

¹⁺²3 & 10-15-1W Hendricks County Home Land ^{#3}

1489

RESURVEY OF LANDS OWNED BY HENDRICKS COUNTY, INDIANA, IN SECTIONS 2, 3, 10 & 11, T. 15 N., R. 1 W.

SURVEYOR'S REPORT

Pursuant to Title 865 IAC 1-12 ("Rule 12") establishing minimum standards for the competent practice of land surveying as required by IC 25-31-1-7, the undersigned respectfully reports as follows:

This resurvey and report, begun in 1997 and completed in 1998, has for its major purpose the retracement, identification, location, staking, describing, and mapping of all real estate owned by Hendricks County in the above-referenced sections, including parcels leased to others but excluding the Government Center Complex already resurveyed. This report describes monuments found, including their origins, and explains the theory applied in restoring missing corners. At the request of the County's Engineering Department, lands dedicated for—or leased to—the Hendricks Community Hospital are shown on the accompanying plat only as adjoiners and not as County property. Zoning and easements are also omitted, excepting those easements devoted to highway purposes and one owned by Cinergy. Improvements on lands adjoining the County's real property are included only where necessary to certify the absence of encroachments.

Monuments shown on the annexed plat of survey marked *Pipe set* are ¾-inch diameter steel pipes 30 inches long with plastic identification caps placed in their tops. Where possible, laths are driven nearby to aid in finding the pipes.

In 1908, the U. S. Coast & Geodetic Survey created the Hendricks County Magnetic Station on the County's land where the County Highway Department's storage lot is now located. It consisted of two 8x12x54-inch Bedford limestone monuments set upon a true meridian 800 feet apart. They had crosses cut into 2½-inch-long copper plugs driven into the centers of their tops. The station enabled the Survey to study the ever-changing declination of the compass. In 1938 and in 1942, the undersigned employed the meridian to learn the true orientation of certain lines at the Danville South Cemetery. With the intention of adapting the present survey to the same true meridian, Mr. Steve Maxwell and the undersigned uncovered both monuments during the summer of 1997 only to learn that something had dislodged them from their positions and ruined forever the configuration beyond any use. As an alternative, the undersigned reconciled the bearings of the present resurvey to those assigned to lines in the cemetery. The legal descriptions herein call them *assumed bearings*. The 1938 and 1942 work depended on a one-minute transit employed at several places en route from the Magnetic Station and the cemetery. Due to the accumulation of small accidental errors, assignable mainly to the coarseness of the instrument used in the earlier surveys, the bearings of this 1998 resurvey are not accurately oriented to a true meridian at the longitude of the former Magnetic Station. However, if desired, the assumed bearings may be oriented to a true meridian passing through the stone at the corner common to Section 2, 3, 10, and 11 by rotating them 0°01'41" clockwise.

Hendricks County acquired title to its realty in the above-designated sections by virtue of the following four conveyances:

(1) Warranty deed from Martin Gregg and Mary J. Gregg, wife of said Martin, to Hendricks County dated April __, 1867, and recorded in Deed Record 32, page 198, in the office of the Recorder of said County. 88.24 acres, more or less, by said deed.

(2) Warranty deed from John O. Wishard and Elizabeth H. Wishard, his wife,

to The Board of Commissioners of Hendricks County dated October 3, 1882, and recorded in Deed Record 58, page 499, and a warranty deed for the same land dated December 5, 1882, and recorded in Deed Record 59, page 135, in said Recorder's office. 44.53 acres, more or less, by said deeds, reserving therefrom the 100-foot right of way of the Indiana and Illinois Railroad Company.

(3) Warranty deed from Alfred S. Lineinger and Sarah A. Lineinger, his wife, to The Board of Commissioners of Hendricks County dated November 12, 1895, and recorded in Deed Record 79, page 203, in said Recorder's office. 79 acres, more or less, by said deed, "except the right of way of the Indiana and Illinois Central Rail Road."

(4) Quitclaim deed from Hertha Hill to The Board of Commissioners of Hendricks County dated November 29, 1984, and recorded in Deed Record 282, pages 57-59, in said Recorder's office. 11.703 acres, more or less, by said deed, after several exceptions.

Unfortunately, the standards of practice of land surveying that prevailed in Hendricks County during the nineteenth century did not require great accuracy. By today's standards many of the courses and distances specified in deeds (1), (2), and (3) above are faulty and deviate from facts found on the ground. The metes and bounds descriptions contained in the first three deeds have bearings observed with the surveyor's compass and distances measured with the Gunter's chain. The compass was an instrument of low accuracy, even when mounted on a surveyor's transit. Probably to avoid a backsight, Hendricks County Surveyors rarely employed the transit's horizontal circle to measure angles. Instead they resorted to the compass for bearings. Compasses allowed readings only to about the nearest one quarter of a degree. Other surveying equipment such as the chain, the surveyor's belt buckle and other articles of clothing, his notebook, watch, pencil, and eyeglasses incorporated ferrous metal that deflected the compass needle from its orientation to the magnetic north pole. Nearby wire fences and underground ore deposits often disturbed the needle. All of that debilitated the fidelity of the bearings intended for deed descriptions. Magnetic declination strongly affected compass readings, sometimes as much as five degrees. Even if the surveyor knew the amount of declination for a particular place and time, and allowed for it, he seldom accounted for (or even knew about) secular, daily, and irregular variations of the needle. Therefore, compass bearings stated to the nearest one fourth or one half degree are generally illusory.

The surveyor's measuring chain mislead too, the main fault being its inability to remain of correct length. Most chains had links joined by three rings resulting in eight wearing surfaces per link, or about 800 wearing surfaces per 66-foot chain. If, after considerable use, each surface should diminish by only 0.01 of an inch the chain was lengthened by eight inches, or 54 feet (82 links) per mile. As a result the recorded measurement would be too short. Chains that were too short exaggerated dimensions. Length error could be corrected by adjusting the chain's handles during a comparison with a standard. 1 R. S. 1852, ch. 117, § 1, p. 514, required Indiana's Boards of County Commissioners to procure a set of weights and measures, but the three-foot length standard set by the law was of little use to the County Surveyor. Nuts designed to hold the adjustable handles in place sometimes loosened and corrupted the chain's length. Distortion from flattening out of connecting links, from bending of the links, and from stretching the chain beyond its elastic limit often adversely influenced the accuracy of surveys and descriptions of land. The chain used by Joseph Addison Clark, County Surveyor 1872-1882, was often nearly nine inches too long, though less than that when utilized in his 1882 survey of the County's purchase from Wishard. (Surveyor's Office, Red Book for T. 15 N., R. 1 W., p. 50.) Such errors are called systematic. Accidental errors of alignment and improper techniques on slopes also caused problems. Allowances for temperature and some other considerations were ignored. The ratio of a modern measurement to an ancient one between the same fixed points is called the "chaining calibration factor." In theory, a good estimate of the true distance between fixed points is the product of the chained distance and the chaining calibration factor. Unfortunately,

poor measuring techniques before about 1910 render such factors inconstant. They vary from surveyor to surveyor, from job to job by the same surveyor, and even from line to line on the same assignment. However, from comprehensive testing over a 60-year period, the undersigned has determined the most common or typical factor for each County Surveyor of olden times. As will be seen later, some of those average factors benefited this project.

The purpose of resurveys is to find and restore boundaries to their original positions. But when the deed descriptions are impaired for reasons such as those examined above, difficulties ensue. Yet, neither indefiniteness nor lapse of time necessarily invalidate a description. The office of a description in an instrument of conveyance is not to identify the property conveyed, but to furnish a means of identification. The rule in Indiana is well settled that the description, however general and indefinite, is sufficient upon the face if, by extrinsic evidence or investigation, one skilled and licensed in such matters can make practically certain what land the instrument was intended to cover. That is the application of the maxim *id certum est quod certum reddi potest*, that is certain which can be made certain.

To fulfill that maxim today's surveyor must adhere to the intent manifested by the records of original surveys. Due chiefly to survey errors, original monuments rank higher than course and distance where the two sources conflict. Therefore, the surveyor must not abandon his exploration for a monument placed during the original survey if any means of finding it is left untried. Such a monument is strong evidence of the intent of the parties to the conveyance. As explained later, the search for one corner stone on this assignment required eight days of work. That digging covered only a portion of the corner's investigation.

No single rule exists that rigidly and inflexibly applies to all cases for restoring lost corners and boundaries except that the surveyor must find where they were—not where they ought to have been. To find those original positions solely from descriptions prepared from compass and chain operations requires an in-depth assessment and proper use of all the available evidence based on knowledge and understanding. Accidental errors in those records must be eliminated by harmonizing the old work with the pattern of existing physical evidence, taken collectively, so that any new stakes set will match the positions of the original ones as nearly as is practicable. This undertaking allowed nothing into evidence that appeared affected by mistakes or blunders, as differentiated from errors. Survey errors are accidental. They are random differences between the observed and the true values of a quantity. Errors that tend to offset companion errors sometimes almost compensate each other thus reducing the effect of each. Constant errors, called systematic errors, such as those caused by a chain of incorrect length, do not compensate but accumulate.

Despite the frailties of land surveying in pioneer times the practitioners often replicated the compass bearings and chained distances from deeds for adjoining lands to achieve congruence along common lines. That avoided ambiguities in the records. Only one small disparity (the bearing of a line) mars the unity of deeds (1), (2), and (3) above. As explained later, other inconsistencies developed when someone amalgamated into a single description the real estate that Martin Gregg conveyed to the County by (1) above. *Where linear dimensions determined by this resurvey disagree with their record values, the latter appear parenthesized, together with their sources, in the legal descriptions that appear hereinafter.*

On February 16, 1846, James M. Gregg conveyed an undivided $\frac{2}{3}$ interest to Martin Gregg in the real estate that Martin eventually sold to Hendricks County. The in-depth evaluation began with James Gregg's aggregation of the land. He acquired an undivided $\frac{1}{3}$ interest in the West Half of the Northwest Quarter of Section 11 from Faught on June 6, 1843. (D. R. 9, p. 203.) Faught, on the same day, conveyed to Gregg the West Half of the Southwest Quarter of Section 2, the West Half of the Northwest Quarter of Section 11, and 7 acres off the east side of the East Half of the Northeast Quarter of Section 10. (D. R. 9, p. 204.) Also on the same date, Faught deeded Gregg the West Half of the Northwest Quarter of Section 11 and $12\frac{1}{2}$ acres, more or less, of

the Northeast Quarter of Section 10 known as Faught's mill tract on [the West Fork of] White Lick Creek. (D. R. 9, p. 204.) Again, on said date, Faught deeded the said West Half of the Northwest Quarter of Section 11 to Gregg. (D. R. 9, p. 205.) That accounts for the land James M. Gregg had available to hand over to Martin Gregg.

In addition to the February 16, 1846, deed from James M. Gregg, Martin Gregg received a conveyance on September 18, 1848, from George Luckey of an undivided 1/3 interest in the West Half of the Northwest Quarter of Section 11. Martin Gregg took title to other lands by the following:

- (a) On October 6, 1864, from John Wishard, parts of Sections 10 and 11. (D. R. 28, p. 79.)
- (b) On April 9, 1860, from Estep, a triangle in Section 10. (D. R. 23, page 611.)
- (c) On April 29, 1865, from Wishard, another triangle in Section 10. (D. R. 32, p. 101.)

In 1868, before Martin Gregg and his wife sold all of their land to Hendricks County, someone combined all of the Greggs' separate parcels into one legal description. Flaws resulted. In some places, the description contradicts the boundaries described in the deeds by which Gregg took title. Also, the call "down the Creek following the meanders thereof to the half Mile Stake between Sections ten (10) and Eleven (11)" is wrong. The creek flows to the south line of the Northwest Quarter of Section 11, but no evidence exists (other than Gregg's deed to the County) that the creek ran as far west as the quarter-section corner at any time since the County's creation in 1824. This 1998 resurvey is acclimated accordingly.

Monuments found, and other accurately-determined starting and closing points that form a framework to which the old surveys and deeds depend for position, took priority in the inquiry. Surveyors call them "controlling points." The corner common to Sections 2, 3, 10, and 11 is an important one. Though it disappeared ages ago, County Surveyor Cyrus Rogers restored it about 1859 or 1960. He said he "Relocated by running & tracing the old Sec. lines from every way" and set a stone measuring 14x18 inches. (Surveyor's Office, Book C, p. 177.) However, in a survey by Rogers's Deputy Homer C. Carpenter dated perhaps February or March 1861 (Book C, p. 190), the size is given as 16x20 inches. Those surveyors sized stones by estimation and not by measuring with a ruler. Therefore, we do not know if those separate records speak of the same or different landmarks. Several times from 1938 to 1950 the undersigned personally saw the rock now in use. Also, he identified the reddish "witness" rock described by an interlineation in the Red Book as a 32x40-inch stone north on line three links. That appendage seems to be the handwriting of County Surveyor Clark who, in 1882, relied on the monument during his survey for the County's purchase from Wishard. While the accessory stone disappeared sometime between 1950 and 1977, the undersigned is certain that the present stone is the one recognized as the section corner by surveyors since 1882, and probably from much earlier times.

The above-mentioned section corner stone may be about 31 feet north of where Government Deputy Surveyor Stephen Stevenson Collett marked the original corner March 16, 1821. The present stone stands about that distance north out-of-line with the quarter-section corner and the section corner to the east. Furthermore, it is about 33 feet north of where a single proportionate measurement between quarter-section corners to the south and north would place it. Also, a cup-shaped depression in the ground about 27 feet south of the stone arouses speculation as to its origin. Did a corner post or landmark once occupy that position? Such considerations may be academic, however. While section corners are, by law, immovable, *stare decisis* may have arisen. Not to disturb the existing state of a thing long established and settled in an actual, peaceable, and uncontested status is often the policy of courts. That is the venerable *non quita movere* rule. Accordingly, this project recognizes the almost immemorial public acquiescence in the monument now in place and presumes its authenticity without further question. The stone is located at $x = 949,548.274$ meters (3,115,309.63 feet), y

= 501,088.792 meters (1,643,988.81 feet), Indiana Coordinate System of 1983, West Zone. These coordinates were determined from National Geodetic Survey first-order triangulation stations Plain and Church using a global positioning system (GPS) survey adjusted by the method of least squares. However, those observations preceded the completion of Hendricks County's High Accuracy Reference Network (HARN).

Original stones mark the northwest and northeast corners of the Southeast Quarter of Section 3. The concrete monument at the southwest corner of the quarter section is not original, the undersigned having set it as late as 1944. The position of the south quarter corner of Section 2, destroyed in recent years, was recovered from the undersigned's references to the stone dated November 5, 1979. The undersigned set a pipe May 23, 1991, for the center of Section 2 at the intersection of straight lines connecting opposite quarter-section corners. The northeast and southeast corners of the West Half of the Southwest Quarter of Section 2 were restored (but unmarked) midway between the quarter-section corner and the center of the section, and midway between the section corner and quarter-section corner, respectively. On October 31, 1977, the undersigned restored the obliterated quarter-section corner between Sections 10 and 11 according to the preponderance of evidence of the corner's position evaluated over a 40-year period. A 1½x69-inch pipe marks the corner. The stone that once monumented the southeast corner of the West Half of the Northwest Quarter of Section 11 is gone. Even so, an inquiry by the undersigned in 1977 brought to light reliable evidence that fence builders removed the stone to install the wood corner post at the site. This 1998 retracement chose the southeast corner of the post for the half-quarter section corner.

County Surveyor Clark's description contained in the 1882 Wishard deed to the County says "to a stone in the old Rail Road bed (meaning the center line of the right of way of the then defunct Indiana and Illinois Central Railroad); Thence West 120 links; thence North" One hundred twenty links is 79.20 feet. See the location on the annexed plat. The stone is missing. Lying in the path of the Indianapolis, Danville, and Rockville Traction Company (Later Indianapolis and Western Railway Company and subsequently The T. H. I. & E. Traction Company), it succumbed to the construction of its interurban line about 1906. Even so, this resurvey ascertained the position of that 120-link line segment with an error probably not exceeding 0.3 of a foot. Clark had to conform with certain existing boundaries; namely, those described in the deed from Little and Estep to Wishard dated February 2, 1863 (D. R. 25, p. 555) and in the deed from Ensminger to Ensminger dated November 1, 1880 (D. R. 54, p. 551). The former began at the northeast corner of the Southeast Quarter of Section 3; thence West 47½ rods; thence South 85½ rods to the center line of the railroad (meaning the Indiana and Illinois Central Railroad mentioned above). That point was the west end of said 120-link course. The 47½-rod and 85½-rod dimensions retraced in 1997 achieved remarkable latitudinal agreement with extremely old fences supposed to mark the traction line boundaries described in County Commissioners' Record 1903-1907, page 418. North-south fences, also uncommonly aged, are almost exactly 120 links apart.

The above describes the only controlling points available for the retracement of the County's real estate boundaries. The West Fork of White Lick Creek has washed away Clark's stone and its sycamore "witness" at the south end of the Wishard purchase. The other two accessory trees have vanished also. Even the Danville and Plainfield Road to which Clark referred no longer follows its 1882 route.

The utter absence of original monuments and other physical evidence along the southwestern line of Parcel F (see the annexed plat) generated a need for expanding, to other boundaries, the evaluation of the records of the limits of the County's realty. The study gave weight to the calls in deeds (a), (b), and (c) above. It did not stop there. It analyzed and took into account a composite of certain descriptions in old surveys and deeds relevant to contiguous and other lands that are interrelated with the three oldest County purchases; namely,

(A) Deed from Wishard to Ensminger dated August 17, 1865. (D. R. 29, p. 237.)

(B) Deed from Wishard to Allen dated October 18, 1899. (D. R. 86, p. 124.)

(C) Deed from Wishard to Davis dated October 1, 1904. (D. R. 96, p. 287.) This conveyance was essential to the investigation. It presented a unique description that conjoined the County's property and important surveys and deeds concerning lands to the west. William Fletcher Franklin, County Surveyor 1899-1905, and the undersigned's mentor beginning in 1937, did not compose the description. It appears in none of his entire collection of field notes and other records passed subsequently to the undersigned. Instead, John W. Trotter, County Surveyor beginning in 1887 (and later a friend, a client in 1942, and confidant of the undersigned) probably performed the work in 1904 while in private practice. Since, by then, he acted outside any official capacity, his survey missed publication in the records of the County Surveyor's office.¹ A more competent authority than Trotter on local landmarks of that era never lived. The 1997 work concentrated on the search for the stone called for at the terminus of the description's 4.29-chain course, all other stones having perished. Eight days of exploration ended unsuccessfully. On the sixth day a backhoe excavated a 35 cubic yards of earth. Nevertheless, the description's courses and distances aided the 1997 venture considerably.

(D) Deed from Campbell to Hall dated May 6, 1887. (D. R. 66, p. 207.) 13.08 acres surveyed in 1887 by Charles M. Griggs, Deputy to John W. Trotter. Red Book, p. 51.

(E) Deed from Wishard to Campbell dated August 26, 1887. (D. R. 66, p. 417.) Surveyed August 25, 1887, by Griggs. Red Book, p. 51.

(F) Deed from Galvin to Campbell dated September 20, 1887. (D. R. 66, p. 508.) Laid out by Trotter September 19, 1887. Red Book, p. 51, under Piersol to Campbell.

(G) Deed from Campbell and Adams to Campbell dated December 12, 1890. (D. R. 71, pp. 304-307.) See the corrective deed in D. R. 82, p. 91 et seq. Surveyed by Trotter in 1890, the plat of which appears in the Red Book, p. 109.

(H) Deed from Campbell to Wisehart dated April 15, 1891. (D. R. 72, p. 438.) See the corrective deed in D. R. 83, p. 135, dated March 29, 1898. This deed conveyed a portion of (G) above. Trotter surveyed the parcel in 1890 and called it the "Longey lot" because of its shape. (Red Book, p. 108.)

(I) Deed from Campbell to Courtney dated June 26, 1893. (D. R. 75, p. 281.) 32.69 acres. Trotter's survey and description, made especially for that deed, appear on page 94 of the Red Book. This 1997 effort utilized only that portion of the description from its beginning to the west abutment (retaining wall still in place) of the former railroad bridge. The undersigned's plat shows "Trotter's line" encroaching upon County land acquired from Gregg. That error surely resulted from an unreasonable presumption by Trotter that a three-chain dimension specified in earlier surveys prevailed over the call for the creek (a natural monument albeit moved by accretion from its earlier location) at the terminus of the course.

The resurvey recovered the following controlling points: Trotter's reference trees for his corners K and O, his stone at corner F, the stone at the center of Section 10², and the 12x29x30-inch stone that the undersigned set September 20, 1944, to replace the 6x12x16-inch stone planted by Griggs August 25, 1887, to mark one of the corners

¹When advanced in age Trotter became a patient at Greensburg's Independent Order of Odd Fellows' Home. The undersigned visited him there in 1946 to present an offer to purchase his surveying records, field books, library, and other papers. Survey records often reveal more about a surveyor's intent and his actions than do his legal descriptions. The home's Superintendent explained that he had found Trotter unable to care for himself and living in squalor at Jamestown, Indiana. He said further that Trotter's personal property, including all of his books and papers, was so leaven with a certain kind of insect that he had to burn everything in Trotter's backyard. Thus the personal notes of 1904, together with countless other precious records, are irrecoverable.

²Found destroyed November 24, 1997, but restored from references recorded October 22, 1977, by the undersigned. An 8x9x25-inch limestone set.

of the tract to be conveyed the next day by Wishard to Campbell. See paragraph (E) above. In 1944 the undersigned found the stone called for at the terminus of the 4-chain course in Deed Record 89, page 68, dated March 1, 1901. The stone evaded discovery in 1997. An iron pin set by Site Line, Inc., emerged instead. Not constituting an original landmark it merited less weight in the determination of boundaries.

The original monuments recovered, and other corners accurately located from accessory trees, etc., including all of those already described above, formed a rigid framework to which the old surveys and deeds depend for position. A new and massive high-accuracy primary network of carefully and simultaneously adjusted traverses involving 847 observations connecting 292 stations determined the coordinates of those fixed points. The method of least squares adjustment required the simultaneous solution of more than 800 condition equations. *The resulting theoretical uncertainties (due to random errors of measurement) of the computed coordinates of the control stations established by that network comply with the specifications for Class C Surveys as defined by Title IAC 865.*

Because of survey discrepancies arising from causes already discussed, recorded compass-and-chain traverses connecting between selected points of the above-mentioned primary network disagreed with the modern bearings and distances. Also, the old traverses had large errors of closure (the amounts the observed values failed to agree with fixed values of the same quantities). As a last resort, all of such contradictions had to be discovered and removed from the old observations to give the old survey parameters practical effect. That had to be accomplished in a way that yielded adjusted data having a likelihood of being as close to the truth as conformity to reason and experience could make it. This project adjusted the entire network of compass-and-chain observations simultaneously by the method of least squares. It distributed corrections to the bearings and distances gathered from the old surveys and deeds. The method relies on the theory of probability in which the sum of the squares of the derived residuals is a minimum. For the best results the procedure requires weights be assigned to all measurements. They become *a priori* estimates of the relative reliability or worth of observations affected by unequal exactness. Weights thus assigned cause each measured quantity to exert its proper influence in the adjustment. Also, no adjustment is possible unless there are more observations than unknown corrections. The greater the number of observations, the better should be the adjusted quantities. The following reports on the criteria and size of this project:

Standard error of each angle derived from compass bearings = $0^{\circ}15'$.
Standard error of linear meas., Trotter and Griggs = 0.3 of a link per chain.
Standard error of linear measurements, Clark = 0.7 of a link per chain.
Centering error, compass = 0.1 of a foot.
Centering error, target = 0.1 of a foot.
Number of stations = 71.
Number of angular observations = 88.
Number of length observations = 82.
Number of unknowns = 122.
Number of redundant observations = 48.
Number of condition equations solved simultaneously = 170.

This assignment found that the west line of the County's Wishard purchase coincided with the iron pin placed for the southeast corner of Stratford Ridge by the development's surveyor (the fence there is correct too). The subdivision's northeast corner fell 1.83 feet west of the line, however. The fence at that point is on or close to the property line. Farther north, at the east end of the 120-link offset (79.20 feet), Site Line's iron pin is 10.84 feet north and 2.27 feet west of where this project located the corner. Site Line's iron pin for the west end of the 120-link offset is 9.00 feet north and 1.15 feet east of this resurvey's corner.

In 1882, County Surveyor Clark established the south end of the west line (Clark's 151.94-rod line) of the County's land acquired from Wishard. That survey harbored a closure error of 19.62 feet. A recently-set iron pin found for said line's south

end is 11.73 feet north and 6.72 feet west of said south end as determined and marked with a steel pipe during the present undertaking. The position of said iron pin nearly coincides with the corner as the undersigned staked it September 20, 1944. Even so, the 1944 staking did not correlate well with Clark's work nor with other surveys and descriptions of lands in the vicinity, as does the present job. Instead, the 1944 retracement resorted merely to a strict and literal construction of the courses and distances in Deed Record 96, page 287, without regard for the deed description's 25.65-foot error of closure. Clark's bearing tree for the corner, which would have removed all doubt, had disappeared before 1944.

Even after the adjustment of conflicting evidence recited from old surveys, some uncertainty remains as to the reliability of new pipe markers set therefrom. While the exact amount of any staking error remains unknown forever, a statistical measure of the degree of accuracy of the staked positions is available. An imaginary line (called an ellipse) can be drawn around a stake within which line the original property corner probably existed. The smaller the ellipse the greater the confidence one may have in the new stake's position. 100% confidence requires a much larger ellipse than one with 50% certainty; that is, where the original corner is as likely as not to lie outside the ellipse. The ellipses employed in this retracement describe an area at each corner within which we may be 95% sure that the original corner fell within the ellipse scribed around the stake. In other words, there is but one chance in 20 that the pipe set is in error by an amount greater than the size of the semi-major axis of the ellipse. The largest size (21.5 feet, all in latitude) determined for any landmark set in this project occurred at the point discussed in the paragraph immediately above. The pipe set is not likely to be in error to any such large degree, of course. It has a standard deviation of 8.8 feet in latitude and less than 0.2 of a foot in departure. Standard deviation (σ) in surveying is another measure of reliability. It is a quantity whose square is equal to the sum of the squares of the residual errors divided by the number of those errors less one. Theoretically, the 1997 pipe is much nearer to the property corner established in 1882 than is the recently-set iron pin found or the 1944 stake. All other ellipses encountered in this resurvey turned out much smaller. Most of those for corners away from the southwestern line of Parcel F are sized between zero and 0.4 of a foot.

LEGAL DESCRIPTIONS

This report describes nine parcels owned by Hendricks County in what may be called "The County Home Complex." The parcels described here may be found on the accompanying plat by using the identifying alphabetical letters:

PARCEL A: A part of the West Half of the Southwest Quarter of Section 2, Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning at a stone at the northwest corner of said half-quarter section; thence North 89 degrees 08 minutes 15 seconds East (assumed bearing) along the north line of said half-quarter section 310.00 feet; thence South 0 degrees 33 minutes 14 seconds East parallel with the west line of said half-quarter section 387.54 feet (385.00 feet by that certain lease to the Association for Retarded Citizens dated August 1, 1988, and recorded in Miscellaneous Record 115, pages 449-468, in the office of the Recorder of said County) to an original corner of said leased real estate; thence South 8 degrees 10 minutes 05 seconds West 286.64 feet; thence South 76 degrees 10 minutes 15 seconds West 107.32 feet; thence South 46 degrees 26 minutes 39 seconds West 221.63 feet to the west line of said half-quarter section; thence North 0 degrees 33 minutes 14 seconds West along said west line 845.00 feet to the point of beginning; containing 5.030 acres, more or less. Subject to said lease, zoning, restrictions, encumbrances, highways, rights of way, easements, and regulated drains, if any.

PARCEL B: A part of the West Half of the Southwest Quarter of Section 2, Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning on the east line of said half-quarter section at a point that is South 0 degrees 29 minutes 03 seconds East (assumed bearing) 1,159.98 feet, measured along said east line, from the unmarked northeast corner of said half-quarter section; thence South 0

degrees 29 minutes 03 seconds East along said east line 1,339.50 feet to the north boundary of Main Street (Old U. S. 36); thence along said north boundary Southwesterly 2.04 feet on an arc to the left having a radius of 1,482.39 feet and subtended by a long chord having a bearing and length of South 78 degrees 29 minutes 36 seconds West 2.04 feet; thence North 0 degrees 29 minutes 03 seconds West parallel with the east line of said half-quarter section 1,339.89 feet; thence North 89 degrees 31 minutes 14 seconds East 2.00 feet to the point of beginning; containing 0.062 acres, more or less. Subject to zoning, restrictions, encumbrances, highways, rights of way, easements, and regulated drains, if any.

PARCEL C: A part of the West Half of the Southwest Quarter of Section 2, a part of the East Half of the Southeast Quarter of Section 3; a part of the East Half of the Northeast Quarter of Section 10, and a part of the West Half of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Commencing at a stone at the northeast corner of the Southeast Quarter of said Section 3; thence South 89 degrees 57 minutes 23 seconds West (assumed bearing) along the north line of said quarter section 783.78 feet; thence South 0 degrees 05 minutes 35 seconds West along the line called "South" in Deed Record 29, page 237, in the office of the Recorder of said County 1,111.69 feet to the point of beginning of this description: FROM SAID BEGINNING POINT North 89 degrees 57 minutes 12 seconds East along the south line of the 20 acres described in said deed 796.33 feet (47½ rods by said deed) to a point on the east line of said Section 3 that is South 0 degrees 33 minutes 14 seconds East 1,111.69 feet from the aforementioned stone; thence South 0 degrees 33 minutes 14 seconds East along the east line of said Section 3 a distance of 933.71 feet to a point that is North 0 degrees 33 minutes 14 seconds West 603.43 feet, measured along said east line, from a cross on a stone at the southeast corner of said Section 3; thence North 89 degrees 30 minutes 57 seconds East into said Section 2 a distance of 497.22 feet (497.40 feet by the facility survey contained in that certain resolution ordered September 25, 1996, in the matter of the Hendricks Community Hospital by the Board of Commissioners of said County); thence South 0 degrees 29 minutes 03 seconds East parallel with the east line of the West Half of the Southwest Quarter of said Section 2 a distance of 296.81 feet; thence South 30 degrees 35 minutes 03 seconds East 91.95 feet; thence North 89 degrees 31 minutes 14 seconds East 113.89 feet; thence South 0 degrees 29 minutes 03 seconds East parallel with said last-mentioned east line 228.01 feet to a point on the north line of said Section 11 that is North 89 degrees 35 minutes 55 seconds East 656.49 feet, measured along said north line, from a cross on a stone at the northwest corner of said Section 11; thence South 0 degrees 29 minutes 03 seconds East 133.64 feet to the northwestern boundary of Main Street (Old U. S. 36); thence South 58 degrees 23 minutes 08 seconds West along said boundary 767.71 feet to a point on the east line of said Section 10 that is South 0 degrees 24 minutes 45 seconds East 531.48 feet, measured along said east line, from a cross on a stone at the northeast corner of said section; thence South 58 degrees 23 minutes 08 seconds West along the northwestern boundary of said street 96.75 feet; thence along said boundary (and along the boundary of abandoned U. S. 36) Southwesterly 244.46 feet on an arc to the right having a radius of 768.51 feet and subtended by a long chord having a bearing and length of South 67 degrees 29 minutes 54 seconds West 243.43 feet; thence North 89 degrees 38 minutes 51 seconds West along the north boundary of said abandoned U. S. 36 a distance of 393.89 feet to the west line of that certain 44.53-acre parcel conveyed to Hendricks County October 3, 1882, and December 5, 1882, by virtue of deeds recorded in Deed Record 58, page 499, and Deed Record 59, page 135, respectively, in said Recorder's office; thence North 1 degree 03 minutes 26 seconds West along said west line 1,907.50 feet to where a stone once marked the center of the old Indiana and Illinois Central Railroad right of way; thence North 87 degrees 45 minutes 25 seconds West along said center line 79.20 feet; thence North 0 degrees 05 minutes 35 seconds East 299.06 feet to the point of beginning; containing 7.766 acres, more or less, in said Section 2; containing 25.829 acres, more or less, in said Section 3; containing 10.478 acres, more or less, in said Section 10; and containing 5.013 acres, more or less, in said Section 11. Containing in all 49.086 acres, more or less. Subject to leases, zoning, restrictions, encumbrances, rights of way, easements, and regulated drains, if any.

