAL - BUSINESS MOVE on State Road No. _____ in MARION County, Project I-70-3 (52) Parcel No. 573 as per Grant/Warranty Deed, Dated 9-19-73	2,500. 00

*John W. Mickey 11-2-73*

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded 11-29-73*

Payment Received: By *Mike Black*

Date *11-2-73*

*J*

**INDIANA STATE HIGHWAY COMMISSION**

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

*J*  
*0536*

August 2, 1973 19

To Leatha P. Wright  
802 South Illinois  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 015145 7/2/73 19  
74-9  
in settlement of the following vouchers:

Description	Amount
For <u>Relocation-Dislocation</u> on State Road No. _____ in <u>Marion</u> County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>5/3/73</u>	\$225 00

*John W. Mackey 9-18-73*

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded 9/10*

Payment Received: By *Leatha P. Wright*

Date *Sept 18, 1973*



*J.*

**INDIANA STATE HIGHWAY COMMISSION**

**Division of Land Acquisition**

**ROOM 1105 — 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA 46209**

*0536 J*

July 11, 1973 19

To George W. Parrott  
802 S. Illinois St.  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 860663 6/13/73 19  
in settlement of the following vouchers: 73-794

Description	Amount
For <u>Relocation-Dislocation</u> on State Road No. _____ in <u>Marion</u> County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>5/8/73</u>	\$225.00

*John W. Mackey*

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded 10-9*

Payment Received: By George W. Parrott

Date Sept 14, 1973

*G. Mackey*

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA 46209

February 8, 1974

19 74  
0536

To

Jay's Moving  
1019 Dawson Street  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 182395 1/22/74 1974  
in settlement of the following vouchers: 74-460

Description	Amount
For <u>Estimate Fee for Mike Black</u> on State Road No. _____ in <u>----+-70-3-(52)</u> Marion County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>1/10/74</u>	\$30.00

Recorded

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Jay's Moving Jay D Harper  
Date 2/13/74

*[Handwritten scribble]*

INDIANA STATE HIGHWAY COMMISSION

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

*[Handwritten scribble]*  
8536

1-14- 1974

To UNDERWOOD TRANSFER COMPANY, INC.  
940 WEST TROY AVENUE  
INDIANAPOLIS, INDIANA 46203

GENTLEMEN:

We enclose State Warrant No. 155043 12-11-1973  
in settlement of the following vouchers: 74-375

Description	Amount
For <u>ESTIMATE FEE</u> on State Road No. _____ in <u>MARION</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>9-18-73</u>	\$60.00

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded 1-22-74*

UNDERWOOD TRANSFER CO., INC.

Payment Received: By [Signature]

Date 1-17-74

g

0536

## INDIANA STATE HIGHWAY COMMISSION

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

August 23, 1974

To **Leatha P. Wright**  
20 N. Oriental #4  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 44299 August 2, 19 74  
in settlement of the following vouchers: #75-87

Description	Amount
For <u>Rental Repl. Housing</u> on State Road <u>(2nd, 3rd &amp; Final Payment)</u> No. _____ in <u>Marion</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>July 16, 1974</u>	\$1,800. 00
<i>Delivered by Mr. M. Walker</i>	

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Leatha P. Wright

Date Sept. 10. 1974

*Recorded*

*J.*

# INDIANA STATE HIGHWAY COMMISSION

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

*K*

*0536*

July 11, 1973 19

To Grant Donaldson  
802 S. Illinois St.  
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. 860671 6/15/73 19  
in settlement of the following vouchers: 73-809

Description	Amount
For <u>Relocation-Dislocation</u> on State Road No. _____ in <u>Marion</u> County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>5/8/73</u>	\$225.00

*C. Scott*

PLEASE RECEIPT AND RETURN (Do not detach)

*Recorded*

*10/18*

Payment Received: By Grant Donaldson

Date 10-16-73

*R. H. Brumby*

*J.*

**INDIANA STATE HIGHWAY COMMISSION**

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

*0536 J*

July 11, 1973

19

To

Willie Clinton  
802 S. Illinois St.  
Indianapolis, Ind.

GENTLEMEN:

We enclose State Warrant No. 860662 6/13/73 19  
in settlement of the following vouchers: 73-794

Description	Amount
For <u>Relocation-Dislocation</u> on State Road No. _____ in <u>Marion</u> County, Project <u>1-70-3 (52)</u> Parcel No. <u>573</u> as per Grant/Warranty Deed, Dated <u>5/3/73</u>	\$225 00

*C. Smith*

*John W. Mickey 10-2-73*

*Recorded 10-9*

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By W.C. + Olan Simpson  
Date 10-2-73

*confidential*

CERTIFICATE OF REVIEW APPRAISER AND CONCLUSION OF FAIR MARKET VALUE

Indiana State Highway Commission - Division of Land Acquisition

Project I-70-3U2 Road I-70 County MARION Owner BLACK, M. Parcel # 573

	1st APPRAISAL	2nd APPRAISAL	3rd APPRAISAL	4th APPRAISAL	REVIEWER'S
APPRaiser	<b>SELL</b>				VALUE IF DIFFERENT FROM APPRAISAL
FEE (F), STAFF (S), OWNER (O)	<b>FEE</b>				
DATE OF APPRAISAL	<b>2-9-73</b>				
BEFORE VALUE	<b>\$ 26950.<sup>00</sup></b>				
AFTER VALUE	<b>0</b>				
DIFFERENCE	<b>\$ 26950.<sup>00</sup></b>				
LAND &/OR IMPROVEMENTS	<b>\$ 26950.<sup>00</sup></b>				
LOSS IN VALUE TO REMAINDER	<b>0</b>				
ESTIMATED COMPENSATION (DUE PROPERTY OWNER)	<b>\$ 26950.<sup>00</sup></b>				
NON-COMPENSABLE ITEM	<b>0</b>				
CHECK (✓) IF APPROVED AS IS	<b>✓</b>				

REVIEWERS COMMENTS AND/OR CORRELATION (SEE ATTACHED SHEET)

I, the undersigned, certify that I have made a visual inspection of the subject and that I have inspected the comparables used in the appraisal (s). I also certify that I have no direct or indirect present or contemplated future personal interest in the subject property or in any benefit from its acquisition; and that my estimate of fair market value has been reached independently, based on appraisals and other factual data of record without collaboration or direction. Items compensable under State law, but not eligible for Federal reimbursement, if any, are set out in this review.

It is my understanding that the value estimate may be used in connection with a Federal-Aid highway project. I estimate the fair market value of the part taken, plus loss in value to the remainder (if any), as of 2-9-73 is \$ 26950.<sup>00</sup>.

DATE 4-6-73 SIGNED Paul C. Geller DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
 1st REVIEW APPRAISER 2nd REVIEW APPRAISER

DATE 4-9-73 APPROVED Robert C. Bommer  
 CHIEF REVIEW APPRAISER

APPROVED APPRAISAL AMT. FOR 6240S.F. REQUIRED R/W \$ 26950.<sup>00</sup>  
 (AREA SIZE)

APPROVED APPRAISAL AMT. FOR \_\_\_\_\_ EXCESS LAND \$ \_\_\_\_\_  
 (AREA SIZE)

I certify that the above tabulation contains all appraisals made and no changes or alterations have been made therein since the reviewer's determination of value was established, except as documented above, and with the knowledge of the original reviewer. This certification is prepared and submitted in accordance with Federal Highway Administration PPM-80-1, Section 5, Paragraph 3c.

