

67-13268

WARRANTY DEED

Project 1-70-3(52)
Code 0536
Parcel 213

enr fee

This Indenture Witnesseth, That **ARTHUR R TWENTE** (Adult husband)
ANNA M TWENTE (Adult wife)

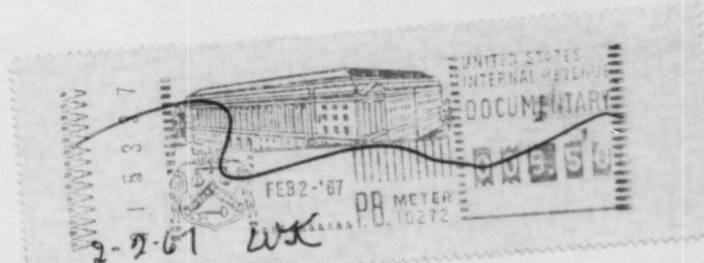
of **MARION** County, in the State of **INDIANA** Convey and Warrant to
the STATE OF INDIANA for and in consideration of

Five Thousand Dollars - - - - - (\$5000.00) Dollars,
the receipt whereof is hereby acknowledged, the following described Real Estate in **MARION**
County in the State of Indiana, to wit:

A STRIP OF 25 FEET IN WIDTH OFF OF THE ENTIRE SOUTH SIDE OF LOT NUMBERED 204 IN McCARTY'S
SUBDIVISION OF THE NORTH PART OF OUT LOT 120 IN THE CITY OF INDIANAPOLIS, AS PER PLAT THEREOF RECORDED IN
PLAT BOOK 8 PAGE 111, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, EXCEPT A STRIP OF LAND 10
FEET IN WIDTH OFF OF THE ENTIRE EAST END OF THE ABOVE DESCRIBED 25 FOOT STRIP.

TOGETHER WITH THE PERMANENT EXTINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM,
AND ACROSS THE ABOVE DESCRIBED REAL ESTATE, EXCEPTING ON ANY PART OF SAID REAL ESTATE WHICH IS NOT UTILIZED
IN THE LIMITED ACCESS PORTION OF THE ABOVE DESCRIBED PROJECT.

RECEIVED FOR RECORD
1967 APR -4 AM 9:11
MARCIA M. HAWTHORNE
RECORDER OF MARION COUNTY



5.50

DULY ENTERED
FOR TAXATION

APR 4 1967

John T. Suttors
COUNTY AUDITOR 71951

Paid by Warrant No. **A-144655**

Dated **3-21-67**

W.H.B.
2-5-67

Land + Improvements \$5000.00 Damages - 0 - Total \$5000.00

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

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

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

In Witness Whereof, the said GRANTORS

have hereunto set their hands and seal, this

31st day of JANUARY 1967

Arthur R Twente
ARTHUR R TWENTE Adult husband

(Seal)

Anna M Twente
ANNA M TWENTE (Adult wife)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

67-13268

This Instrument Prepared by S. W. BURRELL 6-24-66

W.H.B.
FEB 14 1967

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 _____ 31st
day of January, A. D. 1967; personally appeared the within named _____
Arthur R. Juente and Anna M. Juente

Grantors _____ 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 June 28 1970 _____ Notary Public
William G. Kramer
WILLIAM G. KRAMER

67 13268

WARRANTY DEED

FROM

TO

STATE OF INDIANA

Received for record this _____

day of _____, 19____

at _____ o'clock _____ m, and

Recorded in Book No. _____ page _____

Recorder _____ County

Duly entered for taxation this _____

day of _____, 19____

Auditor's fee \$ _____

Auditor _____ County

Division of Land Acquisition
Indiana State Highway Commission

(13)

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

September 6, 1967 19

To Eugene and Catheryn Sanders
1219 McDougal
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-169243 8-29-67 19
in settlement of the following vouchers: 68-86

Description	Amount
For <u>Relocation Expense</u> on State Road No. <u>49</u> in <u>Marion</u> County, Project <u>I-70-3(52)</u> Parcel No. <u>213</u> as per Grant/Warranty Deed, Dated <u>8-7-67</u>	\$222 00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Mrs Eugene SandersDate 9 7 1967

INDIANA STATE HIGHWAY COMMISSION

Division of Land Acquisition

ROOM 1105 — 100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46209

March 28

19 67

To Arthur R. Twente
 Anna M. Twente
 5972 N. New Jersey
 Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-144654 3-21 19 67
 in settlement of the following vouchers:
 Transmittal #67-289

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>213</u> as per Grant/Warranty Deed, Dated <u>January 31, 1967</u>	\$4500. 00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By

By

Anna M. Twente

Date

3/30/67

INDIANA STATE HIGHWAY COMMISSION

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

March 28 19 67

To Arthur R. Twente
Anna M. Twente
5972N. New Jersey
Indianapolis, Indiana

GENTLEMEN:

We enclose State Warrant No. A-144655 3-21 19 67
in settlement of the following vouchers:
Transmittal #67-289

Description	Amount
For <u>Purchase</u> on State Road No. <u>I-70</u> in <u>Marion</u> County, Project <u>I-70-3 (52)</u> Parcel No. <u>213</u> as per Grant/Warranty Deed, Dated <u>January 31, 1967</u> Escrow	\$500. 00

PLEASE RECEIPT AND RETURN (Do not detach)

Payment Received: By Arthur R. Twente
Date 5-18-67

Control

APPRAISAL REVIEW FORM
Division of Land Acquisition
Indiana State Highway Commission

Project I 70-3(52)
Parcel No. 213
Road I 70
County Marion
Owner Arthur Twente
Address 5972 N. New Jersey
Address of Appraised Property 943 S. Missouri

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.
2. Planning and Detail Maps were supplied appraisers.
3. The three approaches required (Income, Market Data, and Cost Replacement) were considered.
4. Necessary photos are enclosed.
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.
6. Plats drawn by the appraisers are attached.
7. I have personally inspected the Plans.
8. I have personally inspected the site and familiarized myself with the parcel on...
9. The computations of this parcel have been checked and reviewed.
10. The appraiser has complied with the Indiana State Highway Commission instructional outline and/or good appraisal practices.

See Supp.
Adv. Acq.
yes
yes
yes
yes
Adv. Acq.
12/5/66
yes
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 12/5/66 (Date):

Estimate of Appraisers:

	By: <u>Bramm</u>	By:	Approved By Reviewer
(a) The fair market value of the entire property before the taking is:	\$ 5,000	\$	\$ 5,000
(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	\$ 5,000	\$	\$ 5,000
(1) Land and/or improvements	\$ 5,000	\$	\$ 5,000
(2) Damages	\$ - 0 -	\$	\$ - 0 -
(3) Less non-compensable items	\$ - 0 -	\$	\$ - 0 -
(4) Estimated Total Compensation	\$ 5,000	\$	\$ 5,000

Approved	Date	Signed
<u>Act. Rev. Appr.</u>	<u>12/22/66</u>	<u>Jamae R. Zink</u>
<u>Rev. Appr.</u>	<u>12-22-66</u>	<u>Phillip S. York</u>
<u>Asst. or Chief Appr.</u>	<u>12-22-66</u>	<u>Jay D. Luser</u>

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

STATE OF INDIANA)
) SS:
COUNTY OF Marion)

A F F I D A V I T

I, Arthur R Iwente

BEING DULY SWORN UPON MY OATH SWEAR AND AFFIRM THAT I HAVE BEEN

KNOWN AS AND THAT I AM THE SAME PERSON AS:

Arthur Iwente and Arthur M Iwente

SIGNED & Arthur R Iwente

SUBSCRIBED AND SWORN TO ME THIS 31 DAY OF January, 19 67.

William G Kramer
NOTARY PUBLIC

MY COMMISSION EXPIRES June 28, 19 70.

THIS INSTRUMENT PREPARED BY William G Kramer

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 70-3(52)

BUYER'S REPORT NUMBER: 3 COUNTY Marion PARCEL NO. 213

NAME & ADDRESS OF OWNER Arthur R Juente
5972 N New Jersey PHONE # 255-6936

NAME & ADDRESS OF PERSON CONTACTED Same
Re 943 Missouri PHONE # _____

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

DATE ASSIGNED Dec 28 1967 DATE OF CONTACT 1/31/66

OFFER \$ 5000⁰⁰ TIME OF CONTACT 1:30 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? (Any other Liens, Judgements? Yes ___ No ___)
 4. () () () Explained about retention of Bldgs. (any being retained? Yes ___ No ___)
 5. () () () Filled out RAAP Form?
 6. () () () Walked over property with owner? (or who? _____)
 7. () () () Arranged for payment of taxes? (Explain how in remarks)
 8. () () () Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___)
 9. () () () Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it?

REMARKS: Met with Mr. Mrs Juente to purchase their property at
943 So Missouri. All necessary papers were signed.
Picked up receipt for 66 B Taxes also put. I up \$5⁰⁰ for
Federal documentary stamps

Voucher # 1 \$ 4500⁰⁰ payable 8 to 10 weeks
Voucher # 2 \$ 500⁰⁰ payable on possession

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

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

William G Kramer
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 70-3 (52)

BUYER'S REPORT NUMBER: 3 COUNTY Marion PARCEL NO. 213

NAME & ADDRESS OF OWNER Arthur Swente
943 Missouri PHONE # 631 3188

NAME & ADDRESS OF PERSON CONTACTED Richard League atty for Mr Swente
Room 800 Fletcher Trust Bldg PHONE # _____

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

DATE ASSIGNED Dec 28 1966 DATE OF CONTACT 1-19-66

OFFER \$ 5000⁰⁰ TIME OF CONTACT 10:30 AM

- YES NO (N/A) (Circle N/A if all questions are not applicable)
1. () () Checked abstract with owner? (Affidavit taken?: Yes ___ No ___)
 2. () () Showed plans, explained take, made offer, etc.?
 3. () () Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___)
 4. () () Explained about retention of Bldgs. (any being retained? Yes ___ No ___)
 5. () () Filled out RAAP Form?
 6. () () Walked over property with owner? (or who? _____)
 7. () () Arranged for payment of taxes? (Explain how in remarks)
 8. () () () Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___)
 9. () () Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it?

REMARKS: Met with Mr Swente atty for Mr Swente and explained to offer and the possibility of getting more money for property. Explained that we had no reason for review and that was a firm offer. Mr League will discuss with his client and call

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

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

633-4385 William G. Korman
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 70-3(52)

BUYER'S REPORT NUMBER: 1 COUNTY Marion PARCEL NO. 213

NAME & ADDRESS OF OWNER Arthur R Twente
5972 N New Jersey PHONE # 255-6336

NAME & ADDRESS OF PERSON CONTACTED Same
RE 943 So Missouri PHONE # _____

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

DATE ASSIGNED Dec 28th 1966 DATE OF CONTACT 12-30-66

OFFER \$ 5000⁰⁰ TIME OF CONTACT 11:00 AM

- | YES | NO | <u>N/A</u> | (Circle N/A if all questions are not applicable) |
|--|-------------------------------------|--------------------------|---|
| 1. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Checked abstract with owner? (Affidavit taken?: Yes ___ No ___) |
| 2. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Showed plans, explained take, made offer, etc.? |
| 3. <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___) |
| 4. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Explained about retention of Bldgs. (any being retained? Yes ___ No ___) |
| 5. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Filled out RAAP Form? |
| 6. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Walked over property with owner? (or who? _____) |
| 7. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Arranged for payment of taxes? (Explain how in remarks) |
| 8. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___) |
| 9. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it? |

REMARKS: Met with Mr Arthur Twente in regards to the buying of property at 943 So Missouri. Gave firm offer letter. Mr. Twente said the offer in his opinion was low, and would like to talk the matter over with his wife.

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

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

Patrick P. Meyer
William J. Kramer
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 10-3(300)

BUYER'S REPORT NUMBER: 1 COUNTY Missouri PARCEL NO. 313

NAME & ADDRESS OF OWNER Arthur R. Swente
5972 N. New Jersey PHONE # 555-6336

NAME & ADDRESS OF PERSON CONTACTED same
RE 943 to Missouri PHONE # _____

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

DATE ASSIGNED Dec 28th 1966 DATE OF CONTACT 12-30-66

OFFER \$ 5000⁰⁰ TIME OF CONTACT 11:00 AM

- | | YES | NO | N/A | (Circle N/A if all questions are not applicable) |
|----|-------------------------------------|--------------------------|--------------------------|---|
| 1. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Checked abstract with owner? (Affidavit taken?: Yes ___ No ___) |
| 2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Showed plans, explained take, made offer, etc.? |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___) |
| 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Explained about retention of Bldgs. (any being retained? Yes ___ No ___) |
| 5. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Filled out RAAP Form? |
| 6. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Walked over property with owner? (or who? _____) |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Arranged for payment of taxes? (Explain how in remarks) |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___) |
| 9. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it? |

REMARKS: Met with Mr. Arthur Swente in regards to the buying
of property at 943 to Missouri. Have firm offer letter. Mr.
Swente said the offer in his opinion was low, and
would like to talk the matter over with his wife.

Status of Parcel: Secured Bought, awaiting mortgage release, Condemned
 Other, awaiting what? _____

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

Patrick J. Henkel
William G. Brown
(Signature)

INDIANA STATE HIGHWAY COMMISSION
Land Acquisition Division

PROJECT NO. I 70-3 (52)

BUYER'S REPORT NUMBER: 2 COUNTY Marion PARCEL NO. 213

NAME & ADDRESS OF OWNER Arthur Swente
116 E North St PHONE # 631-3188

NAME & ADDRESS OF PERSON CONTACTED Same
Re 943 Missouri PHONE # _____
(List other interested parties on reverse side including nature of their interest)

DATE ASSIGNED Dec 28 1966 DATE OF CONTACT 1-10-66

OFFER \$ 5000.00 TIME OF CONTACT 1:00 PM

- | YES | NO | <u>N/A</u> | (Circle N/A if all questions are not applicable) |
|--|-------------------------------------|--------------------------|---|
| 1. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Checked abstract with owner? (Affidavit taken?: Yes ___ No ___) |
| 2. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Showed plans, explained take, made offer, etc.? |
| 3. <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Any Mortgage? (Any other Liens, Judgements? Yes ___ No ___) |
| 4. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Explained about retention of Bldgs. (any being retained? Yes ___ No ___) |
| 5. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Filled out RAAP Form? |
| 6. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Walked over property with owner? (or who? _____) |
| 7. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Arranged for payment of taxes? (Explain how in remarks) |
| 8. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Secured Right of Entry? (Secured Driveway R.O.E.? Yes ___ No ___ N/A ___) |
| 9. <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Gave Owner Firm Offer & Eminent Domain Procedures Letter & Explained it? |

REMARKS: Met with Mr Swente in regards to property at
943 Missouri. He wants to talk to address and will
call

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

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

William G. Kramer
(Signature)

No. 325017

ABSTRACT OF TITLE

TO

-1-

Let 204 in McCarty's Subdivision of the North part of Out Lot 120 of the Donation Lands to the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 111, in the office of the Recorder of Marion County, Indiana. Also a strip of ground of the uniform width of 8 feet lying North of and adjacent to the North side of said lot 204, being a portion of the South half of an alley heretofore vacated. Except therefrom a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 feet strip to extend to the center of the vacated alley on the North side of said lot. Also except a strip of land 10 feet in width off of the entire East end of a strip of land 25 feet in width off of the entire South side of said lot 204.

Prepared for

ADOLPH G. EMHARDT

BY

OFFICERS
WILLIS N. GOVAL
CHAIRMAN OF THE BOARD
ALBERT M. BRISTOR
PRESIDENT
H. E. STONECIPHER
SECRETARY
G. W. THOMPSON
TREASURER
VERN E. BUNDRIDGE
MANAGER

UNION TITLE COMPANY

INCORPORATED

CAPITAL STOCK \$1,000,000.00

ABSTRACTS OF TITLE, TITLE INSURANCE, ESCROWS

115 EAST MARKET STREET — MARKET 2361-S

Indianapolis, Indiana

DIRECTORS
EDWARD ADOLAY
ALBERT M. BRISTOR
ARTHUR F. BROWLEY
ARTHUR V. BROWN
VERN E. BUNDRIDGE
WILLIS N. GOVAL
LINTON A. COX
GEORGE B. ELLIOTT
GEORGE C. FORREY, JR.
FRANK F. HUSE
JOHN K. PARRY
GEORGE SADLER
TIMOTHY P. SEXTON
GEORGE W. SHYDER
H. E. STONECIPHER
LEO F. WELCH

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

(OVER)

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

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

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

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

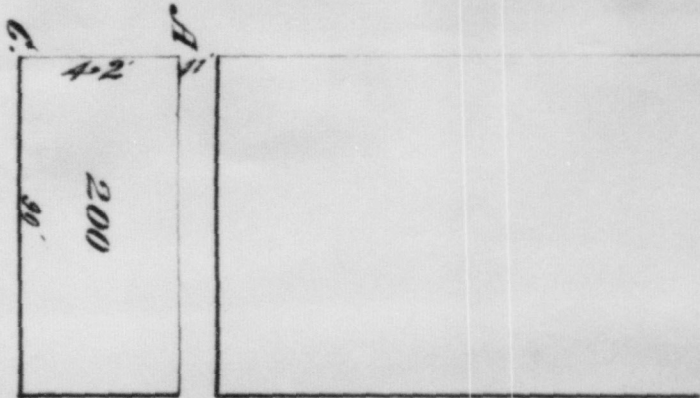
CITY OF INDIANAPOLIS. By act of Congress, approved April 19, 1816, hereinbefore mentioned, four sections of land were granted to the State, "for the purpose of fixing their seat of Government thereon," which grant was accepted by the Territorial Convention, by Ordinance of June 29, 1816, R. S. 1824,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

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

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

McCartys Sub North Part of L. 120 WEST ST. PLAT Cook 8 Page 111 Aug 29 2004

50

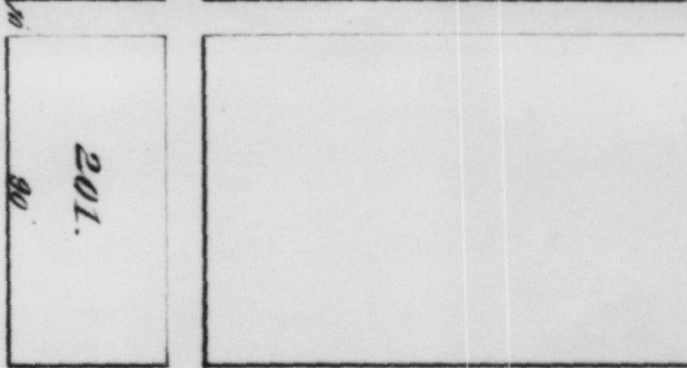


200

90'

42'

W. ST.

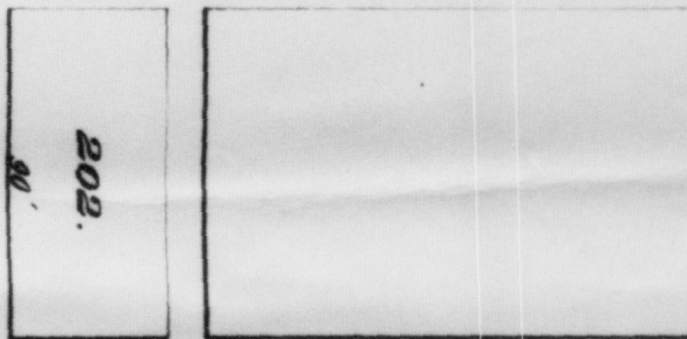


201

90'

42'

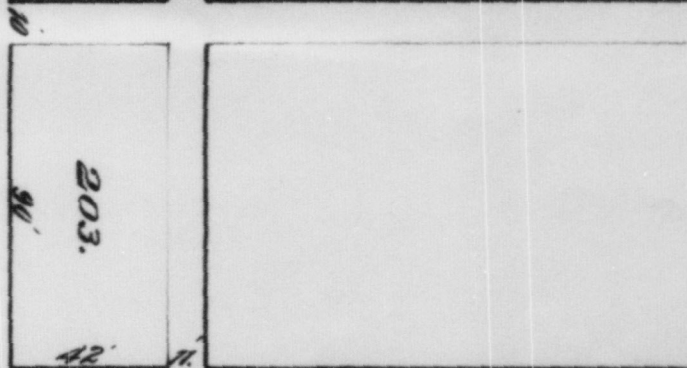
CHADWICK ST.



202

90'

42'

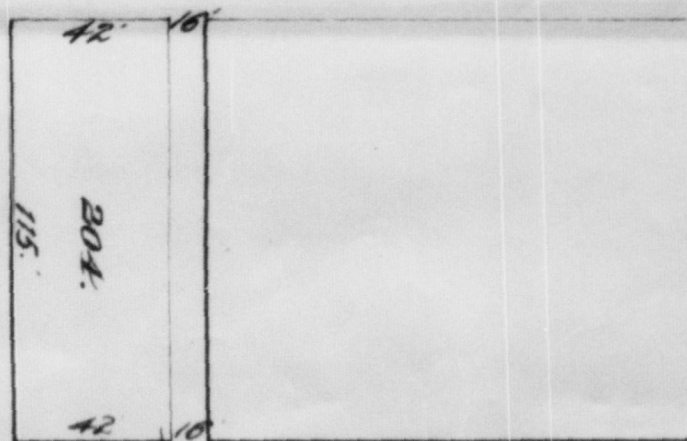


203

90'

42'

MISSOURI ST.



204

115'

42'

42'

ST.

BRIDGE

Pogues Run

325017

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

Ebenezer Sharpe, Agent
of the State of Indiana,
for the Town of Indiana-
polis,

Agent's Deed

-2-

to
Nicholas McCarty, to have
and to hold to said McCarty
his heirs and assigns

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

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

Approved January 6, 1821.

-3-

Nicholas McCarty died intestate May 17, 1854.

Complete Record
11 page 66

-4-

IN THE COMMON PLEAS COURT OF MARION COUNTY

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

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

Order Book 7, page 463.

January 7, 1860, Estate settled.

Order Book 9, page 83.