PARCEL D: A part of the East Half of the Southwest Quarter of Section 2; a part of the East Half of the Northeast Quarter of Section 10, and a part of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning on the west line of said Section 11 at a point that is South 0 degrees 24 minutes 45 seconds East (assumed bearing) 648.40 feet, measured along said west line, from a cross on a stone at the northwest corner of said section; thence North 58 degrees 23 minutes 08 seconds East along the southeastern boundary of Main Street (Old U. S. 36) 972.46 feet to the west line of that certain 4.76-acre parcel of land conveyed May 1, 1950, by the Board of Commissioners of the aforesaid County to the State of Indiana by virtue of a warranty deed recorded in Deed Record 161, pages 430 and 431, in the office of the Recorder of said County; thence South 0 degrees 31 minutes 53 seconds East along said west line 255.56 feet; thence North 89 degrees 35 minutes 55 seconds East along the south line of said 4.76-acre parcel, and parallel with the north line of said Section 11, a distance of 485.00 feet to the west line of the East Half of the Northwest Quarter of said Section 11; thence North 0 degrees 31 minutes 53 seconds West along said west line 212.76 feet; thence North 89 degrees 35 minutes 55 seconds East parallel with the north line of said Section 11 a distance of 223.09 feet; thence North 0 degrees 35 minutes 40 seconds West 187.24 feet to the south line of said Section 2; thence North 0 degrees 35 minutes 40 seconds West 93.02 feet to the south boundary of Main Street (Old U. S. 36); thence North 81 degrees 21 minutes 16 seconds East along said south boundary 52.52 feet; thence South 0 degrees 35 minutes 40 seconds East 100.55 feet to the north line of said Section 11; thence South 0 degrees 35 minutes 40 seconds East 210.10 feet; thence North 89 degrees 35 minutes 55 seconds East parallel with the north line of said Section 11 a distance of 123.70 feet; thence South 0 degrees 35 minutes 40 seconds East 1,174.28 feet to the north boundary of Relocated U. S. 36; thence North 83 degrees 42 minutes 54 seconds West along said boundary 291.43 feet; thence South 65 degrees 57 minutes 32 seconds West along said boundary 120.76 feet to the east line of the West Half of the Northwest Quarter of said Section 11 at the northeast corner of that certain 17.287-acre parcel of real estate condemned for Relocated U. S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana by virtue of a certificate recorded in Deed Record 279, pages 436-439, in said Recorder's office; thence South 65 degrees 57 minutes 32 seconds West along said boundary 121.15 feet (120.81 feet by said certificate); thence South 84 degrees 01 minute 13 seconds West along said boundary 98.06 feet (98.05 feet by said certificate); thence along said boundary Northwesterly 704.10 feet (704.17 feet by said certificate) on an arc to the right having a radius of 1,764.86 feet and subtended by a long chord having a bearing and length of North 84 degrees 33 minutes 02 seconds West 699.44 feet (699.50 feet by said certificate); thence North 64 degrees 59 minutes 41 seconds West along said boundary 459.50 feet (458.20 feet by said certificate) to the east line of said Section 10; thence North 64 degrees 59 minutes 41 seconds West along said boundary 53.63 feet (54.94 feet by said certificate); thence North 59 degrees 10 minutes 47 seconds West along said boundary 172.00 feet to the east boundary of said Main Street; thence North 13 degrees 37 minutes 44 seconds West along said east boundary 147.09 feet; thence North 35 degrees 20 minutes 53 seconds East along the southeastern boundary of said Main Street 319.02 feet (318.62 feet by said certificate); thence North 58 degrees 23 minutes 08 seconds East along said boundary 49.93 feet to the point of beginning; containing 0.116 acres, more or less, in said Section 2; containing 1.781 acres, more or less, in said Section 10; and containing 41.150 acres, more or less, in said Section 11. Containing in all 43.047 acres, more or less. Subject to provisions in said certificate denying direct access to and from Relocated U. S. 36, leases, dedications of areas for the County Home and County Jail, zoning, restrictions, encumbrances, rights of way, easements, and regulated drains, if any.

PARCEL E: A part of the East Half of the Northeast Quarter of Section 10, and a part of the West Half of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning on the west line of said Section 11 at a point that is South 0 degrees 24 minutes 45 seconds East (assumed bearing) 1,844.84 feet (1,844.82 feet by Deed Record 332, page 273, in the office of the Recorder of said County), measured along said west line, from a cross on a stone at the northwest corner of said section, said beginning point being also North 0 degrees 24 minutes 45 seconds West 869.50 feet, measured along said west line, from

a pipe at the southwest corner of the Northwest Quarter of said Section 11; thence South 39 degrees 10 minutes 12 seconds East along the northeastern boundary of Shady Lane 382.47 feet (382.50 feet by the aforesaid deed) to the northwestern line of that certain parcel of land conveyed June 17, 1869, by Hendricks County to The Indianapolis and St. Louis Railroad Company by virtue of a deed recorded in Deed Record 37, page 60, in the office of the Recorder of said County; thence North 70 degrees 52 minutes 16 seconds East along said northwestern line 998.02 feet to the southwestern boundary of that certain 17.287-acre parcel of real estate condemned for Relocated U. S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana by virtue of a certificate recorded in Deed Record 279, pages 436-439, in said Recorder's office; thence North 81 degrees 19 minutes 27 seconds West along said southwestern boundary 917.84 feet (919.43 feet by said certificate); thence North 61 degrees 12 minutes 54 seconds West along said boundary 318.87 feet to a point on the east line of said Section 10 that is South 0 degrees 24 minutes 45 seconds East 1,522.32 feet, measured along said east line, from a cross on a stone at the northeast corner of said section; thence North 61 degrees 12 minutes 54 seconds West along said boundary 141.24 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 335.28 feet (335.35 feet by said certificate); thence South 63 degrees 05 minutes 45 seconds West along said boundary 51.33 feet to the aforesaid northeastern boundary of Shady Lane; thence South 42 degrees 10 minutes 34 seconds East along said boundary 245.19 feet (245.16 feet by said Deed Record 332, page 273); thence along said boundary Southeasterly 119.33 feet on an arc to the right having a radius of 2,274.46 feet and subtended by a long chord having a bearing and length of South 40 degrees 40 minutes 23 seconds East 119.32 feet; thence South 39 degrees 10 minutes 12 seconds East along said boundary 344.24 feet to the point of beginning; containing 1.831 acres, more or less, in said Section 10; and containing 7.347 acres, more or less, in said Section 11. Containing in all 9.178 acres, more or less. Subject to provisions in said certificate denying direct access to and from Relocated U. S. 36, leases, zoning, restrictions, encumbrances, rights of way, easements, and regulated drains, if any.

PARCEL F: A part of the East Half of the Northeast Quarter of Section 10, and a part of the West Half of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning where the center of the Danville and Plainfield Road intersected the west line of said Section 11 in 1867, which point is South 0 degrees 24 minutes 45 seconds East (assumed bearing) 2,066.84 feet, measured along said west line, from a cross on a stone at the northwest corner of said section, said beginning point being also North 0 degrees 24 minutes 45 seconds West 647.50 feet, measured along said west line, from a pipe at the southwest corner of the Northwest Quarter of said Section 11; thence South 64 degrees 22 minutes 22 seconds East along said former center line 110.00 feet to the center of the West Fork of White Lick Creek; thence South 23 degrees 38 minutes 04 seconds East along the center of said creek 71.82 feet to the northwestern line of that certain parcel of land conveyed June 17, 1869, by Hendricks County to The Indianapolis and St. Louis Railroad Company by virtue of a deed recorded in Deed Record 37, page 60, in said Recorder's office; thence North 70 degrees 52 minutes 16 seconds East along said northwestern line 65.33 feet to the southwestern boundary of Shady Lane; thence North 39 degrees 10 minutes 12 seconds West along said boundary 301.95 feet (301.98 feet by Deed Record 332, page 273, in said Recorder's office) to the east line of said Section 10 at a point that is North 0 degrees 24 minutes 45 seconds West 789.63 feet, measured along said east line, from a pipe at the southeast corner of the Northeast Quarter of said Section 10; thence North 39 degrees 10 minutes 12 seconds West along said boundary 406.52 feet; thence along said boundary Northwesterly 116.71 feet on an arc to the left having a radius of 2,224.46 feet and subtended by a long chord having a bearing and length of North 40 degrees 40 minutes 23 seconds West 116.70 feet; thence North 42 degrees 10 minutes 34 seconds West along said boundary 258.84 feet (258.81 feet by said Deed Record 332, page 273) to the south boundary of that certain 17.287-acre parcel of real estate condemned for Relocated U. S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana by virtue of a certificate recorded in Deed Record 279, pages 436-439, in said Recorder's office; thence South 63 degrees 05 minutes 45 seconds West along said south boundary 9.20 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 90.00 feet; thence North 0 degrees 21

minutes 17 seconds East along said boundary 98.62 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 129.73 feet (127.63 feet by said certificate) to the west line of that certain 44.53-acre parcel conveyed October 3, 1882, and December 5, 1882, by virtue of deeds recorded in Deed Record 58, page 499, and Deed Record 59, page 135, respectively, in said Recorder's office; thence South 1 degrees 03 minutes 26 seconds East along said west line 154.65 feet to a corner of said 44.53-acre parcel; thence South 46 degrees 38 minutes 08 seconds East along the southwestern line of said 44.53-acre parcel 638.18 feet (39½ rods by the deeds for said 44.53-acre parcel and 9.87 chains by Deed Record 96, page 287, in said Recorder's office) to where a stone formerly marked the southernmost corner of said 44.53 acres on the west line of that certain 88.24 acres described in Deed Record 32, page 198, in said Recorder's office; thence South 4 degrees 25 minutes 08 seconds East along said west line 205.24 feet (3.12 chains by said Deed Record 96, page 287) to the center of the Danville and Plainfield Road as located in 1882; thence South 56 degrees 22 minutes 15 seconds East along said former center line 265.79 feet to the point of beginning; containing 2.404 acres, more or less, in said Section 10; and containing 0.361 acres, more or less, in said Section 11. Containing in all 2.765 acres, more or less. Subject to zoning, restrictions, encumbrances, highways, rights of way, and easements.

PARCEL G: A part of the West Half of the Northwest Quarter of Section 11, Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning on the south line of said half-quarter section at a point in the center of the West Fork of White Lick Creek that is North 88 degrees 30 minutes 43 seconds East 158.00 feet, measured along said south line, from a pipe at the southwest corner of said half-quarter section; thence North 88 degrees 30 minutes 42 seconds East along said south line 504.30 feet to the southwest corner of that certain 13½-acre parcel of land conveyed June 10, 1882, by Hendricks County to Peter Curtis and Sarah Curtis by virtue of a deed recorded in Deed Record 58, page 190, in the office of the Recorder of said County; thence North 55 degrees 00 minutes 00 seconds West along the southwestern line of said 13½-acre parcel 132.00 feet; thence North 50 degrees 00 minutes 00 seconds West along said southwestern line 66.00 feet; thence North 37 degrees 00 minutes 00 seconds West along said southwestern line 151.67 feet to the south line of the right of way of the Consolidated Rail Corporation's railroad; thence South 81 degrees 45 minutes 23 seconds West along said south line 158.97 feet to the center of the aforesaid creek; thence South 9 degrees 53 minutes 04 seconds East along said center line 97.95 feet; thence South 40 degrees 30 minutes 00 seconds West along said center line 175.00 feet to the point of beginning; containing 1.554 acres, more or less. Subject to zoning, restrictions, encumbrances, highways, rights of way, and easements.

PARCEL H: A part of the East Half of the Northeast Quarter of Section 10, Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Commencing at a cross on a stone at the northeast corner of said section; thence South 0 degrees 24 minutes 45 seconds East (assumed bearing) along the east line of said section 531.48 feet to the northwestern boundary of Main Street (Old U. S. 36); thence South 58 degrees 23 minutes 08 seconds West along said northwestern boundary 96.75 feet; thence along said boundary Southwesterly 124.29 feet on an arc to the right having a radius of 768.51 feet and subtended by a long chord having a bearing and length of South 63 degrees 01 minute 07 seconds West 124.15 feet; thence South 52 degrees 46 minutes 33 seconds West 252.85 feet along the northwestern boundary of relocated Main Street to the point of beginning of this description: FROM SAID BEGINNING POINT South 52 degrees 46 minutes 33 seconds West along said boundary 153.01 feet (152.74 feet by the description of that certain 17.287-acre parcel of real estate condemned for Relocated U. S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana as it appears in a certificate recorded in Deed Record 279, pages 436-439, in the office of the Recorder of said County); thence North 59 degrees 10 minutes 47 seconds West along the northeastern boundary of Relocated U. S. 36 a distance of 194.33 feet (194.02 feet by said certificate) to the south boundary of Abandoned U. S. 36; thence South 85 degrees 58 minutes 37 seconds East along said boundary 137.26 feet; thence along said boundary Easterly 152.03 feet on an arc to the left having a radius of 868.51 feet and subtended by a long chord having a bearing and length of North 89 degrees 00 minutes 30 seconds East 151.83 feet to the point of beginning; containing

0.288 acres, more or less. Subject to provisions in said certificate denying direct access to and from Relocated U. S. 36, zoning, restrictions, encumbrances, rights of way, and easements.

The above discussion provides history and facts that comply with Rule 12's requirement that survey reports "clearly indicate the theory of location applied in finalizing the locations of the corners."

SUGGESTIONS

On June 17, 1869, Hendricks County conveyed to The Indianapolis and St. Louis Railroad Company a 100-foot-wide strip of right of way across the West Half of the Northwest Quarter of Section 11, Township 15 North, Range 1 West. (D. R. 37, p. 60) See the annexed plat. Said deed conveys "for the use of a rail road of said company." Subsequent to that acquisition the railroad performed according to the condition stipulated in the deed. About 90 years ago, however, the company ceased all operations on the 100-foot right of way, removed its track and bridge, and abandoned its use of the land. Such a failure to continue performance according to the deed's proviso may give the County Attorney cause to examine the issue to see if the railroad's right to the strip was a reversionary easement. If so, perhaps the right has terminated. In that case ownership of the land may have reverted to the County. (*Hefty v. All Other Members of the Certified Settlement*, Ind. Sup. Ct., June 1997). The metes and bounds description contained in the deed executed June 10, 1882, by the County to Peter Curtis and Sarah Curtis includes the south half of the strip. However, the County's right, if any, in the whole strip should be exclusive because the Curtis deed, after the description, excepts the railroad's right of way from the conveyance.

On May 3, 1989, after the relocation of U. S. 36 in the vicinity of the County Home, Christine W. Letts, Director, Indiana Department of Highways, transferred (by a crude description) 458 feet of the then abandoned portion of the former route of U. S. 36 to the Town of Danville. See the accompanying plat for the location. 1.056 acres of that former right of way occupies land acquired by the County from Wishard in 1882. Since the area is no longer needed for highway or street purposes, and is now real estate, the undersigned believes that it should have reverted to the County (it being the underlying owner of the fee simple title), and not to the Town (which probably never had any right or share in it). In the event the County elects to seek acquisition from the Town, but fails, it might offer Parcel F in exchange for it. The 1.056 acres is described as follows:

A part of the East Half of the Northeast Quarter of Section 10, Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Commencing at a cross on a stone at the northeast corner of said section; thence South 0 degrees 24 minutes 45 seconds East (assumed bearing) along the east line of said section 531.48 feet to the northwestern boundary of Main Street (Old U. S. 36); thence South 58 degrees 23 minutes 08 seconds West along said northwestern boundary 96.75 feet; thence along said boundary Southwesterly 124.29 feet on an arc to the right having a radius of 768.51 feet and subtended by a long chord having a bearing and length of South 63 degrees 01 minute 07 seconds West 124.15 feet to the point of beginning of this description: FROM SAID BEGINNING POINT South 52 degrees 46 minutes 33 seconds West along the northwestern boundary of relocated Main Street a distance of 252.85 feet (which northwestern boundary is described in that certain 17.287-acre parcel of real estate condemned for relocated U. S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana as it appears in a certificate recorded in Deed Record 279, pages 436-439, in the office of the Recorder of said County) to the south boundary of abandoned U. S. 36; thence along said south boundary Westerly 152.03 feet on an arc to the right having a radius of 868.51 feet and subtended by a long chord having a bearing and length of South 89 degrees 00 minutes 30 seconds West 151.83 feet; thence North 85 degrees 58 minutes 37 seconds West along said south boundary 153.33 feet to the west line of that certain 44.53-acre parcel conveyed to Hendricks County October 3, 1882, and December 5, 1882, by virtue of deeds recorded in Deed Record 58, page 499,

and Deed Record 59, page 135, respectively, in said Recorder's office; thence North 1 degree 03 minutes 26 seconds West along said west line 110.43 feet to the north boundary of abandoned U. S. 36; thence South 89 degrees 38 minutes 51 seconds East along said north boundary 393.89 feet; thence along said north boundary Northeasterly 120.17 feet on an arc to the left having a radius of 768.51 feet and subtended by a long chord having a bearing and length of North 72 degrees 07 minutes 53 seconds East 120.05 feet to the point of beginning; containing 1.056 acres, more or less. Subject to provisions in said certificate denying direct access to and from Relocated U. S. 36, zoning, restrictions, encumbrances, rights of way, and easements.

On June 5, 1903, the Board of Commissioners of Hendricks County conveyed an easement and right of way to the Indianapolis, Danville, and Rockville Traction Company across lands described in this resurvey. [Commissioners Record for 1903-1907, page 9.] The description of the route changed as shown on pages 272 and 418 of said Commissioners Record, as did the name of the traction company. Interurbans operated on the railroad between Indianapolis and Danville until about 1933. After that, the T. H. I. & E. Traction Company's receiver transferred its rights in the land. Through a series of subsequent assignments Public Service Company of Indiana, Inc. (now Cinergy/PSI Energy), received the easement and right of way from South Construction Company, Inc., on November 22, 1944, by virtue of an assignment of easements recorded in Deed Record 153, pages 72-77, in said Recorder's office.³ The undersigned learned from PSI Energy in 1990 that, while the company had not yet exercised its right to place facilities within the easement, it has not relinquished any of its rights to do so. If that is true, it appears Cinergy May have the just and legal claim to construct facilities across portions of the surveyed property—even through buildings of the Hendricks Community Hospital. Should an investigation verify that such a dominant tenement still exists, the undersigned suggests that the County seek a release of that encumbrance.

I, the undersigned, do hereby certify that this report and annexed plat represent a resurvey completed under my direction on the 10th day of March 1998, and that said resurvey complies with the requirements of the aforesaid Title 865 IAC 1-12 to the best of my knowledge and belief. Given under my hand and seal this 10th day of March 1998:

PARSONS, CUNNINGHAM, & SHARTLE ENGINEERS, INC.:



Stanley M. Shartle

Stanley M. Shartle, Registered Land
Surveyor No. 3431, State of Indiana

PARSONS, CUNNINGHAM, AND SHARTLE ENGINEERS, INC.
46 SOUTH TENNESSEE STREET
DANVILLE, IN 46122

317-745-9061

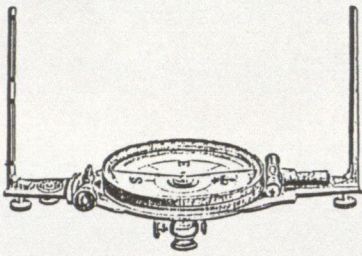
³The instrument says erroneously that the County Commissioners granted the easement to the Indianapolis and Western Railway in the July 1906 Term of the Commissioners Court. That action merely corrected the easement granted June 5, 1903, to the Indianapolis, Danville, and Rockville Traction Company.

PARSONS, CUNNINGHAM, & SHARTLE ETC

Map of Survey of Lands Owned By

HENDRICKS COUNTY, IND

IN SECTIONS 2, 3, 10, AND 11, T. 15 N., R. 1
BUT EXCLUDING THOSE DEDICATED FOR THE
HENDRICKS COMMUNITY HOSPITAL,
EASEMENTS, AND MOST IMPROVEMENTS WHICH
WERE OMITTED BY REQUEST



ANCIENT SURVEYOR'S COMPASS

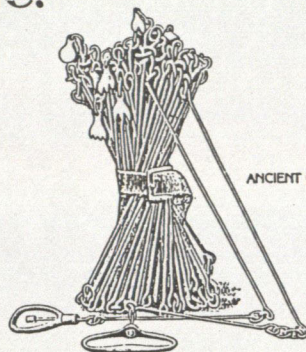


CUNNINGHAM, & SHARTLE ENGINEERS, INC.

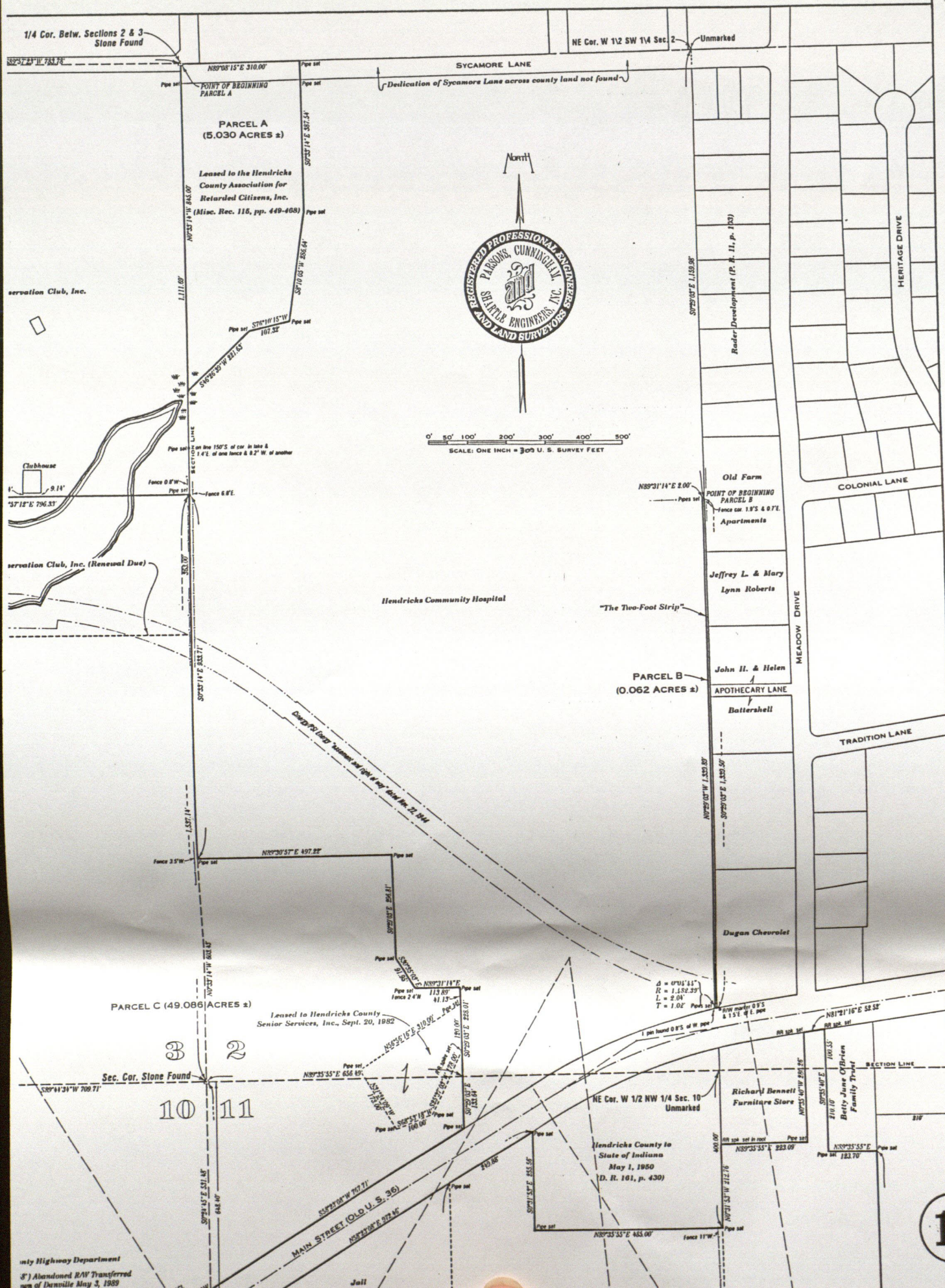
Map of Survey of Lands Owned By

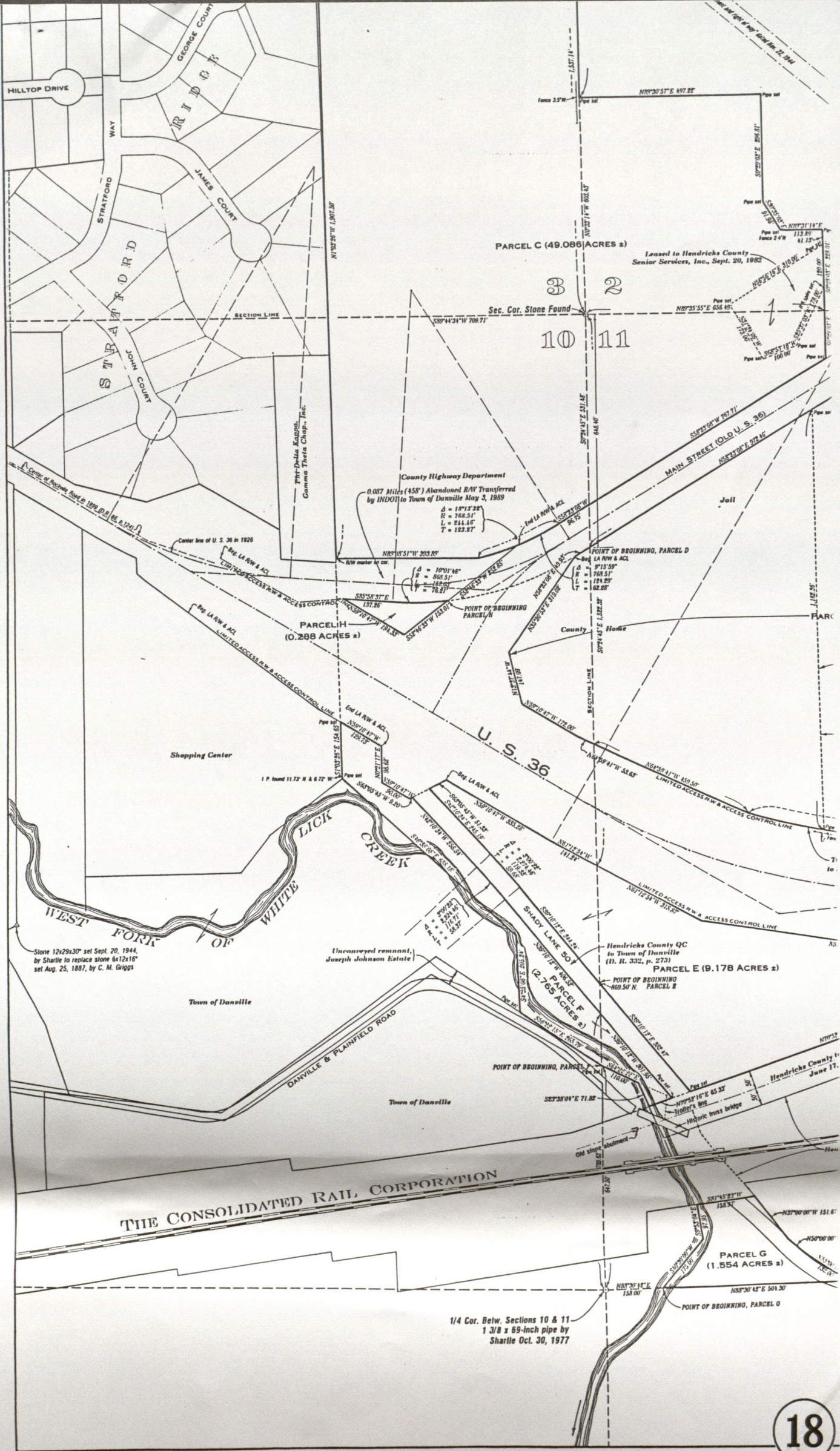
HENDRICKS COUNTY, INDIANA,

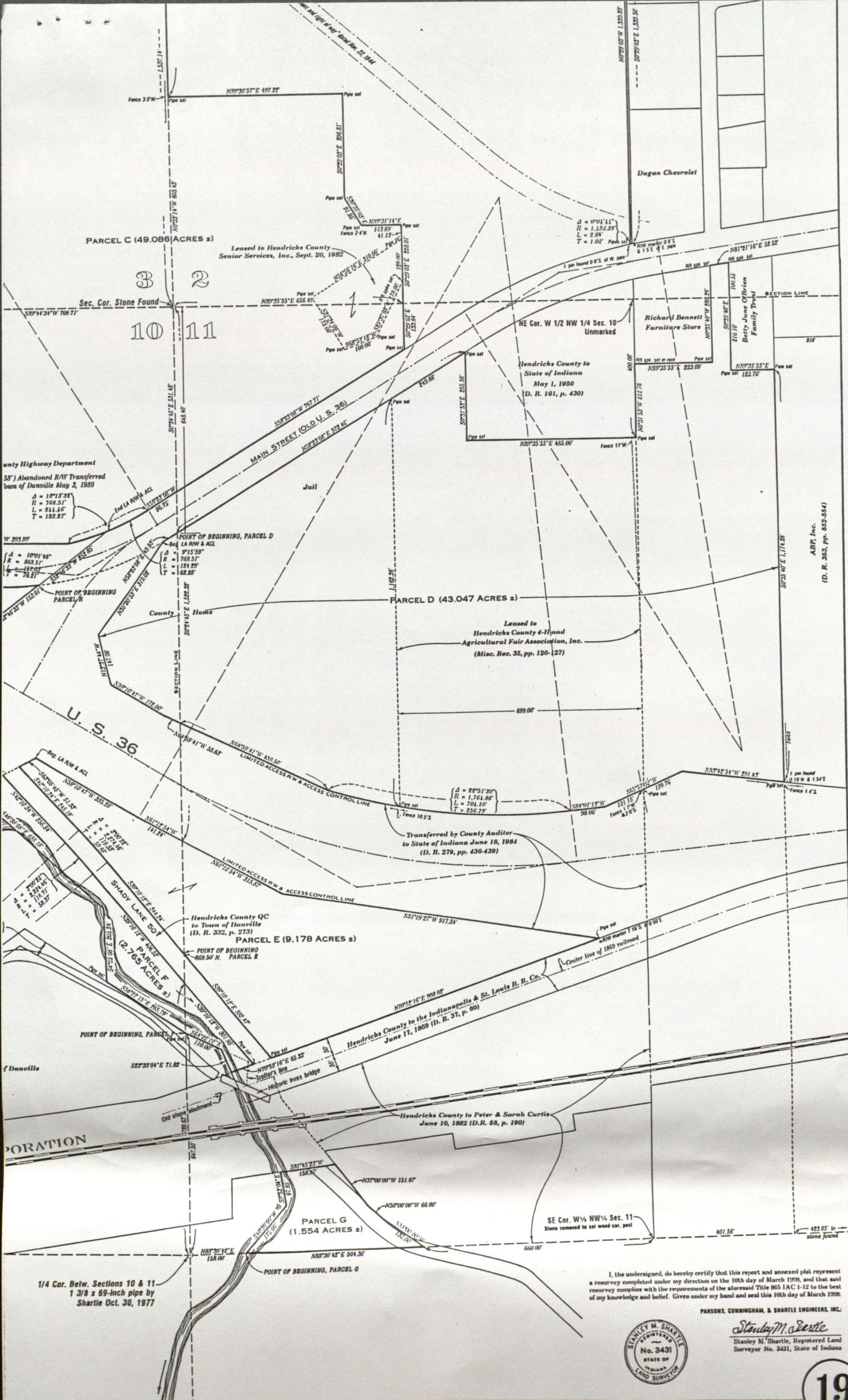
IN SECTIONS 2, 3, 10, AND 11, T. 15 N., R. 1 W.,
BUT EXCLUDING THOSE DEDICATED FOR THE
HENDRICKS COMMUNITY HOSPITAL,
BASEMENTS, AND MOST IMPROVEMENTS WHICH
WERE OMITTED BY REQUEST



ANCIENT GUNTER'S CHAIN



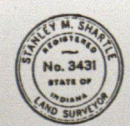




I, the undersigned, do hereby certify that this report and annexed plot represent a resurvey completed under my direction on the 10th day of March 1958, and that said resurvey complies with the requirements of the aforesaid Title 865 IAC 1-12 to the best of my knowledge and belief. Given under my hand and seal this 10th day of March 1958.