SIGNED: Robert C. Bommer  
 TITLE: ASSISTANT CHIEF APPRAISER  
 INDIANA STATE HIGHWAY COMMISSION  
 4-9-73

HISTORIC DATA

APPRAISER'S NAME	APPRAISED AMOUNT			DATE OF APPRAISAL			DATE OF APPR REVIEW			AMOUNT PAID FOR BUILDINGS			PROPERTY USE	L.A. CODE	
	26	29	32	35	37	39	41	43	45	47	50	53	56	75	79
<b>SELL, ROBERT J</b>			<b>2695000</b>	<b>2</b>	<b>9</b>	<b>73</b>	<b>4</b>	<b>6</b>	<b>73</b>	<b>16,950</b>	<b>00</b>	<b>00</b>	<b>COMM</b>	<b>0536</b>	<b>71</b>

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE SUPERIOR COURT  
OF MARION COUNTY, INDIANA

STATE OF INDIANA, )  
 ) Plaintiff )  
 vs. )  
MIKE BLACK, et al. )

**FILED**  
CAUSE NO. S373-607  
S3 JUL 11 1973 S3  
*E. Allen Handley*  
CLERK S3 JUN 28 1973 S3

REPORT OF APPRAISERS

The undersigned appraisers after being duly sworn and instructed by the Court as to their duties as appraisers, proceeded in a body to view said real estate that will be affected by said appropriation and to assess and appraise the damages sustained and resulting to each of said defendants by reason of the appropriation thereof, and said appraisers now report the damages and benefits to said defendants to be as follows:

The value of the land sought to be appropriated as described in the Court's order and warrant hereto attached, the appraisers find to be the sum of

Seven thousand ~~XX~~ Dollars (\$ 7000.<sup>00</sup> ).

The value of improvements, if any, on said realty sought to be appropriated, we find to be the sum of Twenty Three thousand Five Hundred ~~XX~~ Dollars (\$ 23500.<sup>00</sup> ).

The total damages we find to be the sum of \$ 30500.<sup>00</sup>

Dated: July 11, 1973  
July 29, 1973

Walter Schneider

Robert A. Ee

L. B. [Signature]



COPY

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE SUPERIOR COURT  
OF MARION COUNTY, INDIANA

5373 607

STATE OF INDIANA, )  
 ) Plaintiff )

-vs-

MIKE BLACK and MARY LEE )  
BLACK, INDIANA NATIONAL )  
BANK, AUDITOR OF MARION )  
COUNTY, TREASURER OF )  
MARION COUNTY, )  
 ) Defendants )

**FILED**  
CAUSE NO. \_\_\_\_\_  
JUN 5 1973  
*E. R. ...*  
CLERK

COMPLAINT FOR APPROPRIATION OF REAL ESTATE

NUMBER 1

The plaintiff, State of Indiana, complains of the above-named defendants, and says: That the plaintiff, acting through its legally organized and constituted Commission, known and designated as the Indiana State Highway Commission, is now engaged in the improvement of a certain public highway in Marion County, Indiana, said highway being known as Road No. I-70 Project I-70-3(52), said highway being one of and a part of the State Highway System of the State of Indiana and the same is to be improved and maintained by said Highway Commission as a part of said State Highway System. That, under the plans of said Commission, now on file in its office, said highway is to be constructed, used and maintained by plaintiff, through said Commission, as a limited access facility as defined and authorized under the Act of the General Assembly of Indiana of 1945, Chapter 245, and subject to such regulations as therein provided as to access or use or to such subsequent regulations or use as may be made, adopted or provided by law governing such highways or highways in general.

NUMBER 2

That the defendants Mike Black and Mary Lee Black

---

are the owners of certain real estate in said county in which is included the  
real estate hereby sought to be appropriated and condemned.

Defendants' said real estate is described as follows:

Lot 2 in McKernan and Pierce's Subdivision of the middle part of Out Lot 121 of the Donation Lands of the City of Indianapolis, as per plat thereof recorded in PlatBook 2, page 94, in the Office of the Recorder of Marion County, Indiana.

Plaintiff is informed and verily believes that the defendant(s) Indiana National Bank.

claims and asserts an interest in and to the real estate described in Paragraph 2.

Plaintiff further is informed and verily believes that the defendants, County Auditor of Marion County, and County Treasurer of Marion County has and holds a first, prior and existing lien on the real estate described in Paragraph 2 for any and all delinquent, current and future taxes, legally assessed against said property.

Plaintiff alleges that ownership of the fee in and to the real estate as set forth in Rhetorical Paragraph 2 said defendants last above mentioned are made a party hereto, to answer as to any right, title or interest they may have in and to the real estate set forth in said Rhetorical Paragraph 2.

That for the purpose of improving said highway, it is necessary and proper that plaintiff take and appropriate under the powers vested in it by the General Assembly of the State of Indiana, the fee simple title to all of said tract of real estate described in Paragraph 2 herein. The part so sought to be appropriated and condemned is described as follows:

A blue-print sketch plat of the above described real estate sought to be appropriated and identified by means of cross-hatched lines is attached hereto and made a part hereof and designated as Exhibit "A".

SHEET 1 OF 1

PROJECT 1-70-3(52) PARCEL 573

LOTS 1 AND 2 IN MCKERNAN AND PIERCE'S SUBDIVISION OF PART OF OUT LOT 121 OF THE DONATION LANDS OF THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 94, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

NUMBER \_\_\_\_\_

That the residue of said real estate described in Paragraph 2, and owned by the above-named defendants, will be benefitted by said proposed improvement of said road as alleged herein.

NUMBER 5

That prior to the bringing of this action, the plaintiff, through the said Indiana State Highway Commission, made a effort to purchase said \_\_\_\_\_ real estate \_\_\_\_\_ described in Paragraph 4 from the above-named owners, but that the plaintiff and said owners have been unable to agree as to the purchase price thereof, or as to the amount of damages, if any, sustained by said defendants by reason of the appropriation of said \_\_\_\_\_ real estate \_\_\_\_\_ for the use hereinbefore stated.

NUMBER 6

That prior to the bringing of this action, the said Indiana State Highway Commission adopted a resolution setting forth the description of said \_\_\_\_\_ real estate \_\_\_\_\_ sought to be acquired by it, as above set forth, which said resolution alleged and set forth that said \_\_\_\_\_ real estate \_\_\_\_\_ herein sought to be condemned was necessary for the carrying out of said highway improvement project and directed that condemnation proceedings therefore be instituted by the Attorney General in the name of the State of Indiana.

NUMBER 7

That said highway so to be improved extends from \_\_\_\_\_ a point \_\_\_\_\_ approximately 900 feet North of the south line and approximately 1620 feet East of the west line of Section 11, T 15 N, R 3 E, and extending in the easterly direction for a distance of 5,354.03 feet to a point approximately 550 feet North of the south line and approximately 2,700 feet West of the east line of Section 12, T 15 N, R 3 E, all in the City of Indianapolis in \_\_\_\_\_ Marion \_\_\_\_\_ County, State of Indiana, and said right of way is to be 400 feet wide, excepting where additional width may be required for construction purposes.

NUMBER 8

That the plaintiff, through said Indiana State Highway Commission, intends to use the real estate herein sought to be condemned for the purpose of the improvement of said highway and the widening thereof, and said real estate as herein described is necessary and proper for the carrying out of said work, and said real estate when obtained will be used for such purpose.

NUMBER 9

WHEREFORE, the plaintiff prays that three disinterested freeholders of said county be appointed to appraise the value of the real estate sought to be condemned, and to fix the amount of benefits and damages, if any, and that such appraisers be ordered to report their appraisal, as by law provided, and that all other steps be taken and all proceedings had necessary for the Indiana State Highway Commission to acquire, by the right of eminent domain, the real estate so sought to be condemned for the purpose aforesaid.

Respectfully submitted,

THEODORE L. SENDAK  
Attorney General of IndianaDeputy Attorney General


Attorneys for Plaintiff

Room 219  
State House  
Indianapolis, Indiana  
633-6431

PARCEL NO: 573  
 PROJECT NO. E-70-3(52)  
 ROAD NO. I-70  
 COUNTY : MARION  
 SECTION : 11  
 TOWNSHIP : 15N.  
 RANGE : 3E.