-5-

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

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

-6-

STATE OF INDIANA, MARION COUNTY, SS:

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

Henry Day

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

William Watson Woollen,
Notary Public

IN THE COMMON PLEAS COURT OF MARION COUNTY

Filed
June 23, 1854

-7-

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

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

-3-BED (over)

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

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

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

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

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

Marriage Record
6 page 659
Dec. 9, 1857

Susannah McCarty
to
Henry Day

Marriage

-8-

-9-

By plat dated January 27, 1863 and recorded January 27, 1863 in Plat Book 2 page 86 the following described Real Estate was subdivided and is now known as McCartys Subdivision of the East Part of Out Lot 120 in the City of -- of -- County of Marion and State of Indiana.

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

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

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and 5 inches wide on the West line and 102 feet long on the North line, Lots 82 to 106 both inclusive are each 30 feet wide and 90 feet deep. Lot 81 is 35 feet deep on the East line 39 feet on the West line and 90 feet long on the North line. Lots 109 to 133 both inclusive are each 30 feet wide and 90 feet long. Lot 134 is 41 feet wide on the East line 45 feet wide on the West line and 90 feet on the North line. Lots from 136 to 160 both inclusive are each 30 feet wide and 90 feet long; Lot 135 is 45 feet and 6 inches on the East line 50 feet on the West line and 90 feet long on the North line. Lots 1 and 53 are each 42 feet wide and 123 feet 6 inches long; Lot 54 is 42 feet wide and 104 feet long; Lots 107, 108 and 161 each 42 feet wide and 90 feet deep.

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

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

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

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

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

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Marriage Record
10 page 36
Oct. 2, 1867

Margaret R. McCarty
to
John C. S. Harrison

Marriage

-10-

-11-

Margaret McCarty, widow of Nicholas McCarty, deceased, died intestate February 18, 1873, see Order Book, Marion Circuit Court, 69, page 542, for corrected affidavit of death executed by Nicholas McCarty, which contained the statement that Margaret McCarty died intestate February 18, 1874, when in fact, she died February 18, 1873 leaving her surviving as her sole and only heirs at law, Nicholas McCarty, Susannah McCarty Day, Margaret R. McCarty Harrison and Frances J. McCarty.

IN THE MARION CIRCUIT COURT

Estate Docket
8 page 283

IN THE MATTER OF THE ESTATE OF MARGARET McCARTY
DECEASED.

-12-

March 14, 1874, Nicholas McCarty was appointed and qualified as Administrator of the Estate of Margaret McCarty, deceased.

See Order Book 34, page 551.

September 12, 1899. The estate of Margaret McCarty, deceased; was finally settled and closed.

See Order Book 140, page 121 of the Marion Circuit Court.

-13-

Susanna McCarty Day died intestate August 30, 1873.

Will Record
E page 123

Recorded
Sept. 19, 1873

-14-

LAST WILL AND TESTAMENT OF SUSANNA McCARTY DAY,
DECEASED.

I, Susanna McCarty Day, daughter of Nicholas McCarty and Margaret McCarty both deceased, sister of Margaret R. McCarty Harrison, Nicholas McCarty and Francis J. McCarty, wife of Rev. Henry Day and mother of Henry McCarty Day and Margaret McCarty Day of the City of Indianapolis, County of Marion and State of Indiana, of sound mind and disposing memory though sick of body do make this my last will and testament intending thereby to dispose of all the property of which I shall die seized or possessed. I give and bequeath to my brother Nicholas McCarty all my personal property (except that in the dwelling house occupied by me which I give and bequeath to my husband Rev. Henry Day and the crops growing upon my lands at the time of my death but on condition that he within sixty days after the probate of this my will does not pay his two promissory notes payable to my executor with interest without relief from valuation or appraisement laws. Each in the sum of seven thousand five hundred dollars one on or before one year after date and one on or before two years after date then said devise to him shall fail and then and thereupon I give and bequeath said personal property and growing crops and the proceeds of any thereof disposed of by said Nicholas in the meantime the one third thereof to my said husband, Rev. Henry Day one third to my son Henry McCarty Day and the one third to my daughter Margaret McCarty Day. I give and bequeath to my said brother Nicholas McCarty the undivided one fourth of the real estate situate in the county of Marion and State of Indiana described as follows, to wit: The north half of the northwest quarter of Section 22, in Township 15 north of Range 3 east but on condition that -- does not within 60 days after the Probate of this my will pay to my executor the sum of \$2500.00 and execute his 3 promissory notes payable to my executor, each in the sum of \$2500.00 with interest without relief from valuation or appraisement laws one year after date, 1 two years and 1 three years after date this bequest shall fail and then and thereupon I give said described real estate the one third to my said husband Rev. Henry Day one third to my son Henry McCarty Day and one third to my daughter Margaret McCarty Day.

I give and bequeath the moneys which may be paid and the notes which may be executed by my said

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brother Nicholas McCarty in compliance with the condition attached to the bequests or either of them hereinbefore set forth and I give and bequeath all the residue of my real property of whatever description and wherever situate the one third of said moneys notes and real property to my said husband Rev. Henry Day the one third thereof to my son Henry McCarty Day and the one third to my daughter Margaret McCarty Day.

I hereby appoint my said husband Rev. Henry Day executor of this my last will and testament and direct that no bond be required of him for the discharge of his duties; I also appoint him the guardian of our said children Henry McCarty Day and Margaret McCarty Day.

Hereby revoking all wills, testaments and codicils heretofore made by me. In Witness Whereof I the said Susanna McCarty Day have this 21st day of Aug. 1873 set my hand and seal.

Susanna McCarty Day.

Signed, sealed, published and declared by the said Susanna McCarty Day as her last will and testament in the presence of us, who at her request in her sight and presence and in the presence of each other have subscribed our names as attesting witnesses.

The interlineation of the words "and growing crops" was made before signing by the testatrix: Also the interlineation in the fifteenth line of the words "except that in the dwelling house occupied by me which I give and bequeath to my husband Rev. Henry Day." was made before signing by the testatrix.

Margaret A. Wood
John S. Tarkington

IN THE MARION CIRCUIT COURT

Estate Docket
7 page 248

IN THE MATTER OF THE ESTATE OF SUSANNA McCARTY DAY,
DECEASED.

October 15, 1873, Henry Day appointed and qualified as executor of the last will and testament of Susanna McCarty Day, deceased.

Order Book 34, page 309.

October 19, 1874, final report filed, approved, and estate closed.

Order Book 34, page 80.

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-8-BED

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IN THE MARION CIRCUIT COURT

Guardian's Docket
3 pages 30

-16-

IN THE MATTER OF THE GUARDIANSHIP OF HENRY McCARTY
DAY AND MARGARET McCARTY DAY.

Henry Day appointed Guardian October 15, 1873
of Henry McCarty Day (aged 14 years October 19, 1873)
and Margaret McCarty Day (aged 10 years 1874).

Order Book 34, page 309.

Said Henry McCarty Day arrived at full age
October 19, 1880 and Guardian discharged as to said
Henry McCarty Day, February 22, 1881.

Order Book 56, page 227.

Margaret McCarty Day arrived at full age June
16, 1885 and final report guardianship settled and
guardian discharged, September 11, 1885.

Order Book 72, page 284.

(SHOWN FOR REFERENCE ONLY)

Plat Book
7 page 74
April 10, 1875
Recorded
April 13, 1875

-17-

McCARTY'S SUBDIVISION OF PART OF OUT LOT 120

The annexed is a plat of McCarty's Subdivision
of the west part of Out Lot 120 in the City of
Indianapolis, in Marion County. In the State of
Indiana, divided into 136 lots consecutively
numbered and into 2 blocks lettered respectively
A. and B. and into streets and alleys the names of
the streets are designated on the Plat.

The width of the streets and alleys are desig-
nated by figures in feet. The width and depth of
the lots are designated by figures in feet and inches
and the size of Lots A. and B. are designated by
figures in feet and inches.

Nicholas McCarty
Frances J. McCarty
Henry Day for himself
and as Guardian of
Henry McC. Day, and
Margaret McC. Day,
John C. S. Harrison
Margaret McCarty Harrison

Acknowledged April 10, 1875.

325017

Town Lot Record
167 page 8
Jan. 5, 1884
Recorded
Feb. 11, 1884

Deed of Dedication

-18-

Nicholas McCarty,
unmarried,
John C. S. Harrison
and Margaret R.
McCarty Harrison,
his wife,
Frances J. McCarty,
unmarried,
Henry Day, unmarried,
Henry McCarty Day,
unmarried, and
Henry Day as Guardian of
Margaret McCarty Day, a
minor, (signed Henry Day
Guardian ---) by order of
the Marion Circuit Court in
Order Book 66, page 721
to
The Public

10 feet off the East end and 10 feet West end
of that part of Out Lot 120, in the City of Indiana-
polis, bounded as follows to-wit: Beginning at a
point in the North line of said Out Lot 650 feet
east of the North West corner thereof, running
thence west on said North line 55 feet, thence south
42 feet on a line parallel to the West line of said
Out Lot to the North line of Ray Street, thence
east on said North line of Ray Street 55 feet, thence
north 42 feet to the place of beginning, for a public
alley, and the remainder of said described and bounded
part of said Out Lot lying between said alleys (being
35 feet by 42 feet as and for a way for Pegues Run
and the improvements for such way.

(Also other real estate).

Examined and approved as to Henry Day, Guardian,
this January 5, 1884.

J. G. Adams, Judge.

(CONFLICTING)

Town Lot Record
168 page 599
May 5, 1884
Recorded
May 7, 1884

Quit Claim Deed

Lewis W. Hasselman, and
Elisabeth W. Hasselman
(signed Elisabeth W. Hasselman)
his wife,
to

Francis M. Churchman, and
Stoughton J. Fletcher

Out Lot 128 in the City of Indianapolis.

-19-

Plat Book
 8 page 111
 May 14, 1885
 Recorded
 May 14, 1885

-20-

McCARTY'S SUBDIVISION OF THE NORTH PART OF OUT LOT
 120 IN THE CITY OF INDIANAPOLIS.

We the undersigned, Nicholas McCarty, Margaret R. McCarty Harrison with John C. S. Harrison, her husband and Frances J. McCarty, children and heirs at law of Nicholas and Margaret McCarty, late of Marion County, State of Indiana, deceased, Henry Day, Widower, Henry McCarty Day and Margaret McCarty Day, the two children, heirs at law of Susanna McCarty Day, deceased, who was one of the four children and heirs at law of said Nicholas and Margaret McCarty, deceased, have laid off the real estate situated in said Marion County in the State of Indiana, hereby named McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, described as follows, to-wit:

Beginning at the intersection of the North line of Ray Street with the East line of West Street, running thence east on said North line of Ray Street 650 feet, thence north on a line parallel to said East line of West Street 42 feet, thence west on a line parallel to said North line of Ray Street 650 feet to the said East line of West Street, thence south on the said East line of West Street 42 feet to the place of beginning, into 5 lots numbered from 200 to 204, both inclusive with streets and alleys the numbers and size of lots and width of streets and alleys marked herein. The distances hereon are marked in feet.

The part of said premises being 35 feet in width marked Pogues Run has heretofore been dedicated as a way for said run and the improvement of such way thereon.

All the streets and alleys, except the two north and south alleys between Missouri and West Streets as shown on this plat have heretofore been laid out or dedicated.

The line A. B., the North line of said lots is on the North line of said Out Lot 120.

Witness our hands and seals this 14th day of May, 1885.

Nicholas McCarty
 Margaret R. McCarty Harrison
 John C. S. Harrison
 Frances J. McCarty
 Henry Day
 Henry McCarty Day
 Margaret McCarty Day

STATE OF INDIANA, MARION COUNTY SS:

Before me, the undersigned, a Notary Public in and for the said County this 14th day of May, 1885,

325017

Nicholas McCarty, Margaret R. McCarty Harrison and John C. S. Harrison, her husband, Frances J. McCarty, Henry Day, Henry McCarty Day and Margaret McCarty Day acknowledged the execution of the annexed plat.

Witness my hand and notarial seal this 14th day of May, 1885.

Edgar A. Brown (LS)
Notary Public

RATIFICATION OF PLAT

Misc. Record
7 page 566
July 2, 1885
Recorded
Sept. 2, 1885

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This Indenture Witnesseth, That Whereas the undersigned Margaret McCarty Day of the City of Indianapolis, County of Marion and State of Indiana, on the fourteenth day of May, A.D., 1885 with the other owners in common of the hereinafter described real estate executed a plat of Subdivision into lots with Streets and Alleys of that part of Out Lot 120 situate in said City, County and State bounded as follows, to wit:

Beginning at the intersection of the North line of Ray Street with the East line of West Street, running thence east on said North line of Ray Street 650 feet, thence north on a line parallel to said East line of West Street 42 feet, thence west on a line parallel to said North line of Ray Street 650 feet to the said East line of West Street, thence south on the said East line of West Street 42 feet to the place of beginning, into 5 lots numbered from 200 to 204, both inclusive with Streets and Alleys the numbers and size of lots and width of streets and alleys marked on said plat named "McCarty's Subdivision of the north part of Out Lot 120 in the City of Indianapolis", recorded in the Recorder's office of said County on May 14th, A.D., 1885, on Plat Book 8, page 111, to which plat and record reference is here had as a part hereof, and whereas said Margaret McCarty Day was not of the full age of twenty one years at said date but became of said full age of twenty one years on the 16th day of June A.D., 1885.

Now in consideration of the premises the said Margaret McCarty Day has affirmed and by these presents does confirm and ratify said plat and subdivision this second day of July, 1885.

Witness my hand and seal.

Margaret McCarty Day.

(Duly acknowledged)

Town Lot Record
187 page 579
Jan. 25, 1887
Recorded
Jan. 25, 1887

TRANSCRIPT OF VACATION OF 1st ALLEY NORTH OF RAY STREET FROM WEST STREET TO 1st ALLEY WEST OF MISSOURI STREET.

(NOTE: Proceedings not shown herein inasmuch as they are set out in full at item 3 of the next continuation to this Abstract of Title).

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Misc. Record
8 page 207
April 19, 1886
Recorded
April 22, 1886

Margaret R. McCarty Harrison Power of Attorney
John C. S. Harrison, her
husband,
Frances J. McCarty, unmarried
Henry Day, widower,
Henry McCarty Day, unmarried,
Margaret McCarty Day,
unmarried,

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to
Nicholas McCarty
To let or lease, to bargain, sell, convey etc.
Lots 157, 160, 161, 162, 165, 167, 168, 169, 170,
172, 173, 174, 175, 176, 177, 178, 179, 180, 181,
182, 183, 184, 185, 186, 187, 188, 189, 190, 191,
192, 193, 194, 195, 196, 197, 198, 199, 200, 201,
206, 207, 208, 209, 210, 211, 212, in McCarty's
5th West Side Addition.

Also lots 200, 201, 202 and 204 in McCarty's
Subdivision of the North part of Out Lot 120, and
to petition for alteration or vacation of the first
alley North of Ray Street between West Street and
first alley East of Missouri Street, and to sell any
ground accruing to us by reason of vacation of said
first mentioned alley, and to satisfy mortgages, etc.,
on above real estate.

Town Lot Record
192 page 588
July 9, 1887
Recorded
July 9, 1887

Nicholas McCarty, unmarried Warranty Deed
and, Margaret R. McCarty Harrison
and, John C. S. Harrison, her
husband,
Frances J. McCarty, unmarried,
Henry Day, unmarried,
Henry McCarty Day, unmarried, and
Margaret McCarty Day, unmarried,
by Nicholas McCarty, their attorney
in fact;
to
Wilhelm Jonas.

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Lot 204 in McCarty's Subdivision of the North

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part of Out Lot 120 in the City of Indianapolis, according to the plat of said Addition as recorded in the office of the Recorder of the said County of Marion in Plat Book 8, page 111, together with the right, title, interest and estate of the grantors in and to and of the south half of the alley between Chadwick Street and the first alley east of said Street on the North Side of said lot vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis; see Transcript of proceedings for the vacation of said first mentioned alley recorded in the Recorder's Office of the said County, January 25, 1887 in Town Lot Record 187, page 579.

(NOTE: On the margin of the above record appears the following; see deed correcting error in description of this deed in Town Lot Record 241, page 400).

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ABSTRACTER'S NOTE:

Investigation of the records discloses and we hereby certify that the 16 foot alley lying north of Lot 204 in McCarty's subdivision of the north part of Out Lot 120 as shown in Plat Book 8, page 111, lies entirely within the boundaries of Out Lot 128.

For that reason we are showing the title to Lot 9 in Meikel's Subdivision in Out Lot 128 in order to show the title to that portion of said 16 foot alley lying between said Lot 9 on the north and said Lot 204 on the south.

Land Record
"N" page 153
May 1, 1835
Recorded
Dec. 30, 1841

Ebenezer Sharpe, Agent Deed
of the State of Indiana,
for the Town of Indianapolis,
to
James Van Blaricum, his heirs
and assigns.

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Out Lot 128, containing 17-72/100 Acres, in
the Town of Indianapolis, and other real estate.

James Van Blaricum died testate September 3, 1858.

Will Record
C, page 142
Probated
Sept. 3, 1858

LAST WILL AND TESTAMENT OF JAMES VANBLARICUM.

I, James VanBlaricum of Indianapolis, Indiana, do make and publish this my last will and testament hereby revoking all wills by me heretofore made.

First: I give and bequeath to my beloved wife, Keren Van Blaricum two promissory notes of five hundred dollars each on Osgood and Smith the notes of Osgood and Smith first due.

2nd. Out of the residue of my personal estate except my household goods I direct that my debts be paid so far as the same will go to liquidate them.

3rd. If my personal estate should prove insufficient to pay my debts and funeral expenses after taking out said notes bequeathed my wife, my executors or the survivors of them or any administrator of my estate with the will annexed is authorized and empowered to sell a sufficiency of my real estate to pay the residue of such debts and expenses and other charge on my estate created by this will or otherwise and to make deed to the purchasers thereof as I might do if living and as some of said real estate is encumbered by mortgage I authorize such mortgaged premises to be sold subject to the mortgages or sold entire leaving the mortgagors to be paid out of the purchase money or otherwise as may be most advisable.

4th. Until the final settlement of my estate the rents arising from my real estate shall belong to my executors or other personal representatives and they are authorized to take possession of the same and control them and receive the rents therefor as fully as I might do if living and out of such rents until my estate is finally settled my said wife shall receive a comfortable support to be paid her by my personal representatives and the residue shall be applied to the payment of my debts etc., as aforesaid.

5th. After the payment of all the liabilities above specified one half of my real estate remaining unsold I bequeath in fee simple to my said wife.

6th. I bequeath to my son William Van Blaricum one hundred dollars in money to be paid by my executors when in their discretion it can be done without interfering with the payment of the liabilities above provided for.

7th. I have advanced to my daughter Elizabeth Bates about three thousand dollars and to my son George, about the same amount and something to my daughter Francis Harrison the amount to be ascertained by my executors and I direct that out of the residue of my real estate after setting a part one half to my wife and after the payment of all my debts and other legacies said Francis shall receive enough to make her advances equal to those of George and Elizabeth as aforesaid and I have deeded a part of a lot to my daughter Viola and I direct that she receive in like manner from the residue of my real estate amount sufficient to make her allowances equal to those of Elizabeth, George and Francis, and then the residue shall be equally divided between said Elizabeth, Frances, George and Viola and in case of death of either of them, then to the heirs of such deceased child the share its parent would take under this article of my will.

8th. I empower my executor or the survivors of them to execute all necessary deeds for real estate which I have sold and given title bonds for deeds.

9th. In case there should remain surplus of my personal estate after the payment of all liabilities against it I bequeath the same to my children George and Viola Van Blaricum, Elizabeth Bates, and Francis Harrison to be divided among them equally.

10th. I hereby appoint Edwin A. Beck and William N. Jackson of Indianapolis my executors and request of them to accept said trust.

11th. My household goods and books etc., I bequeath absolutely to my said wife Kerin Van Blaricum.

In Witness whereof, I have hereunto set my hand this 18th day of August, 1858.

James VanBlaricum.

The foregoing Will was signed by James Van Blaricum in our presence this 18th day of August 1858 and we hereunto subscribe our names as witnesses thereto in the presence of the Testator and of each other.

William H. Jones,
Edward A. Lawrence,
H. C. Newcomb.

IN THE COMMON PLEAS COURT OF MARION COUNTY, INDIANA.

September 20, 1858. William N. Jackson qualified as executor of the estate of James Van Blaricum.

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December 17, 1858. William Wallace appointed administrator with the will annexed of the estate of James VanBlaricum.

July 1st, 1863. Estate settled. Order Book 13, page 351, and complete record 16, page 591 and 715. Also Complete Record 18, page 582.

Town Lot Record
10, page 411
March 17, 1860
Recorded
June 19, 1860

Sheriff of Marion County Sheriff's Deed
to
William Wallace

The undivided half of lots 10, 11 and 15 feet off the North side of Lot 12 in Square 66 in the City of Indianapolis also lots 3, 11, 16, 17 and 18 in Out Lot 14 in said City of Indianapolis according to James Vanblaricums Subdivision of said Out Lot, also Lots 1, 2, 3, 4, 5, 6, 7, 9, 12, 14, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33 and 34 in James VanBlaricums Subdivision of the east part of Out Lot 121 in said City of Indianapolis, also lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 in James VanBlaricums Second Subdivision of Out Lot 121, a plat of which is recorded in Plat Book 2 of Marion County, page 26, also the following described real estate situate in said City of Indianapolis. Beginning at the Northwest corner of Out Lot 121 thence running east on the South line of McCarty Street, 1-70/100 chains to the centre of the canal thence southeastwardly with the center of the canal 12-95/100 chains to the South line of said Out Lot thence west 6-61/100 chains to the Southwest corner of said Out Lot thence west along the South line of Out Lot 128-6/100 chains thence north parallel with West Street 12 chains to the North line of said Out Lot 128 thence east along the South line of McCarty Street 6-23/100 chains to the place of beginning containing 12-31/100 acres being 7-33/100 in Out Lot 128 and 4-95/100 acres in Out Lot 121 in the City of Indianapolis. Also so much of Out Lot 128 in the City of Indianapolis, described as follows, to wit: Commencing at a point 6-23/100 chains west of the Northeast corner of said Out Lot 128, thence running south 12 chains, thence west 8-54/100 chains to a stake at the Southwest corner of said Out Lot, thence east 8-54/100 chains to the place of beginning, containing 10-25/100 acres.