PARSONS, CUNNINGHAM, & SHURTLE ENGINEERS, INC.

Stanley M. Shurtle
Stanley M. Shurtle, Registered Land
Surveyor No. 3431, State of Indiana



MARTIN GREGG

TO

HENDRICKS COUNTY

THIS INDENTURE WITNESSETH THAT MARTIN GREGG AND MARY J. GREGG WIFE, & SAID MARTIN, OF HENDRICKS COUNTY, IN THE STATE OF INDIANA, CONVEY AND WARRANT TO HENDRICKS COUNTY, IN THE STATE OF INDIANA FOR THE SUM OF SIX THOUSAND SIX HUNDRED AND EIGHTEEN, THE FOLLOWING DESCRIBED REAL ESTATE BOUNDED AS FOLLOWS:

BEGINNING AT A POINT IN THE SECTION LINE BETWEEN SECTION 10 AND 11, 3 CHAINS AND ^{217.14}29 LINKS SOUTH OF THE NORTHWEST CORNER OF SECTION 11 TOWNSHIP 15 NORTH OF RANGE 1 WEST; THENCE SOUTH ^{495.00}27½ DEGREES WEST 7 CHAINS AND 50 LINKS; THENCE SOUTH ^{107.25}54½ DEGREES WEST 1 CHAIN AND ^{1176.12}62½ LINKS; THENCE SOUTH 4 DEGREES 12 MINUTES EAST 17 CHAINS AND 82 LINKS TO THE CENTER OF THE DANVILLE AND PLAINFIELD ROAD; THENCE SOUTH 56 DEGREES AND 12 MINUTES EAST 7 CHAINS AND ^{503.25}62½ LINKS TO THE MIDDLE OF WHITE LICK CREEK; THENCE DOWN THE CREEK FOLLOWING THE MEANDERS THEREOF TO THE HALF MILE STAKE BETWEEN SECTION 10 AND 11; THENCE EAST TO THE SOUTHWEST CORNER OF THE 80 ACRES (W½ NW¼ SEC.11); THENCE NORTH TO THE NORTH LINE OF SECTION 11; THENCE NORTH ¹³²2 CHAINS TO THE CENTER OF THE GRAVEL ROAD; THENCE SOUTH 82 DEGREES AND 50 MINUTES WEST ^{1056.66}16 CHAINS AND 1 LINK; THENCE SOUTH 70 DEGREES AND 50 MINUTES WEST ^{194.70}2 CHAINS 95 LINKS; THENCE SOUTH 27½ DEGREES WEST ^{184.14}2 CHAINS AND 79 LINKS TO THE PLACE OF BEGINNING. CONTAINING 88 and 24/100 ACRES MORE OR LESS, LYING IN THE SAID COUNTY OF HENDRICKS, STATE OF INDIANA.

RECORDED THIS 22nd DAY OF JANUARY, 1868.

DEED RECORD 32 PAGE 198

✓
ALFRED S. LINEINGER & WIFE TO COMMISSIONERS
OF HENDRICKS COUNTY

THIS INDENTURE WITNESSETH THAT ALFRED S. LINEINGER AND SARAH A. HIS WIFE OF HENDRICKS COUNTY, STATE OF INDIANA CONVEY AND WARRANT TO THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, IN THE STATE OF INDIANA, AND THEIR SUCCESSORS IN OFFICE IN TRUST FOR SAID HENDRICKS COUNTY FOR IN CONSIDERATION OF THE SUM OF FIVE THOUSAND DOLLARS, THE FOLLOWING REAL ESTATE IN HENDRICKS COUNTY STATE OF INDIANA, TO WIT:

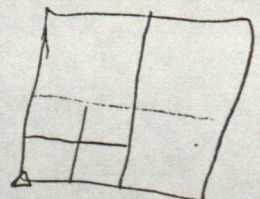
COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 2, IN TOWNSHIP 15 NORTH OF RANGE 1 WEST; THENCE NORTH 160 RODS^{2640'} TO THE NORTHWEST CORNER OF SAID HALF QUARTER; THENCE EAST^{1320'} 80 RODS TO THE NORTHEAST CORNER OF SAID HALF QUARTER THENCE SOUTH TO THE CENTER OF ROCKVILLE ROAD; THENCE SOUTHWESTERLY ALONG THE CENTER OF SAID ROAD TO THE WEST LINE OF WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11 IN SAID TOWNSHIP RANGE; THENCE NORTH TO THE PLACE OF BEGINNING. CONTAINING SEVENTY NINE ACRES MORE OF LESS, EXCEPT THE RIGHT OF WAY OF THE INDIANA AND ILLINOIS CENTRAL RAIL ROAD ACROSS THE ABOVE DESCRIBED LAND.

THE GRANTORS HEREBY RESERVE POSSESSION OF THE ABOVE GRANTED PREMISES UNTIL THE 15TH DAY OF JANUARY, 1896, AND OF THE HOUSE AND BARN UNTIL 1ST DAY OF MARCH 1896, AND THE RIGHT TO REMOVE THEREFROM THE WINDMILL AND FIXTURES THEREON SITUATED.

IN WITNESS WHEREOF, THE SAID ALFRED S. LINEINGER AND SARAH A. LINEINGER, HIS WIFE, HAVE HERENUTO SET THEIR HANDS AND SEALS, THIS 12 DAY OF NOVEMBER, 1895.

ENTERED FOR RECORD NOV. 13" A.D. 1895.

DEED RECORD 79 PAGE 203



JOHN O. WISHARD TO HENDRICKS COUNTY
COMMISSIONERS

THIS INDENTURE WITNESSETH THAT JOHN O. WISHARD AND ELIZABETH H. WISHARD HIS WIFE OF HENDRICKS COUNTY IN THE STATE OF INDIANA CONVEY AND WARRANT TO THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY AND THEIR SUCCESSORS IN OFFICE IN TRUST FOR SAID COUNTY OF HENDRICKS OF COUNTY IN THE STATE OF FOR THE SUM OF THIRTY FIVE HUNDRED SIXTY-TWO AND 40/100 DOLLARS THE FOLLOWING REAL ESTATE IN HENDRICKS COUNTY IN THE STATE OF INDIANA TO-WIT.

BEGINNING AT THE NORTH EAST CORNER OF SECTION 10 TOWNSHIP 15 NORTH OF RANGE ONE WEST; THENCE SOUTH ^{217.14} THREE CHAINS AND TWENTY-NINE LINKS: THENCE SOUTH ^{495.00} 27½ DEGREES WEST FROM A TRUE MERIDIAN (VARIATION 3°) THIRTY RODS: THENCE SOUTH ^{107.25} 54½ DEGREES WEST SIX AND ONE HALF RODS THENCE SOUTH ^{1006.50} 4° DEGREES EAST 61° RODS; THENCE NORTH ^{651.75} 46 DEGREES WEST 39½ RODS: THENCE NORTH 151 94/100 RODS TO A STONE IN THE OLD RAIL ROAD BED; THENCE WEST ^{2507.01} 120 LINKS: THENCE NORTH ^{79.2} 18 ^{306.24} 56/100 RODS, THENCE EAST ^{809.82} 49.08 RODS TO THE SECTION LINE THENCE SOUTH 23 CHAINS AND 39 ^{1543.74} LINKS TO THE PLACE OF BEGINNING ESTIMATED TO CONTAIN ^K 44 53/100 ACRES MORE OR LESS: RESERVING THEREFROM THE RIGHT OF WAY OF THE INDIANA & ILLINOIS R.R. CO. THROUGH SAID LAND 100 FEET WIDE. THE COUNTY COMMISSIONERS ASSUME THE PAYMENT OF A SCHOOL FUND MORTGAGE OF THREE HUNDRED DOLLARS ON SAID LAND. THIS DEED IS MADE TO TAKE THE PLACE OF A DEED DATED 3RD DAY OF OCTOBER 1882, MADE BY THE SAME GRANTORS TO THE SAME GRANTEEES AND RECORDED IN DEED RECORD NO. 58 AT PAGE 499.

RECORDED DECEMBER 12, 1882.

DEED RECORD 59 PAGE 135

also " 58 " 499 dated 3 oct. 1882 (same case.)

9/203 Freight to J. M. Krugg 6 June 1843 one undivided $\frac{1}{3}$ of $W^2NW^4 11-15-1W$

9/204 " " " " " " " " $W^2SW^4 2-15-1W$; $W^2NW^4 11$; & 700m. off E side
E-NE 10

9/204 Freight to J. M. Krugg 6 June 1843 $W^2NW^4 11-15-1W$ & $12\frac{1}{2}$ ac \pm of NE 10 known
as Freight's mill tract on W. Rich Creek.

9/205 " " " " " " " " $W^2NW^4 11-15-1W$

10/378 J. M. Krugg to Martin Krugg 16 Feb. 1846 $W^2SW^4 2-15-1W$ & undiv. $\frac{2}{3}$ of W^2NW^4
" $133\frac{1}{3}$ ac. \pm

12/226 Geo. Luckey to " " 18 Sept. 1848 undiv. $\frac{1}{3}$ of $W^2NW^4 11-15-1W$

23/11 Ind A del, Cen. R.R. Co. to John W. Estep 11 Nov. 1859 NE¹10-15-1W EXC. all that part lying W of E boundary of 4000 ac. State Rd. ALSO mill tract one & accepted in deed from Union Sugar to R.R. 124 ac. ±.

23/38 Union Sugar to John W. Estep 24 Nov. 1859 NE¹10-15-1W EXC. pt. N. of E. & D. & I. Rd.

23/357 Martin Sugar to " " 9 Apr. 1860 all that part of W NW 11-15-1W lying W of White Rock Cr. &

23/358 Union Sugar to " " 19 Nov. 1859 W SE 3-15-1W EXC. part S of state rd. from D. to I 1 1/2 ac. ±. ALSO also held by Ind.; ALSO pt. E² SE⁴ Bq. at E² mi. state S on sec. line 4R; W 80R; N 41R to NW cor. 1/2 1/4; E on 1/2 ac. line 80R to leg. ALSO pt. SE. 34 10 Bq. in 1/2 ac. line in con. D & I. ground rd; N on 1/2 ac. line 24R 7L to old state rd.; N 78E on old rd. 41 p. 19L; S 70W 35 p. 16L to E 16; N 87W in E 34 p 3L to leg. 98 ac. ±.

23/466 Sugar to " " 25 Dec. 1860 E² SE⁴ 3 EXC. 20.50 ac. of N. Rd. ALSO Reg. of NE cor. 10-15-1W; S 13 3/4 R. to E rd.; S 29°W in E 32R; S 70W 8 1/2 R.; N 85°W 37R; N 70W 17R; N 60W 44 1/2 R.; N 77W 12R. to SE cor. of land reserved by E. Sugar in deed to 141 Cen. R.R.; N 7E 35 R to L with E; N 83 1/2 E 40R 19L to E W SE 3; S with line 27 1/2 R. to sec. line; E on sec. line 80R to leg. 89 ac. & 44 rods ±. EXC R to 141 Cen. R.R. 100' wide line in D.R. 23/20.

24/496 Sover, Trans. Q.C. to " " 5 Mar. 1861 NE¹10-15-1W EXC pt. N. of E & D & I state rd., ALSO mill tract 124 ac. ±.

23/20 141 Cen. R.R. to Sugar 24 Oct 1859 (same as 23/466)

25/67 Act. of State to John W. Estep 7 Mar. 1862 In 10-15-1W Con. at E² mi. state; N 50W 37 p. to mill road. Con. against the mill & lay off 3 ac. & 1/2 square with a line running N 70°W con. at NW cor. lot at 2 breaks; N 20E 28 p.; S 70E 20 p.; S 20°W 28 p.; N 70W 20 p. to leg. Con. again on N side of 3 1/2 ac. at walnut & sugar; S 70W with mill road 50 p. to mill dam; N 7°E 14 p.; N 88W 13 p.; N 13W R to 20L; N 64W 8 p.; S 80W 9 p.; N 25N 9 p. 5L; N 72W 12 p. 8L; N 42W 6 p.

N20E 5p 12L; N12E 6p 15L; N20W 24p 9L; S85W 15p; S10E 14p 2L;
S65W 12p; S60E 6p; S76E 68p; S44E 12p 13L; S58E 7p 11L; N84½E
10p; S8E 16p; — 50°E 20p. 12½ ~~00~~ ±

29/237 John D. Wickard to M. C. Emmeringer 17 Aug. 1865 Reg. at NE cor. SE 3;
^{783.35'} W 47½R; ^{1111.6875'} S 67½R; ^{783.75'} E 47½R; ^{1111.6875'} N 67½R to log. 80 ~~00~~ ±.

28/79 John Wickland to Martin Gregg 6 Oct. 1864 In 10-15-1W Corn. at cor. in ac.
line betw. 10 & 11 made by John W. Estep in 9 to land conveyed by him to Gregg;
S $77\frac{3}{4}^{\circ}$ W with Estep's line to stake 14R; S with ac. line ^{231'} 70R to P's field
rd.; S 56° E with road to ac. line; N with line ^{1155'} 88R to leg. ^{1367.50'} ALSO, in
Sec. 11 Corn. at SE cor. above tract in P's field rd.; S 56° E with rd. to
middle of creek; up creek to ac. line; S with line to leg.

23/611 Estep to Gregg 9 Apr. 1860 Corn. on ac. line betw. 10 & 11 in E ground rd.;
S with ac. line ^{462'} 28R; S $77\frac{3}{4}^{\circ}$ W ^{297'} 18R; N 27° E ^{602.25'} 36R to leg.

29/237 J. V. Wickland to M. L. Ensminger 17 Aug 1865 Reg at NE cor. SE $\frac{1}{4}$ 3-15-1W;
W $47\frac{1}{2}^{\circ}$ R; S $67\frac{3}{8}^{\circ}$ R; E $47\frac{1}{2}^{\circ}$ R; N $67\frac{3}{8}^{\circ}$ R to leg. 20 cont.

24/105 Estep to Milo H. Moon 21 Mar. 1861 E SE 3-15-1E ~~ac.~~ N $20\frac{1}{2}^{\circ}$ ac. ALSO
Reg at NE cor. 10; S ^{225.50'} $13\frac{3}{4}^{\circ}$ R to E stake rd.; S 29° W E rd. ^{528'} 32R; S 70° W
^{137.50'} $8\frac{1}{2}$ R; N 85° W ^{610.50'} 37R; N 70° W ^{280.50'} 17R; N 60° W ^{731.50'} $44\frac{1}{2}$ R; N 77° W ^{198'} 12R to SE cor. land
reverted to E. Singer in his deal to land & l. Co. Ry. Co.; N 7° E (with face of
compass) ^{588.06'} 35R 16L with E. account tract; N $82\frac{1}{2}^{\circ}$ E ^{672.64'} 40R 19L to E W SE 3;
S with line ^{453.75'} $27\frac{1}{2}$ R to ac. line; E on ac. line ^{1320'} 80R to leg. EXC Bldg 141
Ry. Co. 100' wide

32/101 Wickland to Martin Gregg 29 Apr. 1865 Pt E NE 10 Corn. at NW cor. of Wickland
to Gregg dated 6 Oct. 1864 in D.R. 28/79; S $77\frac{3}{4}^{\circ}$ W ^{82.50'} 5R to stake; S 40° E ^{1155'} 70R
to SW cor. Tract in P's field rd.; thence with line of 28/79 N with ac. line
^{1155'} 70R to leg.

58/190 Corn. of Hand Co. to Peter Curtis & Sarah Curtis 16 June 1882 Reg at SE cor
W NW 11-15-1W; W ^{660'} 40R to E R.R. rd.; S 35° W with E ^{112'} 8R; N 50° W
^{66'} 4R; N 37° W ^{396'} 24R to S end of wing abutment of R.R. bridge; N 17° W
L R.R. E to E 18L; N 73° E with E ^{11.88'} to E W NW; S ^{863.775'} $52\frac{35}{100}^{\circ}$ R to leg. $13\frac{1}{2}$ ac.
EXCLUSIVE of AIA Rld

42/288 John W. Estep to Isaac N. Estep 19 Mar. 1875 W²SE⁴3-15-1W EXC. 20
mud lying S. of old state rd. from Doc. to dump. 11 1/2 ac ±. Also, pt. ESE
Cem. 47 1/2 R. W 1/2 NE cor. 1/2 1/4; S 85 1/2 R to E R. R.; W 31 1/4 R; N 85 1/2 R; E
on E R. R. 31 1/2 R to leg. ALSO pg. on 1/2 ac. line of E D. & G. Rd.; N on 1/2
ac. line 24 p 7L to old state rd.; N 78° E on old state rd. 41 p 19 L;
S 7° W 85 p 16 L to E rd.; N 87° W on E 34 p 3 L to leg. EXC. Cem. of 1/2 ac.
state lot 84-10; S 6 R 20 L to E R.; S 81° 14' E 20 R on E; N 16 1/2° E 17 R 20 L;
N 59° W 17 R 10 L to 1/4 ac. line; S 16 R 7 L to leg.

45/456-7 Isaac N. Estep to John W. Estep 8 June 1875 same as above.

54/551 Eneminger to Eneminger 1 Nov. 1880 Rq. of NE cor. SE 4 3; W 47 1/2 R; S 67 3/8 R;
E 47 1/2 R; N 67 3/8 R to leg. 20 ac ±

55/144-5 John W. Estep to Isaac N. Estep 15 Jan. 1881 (same as 42/288)

54/62 John V. Hedley to Leander M. Campbell 19 Apr. 1880 Pt E² NW⁴ 10 - K - 100
25' square out of SE cor. land conveyed by Ritter to Hedley in D.R. 41/507.
Tract is sitting N. eastern extension of South St.

41/507 Leni Ritter to John V. Hedley 9 Dec. 1873 Pt E NW 10 Com in N. R. & P. road
being an eastern extension of South St. at SE cor. Tract 60' wide E to W
& 250' N-S conveyed by Ritter to Wm M. Hove D.R. 36/322; thence E on N
169' to stone; N 90' to stone; NELY about 45° down center of hollow
or ravine 231' to stone; N 20 1/2' to SE cor. 1-acre Tract conveyed by
Ritter to C. D'haever D.R. 29/573; W on E 20 R; S between Ritter &
Hedley to N. tract conveyed by Ritter to Hove; E 10'; S on E 1/2 Hove to
leg.

36/322 Ritter to Wm M. Hove 29 June 1870 Pt NE NW 10 Com. on N. R. & P. Rd
at SE cor. of John V. Hedley to John H. Lewis; E 60'; N 250'; W 60'; S 250'
to leg.

94/75 CORRECTIVE DEED Carrie Ritter & d. to John V. Hedley 10 Mar. 1903 To correct
36/322 & 41/578 Pt E NW 10 Beg. at SW cor. of Anthony Crofton to "Plainfield
& Danville Rds." opposite road, of A. Blank; N 3.94 ch.; W 91 R; S 3.94 ch.;
E 91 R. to leg.

22/529 Anthony Crofton to Peter S. Kennedy 30 Apr. 1859 Beg. on line div. E² & W² NW⁴ 10
31 1/2 ch. N. of E road W⁴, being near the E P field rd. where it leaves the Town
of Danville at E end South St.; N on div. line 9.96 ch. to E corner of Rockville
Plank Rd; S 80 1/2° E 8.49 ch.; S 9.58 ch. to E rd. from H. to P.; W 3.24 ch.;
N 79° 10' W 5.23 1/2 ch. to leg.

22/733 A. Clifton to Leni Ritter 29 Oct. 1859 Pt NW⁴ 10; Beg. on 1/2 sec. line at E R. & Apple
Rd.; S on 1/2 sec. line 7.65 ch. to L.M. Campbell's NE cor.; W 11.62 ch. to P.S.
Kennedy's cor.; N on Kennedy E 9.58 ch. to State Rd.; E on E 11.79 ch. to leg.

72/438 Lucinda H. Campbell to Wm H. Wishart 15 Apr. 1891 Pt E NW 10-15-10 Bq in
E R. R. Rd. at point with key stone $8 \times 12 \times 14$ East 30 lks, rd. pt. being 20.34 ch. N.
& $8.68\frac{1}{3}$ ch. W of cen. sec.; W on E Mill St. 3.10 $\frac{2}{3}$ ch.; S 9.19 ch.; E 6.28 ch. to stone
in E Rd.; N56°W 3.37 ch. in E; N30°W in E 7.35 ch. to leg.

83/135 do to John & Margaret Nichol (deed to correct same deed) 29 Mar. 1898
all of that portion of following lying S. of and adj. E Mill St.; Corn. S45 $\frac{1}{2}$ °E
11.56 ch. from Cen. E and South St. in C.T.; S 12.47 ch.; E 6.26 ch. to E Rd.;
N56°W 3.37 ch.; N30°W 11.63 $\frac{2}{3}$ ch. to stone; S15°W 93 L. to stone; W 2.76 ch.;
S 13 $\frac{1}{3}$ L. to leg. (& to correct 75/93)

75/313 Wishart to Rendell 10 July 1893 same as 72/438

75/281 Lucinda H. Campbell to Chas. Courtney & wife, 26 June 1893 32.69 ac.

82/91 Effie Adams to Lucinda H. Campbell (deed to correct 71/204) 2 Sept. 1897
Pt NE NW 10-15-10 Bq. 10.80 ch. W & 23.62 ch. N of cen. sec.; N 6.52 ch. to
stone $5 \times 8 \times 15$ (with maple 18 S69 $\frac{1}{2}$ °W 77 $\frac{1}{2}$ L.); E 99 $\frac{2}{3}$ ' to stone (Horn 18 S33 $\frac{3}{4}$ °W
26'); S3 $\frac{1}{4}$ °E 6.52 ch. to stone in E alley; W to leg.

83/125 Rendell to Chas. P. Hennegan & wife 29 Mar. 1898 Pt E NW 10 Bq at stone
3.34 ch. S of stone S45 $\frac{1}{2}$ °E 11.56 ch. from Cen. E. and South St. in C.T.; S 9.13 ch.;
E 6.26 ch. to stone in E rd.; N56°W 3.37; N30°W E rd. 7.48 $\frac{2}{3}$ ch.; W on E
Mill St. 3.16 ch. to leg. from W. Trotter, Secur.

90/137 Lucinda H. Campbell to Susan R. Hawkins 12 Sept. 1901 Pt NE NW 10 Bq. 75'-9" S. of
stone S47 $\frac{1}{2}$ °E 11.56 ch. from Cen. E. and South St. in C.T.; S 75'9" to E Mill St.;
N 89 $\frac{1}{2}$ °E on N 208'4" to E 10.88 Rd. with key pine plug N 85°W 15'; N 30°W in rd.
75' to pt. with key maple 12 N 84 $\frac{1}{2}$ °W 20 $\frac{1}{2}$ '; W 205'-2" to leg. Sub. to 1/2 of street
& 1/2 of alley on W side. John W. Trotter, N.P.

78/443 R. Campbell to Geo. W. Buel 24 May 1895 3.97 ac. not copied

"/445 Adams " " " " 31 " " " " "

82/91 Adams to R. Campbell correction dated 7 Sept. 1897 to correct 71/304 +

Rt NE NW 10-15-W Reg. 10.86 W + 23.62 N of corner; N 6.52 to stone
5x8x15 unit by maple 18' S 69 1/2 W 77 1/2 R; E 99 1/2 ft. to stone unit by Hack 18"
S 33 3/4 W 26 ft.; S 3 1/2 E 6.52 to stone in E alley; W to leg.

82/148 Campbell to C. C. Carter 13 Sept. 1897 Rt NE NW 10-15-W Reg. 10.86 W, &

25.21 N of corner; N 4.93 to stone 5x8x15 (maple 18 S 69 1/2 W 77 1/2 R);
E 99 1/2' to stone (Hack 18 N 33 3/4 W 26'); S 3 1/4 E 4.93; W 115 1/8' to leg.

82/135 Campbell to John Marshall 29 Mar. 1898 E of mile S. + W of A. P. rd. com.

545 1/7 E 11.56 from corner E end South St. in O.T.; S 12.47; E 6.26 to
stone in A. P. rd.; N 56 W 3.37; N 3 W 11.63 2/3 to stone; S 15 W 93 R. to
stone; W 2.76; S 13 3/8 R. to leg. to correct 72/428 + 75/213

85/115 Estate to Wm. Wise 4 Apr. 1899 W 2 SE 3-15-W EXC that lying S. of old state

road, 11 1/2 ac. ALSO, Rt E SE 3 com. 47 1/2 R W of NE cor. 1/2 1/4; S 85 1/2 R
to E R.R.; W 31 1/4 R; N 85 1/2 R; E on E.R.R. 31 1/2 R to leg.

ALSO, Rt. SW SE 3 + 16. NW NE 10; Reg. 1/4 E 1/4 Sec. 9 Rockville R.R. at W
NW 4 NE 4 10; N on line 24 R 7 L to old state rd.; N 78 E on old state rd.
41 R 19 L; S 7 W 35 R 16 L to E gravel rd.; N 87 W in E gravel 34 R 3 L to leg.
EXC. com. at 1/2 mile stake between 34 10; S 6 R 20 L to E rd.; S 81 1/4 E
20 R in E rd.; N 16 1/2 W 17 R 20 L; N 59 W 17 R 10 L to div line between SE 4 &
SW 4 3; S 16 R 7 L to leg.

EXC. Reg. 6 1/2' W of SE cor. last above desc. tract + run E 6 1/2 ft to SE cor.;
N 7 E 24 R; W 60'; S to leg.

* copied correctly

Misc. Rec. 4/271 John O. Weisand to Kew & Big White Rock Gravel Rd. Co.
 Closed 3 Dec. 1883 Com. at E. rd. road 14R21L S59°E of the point
 where the E. rd. rd. intersects W. Weisand's land; S60'; E45'; N37';
 W. with E. rd. about 53' to leg. in NE 10-15-1W. to continue
 as long as premises are used by Co. for maintenance of a toll
 gate & office & residence of Toll collector.

D.R. 37/60 Kew. Co. to Kew & St. Paul R.R. Co. June 17, 1869. 50' on each side of E. across
 W 2NW 41-15-1W "the right of way for the use of a road road of rail
 company."

25/137 Estop to Robt. Little & Jane N. Estop May 13, 1862 Pt SE 34 pt. NE 10-15-1W
 & pt. W 2NW 41 Com. at NE cor. SE 43; W 47 1/2 R.; S 85 1/2 R to E R.R.;
 W 31 1/4 R.; S 50 1/2 R.; W 15 1/2 R. to NE cor. tract road to Jas. Nichols;
 S 139 1/2 R. to E. rd. & P. Rd.; S 52°E 26 1/2 R.; S 82°E 12 3/4 R.; N 55°E 43 1/2 R;
 S 56°E 31 R to E Sec. 10; S 66°E 12 R. to E. creek; NWLY up creek to E
 Sec. 10; N to leg. 136 ac. 114 poles EXC; Com. on line betw. Sec. 10 & 11
 in E. gravel Rd.; S with sec. line 28 p.; S 77 3/4° W 18 p.; N 29°E 36 1/2 p. to
 leg. Resurvey R.W. of L. & A. Co. by Co. 100' wide

89/68 Allen to Geo. A. Stephens 1 Mar. 1901 Pt. S 2 SE 34 pt. N 2 NE 10-15-1W
 Reg. at stone in E. R.R. (42 1/2 R.W. & 85 1/2 R. S. of E. rd. stone 3; W 9.96 ch
 to stone; S 1/2 W 12.39 ch to stone; W 4 ch. to stone; S 12.465 ch. to
 stone in E. R.; S 59 1/2°E in E 6.50 ch.; S 70 1/2°E in E 4.00 ch.; S 84°E in E
 4.11 ch.; N 29.935 ch to leg.

* Correctly copied the conflicts with old surveys.

86/124 John O. Weiland to Edg. Allen 18 Oct. 1899 Pt. S SE 3 & N. N NE 10-15-W
 Ref. at stone in E end, 9 Sec. Cor. Rq. 42 1/10 R W 85 1/2 R E of E 1/2 Sec. 3;
^{597.96'} W 9.06 to stone; ^{317.74'} S 1/2° W 12.39 to stone; ^{264.00'} W 4.00 to stone; ^{822.69'} S 12.46 1/2 to
 stone NE end of Rockville rd.; ^{429.00'} S 59 1/2 E in E 6.50; ^{264.00'} S 70 1/2 E in E 4.00;
^{271.26'} S 84 E in E 4.11; ^{1975.71'} N 29.98 1/2 to leg. 32.34 ac.

25/555 Little & Estep to John O. Weiland 2 Feb. 1863 Pt. SE 3, NE 10, & W NW 10-15-W
 Cor. at NE cor. SE 1/4 3; ^{783.75'} W 47 1/2 R; ^{1410.75'} S 85 1/2 R to E R.; ^{515.625'} W 31 1/4 R; ^{833.25'} S 50 1/2 R; ^{251.625'} W 15 1/2 R
 to NE cor. to tract sold by Jas. Nichols to Milo H. Mason; ^{2301.75'} S 139 E R to E R. &
 P. rd.; ^{437.25'} S 52° E 26 1/2 R; ^{207.90'} S 82 E 12 1/5 R; ^{722.70'} N 55 E 43 1/5 R; ^{511.50'} S 56 E 31 R to E R.; S 6 E
^{198.00'} 12 R to E R.; NWLY up CR to E Sec. 10; N to leg. 136 ac. 114 R.
 E. Cor. at E Sec. 10 in E gravel rd.; Switch line 28 R; ^{462.00'} S 77 3/4° W 18 R; ^{297.00'} N 29 E
^{602.25'} 36 1/2 R to leg. Reserving therefrom R. W. & Sec. 4 Sec. Cor. Rq. 100' wide

100/134 Ed. Cooney to C.C.C. & St. L. Ry. Co. 25 Oct. 1905 From SW cor. 10-15-W NLY on
 W 2217 1/2' to point "A." From SE cor. 10 N in E 2983' to point "B." & from
 "A" to "B." From "A" ELY on E 931' to point "C," being E R. & C. R. R.; conveyed strip of
 land 100' wide, 50' on each side of E extending from "C" ELY 1,180' ± to line ⊥ E;
 ELY strip 130' wide, 65' on each side E, ELY 546' ± to E W 10-15-W; thence
 ELY 730' wide, being 130' on N & 100' on S, 1450' ± to ⊥ E; ELY strip 250' wide,
 130' on N & 120' on S 1522' ± to point "D" in E Piffard rd, said "D" being 317 1/2' ELY
 from E 10-15-W mean on E; 20.72 ac.

39/341 Wilson to Edw. Courtney 16 Feb. 1872 Pt. S²10-15-1W Beg. at NE cor. ^{1303.50'} 1/2 ac.;
 W on 1/2 ac. line 79R to center of S. L. R.R.; ^{703.50'} S72°W with ^{330'} ~~E~~ 43R &
^{330'} S80°W 20R, & S85°W 20R & N89°W ^{1707.75'} 103 1/2 R to E.D.P.R. ^{1155'} S32°E 70R;
^{49.50'} S130°E 3R in E; E — R to E. R.R.; ^{1402.50'} N 85R to leg.