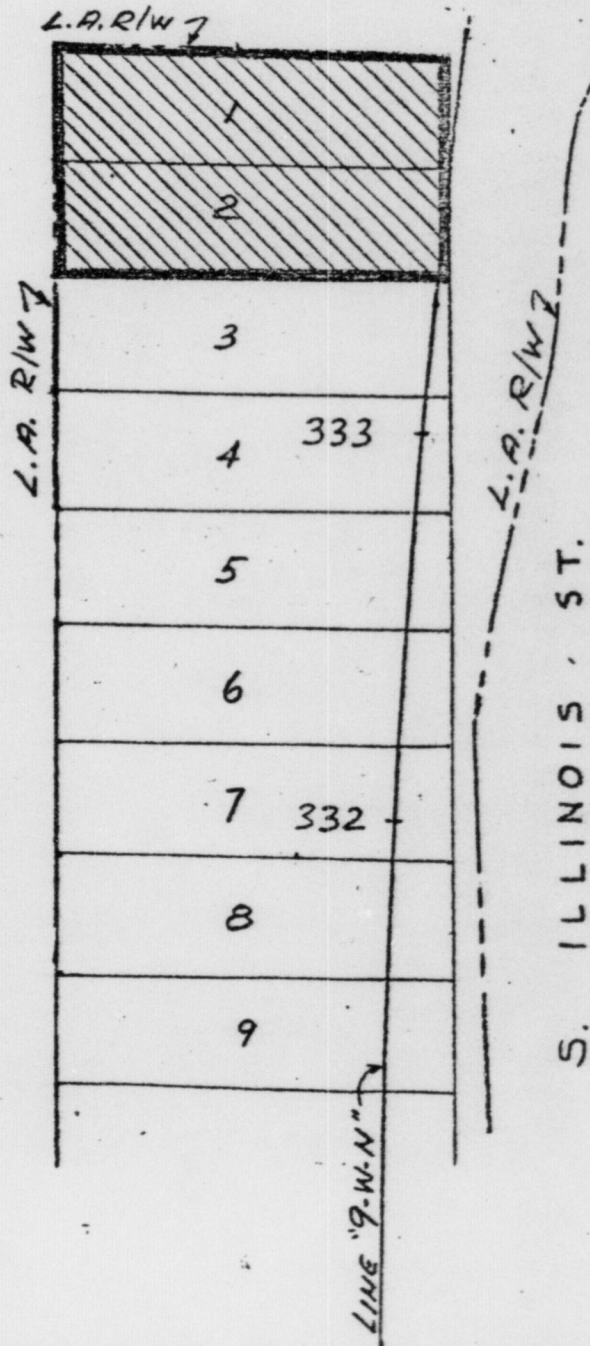
OWNER: CRACK, MIKE ET UX.  
~~DEED RECORD~~ ~~PAGE~~ ~~DATED~~  
 TOWN LOT RECORD 2035, INSTR. 70193, DATED 11-26-63.

DRAWN BY: A. J. MCKERNAN  
 CHECKED BY: 5-14-1973

 HATCHED AREA IS THE APPROXIMATE TAKING

SCALE: 1" = 50'

W. MCCARTY ST.



TOTAL AREA	6,240 S.F.
R/W EXISTING	0
NET TOTAL AREA	6,240 S.F.

MCKERNAN AND PIERCE'S  
 SUBDIVISION OF PART OF  
 OUTLOT 121 OF THE  
 DONATION LANDS OF THE  
 CITY OF INDIANAPOLIS

EXHIBIT "A"



R E S O L U T I O N

WHEREAS, the carrying out of the construction and improvement by the Indiana State Highway Commission of Project No. I-70-3(52) in Marion County, Indiana requires construction, reconstruction, relocation or maintenance and repair of a public highway in said County, locally known as the I-70 Road, which highway forms a part of a State Highway designated in the records and files of the Indiana State Highway Commission as Road No. I-70 which extends from the Indiana-Illinois boundary west of Terre Haute in a Northeasterly and Easterly direction through Indianapolis to the Indiana-Ohio boundary east of Richmond in Wayne County,

the general width of the right of way for said project is 400 feet, which proposed construction project necessitates acquisition of right of way as provided in the plans of said project on file in the offices of the Indiana State Highway Commission at Indianapolis, Indiana, and which highway is to be constructed and improved as a "limited access facility", subject to regulations as proved in Chapter 245 of the Acts of the General Assembly of 1945, the general route, location and termini thereof being as follows: **Beginning at a point approximately 900 feet North of the south line and approximately 1620 feet East of the west line of Section 11, T 15 N, R 3 E, and extending in the easterly direction for a distance of 5,354.03 feet to a point approximately 550 feet North of the south line and approximately 2,700 feet West of the east line of Section 12, T 15 N, R 3 E, all in the City of Indianapolis, Marion County,**

AND WHEREAS it is necessary in making said improvement to acquire a right of way as hereinafter described over the land of Mike Black and Mary Lee Black, Indiana National Bank, Auditor of Marion County, Treasurer of Marion County

, and,

WHEREAS, that the fee to the said land hereinafter described, is to be taken for the reason that the public interest will be best served and economy effected, and,

WHEREAS, the Indiana State Highway Commission has made an offer to said owner(s) for the purchase of said land, but has been unable to agree with said owner(s) upon purchase price, thereof, or upon the amount of damages sustained by said owner(s), by reason of the taking thereof for the purpose aforesaid, and,

WHEREAS, the failure to obtain said land for said purpose is delaying the work of said highway improvement.

BE IT RESOLVED, that condemnation proceedings be instituted by the Attorney General in the name of the State of Indiana in a court of appropriate jurisdiction for the land hereinafter described in fee, the same being in Marion County, Indiana, and to be used as a right of way for said highway improvement as a limited access facility, and being necessary for such purposes, which land is specifically described as follows to-wit:

SHEET 1 OF 1

PROJECT 1-70-3(52) PARCEL 573

LOTS 1 AND 2 IN MCKERNAN AND PIERCE'S SUBDIVISION OF PART OF OUT LOT 121 OF THE DONATION LANDS OF THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 94, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

AG-12  
Rev. 6-68

Resolution (cont.)

and a Right of Way Plat as shown in attached exhibit and marked "Exhibit A."

WHEREAS this matter was considered and adopted by voice vote by a quorum of members of the Indiana State Highway Commission present at a regular meeting held in the office of the Indiana State Highway Commission in Indianapolis, Indiana on the 24<sup>th</sup> day of May, 1973.

BE IT FURTHER RESOLVED, that a copy of this resolution be referred to the Attorney General of Indiana.

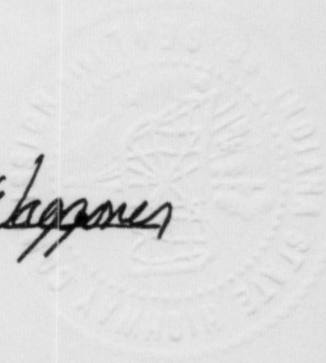
INDIANA STATE HIGHWAY COMMISSION

Offices of the Indiana State Highway Commission of  
Indiana, Indianapolis, Indiana.

This is to certify that the attached and foregoing is  
a full, true and complete copy of a Resolution with Right  
of Way map attached affecting the lands of ~~Mike Black and  
Mary Lee Black, 220 W. Hampton Drive, Indianapolis, Indiana;  
Indiana National Bank, 1377 Madison Avenue, Indianapolis,  
Indiana, Attention: Mr. Owens; Auditor of Marion County,  
City-County Building, Indianapolis, Indiana; Treasurer of  
Marion County, City-County Building, Indianapolis, Indiana;~~

in Marion County, Indiana, as the same appears  
on records in the files of said Commission in the State  
Office Building in the City of Indianapolis, Indiana.

