

The Abstracter hereby certifies that the caption real estate of this abstract of title lays within District "S" as shown on the Zone Map on file in the office of the Auditor of Hendricks County, State of Indiana.

ZONING ORDINANCE—HENDRICKS COUNTY, INDIANA

AN ORDINANCE FOR THE DEVELOPMENT, THROUGH ZONING OF THE COUNTY OF HENDRICKS, INDIANA, AND PROVIDING FOR ENFORCEMENT, AND PENALTIES FOR THE VIOLATION THEREOF.
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA, UNDER AUTHORITY OF CHAPTER 174, ACTS OF 1947, AND ALL ACTS AMENDATORY THERETO, GENERAL ASSEMBLY OF THE STATE OF INDIANA:

ARTICLE I — IN GENERAL

Section 1. Short Title. This ordinance, and ordinances supplemental or amendatory thereto, shall be known, and may be cited hereafter, as the "Zoning Ordinance of Hendricks County, Indiana."
Section 2. Identification. Wherever the word "County" appears in this ordinance, it shall be deemed to refer to Hendricks County, Indiana.
Section 3. Interpretation. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals, convenience and general welfare.
Section 4. Non-interference. With Greater Restrictions Otherwise Imposed. It is not intended by this ordinance to interfere with, or abrogate or annul any easements, covenants, or other agreements between parties, nor to interfere with, or abrogate or annul any ordinances, other than expressly repealed hereby, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or provided, except, that where this ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces or greater lot area per family than are required by or imposed by such easements, covenants or agreements between parties, or by such ordinances, rules, regulations, or permits, the provisions of this ordinance shall control.

ARTICLE II — DISTRICTS AND ZONE MAPS

Section 1. Districts. The County of Hendricks is hereby divided into nine (9) districts in order to carry out the purposes of this ordinance. The districts shall be known and designated throughout the ordinance as follows:

Name of District	Designation Hereinafter
"T" Interim District	"T"
"S" Suburban Residence District	"S"
"A" Single-Family Residence District	"A"
"B" Two-Family and Multi-Family Residence District	"B"
"LB" Local Business District	"LB"
"GB" General Business District	"GB"
"SC" Shopping Center District	"SC"
"M-IR" Reserved Industrial District	"M-IR"
"M-I" Industrial District	"M-I"

Section 2. Zone Maps. The Hendricks County Zone Maps dated 19..... are hereby declared to be a part of this ordinance. The Zone Maps show the areas included in the above districts. Notations, references, indications and other matters shown on the Zone Maps are as much a part of this ordinance as if they were fully described in the text of this ordinance.

Two copies of said Zone Maps are on file in the office of the Auditor of Hendricks County, Indiana.

Section 3. Determination and Interpretation of District Boundaries. In determining the boundaries of districts, and establishing the regulations applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the county.

Where uncertainty exists as to the exact boundaries of any district as shown on the Zone Maps the following rules shall apply: a. In un-subdivided areas, or where a district boundary subdivides a lot, the exact location of the boundary shall be determined by use of the scale of the ZONE MAPS. b. In the case of further uncertainty, the Board of Zoning Appeals shall interpret the intent of the ZONE MAPS as to the location of the boundary in question.

Section 4. Procedure Relating to Vacated Areas. Whenever any street, alley, public way, railroad right-of-way, waterway, or other similar area is vacated by proper authority, the districts adjoining each side of such street, alley, public way, railroad right-of-way, waterway, or similar areas, shall be extended automatically to the center of such vacation and all area included in the vacation shall then and thenceforth be subject to all appropriate regulations of the extended districts.

ARTICLE III — GENERAL PROVISIONS AND SPECIFICATIONS
Section 1. Use. No building or land shall be used and no building shall be erected, reconstructed, or structurally altered, which is arranged, intended or designed to be used for any purpose other than a use which is permitted and specified in the district in which such building or land is located.

Section 2. Height. No building shall be erected, reconstructed or structurally altered to exceed in height the limits established and specified for the use and the district in which such building is located.

Section 3. Yards: Lot Area and Size of Building. No building shall be erected, reconstructed or structurally altered in any manner which will encroach upon, or reduce in any manner, the yards, lot area per family, ground floor area of residential buildings, or lot coverage regulations, established and specified for the use and the district in which such building is located.

Section 4. Lots. Every building hereafter erected shall be located on a lot which fronts on a street or place.

Section 5. Vehicle Parking Space: Loading and Unloading Berths. Every building hereafter erected shall provide off-street parking space for motor vehicles and loading and unloading berths as specified hereinafter for the use to which such building is to be devoted.

Section 6. Specifications. The specifications which follow the text of this ordinance, are hereby declared to be a part of this ordinance. Specifications A—Definitions; B—Residential uses; C—Commercial uses; D—Industrial uses; E—Contingent uses; F—Conditional uses; G—Shopping Center District; H—Vehicle Parking Space; I—Unit Development plan.

Specifications B to G, inclusive, show the district or districts in which the use, which is the subject of the Specifications, is permitted, and delineates the specifications for: Lot Area per Family; Width of Lot; Height of Building; Vehicle Parking Space; Front, Side, Rear and Other Yards; Lot Coverage; Size of Building; Vision Clearance; Accessory Buildings and uses applicable to the particular use in each district where such use is authorized.

Two copies of the specifications referred to herein are on file in the office of the Auditor of Hendricks County, Indiana.

ARTICLE IV — NONCONFORMING USE SPECIFICATIONS

Section 1. Continuation Thereof and Reconstructions. The lawful use of a building or premises, existing at the time of passage of this ordinance, may be continued although such use does not conform to all the provisions of this ordinance, except as hereinafter provided.
Section 2. Extension. A nonconforming use may be extended throughout a building provided by law.

Section 3. Changes. A nonconforming use may be changed to another nonconforming use of the same or greater restrictions, provided no structural changes are made in the building. Whenever a non-

conforming use has been changed to a conforming use or to a use permitted in a district of greater restrictions, it shall not thereafter be changed to a nonconforming use of a less restricted one.

Section 4. Erection and Re-erection of Building. No building shall be erected upon any premises devoted to a nonconforming use, and no building located upon any such premises, which has been damaged by fire or other causes to the extent of more than seventy-five (75) per cent of its appraised valuation, shall be repaired or rebuilt, except in conformity with regulations of this ordinance.

Section 5. Temporary Permits. The Board of Zoning Appeals may authorize, by written permit, in a residence district for a period of not more than one (1) year from the date of such permit, a temporary building for commercial or industrial use incidental to the residential construction and development of said district.

Section 6. Right to Construct. Nothing herein contained shall require any change in the plans, construction, or designated use of a building, the construction of which has been diligently prosecuted prior to the date of passage of this ordinance, and which entire building shall be completed within three (3) years from such passage.

Section 7. Use to Conform. After Discontinuance. In the event that a nonconforming use of any building or premises is discontinued for a period of two (2) years, the use of the same shall thereafter conform to the uses permitted in the district in which it is located.

Section 8. Discontinuance of Nonconforming Use of Land. The lawful use of land for open storage purposes, which does not conform to the provisions of this ordinance, shall be discontinued within five (5) years from the date of passage of this ordinance, and the use of land for storage purposes, which may become a nonconforming use by reason of an amendment to this ordinance, shall be discontinued within five (5) years from the date of passage of such amendment.

Section 9. Nonconforming Use Created by Amendment. These provisions apply in the same manner to a use which may become a nonconforming use due to a later amendment to this ordinance.

ARTICLE V — ADMINISTRATION

Section 1. Farm Buildings. The requirements of this article with respect to permits and certificates shall not apply in the case of farm residences and farm buildings necessary to the operation of the farm.

Section 2. "I" Interim District. The requirements of this Article with respect to Improvement Location Permits and Certificates of Occupancy shall not apply to the erection of structures and use of land in the "I" Interim District.

Section 3. Enforcement and Administration. It shall be the duty of the Hendricks County Building Commissioner (Planning Administrator, et al), an employee of the Commission, to enforce the provisions of this ordinance in the manner and form and with the powers provided in the laws of the State of Indiana and in the ordinances of Hendricks County.

Section 4. Improvement Location Permit. No structure, or improvement or use of land, may be altered, changed, placed, erected or located on platted or unplatted lands, unless the structure, improvement or use, and its location, conform with the Master Plan and ordinance, including the Subdivision Control and Zoning Ordinance and other component parts of the Master Plan, of the county and an Improvement Location Permit for such structure, improvement, or use has been issued.

Section 5. The County Building Commissioner shall issue an Improvement Location Permit, upon written application, when the proposed structure, improvement, or use and its location conform in all respects to the Master Plan of Hendricks County.

Section 6. Every application for an Improvement Location Permit shall be accompanied by a site plan, drawn to scale, showing the location of the structure, improvement or use to be altered, changed, placed, erected or located, the dimensions of the lot to be improved, the size of the yards and open spaces, existing and proposed streets and alleys adjoining or within the lot, and the manner in which the location is to be improved, and such other information as shall be necessary to provide for the enforcement of this ordinance. Application for an Improvement Location Permit shall be accompanied by a fee of two dollars. A careful record shall be kept of all such applications in the Office of the Building Commissioner.

Section 7. Any decision of the County Building Commissioner concerning the issuance of an Improvement Location Permit may be appealed to the Board of Zoning Appeals by any person claiming to be adversely affected by such decision.

Section 8. Certificate of Occupancy. a. No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy shall have been issued by the County Building Commissioner stating that the building and use comply with all of the provisions of this ordinance applicable to the building or premises or the use in the district in which it is to be located. b. No change in use shall be made in any building or part thereof, now or hereafter erected, reconstructed or structurally altered, without a Certificate of Occupancy having been issued by the Building Commissioner, and no such permit shall be issued to make such change unless it is in conformity with the provisions of this ordinance. c. Certificate of Occupancy shall be applied for coincidentally with the application for an Improvement Location Permit and shall be issued within ten (10) days after the lawful erection, reconstruction or structural alteration of such building shall have been completed. d. A record of all Certificates of Occupancy shall be kept on file in the office of the Building Commissioner and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building or land affected. A fee of one dollar (\$1.00) shall be charged for each original certificate and fifty cents (.50c) for each copy thereof. e. No Improvement Location Permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has been made for a Certificate of Occupancy.

ARTICLE VI — BOARD OF ZONING APPEALS

Section 1. Establishment. A County Board of Zoning Appeals is hereby established in accordance with Chapter 174, Acts of 1947 of the Indiana General Assembly and all acts amendatory thereto.

Section 2. Composition and Appointment. The Board shall be composed of five (5) members, all of whom shall be residents of the county and none of whom shall hold other elective or appointive office, except that two (2) of the five (5) members shall be appointed from the County Plan Commission's citizen membership. Of the original five (5) members, two (2) shall be appointed to serve for four (4) years; one for three (3) years; one for two (2) years; and one for one (1) year. Terms of these members shall expire on the first day of January in the year in which their original appointments terminate. Thereafter as the terms expire, each new appointment shall be for a term of four (4) years. All members of the Board shall be appointed by the Board of County Commissioners.

Section 3. Organization. At the first meeting of each year, the Board shall elect a Chairman and Vice Chairman from among its members, and it may appoint and fix the compensation of a secretary and such employees as are necessary for the discharge of its duties, all in conformity to and in compliance with salaries and compensations theretofore fixed by the Board of County Commissioners.

Section 4. Rules of Procedure. The Board shall adopt rules and regulations as it may deem necessary to effectuate the provisions of this ordinance.

Section 5. Meetings and Records. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings, and record the vote of each member voting upon each ques-

average depth of lots in the block. Side Yard: The sum of the side yards shall equal not less than 20% of the lot width with a minimum width of 5 feet for either side yard. Rear Yard: 15% of the depth of the lot, with a minimum depth of 15 feet. Ground Floor Area: Not less than the following:

Districts, Ground Floor Area: "S" & "A", 960 sq. ft., "B", 960 sq. ft., "LB", "GB" & "M-IR", 672 sq. ft.
Lot Coverage: 40% maximum on a corner lot; 25% maximum on interior lot. Accessory Building, Uses Permitted: Private garage, storage, exclusive of industrial or commercial use. Quarters for bonafide servants employed by the occupants of the dwelling on the same lot, but only on the second floor of the building. One guest house with cooking facilities on lots containing not less than 12,000 square feet.

TWO—FAMILY DWELLING

Definition: A detached building designed for or occupied by two families. A duplex dwelling has one family above the other. A double dwelling has one family beside the other.

Location Permitted: Only in the districts designated below, and provided it is located: 1. On a lot which was in single ownership or included in a subdivision recorded in the office of the Recorder of Hendricks County, Indiana, on or before the date of passage of this ordinance, or provided it is located: 2. On any lot with a minimum area in square feet and width in feet as follows:

District, Lot Area, Lot Width: Where no public water supply and no public sewer are available: "T", no requirement, no requirement; "S", 30,000, 80; "A", 18,000, 70; "B", "LB", "GB" & "M-IR", 9,000, 70. Where public water supply and public sewer are available: "T", no requirement, no requirement; "S", 18,000, 80; "A", "B", "LB", "GB" & "M-IR", 7,500, 60.

Height of Buildings: Principal building—Normal maximum 35 feet or 2 1/2 stories. Conditional Exception—Height of principal building may be increased above 35 feet, but not higher than 45 feet or three stories, if two side yards of 15 feet each are provided. Front Yard: 20% of the average depth of lots in the block. Side Yard: The sum of the side yards shall equal not less than 20% of the lot width with a minimum width of 5 feet for either side yard. Rear Yard: 15% of the depth of lot, with a minimum depth of 15 feet. Ground Floor Area: Not less than the following:

District, Ground Floor Area: "S" & "B", double, 1,440 sq. ft., Duplex, 720; "LB", "GB" & "M-IR", double, 1,344 sq. ft., duplex, 672.
Lot Coverage: 40% maximum on a corner lot; 25% maximum on an interior lot. Accessory Building, Uses Permitted: Private garage, storage, exclusive of industrial or commercial use.

GROUP HOUSE

Definition: A building designed for or occupied by three or more families, exclusively for dwelling purposes, not exceeding 2 1/2 stories in height. Location Permitted: Only in the Districts designated below, on any lot with a minimum area in square feet and a minimum width in feet as follows:

District, Lot Area Per Family, Lot Width: Where no public water supply or public sewer are available: "T", no requirement, no requirement; "S", 12,000, 80; "B", 7,500, 70; "LB", "GB" & "M-IR", 4,000, 60. Where public water supply and public sewer are available: "T", no requirement, no requirement; "S", 7,500, 80; "B", 3,500, 60; "LB", "GB" & "M-IR", 3,000, 60.

Front Yard—30% of the average depth of lots in the block. Side Yard—The sum of the side yards shall equal not less than 20% of the lot width with a minimum width of 5 feet for either side yard. Rear Yard—15% of the depth of lot, with a minimum depth of 15 feet. Ground Floor Area—Minimum of 500 square feet for each first floor family. Lot Coverage—50% maximum on corner lots, 40% maximum on interior lots. Accessory Buildings, Uses Permitted—Private garage, storage, exclusive of industrial or commercial use.