39/342 Campbell to Ranks 26 Feb. 1872 Pt. NE 10 & 1/4 NW 41. Beg. at SE cor. NE 10;
 E to E creek; up creek to bridge of 14 S. L. R.R.; W 71°S to point where
 E.R.R. crosses E NE 4; E with E to leg.

40/473 John W. Estep to Linden M. Campbell 8 Mar. 1873 Pt. W NE 10; Beg. 77R ^{1279.63} 13 5/8 LS
 of NW cor. NE 4 on line dia NE 4 & NW 4; ^{1023.00'} E 62R to John O. Wickham's line;
^{849.75'} N about 5 1/2 R. to E. L. & R.R.; NWLY on E to E NE 4; ^{1171.50'} S on E about 71R
 to leg.

75/281 Lucinda H. Campbell to Edw. Courtney et al. 26 June 1893 Pt. E 10 & 1/4 NW 41
 Beg. at cor. sec. 10; N 87.77 ch. to stone in E.D.P.R.; E in E 15.15 ch.; S82°E
 9.09 ch.; N55°E 10.95 ch.; S56°E 7.75 ch.; SW 1/4 E. side of creek;
 S 1 1/2° W 1.03 ch. to E.R.R. bridge; S72 3/4° W in E 31.40 ch.; S73 1/2° W in E 2.68 ch.;
 S77 1/2° W 5.00 ch. in E; S83 1/2° W 5.00 ch. in E; N 5.50 ch. to leg. See M.R. 13/474.

22/357 Martin Gregg to John W. Estep 9 Apr. 1860 All that pt. of 10 1/2 NW 41-15-1W lying W of E
 Wk. Lick Creek

35/437 Levi Ritter to Linden M. Campbell 1 Mar. 1870 Pt. NW 11 & 1/4 NE 10 Beg. at cor. Sec.
 10; E on E 10 & 11 to E creek; NLY in E to E.D.P.R. at the ford; N57°W
^{709.50'} 43R.; ^{709.50'} S54 1/2° W ^{280.50'} 43R.; ^{330'} N77°W 17R; N52°W 20R; S86°W to 1/4 NE 10; S about
^{600'} 40R to leg. 3R.R. Sub. to R/W of R.R. being 98' on each side of E. Sub. to
 as much of SE cor. of ad. parcel bought by Levi Ritter of America & Abraham
 Blount in NW 4 10 as lies E. of a direct line S of the NE cor. See M.R. 13/474.

7/30 L. Campbell to C. Campbell 12 Dec. 1890 Pt E NW 10-15-1W at NE 10 Reg.
 8.77 ac. N. of cen. sec. W ^{79.86'} 1.21 in E. rd; N 60° W in E 4.54 1/2; N 56° W in E
^{241.56} 3.66; N 3° W in E ^{769.62'} 11.63 2/3 to stone; N 86 3/4° E ^{247.995'} 3.75 3/4 to stone; N 16° E ^{123.86'} 1.87 2/3
 to lamp back; N 4° W ^{156.86'} 2.37 2/3 to stone; N 4 1/4° E ^{101.42'} 1.53 2/3 to stone;
^{691.812'} S 88 1/2° E ^{264.00'} 10.48 1/5 to E W. L. ch.; S 21 1/4° E ^{209.88'} 5.39 1/3 in E; S 55 1/4° E in E ^{275.88'} 6.31;
 S 40° E in E ^{120.78'} 4.00 to S. A. Hall's SE cor.; S 3.18; S 28° E ^{82.50'} 4.18; S 48 3/4° E ^{58.08'} 1.65;
^{120.78'} S 42° E ^{82.50'} 1.83; S 6° E ^{58.08'} 1.25; S 60° E ^{103.62'} 0.88; N 89 1/2° E ^{119.46'} 1.57; S 49 1/2° E ^{599.94'} 1.81 to stone on
 N side R. & P. road; S 65 3/4° W ^{30.69'} 0.46 1/2 to E. rd.; N 82° W in E ^{999.90'} 9.09 ac.; W
 in E 15.15 to Reg. 43.89 ac. ±

Also, pt E² NW 10 Reg. at stone ^{595.98'} 9.03 W & ^{1558.92'} 23.62 N of cen. sec. 10, which
 stone is the SE cor. Salvin lot; N 3 1/4° W on W side R. & P. rd. ^{430.32'} 6.52 to
 stone at NE cor. Salvin; N 57° E ^{22.88'} 0.34 2/3; N 0.25; W ^{16.50'} 0.37 4/5; N ^{24.948'} 0.37 4/5;
^{64.548'} E ^{231.00'} 3.75 1/5; N ^{84.48'} 0.97 4/5; S 48° E ^{238.92'} 3.50 to stone at S. V. Hedley's SE cor. at end
 of ravine; S 76 1/4° E ^{156.86'} 1.28 to stone; S 12° E ^{123.86'} 3.62 to stone; S 4 1/4° W ^{101.42'} 1.58 2/3 to
 stone; S 4° E ^{247.995'} 2.37 2/3 to lamp back; S 16° W ^{61.38'} 1.87 2/3 to stone; S 86 3/4° W
^{3.75 3/4} to stone in E R. & P. rd.; S 15° W ^{0.93} to Reg. 3.97 ac. ±

Also, pt NE 13-15-1W — not copied

7/308 R. Campbell to Effie Adams 12 Dec. 1890 W 2/3 7 & 28 D. T. Kansas

Also, pt. E N NE 2-15-1W —

" " 22-16-1E —

" " 13-15-1W —

75/281 R. Campbell to Edw. Conventry 26 June 1893 Pt E² 10-15-1W Reg. at cen. 10;
 N 8.77 to stone in E R. & P. rd.; E in E 15.15; S 82° E 9.09; N 55° E 10.95;
 S 56° E 7.75; S 66° E 3.00 to E side ch.; S 1 1/2° W 1.03 to E R. & P. bridge; S 72 3/4° W
 31.40 in E track; S 73 1/2° W 2.68 in E; S 77 1/2° W 5.00 in E; S 83 1/2° W 5.00 in E;
 N 5.50 to Reg. 32.69 ac. ±

86/32 Maggie H. Johnson ^{copy} to Robt. T. Holloman 25 Mar. 1898 Beg. at Cor. E NW SW 3-15-1W
 S 11.46 ch.; S 87 1/4° W 4.08 ch.; S 82 1/4° W 2.50 ch.; N 48° E 1.45 ch.; N 6 ch.;
 N 43 1/2° E 6.56 ch.; E 1.69 ch. to leg.

89/467 John W. Wolcott to O. B. Hudson 6 Apr. 1901 Pt. NW 3; ^{not copied} Beg. at Cor. S of NW 4; N

90/519 Sheriff to Robt. T. Holloman 19 Jan 1898 Pt W SW 3 Beg. 14.37 ch. S of NE corner
 line betw W & E; S 43 1/2° W 5.12 ch.; S 45° 20' W 3.75 ch.; S 82° E 1.50 ch.;
 S 76 ch.; N 87 1/2° E 4.80 ch.; N 7.13 ch. to leg, ALSO, Beg. at Cor. E NW SW 4;
 S 17 R 8 L; S 43 1/2° W 20 R 12 L; S 45° 20' W 15 R; S 82 1/2° E 6 R; S 82° 15' W
 10 R; N 48° E 5 R 20 L; N 24 R; N 43 1/2° E 24 R 6 L; E 6 R 19 L to leg.

90/524 Cyro Osborn to Robt. T. Holloman 24 Dec. 1901 Pt. 11+12. Symonis add place pt.
 SW SW 3 Beg. on E N 40' N of SE Cor.; W 31'-1"; S = 1/2 lot 11+12 135' to N
 Columbus St.; E on N 60'; N 135' to point 23'-11" E of leg; W 28'-11" to leg.

92/447 Donnell to R. T. Holloman 20 Oct. 1902 Beg. at NE Cor. E SW 3; W on N
 2.33 1/2 ch.; N 76 1/4° W 7.92 ch.; S 80 3/4° W 1.17 ch.; S 53 1/2° W 1.45 ch.; S 27° E
 95 L to N E SW 4 in middle of old & frag gravel rd; S 14° E in E 8.60 ch.; S 10° E
 6.44 ch.; S 32° W 1.46 ch. to E boundary; S 45° E in creek 6.47 7/8 ch.; S 35° E 1.50 ch.
 to middle of old & old R.R.; N 87 1/2° E in E 4.43 ch. to E SW 4; N on E 21.70 ch.
 to leg. Together with tracts in N 3-15-1W.

92/553 Emminger to R. T. Holloman 20 Oct. 1902 Pt E SE 3; Beg. at NE Cor.; W 47 1/2 R;
 S 67 3/8 R; E 47 1/2 R; N 67 3/8 R to leg.

100/507 " to " 13 Aug. 1906 Pt W SW 3; Beg. 59.4 R S. & 291' E
 of W mi. Stone; E 191' to NW cor. Symonis add.; S 29 R 11 L; W on Columbus St.
 191' to E Ind. St. extended; N to leg.

83/131 Auditor to Robt. T. Holloman 30 Mar. 1898 Pt W SW 3; Beg. at Cor. E NW SW; S 11.47 ch;
 S 87 1/4° W 4.08 ch.; S 82 1/4° W 2.50 ch.; N 48° E 1.45 ch.; N 6 ch.; N 43 1/2° E 6.56 ch.;
 E 1.69 ch. to leg.

Leads to Ingle, Danville, & Rockville Traction Co.:

99/145 From Geo. A. & Martha Stephenson 12 Nov. 1904 Pt. E² 3-15-1W Bdy at stone
 et E cor. & W. Cor. R.R. 42.7 R W & 85 1/2 R S of E² Mi. Stone; W 9.06 ch;
 S 25'; E = first line 9.06 ch; N 25' to leg. *
 597.96'

99/146 From Wm E. Wise 14 Feb. 1905 Pt SE⁴ 3; Bdy. 47 1/2 R W & 85 1/2 R S of NE cor. 1/4;
 W 31 1/4 R; S 49 1/2'; W with long. of traction line 80 R to 1/4; N on rail line
 99'; E = tr. line 111 1/4 R; S 49 1/2' to leg. *
 515.625' 1320' 1835.625'

99/147 From Robt. T. Holloway 20 July 1905 50' strip leg. 1432.2' S of NE cor. E²
 SW⁴ 3; N 50'; S 87 1/2° W 324.2' to E W. R. Ch.; S 35° E with E 59';
 N 87 1/2° E 292.3' to leg.

99/148 From Sarah E. Hall 13 May 1905 Pt SW⁴ 3; Bdy. in E cor 141.61 R. on E SW⁴;
 S 87 1/2° W 60.61 R; S 50'; N 87 1/2° E 60.61 R; N 50' to leg.
 1000.065' 1000.065'

99/149 From Oliver R. & Lizzie E. Newlon 29 Apr. 1905 Pt SW⁴ 3; Bdy. 2' S of stone
 at SE cor. Robt. T. Holloway; E 250'; S 24.75'; W = 1/2 250'; N 24.75' to
 leg.

99/150 " same; 6 May 1905; Pt E SW 3; Bdy. on 1/2 1/4 in E 1.71. Cor.
 R.R.; N 87 1/2° E 15.42 ch.; N 50'; S 87 1/2° W 15.42 ch.; S to leg.
 1017.72' 1017.72'

101/380 Thos. J. Cofer to L. & W. Ry. Co. 29 Apr. 1907 — see Tablet C, p. 31.

* Ind. R.R. Co. conveyed this land to Stephenson who then gave leads on contract

83/202 O'Donel to Oliver B. Hooley & Lizzie E. Hooley 19 Apr. 1898 Pt E-SW 3-15-100;

App. at Stone on $\frac{1}{2}$ 1/4 on $\frac{1}{2}$ sec 1 & 2 cor. R.R.; N ^{762.30'} 11.55 ch. to stone at John
Rollins SW cor.; E ^{530.64'} 8.04 ch. to stone; S ^{33'} 50 L; S ^{306.90'} $41\frac{1}{2}^\circ$ E (needle) 4.65 ch. to E
H. & P. gravel Rd.; S ^{133.32'} $18\frac{3}{4}^\circ$ W 2.02 ch. to E bridge on S side; S ^{427.68'} 44° E 6.48 ch. to
E creek; S ^{77.88'} $27\frac{3}{4}^\circ$ E 1.18 ch. to E 1/2 1/4 cor. R.R.; S ^{1000.065'} $87\frac{1}{2}^\circ$ W in E 15.42 ch. to $\frac{1}{2}$ 1/4 1/4;
^{55.00'} N $83\frac{1}{3}^\circ$ L. to long.

96/287 Wishard to Evan B. Davis 1 Oct, 1904 Pt W NE 10 Rq. at stone in E Rockville
 rd (being SW cor tract sold to Stevenson & NE cor. land owned by said
 Davis); S $59\frac{1}{2}^{\circ}$ E 6.50 ch; S $70\frac{1}{2}^{\circ}$ E 4 ch; S 84° E 4.11 ch; S 2° E 8.36 ch;
 S 46° E 9.87 ch. to stone; S 5° E 3.12 ch; N 56° W 4.29 ch. to stone; S 8° W
 S 55° W 10.56 ch. to stone; N $49\frac{1}{2}^{\circ}$ W 1.08; N 60° W 8.21; S $89\frac{1}{2}^{\circ}$ W 1.57;
 N 68° W 1.25; * N 42° W 1.83; N $48\frac{3}{4}^{\circ}$ W 1.65; N 28° W 4.18 to stone; N 18° W 6 ch
 to leg.

138/123 Cooper to Cooper 18 May 1929 Rq name on above; S $59\frac{1}{2}^{\circ}$ E in E rd.
 6.49; S $70\frac{1}{2}^{\circ}$ E out 4 ch; S 84° on E 1.78 to P.O.B.; S 84° E in E 2.33;
 S 2° E 8.36; S 46° E 9.87; S 5° E 3.12 to E 10.8 P. rd; N 56° W on E 4.29; S 8° W on
 E 7.62; N 18.66 to leg. Also Rq at E $\frac{1}{2}$ mile stone 3; W 42.7 R; S $85\frac{1}{2}^{\circ}$
 R to stone in E 141 R; S 29.935 to E 14 Rockville Rd. to P.O.B.; N 74° 2;
 W 2.35; S $85\frac{1}{2}^{\circ}$ E to E 1.8 R. rd; ELY on E to leg.

106/61 Fred Smith to Wm Cooper 8 Sept. 1909 Pt. NE 10 From E $\frac{1}{2}$ mile stone 3 measure
 W 42.7 R; S $85\frac{1}{2}^{\circ}$ R to stone in E Rq; S $29.93\frac{1}{2}$ ch. to E 14 Rockville Rd &
 P.O.B.; N 62° 2; W 155'; S $85\frac{1}{2}^{\circ}$ E to E rd; ELY with E to leg.

109/232 Evan B. Davis to Wm M. Cooper 3 June 1911 Same as 96/287 above except at *
 "N 42° W 1.25" is inserted

M.R. 136, p. 94 — Schneider's survey of the Shopping Center for Mrs. Ronalds et al.

113/496 John V. Hedley to Town of Danville 14 Oct. 1913 in trust for use of
 prop. owners of the First Seven lots in sd. town: N 8 1/4 ch. to; ^{576.84'} ^{1452.99'} ^{924.00'}
 Pt. NW NE 10-15-W. Reg. 8.74 ch. W & 22.015 ch. N of con. sec.; ^{539.22'} ^{264.00'} ^{345.84'} E 14 ch.;
 N 8.17 ch.; W 4 ch. to hcp. Brills NE cor.; ^{415.80'} S 4 1/2 with Brills ^{247.995'} line 5.24
 ch. to Brills SE cor.; N 88° W 6.30 ch.; S 86 3/4° W 3.75 to ch. to stone
 in E street; S with E 2.51 ch. to leg.

104/326-27 Edw. Courtney to CCC & St. L. Ry Co. 28 Oct. 1908 From SW cor. NE 1/4 10 sec. N
 on 1/4 61.5' to NE RR. to P.O.B.; N. 30.2'; defl. 82° 52' R. NELY 1782.7' = 4 100' N.
 of E; defl. 90° R 30' to point 120' N of E; 90° R = E 1786.4' to leg.
ALSO, from SE cor. 10 N on E 2842.6' to point 145' S of E to P.O.B.; defl. 83° 25' R
 NELY 431' (= 145' S of E); defl. 113° 52' L. NWLY 27.3' to point 120' S of E; defl.
 66° 28' L 1161.1' on E RR.; defl. 90° L SELY 25'; defl. 90° L NELY 741.7' (= 145'
 S of E) to leg.

123/146 Sarah Courtney to CCC & St. L. Ry Co. 7 May 1919. Pt. E 10-15-W From stone
 at center sec. N on 1/4 90.8' to P.O.B.; N on 1/4 10.1'; defl. 82° 16' R 1780';
defl. 90° R 10'; defl. 90° R 1781.4' to leg. ALSO, from stone at con. sec. SLY on
 1/4 70.7' to E; defl. 97° 44' L on E 2072'; defl. 97° 44' R. SLY 146.13' to P.O.B.;
 SLY on lat course 111'; defl. L 97° 44' 700' (= 110' S of E from S E); defl. 82° 16'
 L NLY 111'; defl. 82° 16' L NLY 111'; defl. 97° 44' L. 700' to P.O.B.

Guardian, by order of the Circuit Court of Hendricks County, in the State of Indiana, entered in Order Book of said Court, on page , CONVEY to Ernest Williams and Lotie F. Williams husband and wife, of Hendricks County, in the State of Indiana for the sum of Sixteen Hundred and no/100 Dollars, the following REAL ESTATE in Hendricks County, in the State of Indiana, to wit:

Lot Six (6) in Block One (1) in Woodard and Hurts Addition to the town of North Salem, Indiana, Except 10 feet off of and across the entire West side thereof.

The Grantees herein assume the taxes for the year 1944 due and payable in 1945 and all taxes thereafter.

IN WITNESS WHEREOF, The said Roy J. Lingeman Guardian as aforesaid, has hereunto set his hand and seal, this 13th day of January A.D. 1945.

Roy J. Lingeman (SEAL)
(Guardian of Mary C. Waters, a person old and infirm)

1 - 20 - 1945

Examined and approved and confirmed and ordered delivered to purchasers.

Horace L. Hanna
Judge Hendricks Circuit Court

The State of Indiana, Hendricks County, ss:

Before me, Chas. V. Sears, a Notary Public in and for said County, this 13th day of January A. D. 1945 personally appeared Roy J. Lingeman Guardian of Mary C. Waters a person old and infirm as such Guardian, acknowledged the execution of the annexed Deed.

WITNESS my hand and Notarial seal.

(SEAL)

Chas. V. Sears, Notary Public. (SEAL)

My commission expires June 14, 1945.

Revenue Stamps affixed & cancelled \$2.20

Transferred JAN 20 1945

Entered for record JAN 20 1945 at 12 M.

Ernestine Blaine
R.H.U.

No. 8104 LURA G. COOPER et als TO THE TOWN OF DANVILLE

This Indenture Witnesseth, That Lura G. Cooper, unmarried, Clara G. Dimmick, unmarried, Herbert W. Cooper, and Anna M. Cooper his wife, of Hendricks County, and State of INDIANA CONVEY AND WARRANT to The Town of Danville, of HENDRICKS County, in the State of INDIANA for the sum of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the following REAL ESTATE, in HENDRICKS County, in the State of Indiana, to wit:

Part of the Northeast Quarter of Section 10, Township 15 North, Range 1 West, bounded and described as follows, to-wit: From a point in the center of the Rockville free gravel road (said point being at the southwest corner of a tract of land heretofore sold to George A. Stephenson by Edgar Allen and wife, said deed being recorded in Deed

Record 39 page 68, and at the northeast corner of a tract of land formerly owned by
 Evan E. Davis; thence South a distance recognized in former deeds as being 18.90^{12.51.34'}
 chains (but which distance actually measures 19.12^{12.61.92'} chains) to a point on the west end
 of a stone 18x29x30 in. set by Stanley Charle in 1944 to replace a small stone set by
 C. M. Griggs in 1897; thence South 18° East 4.18 chains to an iron pin; thence South
 48°45' East 1.24 chains to the point of beginning of this description: From said be-
 ginning point run thence North 6.50 chains to an iron pin; thence East 6.49 chains to
 an iron pin; thence North 38°32' East 1.03 chains to an iron pin; thence North 51°05'
 East 3.797 chains to a point witnessed by two iron pins, one due east 50 links and one
 due west 50 links (which point is 0.36 chains southward from the center of said old
 Rockville Road as was formerly established); thence South 46° East (along a line describ-
 ed in a deed recorded in book 59 page 135) a distance of 9.87 chains; thence South 5°
 East 3.11 chains to an iron pin on the east side of the Leaville and Plainfield gravel
 road; thence North 56° East 4.29 chains to an iron pin on the north line of the Leaville
 and Plainfield Road if the same was extended northward; thence South 55° East on
 and along the north line of said road 10.00 chains to an iron pin driven beside a white
 stone (said rod marking a point described in former deeds as being north 8.772 chains;
 thence East 15.16 chains; thence South 82° East 9.09 chains; and thence North 65°45'
 East 0.465 chains from the center of said Section 10); thence North 49°30' West 1.08^{71.26'}
 chains; thence North 60° East 0.88 chains; thence South 89°10' West 1.57 chains; thence
 North 68° West 1.25 chains; thence North 42° West 1.33 chains; thence North 48°45' West
 0.41 chains to the place of beginning.

Estimated to contain 13.48 acres, more or less.

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

In Witness Whereof, The said Laura G. Cooper, unmarried, Clara G. Dimmick, unmarried
 and Herbert W. Cooper and Anna M. Cooper his wife, have herunto set their hands and
 seals this 29th day of Sept. 1944.

Laura G. Cooper	(SEAL)
Clara G. Dimmick	(SEAL)
Herbert W. Cooper	(SEAL)
Anna M. Cooper	(SEAL)

185/348 W. Cummins et al. to Town of Rome. 30 Sept. 1961 Pt NE 10-15-100

From SW cor. Cummins (D.R. 164/162) 8.772 ch. N 2.13 ch. E B SW cor. NE 1/4;
E on E.D.P. rd. 13.02 ch.; S 82°E 3.447 ch. to P.O.B.; N 28°W 224.07' (3.385 ch.);
S 24°E 198.85'; S 82°E 50.0' to leg. 0.03 ac. ±

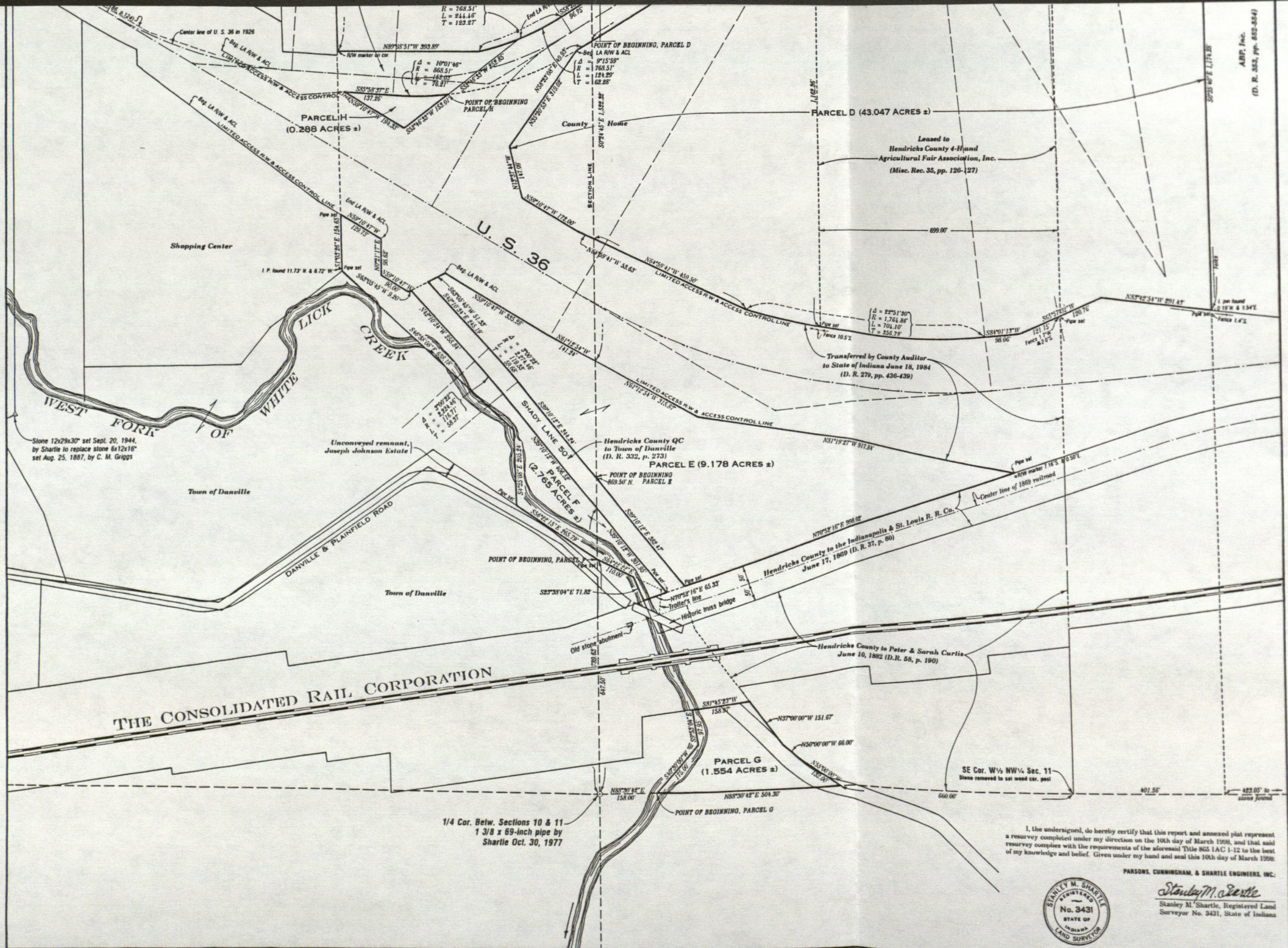
3-23-93 PRD 12-29-93 ANX

325/874-77 Est. of Joseph Johnson to Town of Danville 9 Mar. 1993 Pt 10-15-100 Orig. at
I.P. on E Sec. 10 & N R.R. 471.62' N (actual leg.) B pipe at SE cor. NE 1/4; S 82°10'24"W
on N R.R. 863.66 to I.P.; N 7°49'36"W 40.30' on N to I.P.; S 82°10'24"W on N 685.69'
to I.P.; N 2°03'43"E 318.66' to P.K. in E 1/4; S 76°55'26"E 52.35' on E; S 78°04'32"E
on E 464.31'; N 54°06'39"E on E 673.51'; S 61°51'33"E on E 426.23'; S 44°42'49"E
on E 146.51' to P.K. on E sec.; S on E 128.40' to leg., 10.457 ac. ±. + other
lands.

208/350 Lelly to R. Frank & Virginia B. Johnson et al 24 Oct. 1968 (see Trotter's survey)

310/280-285 Letter from PSI to Johnson informing of consent 24 May 1990.

332/1678 MC Case to Jeffrey R. & Mary Lynn Roberts 3 Nov. 1994 At "C" ~~case~~
Farm corner SW cor of Parcel C; N 0° 00' 00" E 325.00 to P.O.B.; N 0° E 190.39';
N 90° E 207.00' S 00° W 190.39'; N 90° W 207' to leg.



ABF, Inc.
(D. R. 353, pp. 552-554)

PARSONS, CUNNINGHAM, & SHANTLE ENGINEERS, INC.

Stanley M. Shantle

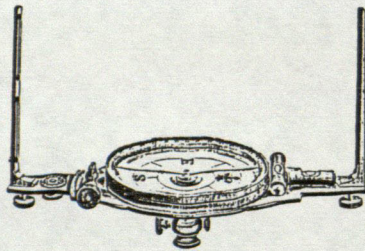
Stanley M. Shantle, Registered Land
Surveyor No. 3431, State of Indiana

PARSONS, CUNNINGHAM, & SHARTLE ENGINEERS, INC.