IN WITNESS WHEREOF, I David L. Waggoner, Secretary of  
the Indiana State Highway Commission of Indiana, hereto  
place my hand and seal of said Commission on this 18th  
day of June, 1973

  
*David L. Waggoner*  
Secretary

SEAL:

BR-1  
INDIANA STATE HIGHWAY COMMISSION  
Land Acquisition Division (3-70)

BUYER'S REPORT

PROJECT NO. 1-70-3 (52)

COUNTY MARION PARCEL NO. 573

NAME & ADDRESS OF OWNER MIKE BLACK & MARY LEE BLACK  
228 W. HAMPTON DR. INDP415 IND PHONE 283-6801

NAME & ADDRESS OF PERSON CONTACTED SAME  
802-806 S. ILL. ST. INDP415 IND PHONE 637-6469  
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED 4-11-73 DATE OF CONTACT 4-16-73 TIME OF CONTACT 2:30 PM

OFFER \$ 26,950<sup>00</sup> TYPE OF CONTACT: (X)-PERSONAL VISIT, ( )-TELEPHONE CALL  
Write, YES, NO or NA (for Not Applicable), as appropriate, in each numbered blank space:

- |   |   |
|---|---|
| 1. <u>NO</u> Checked Abstract with owner?             | 12. <u>NO</u> Secured driveway right of entry?          |
| 2. <u>NO</u> Any affidavits taken?                    | 13. <u>YES</u> Sent Daily Notice to Relocation Section. |
| 3. <u>YES</u> Any mortgage(s)?                        |   |
| 4. <u>TAXES/YES</u> Any other liens, judgments, etc.? | LEFT FOLLOWING PAPERS WITH OWNERS:                      |
| 5. <u>YES</u> Showed plans? Explained take?           | 14. <u>YES</u> Written offer?                           |
| 6. <u>YES</u> Explained about retentions?             | 15. <u>NO</u> Retention Letter?                         |
| 7. <u>NO</u> Any major item retained?                 | 16. <u>NO</u> Transfer of Property Letter?              |
| 8. <u>NO</u> Any minor items retained?                | 17. <u>NO</u> Tax memo (interim period)?                |
| 9. <u>YES</u> Walked over property?                   | 18. <u>NO</u> Receipt of Deed?                          |
| 10. <u>NO</u> Arranged for owner to pay taxes?        | 19. <u>NO</u> Copy of Deed?                             |
| 11. <u>NO</u> Secured Right of Entry?                 | 20. <u>NO</u> Private appraisal letter?                 |
|   | 21. <u>YES</u> Brochure, "Relocation & You?"            |

REMARKS: MET WITH MR. & ~~MRS.~~ <sup>HIS</sup> BLACK AT ~~THEIR~~ BUSINESS PLACE  
AT 802-806 S. ILL. ST. I TOLD THEM THE ENTIRE PROPERTY IS  
INVOLVED IN THE NEW RIGHT OF WAY. I GAVE THEM THE  
RELOCATION & YOU BOOKLET, and THE STATEMENT OF "JUST  
COMPENSATION. I GAVE THEM THE STATES FIRM OFFER OF  
\$26950<sup>00</sup> FOR THE 3 BUILDINGS & THE LAND INVOLVED IN THE  
ACQUISITION. MR. BLACK SAID THE OFFER WAS WAY  
TOO LOW. HE SAID HE HAD & REFUSED AN OFFER OF  
\$125000<sup>00</sup> FOR A FILLING STATION, AND AN OFFER OF \$75000<sup>00</sup>  
FOR THE BODY SHOP ALONE. MR BLACK SAID \$26950<sup>00</sup> WOULD  
NOT PAY ~~AT~~ HIS INDEBTNESS. MR. BLACK SAID HE WOULD

Status of Parcel : ( )-Secured, ( )-Condemned, (X)-Other (Explain):

Distribution Made

- (1) X Parcel (1) X Weekly Summary  
( ) X Owner ( ) Attorney  
( ) Broker AND ( ) Other, specify:

Sam Wasmuth  
(Signature)

REMARKS (Continued) NOT SELL FOR \$50000.00 MR. BLACK SAID  
CHALMERS SCHLOSSER WAS HIS ATTORNEY. I TOLD  
MR. BLACK THAT SINCE WE HAD NO CHANCE OF getting TOGETHER  
ON THE OFFER, I WOULD TURN THE PARCEL BACK TO THE  
OFFICE FOR PROCEEDINGS. THE LEASE IS ABOUT TO EXPIRE  
THIS MONTH ON THE BODY SHOP. THE GARAGE IS RENTED  
MONTH BY MONTH. THE UPSTAIRS HAS SOME RENTERS WHO  
PAY BY THE WEEK. ~~THE~~ MR. RAY WHITE OPERATES  
THE BODY SHOP.

M. B.

Sam Wassmuth 4-16-73  
Signature Date

PROJECT NO. 1-70-3-(52)

COUNTY MARION PARCEL NO. 573

NAME & ADDRESS OF OWNER MIKE BLACK ETUX  
220 W. HAMPTON DR. INDPLIS PHONE 283-6801 RES  
637-6469 BUS

NAME & ADDRESS OF PERSON CONTACTED RAY WHITE (LESSEE)  
3141 WINTON ST. INDPLIS IND PHONE 293-1086

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

DATE ASSIGNED 4-11-73 DATE OF CONTACT 4-19-73 TIME OF CONTACT 10:30 AM

OFFER \$ 26,950<sup>00</sup> TYPE OF CONTACT: ( )-PERSONAL VISIT, (X)-TELEPHONE CALL  
Write, YES, NO or NA (for Not Applicable), as appropriate, in each numbered blank space:

- |   |   |
|---|---|
| 1. <u>N/A</u> Checked Abstract with owner?    | 12. <u>N/A</u> Secured driveway right of entry?       |
| 2. <u>/</u> Any affidavits taken?             | 13. <u>/</u> Sent Daily Notice to Relocation Section. |
| 3. <u>/</u> Any mortgage(s)?                  | 14. <u>/</u> Written offer?                           |
| 4. <u>/</u> Any other liens, judgments, etc.? | 15. <u>/</u> Retention Letter?                        |
| 5. <u>/</u> Showed plans? Explained take?     | 16. <u>/</u> Transfer of Property Letter?             |
| 6. <u>/</u> Explained about retentions?       | 17. <u>/</u> Tax memo (interim period)?               |
| 7. <u>/</u> Any major item retained?          | 18. <u>/</u> Receipt of Deed?                         |
| 8. <u>/</u> Any minor items retained?         | 19. <u>/</u> Copy of Deed?                            |
| 9. <u>/</u> Walked over property?             | 20. <u>/</u> Private appraisal letter?                |
| 10. <u>/</u> Arranged for owner to pay taxes? | 21. <u>/</u> Brochure, "Relocation & You?"            |
| 11. <u>/</u> Secured Right of Entry?          |   |

REMARKS: TALKED ON PHONE TO MR. WHITE WHO LEASES WARE HOUSE  
FROM MR. BLACK. MR. WHITE SAID HIS LEASE EXPIRES MAY 30<sup>th</sup>  
1973 AND HE IS NOT RENEWING- SAID HE HAD ALREADY RENTED  
ANOTHER BLDG. HE SAID HE KEPT LADDERS AND OTHER  
EQUIPMENT IN THE BUILDING. I TOLD HIM THERE WOULD BE  
A RELOCATION/MAN TO SEE HIM & REIMBURSE HIM FOR HIS  
MOVING COSTS. MR. WHITE SAID HE WOULD BRING HIS COPY OF  
THE LEASE TO ME NEXT TUESDAY & I COULD ZEROX IT FOR OUR  
FILE. <sup>4/30/73</sup> UNABLE TO CONTACT MR. WHITE AGAIN. AND HE  
NEVER BROUGHT IN HIS COPY OF LEASE.