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And also the following described real estate in said City of Indianapolis, beginning on the North line of Out Lot 121 at a point 309 feet west of the North East corner of said Out Lot said point being on the South line of McCarty Street and on the West line of Illinois Street thence running south parallel with the Bluff Road 12 chains to the South line said Out Lot thence west along said South line 8-81/100 chains to the centre of the canal thence northwestwardly along the center of the canal 12-95/100 chains to the North line of said Out Lot thence East along - - of McCarty Street 12-97/100 chains to the place of beginning, containing 13-7/100 acres. This last tract also includes the Second Subdivision of the said Out Lot above mentioned and recorded in Flat Book No. 2 in Marion County, page 26. On a judgment rendered September 23, 1859 in the Marion Circuit Court, William J. VanBlaricum vs. William J. VanBlaricum and Keren Van Blaricum and a judgment rendered November 12, 1859 in the Marion Circuit Court, Isaac Coffin vs. James B. V. Harrison and George VanBlaricum.

And a judgment rendered January 6, 1860 in the C.P.C. Wm. J. VanBlaricum vs. Wm. J. Vanblaricum & Kerin VanBlaricum. And a judgment rendered February 15, 1860 in the Common Pleas Court, George Tomlinson vs. William J. VanBlaricum and Keren VanBlaricum and a judgment rendered February 16, 1860 in the Common Pleas Court, Isaac Coffin vs. Keren VanBlaricum. The full amount of said 5 judgments being \$3143.90 and costs.

Five several writs of execution issued. Said writs duly received and sheriff levied said writs February 18, 1860 on above described real estate. Above described real estate sold at public auction March 17, 1860 to William Wallace, for the sum of \$3255.47. Certificates of sale executed and delivered to said purchaser.

Town Lot Record
10 page 438
April 16, 1860
Recorded
June 27, 1860

Keren VanBlaricum, -- Special Warranty Deed
to
William Wallace
The undivided one half of all the real estate
hereinafter particularly described, that is to say:

Lots 10, 11 and 15 feet off the North side of Lot 12 in Square 66 in the City of Indianapolis, also Lots 3, 11, 16, 17 and 18 in Out Lot 14 in said City of Indianapolis, according to James VanBlaricum's Subdivision of said Out Lot, also lots 1, 2, 3, 4, 5, 6, 7, 9, 12, 14, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33 and 34 in James VanBlaricum's Subdivision of the east part of Out Lot 121 in said City of Indianapolis, also lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 in James VanBlaricum's Second Subdivision of Out Lot 121, a plat of which is recorded in Plat Book 2 of Marion County, page 26.

Also beginning on the Northwest corner of Out Lot 121, thence running east on the South line of McCarty Street, 1-70/100 chains to the center of the Canal, thence southeastwardly with the center of the Canal 12-95/100 chains to the South line of said Out Lot thence west 6-61/100 chains to the Southwest corner of said Out Lot, thence west along the South line of Out Lot 128, 6 chains thence north parallel with West Street 12 chains to the North line of said Out Lot 128, thence east along the South line of McCarty Street 6-23/100 chains to the place of beginning, containing 12-31/100 acres being 7-33/100 acres in Out Lot 128 and 4-95/100 acres in Out Lot 121 in said City.

Also so much of Out Lot 128 in the City of Indianapolis described as follows, to-wit:

Commencing at a point 6-23/100 chains west of the Northeast corner of said Out Lot 128, thence running south 12 chains then running west 8-54/100 chains to a stake at the Southwest corner of said Out Lot thence running north along West Street 12 chains to the Northwest corner of said Out Lot thence running east 8-54/100 chains to the place of beginning, containing 10-25/100 acres.

Also so much of Out Lot 121 described as follows to-wit:

Beginning on the North line of Out Lot 121 at a point 309 feet west of the Northeast corner of said Out Lot said point being on the South line of McCarty Street and on the West line of Illinois Street, thence running south parallel with the Bluff Road 12 chains to the South line of said Out Lot thence west along said South line 8-8/100 chains to the center of the canal thence northwestwardly along the center of the canal 12-95/100 chains to the North line of said Out Lot thence east along -- of McCarty Street 12-97/100 chains to the place of beginning, containing 13-7/100 acres, this last tract also includes the Second Subdivision of the said Out Lot above mentioned and recorded in Plat Book Number 2, page 26 of Marion County Records.

B. Harrison (with whom the said Mary F. is intermarried) George Vanblaricum, Viola R. L. Chadwick, and Levi N. Chadwick (with whom said Viola R. L. is intermarried) plaintiffs, Complain of William Vanblaricum, and Elizabeth J. Norman, James H. McKernan and Winslow S. Pierce, defendants, and say that on the -- day of -- A. D. 185- James Vanblaricum, late of said County departed this life leaving his last will and testament which has been duly admitted to probate in this Court as will appear by the record thereof remaining in this Court, reference thereto being had. And a copy of the substantial parts of said will is filed herewith.

That said Keren is the widow of said testator, and said Mary F., George, Viola R. L., William and Elizabeth are children and heirs at law of said testator who are also all of full age, except said Viola. That said Elizabeth J. is intermarried with one James Norman, but the said Elizabeth and James live apart and a suit for divorce is now pending against said James at the writ of said Elizabeth J., and that all the interest and title claimed on behalf of said Elizabeth under this petition is her own separate estate, in her own right, as one of the heirs and devisees of said testator.

That said James Vanblaricum, died seized in fee of the following described real estate situate in said County amongst other lands of said testator, to-wit: Lots numbered 3, 11, 16, 17 and 18 in Out Lot number 14 in the City of Indianapolis.

Also all of out lot number 128 in said City of Indianapolis, containing 17.58 acres.

Also all that part of out lot number 121 lying west of the Central Canal of said City of Indianapolis, containing 4.98 acres.

Also lots numbered 1, 2, 3, 4, 18, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33 and 34 in Vanblaricum's Subdivision of the east part of out lot number 121 in said City of Indianapolis.

Also lots numbered 24 and 25 in Vanblaricums Subdivision of the middle part of said out lot number 121 in said City of Indianapolis:

Also lot number 6 in the South East quarter of the North East Quarter of Sect. in N. 10 in Town. 16-Range 3- in said County, containing 5 acres and known as Vanblaricums lot - part of Town Mt. Pleasant:

And the plaintiffs aver that the debts and other charges named in said Will are paid and that the foregoing portion of the testators real estate is discharged wholly therefrom and is subject to partition under said Will.

That said Keren Vanblaricum, under and by virtue of said Will is the owner of an equal undivided half of said real estate.

That the said Mary F. Harrison, George Vanblaricum, Viola R. L. Chadwick, and Elizabeth Norman subject to the adjustment of the several advancements charged against them in said will are each of them entitled to an equal undivided one fourth part of said real estate, not before devised to said Keren.

That on the 14 day of April 1863, by an instrument duly executed, acknowledged and stamped, the said Kern Vanblaricum, conveyed to said William Vanblaricum an equal undivided one fifth of such portion of said real estate as she was entitled to: to be reduced by the amount of \$700: and that since that date said William Vanblaricum has paid to said Keren \$600 parcel of said \$700 as evidenced by her receipts to him; and copies of said conveyances and receipt are filed herewith.

And that the said John B. Harrison, and Mary F. Harrison, his wife, have by a deed of Mortgage bearing date the -- day of -- 1863, conveyed the undivided interest of said Mary F. in said premises, to secure the payment of \$300 to James E. McKernan and Winslow S. Pierce.

And the plaintiffs further aver that the persons named in said will as executors failed to act, and that the value of the said advancements have never been fixed; and they pray for a partition of said premises; and that the Commissioner in making the same do equalize the parties advanced and for all proper relief.

Appearance filed by defendants. Come the defendants William Vanblaricum, Elizabeth J. Norman, James H. McKernan and Winslow S. Pierce, and enter their appearance to the petition for partition herein; and they admit the matters therein alleged.

January 10, 1863

McKernan & Pierce
William J. Vanblaricum
Elizabeth J. Norman

Petition filed by William Wallace, Administrator, to be made party defendant.

William Wallace Administrator with the will annexed of James Vanblaricum, and respectfully showeth:

That George Vanblaricum, J. B. Harrison, the husband of Francie Harrison, one of the legatees of said James Vanblaricum, became largely indebted to certain parties by notes, and that Keren Vanblaricum, became endorsed thereon, upon which judgments were rendered against said parties, executions issued, and the interest of said Keren levied upon and advertised to be sold; that the said Wallace, at the written request of the oldest heirs borrowed the money of Isaac Mungur, and paid said indebtedness, to be reimbursed out of any money that might come to his hands as such administrator; that said Wallace purchased the interest of said Keren Vanblaricum, at said

Sheriffs Sale, as a further indemnity and security for the advancement of said money; that afterwards he reimbursed himself out of money realized from the sale of certain real estate of said James Vanblaricum, deced. And that he now only holds said interest of said Keren Vanblaricum, in trust, and that upon the proper allowance of said advancements of money by said Wallace, as such Administrator said deed should be set aside and declared null and void, a copy of which written and request of said adult heirs, is herewith filed and made a part of this petition:

Your petitioner shows that the amount so advanced by him including principal interest and costs is four thousand two hundred and sixty three $\frac{47}{100}$ dollars.

Your petitioner further shows, that he has advanced to Francis Harrison the sum of Five hundred and six $\frac{83}{100}$ dollars, to be charged as her share of said estate.

Your petitioner further shows that he has advanced to Viola -- Formerly Vanblaricum, the sum of five hundred and seventy seven $\frac{86}{100}$ dollars, to be charged to her share of said estate.

To Elizabeth Norman, the sum of fifty dollars.

To William J. Vanblaricum, including his legacy of one hundred dollars, the sum in all of one hundred and seventy eight dollars, to be charged to his interest of share in said estate.

To George Vanblaricum, the sum of Twenty seven Dollars to be charged to his interest in said estate.

Your petitioner asks to be made a defendant to said proceedings in partition and that said advancements so by him made to said several heirs and legatees may be properly estimated and expected in determining the several interests or shares of said heirs and legatees in said partition, said petitioner prays for other proper relief & C.

Wm. Wallace Admr. of
James Vanblaricum deed.

Subscribed and sworn to before me this 11th day of June A. D. 1863.

William C. Smock (NS)
Notary Public

And the said William is made a defendant herein and his said petition is allowed to stand as his answer herein. And thereupon by agreement of parties the matters and things in the answer of said Wallace are taken for confessed and true, and it is found by the Court now here that said Wallace is fully reimbursed out of the proceeds of the sale of said Real Estate named in his answer for the moneys by him advanced for said Keren Vanblaricum.

It is therefore ordered adjudged and decreed that the said instrument of date of 26th April 1860, made to said Wallace, by J. B. Harrison, Keren Vanblaricum, Mary F. Harrison, Elizabeth Norman, and James Norman, be and the same is hereby declared null and void; and also in as much as said Wallace holds

the legal title to the interest of said Keren Vanblaricum, in certain Real Estate sold at Sheriffs sale and conveyed to said Wallace, that he the said Wallace, do within thirty days execute to said Keren Vanblaricum, a deed of release for the Real Estate aforesaid.

It is further found by the Court that out of the proceeds of said Real Estate, the said Wallace has advanced and paid to the parties seeking partition in this proceeding as follows:

- To said Keren Vanblaricum the sum of \$4,263.47.
- To said Mary F. Harrison, the sum of \$506.83.
- To said Viola Chadwick, the sum of \$577.86.
- To said Elizabeth Norman, the sum of \$50.00.
- To said William Vanblaricum, the sum of \$178.00.
- To said George Vanblaricum, the sum of \$27.00.

And it is further found that under and by virtue of the will of said testator, and the conveyance of said Kern Vanblaricum, to said William Vanblaricum the parties to said petition are tenants in common of the premises in said petition described in the shares and portions following; the said Keren Vanblaricum four tenths; the said William Vanblaricum one tenth; the said Mary F. Harrison one eighth; the said George Vanblaricum one eighth; the said Viola R. L. Chadwick one eighth; and the said Elizabeth J. Norman one eighth: Subject however to the adjustment of the several gums so as aforesaid paid out of the Real Estate by said Wallace above set forth and enumerated, and to the adjustment of the sums in which certain of the said heirs have been advanced as charged in the will of said testator.

And for as much, in the said will there are charges made for advancements, to the said George Vanblaricum, Mary F. Harrison, Elizabeth J. Norman, and Viola R. L. Chadwick, the amount of which in each instance is left undetermined and appointed to be settled by the Executors named in the will, and the said persons having failed to accept the trust the same has never yet been estimated and fixed.

It is therefore by agreement of the said parties ordered by the Court, that the Commissioners hereinafter named shall take an account of the several sums so advanced and paid as aforesaid by said Wallace, and shall estimate the value of the advancements charged in said Will, and subject to the charges against the several parties named shall make partition of the premises described in the petition to-wit; Lots Number 3, 11, 16, 17 and 18 in Out Lot Number 14 in the City of Indianapolis, also all of Out Lot Number 128 in said City of Indianapolis, containing 17.58 acres.

Also all that part of out lot number 121 lying west of the central Canal, of said City of Indianapolis, containing four acres and ninety-eight hundredths of an acre (4.98).

Also lots numbered 1, 2, 3, 4, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33 and 34 in Vanblaricums Subdivision of the east part of out lot Number 121 in said City of Indianapolis. Also lots numbered 24 and 25 in Vanblaricums Subdivision of the middle part of said Out Lot Number 121 in said City of Indianapolis. Also Lot Number 6 in the South East Quarter of the North East Quarter of Section Number 30 in Township 16 - Range 3 East in said County, containing 5 acres, as known as Vanblaricums Sub. and that said partition be made according to this decree.

It is further ordered that David S. Beaty, David V. Cully, and Lazarus B. Wilson disinterested resident freeholders of said County be and they are hereby appointed Commissioners to make partition of said premises as aforesaid and that they do make report of their doings in this behalf to the Court at the present term thereof, and day is given.

Report of commissioners filed June 18, 1863.

David S. Beaty, David V. Cully and Lazarus B. Wilson Commissioners appointed to take an account of sundry payments out of Real Estate fund, and advancements made to said parties, in this case report that having first taken the oath prescribed by law, which is endorsed upon the copy of the order of Court, in this case they find that said Keren Vanblaricum, is chargeable with the sum of 42.63 dollars.

The said William Vanblaricum is chargeable with the sum of 178 dollars.

The said Elizabeth J. Norman is chargeable with the sum of 3050 dollars.

The said George Vanblaricum is chargeable with the sum of 3027 dollars.

The said Mary F. Harrison is chargeable with the sum of \$1506.83 dollars.

The said Viola Chadwick, is chargeable with the sum of 1677.86 dollars.

And they further report, that said Viola Chadwick being a minor, the said Commissioner pursuant to Statute and to enable them to make an equitable partition of said real estate, they have made a Subdivision of said lots 16, 17 and 18 in Out Lot Number 14, cutting off two lots in the rear thereof and numbering the same lots 19 and 20 in said Out Lot Number 14 and have platted the same as shown by the plat presented herewith and duly acknowledged and submitted to the Court for approval.

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And they have also subdivided said out lot Number 128 extending Missouri Street through the same from North to South dividing the same into Four lots numbering the same lots Number 1, 2, 3, and 4 of the subdivision of said out lot 128, and have platted the same as shown by the plat herewith presented and duly acknowledged and submitted to the Court, for approval.

And they set off and assign to said Kern Vanblaricum lots 18, 19, 20 and 11 in said Out Lot 14, in the City of Indianapolis; also lot Number 24 in the middle part of out lot Number 121 in Vanblaricums Subdivision thereof; also lots 1, 2, 3, 4, 23, 24, 26, 27, 29, 30, 33 and 34 all in Vanblaricums Subdivision of said East part of Out Lot 121 also said lot of 5 acres known as the Vanblaricums lot number 6 in the South East Quarter of the North East Quarter of Section 10, Town. 16, - Range - 3 situate in Marion County, aforesaid, which is part of the Town of Mount Pleasant.

And they set off and assign to said William Vanblaricum lot Number 17 in said Out Lot 14; also Lot Number 2 in the plat herewith filed of said Out Lot 128.

And they set off and assign to said Elizabeth J. Norman Lots 31 and 32 in Vanblaricums Subdivision of said East part of out lot 121; also lot Number 4 in the plat herewith filed in said Out Lot 128.

And they set off and assign to said George Vanblaricum the West part of out lot 121, containing 4 acres and 98 hundraths. Also lot 18 in Vanblaricums Subdivision of the East part of said out lot 121.

And they set off and assign to said Mary F. Harrison Lot 16 in said Out Lot 14 as shown in the plat filed herewith: Also lots 22 and 28, in the Subdivision of Vanblaricums of the East part of said - lot 121, also lot 25 in Vanblaricums Subdivision of the middle part of said - lot 121, also lot Number 3 in Out block 128.

And they set off and assign to said Viola R. L. Chadwick, lot 3 in Out Lot 14 and lot Number 1 according to the plat herewith filed of said out lot 128.

Thereby by means of said partition equalizing the said parties in the advancements aforesaid and in the unequal distribution of the Real Estate found, made by said Admr., and they submit that they are entitled to \$10 each for the time spent in making said account & partition and in platting said property and reporting.

L. B. Wilson
D. V. Cully
D. S. Beaty

Acknowledged in Open Court June 18th 1863.
Attest: William Wallace, Clerk
by: W. C. Smock, Deputy

STATE OF INDIANA, MARION COUNTY, SCT:

In a proceeding for the partition of certain lands of James Vanblaricum, deceased brought by Kern Vanblaricum & others vs. William Vanblaricum and others in the Marion Common Pleas - at the June Term 1863, Viola R. L. Chadwick a party thereto being a minor and it being necessary to subdivide and plat a part of said Real Estate in order to -- an equitable partition thereof, the Lots numbered 16, 17 and 18 in Out Lot Number 14 of the City of Indianapolis, County of Marion, and State of Indiana, are subdivided and platted as shown on the within plat by cutting off of the East end of said lots two lots numbered 19 & 20 Lot 19 fronting 47 feet and lot 20 fronting 54 feet on South Street and extending South to the alley; And out Lot Number 128 of said City is Subdivided as shown on the within plat in four lots numbered 1, 2, 3 and 4 and Missouri Street is extended through said Out Lot from North to South a width of 60 feet. And the same being reported to said Court was by the same approved and confirmed as appears by the Judges endorsement hereon and is now here in open Court acknowledged by the Commissioners appointed to make partition.

Done in open Court this 18 June 1863) D.V. Cully
 William Wallace, Clerk) L.B. Wilson
 Approved & Confirmed by me on the) D.S. Beaty
 day aforesaid - Chas. Ray - Judge) Commissioners

And they now here acknowledge the said Report in open Court, and the said Commissioners also present to the Court a plat made by them of Out -- Number 128 in said City of Indianapolis, subdividing the same and also of Lots 16, 17 and 18 in Out Lot Number 14 in the same City Subdividing the same (See Plat Book 2 page 108 for Plat).

And it appearing to the Court from the Oath endorsed upon the Copy of the order delivered to said Commissioners as follows: te-wit:
 STATE OF INDIANA, MARION COUNTY.

David V. Cully, David S. Beaty and Lazarus B. Wilson Commissioners appointed above in order being sworn on oath say that they will faithfully perform the duties of their trust.

D.V. Cully
 D.S. Beaty
 L.B. Wilson

Subscribed and sworn to this 18th June 1863, William Wallace, Clerk, that they have been duly sworn according to law before entering upon their duties, and it also appearing to the Court that said Viola R. L. Chadwick is a minor within the age of twenty one years the Court do now here confirm said

Report and orders the same to be spread of record upon the order Books of this Court, which is the same report entered and recorded above in this entry. And the Court do now also confirm said plats and the said Commissioners thereupon in open Court do acknowledgè said plats and the Court orders the same to be recorded at the Expense of the said Estate of James Vanblaricum.

It is therefore finally ordered adjudged and decreed by the Court now here that the partition of the Real Estate above described and the equalization thereby made of the several advancements and of the distribution of the said Real Estate be and the same are hereby made firm and effectual between the said parties forever.

And the David S. Beaty and David V. Cully and Lazarus B. Wilson, are each allowed the sum of Ten Dollars for their services herein.

And it is further ordered, that the costs of this proceeding be paid by the administrator William Wallace, out of the funds of said Vanblaricums Estate.

All of which is finally ordered adjudged and decreed.

Complete Record 16, page 715.

IN THE COMMON PLEAS COURT OF MARION COUNTY, INDIANA.

Guardian's Docket
2, page 176

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October 6, 1863. Letters of Guardianship issued to Levi W. Chadwick as guardian of Viola R. L. Chadwick aged 18 years, November 1863. Order Book 13, page 373.

September 14, 1877. Report filed, showing death of ward who was wife of Gdn., approved and Gdn., discharged. Order Book 45, page 65.

Town Lot Record
22, page 402
Jan. 11, 1865
Recorded
Jan. 11, 1865

WHEREAS, by a deed executed by the Sheriff of Marion County, to me there was conveyed to me certain real estate in Marion County, State of Indiana, then belonging to the heirs of James VanBlaricum deceased. Now these presents WITNESSETH:

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325017

That the said conveyance was only intended to secure and indemnify me for large sums of money advanced for the estate of said James VanBlaricum and especially for the widow and heirs of said deceased, all of which has since been fully adjusted and said deed and trust fully cancelled set aside and declared null and void.

See proceedings for partition among the heirs of said James VanBlaricum in the Court of Common Pleas of Marion County in consideration of which I hereby quit claim and convey all my right, title, claim, interest or demand in and to each and every parcel of said real estate belonging to said heirs of James VanBlaricum or to their assigns.

In Witness Whereof, I hereto set my hand and seal this 11th day of January 1865.

William Wallace.

Town Lot Record
282, page 93
Jan. 23, 1896
Recorded
Jan. 24, 1896

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Indianapolis, Indiana, January 17, 1896.
E.C. Atkins & Co., City,
Gentlemen:

Your letter of January 14th, requesting me to make certificate as to whether Mr. William Wallace was a married man in January 11, 1865 has been received; at that time Mr. William Wallace was a married man and I presume this deed must have been executed by him in the capacity of a trustee of some kind. If it relates to any property that was owned by the VanBlaricums, I think Mr. Wallace was administrator of that estate.