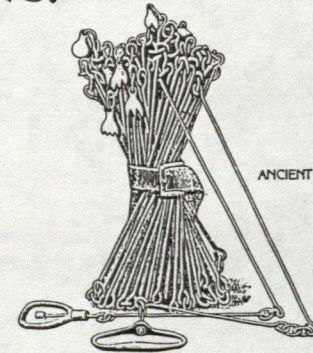
Plat of Survey of Lands Owned By

HENDRICKS COUNTY, INDIANA,

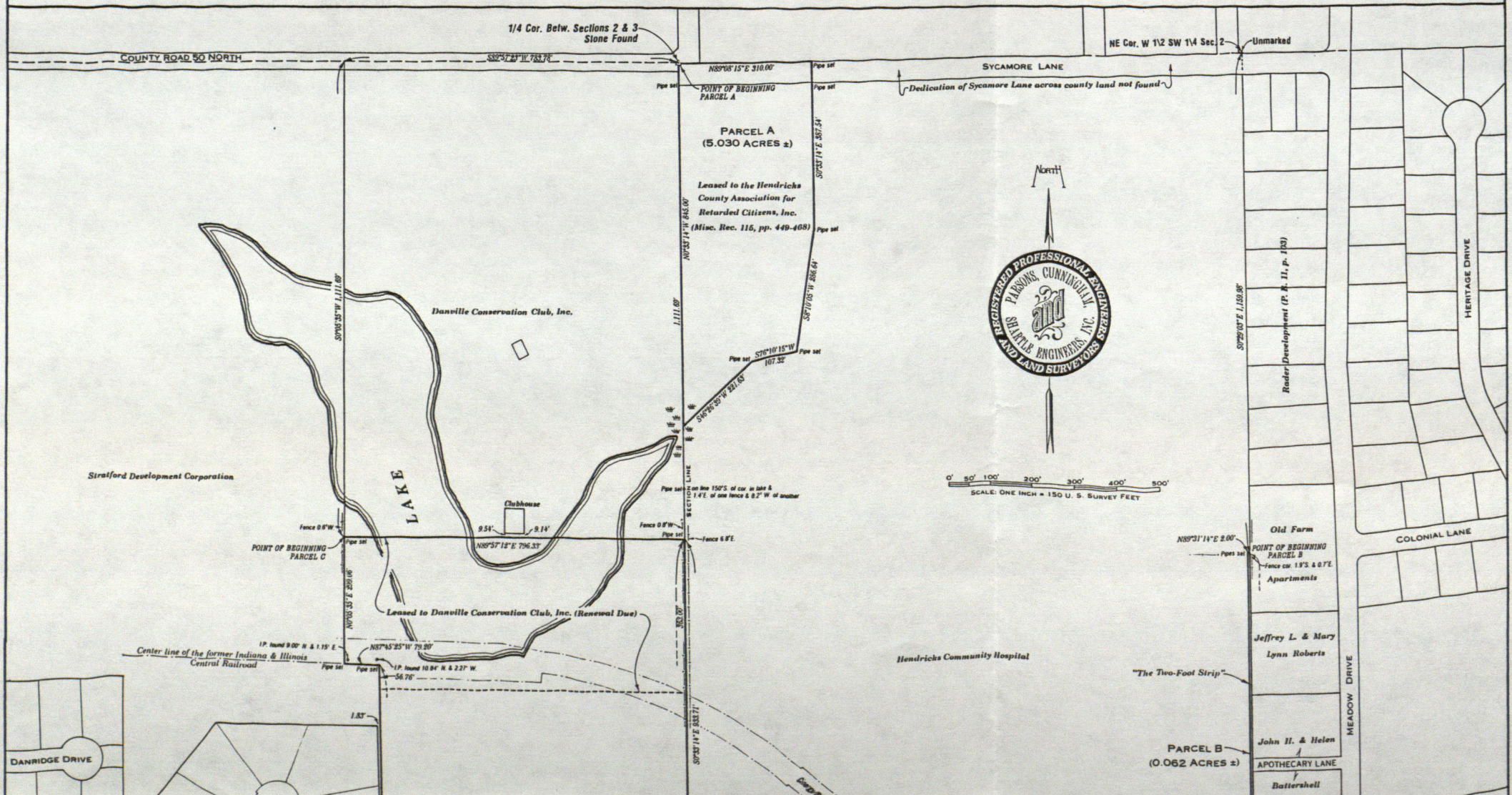
IN SECTIONS 2, 3, 10, AND 11, T. 15 N., R. 1 W.,
BUT EXCLUDING THOSE DEDICATED FOR THE
HENDRICKS COMMUNITY HOSPITAL,
EASEMENTS, AND MOST IMPROVEMENTS WHICH
WERE OMITTED BY REQUEST



ANCIENT SURVEYOR'S COMPASS



ANCIENT GUNTER'S CHAIN



STRATFORD RIDGE, SEC. 1

①

PTS 1 THRU 80 CLEARED

START						
1 TRAV NE	31 15 37.00	147.87000	0	1,000.00000	1,000.00000	
0 TRAV NE	60 47 27.00	246.82000	0	1,126.40206	1,076.73368	
0 TRAV NE	37 32 27.00	118.42000	0	1,246.85005	1,292.16904	
0 TRAV NE	14 17 27.00	132.70000	0	1,340.74755	1,364.32550	
0 TRAV NE	7 01 35.00	37.93000	2	1,469.34118	1,397.08170	
2 TRAV NW	0 00 14.16	49.78000	80	1,506.98632	1,401.72154	
80 TRAV NW	0 00 14.16	153.25000	8	1,556.76632	1,401.71812	
8 TRAV NE	89 45 44.00	55.36000	0	1,710.01632	1,401.70760	
0 TRAV NE	60 13 14.00	147.92000	3	1,710.24606	1,457.06713	
3 TRAV NE	30 40 44.00	244.70000	5	1,783.71240	1,585.45336	
5 TRAV SE	59 19 16.00	25.00000	5	1,994.16426	1,710.30567	
5 TRAV NE	79 29 19.00	246.42000	6	1,981.40861	1,731.80668	
6 TRAV SE	1 14 45.00	949.77000	79	2,026.36325	1,974.09143	
79 TRAV NE	89 37 17.00	710.00000	11	1,076.81777	1,994.74150	
START			80	1,081.50942	2,704.72600	
80 TRAV NE	89 45 44.00	111.01000	0	1,556.76632	1,401.71812	
START			80	1,557.22701	1,512.72717	
80 TRAV NE	89 45 44.00	111.01000	0	1,556.76632	1,401.71812	
0 TRAV SE	63 13 29.00	136.26000	7	1,557.22701	1,512.72717	
7 TRAV SE	36 12 42.00	250.37000	4	1,495.84292	1,634.37741	
4 TRAV SE	84 38 05.00	208.44000	0	1,293.83438	1,782.28849	
0 TRAV SE	1 14 45.00	197.57000	0	1,274.34421	1,989.81527	
0 S.S. SE	89 42 52.06	0.63063	79	1,076.82091	1,994.11087	
0 TRAV NE	89 37 17.00	710.00000	11	1,076.81777	1,994.74150	
START			4	1,081.51256	2,704.09537	
4 TRAV SE	27 01 33.00	362.66000	78	1,293.83438	1,782.28849	
78 S.S. SW	89 37 19.00	105.67000	10	970.77622	1,947.07836	
78 TRAV NE	89 37 19.00	49.33000	9	970.07898	1,841.41066	
9 TRAV NW	1 14 45.00	105.75000	0	971.10172	1,996.40728	
0 INV SE	89 11 25.76	0.63351	79	1,076.82672	1,994.10805	
				1,076.81777	1,994.74150	

PTS 78 THRU 80 CLEARED

TIME FOR THIS RUN: 1 47 37.89; TOTAL TIME ON FILE: 5 09 13.93

COORDINATES STORED

 COORDINATE FILE:AD HOC LENGTH = 80 POINTS; TIME ON FILE: 5 09 13.93
 TRIAL CALCS. ***** JOB #1997

***** COGO *****

FROM TYPE	BEARING	DISTANCE	TO	NORTHING	EASTING
START			2	1,506.98632	1,401.72154
2 TRAV NW	0 14 16.00	49.78000	80	1,556.76589	1,401.51495
80 TRAV NW	0 14 16.00	153.25000	8	1,710.01457	1,400.87897
8 TRAV NE	89 45 44.00	55.36000	0	1,710.24432	1,456.23849
0 TRAV NE	60 13 14.00	147.92000	3	1,783.71065	1,584.62472
3 TRAV NE	30 40 44.00	244.70000	5 0	1,994.16252	1,709.47704
05 TRAV SE	59 19 16.00	25.00000	5	1,981.40686	1,730.97805
5 TRAV NE	79 29 19.00	246.42000	6	2,026.36150	1,973.26279
6 TRAV SE	1 14 45.00	949.77000	79	1,076.81602	1,993.91286
79 TRAV NE	89 37 17.00	710.00000	11	1,081.50767	2,703.89736
START			80	1,556.76589	1,401.51495
80 TRAV NE	89 45 44.00	111.01000	0	1,557.22658	1,512.52400
0 TRAV SE	63 13 29.00	136.26000	7	1,495.84249	1,634.17424
7 TRAV SE	36 12 42.00	250.37000	4	1,293.83395	1,782.08532
4 TRAV SE	84 38 05.00	208.44000	0	1,274.34378	1,989.61210
0 TRAV SE	1 14 45.00	197.57000	0	1,076.82048	1,993.90770

6 S 10 14' 45" E 1055.52 9

9 S 89 21' 19" W 155.00 10

COORDINATE FILE:AD HOC LENGTH = 80 POINTS; TIME ON FILE: 6 06 21.77
TRIAL CALCS. ***** JOB #1997

***** COGO *****

FROM TYPE BEARING DISTANCE TO NORTHING EASTING

PTS 1 THRU 15 CLEARED
ENTER & ASSIGN

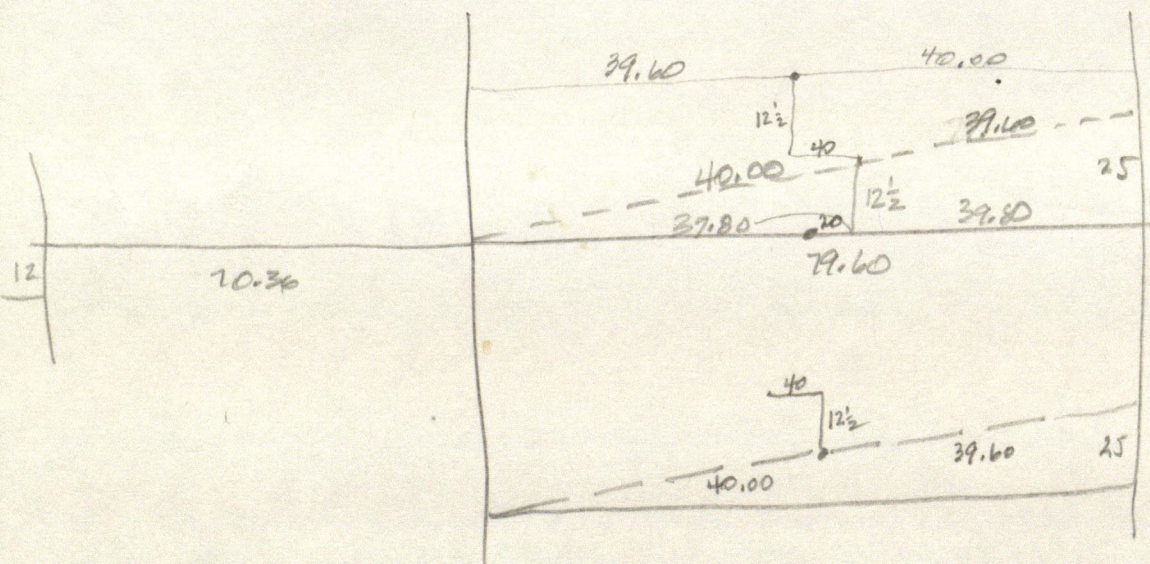
				6	2,026.36150	1,973.26279
START				6	2,026.36150	1,973.26279
6 TRAV SE	1 15 45.00	1055.52000	9	971.09773	1,996.51906	
9 TRAV SW	89 37 19.00	155.00000	10	970.07500	1,841.52244	

TIME FOR THIS RUN: 0 02 00.37; TOTAL TIME ON FILE: 6 08 22.14
COORDINATES STORED

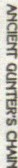
Beach 8 N 55E 17
Sep 10 55W 27

ENTER & ASSIGN
PTS 1 THRU 12 CLEARED

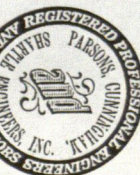
COORDINATES STORED
TIME FOR THIS RUN: 0 05 00.37; 39.40
9 TRAV SW 88 37 18.00 10 100.0000 10
8 TRAV SE 1 12 42.00 10 100.0000 10
START



Julat nt Surveys nt Flanders Munter Fry



WERE OMITTED BY REQUEST



1/4 Cor. Belw. Sections 10 & 11
1 3/8 x 69-inch pipe by
Shartle Oct. 30, 1977

I, the undersigned, do hereby certify that this report and annexed plan represent a resolution completed under my direction on the 10th day of March 1986, and that said resolution complies with the requirements of the aforesaid Title 865 IAC 1-12 to the best of my knowledge and belief. Given under my hand and seal this 10th day of March 1986:

PANSOR, CURRIEMAN & SHARITZ ENGINEERS, INC.

ABP, Inc.
(D. R. 353, pp. 552-554)

THE HENDRICKS COUNTY MAGNETIC STATION

Pioneer surveyors used the magnetic compass for surveying corners and lines. For accurate results that instrument required that allowance be made for the difference between true north and magnetic north as determined by the earth's magnetism. That variation of the compass, called magnetic declination, is an ever-changing quantity. To help keep surveyors informed as to how much correction should be made to compass observations at various times, the U. S. Coast & Geodetic Survey established a number of magnetic stations across the country. It periodically monitored the stations and published the amount of variation at each. When needed, the amount of declination between stations was then interpolated.

In 1908, the Coast Survey established The Hendricks County Magnetic Station in what was then a pasture on the north side of the Rockville Road (now U. S. 36) across from the County Home. It established an 800-foot-long very accurate true meridian from observations of the earth's axis of rotation and set heavy Bedford limestone monuments at each end of the line. Those stones are about 8x12x54 inches in size and have copper plugs 2½ inches long driven into their centers to mark the exact survey points. While the south stone projected from the ground six inches, the north stone was buried deep enough not to interfere with plowing. The Coast Survey last monitored the station in 1928. The undersigned remembers that the surveyor dug two or three days before finding the north stone.

The south stone became exposed to danger of destruction when the County Highway Department began storing equipment and materials near it. From about 1937 to 1954 the undersigned protected that monument by periodically barricading it. But in the Summer of 1997 Mr. Steve Maxwell of the Engineering Department and the undersigned found both monuments knocked down and useless. They have been moved to the site of the Hendricks County Historical Society.

Stanley M. Shartle

Magnetic Station at County Home

Danville, Hendricks County. - The station of 1908 was reoccupied. It is on the county poor farm about 1 mile east of Danville. It is in a pasture on the north side of the public road which crosses the farm and is about 200 feet northeast from the bridge which crosses a small creek at the west side of the farm. It is 15 paces north of the pasture fence. A meridian line was established with the north stone in a clearing 800 feet north from the magnetic station. The marking stones are heavy Bedford limestone posts 0.68 by 1 by 4.5 feet, and lettered "U.S.C. & G.S., 1908." Copper plugs $2\frac{1}{2}$ inches long are driven in the center of both stones. The south stone projects about 6 inches above the ground. The north stone is buried deep enough not to interfere with plowing. The following true bearings were determined in 1928:

Right edge of city standpipe(steel)..... $80^{\circ}21.8'$ W. of N.

South gable of farmhouse..... $28^{\circ}14.8'$ E. of N.

Southwest corner of main building at county
farm - halfway up..... $45^{\circ}45.8'$ E. of S.

Near corner of stack of county-farm heating
plant..... $29^{\circ}24.8'$ E. of S.

Declination reduced to March, 1933: $0^{\circ}41'E$.

Annual decrease: $2'.9$.

Transcribed by Stanley Shartle, Dep. Surveyor, 1942.

INDIANA DEPARTMENT OF HIGHWAYS

ROAD TRANSFER

MEMORANDUM OF AGREEMENT

Road Number: U.S. 36 Maintenance Section: 32Reference E-076-2(1) and WPH-86 Sec. A1Transfer To: ~~County of~~ Town of DanvilleRoad Description: Old U.S. 36 from the New Limited Access Right-of-Way Line on "PR-S-1-D" to the West Right-of-Way Line of County Road 200E. Also, all of Access Road Number 1.From: Item #2 Old U.S. 36Item #1 New Access Road No. 2

FROM:

10 + 84

To: 52 + 97 FA 86 "A1"TO: 14 + 02, 0.06 miles109 + 01 FA 86 "A1", 1.06 miles1.12 miles to be conveyed.

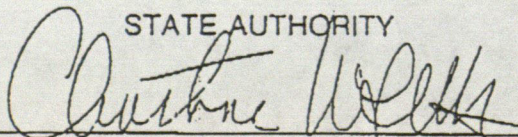
Whereas, the Department has determined that the above described section of road no longer meets the criteria established by Indiana Code 8-11-2-4 for a highway in the state system but that the highway continues to serve a useful purpose, said Department wishes to transfer to the highway

) system of the ~~County of~~ Danville

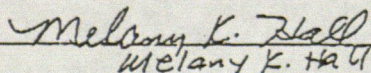
Therefore, the Danville Town Board does hereby agree to accept conveyance of and assume jurisdiction over the above described section of road as set forth in I.C. 8-11-2-10, subject to the following condition(s) if any:

N O N E

STATE AUTHORITY



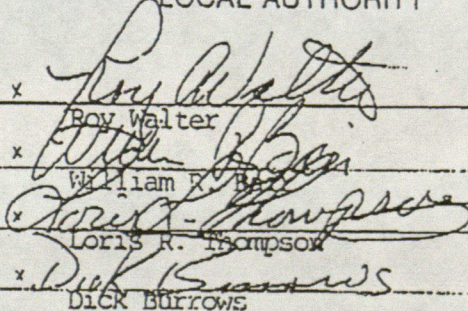
Christine W. Letts, Director
Indiana Department of Highways

This 3 Day of May, 19 89


Melany K. Hall

My Commission expires September 23, 1989) County Residence of Idaho

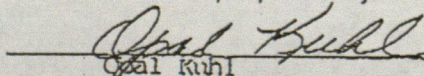
LOCAL AUTHORITY



ROY WALTER
WILLIAM R. BANN
LORIS R. THOMPSON
DICK BURROWS

Dated this 14 day of November, 19 89

This instrument prepared by:



Paul Kuhl

CRAWFORDSVILLE

District

Development

This transfers the R/W S. B. the Co. Hwy. Manager

State Form 3406 (R2/8-87)

INDIANA DEPARTMENT OF HIGHWAYS

ROAD TRANSFER

MEMORANDUM OF AGREEMENT

Road Number: Old U.S. 36 Maintenance Section: 32

Reference F-076-1(1) and WPH-86 Sec. A1

Transfer To: ~~County~~ Town of Danville

Road Description: Old U.S. 36 (Addendum to previous agreement)

Item No. 1

From: Sta. 14+02. Access Road No. 1 (Sta. 46+30, Line "A")

To: Limited Access R/W Line (Sta. 50+88, Line "A")

(458') 0.087 miles to be conveyed.

Whereas, the Department has determined that the above described section of road no longer meets the criteria established by Indiana Code 8-11-2-4 for a highway in the state system but that the highway continues to serve a useful purpose, said Department wishes to transfer to the highway

system of the ~~County~~ Town

Town of Danville

Therefore, the Danville Town Board does hereby agree to accept conveyance of and assume jurisdiction over the above described section of road as set forth in I.C. 8-11-2-10, subject to the following condition(s) if any:

None

STATE AUTHORITY

Christine W. Letts

Christine W. Letts, Director
Indiana Department of Highways

This 3 Day of May, 1989

Melany K. Hall
Melany K. Hall

My Commission expires September 23, 1989

County Residence of Shelby

LOCAL AUTHORITY

Norm W. Gulley

Norm W. Gulley
William R. Bell

Loris R. Thompson
Loris R. Thompson

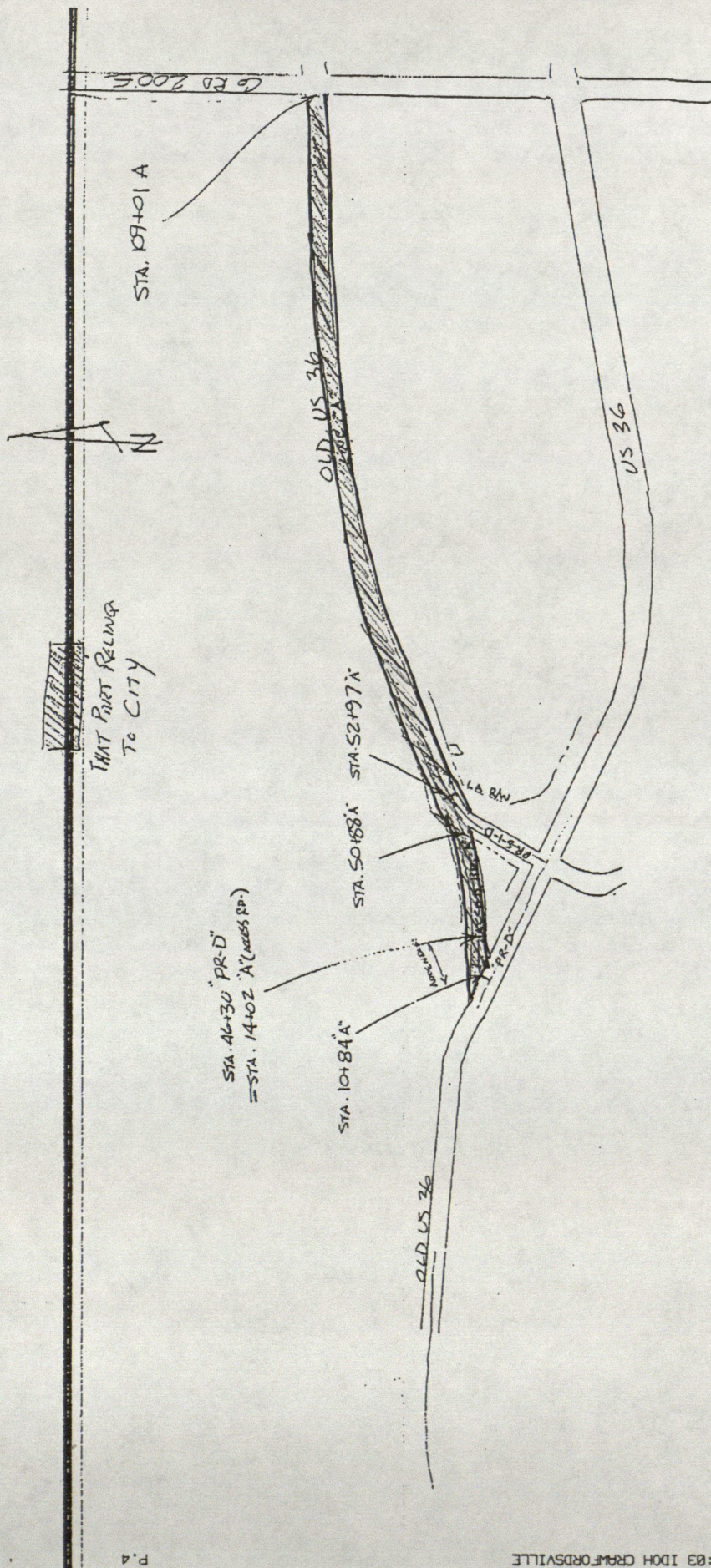
Richard Burrows
Richard Burrows

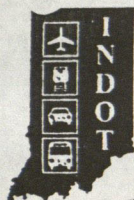
For Walter
For Walter

This instrument prepared by:

Opal M. Kuhl
Opal Kuhl

CRAWFORDSVILLE Development
District





INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room 1101

Indianapolis, Indiana 46204-2249

(317) 232-5533

Fax (317)-232-0238

Division of Program Development
Room 1205 (317) 232-5460

October 19, 1990

President of Town Board
Town of Danville
Town Hall
Danville, Indiana 46122

Attention: Mr. Gary Eakin

Dear Mr. Eakin:

Due to our recent receipt of the relinquishment documents pertaining to Old US 36 and the new access road connecting U.S. 36 to Old U.S. 36, the town of Danville's inventory mileage will now increase 1.32 miles.

<u>Street Name</u>	<u>Mileage Was</u>	<u>Mileage Is</u>	<u>Difference</u>	<u>Reason</u>
Old U.S. 36	-	1.17	+1.17	Relinquished to Danville
			<u>Total</u>	+1.17 Miles

The following mileage is now being credited to Danville for "New Access Road" until we are able to conduct an in-field verification:

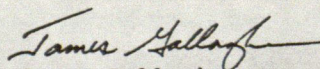
<u>Street Name</u>	<u>Mileage Was</u>	<u>Mileage Is</u>	<u>Difference</u>	<u>Reason</u>
New Access Road	-	.15	+ .15	New Road

To Date 1990 Mileage Changes:

21.20 miles (1989 Mileage Certification Figure)
+1.17 miles (10/9/90 Relinquishment of Old U.S. 36)
+ .15 mile (10/9/90 Submittal Pending INDOT Field Verification)
22.52 miles (Anticipated 1990 Mileage Certification Figure)

If you should have any questions regarding this, or any other aspect of the local road inventory, please feel free to contact us.

Sincerely,


James Gallagher
Road Inventory Supervisor

MJG/DJK/bje
cc: File

An Equal Opportunity Employer

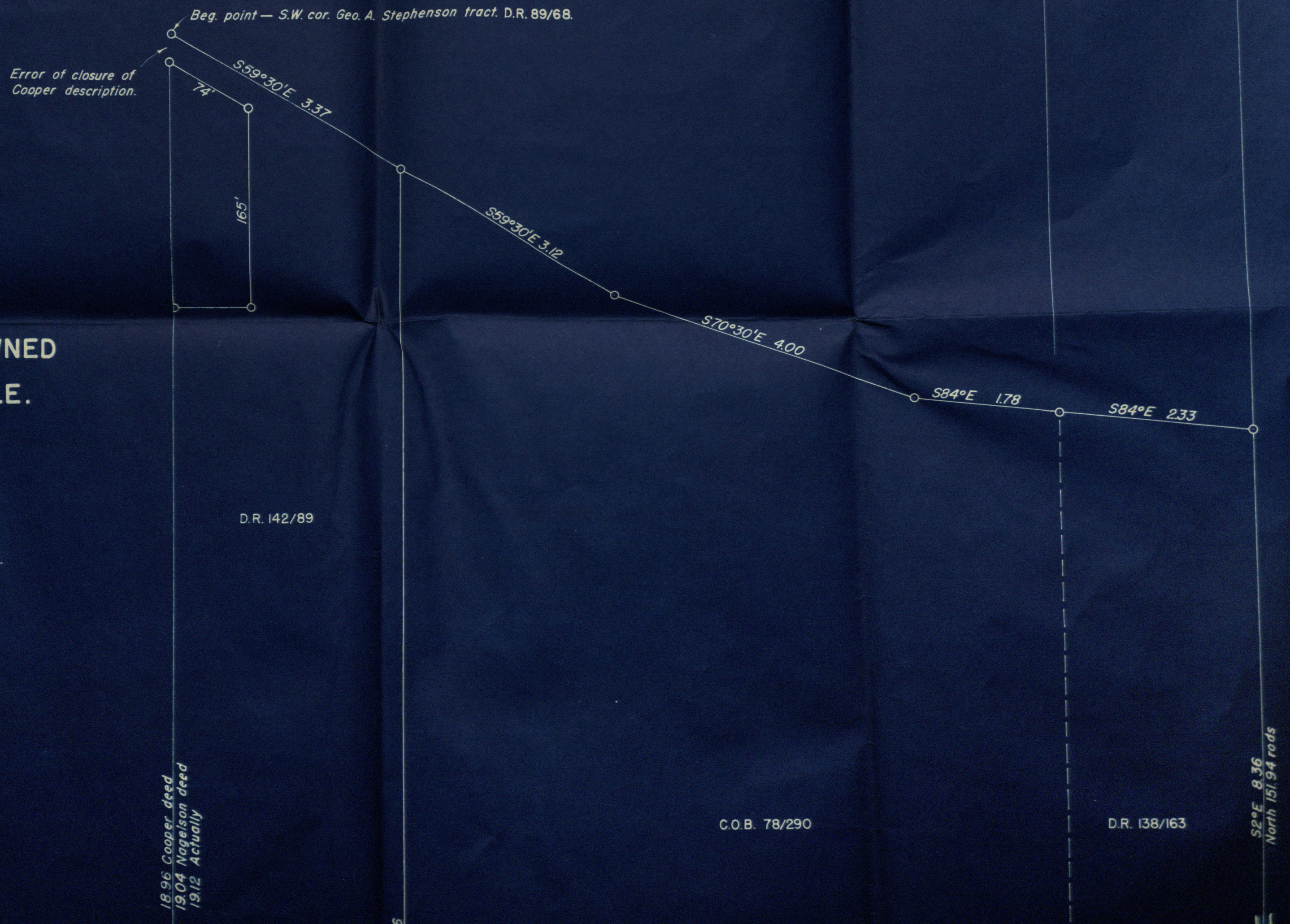
A SURVEY OF LANDS
IN SEC. 10, TWP. 15 N., R. 1 W. OWNED
BY THE TOWN OF DANVILLE.

Surveyed and platted by direction of R.M. Franklin,
County Surveyor, by Stanley M. Shartle, Deputy.

27 Sept. 1944.

Scale — 1 inch = 1 chain.

Distances in chains unless they are otherwise shown.



S.W. cor. Geo. A. Stephenson tract. D.R. 89/68.

0'E 3.37

S59°30'E 3.12

S70°30'E 4.00

S84°E 1.78

S84°E 2.33

2/89

C.O.B. 78/290

D.R. 138/163

S2°E 8.36
North 151.94 rods



S27°30'W 7.50

S54°30'W
1.625

S-329 from sec. cor.

HENDRICKS COUNTY HOME.

S2°E 8.3
North 151.9

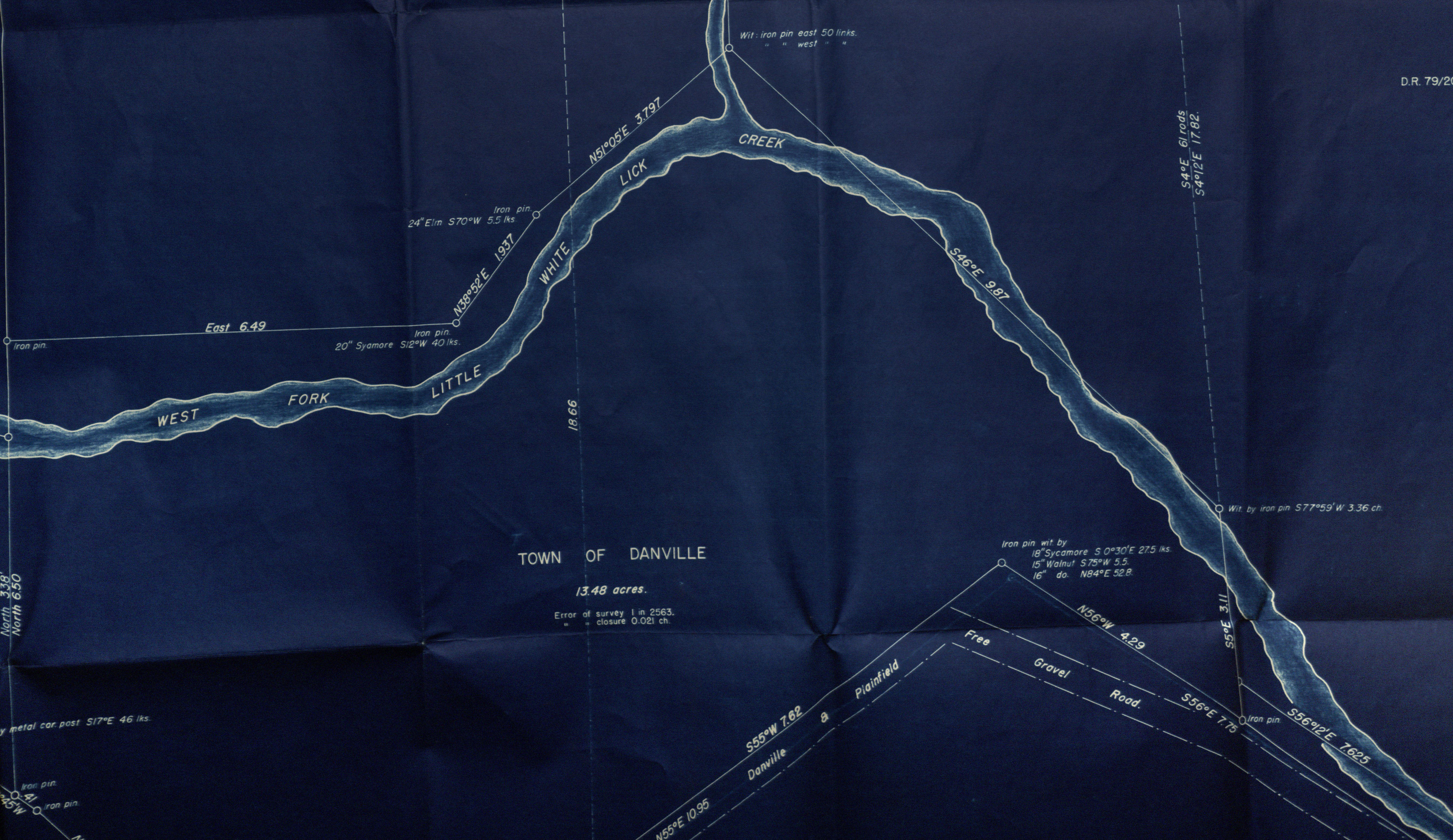
6.31

18.66

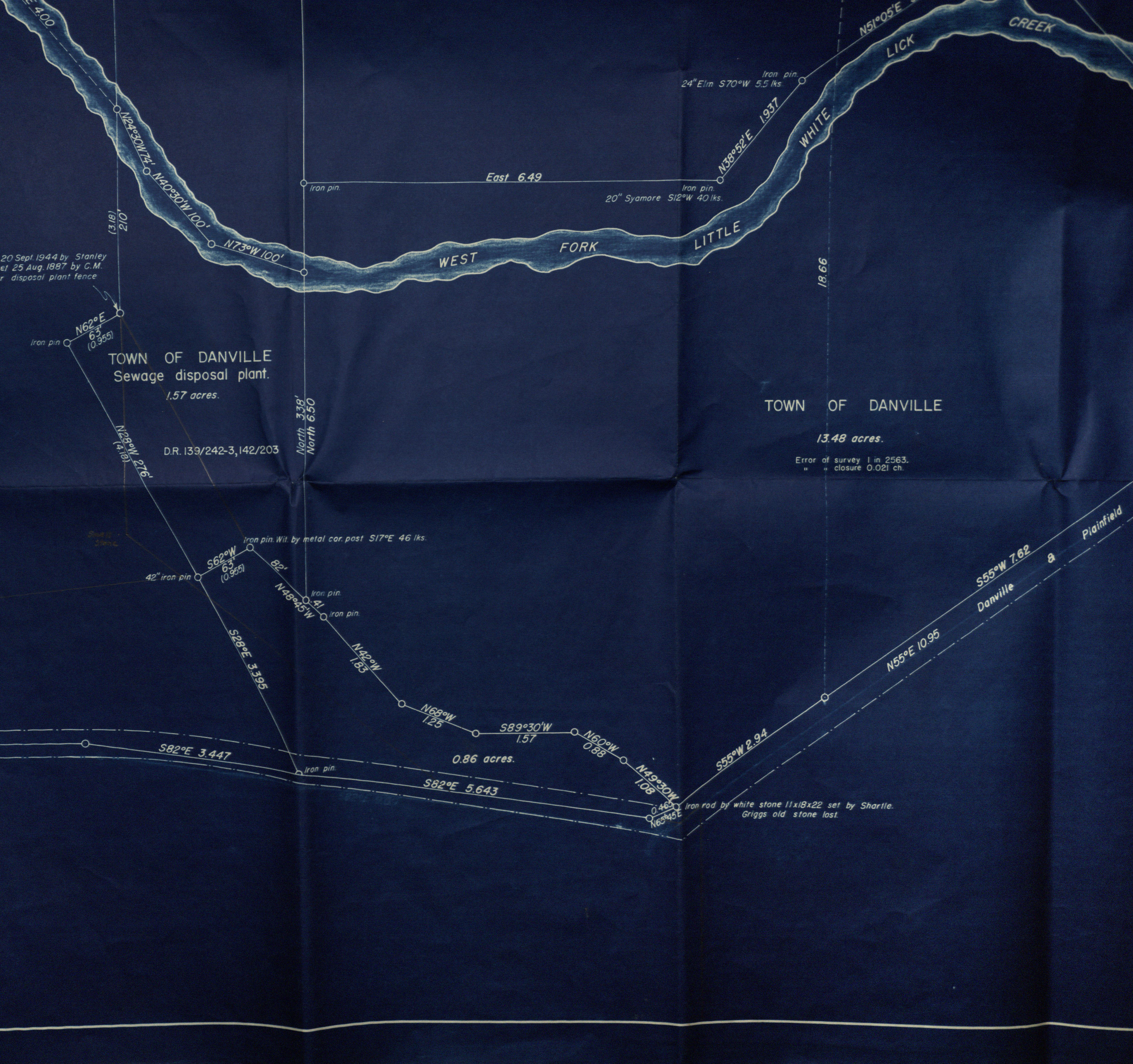
N42

271

55°E 10.95







20 Sept. 1944 by Stanley
et 25 Aug. 1887 by C.M.
r disposal plant fence

Iron pin
N62°E
63'
(0.355)

TOWN OF DANVILLE
Sewage disposal plant.
1.57 acres.