Status of Parcel : ( )-Secured, ( )-Condemned, (X)-Other (Explain):

Distribution Made

- |             |                     |
|-------------|---------------------|
| (1)X Parcel | (1)X Weekly Summary |
| ( ) Owner   | ( ) Attorney        |
| ( ) Broker  | ( ) Other, specify: |

TO condemn.

Sam Wadsworth  
(Signature)

PROJECT NO. 1-70-3 (52)

COUNTY MARION PARCEL NO. 573

NAME & ADDRESS OF OWNER MIKE BLACK & MARY LEE BLACK  
220 W. HAMPTON DR. INDPLIS IND PHONE 283-6901 RES  
637-6469 BUS

NAME & ADDRESS OF PERSON CONTACTED SAME  
SAME PHONE SAME

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

DATE ASSIGNED 4-11-73 DATE OF CONTACT 4-18-73 TIME OF CONTACT 4:00 PM

OFFER \$ 26950<sup>00</sup> TYPE OF CONTACT: ( )-PERSONAL VISIT, ( )-TELEPHONE CALL  
Write, YES, NO or NA (for Not Applicable), as appropriate, in each numbered blank space:

- |   |   |
|---|---|
| 1. <u>N/A</u> Checked Abstract with owner?    | 12. <u>N/A</u> Secured driveway right of entry?       |
| 2. <u>/</u> Any affidavits taken?             | 13. <u>/</u> Sent Daily Notice to Relocation Section. |
| 3. <u>/</u> Any mortgage(s)?                  | 14. <u>/</u> LEFT FOLLOWING PAPERS WITH OWNERS:       |
| 4. <u>/</u> Any other liens, judgments, etc.? | 15. <u>/</u> Written offer?                           |
| 5. <u>/</u> Showed plans? Explained take?     | 16. <u>/</u> Retention Letter?                        |
| 6. <u>/</u> Explained about retentions?       | 17. <u>/</u> Transfer of Property Letter?             |
| 7. <u>/</u> Any major item retained?          | 18. <u>/</u> Tax memo (interim period)?               |
| 8. <u>/</u> Any minor items retained?         | 19. <u>/</u> Receipt of Deed?                         |
| 9. <u>/</u> Walked over property?             | 20. <u>/</u> Copy of Deed?                            |
| 10. <u>/</u> Arranged for owner to pay taxes? | 21. <u>/</u> Private appraisal letter?                |
| 11. <u>/</u> Secured Right of Entry?          | 21. <u>/</u> Brochure, "Relocation & You?"            |

REMARKS: PHONED MR. BLACK. HE SAID THAT THE LEASE ON THE  
WAREHOUSE WAS HELD BY MR. RAY WHITE (PHONE-293-1086)  
AND MR. BLACK SAID THAT HIS ATTORNEY HAD THE LEASE - BUT  
WAS VACATIONING IN FLA & AS SOON AS HE RETURNS - WILL  
HAVE HIM GIVE ME A COPY THE LEASE. MR BLACK SAID HE  
THOUGHT THE LEASE EXPIRES THIS MONTH AND HE IS NOT GOING  
TO RENEW IT - DUE TO THE HIWAY ACQUISITION. MR. BLACK SAID  
MOST OF THE ITEMS STORED IN THE WAREHOUSE ARE HIS (BLACKS)

Status of Parcel : ( )-Secured, ( )-Condemned, (X)-Other (Explain):

Distribution Made

- |                       |                      |
|-----------------------|----------------------|
| (1) X Parcel          | (1) Y Weekly Summary |
| ( ) Owner             | ( ) Attorney         |
| ( ) Broker <u>ALG</u> | ( ) Other, specify:  |

HOLDING - TO CONDEMN.

Sam [Signature]  
(Signature)



PROJECT NO. 1-70-3 (52)

COUNTY MARION PARCEL NO. 573

NAME & ADDRESS OF OWNER MIKE BLACK & MARY LEE BLACK

220 W. HAMPTON DR. INDPLIS IND PHONE 637-6469 BUS.

NAME & ADDRESS OF PERSON CONTACTED INDIANA NATIONAL BANK.

ONE INDIANA SQR., INDPLIS IND. PHONE 263-6000

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

DATE ASSIGNED 4-11-73 DATE OF CONTACT 4-23-73 TIME OF CONTACT 10:00

OFFER \$ 26950<sup>00</sup> TYPE OF CONTACT: ( )-PERSONAL VISIT, (X)-TELEPHONE CALL  
Write, YES, NO or NA (for Not Applicable), as appropriate, in each numbered blank space:

- |   |   |
|---|---|
| 1. <u>N/A</u> Checked Abstract with owner?    | 12. <u>N/A</u> Secured driveway right of entry?       |
| 2. <u>/</u> Any affidavits taken?             | 13. <u>/</u> Sent Daily Notice to Relocation Section. |
| 3. <u>/</u> Any mortgage(s)?                  | 14. <u>/</u> Written offer?                           |
| 4. <u>/</u> Any other liens, judgments, etc.? | 15. <u>/</u> Retention Letter?                        |
| 5. <u>/</u> Showed plans? Explained take?     | 16. <u>/</u> Transfer of Property Letter?             |
| 6. <u>/</u> Explained about retentions?       | 17. <u>/</u> Tax memo (interim period)?               |
| 7. <u>/</u> Any major item retained?          | 18. <u>/</u> Receipt of Deed?                         |
| 8. <u>/</u> Any minor items retained?         | 19. <u>/</u> Copy of Deed?                            |
| 9. <u>/</u> Walked over property?             | 20. <u>/</u> Private appraisal letter?                |
| 10. <u>/</u> Arranged for owner to pay taxes? | 21. <u>/</u> Brochure, "Relocation & You?"            |
| 11. <u>/</u> Secured Right of Entry?          |   |

REMARKS: PHONED MR. HALL OF MORTGAGE DEPT OF ABOVE  
BANK AND ADVISED HIM THAT WE WERE FILING CONDEM-  
NATION PROCEEDINGS ON THE ABOVE PARCEL AND THAT THEY  
AS MORTGAGE HOLDER WOULD BE NOTIFIED OF THE  
PROCEEDINGS. MR. OWEN OF THE MADISON AVE. BRANCH  
WAS ALSO NOTIFIED OF CONDEMNATION PROCEEDINGS.

Status of Parcel : ( )-Secured, (X)-Condemned, ( )-Other (Explain):

Distribution Made

- |                      |                      |
|----------------------|----------------------|
| (1) X Parcel         | (1) X Weekly Summary |
| ( ) Owner            | ( ) Attorney         |
| ( ) Broker <u>NO</u> | ( ) Other, specify:  |

[Signature]  
(Signature)

INTERIM CERTIFICATE OF TITLE

573

Pioneer National Title Insurance Company  
Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
	I-70-3(52)	Marion	72-2477-S

Name on Plans \_\_\_\_\_

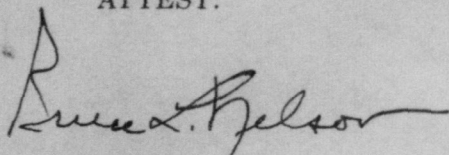
Name of Fee Owner MIKE BLACK and MARY LEE BLACK, husband and wife.

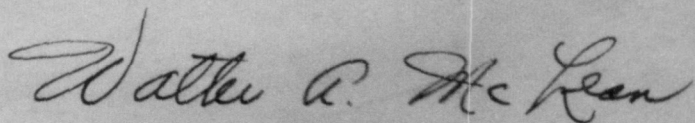
PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby certifies that a search of the records from April 11, 1972 8 A.M. to and including April 30, 1973 8 A.M. reveals no changes as to the real estate described under PNTIC # 72-2477-G/C except:

1. Taxes for 19 72 payable 19 73 in name of Mike and Mary Lee Black  
Duplicate # 3149565 Parcel # 1024808 Township I-Center Code # 1-01  
May \$ 145.75 ~~xxxx~~ (unpaid); November \$ 145.75 ~~xxxx~~ (unpaid)  
Taxes for 19 73 payable 19 74 now a lien. in name of Mike and Mary Lee Black  
Assessed Valuation: Land \$850.00 Improvements  
\$1,450.00 Exemptions None

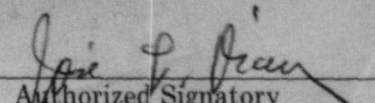
IN WITNESS WHEREOF, PIONEER NATIONAL TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereto affixed by its duly authorized officers.