The Mrs. Wallace who was his wife on January 11, 1865 died on the 31st day of August 1866. Mr. Wallace was unmarried for nearly two years, then he married Miss Sarah Jameson who is now his widow. This certificate will explain what you desire and clear up the title for the simple reason that the Mrs. Wallace who was the wife on the date you refer to did not survive her husband and therefore any conveyance made by him in which she did not join conveyed the entire interest in the property as it was vested in Mr. Wallace at the time.

Yours with respect,
John S. Duncan.

STATE OF INDIANA, MARION COUNTY, SS:

Before me Abram Wagner, a Notary Public in and for Marion County, Indiana, came John S. Duncan, who being duly sworn says that the facts set forth in the attached letter signed by him on the 17th day of January 1896, are true as he verily believes.

Subscribed and sworn to this 23rd day of January, 1896.

Abram Wagner, (LS)
Notary Public

Misc. Record
21 page 208
Dec. 31, 1904
Recorded
March 4, 1916

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STATE OF INDIANA, COUNTY OF MARION, SS:

Lew Wallace, Jr. being first duly sworn on oath states that William Wallace mentioned and described at number 7 of an abstract made by Steeg and Bernhamer under date of July 24, 1865 and that the said William Wallace when he made the deed to Joseph VanBlaricum's estate on January 11, 1865, and so mentioned and described at said number 7 was unmarried and further affiant says not.

Lew Wallace, Jr.

Subscribed and sworn to this 31st day of December 1904.

William F. Brown, (LS)
Notary Public

My Com. exp. 10, 1907.

Marriage Record
8, page 224
June 24, 1863

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Elizabeth Norman,
with
Edward Bates.

Marriage

Town Lot Record
18 page 418
Aug. 12, 1863
Recorded
Aug. 26, 1863

-39-

Elizabeth J. Bates,
and Edward Bates,
her husband
to
John P. Meikel

Warranty Deed

Lot 4 in Out Lot 128 in the City of Indianapolis, according to the Subdivision of said Out Lot 128, made by D. V. Cully, L. B. Wilson, D. S. Beaty, as Commissioners in the Partition case of Keren VanBlaricum and others vs., William Vanblaricum and others, a plat of which Subdivision is embodied in the Decree of Partition recorded in the Marion County Recorder's Office, August 10th, 1863. Said Lot 4 having been set apart to said Elizabeth J. Bates under her former name, Elizabeth J. Norman.

Plat Book
2 page 134
June 20, 1864
Recorded
June 20, 1864

John - Meikel's Subdivision of Lot 4, in the Subdivision of Out Lot Number 128 by D. W. Culley et al Commissioners, in the City of Indianapolis.

I, John P. Meikel, being the owner of Lot 4 of the Subdivision of Out Lot 128, in the City of Indianapolis, made by D. V. Culley & als as Commissioner's in the Vanbricum Partition, have subdivided the same into Lots of the size and position as shown in the annexed plat.

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Town Lot Record
25 page 577
Aug. 4, 1865
Recorded
Aug. 16, 1865

John P. Meikel
(signed J. P. Meikel)
and Mary M. Meikel,
his wife,

Warranty Deed

to
Godlove Hegelmaier

Lot 9 in Meikel's Subdivision of part of Out Lot 128 (according to the recorded plat of said Subdivision) in the City of Indianapolis.

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Town Lot Record
34 page 36
June 15, 1867
Recorded
Sept. 3, 1867

Godlove Hegelmeier
(signed Gottlieb Hegelmaier)
and Dorothea Hegelmeier
(signed Dorothea Hegelmaier)
his wife,

Warranty Deed

to
John P. Meikel

Lot 9 in Meikel's Subdivision of part of Out Lot 128 in the City of Indianapolis.

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Town Lot Record
36 page 365
Aug. 1, 1868
Recorded
Aug. 8, 1868

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John P. Meikel
(signed J. P. Meikel)
and Mary M. Meikel
(signed Mary Magdalena Meikel)
his wife,

Warranty Deed

to
James McBride Shepherd
Lots 2 and 9 in John P. Meikel's Subdivision
of Lot 4 of Vanblaricum's Subdivision of Out Lot 128
in the City of Indianapolis.

Town Lot Record
53 page 566
Feb. 9, 1872
Recorded
Feb. 9, 1872

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James E. Mc Sheperdd
(signed & acknowledged
James Mc E. Sheperd)
and Mary Shepherd
(signed Mary A. Shepherd)
his wife,

Quit Claim Deed

to
John P. Meikel
Lots 2 and 9 in Meikel's Subdivision of Out
Lot 128 in the City of Indianapolis, Indiana.

Town Lot Record
53 page 567
Feb. 9, 1872
Recorded
Feb. 9, 1872

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John P. Meikel
(signed J. P. Meikel)
and Mary M. Meikel
(signed Mary Magdalena Meikel)
his wife,

Warranty Deed

to
Mary Ann Sheperd
Lots 2 and 9 in Meikel's Subdivision of Out
Lot 128 in the City of Indianapolis, Indiana.

325017

Town Lot Record
99 page 594
May 11, 1876
Recorded
May 11, 1876

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Mary A. Shepperd
(signed Mary A. Shepherd)
and Henry V. Shepperd
(signed Henry V. Sheperd)
her husband,

Warranty Deed

to
Eliza C. Priller
Lot 9 in Michaels Subdivision of Out Lot 128
in the City of Indianapolis, Marion County, Indiana.

(CONFLICTING)

Town Lot Record
97 page 246
March 28, 1876
Recorded
March 29, 1876

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City of Indianapolis
by Henry W. Tutewiler
Treasurer
By J. Coven Mayor

Tax Deed

to
Lewis W. Hasselman
Out Lot 128 in the City of Indianapolis.
Sold February 7, 1863 in the name of Lewis
W. Hasselman for the non payment of taxes, costs
and charges for the years 1861 and 1862.

Town Lot Record
153 page 510
Aug. 7, 1882
Recorded
Aug. 7, 1882

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Lewis W. Hasselman
(signed Lewis Wm. Hasselman)
and Elizabeth W. Hasselman,
his wife,

Quit Claim Deed

to
Eliza C. Priller
Lot 9 in Meikels Subdivision of a part of Out
Lot 128 in the City of Indianapolis.
Being all interest in said lot held by City Tax
Deed of March 28, 1876, recorded in - record 97,
page 246.

GUARANTEED CERTIFICATE

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STATE OF INDIANA }
 COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 49 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 34 both inclusive.

Dated at Indianapolis, Indiana, November 18, 1947, 8 A.M.

The period of search covered by this examination is from date of Agent's Deed down to and including July 11, 1887.

UNION TITLE COMPANY

By Albert M. Bristol
 President

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BED

1. A Continuation of an Abstract of title to Lot 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 111 in the Office of the Recorder of Marion County, Indiana, also the south half of the alley between Missouri Street and the first alley east of said street on the north side of said lot vacated by order of Common Council and Board of Alderman of the City of Indianapolis. Except therefrom A strip of land five feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the north side of said lot. Also except a strip of land 10 feet in width off of the entire east end of a strip of land 25 feet in width off of the entire south side of said lot 204, Since July 11, 1887.

2. 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.

That this affiant is now 76 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.

(signed) Nicholas McCarty.

Subscribed and sworn to before me the undersigned Notary Public this 22nd. day of November 1912.

Frank C. Groninger, Notary Public.

My Commission expires June 4, 1913.

Recorded November 23, 1912 Misc. Record 74, page 241.

3. State of Indiana, County of Marion, City of Indianapolis, S.S.

Transcript of the report of the City Commissioners of the City of Indianapolis in the matter of the vacation of the 1st alley north of Ray Street from West Street to the first alley east of Missouri Street in said City. The City Commissioners reported to the Mayor Common Council and Board of Alderman of the City of Indianapolis that the

names of the property owners interested in said vacation description of the property in the matter of the vacation of the first alley north of Ray Street from West Street to the first alley east of Missouri Street in the City of Indianapolis, is as follows:-Jacob Schmidt lot 11 Klingensmith Sub. O.L. 128. Ella Y. Butler lot 22 Klingensmith Sub. O.L.128 Simeon Klingensmith Lot 33 Klingensmith Sub. O.L. 128. Henrietta Mildner Lot 44 Klingensmith Sub. O.L. 128. Nicholas McCarty, Margaret R. McCarty Harrison, Frances J. McCarty, Henry Day, Henry McCarty Day and Margaret McCarty Day, owners of lots 200,201,202 and 204 O.L. 120. Frederick A. Mehl. Lot 203 McCartys Sub. O.L.120, Eliza C. Priller Lot 9 Meikels Sub. O.L. 128. Said Commissioners further reported in said matter that the names of the owners description of the property and benefits to real estate beneficially affected by said Vacation are as follows:- Jacob Schmidt lot 11 Klingensmith Sub. O.L. 128, Ella Y. Butler Lot 22 Klingensmith Sub. O.L. 128, Simeon Klingensmith Lot 33 Klingensmith Sub. O.L. 128, Henrietta Mildner Lot 44 Klingensmith Sub. O.L. 128, Nicholas McCarty, Margaret R. McCarty Harrison, Frances J. McCarty, Henry Day, Henry McCarty Day and Margaret McCarty Day, owners of lots 200,201,202 and 204 O.L. 120. Frederick A. Mehl lot 203 McCartys Sub. O.L. 120, Eliza C. Priller Lot 9 Meikels Sub. O.L. 128. The benefits to the persons desiring said vacation is \$125.00. There are no persons objecting to said vacation. The City is to pay no part of the expenses. The expenses attending said vacation amount to \$35.00 which is to be paid by the petitioners in proportion to the number of feet front owned by each on said alley. The said Commissioners recommend the prayer of the petition be granted and that said vacation be made as prayed for. The above and foregoing report was concurred in and the following resolution was concurrently adopted.

Resolved that the report of the City Commissioners in the matter of vacating the first alley north of Ray Street from West Street to the first alley East of Missouri Street be and the same is hereby in all things accepted adopted and approved and in accordance with said report

the following alley to wit:- The first alley north of Ray Street from West Street to the first alley east of Missouri Street be and the same is hereby vacated. Resolved further that the Petitioners to said vacation be and the same are hereby required to pay to the County Treasurer for the City within 20 days from the adoption of the resolution the sum of \$35.00 the amount of expenses reported by the City Commissioners as taxed in this matter and the same petitioners are hereby required to procure and have recorded in the office of the Recorder of Marion County, Indiana the proper certified copies of proceedings and maps as required by law at their own expense and that until said expenses are paid and said proceedings and maps recorded as aforesaid said alley shall not be closed or used otherwise than as now. Office of City Clerk. Indianapolis, Indiana.

I, Michael F. Shields Clerk of the City of Indianapolis do hereby certify that the foregoing Abstract of the report of the City Commissioners was approved and concurred in by the adoption of the foregoing resolution by the Common Council and Board of Aldermen of said City by a two thirds vote of each of said bodies at their sessions held respectively on the 15th day of November 1886 and the 22nd. day of November 1886 are as fully shown by records now on file in my office,

Witness my hand and the seal of the City of Indianapolis, this 25th day of January 1887.

(signed) Michael F. Shields, (L.S.)

Plat of McCartys Sub. of North part of O.L. 120 and J. Klingensmiths Jrs. Corrected Sub. of lot 1 in Cully et al Commissioners Sub. in O.L. 128 and Meikels Sub. of lot 4 in Cully et al Commissioners Sub. in O.L. 128. Indpls. January 25, /87.

All costs benefits etc. in the above case are paid and fully satisfied by Nicholas McCarty this 25th day of January 1887.

(signed) Michael F. Shields, City Clerk.

Recorded January 25, 1887 in T.L.R. 187, page 579.

Wilhelm Jonas and Carolina Jonas, his wife.

4. To Warranty,
William Linderman.

#

Aug. 9, 1888.
Record 202, page 460.
Recorded August 9, 1888.
A strip 25 feet in width off
of the south side of lot 204

in McCarty's Subdivision of the North part 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 in Plat Book 8, page 111.

Nicholas McCarty, unmarried,
Margaret R. McCarty Harrison and
John C. Harrison, her husband, Frances
J. McCarty, unmarried, Henry Day, unmarried
Henry McCarty Day, unmarried, & Margaret McCarty Day, unmarried, by Nicholas McCarty their
5. Attorney in Fact.
To Quit Claim,
Wilhelm Jonas.

#

April 21, 1892.
Record 241, page 400.
Recorded April 26, 1892.
Lot 204 in McCarty's Sub.
of the north part 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 said County of Marion, in plat book 8, page 111, together with the right, title, interest and estate of the grantors in, to and of the south half of the alley between Missouri Street and the first alley east of said street on the north side of said lot, vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis. See Transcript of proceedings for the vacation of said first mentioned alley recorded in the Recorder's Office of the said County January 25, 1887 in Town Lot Record 187 page 579. This deed is made to correct a mistake in a deed Dated July 9, 1887 executed by the within grantors to the within grantee recorded in deed record 192, page 588 in the Recorder's Office of said County of Marion wherein Chadwick Street is mentioned instead of Missouri Street as herein.

Note.

6. By Warranty Deed Dated November 1, 1905 and recorded December 27, 1905 in Record 395, page 29, Wilhelm Jonas and Karoline Jonas his wife, conveyed to Stuyvesant Fish, a strip of land 5 feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of lot 204, said lot being in McCartys subdivision of the north part of Out Lot 120 in the City of Indianapolis, said 5 foot strip to extend to the center of the vacated alley on the north side of said lot.

7. By Warranty Deed Dated November 1, 1905 and recorded December 27, 1905 in Record 395, page 28, William Lindermann and Marie Lindermann his wife, conveyed to Stuyvesant Fish, a strip of land 10 feet in width off of the entire east end of a strip of land 25 feet in width off of the entire south side of lot 204 in McCartys subdivision of the north part of Outlet 120 in the City of Indianapolis. The grantor William Lindermann is the same and identical person to whom as William Linderman, said strip of land 25 feet in width off the entire south side of said lot 204 was conveyed by Wilhelm Jonas and wife by deed dated August 9th, 1888, recorded same day in Town Lot Record 202, page 460, Records Office of said County.

Stuyvesant Fish and Marian G.

(signed Marian J.) Fish, his wife,

8. To Warranty,

The City of Indianapolis, of Marion
County in the State of Indiana.

#

Dec. 15, 1905.

Record 394, page 470.

Recorded Dec. 18, 1905.

A strip of land 5 feet

in width off of the entire

east end of a strip of land

17 feet in width off of the entire north side of lot 204. Also a strip of land 10 feet in width off of the entire east end of a strip of land 25 feet in width off of the entire south end of said lot 204

being in McCarty's subdivision of the north part of Out Lot 120 in the City of Indianapolis, Marion County, Indiana. The condition of this conveyance is such that if at any time the Indianapolis Southern Railway, its successors or assigns shall be required to remove the column aforeside or the structure supported or to be supported thereon, extending over or upon the said alley the land above described and herein conveyed for Public use and alley purposes shall revert to and become the property of the said Stuyvesant Fish, his heirs and assigns, Free and Clear of this conveyance hereby made or for the use thereof, for alley or public purposes.

Note.

9. By Quit Claim Deed dated February 26, 1909 and recorded August 27, 1909 in Record 51, page 565, Stuyvesant Fish and Marian G. Fish, his wife Quit Claimed to Indianapolis Southern Railroad Company, a corporation its successors and assigns, a strip of land 10 feet in width off of the entire east end of a strip of land 25 feet in width off the entire south side of lot 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, being the same land conveyed to grantor by William Lindemann and wife by deed dated November 1, 1905 recorded in Deed Record 395, ^{at} page 28 in Recorder's Office in said Marion County. Also a strip of land 5 feet in width off of the entire east of a strip of land 17 feet in width off of the entire north side of lot 204 said lot being in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, said 5 foot strip to extend to the center of the vacated alley on the north side of said lot, being the same land conveyed to grantee by Wilhelm Jonas and wife by deed dated November 1st, 1905 recorded in Deed Record 395 at page 29 in Recorder's Office in said Marion County. (and other real estate.)

10. William F. Jonas died testate September 30, 1916.

11. Last Will and testament of Wilhelm F. Jonas deceased, admitted to Probate October 17, 1916 and recorded in Will Record B.B. page 536 of Marion County Indiana.

I, Wilhelm F. Jonas, of Indianapolis, Marion County, Indiana being of sound and disposing mind and memory hereby declare this my last will and testament, revoking any and all former wills by me heretofore made.

Item I. I direct that my funeral expenses shall be paid out of funds evidenced by certificate of membership in the Relief Fund of the Voluntary Relief Department of the Pennsylvania Lines West of Pittsburgh, No. 11905 in the sum of \$250.00 in favor of my daughter August Woersdorfer, beneficiary.

Item II. I hereby direct that out of the proceeds of the sale of my property situate at 916 River Avenue, Indianapolis Indiana there shall be paid First. To the Railroadmens Building & Savings Association the balance if any, due on mortgage loan #14135 in the sum of \$400.00 on this property. Second. To my grand daughter, Minnie Woersdorfer the amount paid out by her for my benefit on said loan, with interest at the rate of 6% to date, which sum is to be repaid to her in accordance with agreement dated September 19, 1916 before any further disposition is made of such proceeds unless at that time this debt has been paid.

Item III. I will, devise and bequeath to my nephew Wilhelm F. Jonas the sum of \$100.00 cash, to be paid to him if he be living and in the event of his death to revert to my estate.

Item IV. I will, devise and bequeath to my grand daughter Amelia Lindeman Bernd, the sum of \$100.00 cash, to be paid to her if she be living, and in the event of her death to revert to my estate.

Item V. I direct that after all my just debts and the above items II, III and IV have been paid the rest and residue of my estate both real and personal, shall be divided into two equal parts or shares, which I, will devise and bequeath as follows: One part to my daughter Augusta Woersdorfer, if she be living. In the event of her death, her

share is to be divided equally between her children surviving her, share and share alike. One part to be divided equally between William F. Lindeman Sr. the husband of my deceased daughter Marie Lindeman, and the children of said Marie Lindeman surviving her, share and share alike. Item VI. I hereby appoint Minnie Woersdorfer to be the executrix of this my last will and testament.

In testimony whereof I have hereunto set my hand and seal this 19th. day of September 1916.

Wilhelm F. Jonas. (Seal)

12. Minnie Woersdorfer appointed and qualified as Executrix of the last will and testament of Wilhelm F. Jonas, deceased October 17, 1916 Order Book 44, page 22. Marion Probate Court. Appearance Docket 49, page 14777. Pending. SEE SUBSEQUENT CONTINUATION

13. State of Indiana, County of Marion, S.S.

Paul W. Lindemann, being first duly sworn upon his oath says that he is a resident of the City of Indianapolis, Marion County, Indiana and is the son of William F. Lindemann, Sr. and Marie Lindemann, deceased who was his mother, and that he is one of the beneficiaries in the last will and testament of William F. Jonas deceased which will was duly probated in the Marion Probate Court on the 17th day of October 1916 and is recorded in will record B. B. at pages 536 and 537.

Affiant further says that at the time of death of said Wilhelm F. Jonas he was the owner in fee simple of the following described real estate to wit:- Lot 238 in McCarty's Seventh West Side Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 8, at page 186 in the records of the Recorders Office of Marion County, Indiana.

Also lot 204 in McCarty's subdivision of the north part 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 said County of Marion, in Plat

Book 8, page 111 together with the right, title interest and estate in, to and of the south half of alley between Missouri Street and the first alley east of said street on the north side of said lot vacated by order of Common Council and Board of Alderman of the City of Indianapolis. Affiant further says that his mother, Marie Lindemann died prior to the death of Wilhelm F. Jonas and left surviving her, her husband William F. Lindemann, Sr. and the following children, to wit:- Amelia Lindemann Bernd, William H. Lindemann, Paul W. Lindemann, Esther Lindemann, and Carl Lindemann who are all over 21 years of age, except Carl Lindemann, who is yet a minor.

(signed) Paul W. Lindemann.

Subscribed and sworn to before me this 23rd. day of September 1919.

Adolph S. Emhardt, Notary Public. (L.S.)

My Commission expires December 31, 1922.

Recorded Sept. 23, 1919, in Misc. 108, page -#26361.

William Lindemann, and
 Marie Lindemann,
 14. To Mortgage,
 Indianapolis German Mutual
 Fire Insurance Company.

#

SATISFIED OF RECORD ¹²⁻¹³⁻¹⁹
 Dec. 24, 1909.
 Record 538, page 60.
 Recorded Dec. 28, 1909.
 A strip of ground 25 feet
 in width off of the entire
 south side of lot 204 except

10 feet off of the east side of said 25 feet in McCarty's subdivision of the north part of Out Lot 120 in the City of Indianapolis, Marion County

To secure the payment when they shall severally become due of one principal promissory note due 3 years after date and 6 interest notes each for the sum of \$36.00 due in 6, 12, 18, 24, 30, and 36 months after date respectively with 6% after maturity and 5% attorneys fees. It is agreed that mortgagor has the option of paying back said loan at any interest paying period after the first year in sums of \$100.00 or any multiple thereof.

15. Judgments examined Vs. William F. Jonas, William F. Lindeman Sr. Amelia Lindemann Bernd, William H. Lindeman, Paul W. Lindeman, Esther Lindeman and Carl Lindeman, and against none other.

16. Taxes for 1917 Fully Paid.

17. Taxes for 1918 Fully Paid as to N. 17 ft. of said lot and S. 1/2 of vacated alley, and 1/2 paid as to S. 25 ft. said lot.

18. Taxes for 1919 payable in 1920 now a lien.

Indianapolis, Indiana. October 10, 1919.

19. Examination of July 11, 1887 continued to date and we find no change in title or incumbrances, upon the real estate described in the Caption of this Continuation, except as within shown, as appears from the records in the Recorders Office, the General Judgment Dockets of the Marion Circuit Superior and Probate Courts, the Lis Pendens records of Complaints and Attachments, the Tax Duplicates and Municipal Assessment records in the Treasurers Office, and the Indexes of Tax Sales in the Auditors Office, all in Marion County, Indiana as said records and Dockets are now entered up.