D.R. 133/242-3, 142/203

North 3.38'
North 6.50'

42" iron pin
S62°W
63'
(0.955)

Iron pin. Wit. by metal cor. post S17°E 46 lks.

82'
N48°45'W
41'
Iron pin.
Iron pin.

S28°E 3.395

N68°W
1.25

S89°30'W
1.57

N60°W
0.88

N49°30'W
1.08

S82°E 3.447

0.86 acres.

S82°E 5.643

Iron pin.

Iron rod by white stone 11x18x22 set by Shartle.
Griggs old stone lost.

S55°W 2.94

N55°E 10.95

S55°W 7.62
Danville

Plainfield

TOWN OF DANVILLE

13.48 acres.

Error of survey 1 in 2563.
" " closure 0.021 ch.

East 6.49

Iron pin.
20" Syamore S12°W 40 lks.

Iron pin.
24" Elm S70°W 5.5 lks.

N38°52'E 1937

18.66



FACSIMILE COVER SHEET

TO: Stan DATE 3/25/97
ATTN: _____
FAX PHONE: 945-9068
FROM: Rick Beaman
REGARDING: Grid N. Bearing

I have observed GPS between two points near your project -

Pt 102 is a PK nail in the construction joint of Manor Drive; 73' S. of the c/L of US 36 - It is one of your references for the S 1/4 corner of Sec 2

Pt 101 is an iron rod at the SE corner of Butterbell's property - 45.5' N of the c/L of US 36; 46' East of a service box 0.4 feet East of a guy anchor 10.6 ft N of Pwp #065

The bearing between is $258^{\circ}48'30''$

NUMBER OF PAGES INCLUDING THIS COVER _____

If this transmission is received by anyone other than the addressee please forward to the appropriate party or extend the courtesy of informing the sender immediately. THANK YOU.

**** COORDINATE FILE SYSTEM ****

FILE CREATED:

COORDINATE FILE:AD HOC LENGTH= 80 POINTS; TIME ON FILE: 0 00 00.00
TRIAL CALCS. ***** JOB #1997

COORDINATE FILE:AD HOC LENGTH = 80 POINTS; TIME ON FILE: 0 00 00.00
TRIAL CALCS. ***** JOB #1997

***** COGO *****

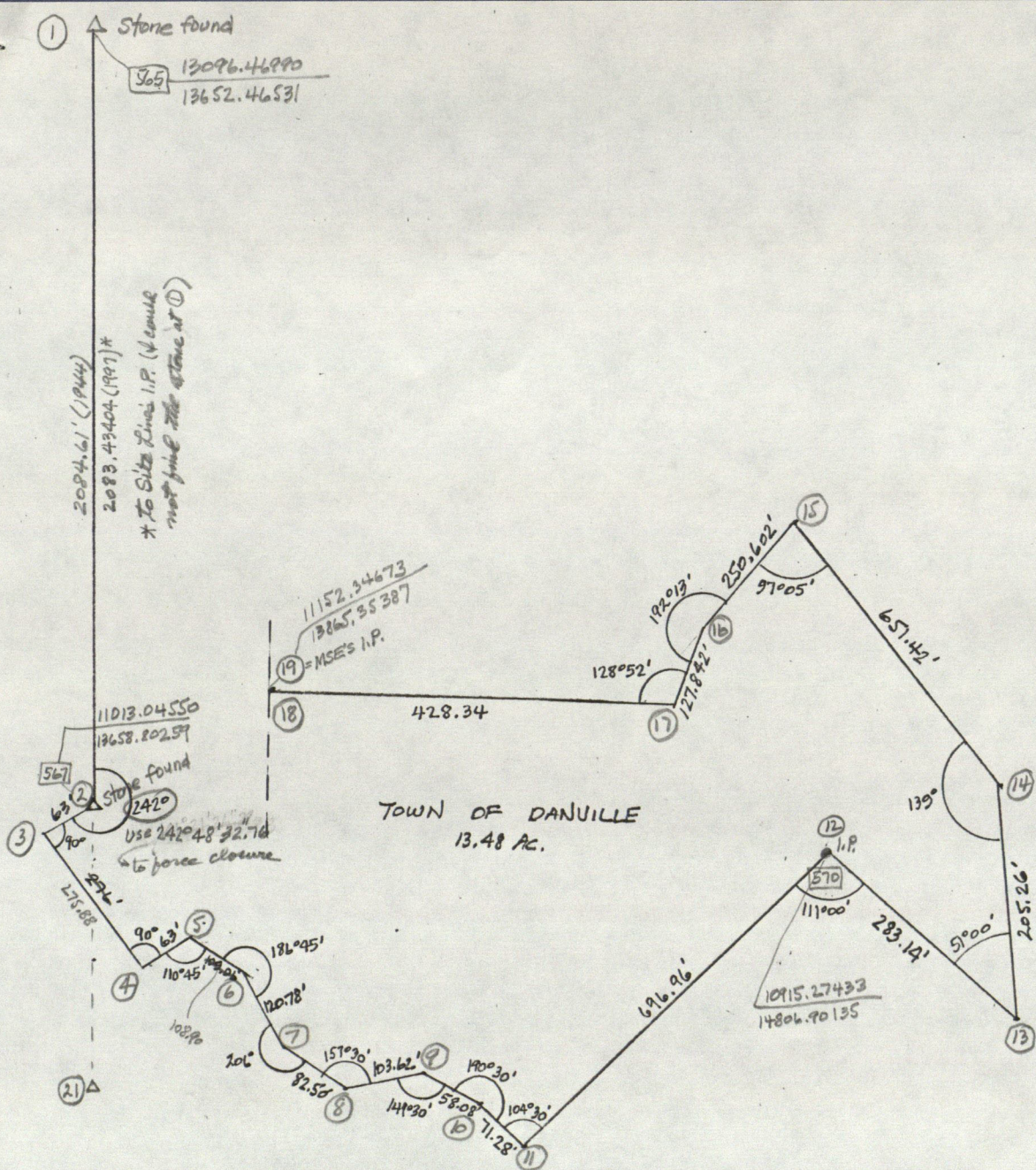
FROM TYPE	BEARING	DISTANCE	TO	NORTHING	EASTING
-----------	---------	----------	----	----------	---------

ENTER & ASSIGN

			1	5,000.00000	5,000.00000
START			1	5,000.00000	5,000.00000
1 TRAV SW	0 00 00.00	217.14000	0	4,782.86000	5,000.00000
0 TRAV SW	27 30 00.00	495.00000	0	4,343.78964	4,771.43444
0 TRAV SW	54 30 00.00	107.25000	0	4,281.50925	4,684.12055
0 TRAV SE	4 12 00.00	1006.50000	0	3,277.71222	4,757.83479
0 TRAV NW	46 00 00.00	651.75000	0	3,730.45582	4,289.00508
0 TRAV NE	0 00 00.00	2507.01000	0	6,237.46582	4,289.00508
0 TRAV NW	90 00 00.00	79.20000	0	6,237.46582	4,209.80508
0 TRAV NE	0 00 00.00	306.24000	0	6,543.70582	4,209.80508
0 TRAV SE	90 00 00.00	809.82000	0	6,543.70582	5,019.62508
0 TRAV SW	0 00 00.00	1543.74000	0	4,999.96582	5,019.62508
0 INV NW	89 54 00.73	19.62511	1	5,000.00000	5,000.00000

PTS 1 THRU 1 CLEARED

TIME FOR THIS RUN: 0 04 56.45; TOTAL TIME ON FILE: 0 04 56.45
COORDINATES STORED



May Sept. 1944 survey for the Town of Danville

□ = Center Tp. trans. point no.

COORDINATE FILE:AD HOC LENGTH = 80 POINTS; TIME ON FILE: 6 08 22.14
TRIAL CALCS. ***** JOB #1997

***** COGO *****

FROM TYPE BEARING DISTANCE TO NORTHING EASTING

PTS 1 THRU 20 CLEARED
ENTER & ASSIGN

			2	11,013.04550	13,658.80259
			12	10,915.27433	14,806.90135
START			2	11,013.04550	13,658.80259
2 TRAV SW	61 17 00.00	63.00000	3	10,982.77535	13,603.55118
3 TRAV SE	28 43 00.00	275.88000	4	10,740.82681	13,736.10563
4 TRAV NE	61 17 00.00	63.00000	5	10,771.09696	13,791.35703
5 TRAV SE	49 28 00.00	108.90000	6	10,700.32391	13,874.12408
6 TRAV SE	42 43 00.00	120.00000	7	10,612.15783	13,955.52889
START			6	10,700.32391	13,874.12408
6 TRAV SE	42 43 00.00	120.78000	7	10,611.58475	13,956.05803
7 TRAV SE	68 43 00.00	82.50000	8	10,581.63889	14,032.93127
8 TRAV NE	88 47 00.00	103.62000	9	10,583.83908	14,136.52790
9 TRAV SE	60 43 00.00	58.08000	10	10,555.43048	14,187.18595
10 TRAV NE	43 47 00.00	696.96000	11	11,058.60879	14,669.43571
START			10	10,555.43048	14,187.18595
10 TRAV SE	50 13 00.00	71.28000	11	10,509.81939	14,241.96247
11 TRAV NE	54 17 00.00	696.96000	20*	10,916.68890	14,807.83388
20* S.S. SW	33 23 39.15	1.69429	12	10,915.27433	14,806.90135
20* INV NW	85 12 23.22	1153.06439	2	11,013.04550	13,658.80259
2 INV SE	85 07 56.93	1152.25430	12	10,915.27433	14,806.90135
START			2	11,013.04550	13,658.80259
2 TRAV SW	61 23 26.29	62.95570	3	10,982.90009	13,603.53348
3 TRAV SE	28 36 33.71	275.68620	4	10,740.87387	13,735.54178
4 TRAV NE	61 23 26.29	62.95570	5	10,771.01928	13,790.81089
5 TRAV SE	49 21 33.71	108.82350	6	10,700.14117	13,873.38720
6 TRAV SE	42 36 33.71	120.69510	7	10,611.31121	13,955.09733
7 TRAV SE	68 36 33.71	82.44200	8	10,581.24258	14,031.86035
8 TRAV NE	88 53 26.29	103.54720	9	10,583.24734	14,135.38814
9 TRAV SE	60 36 33.71	58.03920	10	10,554.76395	14,185.95735
10 TRAV SE	50 06 33.71	71.23990	11	10,509.07607	14,240.61758
11 TRAV NE	54 23 26.29	696.47030	20	10,914.59998	14,806.85185
20 INV NE	4 11 54.32	0.67617	12	10,915.27433	14,806.90135
12 INV NW	85 07 56.93	1152.25430	2	11,013.04550	13,658.80259
2 INV SE	85 05 55.90	1152.26239	20	10,914.59998	14,806.85185
START			2	11,013.04550	13,658.80259
2 TRAV SW	61 21 26.29	62.95574	3	10,982.86792	13,603.55100
3 TRAV SE	28 38 33.71	275.68618	4	10,740.91856	13,735.70006
4 TRAV NE	61 21 26.29	62.95574	5	10,771.09614	13,790.95166
5 TRAV SE	49 23 33.71	108.82349	6	10,700.26609	13,873.56919
6 TRAV SE	42 38 33.71	120.69515	7	10,611.48364	13,955.33102
7 TRAV SE	68 38 33.71	82.44204	8	10,581.45967	14,032.11155
8 TRAV NE	88 51 26.29	103.54720	9	10,583.52466	14,135.63816
9 TRAV SE	60 38 33.71	58.03920	10	10,555.07068	14,186.22393
10 TRAV SE	50 08 33.71	71.22992	11	10,509.42101	14,240.90308
11 TRAV NE	54 21 26.29	696.47035	20	10,915.27430	14,806.90136
20 INV NW	18 56 56.60	0.00003	12	10,915.27433	14,806.90135
12 TRAV SE	56 38 33.72	283.94038	13	10,759.14732	15,044.06479
13 TRAV NW	5 38 33.72	205.11579	14	10,963.26920	15,023.89687

* Scratch point

14	TRAV	NW	46	38	33.72	650.96234	15	11,410.18469	14,550.59092	
15	TRAV	SW	50	26	26.28	250.42594	16	11,250.69407	14,357.52126	
16	TRAV	SW	38	13	26.28	127.75218	17	11,150.33220	14,278.47625	
17	TRAV	SW	89	21	26.28	428.03907	18	11,145.53088	13,850.46411	
18	INV	NE	65	24	13.94	16.37561	19	11,152.34673	13,865.35387	
19	INV	SW	56	00	13.29	249.13503	2	11,013.04550	13,658.80259	
2	INV	NE	55	20	45.47	232.99467	18	11,145.53088	13,850.46411	
18	INV	SW	55	20	45.47	232.99467	2	11,013.04550	13,658.80259	
2	INV	NW	0	10	27.41	2083.43404	1	13,096.46990	13,652.46531	
ENTER & ASSIGN								21	10,789.84187	13,664.45948
OFFSETS FROM A LINE								1	13,096.46990	13,652.46531
BASE BRG SE 0 10 27.41										
PT	BASE DIST					OFFSET				
2	2083.43404					0.00000				
21	2306.65384					-4.97793				
START								2	11,013.04550	13,658.80259
2	INV	SE	1	27	06.47	223.27530	21	10,789.84187	13,664.45948	

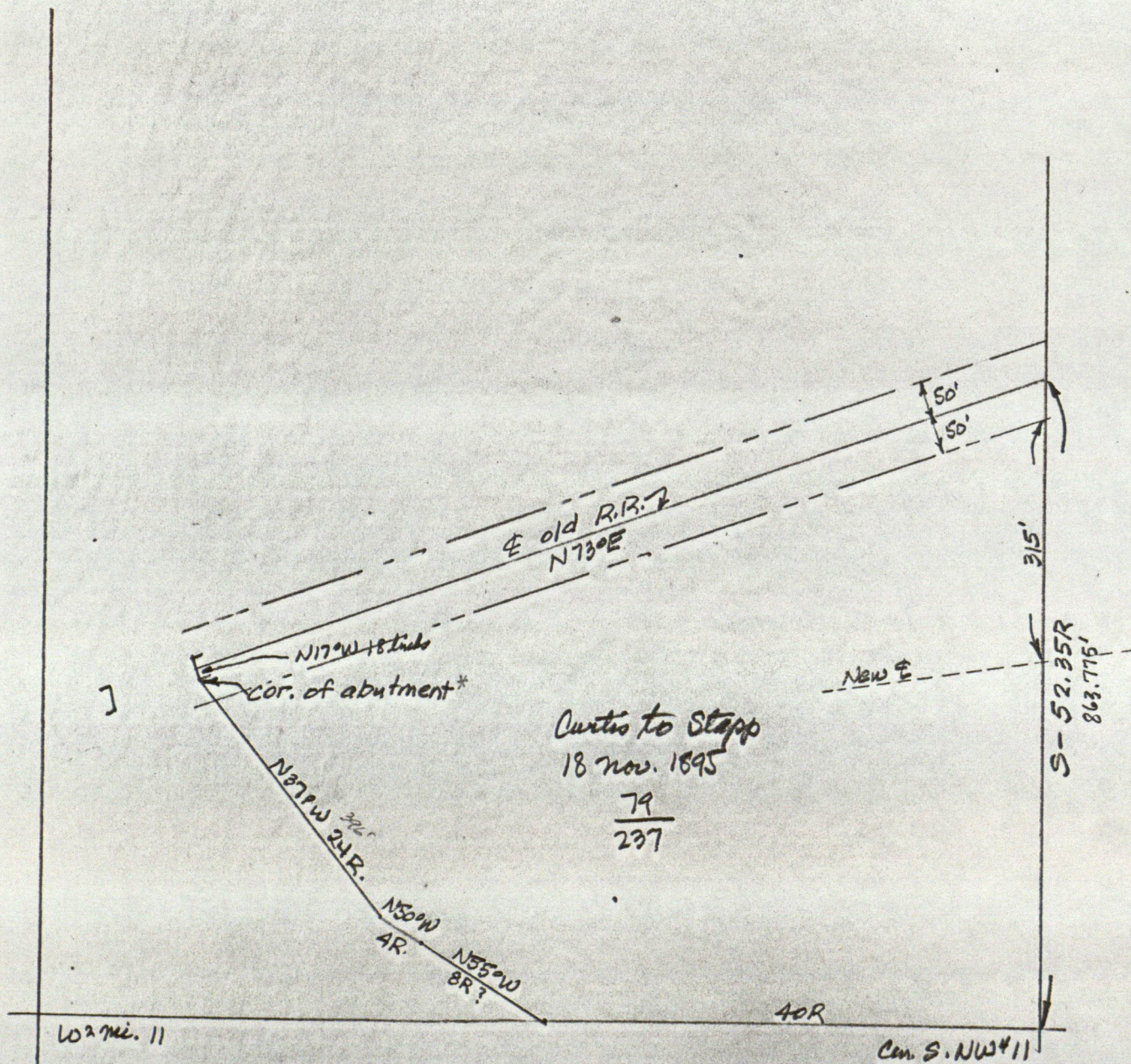
TIME FOR THIS RUN: 1 03 21.80; TOTAL TIME ON FILE: 7 11 43.94
COORDINATES STORED

L.M. Campbell to Stanley Hall Pt W NE 10-15-16 Beg in E
 Davis & Rockville Rd. midway betw the 2 abutments of bridge
 over White Rock Creek; N. 82° E (true mer.) ^{227.70'} 3.45 ch to J. Hells SW cor.
 (see field notes p. 37); S 77° E ^{198.00'} 3 ch.; S 60° E ^{322.08'} 4.88 ch. to J.O. Wishard's
 line (maple 12 N 68° E ^{54.78'} 83) & B. loc. 12 N 22° E ^{104.76'} 8 1/2 - stone promissed; S 15.80 ch
 to E creek, N 40° W with creek 4 ch.; N 55 1/4° W ^{264.00'} 6.31; N 21 1/4° W ^{416.46'} 6.50;
 N 5 1/2° W ^{448.80'} 6.80 ch to leg. 13.08 ac. C.M. Griggs

For Wishard to Campbell - Beg. ^{209.88'} 3.18 S. of SE cor. same tract at stone
 6x12x16 (Oak 4 S 3 3/4° E 9); S (true mer.) ^{275.88'} 28° E 4.18; S 48 3/4° E ^{108.90'} 1.65;
 S 42° E ^{120.78'} (4.07) E 1.83; S 68° E ^{82.50'} 1.25; N 89 1/2° E ^{103.62'} 1.57; S 60° E ^{58.08'} 88 ch.; S 49 1/2° E
^{71.28'} 1.08 to a stone ^{tree gone 1944} 10x12x16 (cedar 2 N 51 1/2° E ^{30.69'} 14 3/4); S 65 3/4° W 46 1/2 links;
 N 82° W ^{202.90'} 3.15; N 52° W ^{437.25'} 6.62 1/2 to small stone; N ^{227.70'} 3.45 to leg. 1.12 ac.

Aug 25, 1887 C.M. Griggs, Repy, Sum.

THE 18 LINKS $\frac{1}{2}$ IS CORRECT!



Leander M. Campbell died June 16, 1890. Trotter's description
below was first used in a deed dated Dec. 12, 1890.
Therefore, Trotter's survey below was conducted in 1890.

Continuation of Campbell Estate.
Beg. at Cen. Sec. 10-15-1W. Thence
N. 8.47^{578.952'} ch. to stone in Cen. of Deville and
Plainfield Road.
Thence E. in Cen. of said Road 15.15 ch. ^{929.90'}
" S. 82 E. 9.09 ch. ^{597.94'} Thence N 55 E. 10.95 ch. ^{722.76'}
" S. 56 E. 7.75 " ^{511.50'} " S. 66 E. 3 ch to E.
side of the Creek to stake. wit by notch
on stone abutment 6 ft. from ground.
N. 78 1/2 E. 50 ft.
Thence S. 1 1/2 W 10 3/4 ch ^{671.98'} to cen. of R.R. Bridge
wit. by notch in abutment S 70 W 70 1/2 ft.
Thence S. 72 3/4 W 31.40 ch. in Cen. of R.R.
" S. 73 1/2 W 2.68 ch. in R.R. Thence
S 77 1/2 W 5 ch. in Cen. of R.R. Thence S.
83 1/2 W 5 ch. in ~~the~~ cen. of R.R. Thence N.
5.50 C. to place of beginning, estima-
to contain 32 ^{69'} A, more or less.
J. H. Trotter.
S. H. C.

23/466

35R (16 L) ?

23/20

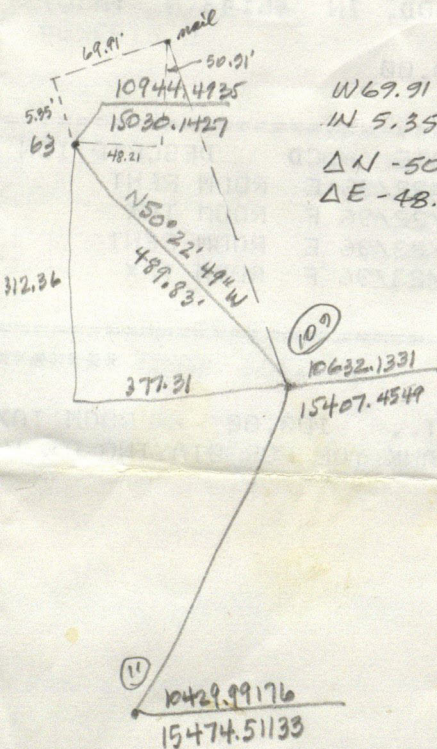
24/105

35R. 16 L. ?

map Sta.

June 23, Went to & staked out

" 24, Mapwell, Stone Holton, & I dug



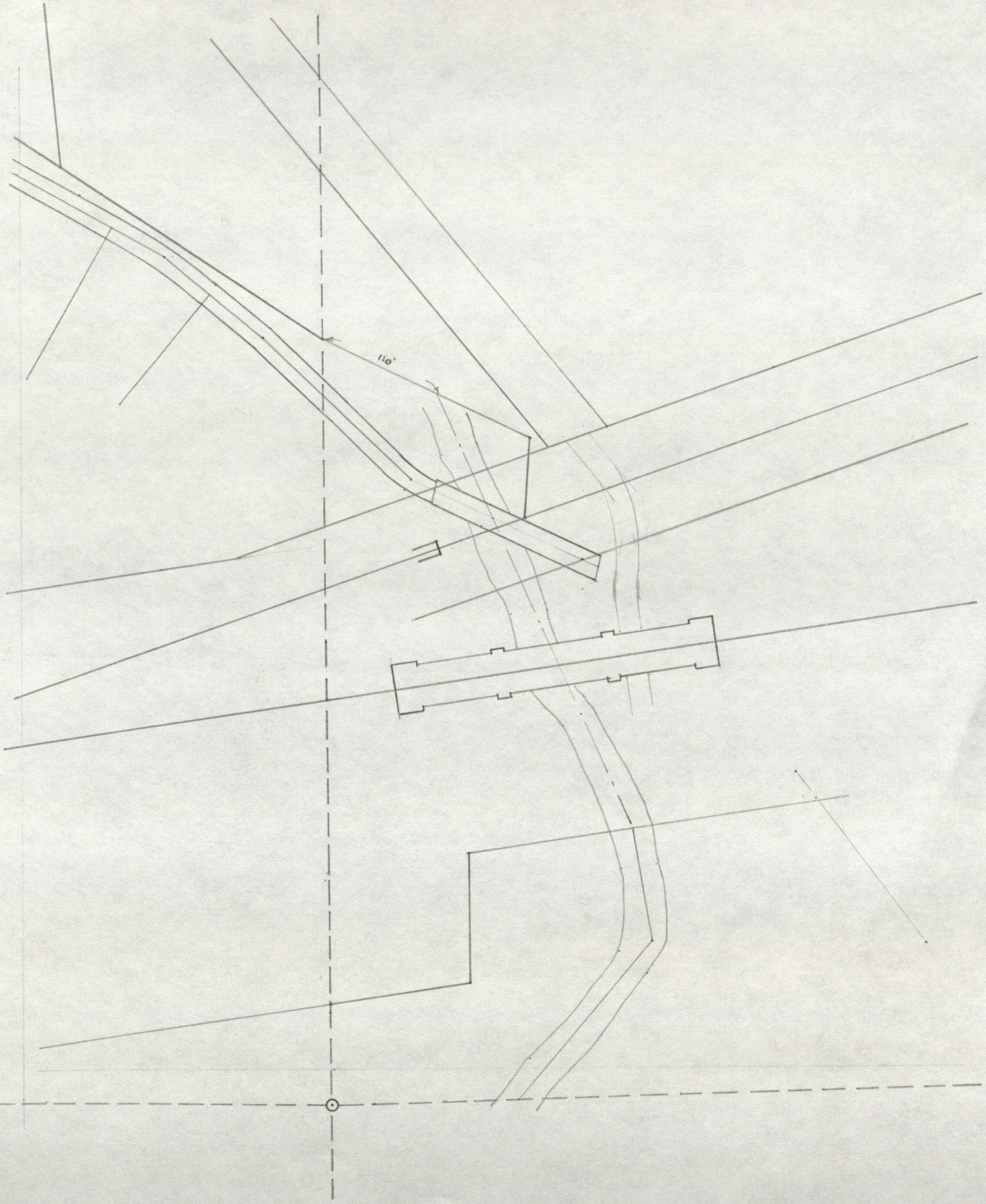
W 69.91

W 5.35 (1001)