APARTMENT HOUSE

Definition: A building designed for or occupied by three or more families, exclusively for dwelling purposes, three or more stories in height. Location Permitted: Only in the Districts designated below, in accordance with the procedure specified in "Specifications F - Conditional Uses" on any lot with a minimum area in square feet and a minimum width in feet as follows:

District, Lot Area Per Family, Lot Width: Where no public water supply or public sewer are available: "T", no requirement, no requirement; "S", 12,000, 80; "B", 7,500, 70; "LB", "GB" & "M-IR", 4,000, 60. Where public water supply and public sewer are available: "T", no requirement, no requirement; "S", 7,500, 80; "B", 3,000, 60; "LB", "GB" & "M-IR", 2,000, 60.

Height of Buildings—Principal Building: District, Maximum Height: "S" & "B", 35 feet or 3 stories; "LB" & "M-IR", 45 feet or 4 stories; "GB" & "M-IR", 60 feet or 5 stories. Front Yard—20% of the average depth of lots in the block. Side Yard—The sum of the side yards shall equal not less than 20% of the lot width with a minimum width of 5 feet for either side yard. Rear Yard—20% of the depth of the lot, with a minimum depth of 20 feet. Ground Floor Area—No less than 1,000 square feet. Lot Coverage—50% maximum on corner lots, 50% maximum on interior lots. Accessory Building, Uses Permitted—Private garage, exclusive of industrial or commercial use.

General Provisions And Conditional Exceptions Applicable, Except In The "T" Interim District, To All Residential Uses in Districts Where Permitted.

GENERAL PROVISIONS

Rear Yard—One-half of an alley abutting the rear lot may be included in the required rear yard. Vision Clearance On Corner Lot—Eight feet from the intersection of property lines. Vehicle Parking Space—One space on the lot for each family housed in the principal building. Accessory Buildings: 1. Shall not be permitted prior to the erection of the principal building, except for strictly storage purposes and not for human occupancy. 2. No accessory building shall be located closer to a side or rear lot line than 3 feet. 3. The normal maximum height permitted shall be 18 feet or 1 1/2 stories.

CONDITIONAL EXCEPTIONS

Front Yard: 1. Where 25% or more of the lots in a block are occupied by buildings, the average setback of such buildings determines the dimension of the front yard in the block, but the maximum front yard need not exceed 40 feet in the "S" or "A" Districts, 25 feet in "B", Districts or 15 feet in other Districts. 2. Front yard or setback lines established in a recorded subdivision establish the dimension of front yards in such blocks, except when such setback lines may be less restrictive as provided in Article I, Section 4. 3. On lots extending through from one street to another, a front yard is required on each street. Tapered Yard: Where a reversed interior lot abuts a corner lot, or on an alley separating such lots, any accessory building located on the rear lot line of a corner lot shall set back from the side street as far as the dwelling on the reversed interior lot, for each foot that such accessory building is placed from the rear line towards the front line of the corner lot, but in no case closer than five feet. Accessory Buildings: The height of accessory buildings may be increased to 25 feet or 2 stories provided the minimum required 3-foot distance from side lot lines is increased one foot for each 2 feet above the normal maximum height permitted.

SPECIFICATIONS C — COMMERCIAL USES
LOCAL BUSINESS USES

Definition: Commercial uses primarily of a retail or service nature. Location Permitted: The following classification of business uses specifically stated or implied are permitted in "T", "LB", "GB", "SC" and "M-IR" Districts. 1. Automobile Service; a. Filling Station; b. Commercial Garage; c. Commercial Parking Lot; d. Sales Room; e. Open Automobile or Trailer Sales Area; f. Automobile Repair, entirely within enclosed buildings. 2. Business Service; a. Bank; b. Office; c. Postal Station; d. Telegraph Office; 3. Clothing Service; a. Laundry Agency; b. Self-Service; c. Dry Cleaning Establishment using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds using cleaning fluid which is non-explosive and non-inflammable. d. Dressmaking; e. Millinery; f.

Tailor and Pressing Shop; g. Shoe Repair Shop; 4. Equipment Service: a. Radio Shop; b. Electric Appliance Shop; c. Record Shop; 5. Food Service; a. Grocery; b. Meat Market; c. Supermarket; d. Restaurant; e. Delicatessen; f. Cold Storage Lockers for individual use; g. Bakery; h. Roadside Sales Stand; 6. Personal Service; a. Barber Shop; b. Beauty Shop; c. Reducing Salon; d. Photographic Studio; 7. Retail Service; Retail Stores Generally; a. Drugstores; b. Hardware; c. Stationery; d. Newsdealer; e. Show Room, for articles to be sold at retail; f. Commercial Greenhouse, not exceeding 1,000 sq. ft. in area; g. Apparel Shop; h. Flower Shop; 8. Commercial Recreational Uses. Conducted only within buildings so constructed that no noise of any kind produced therein shall be audible beyond the confines of the building; a. Theater; b. Bowling Alley; c. Billiard Room; d. Dancing Academy; e. Tavern or Night Club, only in conformity with requirements of laws or ordinances governing such use; 9. Hotel; 10. Private Club or Lodge. 11. Advertising Sign or Billboard.

Height of Buildings: District, Normal Maximum Height: "T", no requirement; "LB", 45 feet or 4 stories; "GB" & "M-IR", 60 feet or 5 stories.

Front Yard: District, Depth in Feet: "T", no requirement; "LB" & "M-IR", 15; "GB", none.

Side Yard: 1. Along the side street line of a corner lot in an "LB" District, where the block is adjoined by residential block, the minimum dimension shall be five feet. 2. Where an "LB" District adjoins an "S", "A" or "B" District within the block, there shall be a side yard of at least 5 feet. 3. In blocks included entirely in "LB", "GB" or "M-IR" Districts, no side yards are required. However, if a side yard is provided, the minimum dimension shall be four feet. Rear Yard: 10% of the depth of lot. Lot Coverage: 90%, but this shall not waive provision of yards where required.

GENERAL BUSINESS USES

Definition: Commercial uses, including wholesale and storage uses, specifically stated or implied are permitted in the "T", "GB" and "M-IR" Districts. Local Business Uses; Department Store; Storage Warehouse; Wholesale Establishment; Motor Bus or Railroad Passenger Station; Any commercial use not specifically stated or implied elsewhere in this ordinance and complying with the above definition.

Height of Buildings:

District, Normal Maximum Height Permitted: "T", no requirement; "GB" & "M-IR", 60 feet or 5 stories.

Front Yard:

District, Depth in Feet: "T", no requirement; "GB", none; "M-IR", 15. Side Yard: None required. However, if a side yard is provided the minimum dimension shall be four feet. Rear Yard: 10% of the depth of lot. Lot Coverage: 90%, but this shall not waive provision of yards where required.

General Provisions and Conditional Exceptions Applicable, Except in the "T" Interim District, to All Business Uses in Districts Where Permitted.

GENERAL PROVISIONS

Vehicle Parking Space: Parking spaces shall be provided on the lot, or within 300 feet thereof on a site approved by the Board of Zoning Appeals, as follows:

Uses. Number of Parking Spaces: 1. Uses listed in local business categories 3 to 7 inclusive, above. 2. Commercial Recreational Uses other than theaters, listed in local business category 8 above. 3. Private Club or Lodge. 4. Department Store or other Commercial Uses included under General Business Uses—One space for each 125 sq. ft. of floor area. 5. Business Service Uses listed in local business category 2 above. 6. Wholesale Establishments—One space for each 8 employees. 7. Theaters—One space for each 6 seats. 8. Hotels—One space for each 3 sleeping room.

Loading and Unloading Berths shall be provided on the lot, as follows: Uses, Gross Floor Area (Sq. Ft.). Loading and Unloading Berths: Retail Stores, 3,000 to 15,000; 1; Department Stores, 15,000 to 40,000; 2; Wholesale Establishments, each 25,000 add'l; 1 additional. Storage Uses, Other Commercial Uses: Hotels, Office Buildings, 100,000 or less, 1; 100,000 to 326,000; 2; each 200,000 add'l; 1 additional. Paving: Open parking area and loading and unloading berths shall be paved with a dustproof or hard surface. Rear Yard: One-half of an alley abutting the rear, of a lot may be included in the rear yard to satisfy rear yard requirements, but such alley space shall not be included for loading and unloading berths. Vision Clearance on Corner Lots: Eight feet from the intersection of property lines.

CONDITIONAL EXCEPTIONS

Maximum Height: The normal maximum height of structures may be increased as follows: 1. Buildings may be erected higher than the normal maximum if they are set back, from front and rear property lines, one foot for each two feet of additional height above the Normal Maximum Height. 2. Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, transmission towers, or essential mechanical appurtenances, may be erected to any height not prohibited by other laws or ordinances. Front Yard: Where 25% or more of the lots in a block are occupied by buildings, necessary setback of such buildings determines the dimension of the front yard in the block, but the maximum front yard need not exceed 15 feet. Vehicle Parking Space: 1. Groups of uses requiring Vehicle Parking Space may join in establishing group parking areas with capacity aggregating that required for each participating use. 2. Vehicle Parking Requirements shall not apply in a block, 50% or more of the area of which was occupied by business or industrial structures at the time of passage of this ordinance.

SPECIFICATIONS D—INDUSTRIAL USES
LIGHT INDUSTRIAL USES

Definition: A light industrial use is one which ordinarily uses only light machinery, is conducted entirely within enclosed, substantially constructed buildings; does not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose, other than loading and unloading operations in the rear; and which is not noxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noises or vibrations beyond the confines of the building. Locations Permitted: In the "T", "GB", "M-IR", and "M-IR" Districts.

INDUSTRIAL USES

Definition: An Industrial Use is one which requires both buildings and open area for manufacturing, fabricating, processing, heavy repairing, dismantling, storage or disposal of raw materials, manufactured products or wastes, which is not injurious to health or safety of humans or animals, or injurious to vegetation; and which is not noxious or offensive by reason of the emission of smoke, dust, gas fumes, odors, or vibrations beyond the limits of the premises upon which such industry is conducted. Included in this classification are all industrial uses fully complying with the above definition, plus: 1. Automobile wrecking or junk storage as conditional uses permitted in accordance with the procedure specified for Conditional Uses. Specifications 2. and provided that the use is confined within enclosed buildings or in yards completely enclosed and surrounded by solid walls or solid fences at least 8 feet in height. 3. Poultry Slaughtering and wholesaling. 4. Veterinary Hospital or Kennel. 5. Bulk Storage of inflammable fluids in above ground tanks, but not oil refinery tanks. 6. Coal, Coke or Wood Yard. 7. Freight House. 8. Contractor's Plant or Storage Yard. 9. Bus Line Lumber House. 10. Utilities Storage Yard. 11. Coal, Coke or Wood Yard. 12. Building Material Storage Yard. 13. Carting, Express, Hauling or Storage Yard. Location Permitted: In the "T" and "M-IR" Districts. General Provisions and Conditional Exceptions Applicable, Except in the "T" Interim District, to All Industrial Uses in Districts Where Permitted.

GENERAL PROVISIONS

Height of Buildings: District, Normal Maximum Height Permitted: "GB", "M-IR" & "M-IR", 60 feet or 5 stories. Front Yard: District, Depth in Feet: "GB", none; "M-IR", 15.

Side Yard: None required. However, if a side yard is provided, the minimum dimension shall be four (4) feet. Rear Yard: 10% of the Depth of Lot with a maximum requirement of 10 feet. (One half of an alley abutting the rear of a lot may be included in the rear yard to satisfy rear yard requirement, but such alley space shall not be included for loading and unloading berths.) Lot Coverage: 90% but this shall not waive provision of yards where required. Vision Clearance on Corner Lots: 8 feet. Vehicle Parking Space: One vehicle parking space for each 3 employees shall be provided on the lot, or within 300 feet thereof on a site approved by the Board of Zoning Appeals.

Loading and Unloading Berths shall be provided on the lot as follows: **Gross Floor Area (Square Feet), Loading and Unloading Berths:** 15,000 or less, 1; 15,001 to 40,000, 2; 40,001 to 100,000, 3; each 40,000 additional, 1 additional. **Paving:** Open parking area and loading and unloading berths shall be paved with a dustproof or hard surface meeting the standard specifications of the county.

CONDITIONAL EXCEPTIONS

Maximum Height: 1. Buildings may be erected higher than the normal maximum if they set back from front and rear property line, one foot for each two feet of additional height above the normal maximum height. 2. Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, tanks, water covers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances. Vehicle Parking Space: 1. Groups of uses requiring Vehicle Parking Space may join in establishing group parking areas with capacity aggregating that required for each participating use. 2. Vehicle parking requirements may be waived by the Board of Zoning Appeals in a block, 50% or more of the area of which was occupied by business or industrial structures at the time of passage of this ordinance.

SPECIFICATIONS E — CONTINGENT USES

Definition: Uses which are likely or liable, but not certain to occur, and which are not inappropriate to the principal use of the district in which located. Location Permitted and Vehicle Parking Space Required. All contingent uses, as listed herein are permitted in the "I" Interim District, and are otherwise permitted in the district indicated below. Each use, except in the "I" Interim District, shall provide on the lot, or within 300 feet thereof, on a site approved by the Board of Zoning Appeals, parking space—open or enclosed—as follows: **Contingent Uses, District in Which Permitted, Parking Spaces Required:** Boarding or Lodging House, "B", "LB", "GB" & "M-IR", one for each 3 occupants; Bulletin Board for a Church or Public Bldg., all except "M-1"; Church or Temple, all except "M-1", one for each 6 seats in auditorium; College or University, all except "M-1", one for each 3 students and staff; Fraternity, Sorority and Student Cooperation, all except "M-1", one for each 3 occupants; Home Occupation, all, one additional; "B", "LB", "GB" & "M-IR", one for each 125 sq. ft. ground floor area; Mortuary, "B", "LB", "GB" & "M-IR", one for each 6 seats in chapel; Municipal or Government Building, all, one for each 125 sq. ft. ground floor area; Nursing Home or Home for the Aged, "B", "LB", "GB" & "M-IR", one for each 7 persons; Plant Nursery, all, none; Professional Office in Residence of Practicing Professional Person, all, two additional; Professional Office Building, "LB", "GB", "M-IR" & "M-1", one for each 125 sq. ft. ground floor area; Public Library or Museum, all, one for each 125 sq. ft. ground floor area; Public Park or Public Recreational Facility, all; School, Public or Parochial, all except "M-1", one for each 3 members of the staff plus 1 for each 8 seats in auditorium; Tourist Home, "B", "LB", "GB" & "M-IR", one for each sleeping room; Temporary Sign, pertaining to lease, hire or sale of a building or premises, all.

GENERAL PROVISIONS

Paving: Open parking area shall be paved with a dustproof or hard surface, meeting the standard specifications of the county.

CONDITIONAL EXCEPTIONS

Parking Requirements: A church or temple requiring parking area at times when nearby uses do not need their parking facilities, may, by agreement approved by the Board of Zoning Appeals, utilize such facilities in lieu of providing their own parking facilities.

Height Permitted, Maximum Height: "S", "A", "B", 35 feet or 2 1/2 stories; "LB", "GB" & "M-IR", 45 feet or 4 stories; "GB" & "M-1", 60 feet or 5 stories.

1. Buildings may be erected to heights in excess of the normal maximum, if they are set back from required front, side and rear yard lines, or property lines where yards are not required, as follows: for Districts, Normal Maximum Height: "S", "A" & "B", one foot for each foot of additional height; "LB", "GB", "M-IR" & "M-1", one foot for each two feet of additional height.

2. In all Districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, scenery lots, water towers, transmission towers, and other essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.

The provisions for yards, vision clearance, and accessory buildings as they pertain to group houses in Residence Districts, Local Business Uses in "LB" or "M-1" Districts or General Business Uses in "GB" Districts, shall apply to Contingent Uses listed herein.