W. M. COVAL & SONS
W. M. Coval
204-205 City Trust Bldg.
158 EAST MARKET STREET

325017

CAPTION

-1-

Continuation of Abstract of Title to Lot 204 in McCarty's Subdivision of the North part of Out Lot 120 of the Donation Lands to the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 111, in the office of the Recorder of Marion County, Indiana. Also a strip of ground of the uniform width of 8 feet lying North of and adjacent to the North side of said lot 204, being a portion of the South half of an alley heretofore vacated. Except therefrom a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 feet strip to extend to the center of the vacated alley on the North side of said lot. Also except a strip of land 10 feet in width off of the entire East end of a strip of land 25 feet in width off of the entire South side of said lot 204.
Since October 10, 1919.

Prepared for: Adolph G. Emhardt.

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
49 page 14777

IN THE MATTER OF THE ESTATE OF WILHELM F. JONAS,
DECEASED.

(As continued from preceding Continuation to Abstract of Title).

November 21, 1916. Proof of notice of appointment filed.

October 11, 1919. Verified final report filed.

October 28, 1919. Proof of publication of final notice filed.

November 8, 1919. Proof of posting of final notice filed, final report approved and estate closed.
Order Book 60, page 195.

Final Report Record 58, page 95.

NOTE: Entry on final report reads in part as follows, to-wit: that all of decedent's debts and legacies have been paid and discharged, and that said estate has been fully settled and administered in accordance with the provisions of the last will and testament of said decedent; that no inheritance tax was assessed against said estate.

-1-BED (over)

Also except a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said lot, which was heretofore on the 1st day of November, 1905, conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County.

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William F. Lindemann died testate March 10, 1947.

Will Record
LLL page 632
Probated
April 17, 1947

LAST WILL AND TESTAMENT OF WILLIAM F. LINDEMANN,
DECEASED.

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I, William F. Lindemann, at this time a resident of the City of Indianapolis, Marion County, Indiana, being of sound and disposing mind and memory do make, publish and declare this to be my last will and testament, hereby revoking any and all former wills by me heretofore made.

Item One. It is my will that upon my death, my body be decently interred, and that all my just debts be first paid by my executors out of my estate.

Item Two. Should I be making my home with any of my children as hereinafter set out, then and in that event I direct my executors to pay to such child a sum of money equal to \$10.00 per week for the period of time for which I am confined to the house or to my bed during my last illness; which said sum is to be paid as soon as possible after my death, and which if so paid shall be accepted by such child in full satisfaction and settlement of all claims for services rendered and expense incurred by it for my care and support during said time.

Item Three. I give, bequeath and devise unto my children Amelia Bernd, Nee Lindemann, William H. Lindemann, Paul W. Lindemann, Esther Lindemann and Carl Lindemann share and share alike, all the balance and residue of my estate, both real and personal.

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Item Four. I hereby nominate and appoint my sons, William H. Lindemann and Paul W. Lindemann to be executors of this my last will and testament.

In witness whereof, I have hereunto set my hand and seal this 4th day of December, 1917, at the City of Indianapolis, Marion County, Indiana.

William F. Lindemann

The foregoing instrument was signed, sealed and acknowledged by William F. Lindemann as, and for, his last will and testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses, this 4th day of December, 1917.

Witnesses: Lillian Elma Kibbe
Adolph G. Emhardt

IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
138 page 50157

IN THE MATTER OF THE ESTATE OF WILLIAM F. LINDEMANN,
DECEASED.

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April 17, 1947, renunciation filed by Paul W. Lindeman and Carl W. Lindemann was duly appointed and qualified as administrator, with the will annexed, of the estate of William F. Lindemann, deceased.

Estate Order Book 2, page 178.

May 5, 1947. Proof of notice of appointment filed. Pending.

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ABSTRACTORS NOTE: Esther Lindemann Lyons died intestate on January 29, 1944 leaving surviving her as her heirs at law, her father, William F. Lindemann, her brothers, Carl W. Lindemann, William - Lindemann and Paul W. Lindemann and her sister, Amelia Lindemann Bernd, as disclosed by reference to Estate Docket 128, page 46154 in the office of the Clerk of Marion County, Indiana.

-4-BED

-8- The following eight items are shown for reference only.

-9- Eliza Priller died intestate October 25, 1919.

IN THE PROBATE COURT OF MARION COUNTY.

Estate Docket
58 page 18229

IN THE MATTER OF THE ESTATE OF ELIZA PRILLER,
DECEASED.

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May 27, 1920. Clara Priller was duly appointed and qualified as administratrix of the estate of Eliza Priller, deceased.

Order Book 65, page 81.

July 1, 1920. Proof of notice of appointment filed.

June 17, 1921. Verified final report filed.

July 1, 1921. Proof of publication of final notice filed.

September 10, 1921. Proof of posting of final notice filed, final report approved and estate closed.

Order Book 71, page 241.

Final Report Record 59, page 486.

NOTE: Entry on final report reads in part as follows, to-wit: that all of decedent's debts have been paid and discharged; that decedent left surviving the following and only heirs: Hugo Priller, husband, and Albert J. Priller, Otto G. Priller, Clara Priller, Frank Priller and Florence Sullivan, children of said decedent; that no inheritance tax was assessed against said estate.

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Hugo Priller died intestate May 3, 1920.

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IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
58, page 18228

IN THE MATTER OF THE ESTATE OF HUGO PRILLER,
DECEASED.

May 27, 1920. Clara Priller was duly appointed and qualified as administratrix of the estate of Hugo Priller, deceased.

Order Book 65, page 81.

July 1, 1920. Proof of notice of appointment filed.

June 17, 1921. Verified final report filed.

July 1, 1921. Proof of publication of final notice filed.

September 10, 1921. Proof of posting of final notice filed, final report approved and estate closed.

Order Book 71, page 239.

Final Report Record 59, page 493.

NOTE: Entry on final report reads in part as follows, to-wit: that all of decedent's debts have been paid and discharged; that said decedent left surviving, the following and only heirs: Albert J. Priller, Otto G. Priller, Clara Priller, Frank Priller and Florence Sullivan, children of said decedent. That no inheritance tax was assessed against said estate.

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IN THE PROBATE COURT OF MARION COUNTY

Estate Docket
58 page 18229
Petition filed
Dec. 22, 1920
Complete Record
11 page 420

Clara Priller, Administratrix
of the Estate of Eliza Priller,
deceased,

Petition to Sell
Real Estate

vs.

Otto G. Priller
Florence Sullivan, nee Priller,
Albert J. Priller
Clara Priller, and
Frank Priller

The undersigned, duly qualified and acting administratrix of the estate of Eliza C. Priller, deceased, late of Marion County, Indiana, respectfully shows to the court that decedent left no personal estate; that liabilities against said estate amount to \$197.50, and the expenses of administration are liabilities against said estate and

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-6-BED (over)

that therefore the personal estate of said decedent is insufficient to pay and discharge the debts and liabilities thereof.

That at the time of her death said decedent was the owner in fee simple of the following described real estate, situate in Marion County, State of Indiana, to-wit: Lot 9 in Out-lot 128 in Meikel's Subdivision to the City of Indianapolis, Indiana; that said real estate is liable to sale to make assets for the payment of said liabilities and the probable value thereof exclusive of liens is \$3250; that the taxes due upon said real estate accrued at decedent's death amount to \$28.16.

That said decedent died intestate leaving surviving as her only heirs at law and as all of her heirs at law, the following: Hugo Priller, husband of decedent, (who has since died intestate, leaving no heirs other than those herein named) Otto G. Priller, Florence Sullivan, nee Priller, Albert J. Priller, Clara Priller, this administratrix, and Frank Priller, all children of decedent.

WHEREFORE said administratrix prays the court that upon the hearing of this petition an order may be granted empowering her to sell said real estate; and that the court will grant such other and further relief in the premises as the interest of said estate may require.

Clara Priller
Administratrix

STATE OF INDIANA, COUNTY OF MARION, SS:

Clara Priller being duly sworn upon her oath, says that she is the administratrix of the Estate of Eliza C. Priller, deceased, and that the matters and things by her set forth and alleged in the foregoing petition are true as she verily believes.

Clara Priller

Subscribed and sworn to before me this 31st day of October, 1920.

P. J. Lauck (LS)

My Commission expires Sept. 17, 1922.

WAIVER OF NOTICE AND ASSENT TO SALE

The undersigned, defendants to the foregoing petition, being all of lawful age, hereby waive the issue and service of any notice thereof and assent to the sale of all or any part of the real estate in said petition, described for the purposes therein mentioned and as prayed for by said administratrix.

Otto G. Priller	Albert J. Priller
Florence Sullivan, nee Priller	Clara Priller
	Frank M. Priller

December 22, 1920, appraisal filed showing that Charles Ceftering and Joseph Laufer, after taking oath of office, appraised Lot 9 in Meikel's Subdivision at \$3250.00.

December 22, 1920, bond filed in the sum of \$6500.00 which bond was approved by the Court.

December 22, 1920. ORDER AUTHORIZING ADMINISTRATRIX TO SELL REAL ESTATE.

Comes Clara Priller, administratrix of the Estate of Eliza Priller, deceased, and respectfully shows to the court by the Waiver of notice and assent to Sale, attached to her petition filed herein, which waiver of notice and assent to sale is in the words

and figures following (H.I.) that the defendants are all over the age of 21 years and personally waive notice of and consent to the sale of the real estate as prayed for in said petition.

And said administratrix filed an inventory and appraisement of the real estate in her petition described taken and made in due form of law and reading as follows: (H.I.) and tenders her additional bond in the penal sum doubled the appraised value of said real estate, conditioned for the faithful discharge of her duties under any order in this proceeding made and with The United States Fidelity and Guaranty Company as surety thereon, which bond the Court approves.

Said petition and assent to sale and waiver of notice are now submitted to the court for trial, finding and decree, and the court having examined the same and heard the evidence and being sufficiently advised in the premises finds that the allegations in said administratrix's petition are true and that the personal assets of said estate are insufficient to pay and discharge the debts and liabilities thereof and that the real estate in said petition as hereinafter described is liable to be made assets in the hands of said administratrix to pay such indebtedness; that to make assets for the payments of the debts and liabilities of said estate it will be necessary to sell all of the decedent's interest in said real estate.

It is therefore considered and ordered by the court that the real estate of said decedent in said petition mentioned and described as follows: Lot 9 in Out Lot 128 in Meikel's Subdivision to the City of Indianapolis, Indiana, known as 933 South Missouri Street, be sold by said administratrix at public auction for not less than two-thirds of the appraised value thereof and for cash or on the following terms and conditions: one-third of the purchase money cash in hand paid; one-third in nine and one-third in eighteen months from the date of sale, deferred payments to be evidenced by notes of the purchaser bearing 6% interest from their date, waiving relief and providing for attorney's fees and upon confirmation of sale, secured by mortgage on said real estate, which shall be sold clear from the lien of taxes accruing at decedent's death. Said administratrix shall give 4 weeks notice of the time, terms and place of sale by publication in a public newspaper of general circulation printed and published in Indianapolis, Marion County, and by posting written or printed notices thereof in at least 5 public places in said county, three of which shall be so posted in the township where said real estate is situated and

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said administratrix is required to make due report of her proceedings under the foregoing order and time is given.

Order Book 66, page 176.

March 10, 1921, proof of publication of notice of sale of real estate filed showing that said notice was published in The Indianapolis Commercial for 4 weekly insertions, the first of which was on January 4, 1921, and the last on January 25, 1921.

March 10, 1921, proof of posting of notice of sale of real estate filed showing that on January -, 1921, a copy of said notice was posted in 5 public places at least 3 of which were in Center Township.

March 10, 1921. The undersigned administratrix of the estate of Eliza Priller, deceased, reports that pursuant to the order heretofore made in this proceeding authorizing and directing the sale of the real estate therein and hereinafter described, she gave notice of the time, terms and place of such sale by the publication and posting of notices thereof for the time and in the manner required by the terms of said order, and she attaches hereto and makes part of this report, copies of such notice, together with proof of the due posting and publication thereof as aforesaid.

That on the 2d day of February, 1921, being the time fixed for such sale and at the place and upon the terms in said notice set forth she sold said real estate, to-wit: Lot 9 in Outlot 128 in Meikel's Subdivision to the City of Indianapolis, Indiana, known as 933 South Missouri Street, at public sale to John Schuster and Ida Schuster subject to the approval of this court for the sum of \$3,000, that being the highest and best bid received therefor and more than two-thirds of the full appraised value thereof.

Said purchaser complied with the terms of such sale by paying to this administratrix \$3,000 in cash, and said administratrix now brings into court the cash payment so made and asks that said sale and her acts as herein reported may be approved and confirmed.

Clara Priller

Subscribed and sworn to before me this 2day of February, 1921.

P. J. Lauck (LS)
Notary Public

My Commission expires Sept. 17, 1922.

And the court, having examined the same and being sufficiently advised, finds that said administratrix, 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 her said report and the former order of this court

described, at public sale to John Schuster and Ida Schuster, husband and wife, for the sum of \$3,000, that being the highest and best bid therefor and more than two-thirds of the full appraised value thereof.

The Court further finds that said purchasers have complied with the terms of said sale. And the court, being satisfied that in the interests of said estate said sale ought to be approved, now in all things ratifies and confirms the same, together with the acts of said administratrix as by her reported. And said administratrix is now ordered to execute her deed conveying said real estate so sold to said purchasers, which deed is now reported by said administratrix, and being examined, is approved by the court and delivered to said purchasers.

And this proceeding is adjudged finally disposed of.

Order Book 66, page 345.

Town Lot Record
643 page 212
March 10, 1921
Recorded
March 12, 1921

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Clara Priller,
Administratrix of the
estate of Eliza Priller,
deceased, as such
Administrator, by order
of the Probate Court of
Marion County, in the State
of Indiana, entered in
Order Book 66, of said Court
on page -

Administratrix Deed

to
John Schuster and Ida
Schuster, husband and wife

Lot 9 in Out Lot 128 in Meikel's Subdivision
to the City of Indianapolis, Indiana, known as 933
South Missouri Street.

Examined and approved in Open Court this 10th
day of Mar. 1921.

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

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Town Lot Record
643 page 213
Feb. 19, 1921
Recorded
March 12, 1921

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Clara Priller,
unmarried adult,
Otto G. Priller, and
Nellie Priller, his wife,
Florence Sullivan,
nee Priller, and
Michael Sullivan,
(signed Michael R. Sullivan)
her husband,
Albert J. Priller,
(signed Albert Priller), and
Mary Priller, his wife,
Frank Priller,
(signed & acknowledged,
Frank M. Priller), and
Bessie Priller,
(signed & acknowledged,
Bessie C. Priller),
his wife,

Warranty Deed

to
John Schuster, and
Ida Schuster, husband and wife

Lot 9 in Meikel's Subdivision of Lot 4 in the
Subdivision of Out Lot 128 in the City of Indiana-
polis, Indiana, and a strip of land 8 feet wide
added to the entire South side of said Lot 9, as
shown by Town Lot Record 187, page 579.

Town Lot Record
997 page 554
Inst. #28378
Sept. 2, 1938
Recorded
Sep. 3, 1938

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John Schuster and
Ida Schuster,
husband and wife,
to
Carl W. Lindemann and
Marie G. Lindemann,
husband and wife

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

Lot 9 in Meikel's Subdivision of Lot 4, in the
Subdivision of Out Lot 128, in the City of Indiana-
polis, reference being made to the recorded plat
thereof, as recorded in Plat Book 2, page 134, in
the office of the Recorder of said County.

Also, a strip of land 8 feet wide adjoining the
entire South side of Lot 9, being a part of vacated
alley.

-11-BED

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Old Age Assist-
ance Search

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

We find none.

Judgment Search

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

William F. Lindemann

from November 12, 1936
to and including
March 10, 1947,

and
Amelia Bernd,
Amelia Lindemann Bernd,
William H. Lindemann,
Paul W. Lindemann,

and
Carl Lindemann

for the 10 years
last past and
against none other.

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Taxes for the year 1946 on 17 ft. N.S. Lot 204 herein, are assessed in the name of Carl Lindemann and are due and payable on or before the first Mondays in May and November of 1947.

General Tax Duplicate No. 364972, K.L.Mc, Indianapolis, Center Township, Parcel No. 42240.

May Installment \$14.21 Paid.

November Installment \$14.21 Paid.

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Taxes for the year 1946 on 25 ft. S.S. Lot 204 herein are assessed in the name of William Linderman and are due and payable on or before the first Mondays in May and November of 1947.

General Tax Duplicate No. 365033, K.L.Mc, Indianapolis, Center Township, Parcel No. 42304.

May Installment \$16.44 Paid.

November Installment \$16.44 Paid.

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Taxes for the year 1947 now a lien.

GUARANTEED CERTIFICATE

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STATE OF INDIANA }
 COUNTY OF MARION } ss:

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

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

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

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

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

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

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

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

This certificate covers entries Nos. 1 to 22 both inclusive and sheets watermarked "Union Title Company" Nos. 1 to 14 both inclusive.
 Dated at Indianapolis, Indiana, November 8, 1947, 8 A.M.

UNION TITLE COMPANY

By..... *Albert M. Binstor*
 President

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UNION TITLE COMPANY

ABSTRACTS OF TITLE • TITLE INSURANCE • ESCROWS

155 East Market St.

UNION TITLE BUILDING
INDIANAPOLIS, INDIANA

Market 2361-5

Capital Stock \$1,000,000.00

★
325017

UNITED STATES DISTRICT COURTS OF INDIANA

Southern District

Indianapolis Division
Terre Haute Division
Evansville Division
New Albany Division

Northern District

South Bend Division
Hammond Division
Fort Wayne Division

SEARCH FOR
PENDING BANKRUPTCIES
INTERNAL REVENUE TAX LIENS

Prepared for: Adolph G. Emhardt.

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

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

This certificate covers all divisions of both Districts of the State down to and including
November 5, 1947, 8 A.M. and

The Indianapolis Division of the Southern District down to and including
November 6, 1947, 8 A.M.

William F. Lindemann

Amelia Bernd

Amelia Lindemann Bernd

William H. Lindemann

Paul W. Lindemann

Carl Lindemann

UNION TITLE CO

BY *Albert M. Cristo*
PRESIDENT

HED

INDIANAPOLIS, INDIANA

Continuation of Abstract of Title to Lot Number Two Hundred Four (204) in McCarty's Subdivision of the North Part of Out Lot 120 of the Donation Lands to the City of Indianapolis, the plat of which is recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana.

Also a strip of the uniform width of 8 feet lying North of and adjacent to the North side of said Lot 204, being a portion of the South half of an alley heretofore vacated. Except therefrom a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said lot. Also except a strip of land 10 feet in width off of the entire East end of a strip of land 25 feet in width off of the entire south side of said lot, 204.

L. M. BROWN DIVISION

Prepared for: Ralph Updike
Since date of November 7, 1947

CONVEYANCES

PROBATE COURT OF MARION COUNTY

Estate Docket
138 page 50157

William F. Lindemann

Estate

2.

Lawyers Title Insurance Corporation

(Continued from former Abstract)
December 12, 1947 Final Report filed.
December 27, 1947 Proof of Publication of Final Notice filed.
January 10, 1948 Final Report approved and Estate closed.
Order Book 228 page 29.
Entry of Final Report recites that said estate was settled according to decedents will.
That No Inheritance Tax was assessed against said estate.
That no Gross Income Tax was assessed against said estate.
That said estate was not subject to Federal Estate Tax.
That decedent was not an employer of labor as defined in the Employment Security Act.
Schedule of property filed, in determining Inheritance Tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$7912.24.

Misc. Record
408 pages 507&
508
Inst.#70866
Dec. 11, 1947
Recorded
Dec. 12, 1947

INDIANAPOLIS, INDIANA

Carl W. Lindemann,

Affidavit

Affiant says: That he is of lawful age and a resident of Marion County, Indiana; that said affiant is the son of William F. Lindemann, who died testate on March 10, 1947, the owner of certain real estate situated in Marion County, Indiana, described as follows, to-wit:

A strip of 25 feet in width off of the entire South side of Lot Numbered 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire east end of the above described 25 foot strip;

that said William F. Lindemann, the former owner of the above described real estate, was one and the same person as William Linderman, grantee in Warranty Deed of Wilhelm Jonas and Carolina Jonas, his wife, to the above described real estate, dated and recorded August 9, 1888, in Record 202, page 460, in the office of the Recorder of Marion County, Indiana; that the said William F. Lindemann, the former owner of the above described real estate, devised said real estate according to his last will and testament, which last will and testament was executed December 4, 1917, and appears in Will Record LLL, page 632, in the office of the Clerk of the Probate Court of Marion County; that the testator, said William F. Lindemann, never had any children born to him and never married after the execution of said last will and testament on December 4, 1917; that said Testator, William F. Lindemann, left surviving no wife at the time of his death, his wife having predeceased him; that the residuary devisee, Esther Lindemann, sister of this affiant, whose name appears in Item Three of said last will and Testament, before her death assumed the name Esther Lindemann Lyons; that said Esther Lindemann Lyons died intestate on January 29, 1944; that her estate was administered upon in the Probate Court of Marion County, Indiana, which estate was docketed in said court as Estate Docket 138 page 50157; that said Esther Lindemann Lyons left surviving no child or any descendants of any deceased child; that Carl Lindemann, also named as residuary devisee in said last will and testament of said William F. Lindemann, is one and the same person as this affiant, Carl W. Lindemann, and is one and the same person as Carl W. Lindemann, grantee in Deed of William H. Lindemann and Minnie Lindemann, his wife; Paul W. Lindemann and Olga Lindemann, his wife; and Amelia Bernd and Theodore J. Bernd, her husband, which Deed was dated November 11, 1947 and recorded December 12th, 1947, in Deed Record 1284, Instrument No. 70865, in the office of the Recorder of Marion County, Indiana;

L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

3.

Will Record
A-35 page 405
Feb. 10, 1953
Probated
June 6, 1958

6.

INDIANAPOLIS, INDIANA
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

Carl W. Lindemann

Will

I, Carl W. Lindemann, now a resident of Indianapolis, Marion County, Indiana, being of sound mind and memory, do make, publish and declare this my last will and testament, hereby revoking any and all wills by me heretofore made.