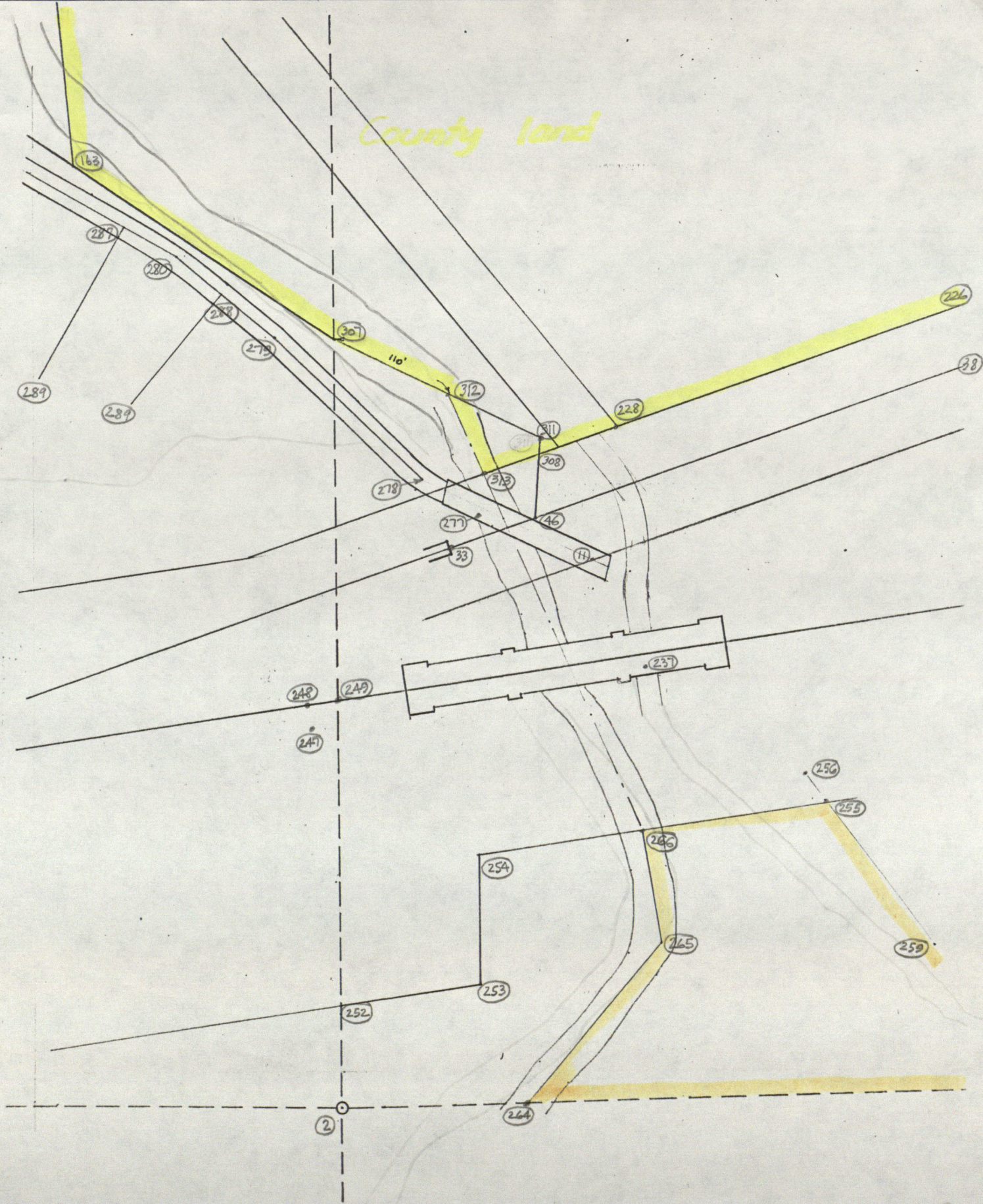
$\Delta N - 50.91$

$\Delta E - 48.21$

7.11
62
7.17-22



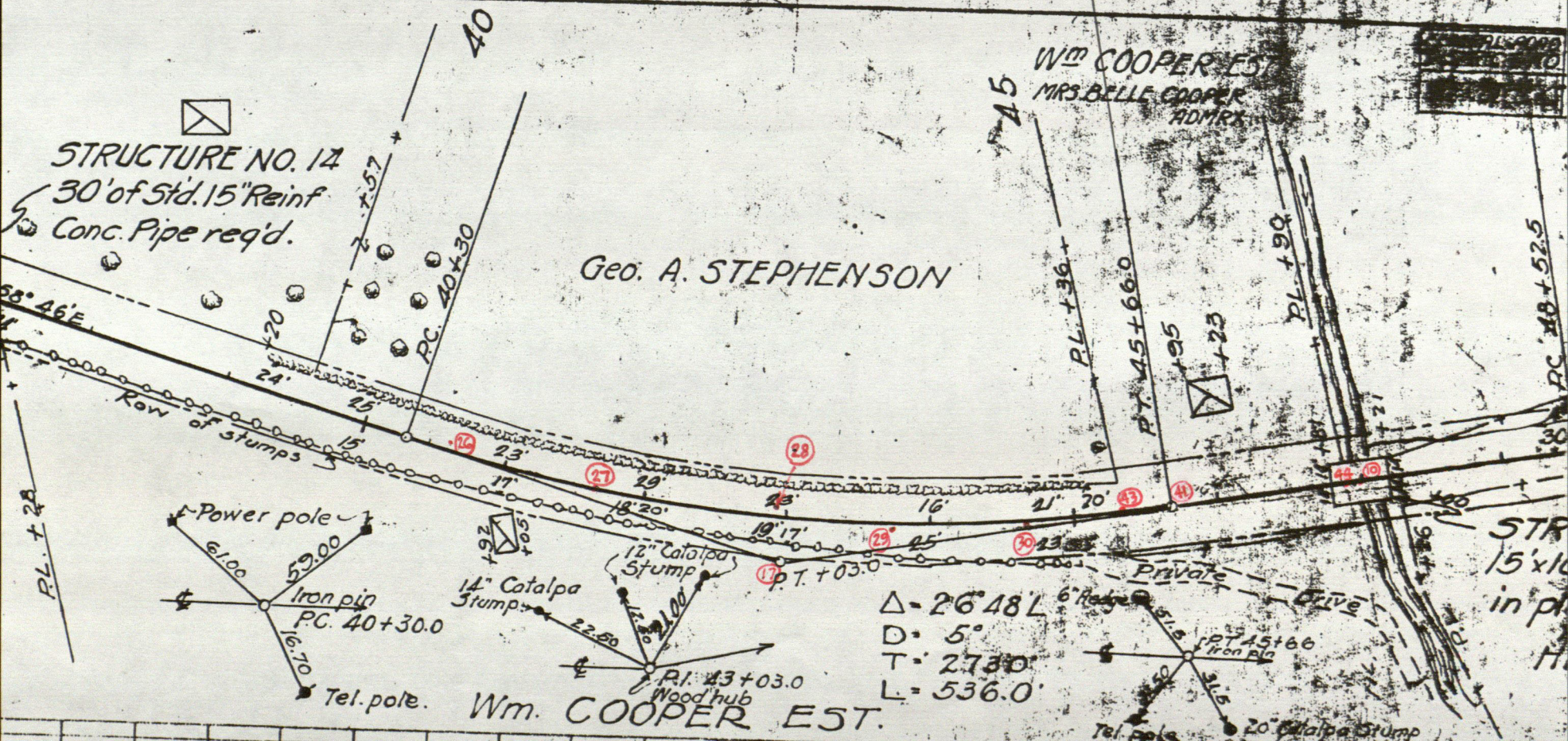
County land

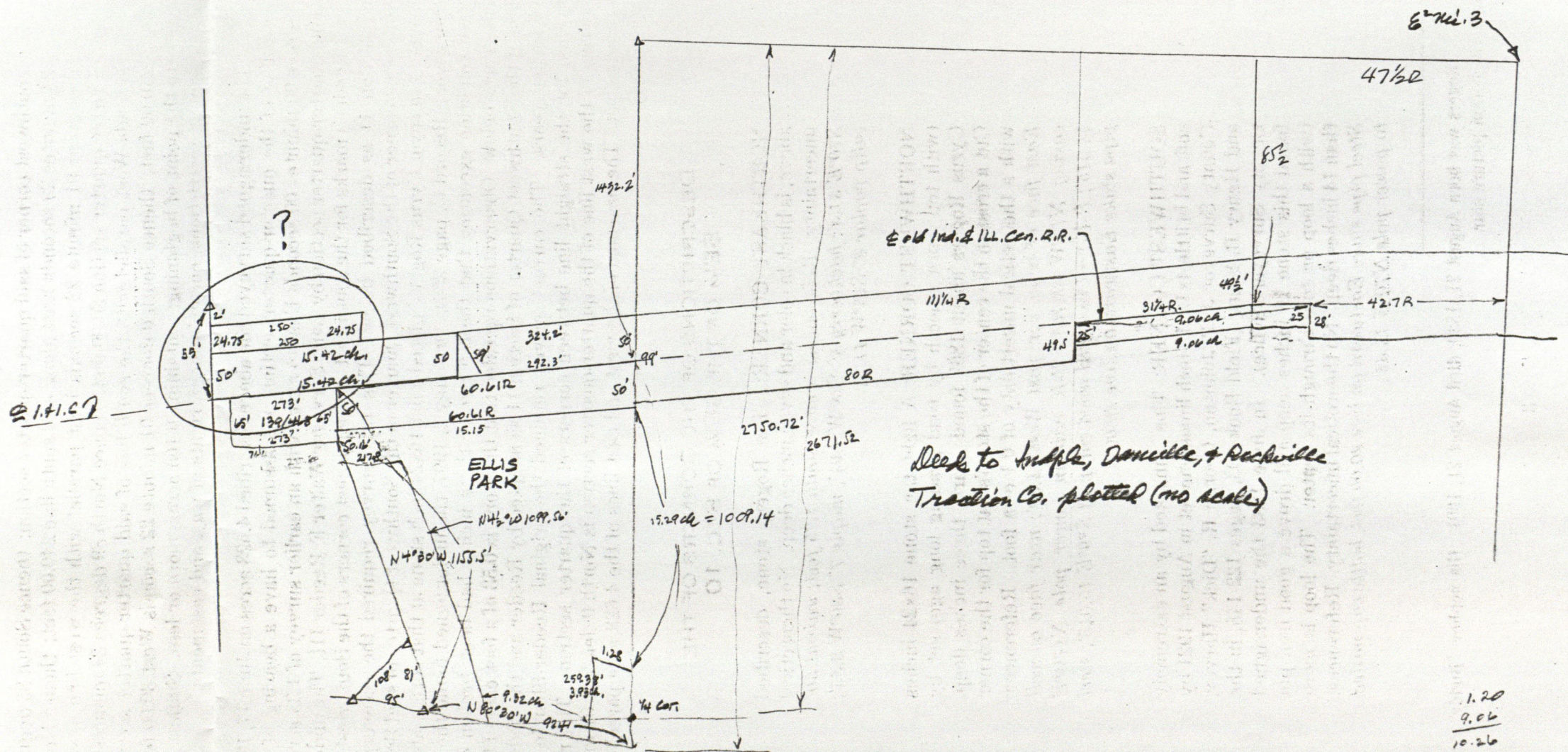


to be placed
on structure.
placed on structure,
J. W. Moore
aid for at unit
on Class "A"
to be determined

ALPH & BONNIE
NAGLESON

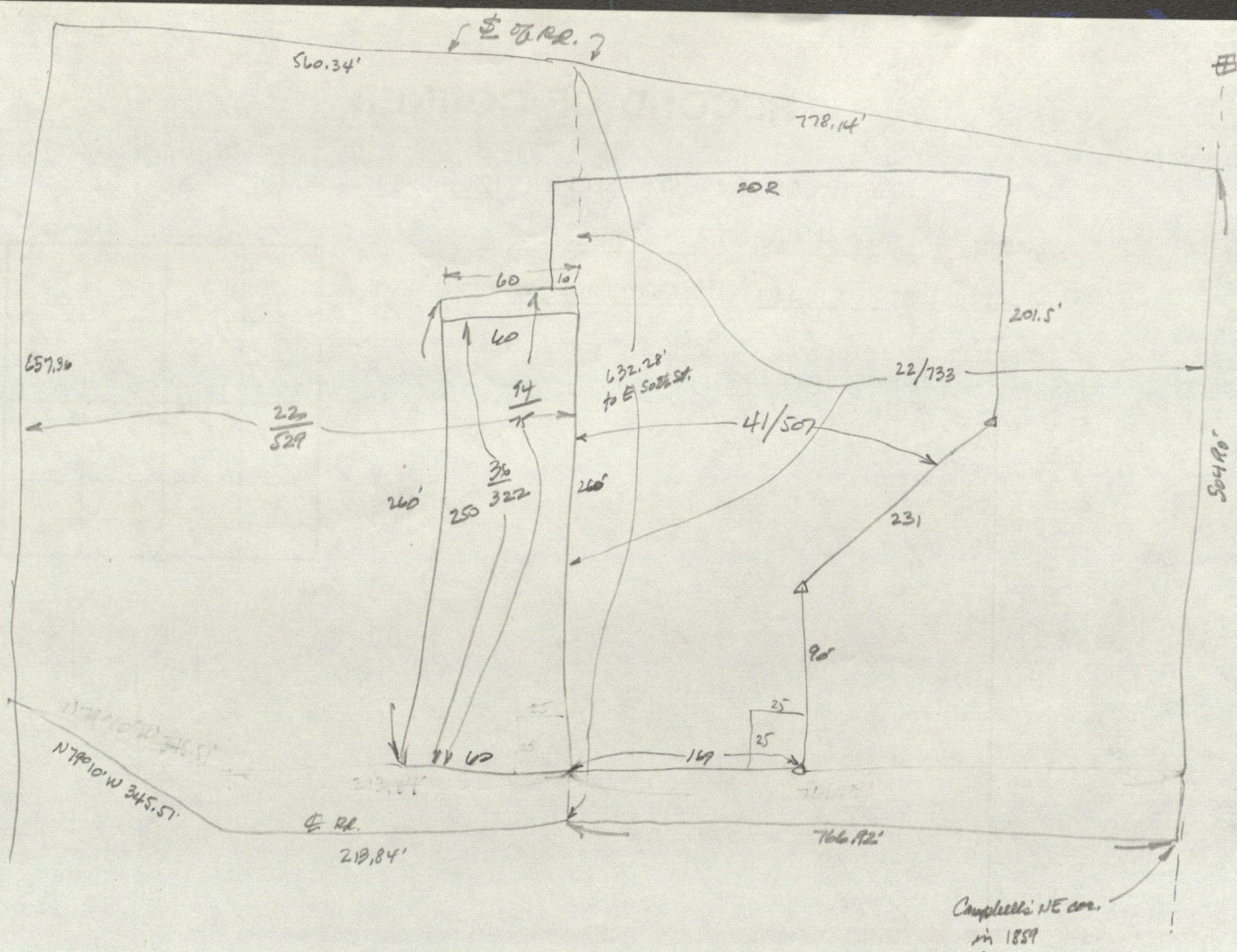
1926

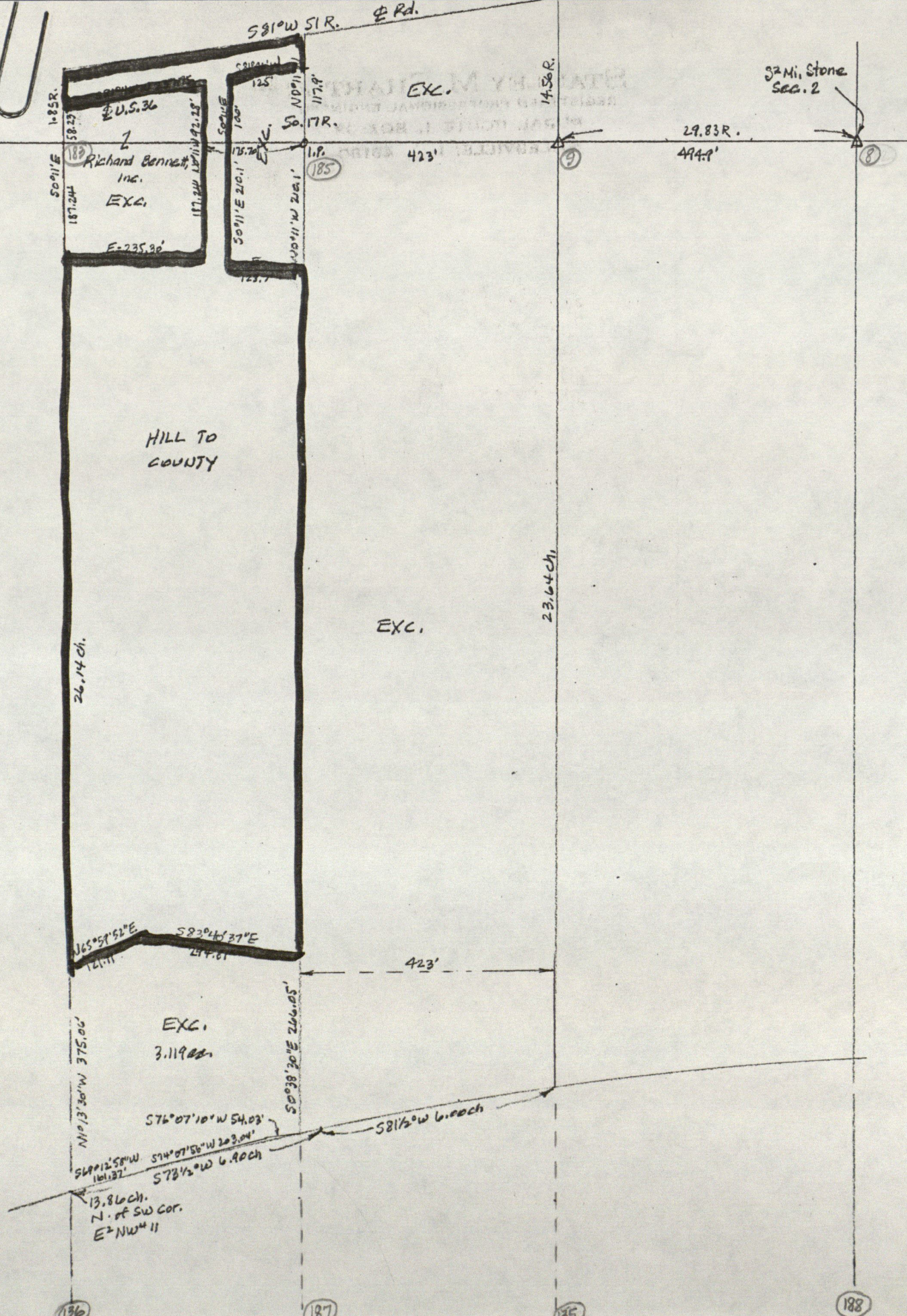




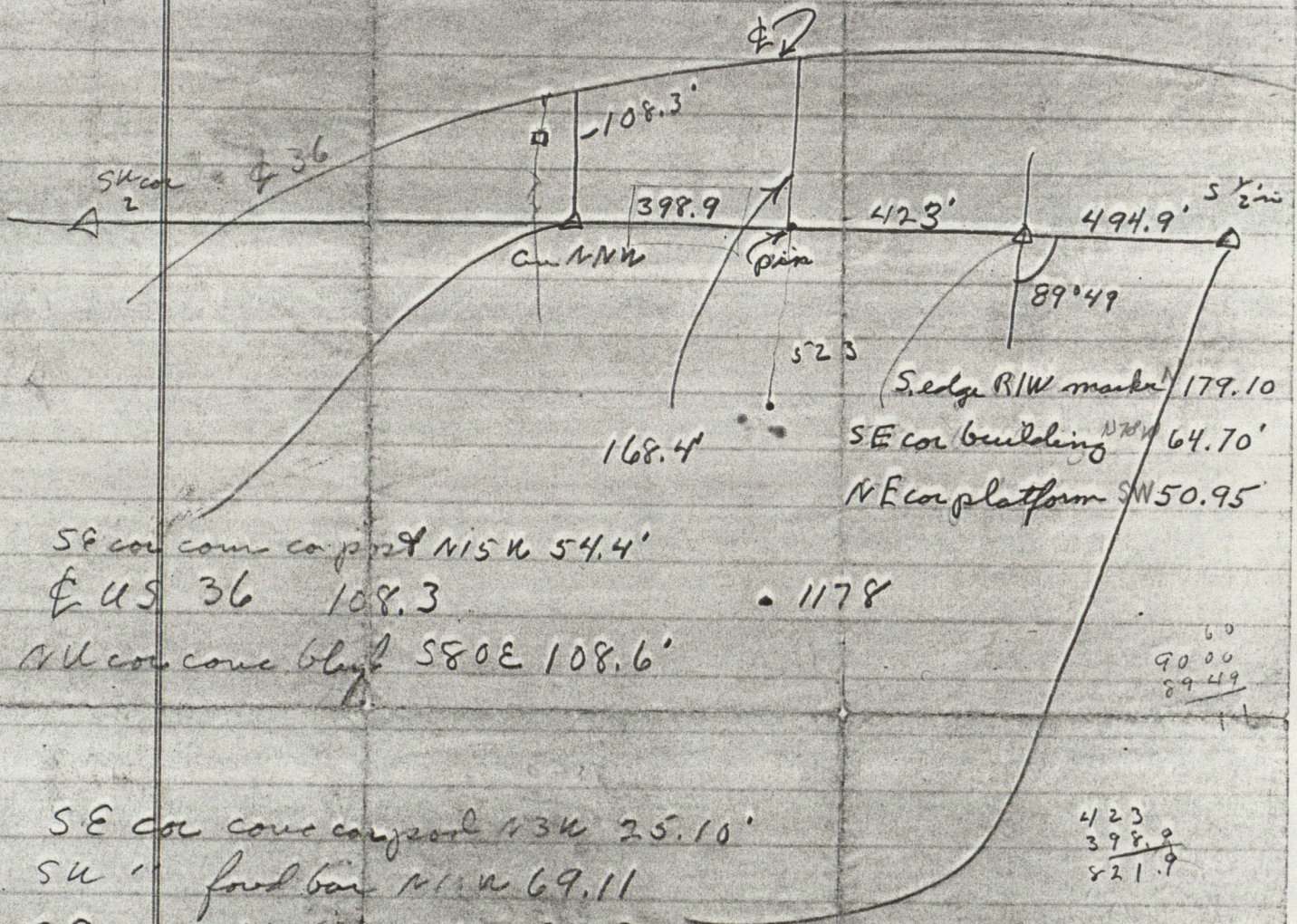
Deeds to Ingle, Danville, + Rockville
Traction Co. plotted (no scale)

$$\begin{array}{r} 1.20 \\ 9.06 \\ \hline 10.26 \end{array}$$





11-15-1W



By Gossell

RALPH F. NAGELSON ET AL. to TOWN OF DANVILLE, IND.

Part of the South Half of the Northeast Quarter of Section 10, Township 15 North, Range 1 West of the 2nd Principal Meridian, bounded and described as follows, to-wit: From a stone monument at the center of said Section 10 run thence North 8.772 chains to a point in the Danville and Plainfield free gravel road; thence East in said road 15.15 chains; thence South 82° East 3.447 chains to the beginning point of this description:

From said beginning point continue thence South 82° East 5.643 chains; thence North $65^{\circ}45'$ East 0.465 chains to an iron rod driven beside a white stone 11x18x22 in., which rod is in the north line of aforesaid road; thence North $49^{\circ}30'$ West 1.08 chains; thence North 60° West 0.88 chains; thence South $89^{\circ}30'$ West 1.57 chains; thence North 68° West 1.25 chains; thence North 42° West 1.83 chains to an iron pin; thence North $48^{\circ}45'$ West 1.65 chains to an iron pin; thence South 62° West 0.955 chains to a 42 inch iron pin (which pin is 0.955 chains South 62° West and 4.18 chains South 28° East from a corner recognized as being marked by a stone 12x29x30 in. set by Stanley Shurtle in 1944 to replace a small stone set by C.M. Griggs in 1887); thence South 28° East 3.395 chains to the place of beginning.

Estimated to contain 0.86 acres, more or less.

LURA G. COOPER ET AL. TO TOWN OF DANVILLE, IND.

Part of the Northeast Quarter of Section 10, Township 15 North, Range 1 West, bounded and described as follows, to-wit: From a point in the center of the Rockville free gravel road (said point being at the Southwest corner of a tract of land heretofore sold to George A. Stephenson by Edgar Allen and wife, said deed being recorded in Deed Record 89 page 68, and at the Northeast corner of a tract of land formerly owned by Evan B. Davis); thence South a distance recognized in former deeds as being 18.96 chains (but which distance actually measures 19.12 chains) to the point on the west end of a stone 12x29x30 in. set by Stanley Shartle in 1944 to replace a small stone set by C.M. Griggs in 1887; thence South 28° East 4.18 chains to an iron pin; thence South $48^{\circ}45'$ East 1.24 chains to the point of beginning of this description:

From said beginning point run thence North 6.50 chains to an iron pin; thence East 6.49 chains to an iron pin; thence North $38^{\circ}52'$ East 1.937 chains to an iron pin; thence North $51^{\circ}05'$ East 3.797 chains to a point witnessed by two iron pins, one due east 50 links and one due west 50 links (which point is 8.36 chains southward from the center of said old Rockville Road as was formerly established); thence South 46° East (along a line described in a deed recorded in book 59 page 135) a distance of 9.87 chains; thence South 5° East 3.11 chains to an iron pin on east side of the Danville and Plainfield gravel road; thence North 56° West 4.29 chains to an iron pin on the north line of the Danville and Plainfield Road if the same was extended northeastward; thence South 55° West on and along the north line of said road 10.56 chains to an iron rod driven

Lura G. Cooper et al. to Town of Danville, Ind.-----con't.

beside a white stone (said rod marking a point described in former deeds as being North 8.772 chains; thence East 15.15 chains; thence South 82° East 9.09 chains; and thence North $55^{\circ}45'$ East 0.465 chains from the center of said Section 10); thence North $49^{\circ}30'$ West 1.08 chains; thence North 60° West 0.88 chains; thence South $89^{\circ}30'$ West 1.57 chains; thence North 68° West 1.25 chains; thence North 42° West 1.83 chains; thence North $48^{\circ}45'$ West 0.41 chains to the place of beginning.

Estimated to contain 13.48 acres, more or less.

GRANTOR Wishard, John O. & Elizabeth,
his wife

I. LOCATION

a. Unit Center
b. Key No. 30-6

URBAN

a. Lot No. _____ Blk. No. _____
c. Sub-Div. _____

RURAL:

A. Acres _____

Sec. Rge. Twp. Pt NE 10-15-1W

DESCRIPTION:

Beginning at the Northeast Corner of Section 10 Township 15 North of Range 1 West; thence south three chains and twenty nine links; thence South $27\frac{1}{2}$ degrees west from a true meridian (variation 3°) thirty Rods; thence Sout $54\frac{1}{2}$ degrees West six and one half rods thence South 40° degrees East 61 rods; thence North 46 degrees West $39\frac{1}{2}$ rods; thence North $151\frac{94}{100}$ rods to a stone in the old Railroad bed; thence West 120 links; thence North $18\frac{56}{100}$ rods; thence East 49.08 rods to the section line thence South 23 chains and 39 links to the place of beginning estimated to contain $44\frac{53}{100}$ acres more or less; reserving therefrom the right of way of the Indiana & Illinois R. R. Co. through said land 100 feet wide.

GRANTEE HENDRICKS COUNTY COMM.

II. DEED BOOK REFERENCE

a. Book No. 59 b. Page No. 135

III. ASSESSED VALUE: Year 1946

A. Land _____ B. Imp. _____

C. Total Value _____

DATE RECORDED 12-5-1882

(OVER)

ALSO:
GRANTOR

DEED RECORD 32 at 198

GRANTEE

Gregg, Martin & Mary,
his wife

HENDRICKS COUNTY

Beginning at a point in the Section line between Section Ten (10) and Eleven (11) Three chains and twenty nine links South of the North West corner of Section Eleven (11) Township fifteen (15) North of Range One (1) West thence South twenty seven and a half ($27\frac{1}{2}$) degrees West Seven (7) chains and fifty (50) links thence South fifty four and a half ($54\frac{1}{2}$) degrees West One (1) chain and sixty two and a half ($62\frac{1}{2}$) links, thence South four degrees and twelve minutes ($4^{\circ}12'$) East seventeen (17) chains and eighty two (82) links to the center of the Danville and Plainfield Road thence South Fifty six degrees and twelve minutes ($56^{\circ}12'$) East seven (7) chains and sixty two and a half ($62\frac{1}{2}$) links to the middle of White Lick Creek, thence down the Creek following the meanders thereof, to the half mile stake between Sections ten (10) and Eleven (11) thence East to the South East Corner of the Eighty (80) acres ($W\frac{1}{2}$ NW $\frac{1}{4}$ SEC. 11) thence North to the North line of Section Eleven (11) thence North Two (2) chains to the center of the gravel road thence south eighty two (82) degrees and fifty minutes ($82^{\circ}50'$) West sixteen (16) chains and one (1) link, thence South seventy degrees and fifty minutes ($70^{\circ}50'$) West Two (2) chains and ninety five (95) links, thence South twenty seven and a half ($27\frac{1}{2}$) degrees West Two (2) chains, and Seventy Nine (79) links to the place of beginning, containing eighty eight and twenty four one hundredths ($88\frac{24}{100}$) acres more or less, lying in the said County of Hendricks in the State of Indiana.

GRANTOR Hessler, Lizzie E. et al

SEE NOTE

I. LOCATION

a. Unit Center

b. Key No. 23-11

URBAN

a. Lot No. _____ Blk. No. _____

c. Sub-Div. _____

RURAL: A. Acres 20.19

Sec. Rge. Twp. Pt SE NW 3-15-1W

DESCRIPTION: Pt E SW 3-15-1W

GRANTEE Stephenson, John L. and Mary E.,
his wife

II. DEED BOOK REFERENCE

a. Book No. 147 b. Page No. 326

III. ASSESSED VALUE: Year 1946

A. Land _____ B. Imp. _____

C. Total Value _____

DATE RECORDED 5-3-'40

A part of the South East quarter of the North West fractional quarter and a part of the East half of the South West quarter all in Section 3 Township 15 North, Range 1 West and bounded as follows: Beginning at the North East corner of the East half of the South West quarter and running thence West on the North line thereof 2 chains and 33 1-2 links, thence north 76-1/4 degrees West 7 chains and 92 links; thence South 80-3/4 degrees West 1 chain and 17 links; thence South 53-1/2 degrees West 1 chain and 45 links; thence South 27 degrees East 95 links to the line on the north of the East half of the said South West quarter and in the middle of the Danville and Pittsboro free gravel road; thence South 14 degrees East following the middle of the said road 8 chains and 60 links; thence South 10 degrees East 6 chains and 44 links; thence south 32 degrees west 1 chain and 46 links; to the middle of the bridge across White Lick Creek thence South 45 degrees East with the middle of the said Creek 6 chains and 47-2/3 links; thence South 35 degrees East 1 chain and 50 links to the

(over)

middle of the Indianapolis and Illinois Railroad; thence North $87-1/2$ degrees East with the middle of said road 4 chains and 43 links to the line passing North and South through the middle of said Section 3; thence North on the said line 21 chains and 70 links to the place of beginning, Estimated to contain $20-19/100$ acres more or less excepting therefrom a portion thereof described as follows: $1432-2/10$ feet South of the North East corner of the East half of the South West quarter of the said Section 3 and running thence North 50 feet; thence South $87-1/2$ West $324-2/10$ feet to the center of White Lick Creek; thence South 35 degrees East with the center of said creek 59 feet; thence North $87-1/2$ degrees East $292-3/10$ feet to the point of beginning, containing $35/100$ of an acre, conveyed to the Indianapolis and Western Traction Company as a right of way.

CLERKS NOTE

NAMES OF THE GRANTORS CONTINUED:

Hazel M. Pursell

Glen Pursell

GRANTOR Stephenson, James T. and Eileen

GRANTEE Stephenson, John L. and Mary

I. LOCATION

II. DEED BOOK REFERENCE

a. Unit Center

a. Book No. 145 b. Page No. 558

b. Key No. 23-30-11

III. ASSESSED VALUE: Year 1946

URBAN

a. Lot No. _____ Blk. No. _____

A. Land _____ B. Imp. _____

c. Sub-Div. _____

RURAL: A. Acres _____

C. Total Value _____

Sec. Rge. Twp. Pt SE 3-15-1W

DATE RECORDED 7-29-'38

DESCRIPTION:

All their undivided one-half interest in and to the following described real estate, to-wit:

A part of the South half of the South East Quarter of Section Three (3) and a part of the North East quarter of Section Ten (10), all in Township Fifteen (15) North Range One (1) West, more particularly described as follows: Beginning at a stone in the center of the old Indiana and Illinois Central Railway, which stone is forty two and seven tenths rods west and eighty five and one half rods south of the east half mile stone of said Section Three, running thence west nine chains and six links to a stone, thence south one half degree west, Twelve chains and thirty nine links to a stone, thence west four chains to a stone, thence south twelve chains, forty six and one half links to a stone in the center of the Indianapolis and Rockville Road, thence south fifty nine and one half degrees east six chains and fifty links in the center of said road, thence south seventy and one half degrees east in the center of said road, four chains, thence south eighty four degrees east in the

(over)

center of said road, four chains and eleven links, thence north twenty nine chains, ninety three and one half links to the place of beginning, estimated to contain thirty two and thirty four hundredths (32.34) acres more or less; Excepting however, from the above described real estate, a strip of land twenty five feet in width from north to south, off of and across the north end of the above described real estate. Also, excepting a certain other tract of land Beginning at the extreme south east corner of the first above described tract and running thence north, six hundred and twenty two feet to a point, thence west one hundred and fifty five feet to a point, thence south parallel with the east line of said first above described tract, to the center of the Indianapolis and Rockville Road, thence eastwardly with the center of said road to the place of beginning estimated to contain, exclusive of said two exceptions, Twenty Nine acres, and one hundred and twenty six square rods.

Also, all that part of the West half of the South East Quarter of Section Three (3) Township Fifteen (15) North, Range One (1) West, that lies north of the center of the Terre Haute, Indianapolis and Eastern Traction line: Also, a part of the East half of the South East quarter of Section Three (3) Township Fifteen (15) North Range One (1) West, more particularly described as follows: Beginning at a point Forty Seven and One half rods west of the North east corner of said quarter section and running thence south eighty five and one half rods to the center of the above described traction line, thence west on said line, thirty and one half rods to the west line of said half quarter section, thence north eighty five and one half rods to the north line of said quarter section, thence east thirty one and one half rods to the place of beginning, estimated to contain in both of said described tracts, sixty acres more or less, and containing in all Eighty Nine Acres more or less. Also, a part of the east half ($E\frac{1}{2}$) of the Section three (3), Township Fifteen (15) north of Range One (1) West, in Hendricks County, Indiana, and described as follows, to-wit: Beginning at a stone at the center of the old Ill. and Ind. Central Railway which stone is forty-two and seven tenths (42.7) rods west and eighty-five and one-half ($85\frac{1}{2}$) rods south of the

GRANTOR _____

GRANTEE _____

I. LOCATION

a. Unit _____

b. Key No. 23-10

URBAN

a. Lot No. _____ Blk. No. _____

c. Sub-Div. _____

RURAL: A. Acres _____

Sec. Rge. Twp. _____

II. DEED BOOK REFERENCE

a. Book No. _____ b. Page No. _____

III. ASSESSED VALUE: Year _____

A. Land _____ B. Imp. _____

C. Total Value _____

DESCRIPTION:

CONTINUED FROM PRECEDING PAGE

east half mile stone of said Section three (3), Township and Range aforesaid; thence west nine (9) chains and six (6) links; thence south twenty-five (25) feet; thence east parallel with the first line nine (9) chains and twenty-five (25) feet to the place of beginning.