SPECIFICATIONS F — CONDITIONAL USES

Permits for Conditional Uses: a. The following uses, or structural alterations thereon, which are classified as Conditional Uses, are permitted in the "I" Interim District and may be permitted by the Board of Zoning Appeals in other Districts in accordance with the procedure specified herein: Airport or Airport Landing Field; Amusement Park; Baseball Park; Cemetery or Crematorium; Country Club or Golf Course; Fire Station; Hospital; Motel; Outdoor Theater; Public Utilities Building or Institution; Practice Golf Driving Range; Public Utilities Building or Right-of-way; Radio or Television Transmitting Tower; Railroad; Light-of-way including building essential to the operation of Railroads; Sanitary Fill or Refuse Dump; Sewage Disposal or Garbage Disposal; Trailer or Public Camp. b. Upon receipt of an application for a Conditional Use by the Board of Zoning Appeals, it shall be referred to the County Plan Commission for investigation as to the manner in which the proposed location and character of the Conditional Use will affect the Master Plan of the County. The Plan Commission shall report the results of its study of the proposal to the Board of Zoning Appeals, and, if the report is favorable to the proposal, the Board of Zoning Appeals, may, after public hearing, grant a permit, including the imposition of conditions of use, which the Board deems essential to insure that the Conditional Use is consistent with the spirit, purpose and intent of this ordinance, will not substantially and permanently injure the appropriate use of neighboring property, and will substantially serve the public convenience and welfare. c. Light Industrial and Industrial Uses are permitted in the "M-IR" District. Reserved Industrial District only in accordance with the procedure specified in paragraph b. above. Provided that "M-IR" Districts may be occupied by planned industrial districts when located on a tract of land of not less than fifteen (15) acres, and provided further that: 1. The entire area is planned as an industrial district with requirements for substantial architectural design of building, adequate vehicle parking area and adequate transportation and sanitary facilities, integrated in a well-designed site plan. 2. The industries to be located will conform to the definition of Industrial Uses as defined in this ordinance, and the following uses are permitted in the "I" Interim District, and may be permitted in the "M-1" Industrial District only in accordance with the procedure specified in paragraph b. above, and the inclusion of a report by the County Health Officer, or the State Board of Health and the State Fire Marshal that the uses applied for will not be injurious to the public health or safety. Acid manufacture; Arsenal; Cement, Lime, Gypsum or Plaster of Paris Manufacture; Distillation; Induration or Reduction of Garbage; Dead Antimons; Stone, Cinder or Coal Crushing or Pulverizing; Any other use which may, under some circumstances be injurious to public health or

safety, but which may, with adequate safeguards, be designed so as not to be injurious in such manner.

SPECIFICATIONS G — "SC" SHOPPING CENTER DISTRICTS

Uses Permitted. The uses specifically stated or implied in Specifications C, Business Uses in the "LB" Local Business District are permitted in the "SC" Shopping Center District. Location Permitted and Procedure. a. Only in the "SC" Shopping Center District when located on a tract of land not less than four (4) acres in area and which lies wholly or in part within 1,320 feet of a symbol representing an "SC" Shopping Center District on the Zone Maps; and in accordance with a Development Plan for the entire tract approved by the County Plan Commission, following a Public Hearing, said tract being the first to be approved for this purpose, within the designated limits of such "SC" Shopping Center District on the Zone Map, and provided that no more than one approval shall be granted or be in existence at any one time in relation to any one symbol. b. The Building Inspector may issue an improvement Location Permit for an "SC" use, only following receipt of notice from the County Plan Commission that such use district has been approved as set forth herein. The area to be occupied by buildings in this district shall be twenty-five (25) per cent or less of the net area of the district. c. The location of the shopping center shall be on property which has an acceptable relationship to arterial thoroughfares. The Plan Commission must satisfy itself as to the adequacy of the thoroughfares to carry the additional traffic engendered by the development. d. The plan for the proposed shopping center must present a unified and organized arrangement of buildings and service facilities which shall have a functional relationship to the properties adjacent to the proposed development. e. The applicant for a shopping center must satisfy the Plan Commission of his financial ability to carry out the proposed plan and shall prepare and submit a construction schedule acceptable to the Plan Commission, which construction shall begin within a period of 18 months following approval of the Plan Commission and be carried to the completion of forty (40) per cent of the total plan within a period of three (3) years following such approval. Approval Procedure. a. The applicant for a shopping center as an "SC" Shopping Center District shall prepare and submit a Preliminary Development Plan and supporting data to review and tentative approval of the Plan Commission, upon which plan the Plan Commission will hold a Public Hearing. Upon approval of the Preliminary Development Plan, the applicant shall, within a period of six (6) months, prepare and submit a Final Development Plan for approval of the Plan Commission which shall incorporate any changes or alterations requested by the Plan Commission. b. In the exercise of its approval, the Plan Commission may impose such conditions regarding the location, character and other features of the proposed shopping center as it may deem advisable. d shall give due regard to the following factors, as they will apply to the particular situation: 1. The location, size and use of all buildings and structures, the nature and intensity of the operations involved in or conducted in connection with the shopping center; its site layout, including the location, size, arrangement and capacity of all areas to be used for vehicular access, parking, loading and unloading and its relation to streets giving access to it so that vehicular traffic to and from the center will not create undue hazards to the normal traffic of the vicinity. 2. The location, size and arrangement of areas to be devoted to parking lawns, trees and other purposes so that it will be harmonious with the neighborhood in which it is situated. c. In the event the applicant receiving the approval of the Shopping Center Development Plan for a designated location does not proceed with its construction as set forth above, the Plan Commission may require the applicant to show cause why such approval should not be revoked. Such action may be taken by the Plan Commission upon its own initiative or at the request of another interested party. If the Plan Commission determines, following a Public Hearing, that the best interests of the community will not be served by the applicant continuing to hold the approval, it may revoke the same and may thereafter grant an approval for another shopping center development within the designated location area. Such approval shall be subject to the same considerations.

SPECIFICATIONS H — VEHICLE PARKING SPACE

Specific Requirements: a. The specifications B to E inclusive, described in Article III of this ordinance, specify the off-street parking requirements for each type of use permitted under the provisions of this ordinance. Permits For Parking Lots in Residential Zones: a. In order to meet requirements for vehicle parking space, where such space is not available on the lot occupied by a building, as specified in Specification B to E inclusive, the Board of Zoning Appeals may, after receipt of a favorable report from the County Plan Commission on the proposal, and after public notice and hearing, grant a permit for the establishment of a parking lot, in "S", "A", or "B" Districts, provided that the entire area of the parking lot is within three hundred (300) feet of an "LB", "GB", "M-IR" or "M-1" District or, in the case of a church or other place of congregation in "S", "A" or "B" Districts, immediately adjacent to such church or other place of congregation, and provided further that: 1. There shall be no sales, dead storage, repair work, dismantling or servicing of any kind on said parking lot. 2. Entrances and exits shall be approved as to a location by the County Plan Commission. 3. No parking shall be permitted nearer than two feet from the front or side lot line. 4. Except for otherwise approved entrances and exits, a curb or rail not more than two (2) feet in height and not less than eight (8) inches in height shall be erected so as to conform with the required front lot line and may be required along boundaries of the parking lot as determined by the County Plan Commission for the protection of adjoining residentially zoned or used property. 5. The lot shall be surfaced with a dustproof or hard surface. 6. No advertising signs shall be erected upon such lot, except not more than one (1) sign on each street side to indicate the operator and purpose of the lot. Such sign shall not exceed twenty (20) square feet in area and shall not extend more than ten (10) feet in overall height above ground level. 7. Lighting facilities, if provided, shall be so arranged as to be reflected away from property residentially zoned or used. 8. If at any time after the issuance of the required permits any of the provisions of this Section are not complied with the permits shall be revoked.

SPECIFICATIONS I — UNIT DEVELOPMENT PLAN

Residential Development Plan: a. The owner or owners of any tract of land, comprising an area of not less than ten (10) acres located in the "S", "A", "B" or "M-IR" Districts may submit to the Board of Zoning Appeals a plan for the use and development of the land, primarily for residential purposes. The proposed development plans shall be submitted to the County Plan Commission for examination, study and report and for a public hearing. If the Plan Commission approves the development plan, the plan, together with the recommendations of the Plan Commission shall be embodied in a report to the Board of Zoning Appeals, stating the reasons for the approval of the plan and application, and specific evidence and facts showing that the proposed Residential Development Plan has considered and made provisions for the following essential elements: That the appropriate use of property adjacent to the area included in the plan will be fully safeguarded; That the plan is consistent with the intent of this ordinance to promote public health, safety and the general welfare; That the buildings shall be used primarily for single-family dwellings, apartments or group houses, and the usual accessory uses such as garages, storage space and community activities; That the area of the tract, excluding street area, but including the area to be devoted to parks, parkways, and other open spaces, will provide the minimum lot area per family, counting all families to be housed under the Unit Development Plan, which is required for the most intensive use normally permitted in the district in which such development is to be located. b. If the Board of Zoning Appeals approves the proposed Residential Development Plan, Building Permits and Certificates of Occupancy shall be issued, even though the use of the land, the location of the buildings to be erected in the area, and the yards and open spaces provided in the plan do not conform in certain respects to the regulations for the District in which the development is to be located.

ABSTRACTER'S NOTE: An amendment to the Hendricks County Subdivision Control Ordinance was approved and adopted by the Board of Commissioners of Hendricks County, Indiana at a meeting held on August 7, 1961. This amendment may be inspected at the office of the Hendricks County Plan Commission. The caption real estate is affected by said amendment.

THE ABSTRACT & TITLE GUARANTY CO.

.....

NO. 45

Taxes for the year 1960 due and payable in 1961 and all former years have been paid in full.

.....

NO. 46

Taxes for the year 1961 due and payable in 1962 assessed in the name of WALTER C. MARTIN in WASHINGTON TOWNSHIP in Hendricks County, under KEY NO. 9-17-01, as shown by the records in the Treasurer's Office, are as follows:

DESCRIPTION	VAL OF LAND	VAL OF BLDG.	ACRES
PT E SW 17-15-2E	\$650.00	\$4,150.00	10.00
May Installment	\$125.28	Paid	
November Installment	\$125.28	Paid	

.....

NO. 47

Taxes for the year 1962 due and payable in 1963 are a lien not yet computed.

.....

8 o'clock A.M. May 12, 1962

Order No. 53

CERTIFICATE

Danville

County of Hendricks

Indiana 8Am May 2, 19 62

Prepared for:

SEARCH FOR

FEDERAL JUDGMENTS, PENDING BANKRUPTCIES, INTERNAL

REVENUE TAX LIENS

in the

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

The undersigned hereby CERTIFIES that there are no transcripts of judgments of the United States courts filed in the office of the Clerk of the Circuit Court of said County; 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; and that there is no notice of lien filed in the Federal Tax Lien Index in the Office of the Recorder of said County; and that there are not now pending upon the records of any of the eight divisions of the Federal courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:
Examination made against the parties named below, the search being made and limited according to the names exactly as set forth herein and not otherwise: for 10 years last past:

Walter C. Martin

THE ABSTRACT & TITLE GUARANTY CO.

BY:

James J. Conrad

THE ABSTRACT & TITLE GUARANTY CO.

THIS CERTIFICATE WITNESSETH, That the undersigned Company, in consideration of the payment of its fee therefor, and subject to the exceptions hereinafter specified, does hereby certify for the use and benefit of any owner of the real estate described in the caption hereto, his mortgagees, trustees, vendees and assigns, that the foregoing, consisting of 9... sheets with 11... instruments thereon numbered consecutively, is a complete and correct abstract of all instruments, entries and proceedings, as entered or filed of record, in Hendricks County, Indiana, during the period of time hereinafter specified, affecting the real estate set forth in the caption hereto.

That all instruments, entries and proceedings, transferring or otherwise affecting the ownership of said real estate, or any part thereof, or any interest therein, have been included.

That there are no instruments, entries or proceedings, which are liens against said real estate, except those shown; that the status of such liens is correctly set forth, including any assignments thereof; that (in case this Certificate be made to the continuation of an abstract) all changes in the status of liens, shown as such on this abstract prior to this continuation thereof, have been correctly noted or shown.

It is further certified that SPECIAL SEARCHES have been made in the office of the RECORDER OF HENDRICKS COUNTY for deeds, affidavits, unsatisfied mortgages, Mechanic's Liens, Federal Tax Liens, Old Age Assistance Liens and Miscellaneous instruments affecting the title, all as entered up and indexed; in the office of the AUDITOR search made in the Tax Sales Register for unsatisfied or unredeemed tax sales; in the office of the TREASURER search made in the current Tax Duplicates for unpaid taxes, and the Assessment Duplicates for unpaid Ditch assessments; in the office of the CLERK of said County, search made in the Lis Pendens Record of complaint and attachments, the Will Records, Estate and Guardianship Dockets, and the general Judgment Dockets of the Hendricks Circuit Court, of the Probate and Criminal Court, including Replevin Bail and Recognizance Bonds, as said records and dockets are now indexed.

This Certificate includes only matters entered or filed of record during said period, except in case of judgments. Certificate includes all judgments, not satisfied of record, entered on the Judgment Dockets of the Circuit Court of said County, at any time during the ten years last preceding the date of this Certificate, against all owners of the said real estate whose names are shown by the records as holding title at any time during the period covered by this Certificate, under the names by which said owners acquired title. Other liens, including special assessments, which appeared of record prior to said period, are not included, even though existing during said period; said real estate is herein certified to as subject to existing public roads or highways and to regulations by any governmental agency limiting the use thereof. Taxes on personal property, adoption proceedings, conditional sales transfers of the title to chattels and such as may have become fixtures are not included. Pending suits are not included unless the said real estate is the subject matter thereof, or a Lis Pendens notice has been filed describing said real estate.

From the searches above enumerated, we find no further conveyance nor unsatisfied encumbrances, as indexed or entered up, within the period herein certified affecting the title of Walter C. Martin.....

.....
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
..... 5 o'clock P.M., August 16, 1945 to
and including 8 o'clock A.M., May 12, 1962

THE ABSTRACT & TITLE GUARANTY CO.
By Norman A. Lerner, Pres.

6212. # 16
NO. 48

HEIRS OF WALTER C. MARTIN

A CONTINUATION of an ABSTRACT OF TITLE since 8 o'clock A.M. May 12, 1962 up to and including 8 o'clock A.M. August 15, 1964 to the following described real estate in Hendricks County, Indiana, to-wit:

A part of the east half of the southwest quarter of Section 17, Township 15 North of Range 2 East, described as follows, to-wit:
Beginning at a point 367 feet and 3 inches north from the southeast corner of said half quarter section, and running thence north 20 rods; thence west 80 rods to the west line of said tract; thence south 20 rods; thence east 80 rods to the place of beginning, estimated to contain 10 acres, more or less.

DKC

LAST WILL AND TESTAMENT

NO. 49 OF

Hendricks Superior Court
State of Indiana
Filed January 7, 1964
Will Record 1 page 47-51

Walter C. Martin, deceased

I, Walter C. Martin of Plainfield, Indiana, being of sound and disposing mind and memory do now make, publish and declare this my Last Will and Testament hereby revoking all previous Wills and Codicils of Wills heretofore made by me. I do not attempt by this Will to change any of the terms or conditions of an inter vivos trust heretofore made with Indiana National Bank as Trustee.