ATTEST: PIONEER NATIONAL TITLE INSURANCE COMPANY

  
Assistant Secretary

  
Vice President

Countersigned and validated as of the 7 day of May, 19 73

  
Authorized Signatory  
JOSE L. DICEN, TITLE OFFICER

GUARANTY OF TITLE

573

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
	I-70 3 (52)	Marion	72-2477-G/C

Names on Plans \_\_\_\_\_

PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby guarantees that as of the 11th day of April, 1972, 8 AM

MIKE BLACK AND MARY LEE BLACK,  
HUSBAND AND WIFE

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

This Guaranty is issued for the use and benefit of the State of Indiana, Division of Land Acquisition

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

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

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

*Russell Nelson*  
Assistant Secretary

*Walter A. McLean*  
Vice President

Countersigned and validated as of the 19th day of April, 1972

*Jose L. Dicen*  
Authorized Signatory  
Jose L. Dicen, Title Officer

SCHEDULE "A"

The property covered by this Guaranty is situated in the County of Marion in the State of Indiana and is described as follows:

*Legal* } <sup>and 2</sup>  
Lots 1, in McKernan and Pierce's Subdivision of Part of Out Lot 121 of the Donation Lands of the City of Indianapolis, as per plat thereof recorded in Plat Book 2, page 94, in the Office of the Recorder of Marion County, Indiana.

The Record Owner or Owners disclosed above acquired title by Warranty Deed from Jacob Allinkoff and Mary Allinkoff, husband and wife, dated November 26, 1963, recorded December 3, 1963 in Town Lot Record 2035 as Instrument #70193 in the Office of the Recorder, Marion County, Indiana. U.S.R. \$11.00

SCHEDULE "B"

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

1. the rights of parties in possession
2. matters that might be disclosed by an accurate survey
3. statutory liens for labor or materials unless filed of record
4. ordinances, laws or regulations enacted by governmental authority

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

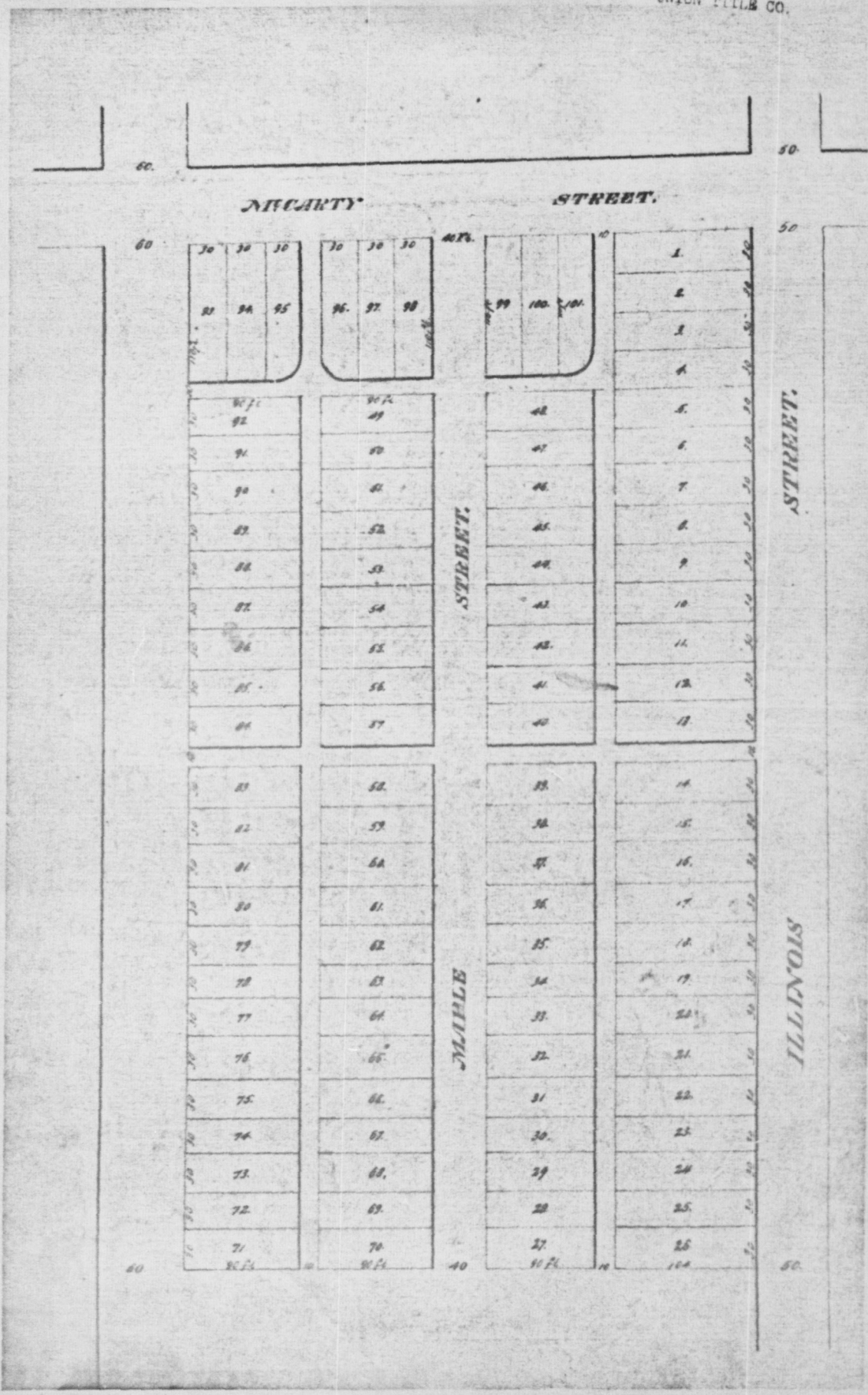
Taxes for 1970 unpaid and delinquent in the amount of \$153.99.

5. Taxes for 1971 payable 1972 in name of Mike and Mary Lee Black.  
Duplicate # 2149766 Parcel # 1024808 Township I-Center Code # 1-01  
May \$ 144.51 ~~paid~~ (unpaid); November \$ 144.51 ~~paid~~ (unpaid)  
Taxes for 1972 payable 1973 now a lien, in name of Mike and Mary Lee Black.  
Assessed Valuation: Land \$850.00, Improvements \$1,450.00  
Exemptions None

6. Mortgage for unspecified amount from Mike Black and Mary Lee Black, husband and wife to The Indiana National Bank of Indianapolis dated July 9, 1969 recorded July 18, 1969 as Instrument #69-37624.
7. Mortgage for unspecified amount from Mike Black and Mary Lee Black, husband and wife, to The Indiana National Bank of Indianapolis dated March 23, 1970, recorded April 10, 1970 as Instrument #70-14472.
8. Mortgage for unspecified amount from Mike Black and Mary Lee Black, husband and wife, to The Indiana National Bank, Indianapolis, Indiana, dated November 26, 1971, recorded November 29, 1971 as Instrument #71-65809.
9. Jacob Allinkoff and Katie Allinkoff, husband and wife, acquired title by deed dated July 6, 1945 and recorded July 7, 1945 in Town Lot Record 1181 as Instrument #25849. Jacob Allinkoff and Mary Allinkoff, husband and wife, conveyed subject real estate to Mike Black and Mary Lee Black, husband and wife, by deed dated November 26, 1963 and recorded December 3, 1963 in Town Lot Record 2035 as Instrument #70193. It must be shown how Katie Allinkoff was divested of title. If by death, it should be shown that they were husband and wife continuously from July 7, 1945 until the death intestate of Katie Allinkoff on (which date should be prior to December 3, 1963) and that the total estate of Katie Allinkoff including interest in joint property and the proceeds of life insurance did not exceed \$60,000.00 and was not subject to Federal Estate Tax.