Item I. I direct that all my just debts and funeral expenses be paid as soon after my decease as may be found convenient.

Item II, I give, devise and bequeath all of my property, real, personal or mixed, of whatever nature and wheresoever situate, which I may own or have the right to dispose of at the time of my death to my beloved wife, Marie G. Lindemann, absolutely and in fee simple, provided, however, she shall survive me and we shall not both die as a result of the same common accident or calamity.

Item III. In the event my wife shall predecease me, or if my death and the death of my wife occur simultaneously or approximately so, or as the result of the same common accident or calamity or under any circumstances causing doubt as to which of us survived the other, in any such event or events, I give, devise and bequeath all of my property, real personal or mixed of whatever nature and wheresoever situate which I may own or have the right to dispose of at the time of my death, in equal parts, absolutely and in fee simple, to the following nephews and niece, of myself and wife namely; Arthur R. Twente, Walter Lindemann, Arthur Lindemann, Paul A. Lindemann, Ruth Lindemann Rhode, Daniel W. Bernd and Alfred L. Bernd, and to the child or children, if any of such as may be dead, per stirpes and not per capita and if any of such nephews and nieces shall predecease me leaving surviving no child or children, then the share which such nephew or niece would have received had he or she survive me, shall go to the remaining nephews and niece and child or children of any deceased nephew or niece in equal shares, per stirpes and not per capita.

Item IV. I hereby nominate and appoint my nephew, Alfred L. Bernd, as the Executor of this my last will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand to this my last will and testament, this 10th day of February, A.D. 1953.

Carl W. Lindemann

This instrument consisting of 2 typewritten pages, each bearing the signature of the above named Carl W. Lindemann, was by him, on the date hereof, signed, published, and declared by him to be his last will and testament in our presence, who, at his request and in his presence and in the presence of each other, we, believing him to be of sound and disposing mind and memory, have

INDIANAPOLIS, INDIANA

that if said William F. Lindemann, father of this affiant, had died intestate his sole and only heirs-at-law, at the time of his death, would have been his children, William H. Lindemann, Paul W. Lindemann, Amelia Bernd and Carl W. Lindemann, this affiant, that said William F. Lindemann left surviving no children other than the aforesaid four children and that he left surviving no child or descendant of any deceased child or children; that the estate of William F. Lindemann is not subject to the payment of Federal Estate Tax, as the total assets of said estate do not exceed the sum of \$2250.00, and further affiant saith not.

Carl W. Lindemann

Deed Record
1284 page 78
Inst. #70865
Nov. 11, 1947
Recorded
Dec. 12, 1947

L. M. BROWN DIVISION

William H. Lindemann, and
Minnie Lindemann, his wife
Paul W. Lindemann, and
Olga Lindemann, his wife,
Amelia Bernd and
Theodore J. Bernd, her husband
to

Warranty Deed
Revenue Stamps
Attached

4.

Carl W. Lindemann -

A strip of 25 feet in width off of the entire south side of Lot # 204 in McCarty's Subdivision of The North Part of Out Lot 120 in the City of Indianapolis, the plat of which is recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana.

Except a strip of land 10 feet in width off of the entire East end of the above described 25 foot strip.

Subject to any easements, restrictions, covenants and reservations which may be of record.

The Grantors, William H. Lindemann, Paul W. Lindemann and Amelia Bernd, certify and warrant that they, together with the Grantee, Carl W. Lindemann, are the sole and only surviving residuary devisees of William F. Lindemann, deceased, whose last will and testament appears in will record LLL, page 632, in the office of the Clerk of the Probate Court of Marion County, Indiana, and that they are likewise the sole heirs-at-law of said William F. Lindemann.

Deed contains usual citizenship statement of grantors.

5.

Carl W. Lindemann died testate May 31, 1958.

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INDIANAPOLIS, INDIANA

hereunto subscribed our names as witnesses.
 Susanyce A. Hirschberger
 Adolph G. Emhardt
 Witnesses

PROBATE COURT OF MARION COUNTY

Carl W. Lindemann

Estate

Estate Docket
177 page 65849

7.

L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

June 6, 1958, Petition for letters filed.
 Will probated in open court. Bond filed and
 Alfred L. Bernd appointed Executor.
 Order Book 435 page 441.
 June 27, 1958, Proof of publication of notice of
 appointment filed.

January 6, 1959, Final report filed.
 January 19, 1959, Proof of Publication of Final
 notice filed.
 February 2, 1959, Final report approved and estate
 closed.

Order Book 453 page 24.

Entry on final report recites more than six months
 have elapsed since the date of the first published notice
 to the heirs and creditors herein, no claims have been
 filed against said estate, but all known claims have
 been paid and discharged; neither said decedent nor
 his Executor were employers of labor within the meaning
 of the term as used in the Indiana Employment Security
 Act; that said estate was not subject to the payment of
 any Indiana Inheritance Taxes, Gross Income Taxes, nor
 Federal Estate Taxes.

That Marie G. Lindemann is the sole and only
 beneficiary under the last will and testament of said
 decedent, and that all personal property remaining in
 the hands of said Executor for distribution has been
 distributed to said Marie G. Lindemann.

NOW, THEREFORE, IT IS ORDERED AND DECREED by the
 Court as follows:

1. That said account and petition are hereby in
 all things approved.

2. That Marie G. Lindemann is the sole and only
 beneficiary under the last will and testament of said
 decedent and that she has received all personal property
 remaining in said estate for distribution.

3. Pursuant to decedent's will the real estate of
 which he died seized and which was undisposed of by
 sale or otherwise during the period of administration
 is hereby vested in Marie G. Lindemann, which real
 estate is situated in Marion County, Indiana, and
 described as follows:

A strip of 25 feet in width off of the entire
 South side of Lot Numbered 204 in McCarty's Subdivision

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of the North part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire East end of the above described 25 foot strip. (943 S. Missouri St. Indianapolis, Indiana.)

Lot Number 204 in McCarty's Subdivision of the North part 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 said County of Marion, in Plat Book No. 8 at page 111. Together with the right, title, interest, and estate in, to and of the South Half of alley between Missouri Street and the first Alley East of said street on the North side of said Lot No. 204; vacated by the order of the Common Council and the Board of Alderman of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the Recorder's office of the said County, January 25, 1887, in Town Lot Record 187 at page 579.

Except therefrom a strip of land 25 feet in width off of the entire South side of said Lot No. 204, which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202 at page 460 in the Recorder's office of said County.

Also except a strip of land five feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 foot strip to the center of the vacated alley on the North side of said lot, which was heretofore on the 1st day of November, 1905, conveyed by Wilhelm Jonas and Karoline Jonas, his wife to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County (393) S. Missouri St., Indianapolis, Indiana.)

IT IS FINALLY ORDERED BY THE COURT that Alfred L. Bernd, Executor of the estate of Carl W. Lindemann, deceased, be and he is hereby fully and completely discharged and released from any further duties herein as such Executor.

Schedule of property filed, in determining inheritance tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$12,001.50.
(Sold on contract)

Deed Record
1712 page 318
Inst.#43182
July, 11, 1958
Recorded
July 17, 1958

8.

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Marie G. Lindemann,

Affidavit

Affiant says: That she is a resident of Marion County Indiana, and of lawful age; that said affiant is the owner of certain real estate situated in Marion County, Indiana, described as follows, to-wit:

(With other real estate)

PARCEL FOUR

A strip of 25 feet in width off of the entire south side of Lot numbered 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire east end of the above described 25 foot strip.

PARCEL FIVE.

Lot Number 204 in McCarty's Subdivision of the north part 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 said County of Marion, in Plat Book No. 8 at page 111. Together with the right, title, interest, and estate in, to and of alley between Missouri Street and the first alley east of said street on the north side of said Lot No. 204; vacated by the order of the Common Council and the board of aldermen of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the Recorder's office of the said County, January 25, 1887 in Town Lot record 187 at page 579.

Except therefrom a strip of land 25 feet in width off of the entire south side of said Lot No. 204 which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202 at page 460 in the Recorder's office of said county.

Also except a strip of land five feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of said lot 204 said 5 foot strip to extend to the center of the vacated alley on the north side of said lot, which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and Karoline Joas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County.

that said affiant, Marie G. Lindemann, acquired title to the aforesaid Parcels 1, 2, 3 and 6 together with her husband, Carl W. Lindemann; that said affiant Marie G. Lindemann and Carl W. Lindemann, married on the 20th day of February 1926, and that they remained continuously husband and wife until May 31, 1958, at which time said Carl W. Lindemann departed this life testate a resident of Marion County, Indiana, leaving surviving as his widow and also as his sole devisee and legatee under his last

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will and testament this affiant, as a consequence of which this affiant became the sole owner of all of the above described real estate; that the total assets of the estate of said Carl W. Lindemann, including insurance upon his life, gifts made in contemplation of death property held jointly with any other person and all pererty the value of which would be computed for the purpose of determining Federal Estate Taxes did not exceed the aggregate sum of \$60,000.00; that said decedent, Carl W. Lindemann, did not at the time of death hold any property jointly with any person other than this affiant, Marie G. Lindemann, and that considering the marital deduction provided for in the Internal Revenue Code, said estate of Carl W. Lindemann was not subject to the payment of any Federal Estate Taxes; that said Carl W. Lindemann did not die the owner of any interest in property having a situs outside of the State of Indiana; that this affidavit, among other things, is made for the purpose of inducing the Auditor of Marion County, to transfer for tax purposes the above described real estate in the sole name of this affiant.

Marie G. Lindemann

Misc. Record
617 page 379
Inst.#1040
Dec. 31, 1958
Recorded
Jan. 6, 1959

Marie G. Lindemann,

Affidavit

Affiant says: That she is of Lawful age and the widow of Carl W. Lindemann who died testate on May 31, 1958, the owner of certain real estate situated in Marion County, Indiana, described as follows, to-wit:

A strip of 25 feet in width off of the entire south side of Lot Numbered 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire east end of the above described 25 foot strip.

Lot Number 204 in McCarty's Subdivision of the north part 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 said County of Marion, in Plat Book NO. 8 at page 111. Together with the right, title, interest, and estate in, to and of the south half of alley between Missouri Street and the first alley east of said street on the north side of said Lot No. 204; vacated by the order of the Common Council and the board of Aldermen of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the Recorder's office of the said County, January 25, 1887, in town lot record 187 at page 579.

9.

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Except therefrom a strip of land 25 feet in width off of the entire south side of said Lot No.204 which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lendemann, which deed is recorded in Deed Record 202 at page 460 in the Recorder's office of said County.

Also except a strip of land five feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the north side of said lot, which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and Karoline Jonas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County.

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that said Carl W. Lindemann did not have any children born to him and his marital status did not change after the execution of his last will and testament dated February 10, 1953, which last will and testament was duly probated in the Probate Court of Marion County, Indiana; that the total assets of the estate of said Carl W. Lindemann, including insurance upon his life, gifts made in contemplation of death, property held jointly with any other person and all property the value of which would be computed for the purpose of determining Federal Estate taxes, did not exceed the aggregate sum of \$60,000.00, as a consequence of which the estate of said Carl W. Lindemann was not subject to the payment of any Federal estate taxes.

Marie G. Lindemann

Lawyers Title Insurance Corporation

10.

Marie G. Lindemann died testate, December 28, 1961.

Will Record
A-64 page 41
Nov. 2, 1959
Filed
Jan. 25, 1963

Marie G. Lindemann

Will

I, Marie G. Lindemann, a resident of the State of Indiana, being of sound mind and memory, do make, publish and declare this my last will and testament hereby revoking any and all wills by me heretofore made.

11.

ITEM ONE: I direct that all my just debts and funeral expenses be paid as soon after my decease as may be found convenient.

ITEM TWO: I give, bequeath and devise to my nephew and his wife, Alfred L. Bernd and Elbert E. Bernd, husband and wife, and to the survivor of them my real estate situated in Fulton County, Indiana, described as follows, to wit:

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Commencing at a point 23.91 chains East and 53.15 chains North of the Southwest corner of Section 15, Township 31 North, Range 1 East, thence East 2.42 chains to the West bank of the Tepecanoe River; thence South 22 degrees East 9.66 chains; thence south 8.60 chains to the North line of the right-of-way of the Chicago and Erie Railway; thence North 64 1/2 degrees West on and along the North line of said right-of-way, 6.34 chains; thence North on the West line of said tract 14.61 1/2 chains to the place of beginning, containing 8.12 acres, more or less, except, commencing at the Northwest corner of said tract; thence running East 2.42 chains to the West bank of the Tepecanoe River; thence South 22 degrees East, along the bank of said River 4.83 chains; thence South 68 degrees West, 3.33 chains; thence South, parallel with the West line of the above described tract to the North line of the Chicago and Erie Rail Road right-of-way; thence North 64 1/2 degrees West, along said right-of-way 1.74 chains to the West line of said tract; thence North 14.61 1/2 chains to the place of beginning, leaving in said tract 4.67 acres, more or less; together with the household goods and furniture, and any boat or boats and motors used in connection with said river property, absolutely and in fee simple.

ITEM THREE: I give, bequeath and devise to my nephew, Arthur R. Twente, my sterling silver, diamond ring and automobile and all my real estate wherever situated, except the real estate disposed of in Item Two hereof, absolutely and in fee simple.

ITEM FOUR: All of the rest, residue and remainder of my peroperty, real personal or mixed of whatever nature and wheresoever situated which I may own or have the right to dispose of at the time of my death, I give, devise and bequeath, in equal shares, absolutely and in fee simple to my following nephews and niece; Arthur R. Twente, Paul A. Lindemann, Ruth Lindemann Rhode, Daniel W. Bernd and Alfred L. Bernd, and to the child or children, if any, of such of said nephews and niece who may have predeceased me, per stirpes and not per capita, and if any of such nephews and niece shall predeceased me leaving surviving no child or children, then the share which such nephew or niece would have received had he or she survived me, shall go to the remaining nephews and niece and child or children of any deceased nephew or niece in equal shares, per stripes and not per capita.

ITEM FIVE: I hereby nominate and appoint my nephew, Alfred L. Bernd, as the executor of this my last will and testament and I except him to be compensated our of my estate for his services and I do direct that no bond shall be required of said executor hereunder.

IN WITNESS WHEREOF, I have hereunto set my hand to this last will and testament, this 2nd day of November, A.D. 1959.

Marie G. Lindemann

INDIANAPOLIS, INDIANA

This instrument consisting of two typewritten pages, each bearing the signature of the above named Marie G. Lindemann, was by her, on the date hereof, signed, published and declared by her to be her last will and testament in our presence, who, at her request and in her presence and in the presence of each other, we, believing her to be of sound and disposing mind and memory, have hereunto subscribed our names as witnesses.

Ronald A. McKee
Carl Adams, Jr.,

PROBATE COURT OF MARION COUNTY

Marie G. Lindemann

Estate

Estate Docket
E-62 page 461

12.

L. M. BROWN DIVISION

February 7, 1962: IN THE FULTON CIRCUIT COURT
JANUARY TERM 1962
Cause No. 5656

PETITION TO TRANSFER ESTATE TO
MARION COUNTY PROBATE COURT

Alfred L. Bernd, as Executor of the Last Will and Testament of Marie G. Lindemann, deceased, respectfully petitions and shows to the court:

(1) Petitioner is the duly appointed, qualified and acting Executor of the last will and testament of Marie G. Lindemann, deceased.

(2) The assets of said estate consist of a parcel of real estate located in Fulton County, Indiana, which was the residence of the decedent, the household goods, furniture and fixtures located in and about said residence personal property found in Fulton County of the appraised value of \$3,728.99. Said decedent owned five parcels of real estate located in Marion County, Indiana, three of which were sold on conditional sales contract; also personal property in the way of Savings and Loan Association savings accounts in the sum of \$13,944.51.

(3) That all of the legatees named in said will reside in Marion County, Indiana..

(4) That said petitioner believes it would be for the best interest of the estate and the legatees that the Court order this proceeding, together with all papers, filed and orders transferred to Marion County, Indiana, to complete the administration proceedings commenced in this Court.

WHEREFORE, said petitioner respectfully prays that this Court order all papers, files and a certified copy of all orders therein, transferred to the Marion County Probate Court, Marion County, Indiana, to complete the administration proceedings as if originally commenced therein, and for such other order as this Court may direct.

Alfred L. Bernd

Lawyers Title Insurance Corporation

Subscribed and sworn to before me, the undersigned,
a Notary Public in and for said County and State, this
6 day of February, 1962.

Ronald B. Coapstick (LS)
Notary Public

My Commission Expires
Jan. 3, 1965.

MEMORANDUM:

The following authority is cited to the Court for the
granting of the foregoing petition;

Burnes Indiana Statutes 1933, as Amended 1953-7-101C.

February 16, 1962, Alfred L. Bernd, Elbert E.

Bernd, Arthur R. Twente, Paul A. Lindemann and Ruth
Lindemann file waiver of notice and consent to transfer
of estate.

March 28, 1962, ORDER TO DOCKET ESTATE

Comes now Alfred L. Bernd, Executor of the estate
of Marie G. Lindemann, deceased, and files a transcript
of the proceedings in the above captioned estate
heretofore ordered transferred from Fulton Circuit
Court to Marion County Probate Court, said transcript
being in the words and figures following, to wit: (H.I.)

And now the Marion County Probate Court assumes
jurisdiction of said estate and orders the clerk of
the Marion County Probate Court at Indianapolis, Indiana
to docket said estate and spread all proceedings
transmitted by the Clerk of the Fulton Circuit
Court to the Marion County Probate Court upon the records
of the Clerk of said Court and thereupon to proceed to
complete the administration proceedings, as if originally
commenced herein.

ALL OF WHICH IS DONE BY THE COURT in the City of
Indianapolis, Marion County, Indiana, this 28th day of
March 1962.

Order Book 569 page 164.

September 7, 1962, Petition to Construe Will
Alfred L. Bernd, Executor of the estate of Marie
G. Lindemann, deceased, respectfully shows to the
Court:

(1) That he is the duly appointed, qualified and
acting Executor of the estate of Marie G. Lindemann,
deceased.

(2) That said Marie G. Lindemann died on or about
the 28 day of December, 1961, and her last will and
testament was duly probated and admitted to record
in the Circuit Court of Fulton County, Indiana.

(3) That the estate of said Marie G. Lindemann
was transferred to the Marion County Probate Court on
or about March -, 1962, and this Court assumed
jurisdiction of said estate on the 28 day of March
1962.

(4) That no controversy exists between the parties
as to the validity of said will; that the time has expired
for a contest of said will.

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(5) The Testatrix made the following provisions under Item III and Item IV of her will, to wit:

"ITEM THREE"

"I give, bequeath and devise to my nephew, Arthur R. Twente, my sterling silver, diamond ring and automobile and all my real estate wherever situated, except the real estate disposed of in Item Two hereof, absolutely and in fee simple."

"ITEM FOUR"

"All of the rest, residue and remainder of my property, real, personal or mixed, of whatever nature and wheresoever situate which I may own or have the right to dispose of at the time of my death, I give, devise and bequeath, in equal shares, absolutely and in fee simple to my following nephews and niece: Arthur R. Twente, Paul A. Lindemann, Ruth Lindemann Rhode, Daniel W. Bernd and Alfred L. Bernd, and to the child or children, if any, of such of said nephews and niece who may have predeceased me, per stirpes and not per capita, and if any of such nephews and niece shall predecease me leaving surviving no child or children, then the share which such nephew or niece would have received had he or she survive me, shall go to the remaining nephews and niece and child or children of any deceased nephew or niece in equal shares, per stirpes and not per capita."

(6) Said Testatrix, at the time of her death, held the legal title to five parcels of real estate located in Marion County, Indiana, which are more particularly described in the Inventory filed in said estate. Four of said parcels had been sold on conditional sales contract, one of which was held by the Testatrix as security for a loan.

(7) That the names of the devisees are:

Alfred L. Bernd	6191 W. Sherman Drive, Indianapolis, Indiana.
Daniel W. Bernd -	died unmarried without issue Nove. 1, 1960.
Arthur R. Twente	5972 N. New Jersey St., Indianapolis, Indiana.
Paul A. Lindemann	2540 Madison Avenue Indianapolis, Indiana
Ruth Lindemann Rhode Johnson	3202 N. Pennsylvania St., Indianapolis, Indiana.

(8) That a controversy has arisen among the devisees in that it is not clear as to whether the real estate which was sold on conditional sales contract passes under Item III to Arthur R. Twente, as real estate, or under Item IV, to the residuary legatees, as personal property; that a controversy exists as to whether such assets shall be distributed as real estate or shall be deemed as personal assets in the hands of the personal representative and accounted for as such.

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(9) That said controversy is actual and existing and will result in protracted and expensive litigation unless determined by this court, and the rights of the parties determined and settled by this Court and the Will of said decedent construed.

WHEREFORE, said petitioner prays the Court;

- (1) Foran Order,
 - (a) Fixing the time for the hearing on this Petition;
 - (b) Directing the Clerk to give notice, as required by law; and
 - (c) Directing the manner in which notice shall be served.

(2) After such hearing, for a decree determining the rights of the devisees and their respective interest in said estate.

Alfred L. Bernd, Executor
of the estate of Marie G.
Lindemann, deceased.

STATE OF INDIANA

SS:

COUNTY OF MARION

Alfred L. Bernd, being first duly sworn upon his oath, says that he is Executor of the estate of Marie G. Lindemann, deceased; that he has read and examined the foregoing petition to construe will and that the same is true as he is informed and verily believes.

Alfred L. Bernd

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, this 5 day of September, 1962.

Ronald B. Coapstick (LS)
Notary Public

My Commission Expires
Jan. 3, 1965.

September 12, 1962, Clerk files certificate of mailing notices.

December 24, 1962, DECREE CONSTRUING WILL

Comes Now Alfred L. Bernd, Executor of the estate of Marie G. Lindemann, deceased, who heretofore filed a petition herein to construe the following provisions of the last will and testament of Marie G. Lindemann, deceased, to wit:

"ITEM THREE"

I give, bequeath and devise to my nephew, Arthur R. Twente, my sterling silver, diamond ring and automobile and all my real estate wherever situated, except the real estate disposed of in Item Two hereof, Absolutely and in fee simple.