ITEM I.

I direct that my Executor hereinafter named shall sell or surrender for redemption any and all securities which I own at the time of my death. He shall sell all of my chattels, save and except such chattels as I have herein bequeath in kind. He shall also sell any and all of my real estate except that which I have specifically devised in later paragraphs of this Will. From the proceeds derived from these sources and from any monies I have on hand or standing in my name or to my credit in any banking institution at the time of my death, my said Executor shall pay all my just debts, all expenses of my burial, all current real estate and personal property taxes for which I may be liable, all state and federal estate, inheritance, succession or transfer taxes as may be adjudicated or found due against my estate, all specific cash bequests, costs of administration and attorneys fees as may be approved by the court having jurisdiction over the probate of my estate.

ITEM II.

I give and bequeath unto the following the sums as this paragraph indicated, to-wit:

- (a) To my son, John W. Martin, the sum of one Thousand dollars (\$1,000.00)
- (b) To my son, Walter Clifton Martin, the sum of One Thousand dollars (\$1,000.00)
- (c) To my daughter, Marjorie Martin Jones, the sum of One Thousand dollars (\$1,000.00)

ITEM III.

I give, devise and bequeath unto my son, John W. Martin, in fee simple to be his absolutely and forever, if he survive me and if he should predecease me then to his heirs at law as determined by the statutes of descent and distribution of the State of Indiana, the following described parcels of real estate, being as hereinafter described:

Parcel A. The Southwest quarter of the Northeast quarter of Section 29, Township 15 North, Range 1 East, containing 40 acres more or less. ALSO: A part of the Northwest quarter of the Southeast quarter of Section 29, Township and Range aforesaid, bounded as follows, to-wit: Beginning at the center of said Section 29, thence south 8 rods, thence east 20 rods, thence north 8 rods, thence west 20 rods to the place of beginning, containing 1 acre, intending to devise that real estate described in Deed Record 142 page 591.

Parcel B. Fifty-three and one-third (53 1/3) acres off of the north end of the East half of the Southwest quarter of Section 29, in Township 15 North, Range 1 East, intending to devise that real estate described in Deed Record 145, page 370.

Parcel C. A part of the West half of the Northwest quarter of Section 32, and a part of the East half of the Northeast quarter of Section 31, and a part of the East half of the Southeast quarter of Section 30, and a part of the West half of the Southwest quarter of Section 29, all in Township 15 North, Range 1 East bounded and described as follows, to-wit:

Beginning at a point on the east line of the west half of the Northwest quarter of Section 32 where the north line of the right-of-way of the Terre Haute-Indianapolis and Pennsylvania Railroads cross the same and running thence in a southwesterly direction along the north line of said right-of-way of said railroad to the center of the west fork of Whitelick Creek; thence up the middle of said stream following the meandering thereof to the mouth of Cosner's Branch in the northeast quarter of Section 31; thence up the middle of said Cosner Branch following the meandering thereof crossing the line between Sections 31 and 30; and until it strikes the line between Sections 30 and 29; thence running north with said section line to a point which is 14 rods south of the northwest corner of the west half of the southwest quarter of Section 29; thence in a northeasterly direction to a point on the north line of said half quarter section last named which point is 40 rods east of the northwest corner thereof; thence east on said north line to the northeast corner of said half quarter section; thence south to the place of beginning excepting the right-of-way of the Indianapolis Coal Traction Company and also the Terre Haute-Indianapolis and Eastern Traction Company off of and across the south side of said lands, containing 128 acres, intending to devise that real estate described in Deed Record 142 page 76.

Parcel D. Part of the Northeast quarter of Section 6, Township 14 North, of Range 1 East described as follows:

Commencing at the intersection of the west line of the property with the south line of the National Highway formerly known as the Cumberland Road, thence easterly along said highway for a distance of 500 feet; thence south for a distance of 300 feet; thence westerly parallel to the south side of said National Highway for a distance of 500 feet; to a point in the west property line that is 300 feet south of the place of beginning; thence north to the place of beginning, except that part of the west end of said south half of said quarter heretofore decided to James M. Pope as shown by Deed Record 2, page 322; also except that part thereof decided to the State of Indiana for highway purposes conveyed October 13, 1939 as shown by Deed Record 147, page 114, containing exclusive of said exceptions 3.58 acres, more or less, intending to devise the real estate described in Deed Record 147, page 367.

I also give and bequeath unto my said son, John W. Martin, all of my right, title and interest in and to any and all farm machinery and equipment livestock, feed, grain and growing crops located on said parcels of said real estate above, as in this third paragraph described, to be his absolutely and forever.

ITEM IV.

I give, devise and bequeath unto my son Walter Clifton Martin, in fee simple to be his absolutely and forever if he survive me, and if he predecease me then to his heirs at law as determined by the statutes of descent and distribution of the State of Indiana, the following described parts and parcels of real estate, to-wit:

Parcel A. All that part of the Southeast quarter of the Southwest quarter of Section 28, Township 15 North of Range 1 East, lying south of the Terre Haute and Indianapolis Railroad; also all of that part of the northwest quarter of Section 33, Township 15 North of Range 1 East which lies south of the Terre Haute and Indianapolis Railroad, estimated to contain 151 acres. This tract includes that portion on the south end thereof originally conveyed to the Indianapolis and Plainfield Traction Company and since reconveyed to Walter C. Martin, intending to devise that real estate described in Deed Record 110, page 413 and in Deed Record 149, page 334.

Parcel B. A part of the West half of the Northeast quarter of Section 33, in Township 15 North, of Range 1 East bounded as follows, to-wit:

Beginning at the north half mile stone of said Section 33 and running thence east on the section line 15.39 chains; thence south with section bearing 39.55 chains and to the north right-of-way line of the Terre Haute, Indianapolis and Eastern Traction Companies right-of-way line; thence west on and along said north right-of-way line a distance of 15.39 chains and to the west line of the northeast quarter of Section 33; thence north on and along the west line of said northeast quarter a distance of 39.55 chains to the place of beginning; containing in the above described tract 60.87 acres, more or less, intending to devise that real estate described in Deed Record 146, page 303.

Parcel C. A part of the Northwest quarter of the Southeast quarter and also a part of the Southwest quarter of the Northeast quarter of Section 33, Township 15 North, of Range 1 East bounded as follows, to-wit:

Beginning at the center of said Section 33 on the south line of the land formerly owned by the T.H.I. & E. Traction Company and running thence east along the south line thereof 255 feet thence south 3 degrees and 34 minutes east 253.5 feet, thence east 137 feet, thence north 3 degrees and 34 minutes west 319.9 feet, thence west with the north line of the former T.H.I. & E. Traction Company land 387.87 feet, thence south 66 feet to the place of beginning, estimated to contain 1.396 acres, more or less, intending to devise that real estate described in Deed Record 154, page 352.

Parcel D. A part of the Southeast quarter of Section 28 and a part of the Northeast quarter of Section 33 in Township 15 North of Range 1 East bounded and described as follows:

Beginning at the south half mile stone of said Section 28, thence east 15 chains and 28 links, and to a point which is 20 rods west of the center north of the northeast quarter of said Section 33; thence south with the section bearing 31 chains and 34 links, thence east 10 chains and 88 links, thence south 6 degrees and 50 minutes east 9 chains; thence east 38 links more or less and to a point designated in the description of the adjoining land as 7 chains and 31 links east of the southwest corner of the east half of the northeast quarter of Section 33; thence north 6 degrees and 50 minutes west 20 chains and 44 links; thence north 28 chains and 88 links to the south line of the right-of-way of the Pennsylvania Railroad; thence south 76 1/2 degrees west along said south line 25 chains and 94 links to the west line of the southeast quarter of said Section 28; thence south 2 chains and 84 links to the place of beginning, estimated to contain 47.07 acres, more or less, intending to devise that real estate described in Deed Record 145, page 153.

Parcel E. A part of the East half of Section 32, Township 15 North, Range 1 East bounded and described as follows:

Beginning at the center of said Section 32 and running north on and along the west line of the northeast quarter of said section a distance of 3.56 chains and to the north right-of-way of the old T.H.I. & E. Traction

Company, which point is the beginning point of this description; from said beginning point continue north on and along said west line of said quarter section a distance of 19.51 chains and to the south right-of-way line of the Pennsylvania Railroad; thence run north 77 degrees and 14 minutes east on and along said south right-of-way a distance of 42.14 chains and to the east line of Section 32, thence run south on and along said east line of said section a distance of 32.00 chains and to the north right-of-way line of the aforesaid T.H.I. & Traction Company; thence run west on and along said right-of-way a distance of 33.33 chains; thence run in a northwesterly direction on and along said right-of-way a distance of 7.71 chains and to the west line of the northeast quarter of said section and the place of beginning containing in the above described tract 111.22 acres, more or less, intending to devise that real estate described in Deed Record 149, page 120.

I also give and bequeath unto my said son, Walter Clifton Martin, all of my right, title and interest in and to any and all farm machinery and equipment, livestock, feed, grain and growing crops located on said parcels of real estate above in this Fourth Paragraph described to be his absolutely and forever.

ITEM V.

I give, devise and bequeath unto my daughter, Marjorie Martin Jones, in fee simple to be hers absolutely and forever and if she predecease me then to her heirs at law according to the statutes of descent and distribution of the State of Indiana, the following described parts and parcels of real estate, to-wit:

Parcel A. A part of the East half of the Southwest quarter of Section 17, Township 15 North of Range 2 East described as follows, to-wit:

Beginning at apoint 367 feet and 3 inches north from the southeast corner of said half quarter section and running thence north 20 rods; thence west 80 rods to the west line of said tract; thence south 20 rods; thence east 80 rods to the place of beginning, estimated to contain 10 acres, more or less, intending to devise that real estate described in Deed Record 154, page 170.

Parcel B. A part of the Southeast quarter of Section 5, Township 14 North, of Range 1 East of the 1st. P.M. bounded and described as follows, to-wit:

Beginning at a point on the east line of said quarter section 40 rods north of the southeast corner thereof; thence west parallel with the south line of said quarter section 160 rods to the west line of said quarter section, thence north on said west line 120 rods to the northwest corner thereof, thence east 160 rods to the northeast corner thereof; and thence south 120 rods to the place of beginning, containing in all 120 acres, more or less, intending to devise that real estate described in Deed Record 139, page 68.

Parcel C. A part of the South half of the Southeast quarter of Section 5, Township 14 North, Range 1 East bounded and described as follows, to-wit:

Beginning at the southeast corner of said half quarter section and running thence north on the east line thereof 40 rods; thence west 160 rods to the west line of said quarter section; thence south on said west line 40 rods and to the southwest corner of said quarter section; thence east on the south line thereof 160 rods to the place of beginning, estimated to contain 40 acres, more or less, intending to devise that real estate described in Deed Record 140, page 335.

I, also give, devise and bequeath unto my said daughter, Marjorie Martin Jones all of my right, title and interest in and to any and all farm machinery and equipment, livestock, feed, grain and growing crops located on said parcels of real estate above in this Item V described to be hers absolutely and forever.

ITEM VI.

All of the rest, residue and remainder of my estate of any nature whatsoever, I give, devise and bequeath unto my sons, John W. Martin and Walter Clifton Martin and my daughter, Marjorie Martin Jones, and to their respective heirs at law share and share alike per stirpes and not per capita.

ITEM VII.

I nominate and appoint Chester W. Martin of Danville, Indian, as Executor of this my Last Will and Testament. In the event of the failure, inability or refusal of the said Chester W. Martin to qualify as such Executor then and in that event I nominate and appoint the Danville State Bank as Successor-Executor. I direct that my Executor or Successor-Executor shall be permitted to serve without furnishing surety upon his official bond. I give unto my said Executor or Successor-Executor full power and authority to compromise and settle any and all claims whether in favor of or against my estate at such times, under such terms and for such sums as to him shall seem just. My said Executor or Successor-Executor shall have full power to sell, mortgage or lease any and all of the real estate as herein provided to be sole, and not otherwise specifically devised, in such parcels, at such times and upon such terms as to him shall be deemed advisable and without making application to any court for authority so to do. He shall have full authority to execute such deeds or instruments of conveyance of such real estate as may be necessary and it shall not be required of any purchaser to look to the application of the proceeds thereof. And giving unto my said Executor or Successor-Executor all powers and duties not incompatible with this trust.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, and the preceding six pages on the margin thereof for identification, my Last Will and Testament, this 17th day of May 1962.

Walter C. Martin (seal)

The foregoing instrument was on the 17th day of May, 1962, subscribed to, published and declared by Walter C. Martin as and for his Last Will and Testament in our presence and in the presence of each of us, who, at his request, and in his presence, have hereunto subscribed our names as attesting witnesses, believing him to be of sound and disposing mind and memory.

James S. Raber
John C. Vandivier, Jr.
Fred E. Shelton

Plainfield, Indiana
Brownsburg, Indiana
Danville, Indiana

50

NO.

PROBATE OF WILL

Upon the testimony of one of the subscribing witnesses to the foregoing instrument the same is admitted to Probate as the Last Will and Testament of Walter C. Martin, deceased as in P.O.B. 1 page 193.

Done in open court this 7th day of January, 1964.

Robert J. Wade, Judge
Hendricks Superior Court.

APPLICATION FOR LETTERS OF ADMINISTRATION

NO. 51

On January 7, 1964, Chester W. Martin filed Application for Letters of Administration on the Estate of Walter C. Martin, showing that decedent departed this life testate on December 28, 1963 and left a personal estate of the probable value of \$374,803.75 and real estate of the estimated value of \$350,000.00, and left the following heirs at law:

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>RESIDENCE</u>
John W. Martin	57	son	R.R. Clatyon, Indiana
Walter Clifton Martin	47	son	R.R. Clatyon, Indiana
Marjorie Martin Jones	50	daughter	R.R. 2, Box 448 Indianapolis 31, Indiana

Filed: January 7, 1964, Claude Hughes, Clerk Hendricks Superior Court.

NO. 52

On January 7, 1964 after taking bond, the Court did appoint Chester W. Martin the Executor of the estate of Walter C. Martin, deceased.

P.O.B. 1 page 194, Hendricks Superior Court.

NO. 53

NOTICE OF ADMINISTRATION AND PROOF OF PUBLICATION

On January 27, 1964, there was filed and affidavit of Edward J. Weesner, publisher of the Hendricks Count Republican, a weekly newspaper of general circulation, printed and published in the County aforesaid, stating that the Notice of Administration in the estate of Walter C. Martin, deceased was published in said newspaper for 3 weeks the first publication being on January 9, 1964 and the last on January 23, 1964.

Filed: January 27, 1964, Claude Hughes, Clerk Hendricks Superior Court.

INVENTORY AND APPRAISEMENT

On February 4, 1964, came Ralph Norman and Hursel C. Disney, appraisers who appraised the real estate of "alter C. Martin, deceased at an estimated value of \$393,824.07. Here follows description of real estate.