McKernan & Purcell Sub 07121

KEY # 2921  
(office copy)  
UNION TITLE CO.



INTERIM CERTIFICATE OF TITLE

Par 573

Pioneer National Title Insurance Company

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
	I-70-3(52)	Marion	72-2478-S

Name on Plans \_\_\_\_\_

Name of Fee Owner MIKE BLACK and MARY LEE BLACK, husband and wife.

PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby certifies that a search of the records from April 11, 1972, 8 A.M. to and including April 30, 1973, 8 A.M. reveals no changes as to the real estate described under PNTIC # 72-2478-G/C except:

1. Taxes for 19 72 payable 19 73 in name of Mike and Mary Lee Black  
 Duplicate # 3149563 Parcel # 1020653 Township I-Center Code # 1-01  
 May \$ 209.12 ~~209.12~~ (unpaid); November \$ 209.12 ~~209.12~~ (unpaid)  
 Taxes for 19 73 payable 19 74 now a lien in name of Mike and Mary Lee Black.  
 Assessed Valuation: Land \$560.00 Improvements \$2,740.00  
 Exemptions None

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

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

*Bruce Nelson*

Assistant Secretary

*Walter A. McLean*

Vice President

Countersigned and validated as of the 7 day of May, 19 73

*Jose L. Dicen*  
 Authorized Signatory  
 JOSE L. DICEN, TITLE OFFICER

573

**GUARANTY OF TITLE**

**Pioneer National Title Insurance Company**

Union Title Division

S.R.	PROJECT	COUNTY	PNTIC #
	I-70 3 (52)	Marion	72-2478-G/C

Names on Plans \_\_\_\_\_

PIONEER NATIONAL TITLE INSURANCE COMPANY, a California corporation with its principal Indiana Office in the City of Indianapolis, in consideration of premium paid, hereby guarantees that as of the 11th day of April, 19 72, 8 AM

MIKE BLACK AND MARY LEE BLACK,  
HUSBAND AND WIFE

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

This Guaranty is issued for the use and benefit of the State of Indiana, Division of Land Acquisition

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

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

ATTEST:

PIONEER NATIONAL TITLE INSURANCE COMPANY

*Russell Nelson*  
Assistant Secretary

*Walker A. McLean*  
Vice President

Countersigned and validated as of the 19th day of April, 19 72

*Jose L. Dicen*  
Authorized Signatory  
JOSE L. DICEN, TITLE OFFICER

**SCHEDULE "A"**

The property covered by this Guaranty is situated in the County of Marion in the State of Indiana and is described as follows:

Lot 2 in McKernan and Pierce's Subdivision of the middle part of Out Lot 121 of the Donation Lands of the City of Indianapolis, as per plat thereof recorded in PlatBook 2, page 94, in the Office of the Recorder of Marion County, Indiana.

The Record Owner or Owners disclosed above acquired title by Warranty deed from Eleanor P. Wilson, an unmarried adult, dated June 8, 1966 recorded June 9, 1966 as Instrument #66-28948 in the Office of the Recorder, Marion County, Indiana. U.S.R. \$7.70

SCHEDULE "B"

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

1. the rights of parties in possession
2. matters that might be disclosed by an accurate survey
3. statutory liens for labor or materials unless filed of record
4. ordinances, laws or regulations enacted by governmental authority

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

~~5. Taxes for 19\_\_\_ payable 19\_\_\_ in name of \_\_\_\_\_  
Duplicate # \_\_\_\_\_ Parcel # \_\_\_\_\_ Township \_\_\_\_\_ Code # \_\_\_\_\_  
May \$ \_\_\_\_\_ (paid) (unpaid); November \$ \_\_\_\_\_ (paid) (unpaid)  
Taxes for 19\_\_\_ payable 19\_\_\_ now a lien.~~

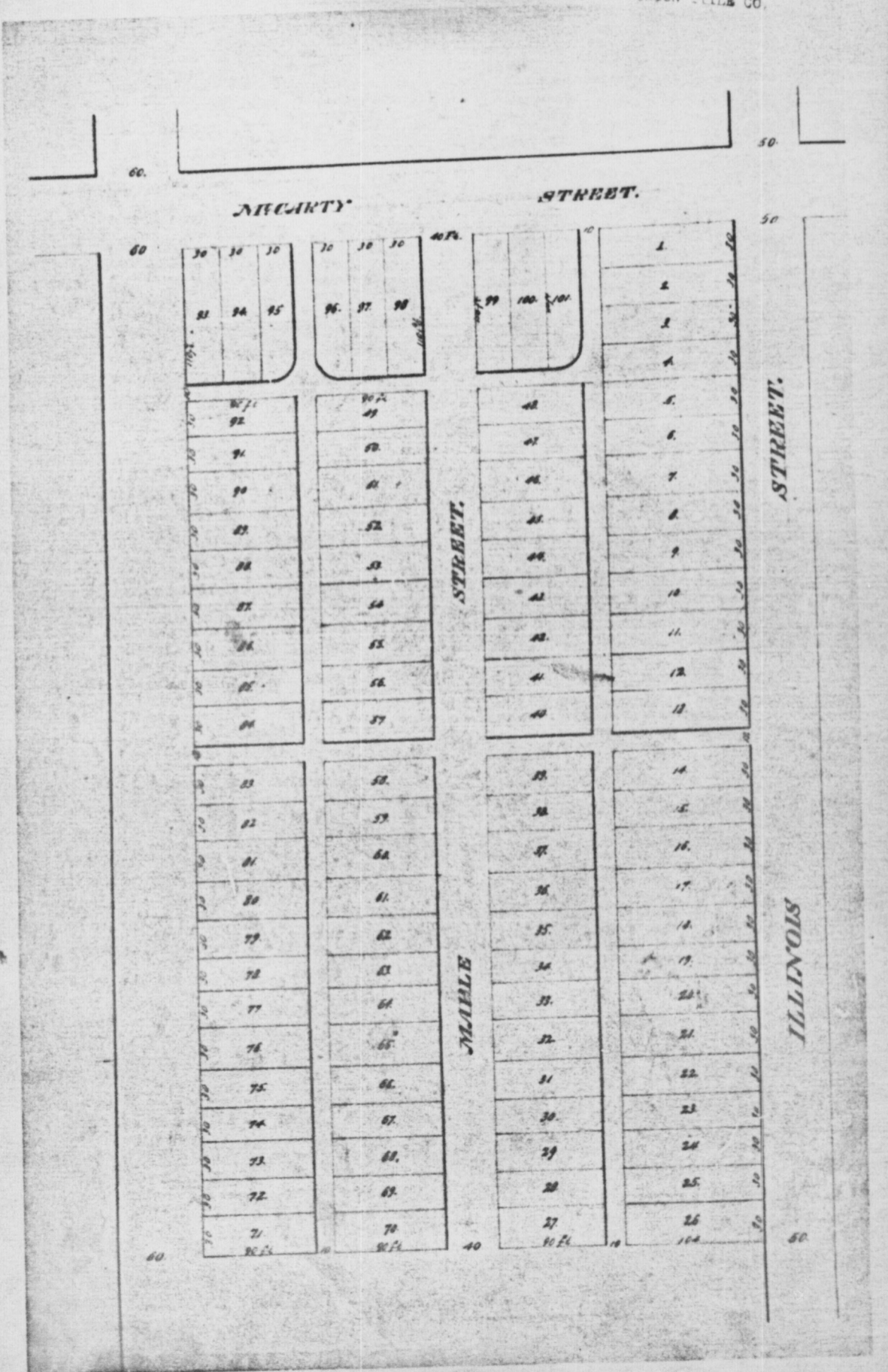
5. Taxes for the year 1970 unpaid and delinquent in the amount of \$220.92.  
Taxes for 1971 payable 1972 in name of Mike and Mary Lee Black.  
Duplicate No. 2149764, Code No. 1-01  
Township: I-Center, Parcel No. 1020653  
May \$207.33 unpaid; November \$207.33 unpaid;  
Assessed Valuation: Land \$560.00, Improvements \$2,740.00  
Exemptions None  
Taxes for 1972 payable 1973 now a lien in name of Mike and Mary Lee Black.