"ITEM FOUR"

All the rest, residue and remainder of my property, real, personal, or mixed, of whatever nature and wheresoever situate which I may own or have the right to dispose of at the time of my death I give, devise and bequeath, in equal shares, absolutely and in fee simple to my following nephews and niece: Arthur R. Twente, Paul A. Lindemann, Ruth

Lindemann Rhode, Daniel W. Bernd, and Alfred L. Bernd, and to the child or children, if any, of such of said nephews and niece who may have predeceased me, per stirpes and not per capita, and if any of such nephews and niece shall predeceased me leaving surviving no child or children, then the share which such nephew or niece would have received had he or she survived me, shall go to the remaining nephews and niece and child or children of any deceased nephew or niece in equal shares, per stirpes and not per capita."

Which said petition reads as follows: (H.I.)

And comes also Ronald B. Coapstick, Attorney for said petitioner and Arthur Twente, in person and by Kirkwood Yockey, his Attorney, and come also Paul A. Lindemann and Ruth Lindeman- Rhode Johnson, in person.

The Court having heard and considered the evidence, the argument of Counsel and having heretofore taken this matter under advisement, makes the following finding of facts:

(1) Lot 278 in Miller and Walker's Parkway Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 12 pages 137-138 in the office of the Recorder of Marion County, Indiana, which is commonly known as 1431 West 25th Street, Indianapolis, Indiana.

(2) Lot 204 in McCarty's Subdivision of the North part of Out Lot 120 of the Donation Lands of the City of Indianapolis, according to the plat of said sub-division as recorded in the office of the Recorder of Marion County, in Plat Book 8 page 111, together with the right, title and interest and estate in to and of the South half of the alley between Missouri Street and the first alley East of said Street on the North side of said Lot 204, vacated by the order of the Common Council and the Board of Alderman of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the Recorder's office of said County, January 25, 1887 in Town Lot Record 187 at page 579, except therefrom a strip of land 25 feet in width off of the entire South side of said Lot 204 which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202, page 460 in the Recorder's office of said County: Also except a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said lot which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and Karoline Jonas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's Office of Said County, which is commonly known as 939 South Missouri Street, Indianapolis, Indiana.

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(3) Lot 125 in McKernan and Pierce's Subdivision of a part of Out Lots 128, 121 and 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 3 page 43, in the office of the Recorder of Marion County, Indiana, which is Commonly known as 914-916 Church Street, Indianapolis, Indiana.

(4) Lot 9 in Meikel's Sub-division, a part of Lot 4 in the subdivision of Out Lot 128 in the City of Indianapolis, reference being made to the recorder plat thereof as recorded in Plat Book 2 page 134 in the office of the Recorder of said County; also a strip of land 8 foot wide adjoining the entire South side of Lot 9, being a part of the vacated alley, which is commonly known as 933 South Missouri Street, Indianapolis, Indiana.

(3) That an improvement loan had been made by the conditional vendor to the vendee in the sum of \$2,000.00, without additional security other than extending the contract.

(4) That the interest of the testatrix as a conditional vendor under said conditional sales contracts, passed to Arthur Twente in Item Three of the Testatrix's will, as real estate; said Arthur Twente became the owner of said contracts and the fee simple title thereto, upon the death of the testatrix.

(5) That Arthur Twente is entitled to all payments of principal made by the conditional vendees to the personal representative of said estate during administration.

(6) All income received by the personal representative on said contracts by way of accrued interest from date of death until distribution is ordered, constitutes an asset of the estate to be disbursed, distributed, accounted for and administered as part of the corpus of the estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Testatrix' interest at the time of her death as vendor under the contracts of real estate, passed to Arthur Twente under Item Three of her will, and said Arthur Twente became the owner of said real estate and conditional sales contracts at the death of said decedent, subject to the possession of said real estate contracts in the personal representative, until ordered distributed to such devisee.

IT IS FURTHER ORDERED that the personal representative allocate, and divide payments made by the conditional vendees on said conditional sales contracts between principal and interest; that the principal payments, pass to said Arthur Twente under said Item Three of testatrix' Will; that all income by way of interest accruing on said contracts constitutes an asset of the estate to be disbursed, distributed, accounted for and administered by the personal representative of the estate, as part of the corpus of the estate.

ALL OF WHICH IS DONE AND ORDERED by the Court in the City of Indianapolis, Marion County, Indiana, this

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24 day of December 1962.
Order Book 598 page 506.
January 25, 1963, Will of Marie G. Lindermann filed.
January 25, 1963, Final report filed.
February 15, 1963 Proof of Publication of Final Notice filed.
February 25, 1963, Final report approved returned to court for supplemental report.
Order Book 605 page 209.
March 8, 1963, Supplemental final report filed.
March 8, 1963, Supplemental final report approved and estate closed.
Order Book 606 page 418.
Entry on final report recites:
All Indiana Inheritance Taxes, Indiana Gross Income Taxes and Federal Estate Taxes due from the decedent and the estate have been paid.
Neither said decedent, nor such Executor was an employer of labor as the term is defined in the Indiana Employment Security Act; decedent died owner of the following described real estate located in Marion County Indiana.
A strip of 25 feet in width off of the entire south side of Lot Numbered 204 in McCarty's Subdivision of the north part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire east end of the above described 25 foot strip.
Lot Numbered 204 in McCarty's Subdivision of the North part 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 said county of Marion, in Plat Book No. 8 at page 111. Together with the right, title, interest, and estate in, to and of the south half of alley between Missouri Street, and the first alley east of said street on the north side of said Lot No. 204, vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the recorders office of the said County, January 25, 1887 in town lot record 187 at page 579, Except therefrom a strip of land 25 feet in width off of the entire south side of said Lot No. 204, which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202 at page 460 in the Recorder's office of said county.
Also except a strip of land five feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of said Lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said Lot which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and

INDIANA POLIS, INDIANA

Karoline Joas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County.

(With other real estate)

Schedule of property filed, in determining Inheritance tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$50,710.33.

NOTE: A certified copy of the above Entry on final report was recorded February 28, 1963 in Deed Record 1981 at page 374 in the Recorder's office of Marion County, Indiana.

NOTE: Transcript of decree approving final report was recorded February 28, 1963 in Deed Record 1981 page 374.

13.

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

MORTGAGES

14.

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

FINANCING STATEMENTS

15.

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

L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

MECHANICS' LIENS

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

OLD AGE ASSISTANCE LIENS

17. 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.

We find None.

SEARCH IN THE JUVENILE COURT OF MARION COUNTY, INDIANA

18. Individual Search has been made in the Juvenile Court of Marion County, Indiana, as to the persons named under the heading of Judgments, and for the period so specified under such search for unsatisfied judgments rendered in Paternity and Heirship proceedings.

We find None.

JUDGMENTS

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

Carl W. Lindemann, from February 20, 1956 to May 31, 1958 inclusive.

Marie G. Lindemann, from February 20, 1956 to December 28, 1961 inclusive.

Arthur (H.) Twente, for the 10 years last past.

None found unsatisfied.

ASSESSMENTS

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

INDIANAPOLIS, INDIANA
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

TAXES

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

22. Taxes for the year 1964 assessed in the name of
Carl W. Lindemann

ASSESSED VALUATION:

Land	\$ 220	McCarty's West Sub.
Improvements	\$1270	105 Ft W End of 25 Ft S
Exemption	None	Side L 204 O.L. 120
Net Valuation	\$1490	

Parcel No. 101-42304
General Tax Duplicate No. 305502
Indianapolis Center Township are due and payable
the first Monday in May and November, 1965.

May installment \$69.48 paid
Nov.installment \$69.48 paid

23. Taxes for the year 1964 assessed in the name of
Marie G. Lindemann

ASSESSED VALUATION:

Land	\$230	McCartys West Sub.
Improvements	\$680	110 Ft. W end of 17 ft N
Exemption	None	side L 204 O.L. 120
Net Valuation	\$910	110 Ft. W end of 8 ft N of & adj Lot 204 O.L.120

Parcel No. 101-42240
General Tax Duplicate No. 305514
Indianapolis, Center Township are due and payable the
first Monday in May and November 1965.

May installment \$42.43 paid
Nov.installment \$42.43 paid

24. Taxes for year 1965 became a lien March 1st and
are due and payable in May and November, 1966.

L. M. BROWN DIVISION
INDIANAPOLIS, INDIANA
Lauyers Title Insurance Corporation

SECTION 2.07 1-3-U MEDIUM INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

25.

Note: This district is designed as an intermediate central city district for industries which are heavier in character than those permitted in the Light Industrial Urban District but which are not of the heaviest industrial types. Because of the nature of these industries, the district will be located away from residential areas and buffered by lighter industrial districts. Where this district abuts residential or business districts, setbacks are large and enclosure of activities and storage is required.

A. PERMITTED 1-3-U USES

The following uses shall be permitted in the 1-3-U DISTRICT. All uses in the 1-3-U DISTRICT shall conform to the 1-3-U Development Standards (section 2.07, B hereof) and 1-3-U Performance Standards (section 2.07, C hereof).

The following 1-3-U uses may also include (as accessory or incidental uses thereto) any of the 1-4-U DISTRICT uses specified in section 2.07^{2.08} A, provided that:

- (a) Not more than twenty-five (25) per cent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said 1-4-U uses,
 - (b) Said 1-4-U uses shall conform with all 1-3-U Development and Performance Standards, and
 - (c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.
1. ANY USE PERMITTED IN THE 1-2-U DISTRICT.
 2. MANUFACTURE AND ASSEMBLY OF MARINE EQUIPMENT.
 3. CANNING, BOTTLING, PROCESSING, AND PACKAGING OF FOOD. (Does not include slaughtering of animals or fowl.)
 4. CAN AND CONTAINER MANUFACTURING.
 5. COFFEE ROASTING.
 6. CABINET MANUFACTURING; FURNITURE MANUFACTURING.
 7. MANUFACTURE AND ASSEMBLY OF MAJOR ELECTRIC AND/OR GAS HOUSEHOLD APPLIANCES.
 8. MANUFACTURE OF COLORS, DYE, PAINT, AND OTHER COATINGS, excluding tar products.
 9. MANUFACTURE AND ASSEMBLY OF COMMUNICATION EQUIPMENT.
 10. ELECTROPLATING OPERATIONS.

(1-3-U REGULATIONS)

11. MANUFACTURE OF TOOLS AND IMPLEMENTS, MACHINERY AND MACHINERY COMPONENTS.
12. MANUFACTURE OF OLEOMARGERINE.
13. MANUFACTURE AND ASSEMBLY OF OFFICE EQUIPMENT.
14. MANUFACTURE OF MUSICAL INSTRUMENTS.
15. STAMPING AND FABRICATING METAL SHOPS USING PRESS, BRAKES AND ROLLS.
16. MANUFACTURE OF MALT PRODUCTS; BREWING, DISTILLATION OF LIQUOR AND SPIRITS.
17. MACHINE, WELDING, TOOL AND DIE SHOPS.
18. THERMAL, ELECTRIC, STEAM AND/OR ATOMIC POWER PLANTS.
19. MANUFACTURE OF GLASS AND GLASS PRODUCTS.
20. MOTOR TRUCK TERMINALS LESS THAN TEN (10) ACRES IN TOTAL AREA AND SUBJECT TO THE REGULATIONS OF SECTION 2.11, 9.
21. PAPER MANUFACTURING.
22. GRANARIES, GRAIN PROCESSING, STARCH MANUFACTURING.

B. 1-3-U DEVELOPMENT STANDARDS

1. Use
 - a. ENCLOSED OPERATIONS. All operations, servicing, or processing located within three hundred (300) feet of a residential district boundary (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products within three hundred (300) feet of a residential district boundary shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of said fence. The storage of materials or products within the enclosure may not exceed the height of the fence.

- c. OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION.
In no case shall the total area of outside operations and storage exceed fifty (50) per cent of the total gross floor area of enclosed structures and buildings.

2. REQUIRED FRONT YARD, MINIMUM SETBACK

A front yard, having at least thirty-five (35) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|---|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |
| (3) Secondary thoroughfare: | Ninety-five (95) feet |
| (4) or closer to the <u>right-of-way</u> line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: | Twenty (20) feet |

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.

(1-3-U REGULATIONS)

- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district.

3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.07, B 2, unless subject to the requirement for transitional yards of section 2.07, B 6.

4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than ten (10) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.07, B 6.

5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than ten (10) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.07, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS.

- (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than forty (40) feet in depth from the front lot line.
- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than forty (40) feet in depth shall be provided along such side lot line
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district a rear yard and setback not less than forty (40) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified

in section 2.07, B 8, shall be required to permit building heights exceeding thirty-five (35) feet (to a maximum height of fifty (50) feet).

b. SCREENING AND LANDSCAPING.

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) per cent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS

All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

(1-3-U REGULATIONS)

8. HEIGHT OF BUILDINGS AND STRUCTURES Within three hundred (300) feet of any residential district, the maximum vertical height of buildings and structures shall be fifty (50) feet. Provided, however, along any required front, side, or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Thirty-five (35) feet; or
Fifty (50) feet if for each foot of height in excess of thirty-five (35) feet, to an absolute maximum height of fifty (50) feet, one (1) additional foot setback shall be provided beyond such required front, side or rear setback line.

Height Exceptions. The following exceptions to the above height regulations shall be permitted:

- (a) Parapet walls not exceeding two (2) feet in height.
 - (b) Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
 - (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
 - (d) A monitor roof not exceeding twenty-five (25) per cent of the total horizontal area of the roof.
9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10.
10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.
11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-3-U PERFORMANCE STANDARDS

1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).

2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.

3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.

4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety, or welfare, or cause injury to property.

5. GLARE
 AND
 HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.

6. FIRE
 AND
 EXPLOSIVE
 HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the Office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.

7. DISCHARGE
 OF WASTE
 MATTER
 AND STORM
 DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare, or cause injury to property.

 Prior to improvement location permit issuance for any industrial use:
 - a. plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;

(I-3-U REGULATIONS)

- b. written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- c. plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

Caption real estate classified to I-3-U

26.

February 15, 1966.

We hereby certify that no variance has been granted by the Metropolitan Board of Zoning Appeals, affecting the use of the real estate described in the Caption hereof.

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

27.

Be it resolved by The Metropolitan Plan Commission of Marion County, Indiana, that in order to consolidate the various existing master plans and zoning and subdivision control ordinance now in force in Marion County, Indiana, and the classified cities and towns of Marion County, Indiana, The Metropolitan Plan Commission of Marion County, Indiana, adopts all existing master plans now in force in Marion County, Indiana, and the classified cities and towns of Marion County, Indiana.

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

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

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 the 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 Deed Record 1657 page 486.

CERTIFICATE

28.

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

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

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

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

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

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

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

The period of search covered by this certificate is
from November 7, 1947 to and including
February 21, 1966, 8AM

and covers Paragraphs No. 1 to 28
both inclusive, and Sheets No. 1
to 30 both inclusive.

LAWYERS TITLE INSURANCE CORPORATION
L. M. BROWN DIVISION

By *m L Sullivan*



sah

Lawyers Title Insurance Corporation

L. M. BROWN DIVISION

Abstracts - Escrows - Title Insurance

140 EAST WASHINGTON STREET - PHONE MELROSE 8-6401 - INDIANAPOLIS 4, INDIANA

75789

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

Ralph Updike

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

The Undersigned Lawyers Title Insurance Corporation, with offices in Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named eight divisions of the United States District Court for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including Feb. 21, 1966, 8AM and all other Divisions of the State of Indiana down to and including Feb. 8, 1966, 8AM

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

Carl W. Lindemann

Marie G. Lindemann

Arthur (H.) Twente

LAWYERS TITLE INSURANCE CORPORATION

L. M. BROWN DIVISION

Dated February 21, 1966, 8AM

By M L Sullivan

sah

476739

I 70-3 (52)

1.

INDIANAPOLIS, INDIANA

Abstract of Title from February 20, 1966 to February 6, 1967, 8:00 A.M., inclusive, to Lot Numbered Two Hundred Four (204) in McCarty's Subdivision of the North part of Out Lot 120 of the Donation Lands to the City of Indianapolis, the plat of which is recorded in Plat Book 8, page 111, in the Office of the Recorder of Marion County, Indiana.

ALSO a strip of ground of the uniform width of 8 feet lying North of and adjacent to the North side of said Lot 204, being a portion of the South half of an alley heretofore vacated.

EXCEPT therefrom a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said Lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said lot.

ALSO except a strip of land 10 feet in width off of the entire East end of a strip of land 25 feet in width off of the entire South side of said Lot 204.

Prepared for INDIANA STATE HIGHWAY.

2.

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

MORTGAGES

3.

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

FINANCING STATEMENTS

4.

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

Lawyers Title Insurance Corporation

MECHANICS' LIENS

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

OLD AGE ASSISTANCE LIENS

6. 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.

We find None.

SEARCH IN THE JUVENILE COURT OF MARION COUNTY, INDIANA

7. Individual Search has been made in the Juvenile Court of Marion County, Indiana, as to the persons named under the heading of Judgments, and for the period so specified under such search for unsatisfied judgments rendered in Paternity and Heirship proceedings.

We find None.

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, and the General Certificate hereto appended is accordingly limited.

Arthur H. Twente, from February 20, 1966 to date.

None found unsatisfied.

ASSESSMENTS

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

INDIANAPOLIS, INDIANA
Lawyers Title Insurance Corporation

476739

TAXES

10. Taxes for the year 1964 and prior years: Paid in full.

11. Taxes for the year 1965 assessed in the name of Arthur R. Twente.

ASSESSED VALUATION:

Land	\$ 220.00	105 ft. W.end of
Improvements	\$1,270.00	25 ft. S.side
Exemption	-----	Lot 204.
Net Valuation	\$1,490.00	

Parcel No. 101-1042304.
General Tax Duplicate No. 6092691.
Indianapolis, Center Township,
are due and payable the first Monday in May and November, 1966.

May installment	\$70.93 Paid.
November installment	\$70.93 Paid.

12. Taxes for the year 1965 assessed in the name of Marie G. Lindeman.

ASSESSED VALUATION:

Land	\$ 230.00	Now Arthur Twente
Improvements	\$ 680.00	in Title.
Exemption	-----	
Net Valuation	\$ 910.00	

Parcel No. 101-1042240.
General Tax Duplicate No. 6092690.
Indianapolis, Center Township,
are due and payable the first Monday in May and November, 1966.

May installment	\$43.31 Paid.
November installment	\$43.31 Paid.

13. Taxes for the year 1966 became a lien March 1st and are due and payable in May and November, 1967.

INDIANAPOLIS, INDIANA
Lawyers Title Insurance Corporation

CERTIFICATE

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

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

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

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

III. IN THE OFFICE OF THE TREASURER OF MARION COUNTY, search made in the current tax duplicates for unpaid taxes, assessed against the real estate for which this examination is prepared; search is also made in the assessment duplicates for unpaid Ditch assessments and Municipal improvement assessments, as the same now appear in the hands of the Treasurer for collection, which are a lien upon the real estate for which this examination is prepared. No search is made for unpaid assessments in any City or Town other than the City of Indianapolis.

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

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

The period of search covered by this certificate is
from February 20, 1966 to and including
February 6, 1967, 8 A.M.

and covers Paragraphs No. 1 to 14
both inclusive, and Sheets No. 1
to 4 both inclusive.

LAWYERS TITLE INSURANCE CORPORATION

By

L. J. Cobble, Jr.



p1

Wm. J. Brown

ATTORNEY AT LAW

Lawyers Title Insurance Corporation

Abstracts - Escrows - Title Insurance

140 EAST WASHINGTON STREET PHONE 638-6401 INDIANAPOLIS, INDIANA 46204

476739

In The UNITED STATES DISTRICT COURT

SEARCH FOR
BANKRUPTCIES

At the Request of

INDIANA STATE HIGHWAY

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

The Undersigned Lawyers Title Insurance Corporation, with offices in Indianapolis, hereby certifies that there are no Bankruptcies, either voluntary or involuntary, of record, in any one of the above named eight divisions of the United States District Court for ten years last past, except such as may hereafter be set out against any one of the following named parties, under the spelling of the name as herein written, and not otherwise.

This certificate covers the Indianapolis Division down to and including Feb. 6, 1967, 8AM
and all other Divisions of the State of Indiana down to and including Feb. 1, 1967, 8AM

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

Arthur H. Twente

LAWYERS TITLE INSURANCE CORPORATION

L. M. Brown Division

Dated February 6, 1967, 8 A.M. By *L. J. Cable, Jr.*

pl

Wm. J. Brown

ATTORNEY AT LAW

216 AND 218 INDIANA TRUST BUILDING

Indianapolis, Ind., December 24th., 1909

Indianapolis German Mutual
Fire Insurance Co.,

Gents:-

I have examined the abstract of title to a strip of ground 25 feet in width off of the entire south side of lot 204, (except 10 feet off of the East side of said 25 feet) in McCarty's Subdivision of the North part of put lot 120 in the city of Indianapolis, prepared by Theodore Stein and continued by Indiana Guaranty & Loan Co., under date of December 13th., 1909, and as shown by said abstract and continuances I find the title thereto good in Wm. Lindemann, subject however to the following:-

1:- In the deed of August 9th., 1888, which deed is recorded in record 202, page 460 in the Recorder's office of Marion County Indiana, the said Wm. Lindemann's name is spelled Wm. Linderman; I suppose this is ^{simply} a mistake, but nevertheless, it ought to be corrected.

2:- Under our present law this property may be assessed at any time for Park purposes.

3:- Taxes for 1909 are now a lien but not due until January 1st., 1910.

4:- I find no certificates with reference to judgments in the U. S. Circuit or District Courts.

very truly,

Wm. J. Brown

ABSTRACT OF TITLE.

To 25 feet off South Side of Lot 204 in
McCarty's Subdivision of the North part of City Lot
120 in the City of Indianapolis, in

Marion County, Indiana.

Prepared for

Wm. Zimmerman Esq.

—BY—

THEODORE STEIN,

Successor to Wm. C. Anderson,

Hartford Block, 86 East Market St.

Indianapolis, Indiana.

HISTORICAL NOTES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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. in the Town of Indianapolis, and
other property.

1.