- (a) Pt S 1/2 SE 1/4 and Pt SE 1/4 Sec. 5, Twp. 14 N. R. 1 E. containing 160 A. @ \$350.
 (b) Pt E 1/2 SE 1/4 Sec. 17, Twp. 15 N. R. 2 E, containing 10 A. including 5 acres thereof being sold on contract with a balance due of \$4360.
 (c) Pt SW 1/4 NE 1/2 and Pt NW 1/4 SE 1/4 Sec. 29, Twp. 15 N. R. 1 E., containing 41 A. Also Pt W 1/2 NW 1/4 Sec. 32 and Pt E 1/2 NE 1/4 Sec. 31 and Pt E 1/2 SE 1/4 Sec. 30 and Pt W 1/2 SW 1/4 Sec. 29, Twp. 15 N. R. 1 E. containing 128 A. Also Pt E 1/2 SW 1/4 Sec. 29, Twp. 15 N. R. 1 E. containing 53 1/2 A, containing in all 222 1/3 A. @ \$340.
 (d) Pt NE 1/4 Sec. 6, Twp. 14 N. R. 1 E containing 3.58 A @ \$1000.
 (e) Pt SE 1/4 SW 1/4 Sec. 28 and Pt NW 1/4 Sec. 33, Twp. 15 N. R. 1 E. containing 151 A. Also Pt W 1/2 NE 1/4 NW 1/4 SE 1/4 and Pt SW 1/4 NE 1/4 Sec. 33, Twp. 15 N. R. 1 E. containing 1,396 A Also Pt SE 1/4 Sec. 28 and Pt NE 1/4 Sec. 33, Twp. 15 N. R. 1 E., containing 47.07 A. Also Pt E 1/2 Sec. 32, Twp. 15 N. R. 1 E. containing 111.22 A containing in all 371.556 A.
 (f) Pt E 1/2 NE 1/4 Sec. 33 and Pt W 1/2 NE 1/4 Sec. 34 and Pt SW 1/4 SW 1/4 Sec. 27 and Pt SE 1/4 SE 1/4 Sec. 28, Twp. 15 N. R. 1 E. containing 72 A Also Pt E 1/2 NE 1/4 Sec. 33, and Pt SE 1/4 SE 1/4 Sec. 28, Twp. 15 N. R. 1 E. containing 40.07 A. containing in all 112.97 A. @ \$500.
 (g) Pt SW 1/4 NW 1/4 Sec. 5, Twp. 15 N. R. 1 E. containing 20 A. including life estate therein owned by Clara Marshall
 (h) Pt NE 1/4 Sec. 6 Twp. 14 N. R. 1 E. containing 58 A. (6 A @ \$1000 and 52 A @ \$300)

Total Real estate

\$393,824.07.

Filed: February 4, 1964, Claude Hughes, Clerk Handricks Superior Court.

IN THE MATTER OF THE ESTATE

NO 55 OF

Walter C. Martin, deceased

Hendricks Superior Court
State of Indiana
Filed February 4, 1964
January Term, 1964
E64-3

PETITION FOR AUTHORITY TO MAKE PARTIAL
DISTRIBUTION & FOR ORDER CONFIRMING POWERS
OF EXECUTOR GRANTED IN WILL

Chester W. Martin, being first duly sworn upon his oath, petitions the Court and deposes and says:

1. He is the duly designated, confirmed, qualified and acting executor of the estate of Walter C. Martin, deceased, under the terms and conditions of the Last Will and Testament of said decedent heretofore admitted to probate in this Court.
2. Under the terms of Item V of the Last Will and Testament of said decedent, decedent's daughter Marjorie Martin Jones was bequeathed all of the personal property of said decedent located on the real estate in said Item described; and said personal property is described and has been appraised in the Personal Representative's Inventory filed in this cause in Item 4, subitems A) to m), inclusive, and having a total value of \$9764.00.
3. Your Petitioner represents unto the Court that it will be in the best interests of the Estate and the efficient administration thereof, if said items of personal property as described in paragraph 4 of the Personal Representative's Inventory are at this time set over to said Marjorie Martin Jones, as a partial distribution to her under the terms and conditions of the Last Will and Testament of said decedent; and your Petitioner would further represent unto the Court that such partial distribution would in no way jeopardize any other devisees or the State of Indiana or the United States of America, as their respective interests may appear under the Will or by operation of law; and your Petitioner would further represent unto the Court that he has no reason to believe that there will any contest to set aside the Last Will and Testament of said decedent.
4. In Item VII of said decedent's Will your Executor was granted full power to dispose of any and all real estate as in said Will provided to be sold, and your Executor would show to the Court that, under the terms of said Will, such real estate is located in Hendricks County, Indiana, and is described as follows, to-wit:
 - a. A part of the east half of the Northeast quarter of Section 33, and a part of the west half of the Northeast quarter of Section 34, and a part of the Southwest quarter of the Northeast quarter of Section 27 and a part of the Southeast quarter of the Southwest quarter of Section 28 all in Township 15 North of Range 1 East, all bounded and described as follows, to-wit:

Beginning at a point which is 21 1/2 rods north and 8.4 rods south 66 1/2 degrees west from the east half mile stone of Section 33, Township and Range aforesaid at the southwest corner of the tract; thence north 66 1/2 degrees east with the center of the National Road 70 rods; thence north 10 1/2 degrees west 174.28 rods to the right of way line of the T.H. & I. Railroad; thence south 77 degrees west with said right of way 56 rods to a stone; thence south 7 degrees east 186.28 rods to the center of the National Road and the place of beginning, containing in this tract hereby described 72 acres, more or less.
 - b. A part of the east half of the Northeast quarter of Section 33 and a part of the Southeast quarter of the Southeast quarter of Section 28, all in Township 15 North of Range 1 East and bounded and described as follows, to-wit:

Beginning at a point 605 feet north of the south line of the east half of the northeast quarter of Section 33 and 7 chains and 31 links east of the southwest corner of said east half quarter; thence north 61 1/2 degrees east 794 feet parallel with the center of the National Road; thence north 6 degrees and 50 minutes west on the west line of the Vestal land 2494.4 feet to a stone on the southern boundary line of the Pennsylvania Railroad; thence south 76 1/2 degrees west with the south line of said railroad right-of-way 540 feet to the northeast corner of the tract of land known as the Louisa Hayden Farm; thence south with the east line of said Hayden Farm 1903 feet to a stone post; thence south 6 degrees and 50 minutes east 759.9 feet to the place of beginning, containing 40.07 acres, more or less.

c. A part of the Southwest quarter of the Northwest quarter of Section 5, Township 14 North, Range 1 East, bounded and described as follows, to-wit:

Beginning at the southwest corner of said quarter quarter and running thence north 36 rods; thence south 83 1/2 degrees east 36 rods; thence south 86 1/2 degrees east 38 rods and 15 links; thence south 25 1/2 degrees east 36 rods and 21 links and to a stone on the south line of said quarter quarter section; thence west 86 rods and 13 links to the place of beginning; containing 20 acres, more or less with the exception of a graveyard referred to and deeded to Albert B. Davis, et al Trustee, in a deed dated November 16, 1912, and recorded in Book 122, page 67 of Hendricks County Records, said graveyard being a strip 36 feet by 28 feet.

d. All of that part of the Northeast quarter of Section 6, Township 14 North of Range 1 East that lies south of the Cumberland or National Road except the following described tract off of and across the entire west end thereof, to-wit:

Beginning at the southwest corner of said quarter section and running thence east on and along the south line thereof 10 chains and 73 1/2 links; thence north parallel with the west line thereof to the center of the National Road; thence south 71 1/2 degrees west in the center of said road to the west line of said quarter; thence south to the place of beginning; except, Also a tract in the Northwest corner of the real estate herein described as follows, to-wit:

Beginning at a point where the center line of the National Road intersects the east line of the tract hereinabove excepted which is at the northeast corner of said excepted tract; thence north 71 1/2 degrees east on and along the center line of said National Road 500 feet; thence south parallel with section bearing 300 feet; thence west parallel with the National Road 500 feet and to the east line of the above excepted portion of real estate; thence north to the place of beginning, containing in said exception 3.58 acres more or less. Also except a tract which is bounded and described as follows, to-wit:

Beginning at a point where the center line of the National Road intersects the east line of the first tract hereinabove excepted at a point 1229 feet in a northeasterly direction in the center of said road; thence south 413 feet; thence eastwardly parallel with the center line of the Cumberland Road 209 feet; thence north 418 feet to the center of the Cumberland Road; and thence westerly in the center of said road 209 feet to the place of beginning, containing in said exception 2 acres more or less, and containing in the tract herein described exclusive of all of said exceptions 58 acres more or less.

That the tracts above described in subparagraph a. and b. are appraised and generally described in paragraph 1-f of the personal representative's inventory filed herein; that the tract above described in subparagraph c. is generally described and appraised in paragraph 1-g of the personal representative's inventory; and that the tract above described in subparagraph d. is generally described and appraised in paragraph 1-h of the personal representative's inventory.

5. That the personal representative's inventory filed herein contains certain items of stock, bonds, mortgages and accounts receivable which your Executor will be required to convert to cash under the terms and conditions of the Will of said decedent; and your Executor would further ask the Court for authority so to convert said items into cash under terms and conditions most favorable to the estate. WHEREFORE, your Petitioner prays the Court for an order authorizing him to make a partial distribution as above described, for an order confirming the authority granted to him by decedent's Last Will and Testament to sell the real estate above described, and for authority to convert into cash the various other items of personal property as listed in the personal representative's inventory, and for all further relief proper in the premises.

Chester C. Martin

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 4th day of February, 1964.

James S. Haber
Notary Public

IN THE MATTER OF ESTATE

No. 56 OF

Walter C. Martin, deceased

Hendricks Superior Court
State of Indiana
Tuesday February 4, 1964
the 20th Judicial Day
of the January Term, 1964
#E64-3
P.O.B. 1 page 225

ORDER

Now comes Chester W. Martin and files his verified petition for authority to make Partial Distribution and for authority to do and perform certain other acts and functions as Executor of the above captioned Estate, which verified Petition is in the words and figures as follows, to-wit: (H.I.)

And the Court having read and examined said verified Petition, and being duly advised in the premises, now GRANTS said Petition and

ORDERS that said Chester W. Martin, Executor under the Last Will and Testament of Walter C. Martin, deceased be, and he is hereby authorized to make a partial distribution of the assets listed in the personal representative's inventory, paragraph 4 thereof, to Marjorie Martin Jones, upon obtaining from said Marjorie Martin Jones her receipt therefor.

IT IS FURTHER ORDERED that said personal representative be, and he is hereby authorized to sell, either at public or private sale, with or without notice and for such sums not less than the appraised value thereof, all of the real estate described in his Petition filed in this cause, as directed by the Last Will and Testament of said decedent. It is further ORDERED that any of the devisees or the executor himself may bid upon said

real estate and such bid may be accepted by said Executor, subject to the approval of this court, if such bid is the highest and best bid received.

IT IS FURTHER ORDERED that said Executor be, and he is hereby authorized to convert into cash all other items of personal property as listed in the personal representative's inventory under such terms and conditions as will best preserve the assets of this estate; and said Executor is further authorized to manage and operate, under such terms and conditions as he deems best for the preservation of the assets of this estate any and all of the farmlands, or any part thereof contained in this estate.

IT IS FURTHER ORDERED that said Executor shall make a report to this Court of any sale or sales of real property that he might make; and it is further ORDERED that said Executor shall report to this Court concerning his operation of any and all farmlands and his conversations of any items of personal property into cash at the time of his final Report being filed in this estate.

All of which is ordered and decreed on this 4th day of February, 1964.

Robert J. Wade,
Judge Hendricks Superior Court

ADDENDA TO THE SUBDIVISION CONTROL ORDINANCE OF HENDRICKS COUNTY, INDIANA

CHAPTER 1

WHEREAS, Section 48 of Chapter 283 of the Acts of the Indiana General Assembly for 1956, as amended, grants certain powers to the County Plan Commissioners, relative to the platting of land within their jurisdiction, and

WHEREAS, no uniform standards for the platting and subdividing of land within the various political units within and a part of Hendricks County, Indiana, have heretofore existed, although the problems relating to the development of said land are in many cases identical, and

WHEREAS, all plats of land within the territorial limits of Hendricks County, Indiana, must now be approved by the Plan Commission of Hendricks County, Indiana, pursuant to Sections 53 and 54 of Chapter 283 of the Acts of the Indiana General Assembly for 1956, as amended, and

WHEREAS it is inconsistent with said Act's objective of a unified county-wide planning and zoning function, as set forth in Section 1 of Chapter 283 thereof, and unnecessarily time consuming for said County Plan Commission to apply to proposed plats submitted to it the different standards and requirements of the various subdivision control ordinances which were in effect in the various political units within and a part of Hendricks County, Indiana, pursuant to Section 55 of Chapter 283 of the Acts of the Indiana General Assembly for 1956, as amended by Section 5 of Chapter 184 of the Acts of the Indiana General Assembly for 1957, and which were adopted as parts thereof,

NOW THEREFORE BE IT RECOMMENDED BY the Hendricks County Plan Commission of Hendricks County, Indiana, that said ordinance be adopted by the Hendricks County Board of Commissioners on August 7, 1961 pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1956, as amended and all zoning and subdivision control ordinances which were adopted as parts thereof, be amended by the addition of the following provisions and by the repeal of all portions thereof in conflict herewith:

SECTION 1.01. No plat of a subdivision of land within the territorial limits of Hendricks County, Indiana, shall be recorded in the Hendricks County Recorder's office until it has been approved by the Hendricks County Plan Commission of Hendricks County, Indiana, in accordance with the following requirements, standards and specifications:

CHAPTER 2 — PROCEDURE:

SECTION 2.01. PRELIMINARY CONSULTATION. The owner or owners proposing to subdivide or plat land into a subdivision shall consult with the Secretary of the Hendricks County Plan Commission of Hendricks County, Indiana, before submitting an application for plat approval. At this consultation, a Sketch Plan of the proposed plat, containing the following information, may be presented for staff advice: (a) Proposed layout of streets, lots and other elements basic to the proposed use in relationship to site conditions, (b) Proposed locations of park, school, recreational and other public and semi-public sites within or near the area proposed to be platted, (c) Proposed methods for handling sewage disposal, drainage, water supply and other utility problems. The Sketch Plan may be a freehand pencil drawing superimposed upon a print of a topographic survey of the area proposed to be platted or may be in any other graphic medium and form containing the above information.

SECTION 2.02. APPLICATION. 1. Filing: Any owner or owners of land proposing to subdivide or plat such land into a subdivision shall submit to the Secretary of the Hendricks County Plan Commission of Hendricks County, Indiana, an application for plat approval upon the official application form of the Hendricks County Planning Department, including therein a legal description of the land proposed to be subdivided or platted. This application, together with four (4) blue-line or black line prints of a Preliminary Plan of the proposed subdivision, two (2) copies of an Area Map and two (2) copies of a Topographic Map thereof, prepared in accordance with the following specifications, shall be filed with the Secretary. No hearing by the Commission upon said application shall be held until at least thirty (30) days after the filing of said application.