E 3

Mr. Kernan & Purcell Sub 0 7 121

KEY # 2921  
(office copy)  
UNION TILE CO.

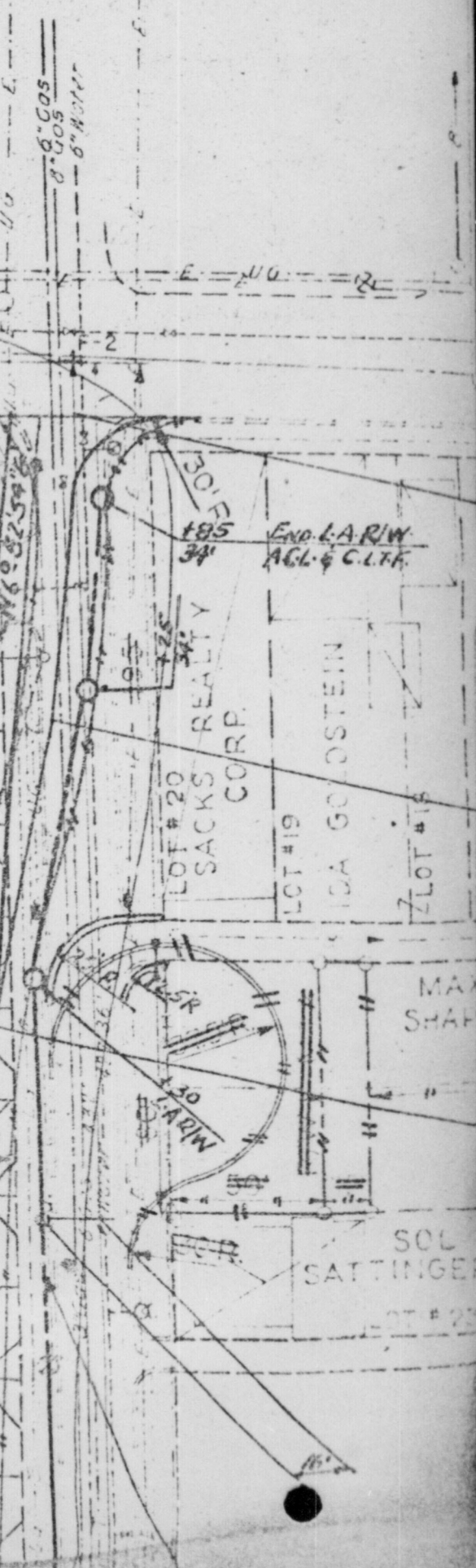
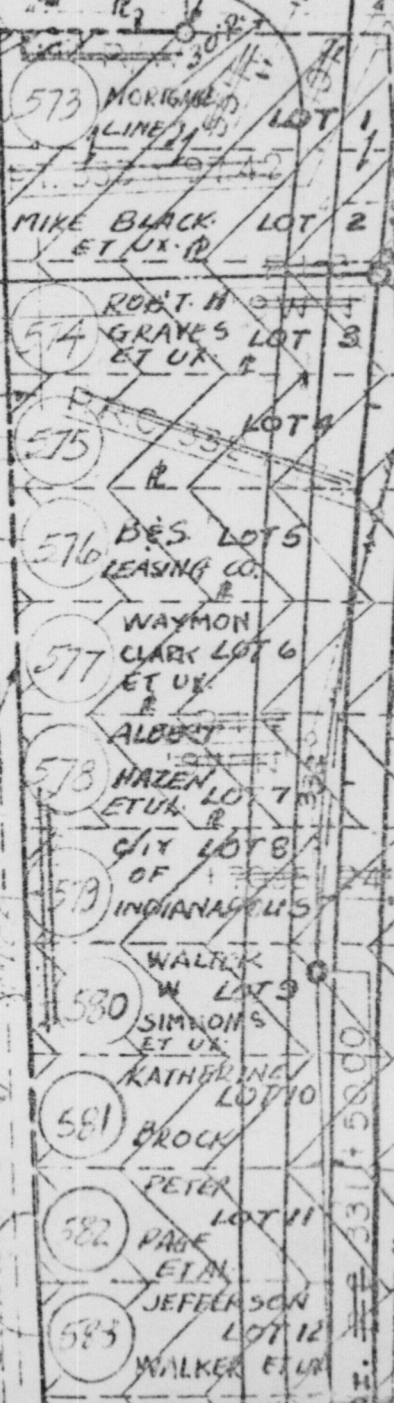
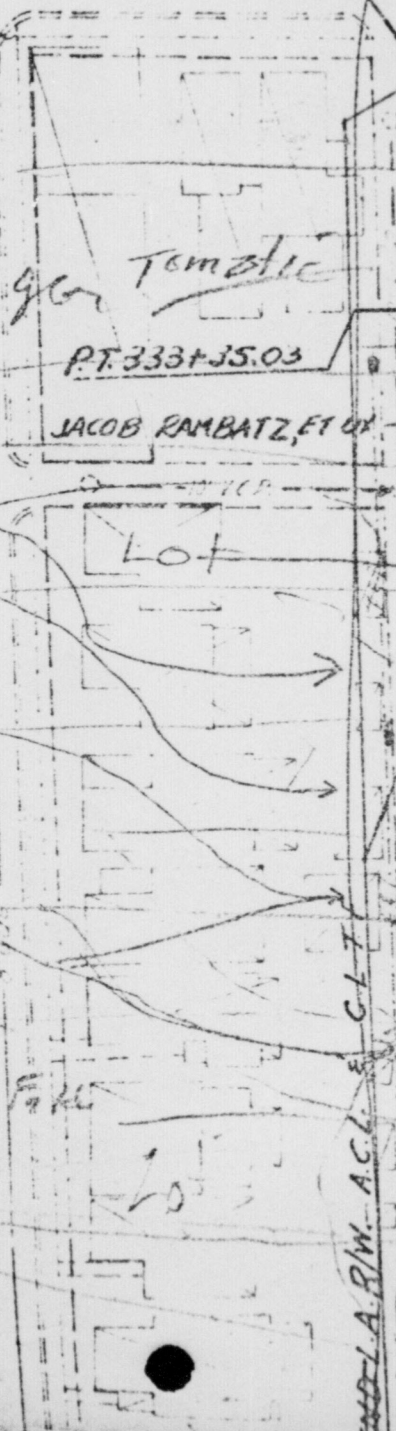


E 361000

END L.A.R/W  
A.C.L. & C.L.T.F.



Com Park  
800  
regrism  
100  
400  
300  
325  
340  
Fe Blue Park



- 573 MORTGAGE CO. ALINE ET UX. LOT 1
- MIKE BLACK ET UX. LOT 2
- ROBT. H. GRAYES LOT 3 ET UX.
- 575 LOT 4
- 576 B'S LOTS LEASING CO.
- 577 WAYMON CLARK LOT 6 ET UX.
- ALBERT
- 578 HAZEN LOT 7 ET UX.
- 579 CITY LOTS OF INDIANAPOLIS
- 580 WALTER SIMMONS ET UX. LOT 9
- KATHERINE LOT 10
- 581 BROCK
- PETER LOT 11
- 582 PAGE ELM.
- JEFFERSON LOT 12
- 583 WALKER ET UX. JOHN W.