Nicholas McCarty died intestate May 17, 1854, leaving
surviving him his widow Margaret McCarty, and four children;
Nicholas McCarty, Margaret R. McCarty, Susan McCarty and
Frances J. McCarty.

2.

The Estate of Nicholas McCarty, deceased, was finally
settled and closed June 7, 1860; see Complete Record 11.
page 66, etc. of the Marion Common Pleas Court.

3.

For affidavit of Henry Day relative to death and heirs
of Nicholas McCarty, see Miscellaneous Record 17. page 11:

In the Court of Common Pleas of Marion County,
October Term 1854.

Margaret McCarty
versus

Petition for
Partition.

4.

Susannah McCarty, Margaret R. McCarty,
Nicholas McCarty, Jr. and Frances J. McCarty.

To Margaret McCarty as widow of Nicholas McCarty, de-
ceased, is set off certain real estate, however, not
including Out Lot 120. as her full share of above estate,
leaving above named children and heirs as tenants in
common, of said Out Lot 120. free from all claims of
said Margaret McCarty, widow.

See full proceedings in Complete Record 4. page 159, etc:

Marriage Record

6. p, 659
Dec. 9, 1857.

Susanna McCarty,
to
Henry Day.

Marriage.

5.

Marriage Record

10. p, 30
Oct. 1, 1867.

Margaret R. McCarty,
to
John C. S. Harrison.

Marriage.

6.

7.

Susanna McCarty Day died testate August 30, 1873.

8.

The Estate of Susanna McCarty Day was fully settled and
closed October 19, 1874; see Order Book 35. page 80, of
the Marion Civil Circuit Court.

Will Record

E. p, 123
Aug. 21, 1873.

Last Will and Testament of Susanna McCarty Day, deceased, probated September 19, 1873.

Devises her real estate in three equal parts; to her husband Henry Day, and to her two children Henry McCarty Day and Margaret McCarty Day.

9.

Henry Day was appointed, and qualified as Guardian of Margaret McCarty Day minor heir of Susanna McCarty Day, October 15, 1873; see Guardian's Docket 3. page 30.

10.

Guardianship finally settled and closed September 11, 1885; see Order Book 72. page 284.

Plat Book

8. p, 111
May 14, 1885.
Recorded
May 14, 1885.

Nicholas McCarty, Margaret R. McCarty Harrison and John C. S. Harrison her husband, Frances J. McCarty, Henry Day, Henry McCarty Day and Margaret McCarty Day filed a Plat of their Subdivision of the North part of Out Lot 120. in the City of Indianapolis, between West Street and Pogues Run North of Ray Street, into 5 lots, numbered 200 to 204 both inclusive.

11.

For vacation of the first alley North of Ray Street from West Street to the first alley East of Missouri Street in said City, see Town Lot Record 187. page 579.

For ratification and affirmation by Margaret McCarty Day of the above plat of Subdivision of the North part of Out Lot 120, she having been at date of its execution, a minor, but reached age of 21 years on June 16, 1885, see Miscellaneous Record 7. page 566.

12.

192. p, 588
July 9, 1887.
Recorded
July 9, 1887.

Nicholas McCarty, unmarried, Margaret R. McCarty Harrison and John C. S. Harrison her husband, Frances J. McCarty, unmarried, Henry Day, unmarried, Henry McCarty Day, unmarried, Margaret McCarty Day, unmarried, by Nicholas McCarty their attorney in fact; see Power of Attorney in Miscellaneous Record 8. page 207,

13.

to
Wilhelm Jonas.

Warranty Deed.
Lot 204. in McCarty's Subdivision of the North part of Out Lot 120. in the City of Indianapolis, etc. together with the right title interest and estate of the Grantors in and to and of the South Half of the alley between Chadwick Street and the first alley East of said Street on the North Side of said lot vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis; see Transcript of proceedings for the vacation of said first mentioned alley recorded in the Recorder's Office of the said county, January 25, 1887, in Town Lot Record 187. page 579.

See deed correcting error in description of this deed, in Town Lot Record 241. page 400:

241. p, 400
Apr. 21, 1892.
Recorded
Apr. 26, 1892.

Nicholas McCarty, unmarried, Margaret R. McCarty Harrison and John C. S. Harrison her husband, Frances J. McCarty, unmarried, Henry Day, unmarried, and Henry McCarty Day, unmarried, and Margaret McCarty Day, unmarried, by Nicholas McCarty their attorney in fact; see Power of Attorney in Miscellaneous Record 8. page 207,

Quit Claim Deed.

14.

to
Wilhelm Jonas.

Lot 204. in McCarty's Subdivision of North part of Out Lot 120. in the City of Indianapolis, etc. together with the right, title, interest and estate of the Grantors in, to and of the South Half of the alley between Missouri Street and the first alley east of said Street on the North Side of said lot, vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis; see Transcript of proceedings for the vacation of said first mentioned alley recorded in Recorder's Office in said county January 25, 1887, in Town Lot Record 187. page 579.

This deed is made to correct a mistake in a deed dated July 9, 1887, executed by within Grantors to within Grantee, recorded in Deed Record 192. page 588, in Recorder's Office, etc. wherein Chadwick Street is mentioned instead of Missouri Street as herein.

202. p, 460
Aug. 9, 1888.
Recorded
Aug. 9, 1888.

Wilhelm Jonas and
Caroline Jonas his wife,
to
William Linderman.

Warranty Deed.

15.

A strip 25 feet in width off of the South Side of lot 204. in McCarty's Subdivision of the North part of Out Lot 120. in the City of Indianapolis according to the Plat of said Subdivision as recorded in the Recorder's Office in Plat Book 8. page 111.

There are no further conveyances.

16.

Mortgages none unsatisfied.

17.

Assessment for Improvement North Sidewalks of Ray Street paid: Record 15. page 61.

18.

Assessment for Kentucky Avenue Interceptor paid: Record 25. page 311.

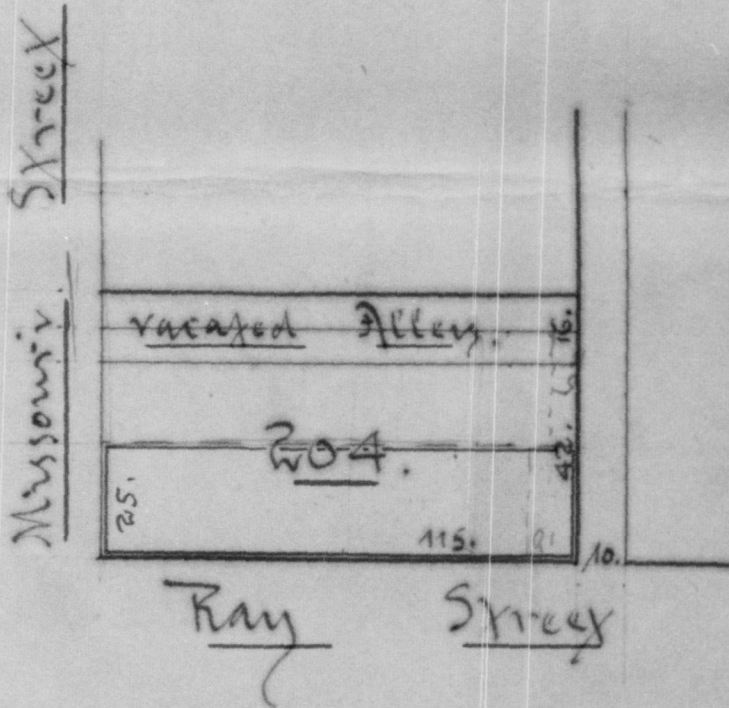
19.

Taxes for 1895 paid.

20.

Taxes for 1896 now due

SINCE PAID
W. H. WATSON & CO.
President



Indianapolis, Ind., February 19, 1897.

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

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

Madison Kim

Suite 229 Lemcke Building.

Continuation of Abstract of Title to a strip of ground 25 feet in width off the entire South side of Lot 204 (except 10 feet off the East side of said 25 feet) in McCarty's Subdivision of the North Part of Out Lot 120 in the City of Indianapolis.

Prepared for William Lindermann, since date of former abstract February 19, 1897.

By deed of November 1, 1905 Recorded December 27, 1905 in Deed Record 395 page 28, William Lindermann and Marie Lindermann his wife, hereinafter called the grantors, words referring to the grantor to be taken of such number and gender as shall be appropriate, conveyed by Warranty Deed to Stuyvesant Fish, his successors and assigns the following:- A strip of land 10 feet in width off of the entire East end of a strip of land 25 feet in width off the entire South side of Lot 204 in McCarty's Subdivision of the North part of Out Lot 120 in the City of Indianapolis.

Subject to the taxes of 1905.

The Grantor William Lindermann, is the same and identical person to whom as William Linderman, said strip of land 25 feet in width off the entire South side of said lot 204 was conveyed by Wilhelm Jonas and wife by deed dated August 9th, 1888 recorded same day in Town Lot Record 202 page 460 Recorder's Office of said County.

Deed Dated December 15, 1905 Recorded December 18, 1905 in Town Lot Record 394 page 470.

KNOW ALL MEN BY THESE PRESENTS, that WHEREAS, on July 5, 1905, the City of Indianapolis, through its Board of Public Works, entered into a contract with the Indianapolis Southern Railway, a Corporation, hereinafter called the Railway, for the elevation of the tracks of the Railway into the City of Indianapolis, it being provided by Article 6 paragraph 7 thereof as follows:-

Ray Street will be crossed by one or more steel bridges which will provide for a clearance of 13 feet between the top of the floor of the present Street bridge over Pogues Run and the underside of the railroad bridge and the columns supporting the railroad bridge will be placed on the Street line, giving a span between columns of 50 feet.

AND WHEREAS, in the construction of the elevated track of the Railway on the north side of Ray Street it has been found necessary to set the column upon the Street line upon West side of Pogues Run in the alley upon the West side of Pogues Run, between Ray Street and McCauley Street, in such a way as to partly obstruct the entrance from Ray Street into the said alley at the South end of said alley.

AND WHEREAS, in view of the fact that the construction of such elevated track of said Railway would partly obstruct the entrance of said alley, said Railway purchased for the purpose of widening said alley at said point, in order that the public might make use of it unobstructed, the real estate as set out and described hereinafter, and caused said real estate to be conveyed to Stuyvesant Fish, of the city of New York, county of New York, State of New York.

NOW THEREFORE, Stuyvesant Fish and Marian G. Fish

(over)

his wife, (signs Marian J. Fish) of New York County,
in the State of New York,

CONVEY AND WARRANT

to the City of Indianapolis, of Marion County, in the State
of Indiana, for Public use and alley purposes, and in
consideration of the conditions and provisions hereinafter
contained, and the sum of \$1.00 the following described
real estate, situate in Marion County, State of Indiana
to-wit:-

A strip of land 5 feet in width off of the entire
East end of a strip of land 17 feet in width off of the
entire North Side of Lot 204.

Also a strip of land 10 feet in width off of the
entire East end of a strip of land 25 feet in width off of
the entire South end of said Lot 204, being in McCarty's
Subdivision of the North part of Out Lot 120, in the City
of Indianapolis, Marion County, Indiana.

The condition of this conveyance is such that if at any
time the Indianapolis Southern Railway, its successors
or assigns shall be required to remove the column aforesaid
or the structure supported or to be supported thereon,
extending over or upon the said alley, the land above
described and herein conveyed for Public use and alley
purposes, shall revert to and become the property of the
said Stuyvesant Fish, his heirs and assigns, free and
clear of this conveyance hereby made or for the use thereof
for alley or public purposes.

By deed of February 26, 1909 Recorded August 27, 1909 in
Deed Record 51 page 565, Stuyvesant Fish and Marian G.
Fish his wife, conveyed by Quit Claim Deed to Indianapolis
Southern Railroad Company, a Corporation, its successors
and assigns forever, the following:-

A strip of land 10 feet in width off of the entire East
end of a strip of land 25 feet in width off the entire
South side of Lot 204 in McCarty's Subdivision of the North
part of Out Lot 120 in the City of Indianapolis, being the
same land conveyed to Grantor by William Lindermann and wife
by deed dated November 1st, 1905, recorded in Deed Record
395 at page 28 in the Recorder's office in said Marion
County.

Also a strip of land 5 feet in width off of the entire
East end of a strip of land 17 feet in width off of the
entire North side of Lot 204, said Lot being in McCarty's
Subdivision of the North part of Out Lot 120 in the City
of Indianapolis, said 5 foot strip to extend to the center
of the vacated alley on the North side of said lot, being
the same land conveyed to Grantor by Wilhelm Jonas and wife
by deed dated November 1st, 1905 recorded in Deed Record
395 at page 29 in Recorder's Office of said Marion County;
also other property.

There are no further conveyances.

Taxes for 1908 paid.

Taxes for 1909 now a lien.

** 25872 **

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 benefits and damages.

Indianapolis, December 13, 1909.

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 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.

INDIANA TITLE GUARANTY AND LOAN CO.

J. H. Morrison

President.

L & W

INDIANAPOLIS, INDIANA

(9) That said controversy is actual and existing and will result in protracted and expensive litigation unless determined by this court, and the rights of the parties determined and settled by this Court and the Will of said decedent construed.

WHEREFORE, said petitioner prays the Court;

(1) Foran Order,

- (a) Fixing the time for the hearing on this Petition;
- (b) Directing the Clerk to give notice, as required by law; and
- (c) Directing the manner in which notice shall be served.

(2) After such hearing, for a decree determining the rights of the devisees and their respective interest in said estate.

Alfred L. Bernd, Executor of the estate of Marie G. Lindemann, deceased.

STATE OF INDIANA

SS:

COUNTY OF MARION

Alfred L. Bernd, being first duly sworn upon his oath, says that he is Executor of the estate of Marie G. Lindemann, deceased; that he has read and examined the foregoing petition to construe will and that the same is true as he is informed and verily believes.

Alfred L. Bernd

Subscribed and sworn to before me, the undersigned, a Notary Public in and for said County and State, this 5 day of September, 1962.

Ronald B. Coapstick (LS)
Notary Public

My Commission Expires
Jan. 3, 1965.

September 12, 1962, Clerk files certificate of mailing notices.

December 24, 1962, DECREE CONSTRUING WILL

Comes Now Alfred L. Bernd, Executor of the estate of Marie G. Lindemann, deceased, who heretofore filed a petition herein to construe the following provisions of the last will and testament of Marie G. Lindemann, deceased, to wit:

"ITEM THREE"

I give, bequeath and devise to my nephew, Arthur R. Twente, my sterling silver, diamond ring and automobile and all my real estate wherever situated, except the real estate disposed of in Item Two hereof, Absolutely and in fee simple.

"ITEM FOUR"

All the rest, residue and remainder of my property, real, personal, or mixed, of whatever nature and wheresoever situate which I may own or have the right to dispose of at the time of my death I give, devise and bequeath, in equal shares, absolutely and in fee simple to my following nephews and niece: Arthur R. Twente, Paul A. Lindemann, Ruth

L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

INDIANAPOLIS, INDIANA

L. M. BROWN DIVISION

Lawyers Title Insurance Corporation

Lindemann Rhode, Daniel W. Bernd, and Alfred L. Bernd, and to the child or children, if any, of such of said nephews and niece who may have predeceased me, per stirpes and not per capita, and if any of such nephews and niece shall predeceased me leaving surviving no child or children, then the share which such nephew or niece would have received had he or she survived me, shall go to the remaining nephews and niece and child or children of any deceased nephew or niece in equal shares, per stirpes and not per capita."

Which said petition reads as follows: (H.I.)

And comes also Ronald B. Coapstick, Attorney for said petitioner and Arthur Twente, in person and by Kirkwood Yockey, his Attorney, and come also Paul A. Lindemann and Ruth Lindeman- Rhode Johnson, in person.

The Court having heard and considered the evidence, the argument of Counsel and having heretofore taken this matter under advisement, makes the following finding of facts:

(1) Lot 278 in Miller and Walker's Parkway Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 12 pages 137-138 in the office of the Recorder of Marion County, Indiana, which is commonly known as 1431 West 25th Street, Indianapolis, Indiana.

(2) Lot 204 in McCarty's Subdivision of the North part of Out Lot 120 of the Donation Lands of the City of Indianapolis, according to the plat of said sub-division as recorded in the office of the Recorder of Marion County, in Plat Book 8 page 111, together with the right, title and interest and estate in to and of the South half of the alley between Missouri Street and the first alley East of said Street on the North side of said Lot 204, vacated by the order of the Common Council and the Board of Alderman of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the Recorder's office of said County, January 25, 1837 in Town Lot Record 187 at page 579, except therefrom a strip of land 25 feet in width off of the entire South side of said Lot 204 which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202, page 460 in the Recorder's office of said County: Also except a strip of land 5 feet in width off of the entire East end of a strip of land 17 feet in width off of the entire North side of said lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said lot which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and Karoline Jonas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's Office of Said County, which is commonly known as 939 South Missouri Street, Indianapolis, Indiana.

LAWYERS TITLE INSURANCE CORPORATION
 L. M. BROWN DIVISION
 INDIANAPOLIS, INDIANA

(3) Lot 125 in McKernan and Pierce's Subdivision of a part of Out Lots 128, 121 and 120 of the Donation Lands of the City of Indianapolis, the plat of which is recorded in Plat Book 3 page 43, in the office of the Recorder of Marion County, Indiana, which is commonly known as 914-916 Church Street, Indianapolis, Indiana.

(4) Lot 9 in Meikel's Sub-division, a part of Lot 4 in the subdivision of Out Lot 128 in the City of Indianapolis, reference being made to the recorder plat thereof as recorded in Plat Book 2 page 134 in the office of the Recorder of said County; also a strip of land 8 foot wide adjoining the entire South side of Lot 9, being a part of the vacated alley, which is commonly known as 933 South Missouri Street, Indianapolis, Indiana.

(3) That an improvement loan had been made by the conditional vendor to the vendee in the sum of \$2,000.00, without additional security other than extending the contract.

(4) That the interest of the testatrix as a conditional vendor under said conditional sales contracts, passed to Arthur Twente in Item Three of the Testatrix's will, as real estate; said Arthur Twente became the owner of said contracts and the fee simple title thereto, upon the death of the testatrix.

(5) That Arthur Twente is entitled to all payments of principal made by the conditional vendees to the personal representative of said estate during administration.

(6) All income received by the personal representative on said contracts by way of accrued interest from date of death until distribution is ordered, constitutes an asset of the estate to be disbursed, distributed, accounted for and administered as part of the corpus of the estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Testatrix' interest at the time of her death as vendor under the contracts of real estate, passed to Arthur Twente under Item Three of her will, and said Arthur Twente became the owner of said real estate and conditional sales contracts at the death of said decedent, subject to the possession of said real estate contracts in the personal representative, until ordered distributed to such devisee.

IT IS FURTHER ORDERED that the personal representative allocate, and divide payments made by the conditional vendees on said conditional sales contracts between principal and interest; that the principal payments, pass to said Arthur Twente under said Item Three of testatrix' Will; that all income by way of interest accruing on said contracts constitutes an asset of the estate to be disbursed, distributed, accounted for and administered by the personal representative of the estate, as part of the corpus of the estate.

ALL OF WHICH IS DONE AND ORDERED by the Court in the City of Indianapolis, Marion County, Indiana, this

INDIANAPOLIS, INDIANA
L. M. BROWN DIVISION
Lawyers Title Insurance Corporation

24 day of December 1962.

Order Book 598 page 506.

January 25, 1963, Will of Marie G. Lindermann filed.

January 25, 1963, Final report filed.

February 15, 1963 Proof of Publication of Final Notice filed.

February 25, 1963, Final report approved returned to court for supplemental report.

Order Book 605 page 209.

March 8, 1963, Supplemental final report filed.

March 8, 1963, Supplemental final report approved and estate closed.

Order Book 606 page 418.

Entry on final report recites:

All Indiana Inheritance Taxes, Indiana Gross Income Taxes and Federal Estate Taxes due from the decedent and the estate have been paid.

Neither said decedent, nor such Executor was an employer of labor as the term is defined in the Indiana Employment Security Act; decedent died owner of the following described real estate located in Marion County Indiana.

A strip of 25 feet in width off of the entire south side of Lot Numbered 204 in McCarty's Subdivision of the north part of Out Lot 120 in the City of Indianapolis, as per plat thereof recorded in Plat Book 8 page 111, in the office of the Recorder of Marion County, Indiana, except a strip of land 10 feet in width off of the entire east end of the above described 25 foot strip.

Lot Numbered 204 in McCarty's Subdivision of the North part 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 said county of Marion, in Plat Book No. 8 at page 111. Together with the right, title, interest, and estate in, to and of the south half of alley between Missouri Street, and the first alley east of said street on the north side of said Lot No. 204, vacated by the order of the Common Council and the Board of Aldermen of the City of Indianapolis, according to the transcript of proceedings for the vacation of said first mentioned alley, recorded in the recorders office of the said County, January 25, 1887 in town lot record 187 at page 579, Except therefrom a strip of land 25 feet in width off of the entire south side of said Lot No. 204, which was heretofore on the 9th day of August 1888 conveyed by Wilhelm Jonas and Caroline Jonas, his wife, to William Lindemann, which deed is recorded in Deed Record 202 at page 460 in the Recorders office of said county.

Also except a strip of land five feet in width off of the entire east end of a strip of land 17 feet in width off of the entire north side of said Lot 204, said 5 foot strip to extend to the center of the vacated alley on the North side of said Lot which was heretofore on the 1st day of November, 1905 conveyed by Wilhelm Jonas and

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Karoline Joas, his wife, to Stuyvesant Fish, which deed is recorded in Deed Record 395 at page 29 in the Recorder's office of said County.

(With other real estate)

Schedule of property filed, in determining Inheritance tax, lists the real estate herein abstracted and shows the gross value of the estate to be \$50,710.33.

NOTE: A certified copy of the above Entry on final report was recorded February 28, 1963 in Deed Record 1981 at page 374 in the Recorder's office of Marion County, Indiana.

NOTE: Transcript of decree approving final report was recorded February 28, 1963 in Deed Record 1981 page 374.

13.

L. M. BROWN DIVISION

WE FIND NO FURTHER CONVEYANCES

ENCUMBRANCES

MORTGAGES

14.

Lawyers Title Insurance Corporation

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

FINANCING STATEMENTS

15.

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