2. Preliminary Plan: The preliminary Plan shall be drawn at a scale of not smaller than 100 feet to 1 inch, the size thereof not to exceed 24" x 36" and shall contain the following information: (Description) (a) Proposed name of the subdivision, (b) Location by section, township and range, and by other legal description, (b.1) Layman's description of land to be subdivided, (c) Name and address of land planner or engineer who prepared the Preliminary Plan, (d) Scale of Plan including graphic scale, north point and date, (Existing Conditions) (e) Boundary lines of proposed subdivision indicated by solid heavy lines, based upon a traverse with angular and lineal dimensions shown on Plan, (f) Locations, dimensions and names of all existing streets or other public ways, railroad and utility rights-of-way, certified by engineering utility, parks and other public open spaces, permanent buildings or structures, and section and municipal corporation boundary lines within 100 feet of the area proposed to be platted, (g) In case of replat, all descriptive lines of the original plat being vacated shown by dotted lines in relationship to the lines of the new plat, the new Plan being clearly shown in solid lines, (A copy of original plat shall be filed with replat.) (h) Boundary lines of adjoining and adjacent unsubdivided and subdivided land, showing owners' names within 100 feet of the area proposed to be platted, including the recorded name, date and number of any such subdivided land, (i) Existing zoning of area proposed to be platted and land adjoining and adjacent thereto, (Proposed Conditions): Conform to Thoroughfare Plan, Widths of Arterial Streets and Feeder Streets shall conform to the widths specified in the Official Thoroughfare Plan, or county standards, whichever applies. Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a "Limited Access Highway" by the appropriate highway authorities, provision shall be made for a Marginal Access Street, or a parallel street at a distance acceptable for the appropriate use of the land between the highway or railroad and such streets, (j) Layout of all streets, including the names, widths and designations thereof in conformity with the Master Plan, (k) Layout and numbers of lots, including dimensions of typical lots, (l) Areas to be allocated for park, school, recreational, and other public and semi-public sites in conformity with the Master Plan, (m) Building set back lines, showing dimensions, (n) Areas to be allocated for utility easements showing dimensions, (o) If Preliminary Plan is to be divided into sections for platting, an indication of the boundaries and numbers of such sections.

3. Area Map: The Area Map shall be at an approximate scale and shall indicate: (a) Name and location of proposed subdivision, (b) Scale, north point and date, (c) Street, lot and tract lines of parcels of land and subdivisions within one thousand (1000) feet of the area proposed to be platted and between one thousand (1000) feet of the nearest thoroughfare, (d) Zoning of adjoining and adjacent land within the boundaries of the Area Map, (e) Location of nearest shopping center and/or neighborhood stores, (g) A diagram of the drainage area in which the subdivision lays and of surface water drainage from the point where water leaves the plat to a court ditch, natural stream or public storm sewer, to be shown by flow lines, arrows, and descriptive notes.

4. Topographic Map: The Topographic Map shall be drawn upon a copy of the Preliminary Plan and shall indicate: (a) Name and location of proposed subdivision, (b) Scale, north point, and date, (c) Present contours based on U.S. Coast and Geodetic Datum or U. S. Geological Survey Datum bench marks at one (1) foot vertical intervals,

showing clearly with flow lines and arrows the drainage pattern of surface water, both natural and proposed, within and through the area proposed to be platted, the location and elevation of said bench marks to be shown thereon. Final lot grading contours over layed upon the present ground contours as above defined, (d) Existing sewers, water mains, culverts or other underground facilities within or adjacent to the tract indicating pipe size, grades and exact location as obtained from public records, together with sketch plan of group sewage disposal system, if proposed, which has been approved in writing by the Division of Public Health Officers of Hendricks County, Indiana, (e) Location and results of soil percolation tests (one percolation test per acre and two test borings to a depth of six (6) feet for each subdivision, performed by a registered professional engineer), as required and approved in writing by said Public Health Officer, if private sewage disposal systems are proposed, (f) Other significant conditions of the area proposed to be platted, such as water courses, marshes, land subject to flooding, rock outcrop, wooded areas, houses, barns, shacks, and other structures.

5. Fee: At the time of the filing of an application for plat approval, the applicant shall pay to the Commission as a fee for the checking and verifying of such plat, a sum computed from the following schedule: 1 or more lots, \$50.00 fee plus \$1.00 per lot.

SECTION 2.03. NOTIFICATION. An affidavit evidencing compliance with the following shall be filed with the Engineer for the Plan Commission within the time limits specified and as provided in subsection 3 of Section 2.03 of Chapter 2 of this ordinance:

1. Upon the official notification forms of the Hendricks County Planning Department, the applicant for plat approval shall notify by certified/registered mail, the owner or owners, according to the most recent bound volumes of the real estate tax assessment lists on file in the offices of the various township assessors of Hendricks County, Indiana, of all parcels of lands adjoining or adjacent to the land described in said application for plat approval to a depth of two (2) ownerships, but not to include any ownership of land located more than six hundred (600) feet from said land described in the application for plat approval, except as hereinafter qualified. For purpose of giving notice as required by this section, the land described in said application for plat approval shall be deemed to include any adjoining or adjacent land owned by the applicant, with the exception, however, that if the applicant is a railroad, on either utility, the land described in said application for plat approval shall not be deemed to include the entire right-of-way but shall be limited to the particular parcel involved and land separated from land described in the application for plat approval by streets, alleys, easements, channel waters, or any other natural or artificial barrier, except a boundary line of Hendricks County, Indiana, shall be deemed to be land adjoining, or adjacent to, that described in the application for plat approval. Such notice shall state: (a) The general location of the proposed subdivision and a legal description of the land contained therein, as stated in the application for plat approval. (b) That the Preliminary Plan of the proposed subdivision is on file and may be examined at the office of the Hendricks County Plan Commission. (c) That the addressee may file in writing with the Hendricks County Plan Commission any comments concerning the proposed subdivision and Preliminary Plan thereof within ten (10) days after date of the Postmark appearing on the certified/registered mail envelope enclosing said notice.

2. When the address of an owner of such land adjoining or adjacent to that described in said application for plat approval is not given in the most recent bound volumes of the real estate tax assessment lists on file in the offices of the various township assessors of Hendricks County, Indiana, the applicant shall include a statement to the effect in the affidavit to be filed by him with the Secretary of the Hendricks County Plan Commission within the time limits specified and as provided in Sub-section 3 of Section 2.03 of Chapter 2 of this ordinance, and the applicant shall, within ten (10) days after the filing of said affidavit as requested by this ordinance, publish a notice one time in a newspaper of general circulation in Hendricks County, Indiana, stating: (a) The general location of the proposed subdivision, and (b) That the Preliminary Plan of the proposed subdivision is on file and may be examined at the office of the Hendricks County Plan Commission. (c) That comments in writing concerning the proposed subdivision and Preliminary Plan thereof may be filed with the Hendricks County Plan Commission within ten (10) days after the publication of said notice.

3. The applicant shall furnish evidence of compliance with the requirements of Sub-section 1 and 2 of Section 2.03 of Chapter 2 of this ordinance by filing an affidavit with the Secretary within five (5) days after the filing of the application for plat approval, as required by Sub-section 1 of Section 2.02 of Chapter 2 of this ordinance, except that when said fifth (5th) day falls on a Saturday, Sunday or Legal Holiday, said affidavit may be filed on the first day following which is not a Saturday, Sunday or Legal Holiday. Such affidavit shall: (a) List the owner or owners, according to the most recent bound volumes of the real estate tax assessment lists on file in the offices of the various township assessors of Hendricks County, Indiana, of parcels of ground to whom notice was sent by certified/registered mail, as required by Sub-section 1 of Section 2.03 of Chapter 2 of this ordinance, (b) List the names of any owners of such adjoining or adjacent parcels of land, as specified in Sub-section 2 of Section 2.03 of Chapter 2 of this ordinance, whose addresses are not given in the most recent bound volumes of the real estate tax assessment lists on file in the offices of the various township assessors of Hendricks County, Indiana, and the dates and names of all newspapers in which the notice as required by this ordinance was or will be published.

SECTION 2.04. FILING FINAL PLAT: The Final Plat prepared in accordance with the following requirements and specifications, together with four (4) blue-line or blackline prints thereof, shall be filed with the Secretary of the Hendricks County Plan Commission at least twenty (20) days prior to the hearing of the Commission at which said application and plat are to be considered.

1. Final Plat: The Final Plat shall be drawn with India ink on the highest grade of tracing cloth or the equivalent. All certifications shall be made in permanent ink with each signature accompanied by the printed name. The final plat shall indicate: (a) Name of subdivision, (b) Location by section, township and range, and by other legal description, and certificate of ownership, (c) The signature, seal and certification of a registered professional engineer or registered land surveyor, (d) Scale shown graphically, date, and north point, (e) Boundary lines of plat and acreage thereof, based upon an accurate traverse with temperature corrections equal to 68 degrees F. (f) True courses and distances to the nearest established street lines or official monument which accurately describe the location of the plat, (g) City, Town, township, county or section lines accurately tied to the lines of the subdivision by courses and distances, (h) Street designations and labels, in accordance with the provisions of this ordinance and the Master Plan, names and lines of all streets within and on the perimeter of the plat, with accurate dimensions in feet and hundredths showing angles to streets, alleys and lot lines at least to the nearest minute, (i) Radii, central angles, tangents, lengths of arcs, curvatures, angles at street intersections and a complete street traverse of each street within and on the perimeter of the plat, (j) Lines of any existing alleys or alleys for the perimeter of industrial or other non-residential land uses within and on the perimeter of the plat, with accurate dimensions in feet and hundredths, (k) All lot numbers and lines, with accurate dimensions in feet and hundredths, (l) Lots in sections of the same subdivision may be numbered consecutively through the several

sections). (1) Lines of all easements provided for public services and utilities, with accurate dimensions in feet and hundredths. No utility poles to be set on site lines. (m) Accurate location and material of all monuments indicating whether found or set, and elevation of at least one thereof. (n) Accurate outlines of any area to be dedicated or reserved for. (o) Building set back lines accurately shown with dimensions. (p) A correct legal description of the land platted, indicating any changes from the description appearing in the last record transfer of said land. (q) Restrictive covenants applicable to the land in the plat, consistent with the requirements, standards and specifications of this ordinance, as required by the Commission.

SECTION 2.06. PLAT APPROVAL. 1. During the thirty (30) day period following the filing of the application for plat approval, the Secretary of or the Hendricks County Plan Commission will review the application, Preliminary Plan, Final Plat and any comments filed with the Commission, as provided in Sub-section 1 and 2 of Section 2.02 of Chapter 2 of this ordinance pertaining thereto. If he determines that the requirements and standards of this ordinance have been substantially met, he shall set a date for a hearing before the Commission, standing in writing, and notify by general publication in a newspaper of general circulation in Hendricks County, Indiana, at least ten (10) days prior to the date set for the hearing, any person or governmental unit having a probable interest in the proposed plat. But, if the Secretary determines that the requirements and standards of this ordinance have not been met, the applicant shall, if possible, make all revisions, alterations, corrections and/or additions necessary to substantially meet all of said requirements and standards, and upon the Secretary's determination that all of said requirements and standards of this ordinance have been met, he shall set a date for a hearing upon said application and plat before the Commission and follow the notification procedure herein before specified. If, however, the applicant fails to make all revisions, alterations, corrections and/or additions necessary to meet all of said requirements and standards of this ordinance, no hearing date before the Commission shall be set by the Secretary for said application and plat, with the following exception: (a) If, in the opinion of the Secretary, the designation of any street or streets on the Preliminary Plan and/or the Final Plat will not correspond with or will interfere with any applicable Master Plan, Thoroughfare Plan, or any street which is so designated and labeled as an expressway, parkway, primary thoroughfare, secondary thoroughfare, collector street, local street or cul-de-sac, on any valid subdivision plat previously approved by the Hendricks County Plan Commission, or if, in the opinion of the Secretary, the exercise of full or partial control of access should or may be exercised by public authority, including the Hendricks County Plan Commission, to provide for additional land to be designated for crossings not at grade, at any point on said proposed plat for a subdivision, then the Secretary, at the request of the applicant, shall schedule for determination by the Hendricks County Plan Commission at a public meeting of said Commission the matter of the correct designation of any street or streets on said proposed plat and the matter of determining the amount and location of any additional land to be designated for crossings not at grade at any point on said plat for subdivision. (b) If, in the opinion of the Secretary, the designation of any street or streets on any Final Plat corresponds to the applicable Master Plan and Thoroughfare Plan, if in his opinion the designation of such street or streets on said Final Plat will not interfere with the applicable Master Plan and Thoroughfare Plan, and if in his opinion the designation of such street or streets will not interfere with any valid plat for subdivision which has been previously approved, then he shall proceed to set a date for hearing on said proposed plat before the Commission, after he determines that the standards in this ordinance have been complied with as herein required. (c) If the Secretary hearing the matter of the designation of any street or streets shown on said Preliminary Plan and/or Final Plat or the matter of determining the amount and location of any additional land to be designated for crossings not at grade, at any point on said plat for a subdivision, then the Hendricks County Plan Commission shall make such determinations at the public hearing set by the Secretary or at a subsequent meeting if said matters are properly continued, the applicant may therefore make such changes on the Final Plat as are necessitated by the Commission's determination, and the applicant may submit such changed Final Plat with such designations fixed by the Hendricks County Plan Commission to the Secretary, who shall proceed to set a date for hearing before the Commission on said changed final plat, if he determines that the standards of this ordinance have been complied with as herein required.

2. Final Approval. If, after the hearing, the Commission determines that said application and plat comply with all the requirements and standards of this subdivision control ordinance, it shall give final approval to said plat and affix the Commission's seal thereto, together with a certificate disclosing that proper public notice of the hearing has been given. If, however, after the hearing the Commission determines that the application and/or plat fails to comply with all requirements and standards of this subdivision control ordinance except as provided in Sub-section 3 of Section 2.06 of Chapter 2 of this ordinance, it shall disapprove said plat, set forth its reasons therefor in its records and provide the applicant with a copy thereof.

3. Conditional Approval: (a) If, after the hearing, the Commission determines that upon the satisfactory completion of one or more specified conditions consistent with the requirements, standards and specifications of this subdivision ordinance (other than the requirements, standards and specifications regarding the completion of improvements and installations), said application and plat would comply with all requirements and standards of this subdivision ordinance, it may give conditional approval to said plat. The applicant shall furnish sufficient evidence of the satisfactory completion of such conditions before there shall be affixed and attached to said plat the seal of the Commission, the approval of its officers, and the certificate that proper public notice of the hearing, the Commission determines that all improvements and installations have not been completed as required by this Subdivision Control Ordinance but that said application and plat otherwise comply with all requirements and standards of this subdivision control ordinance, it shall give approval to said plat upon the condition that the applicant provide an improvement bond therefor with himself or some other person satisfactory to the Commission as principal. The applicant shall provide said bond before there shall be affixed and attached to said plat the seal of the Commission, the approval of its officers and the certificate that proper public notice of the hearing was published. Said bond shall: (1) Run jointly and severally to Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction and completion of said improvements and installations. (2) Be in an amount equal to one hundred percent (100%) of the cost, as estimated by the Secretary of the Hendricks County Planning Commission, of all improvements and installations as required by Chapter 9 of this ordinance, excluding however the cost of any of said required improvements and installations which have been constructed, installed and completed in compliance with the requirements of this ordinance prior to the providing of this bond and for which sufficient written proof of such construction, installation and completion has been furnished the Commission as required by Sub-section 4 of Section 2.06 of Chapter 2 of this ordinance, and the cost of any improvement or installation for which an equivalent bond (which runs jointly and severally in Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and, if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction, completion and/or maintenance of said improvement or installation) has previously been provided with such other governmental unit or agency and a copy of which has been furnished the Commission; and further excluding the cost of the public, group and individual water supply improvements and installations required by Chapter 9 of

this ordinance. Nothing contained in this sub-paragraph (2) shall, however, exclude any of said improvements and installations from the requirements and coverage of this bond as specified in sub-paragraphs (4) and (5) hereof. (3) Provide surety satisfaction to the Hendricks County Plan Commission. (4) Run until and terminate within ninety (90) days after the filing with the Commission of the completion affidavit obtained from the appropriate governmental unit or units as required by Sub-section 5 of Section 2.06 of Chapter 2 of this ordinance and/or ninety (90) days after the filing with the Commission of proof of the construction, installation and completion of said improvements and installations in compliance with the requirements, standards and specifications of this ordinance applicable to the construction, installation and completion of said improvements and installations, have not been met and notifies the applicant of such determination (by certified/registered mail sent to the applicant's address appearing on the application for plat approval) in which event said bond shall continue to run until the filing of proof that the Secretary's determination that said standards, requirements and specifications, have been met. (3) Specifically that all said required improvements and installations shall be completed in accordance with the requirements and specifications of this ordinance prior to the time that houses or residential structures have been built upon eighty-one per cent (81%) of the lots shown upon said plat or within three (3) years after the date of the Commission's affixing its approval to said plat whichever event first occurs. Nothing contained in this Sub-paragraph (5) shall, however, require said improvements and installations to be completed earlier than one (1) year after the date of the Commission's affixing its approval to said plat. (6) Provide that upon completion of said required improvements and installations, but prior to the acceptance thereof for public maintenance by the appropriate governmental agency, the applicant shall provide a one (1) year bond, with himself or some other person satisfactory to the Commission as principal, which shall: (a) Run jointly and severally to Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and, if applicable, any other governmental unit having a legal responsibility for the construction, completion and/or maintenance of said improvements and installations. (b) Be in an amount equal to twenty percent (20%) of the cost, as estimated by the Secretary of the Hendricks County Plan Commission of Hendricks County, of all improvements and installations as required by Chapter 9 of this ordinance, excluding however the cost of the public, group and individual water supply improvements and installations required by Chapter 9 of this ordinance and the cost of any improvement or installation for which an equivalent bond (which runs jointly and severally in Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and, if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction, completion and/or maintenance of said improvement or installation) has previously been provided such other governmental unit or agency and a copy of which has been furnished the Commission. Nothing contained in this Sub-paragraph (b) shall, however, exclude any of said improvements and installations from the requirements and coverage of this bond as specified in Sub-paragraphs (d) and (e) hereof. (c) Provide surety satisfactory to the Hendricks County Plan Commission. (d) Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and installations to be of good quality and have been constructed and completed in a workmanlike manner in accordance with the standards, specifications and requirements of this ordinance and the satisfactory plans and specifications therefor submitted and satisfactory to the Secretary of the Hendricks County Plan Commission. (e) Provide that for a period of one (1) year after said installation and improvements have been completed or are accepted for public maintenance by any appropriate governmental unit or agency thereof, the applicant will at his own expense make all repairs to said improvements and installations, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications, or requirements of this ordinance.

Any funds received from the improvement or maintenance bonds required by this ordinance shall be used only for the purpose of making the improvements, installations or repair for which said bonds were provided, in accordance with the standards, specifications and requirements of this ordinance.

In the event that any proposed plat for a subdivision includes land abutting upon an existing state highway which is planned to be widened, or if a proposed state highway will pass through or near any proposed plat for a subdivision, then the Hendricks County Plan Commission of Hendricks County, Indiana, may as a condition to approving said proposed plat require the applicant for the same to include in said plat restrictions or covenants running for a reasonable period of time, not to exceed three (3) years from the date of the State Highway Commission's legal notice to the applicant for plat approval (sent to the applicant prior to the final public hearing before the Hendricks County Plan Commission held to approve or disapprove the proposed plat) that the proposed plat intervenes with said existing or proposed state highway, prohibiting the erection of any building or structure on any part of the land in said plat affected by said existing or proposed state highway which is planned to be widened or constructed.

SECTION 2.06. IMPROVEMENTS AND INSTALLATIONS

1. Construction Plans and Specifications: Before final approval of said plat, the applicant shall submit construction plans and specifications satisfactory to the County Plan Commission Engineer and in accordance with the following requirements, for all improvements and installations required: The construction plans and specifications shall consist of all cross sections profiles and other engineering data necessary for the proper design and construction of all improvements and installations required by this ordinance, and in compliance with county and/or city standards on file with the Plan Commission including at least the following: (a) Streets—Frothbed, typical cross section of roadways and curbs showing material, including cross-sections of sidewalks and where required. (b) Sewage Disposal System—In all cases, where an established sewer system is located in the vicinity of the new subdivision, the developer will connect to the established system, unless the cost of such connection and laterals is more than 150% of the cost of individual septic system for the subdivision in any case. A cost comparison of the two types of system shall be presented with the development plans for the subdivision. Also maps of the proposed system, on a topographic base map, profile, manhole details, plans for treatment plant, if included in project. (c) Storm Water Sewers—Map of proposed system on a topographic base map, profiles, detail of manholes and other structures. (d) Open ditch drainage—(1) Plan for proposed system of drainage on a topographic base, spot elevations and grade on flow lines, elevation and details of all culverts, pipes, inter-sectional drains, drop inlets, bridges, headwalls and similar or related necessary drainage installations. (2) Typical cross section and profiles for all drainage ditches except minor swales which collect only lot for all drainage within a single block. (3) A plan of proposed erosion surface drainage within a single block. (4) Certification by a registered professional engineer or registered land surveyor that all proposed drainage improvements and structures are adequately designed to safely handle surface drainage from upper watershed areas within such area permitted under the existing zoning classifications applicable to said area at the time of said certification. (5) Certification by a registered professional engineer as to minimum size of driveway culverts to be permitted within each block. County standard—12" min. Dia. C.M.P.

2. Notification: No construction or installation work shall be done on any of said improvements and installations until such satisfactory plans and specifications therefor have been submitted to the Secretary and the applicant has, at least twenty-four (24) hours in advance, notified the Secretary of his intention to begin such work, in order that inspections may be made as the work progresses.

2. Bond: Upon the completion of all said required improvements and installations, but prior to the acceptance thereof for public maintenance by the appropriate governmental agency, the applicant shall provide a one (1) year bond, with himself or some other person satisfactory to the Commission as principal, which shall: (a) Run jointly and severally to Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and, if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction, completion and/or maintenance of said improvements and installations. (b) Be in an amount equal to twenty percent (20%) of the cost, as estimated by the Secretary of the Hendricks County Plan Commission, of all improvements and installations as required by Chapter 9 of this ordinance, excluding however the cost of the public, group and individual water supply improvements and installations required by Chapter 9 of this ordinance and the cost of any improvement or installation for which an equivalent bond (which runs jointly and severally to Hendricks County, Indiana, the Hendricks County Plan Commission of Hendricks County, Indiana, and, if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction, completion and/or maintenance of said improvements and installations) has previously been provided such other governmental unit or agency and a copy of which has been furnished the Commission. Nothing contained in this paragraph "b," shall, however, exclude any of said improvements and installations from the requirements and coverage of this bond as specified in paragraphs "d" and "e" hereof. (c) Provide surety satisfactory to the Hendricks County Plan Commission. (d) Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and installations to be of good quality and have been constructed and completed in a workmanlike manner in accordance with the standards, specifications and requirements of this ordinance and the satisfactory plans and specifications therefor submitted to the Secretary of the Hendricks County Plan Commission. (e) Provide that, for a period of three (3) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installations, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

4. Proof of Compliance: Upon the completion of all improvements and installations as required by Chapter 9 of this ordinance, the applicant shall furnish the Commission, and any other appropriate governmental units having a legal responsibility for the completion of said improvements and installations, with sufficient written proof that said improvements and installations have been constructed, installed and completed in compliance with the requirements of this ordinance.

5. Completion Affidavit: Upon the acceptance of said improvements and installations by the appropriate governmental unit or units, the applicant shall obtain a completion affidavit from such governmental unit or units, stating that the required improvements and installations have been accepted for public maintenance by said governmental unit or units, subject to the terms of the one (1) year maintenance bond provided by the applicant, and shall file said completion affidavit with the Commission.

SECTION 2.07. RECORDING OF PLATS: 1. Every plat approved by the Commission after the effective date of the ordinance shall be recorded within two (2) years after the date of the Commission's hearing at which said plat was approved. 2. Every plat which has been approved by the Commission before the effective date of this ordinance, but which has not been recorded, shall be recorded within two (2) years after the effective date of this ordinance. 3. The recording of any plat shall be without legal effect unless said plat bears the seal of the Hendricks County Plan Commission of Hendricks County, Indiana, and the approval of the officers thereof, and has attached thereto a certificate of proper publication of notice as provided in Sub-section 1 of Section 2.05 of Chapter 2 of this ordinance. 4. Any plat that is not so recorded within such two (2) year period, shall, at the expiration of said two (2) year period, become invalid and shall not be entitled to re-recording without re-approval by the Commission, in accordance with the same standards, requirements and procedures specified by this ordinance for original plat approval. 5. The applicant shall file with the Hendricks County Plan Commission two (2) blue line or black line prints of the approved final plat as recorded, including the Recorder's notation thereon of the time of recordation and the plat book location thereof. Until such prints have been so filed, no improvement location permit shall be issued for any lot shown upon said plat.

CHAPTER 3 — SUBDIVISION STANDARDS

No subdivision plat shall be approved by the Commission unless it is consistent with the Master Plan and conforms to the following standards and requirements, which shall be deemed as minimal, and whenever the applicable standards and requirements of any applicable zoning ordinance or of any other governmental unit or agency thereof are higher or more restrictive, the latter shall control any application for plat approval.

SECTION 3.01. PLATTING: 1. Land shall be platted to achieve the most desirable utilization thereof, in a manner most conducive to: (a) The creation of conditions favorable to the public health, safety and welfare and the physical, social and economic development of the area in conformity with the Master Plan; (b) The advantageous distribution of population densities and traffic control; (c) The creation of desirable local subdivision units with provision for: (1) adequate public and semi-public grounds, spaces and facilities, including but not limited to governmental services and administration, education and recreation; (2) sanitation and drainage, including the treatment and disposal of excess drainage waters, sewage, garbage, refuse and other wastes; (3) necessary public utilities providing water, light, heat, communication and transportation; (d) The prevention of silt-run pollution; (e) The elimination of blight; (f) The prevention and control of floods; (g) The conservation of water, soil and other agricultural and mineral resources.

2. Land shall be platted with adherence to effectuating any long range programs of governmental expenditures and public works embodied in the Master Plan and promoting the efficient and economic use of public funds.

3. Land which is subject to flooding or other danger shall not be platted for use or in any manner tending to create an increased derelict to the public health, safety or welfare.

SECTION 3.12 — STRIPS: All proposed plats submitted for Commission approval under the provisions of this ordinance shall allocate adequate areas for streets, in conformity with the Master Plan and Thoroughfare Plan, and shall designate and label all such streets thereon in accordance with the following definitions, specifications and requirements regarding platter width, right-of-way and control of access thereto:

1. Expressway: Any street designated and labeled as an "expressway" shall be a divided arterial street designed, planned and intended for through vehicular traffic in conformance with the Master Plan and Thoroughfare Plan with full and/or partial control of access thereto. Minimum width of right-of-way for an expressway shall be one hundred (100) feet where full control of access is contemplated or exercised and eighty (80) feet where partial control of access is contemplated or exercised. Partial control of access to an expressway shall be exercised so as to permit access connections only at street intersections.

2. Parkway: Any street designated and labeled as a "parkway" shall be a street serving through vehicular traffic and equal to or more than 5280 feet in length, with partial control of access thereto, the adjoining land on one or both sides of which is predominately dedicated and/or used for park purposes, and shall conform to the Master Plan and Thoroughfare Plan. Minimum width of right-of-way for a parkway shall be eighty (80) feet. Partial control of access to a parkway shall be exercised so as to permit access connections only at street intersections.

way shall be eighty (80) feet. Partial control of access to a parkway shall be exercised so as to permit access connections only at street intersections.

3. Primary Thoroughfare: Any street designated and labeled as a "primary thoroughfare" shall be an arterial street designed, planned and intended for through vehicular traffic in conformance with the Master Plan and Thoroughfare Plan with partial control of access thereto. As a general principal, primary thoroughfares shall be located at approximately one (1) mile intervals in a north-south, east-west grid pattern, except in congested areas where they may be located at more frequent intervals. Minimum width of right-of-way for a primary thoroughfare shall be eighty (80) feet except where conditions necessitate a minimum width of right-of-way of seventy (70) feet. Partial control of access to a primary thoroughfare shall be exercised in either event so as to permit access to each lot abutting thereon as provided in Sub-section 14 of Section 3.02 of Chapter 3 of this ordinance.

4. Secondary Thoroughfare: Any street designated and labeled as a "secondary thoroughfare" shall be designed, planned and intended to serve as a collector and distributor of through vehicular traffic, in conformance with the Master Plan and Thoroughfare Plan from sections of land within Hendricks County to expressways, parkways and primary thoroughfares and vice versa, with partial control of access thereto. Minimum width of right-of-way for secondary thoroughfares shall be fifty (50) feet. Partial control of access to a secondary thoroughfare shall be exercised so as to permit access to each lot abutting thereon as provided in Sub-section 14 of Section 3.02 of Chapter 3 of this ordinance.

5. Collector Street: Any street designated and labeled as a "collector street" shall be designed, planned and intended to serve as a collector and distributor of vehicular traffic in conformance with the Master Plan, to carry vehicular traffic to and from expressways, parkways, primary thoroughfares and secondary thoroughfares, with partial control of access thereto, and shall include but not be limited to entrance streets of residential subdivision. Minimum width of right of way for a collector street shall be fifty (50) feet. Partial control of access to collector streets shall be exercised so as to permit access to each lot abutting thereon.

6. Local Street: Any street designated and labeled as a "local street" shall be designed, planned and intended, in conformance with the Master Plan, primarily to provide access to lots abutting thereon, with partial control of access thereto. Minimum width of right-of-way for a local street shall be fifty (50) feet in subdivisions designed for five (5) dwelling units or less per acre of ground within the boundaries of the plat; minimum width of right-of-way for a local street shall be fifty (50) feet in subdivisions designed for more than five (5) dwelling units per acre of ground within the boundaries of the plat or for commercial, industrial or other non-residential land uses. Partial control of access to a local street shall be exercised so as to permit access to each lot abutting thereon.

7. Cul-de-sac: Any street designed and labeled as a "cul-de-sac" shall be designed, planned and intended as such, with one end thereof open to vehicular traffic from an expressway, parkway, primary thoroughfare, secondary thoroughfare, collector street, or local street, and with the closed end thereof permanently terminated by a vehicular turnaround, in conformance with the Master Plan, with partial control of access thereto. Minimum width of right-of-way for a cul-de-sac shall be fifty (50) feet in subdivisions designated for five (5) dwelling units or less per acre of ground within the boundaries of the plat; minimum width of right-of-way for a cul-de-sac shall be sixty (60) feet in subdivisions designed for more than five (5) dwelling units per acre of ground within the boundaries of the plat or for commercial, industrial or other non-residential land uses with a radius of fifty (50) feet for the vehicular turnaround. Partial control of access to a cul-de-sac shall be exercised so as to permit access to each lot abutting thereon.

8. The plan, arrangement, character, extent, width, grade and location of streets within and on the perimeter of said plat shall be logically related to the public convenience and safety existing and planned street in conformity with the Master Plan and Thoroughfare Plan, and existing and proposed topographical and other conditions, so as to: (a) Produce reasonable grades and suitable sites for the uses proposed. (b) Serve vehicular and pedestrian traffic adequately and provide ease of circulation within, ingress to and egress from said proposed platted area. (c) Create a desirable local subdivision plan consistent with said proposed uses.

9. Such street plan shall provide for the logical extension, continuation, or completion of all property located existing streets, either constructed or appearing on any validly recorded plat or survey, or valid plat previously approved by the Commission.

10. Streets which are extensions or continuations of, or obviously in alignment with, any existing streets, either constructed or appearing on any validly recorded plat or survey, or valid plat previously approved by the Commission, shall bear the names of such existing streets.

11. The names of new streets shall be subject to the approval of the Commission and shall not duplicate or closely resemble phonetically any existing street names within the territorial limits of Hendricks County, Indiana, except as hereinabove provided.

12. A half-width street shall be permitted where the other half of such street is or should logically be located on land abutting upon but not included within said proposed plat.

13. An improvement location permit shall not be issued for any lot, however, which does not abut upon and have sufficient and adequate access to: (a) At least a whole-width pavement constructed or to be constructed in accordance with the requirements, standards and specifications of this ordinance applicable to local street pavement width and depth, or (b) In the case of a half-width street permitted under Sub-section 12 hereof and abutting upon an existing half-width street which has been accepted for public maintenance by the appropriate governmental unit, at least a half-width pavement within the plat constructed or to be constructed in accordance with said requirements, standards and specification applicable to local street pavement width and depth.

14. Access to Areas Abutting Thoroughfares: If the area proposed to be platted abuts upon or contains an existing or proposed thoroughfare, the street plan shall provide vehicular access to each lot abutting upon said thoroughfare by one of the following means: (a) A parallel street supplying frontage for lots backing onto, but separated from said thoroughfare right-of-way by a screen planting or buffer strip. (b) A cul-de-sac, or series of cul-de-sacs, entered from a street paralleling said thoroughfare, with the terminal lots of the cul-de-sac backing onto the thoroughfare right-of-way and separated from said thoroughfare right-of-way by a screen planting or buffer strip. (c) A marginal access street separated from said thoroughfare by a screening planting or buffer strip, access to the thoroughfare being provided at points suitably spaced. (d) Any other reasonable means necessary to control the number and location of intersections with such thoroughfare and provide adequate separation of through and local vehicular traffic. As a general principle, intersections with thoroughfares shall not exist at less than quarter-mile intervals.

15. Intersecting streets which determine block lengths shall be provided at such intervals as to conform to the Master Plan and Thoroughfare Plan, serve cross traffic adequately, logically relate to existing and proposed topographical and other conditions, produce reasonable grades and suitable sites for the uses proposed, and create a desirable local subdivision plan consistent therewith.

16. Dead-Ended Street: Permanently dead-ended streets (except cul-de-sacs as defined in this ordinance) shall be prohibited. A temporarily dead-ended street shall be permitted in any case in which a street is proposed to be and should logically be extended beyond the limits of said plat, but is not yet constructed beyond said plat limits. An adequate easement for a turnaround shall be provided for any such temporarily dead-ended street which exceeds two hundred fifty (250) feet in length.

17. Alleys shall not be located in areas proposed to be platted for residential use.

18. If in any proposed plat, the plat shall be so designed as to permit, where railroad right-of-way, the plat shall be so designed as to permit, where necessary, future grade separations at thoroughfare intersections with railroad right-of-way and shall provide an adequate buffer by a raised railroad right-of-way and shall provide an adequate buffer by the following means: (a) A parallel street at a sufficient distance from the railroad right-of-way to provide frontage for deep lots abutting upon said railroad right-of-way and separated from said railroad right-of-way by a screen planting or buffer strip. (b) A cut-de-sec. or right-of-way, with deep terminal lots thereof backing onto said railroad right-of-way, with deep terminal lots thereof backing onto said railroad right-of-way and separated from said railroad right-of-way by a screen planting or buffer strip. (c) A park, screen planting or buffer strip, abutting upon said railroad right-of-way.

SECTION 3.03 LOTS: 1. All proposed plats submitted for Commission approval under the provisions of this ordinance shall allocate lot areas adequate for the uses proposed, in conformity with the Master Plan and all zoning ordinances applicable thereto, with the exception that if septic tanks or other individual sewage disposal systems are to be installed, increased lot areas may be required in order to satisfy the minimum requirements of the State Department of Public Health of Hendricks County, Indiana.

2. The design, character, grade, location, and orientation of all lots so allocated shall be approximate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with said Master Plan and local subdivision plan.

3. Every lot appearing upon said proposed plat shall abut upon and have sufficient and adequate access, subject to the limitations and imposed by Chapter 3 of this ordinance, to a street designated and labeled with or on the perimeter of said plat and constructed or to be constructed in accordance with the requirements, standards and specifications of this ordinance.

4. The area of lots shall be approximately at

4. As a general principle, site lot lines shall be of sufficient size to permit appropriate building setback and orientation to both streets.
5. As a general principle, corner lots shall not be of sufficient size to permit appropriate building setback and orientation to both streets.
6. As a general principle, single family residential lots shall not have double frontage, except as provided in Sub-section 14 of Section 3.02 of Chapter 3 of this ordinance, shall be determined by the Secretary of the Planning Commission.

7. Street numbers for all lots shall be assigned by the Henderson County Planning Commission. **SECTION 104. BUILDING SETBACK LINES:** Building setback lines shall be regulated by the setback provisions of the zoning ordinance applicable to said area proposed to be platted with the exception that front building setback lines shall be as follows: (1) Expressway, Parkway, or Primary Thoroughfare: No part of any structure (except an eave or cornice overhanging not exceeding four (4) feet) shall be built closer than twenty-five feet to any right-of-way line of an expressway, closer than twenty-five feet to any right-of-way line of a Thoroughfare. No parkway or primary thoroughfare. (2) Secondary Thoroughfare: No part of any structure (except an eave or cornice overhanging not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any secondary thoroughfare. (3) Collector Street: No part of any structure (except an eave or cornice overhanging not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any collector street. (4) Local Street, Major Access Street or Cul-de-sac: No part of any structure (except an eave or cornice overhanging not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any local street, marginal access street, or cul-de-sac, with the exception of the vehicle turnaround thereof. No part of any structure (except an eave or cornice overhanging not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of the vehicle turnaround of any cul-de-sac. (5) All proposed plans submitted for platting shall be subject to the following:

SECTION 3.05. EASEMENTS. The provisions of this ordinance shall for Commission approval under the provisions of this ordinance shall allocate areas of suitable size and location, whenever necessary, for utility easements. As a general principle, such easements shall be located along both sides of rear lot lines and the total width of such combined lot easements shall be ten (10) feet. (2) If any stream or necessary surface drainage course is located in said area, proposed easements shall be located along the sides of such stream or surface drainage course shall be allocated for the purpose of widening, deepening, sloping, improving or protecting said stream or surface drainage course.

SECTION 3.06 PUBLIC SITES. The provisions of this ordinance shall Commission approval under the provisions of this ordinance shall allocate adequate areas for park, school, recreational and other public and semi-public sites, wherever necessary in conformity with the Master Plan and as required by the Commission. The location, shape, extent and orientation of such areas should be consistent with existing and proposed topographical and other conditions, including but not limited to the park, school, recreational and other public and semi-public needs of said proposed subdivision. Such areas shall be made available by one of the following methods: (1) Dedication to public use; (2) Reservation for the use of owners of land contained in said plat, by deed restriction for the covenants which specify how and under what circumstances the area or areas shall be developed and maintained; (3) Reservation for acquisition by a governmental unit or agency thereof within a period of three (3) years, such reserved area to be released for private use; (4) In the event no governmental unit or agency thereof proceeds with such acquisition within three (3) years after the date of the recording of said plat, or (b) If released by said governmental unit or agency prior to the expiration of the three (3) year period.

CHAPTER 5

SECTION 5.01. MODIFICATIONS. Where the rigid enforcement of the requirements, standards and specifications imposed by this Subdivision Control Ordinance, because of the peculiar conditions of an individual plot, would result in extraordinary hardship or deny the reasonable use of the land involved therein, the Commission may modify said requirements, standards and specifications so as to promote the public health, safety and welfare and prevent detriment to the use and value of said land, provided, however, that nothing herein shall be construed as altering or conflicting with the powers and duties of the boards of zoning appeals to authorize height, bulk, area, and use variances as provided in Sections 68 and 69 of Chapter 283 of the Acts of the Indiana General Assembly for 1956, as amended.

CHAPTER 6 — ENFORCEMENT

SECTION 6.01. Any person who violates a provision of this ordinance, or any regulation therein contained, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than three hundred dollars (\$300.00) for each day's violation.

SECTION 602. Any land within the territorial limits of Adams County, Indiana subdivided in violation of the terms of this ordinance after the effective date hereof is hereby declared to be a common nuisance and the owner of such land shall be liable for maintaining a common nuisance which may be restrained, enjoined or abated in any appropriate action or proceeding.

SECTION 6.03. The Commission may institute a suit, or bring in the Circuit Court of Hendricks County, Indiana, to restrain any person or governmental unit from violating the provisions of this ordinance.

SECTION 6.04. The Commission may move any injunction directing an individual or governmental unit to remove or alter a structure erected in violation of the provisions of this ordinance, or a structure erected in violation of the provisions of this ordinance, to make the same comply with its terms. If the Commission is successful in its suit, the respondent shall bear the cost of the action.

CHAPTER 7 — DEFINITIONS

ALLEY: A permanent public service way providing a secondary means of access to lands otherwise abutting upon a street.

ABSTRACTER'S NOTE: The balance of this ordinance pertains to street, drainage, etc. Copy of ordinance may be inspected at the Hendricks County Plan Commission Office.

58

NO.

Taxes for all former years have been paid in full.

59

NO.

Taxes for the year 1963 due and payable in 1964 assessed in the name of WALTER C. MARTIN in WASHINGTON TOWNSHIP under Key No. 9-17-01 in Hendricks County, Indiana, are as follows:

DESCRIPTION	VAL. OF LAND	VAL. OF IMP.	ACRES
Pt E SW 17-15-2E	\$400.00	\$4450.00	10

May Installment \$153.75 PAID
November Installment \$153.75 PAID

60

NO.

Taxes for the year 1964 due and payable in 1965 are a lien not yet computed.

13 NUMBERS

15 PAGES

8 o'clock A.M. August 15, 1964

Order No. _____

CERTIFICATE

Danville

County of Hendricks

Indiana 8AM Aug. 5, 19 64

Prepared for:

SEARCH FOR

FEDERAL JUDGMENTS, PENDING BANKRUPTCIES, INTERNAL
REVENUE TAX LIENS

in the

UNITED STATES DISTRICT COURTS OF INDIANA

SOUTHERN DISTRICT

Indianapolis Division
Terre Haute Division
Evansville
New Albany Division

NORTHERN DISTRICT

South Bend Division
Hammond Division
Fort Wayne Division
Lafayette Division

The undersigned hereby CERTIFIES that there are no transcripts of judgments of the United States courts filed in the office of the Clerk of the Circuit Court of said County; 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; and that there is no notice of lien filed in the Federal Tax Lien Index in the Office of the Recorder of said County; and that there are not now pending upon the records of any of the eight divisions of the Federal courts above named, voluntary bankruptcy proceedings by or involuntary bankruptcy proceedings against any of the following named persons, except as hereinafter set out:
Examination made against the parties named below, the search being made and limited according to the names exactly as set forth herein and not otherwise: for 10 years last past.

Walter C. Martin

John W. Martin

Walter Clifton Martin

Marjorie Martin Jones

)
) HEIRS OF WALTER C. MARTIN

FORM 136



TAYLOR & TAYLOR, INC., ABSTRACTERS

[Handwritten signature]

TAYLOR & TAYLOR, INC., ABSTRACTERS

CERTIFICATE

The undersigned, TAYLOR & TAYLOR, Inc. ABSTRACTERS, hereby certify 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 thereof, and that all instruments abstracted herein appear regular in form, execution and acknowledgement unless otherwise indicated.

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

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

II. IN THE OFFICE OF THE AUDITOR OF HENDRICKS 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 HENDRICKS COUNTY, search made in the current tax duplicates of unpaid taxes, assessed against the real estate for which this examination is prepared.

IV. IN THE OFFICE OF THE CLERK OF THE HENDRICKS CIRCUIT COURT, search made in the Lis Pendens records of complaint and attachment, the will records, and estate and guardianship dockets, and the general judgment dockets of the Hendricks Circuit Court, of the Probate Court of Hendricks County, of the Criminal Court of Hendricks County, including Replevin Bail and Recognizance Bonds, as said records and dockets are now indexed. Pending suits are not included unless the real estate is the subject matter thereof.

V. This Certificate includes only matters entered or filed of record during said period, except in case of judgments. Certificate includes all judgments not satisfied of record, entered on the Judgment Dockets of the Circuit Court of said County, at any time during the ten years last preceding the date of this Certificate, against all owners of the said real estate whose names are shown by the records as holding title at any time during the period covered by this Certificate, under the names by which said owners acquired title. Other liens, including special assessments, which appeared of record prior to said period, are not included, even though existing during said period; said real estate is herein certified to as subject to existing public roads or highways and to regulations by any governmental agency limiting the use thereof. Taxes on personal property, adoption proceedings, Juvenile proceedings, conditional sales transfers of title to chattels, foreign executions and such as may have become fixtures are not included.

VI. From the searches above enumerated, we find no further conveyances nor unsatisfied encumbrances as indexed or entered up affecting the title of:

.....-HEIRS OF WALTER C. MARTIN-.....

.....John W. Martin, Walter Clifton Martin and Marjorie
.....Martin Jones.....

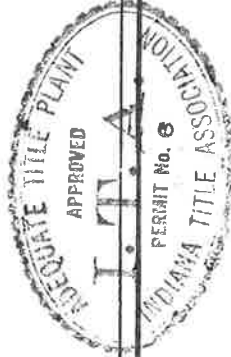
.....within the period herein certified, against the real estate described in the caption hereto, except those which may be herein shown.

The period of search covered by this certificate is from:

.....(8AM) May 12, 1962
to and including ... (8AM) August 15, 1964

TAYLOR & TAYLOR, ABSTRACTERS,

By



TAYLOR & TAYLOR, INC.

Abstracts

52 SOUTH JEFFERSON STREET • DANVILLE, INDIANA • PHONE SHERWOOD 5-2382

CRAWFORD TAYLOR • JOHN W. TAYLOR • CHARLES JONES

ABSTRACT OF TITLE

For

HEIRS OF WALTER C. MARTIN

To

Pt E SW 17-15-2E

(10) acres

Prepared By

TAYLOR & TAYLOR, INC.

ABSTRACTERS

DANVILLE, IND.

ESTABLISHED 1875

Member of

THE AMERICAN TITLE ASSOCIATION



COMPLETE ABSTRACT OF
HENDRICKS COUNTY RECORDS

Office

52 SOUTH JEFFERSON ST.
DANVILLE, IND.

PHONE SHERWOOD 5-2382

TO THE PUBLIC

By consulting us you can ascertain the incumbrance on, the correct description of and the record owners of any tract or lot of real estate located in Hendricks County, Indiana.

Do not execute or accept any conveyance for any real estate until you know the correct description and the condition of the title.

We make conveying a speciality, and will furnish accurate descriptions and plots of any real estate in this county on short notice, thereby saving you the time and expense of a survey.

TO ATTORNEYS

We extend liberal courtesies to all attorneys and solicit their patronage.

TAYLOR & TAYLOR, INC.
ABSTRACTERS