Also, a part of the south east quarter ($SE\frac{1}{4}$) of Section three (3) in Township fifteen (15) north of Range one (1) West, in Hendricks County, Indiana, and bounded as follows, to-wit; Beginning at a point forty-seven and one-half ($47\frac{1}{2}$) rods west and eighty-five and one-half ($85\frac{1}{2}$) rods South of the northeast corner of the southeast quarter ($SE\frac{1}{4}$) of said Section three (3) and running thence west thirty-one and one quarter ($31\frac{1}{4}$) rods; thence south forty-nine and one half ($49\frac{1}{2}$) feet; thence west with the bearings of the Terre Haute, Indianapolis and Eastern Traction Line, eighty (80) rods to the west line of said quarter section; thence north, on said line ninety-nine (99) feet; thence east with the bearings of said Traction line, one hundred eleven and one quarter ($111\frac{1}{4}$) rods; thence south forty-nine and one-half (over)

feet to the place of beginning, containing three and fifty-nine hundredths (3.59) acres,
more or less.

A part of the North East quarter of the North West quarter of Section 10, in Township 15 North of Range 1 West, more particularly described as follows: Commencing on the North line of East South Street in the town of Danville, Indiana, 136 feet West of the South West corner of a tract of land 25 feet square conveyed by John V. Hadley and wife to Leander M. Campbell by deed dated April 19, 1880 and recorded in Deed Record No. 54 at page 62 of the records of Hendricks County, Indiana; thence North $173\frac{1}{2}$ feet; thence West 80 feet; thence South $173\frac{1}{2}$ feet to the North line of the Street aforesaid; thence East with the North line of said Street 80 feet to the place of beginning.

Subject to all easements and restrictions of records

Thompson 450 W. Broadway

W. M. Thompson

I, the undersigned hereby certify that I have surveyed the below described real estate and I further certify that no buildings located on the described real estate encroach upon adjoining property and that no improvements located on adjoining property encroaches upon this described real estate.

Part of the Northeast Quarter of the Northwest Quarter of Section 10, Township 15 North, Range 1 West, bounded and described as follows, to-wit: Commencing on the north line of East South, now known as East Broadway, Street in the Town of Danville, Indiana 136 feet West of the southwest corner of a tract of land 25 feet square conveyed by John V. Hadley and wife to Leander M. Campbell by deed dated April 19, 1880 and recorded in Deed Record 54 at page 62 of records of Hendricks County, Indiana; Thence North $173\frac{1}{2}$ feet; thence West 80 feet; thence South $173\frac{1}{2}$ feet to the north line of said street; thence East with said north line 80 feet and to the place of beginning.

September 8, 1964 Danville, Indiana

James A. Gossett, Registered Land
Surveyor No. 5991, State of Indiana

James A. Gossett
Surveyor

HERBERT W. COOPER
VS.
ISABELL COOPER ET. AL
79 12469

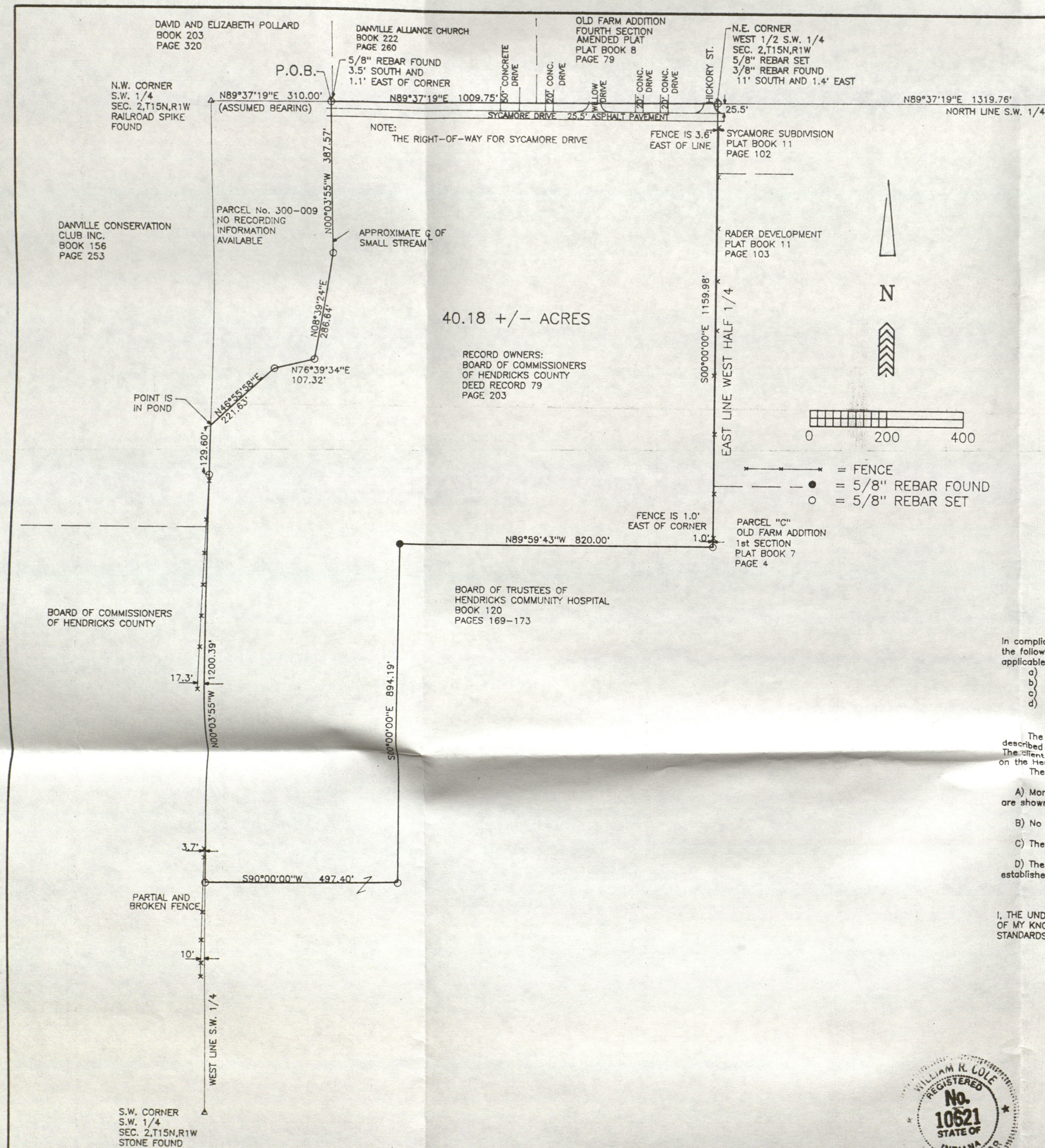
15 ABELL COOPER ET AL
70 12469

LAND PARTITION

PT. 1751-SEC. 10, TR. 15 N. OF R. / W.

APPROVED: APRIL 30, 1929.

COMMISSIONERS:



LEGAL DESCRIPTION

A part of the West Half of the Southwest Quarter of Section 2, Township 15 North, Range 1 West, in Hendricks County, Indiana, being more particularly described as follows:

Commencing at a railroad spike at the Northwest corner of said Quarter; thence North 89 degrees 37 minutes 19 seconds East (assumed bearing) along the North line of said Quarter 310.00 feet to a 5/8" rebar and the POINT OF BEGINNING, of this description; thence continue North 89 degrees 37 minutes 19 seconds East along said North line 1009.75 feet to a 5/8" rebar at the Northeast corner of said West Half Quarter Section; thence South 00 degrees 00 minutes 00 seconds East along the East line of said Half Quarter Section 1159.98 feet to a 5/8" rebar; thence North 89 degrees 59 minutes 43 seconds West 820.00 feet to a 5/8" rebar; thence South 00 degrees 00 minutes 00 seconds East 894.19 feet to a 5/8" rebar; thence South 90 degrees 00 minutes 00 seconds West 497.40 feet to a 5/8" rebar on the West line of said Quarter; thence North 00 degrees 03 minutes 55 seconds West along said West line 1200.39 feet to a point; thence North 46 degrees 55 minutes 58 seconds East 221.63 feet to a 5/8" rebar; thence North 76 degrees 39 minutes 34 seconds East 107.32 feet to a 5/8" rebar; thence North 08 degrees 39 minutes 24 seconds East 286.64 feet to a 5/8" rebar; thence North 00 degrees 03 minutes 55 minutes West parallel to the aforesaid West line 387.57 feet to the POINT OF BEGINNING, containing 40.18 acres, more or less, and subject to all legal highways, rights-of-way and easements of record.

SURVEYOR'S REPORT

In compliance with the Indiana Survey Standards, Title 865, Article 1, Chapter 12, of the Indiana Administrative Code, the following report summarizes the observations made in regard to the surveyed parcel. These observations include (if applicable):

- Variances in the reference monuments.
- Discrepancies in the record description or plat.
- Inconsistencies in the lines of occupation.
- Random errors in measurement (Theoretical Uncertainty).

The purpose for this survey was to monument and describe a new tract taken from that certain parcel as described in deed record 79, page 203, as recorded in the office of the recorder of Hendricks County, Indiana. The client determined the configuration of the new tract. A survey performed by Parsons and Shattler Engineers Inc. on the Hendricks Community Hospital was also used to help establish the boundary location.

The following observations are made:

- Monuments were found from ties obtained from the Hendricks County Surveyor's office. These monuments are shown on the drawing.
- No discrepancies were noted.
- The variations in fence locations and Sycamore Street are shown on the drawing.
- The Theoretical Uncertainty (due to random errors in measurement) of the corners of the subject tract established this survey is within the specifications for a Class "D" (+/- 1.0 feet) as defined in IAC 865.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECTION AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, WAS EXECUTED ACCORDING TO THE APPLICABLE REQUIREMENTS OF THE INDIANA SURVEY STANDARDS, TITLE 865, ARTICLE 1, CHAPTER 12, OF THE INDIANA ADMINISTRATIVE CODE.

LEWIS ENGINEERING, INC.

1001 EAST MAIN STREET
PLAINFIELD, INDIANA 46168
(317) 839-2412, FAX 839-2437

REVISIONS	DATE	PROJECT	SCALE
	6-11-96	STAKE SURVEY AND DESCRIPTION	1"=200'
	DRAWN BY K J C		JOB NO. 96-262
CERTIFIED BY William R. Cole	CHECKED BY RJS	CLIENT HENDRICKS COMMUNITY HOSPITAL JACK BOTT	SHEET OF



Both Sides of the track

Local trail group will respect court's decision

By Jennifer Northern
Weekend Editor

BROWNSBURG — Who owns the land on which the abandoned CSX Corp. railway sits? That's what members of Rail Corridor Development Inc. and Hendricks County

Trail Development, as well as adjacent land owners want to know.

Unfortunately, the process to determine ownership rights has been not at all simple, timely, nor inexpensive. Although no court action has taken place in Hendricks County over the matter, trail proponents and land owners here have been keeping a watchful eye on court cases around the state which deal with the issue of railroad rights-of-way.

Who now owns the land is a crucial question as rails-to-trails supporters work to turn the abandoned B&O corridor into a 27-mile bike and walking path spanning from western Marion County to North Salem in Hendricks County.

In early June, an Indiana State Supreme Court case, *Hefty v. All Other Members of the Certified Settlement*, overturned the trial courts' determination that the issue was over and done with.

By a 4-0 vote, the Supreme Court overruled determination by both the Court of Appeals and Parke County Circuit Court which approved a settlement between a residential owner, Warren Buchanan, and Penn Central and U.S. Rail Vest Corp.

The case, according to Indiana Farm Bureau Director of Government Relations Bob Kraft, placed "severe limits on the ability of railroad companies to claim a continuing interest in railroad rights-of-way after service has been abandoned."

In another, more recent ruling, the courts said the way in which deeds are written determines who rightfully owns the land. The decision was written such that any conveyance of land which uses the words "for the sum of ... shall be deemed and held to be a conveyance in fee simple to the grantee," would be viewed as a fee simple or "clear title" deed which means the land was sold, and now owned, by the railroad company.

As Diana Virgil, Rail Corridor Development Inc., (RCDI) president explains, the rails-to-trails group has never wanted to take land from adjacent landowners nor from CSX Corp. RCDI has always supported property rights and will honor whatever the courts decide, she said.

She added, however, that RCDI does not support those adjacent landowners who have no claim to the land.

"(RCDI) is not for adjacent land owners who are there to get free property. But if they own it, that's great," she said.

Additionally, Virgil said, not all state court cases have decided the land belongs to land owners, citing the *Pumpkinvine Case* in Goshen, Ind. In that case the court ruled in favor of the trail developers, stating the land was in fact, owned by the railroad, not adjacent land owners.

Currently, RCDI has photocopies of 73 deeds, dating from as far back as 1879, which was when the railroad began putting in the railways in the proposed rails-to-trails area. She is certain that only one deed contains wording indicating that the property could only be used for railroad purposes.

As for the status of the other 72 deeds, the owners of that property, Virgil said, is unknown. RCDI will work the remainder of the year, using decisions by the courts to find out who rightfully owns the land.

The next step is to then approach property owners, when it is decided who that is, to see if they would be willing to donate or sell the land so it may be used for the trail.

As for those farmers who would like an easement so that their farm equipment may pass over the trail, Virgil said they may have it.

If all this sounds like a lot of work, it is. But Virgil says it's worth it simply because the rails-to-trails project can offer a lot to the community.

"The reason we are working so hard is because we've (RCDI) been on other trails ... and Indiana is lacking public land. I have this nightmare of Hendricks County being asphalted."

"It's important to keep the corridor in one piece to benefit all people," she said. "Railroad corridors have been in public use and we (RCDI) feel they should remain that way. We don't know in the future what we will need in terms of mass transit."

She added that making the abandoned corridor a trail preserves greenspace and can benefit the local economy.

"When businesses are thinking about relocating they often ask, 'Are there parks nearby?'," she said.

Virgil reaffirmed that those involved with the trail project are strictly volunteers and receive no monetary compensation for their efforts. She added that monies made through fund-raisers help pay for attorney and special consultant fees.

Money to purchase the land will come out of the Heritage First Fund, supplied by Indiana's environmental license plate sales. Additional funds will come out of the Intermodal Surface Transport Efficiency Act.

It appears little has been done to solve the land ownership question concerning the abandoned B & O Railroad corridor since the Indiana Supreme Court ruling in May. CSX and the adjacent landowners are standing firm that each owns the property, where goods were once transported through the Midwest.

According to Nels Ackerson, who represents landowners adjacent to railroads around the state, the Supreme Court ruling favors the property owners in instances where the wording in the deeds is ambiguous and unclear.

The key words to settling the ownership matter is "fee simple interest," Ackerson explained.

"This means full and complete ownership of the land," he said.

Many of the deeds use the terms right-of-way, easement or limited use rather than indicating complete transfer of ownership. Ackerson commented that much of the land was taken through condemnation proceedings.

"Generally, land appropriated by condemnation would be given for right-of-way rather than fee simple interest," Ackerson said.

He commented that it would be unusual that the railroad would be given fee simple interest title to the property in these instances.

An example of this is the railroad built in the late 1800's through Marion and Hendricks counties. Much of the land was appropriated in 1879.

In Wayne Township, the Superior Court in Marion County appropriated the land the railroad needed through court proceedings and issued condemnation right-of-way deeds to Indianapolis, Decatur, Springfield Railway, Inc. According to the deeds, the landowners were compensated for the use of the property.

The confusion today is centered around the various wording used in the different deeds back then. In some instances the railroad went back to the land owners several years later to correct problems and supplemental deeds were issued.

Some of these deeds called Quit-Claim and Warranty deeds were used to amend the original documents.

According to Ackerson these deeds do not transfer ownership, but indicate interest.

A Quit-Claim Deed states that the person is relinquishing an interest they may have in the property. This is not a fee simple interest transfer, according to Ackerson. He states that the Warranty Deed simply indicates that the person signing the deed warrants that he or she owns the property.

Marty Ingles, who lives along the abandoned railroad, is confused as to why the land has not reverted back to the adjacent landowners.

Under Indiana common law, once the railroad abandoned the lines, they no longer had an interest in the property, unless they owned it.

According to Ingles, a railroad official stated that they did not have a fee simple interest in the western Marion County property. So said they also denied ownership of the railroad corridor land Speedway in 1996.

When contacted, the Westside Flyer was referred by the CSX real estate division to one of the class action attorneys:

What bewilders Ingles is why the railroad has not officially relinquished the property back to the adjacent land owners after the railroad abandoned the right-of-way.

By regulation the railroad must get federal permission to abandon a railroad corridor. Once permission is granted, the state is notified and the responsibility for collecting property taxes are transferred from the state to the township.

According to documents, the federal government granted an abandonment and the state was notified of this action. Charles Spears, with the Wayne Township Tax Assessment Office, stated that although the railroad now is billed property taxes by his office, the office did not receive official notification that the railroad had abandoned the property.

"We found out when people started showing up with their deeds," said Spears. "A lot of people started getting interested."

He said that when a person brings in a deed they research it and determine who owns the property. If they can't determine it, the paperwork is then sent to their attorney.

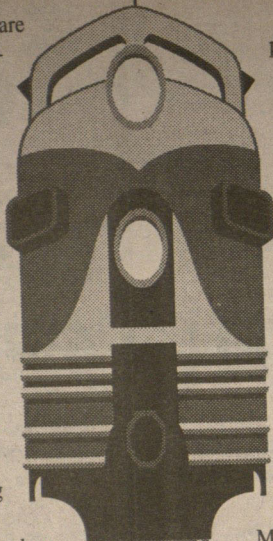
Ingles' question is since they're the people who initiate local tax bills, why don't they elect to bill CSX?

The ownership question is solved by who pays the taxes.

According to Spears, paying property taxes does not imply ownership. The township office is also waiting for the courts to make their ruling concerning the outcome.

Ackerson expects some of the issues will be solved in a summary judgment within the next few months.

By Keith Riley
Westside Editor



hugging any fat women. He volunteered to collect the sheaves, leaving the shocking to his dad and Tyke.

The sun moved overhead, the heat glistened off the amber grain, the binder continued, tirelessly, gaining on the shockers.

From boys to men

The task seemed endless to Tad as he drank water, still cool in the oaken keg he held to his lips. "This job will last forever," he moaned, wondering how Mutt was spending his day.

His dad finished hugging his 100th or so shock. "I don't need Mutt when I have you two," he said.

It was a compliment Tad could live without.

The sun cast a 12 o'clock shadow. The trio dined under the shade of a tree-lined fence row, staring at what looked to Tad like a million sheaves scattered in the field.

No matter. "We'll be finished by 5," his dad promised.

Amazing grace

The sun grew warmer. So did the water in the keg. The binder finished cutting the wheat at 4 p.m. The work continued.

Tad's dad pulled the Elgin watch from a bib pocket of his overalls. "So, we'll be 5 to 10 minutes late," he said, remembering the 5 p.m. finish he had forecast.

Tad and Tyke were pleased. They had expected to be in the field until sundown.

Back at the house, their dad said, "I'll do the chores. You two men head for the creek and get cleaned up for the revival tonight."

The cool creek water refreshed Tad. He had almost forgotten the aches and pains of the day as he found a seat among his friends.

"Please turn to . . ." the evangelist said, citing a page in the song book. Tad's dad turned and winked at him as the congregation, ironically, began singing *Bringing in the Sheaves*.

The sermon was about salvation. Tad dozed off, thinking it was too bad Mutt wasn't there to hear it.

Wendell Trogon is a retired managing editor of *The News*.

THIS CIVIL SERVAL GOT YOUR TONGUE?

Bicycle police stop to check out Hush of the Bush, a 10-year-old serval, an African wildcat, who was visiting Downtown on Friday. Her owner, Marvin Hierlmeier, 75, of Madison, Ind., put her in the shade to rest after a busy day touring nursing homes. "She loves people," he said. "I like to think of her as a 50-pound cat with a 50-pound heart." At right, Alix Toucher, 5, pets a relaxing Hush. Alix was safe — Hush prefers chicken.

Staff Photos / Janel Schroeder



NEWS IN BRIEF

7 unsafe buses sidelined

Indiana State Police, responding to an anonymous tip, inspected seven buses at Four Star Charter in Muncie and ordered all of the vehicles off the road.

Safety violations included unsafe brakes, tires and exhaust system.

Four Star was ordered to keep the buses out of service until State Police have reinspected them.

CORRECTION

The listing of bands playing at the Patio nightclub was incorrect in Friday's Weekend section. On stage at 9 p.m. today are the Earthtones and Cootie Brown.

BIBLE VERSE

Matthew 6:17-18 — *But thou, when thou fastest, anoint thine head, and wash thy face; That thou appear not unto men to fast, but unto thy Father which is in secret: and thy Father which seeth in secret, shall reward thee openly.*

— King James Version

By Gregory Weaver
STAFF WRITER

Election officials were glee Friday when the state's pur strings opened just wide enough give them a fighting chance enforce campaign contribution limits and other election laws.

The State Budget Committee finished the job lawmakers started earlier this year when lawmakers passed legislation that called for

the computerization of candidates' campaign finance reports but failed to provide money for the task.

The panel, meeting at Brown County State Park, voted unanimously to set aside \$250,000 for the project — money left over from efforts to register voters under the National Voter Registration Act.

The funding will allow Secretary of State Sue Anne Gilroy's

election division to begin putting thousands of pages of campaign finance reports — now stacked in row after row of filing cabinets — into a computer database.

State officials and government watchdog groups agree that is the only way the agency will be able to enforce election laws that limit campaign contributions from corporations and labor groups.

See ELECTION Page 2

Panel funs election data effort

Swenson praised police for their work.

"We are grateful for the support of law enforcement," he said.

Cotter said the incident began about 9:30 p.m. May 28 when as many as 10 alleged gang members harassed one of the celebrating Warren graduates and his family. Cotter said the graduate had rebuffed their efforts to recruit him into the gang.

The sheriff said Marlon T. Cawthon, 20, of the 5400 block of East Culver Street, was videotaping the melee and handed his camcorder to another gang member, telling him to watch.

Cawthon is accused of then throwing a glass bottle at a group of the graduates' friends.

The bottle hit the girl on her head and broke. She was treated at the scene by emergency medical technicians and did not require hospitalization.

Indianapolis Police Capt. William C. Dahlke said officers confiscated several videotapes when they arrested the suspects. He said it is not known yet whether the tape of the man injuring the infant was seized.

After the graduation, sheriff's detectives and the gang task force interviewed witnesses and were given videotapes of the incident by relatives who had brought their cameras to record the graduation. Detectives were able to identify some of the alleged gang members from the tapes.

Marion County Prosecutor Scott Newman said all the suspects were charged with criminal gang activity, a Class D felony.

Cotter identified those arrested Friday and additional charges filed against them, if any, as:

■ Cawthon, charged with criminal recklessness and felony battery.

■ Michael D. Bouye, 19, of the 5200 block of East 34th Street, possession of marijuana.

See MELEE Page 2

Top court backs landowners near rail lines

By Stuart A. Hirsch
STAFF WRITER

In a decision seen as a victory for the rights of property owners, the Indiana Supreme Court has upheld lower court decisions concerning abandoned rail lines.

The ruling could affect thousands of landowners across Indiana, and stems from a Montgomery County case where property owners sued Conrail and West Central Indiana Railroad Recrea-

tion Inc., a nonprofit group that wants to put recreation trails along abandoned railroad routes.

"It's a terrific victory for landowners in Indiana," said Nels Ackerson, attorney for the Montgomery County landowners. He said the ruling upholds two basic principles:

"Don't take something that doesn't belong to you, and don't sell something that you don't own."

Conrail sold land in the county

to West Central for its trail plan. It was part of a 29-mile strip of land from the western banks of the Wabash River to the west side of Crawfordsville.

In 1995, Judge Thomas K. Milligan ruled that the property wasn't Conrail's to sell, and that after the railroad ceased operations and abandoned the land, the property should have reverted to adjacent landowners.

Milligan's decision was appealed to the Indiana Court of Ap-

peals, which upheld the decision a year ago.

In its ruling Thursday, the Supreme Court held that Conrail only acquired easements, or the right to use the property for railroad lines. It did not own the property.

When the rail lines were abandoned, Conrail's easements expired, too. The court was not troubled by the fact that deeds, some

See LANDOWNERS Page 2

LANDOWNERS

Continued from Page 1

handwritten more than 100 years ago, conveyed the land to the original railroad.

Jerry Howard, 48, Crawfordsville, was one of the original landowners who filed suit to block the trail and recover nearly an acre of land next to his property.

"It's not the idea that it's an acre of land," he said. "It's that it's mine, and they tried to take it."

Attorney Karl L. Mulvaney had a different view.

He filed a friend-of-the-court brief on behalf of the city of Indianapolis, Rails to Trails Conservancy and other advocacy groups seeking to turn abandoned rail lines into recreation areas such as the Monon Trail.

"This is not a good day for people who want to promote the use of trails," Mulvaney said.

The decision means railroads are going to have to coordinate their efforts better with recreation groups if they want to continue developing abandoned railroads into parks, he said.

Ackerson said nothing in the decision prevents land from being used for trails, it's simply a ques-

"It's not the idea that it's an acre of land. It's that it's mine, and they tried to take it."

Jerry Howard
Landowner

tion that "the rightful owners should be paid."

In a related decision involving railroad right-of-ways, the Supreme Court ruled that AT&T Communications may have to pay damages to the owners of land on which it installed cable lines under a license agreement with Consolidated Rail Corp.

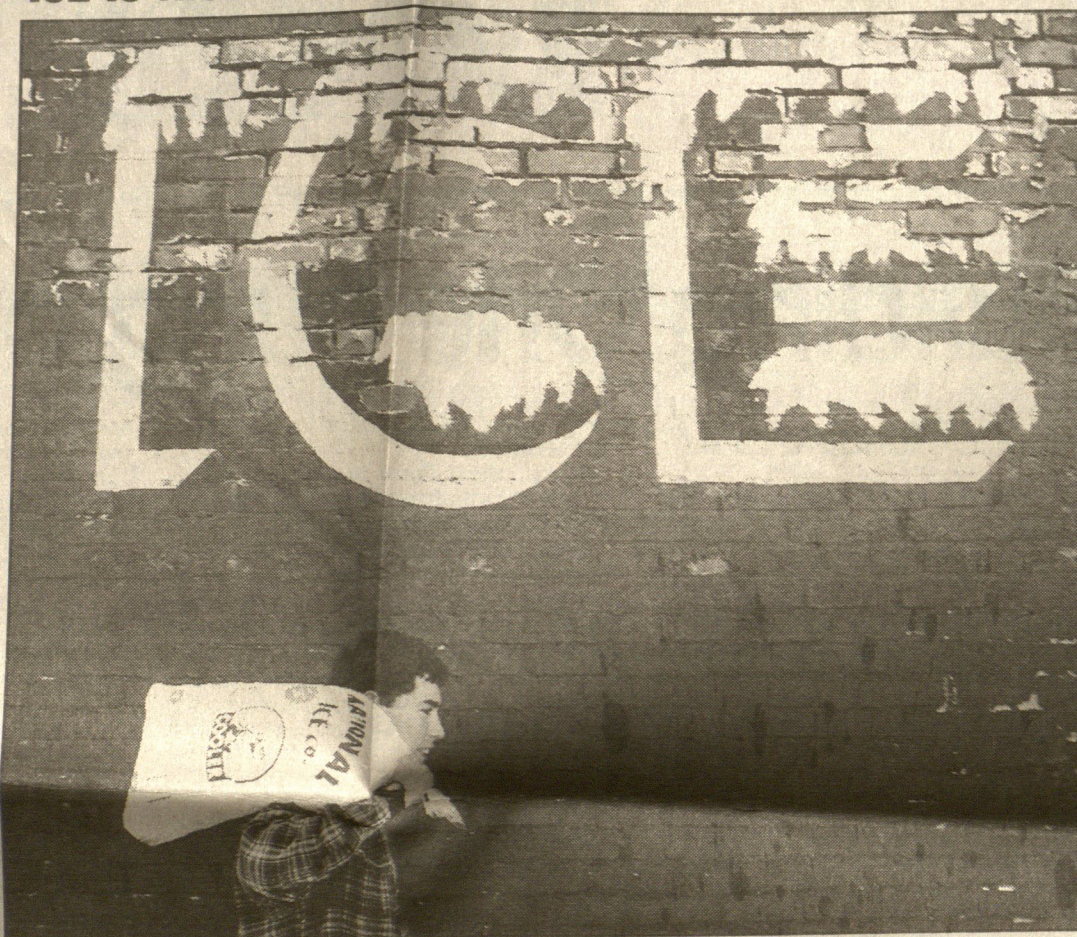
In a Lake County case, Conrail abandoned a rail line between Winamac and Crown Point. In 1984, Conrail and AT&T entered a license agreement that allowed the telecommunications giant to install a fiber optics communication system along the railroad right of way.

But a local bank owned the property and filed a claim against first Conrail, and later AT&T.

A trial court, and the Court of Appeals, sided with AT&T.

But this week's Supreme Court ruling in the Montgomery County case sides with the property owners.

ICE IS NICE



Associated Press

Erik Weaver, an employee of National Ice in Columbus, Ind., carries a bag to load onto a truck Friday. Ice will be in demand now that summer officially began today.

FORT

Continued from Page 1

request for \$125 million to renovate the enormous structure.

Congress ordered the building closed along with the rest of Fort Harrison during the 1991 round of military base closings. A coalition of local officials led by U.S. Sen. Dan Coats, R-Ind., persuaded the Defense Department to keep the finance service in Building One under a complicated plan that involved turning the building over to the GSA and renting it back to the military.

As part of that plan, the Defense Department was to pay for a massive overhaul of the structure.

Building One has not had a major renovation since it was built in the early 1950s. It contains asbestos, which must be removed, and needs new heating, air-conditioning and electrical systems.

"The building is an old building. It was built to fill 1950s-era strategy, not 1990s," finance center spokesman Chuck Gordon

said.

The future of Building One and the jobs it holds now lies with the Senate, where a version of the defense authorization bill does contain the money.

Coats' press secretary, Tim Goeglein, said Coats will work to restore the appropriation when House and Senate negotiators get together to iron out differences in their two bills.

"There obviously are no guarantees," Goeglein said. The funding still could be eliminated from the Senate bill.

John J. Hamre, a spokesman for the Pentagon's Chief Financial Office who has visited Building One, said the Defense Department will press for the Building One funding, just as it does for all department requests that Congress deletes.

Said department spokesman Sue Hansen, "There are more opportunities for changes to be made to this legislation, and we certainly will try to have our views represented."

Trooper says he was just doing his job when he rescued girl, 3

Associated Press

KOKOMO, Ind. — Make no mistake about it: Indiana State Police Sgt. Raymond Poole is a hero.

He says he was just doing his job. But the family of 3-year-old Emily Schwartz will never forget Wednesday, when Poole dashed over and saved the girl as she dangled from a moving car.

"It makes me feel proud I was there to help Emily," he said.

Emily, who was sitting in the back seat in a child seat, had opened the door as her mother drove the car in a parking lot at Wal-Mart. Once the door was

"I thought I put it in park," Schwartz said. "By the time I got the car stopped, Sgt. Poole already had her back in the car safely. If she had fallen, the wheel would have hit her."

"I didn't even know there was a police officer around. It was like he came out of nowhere. I want to thank Poole for being there. I feel like he was an angel."

A witness told police Emily's hair brushed the ground and her head was just inches above the pavement before Poole snatched her up.

Poole was taking part in Riley Hospital's Automotive Safety for Children seat belt/car seat survey

seat, but Poole said the seat belt was wrapped around the bottom of the seat and was not fastened, enabling Emily to move about.

After the ordeal, Emily was taken to a local hospital and treated and released with minor scrapes to her hand.

"Parents don't realize how quickly these things can happen," Poole said. "They always need to keep an eye on their children. If nothing else, we saved Emily from further injury."

Poole returned to Kokomo on Thursday to present a new car seat to Schwartz and demonstrated how to install it. The seat was donated by the hospital.

Volunteers to clean up riverbanks

Last year they got 10,000 tons of trash

Associated Press

EVANSVILLE, Ind. — Thousands of volunteers are expected to walk the banks of the Ohio River this weekend along its entire 981-mile length to collect shoreline litter made worse this year by March flooding.

The annual project, coordinated by the Cincinnati-based Ohio River Valley Water Sanitation Commission, may draw 22,000 volunteers to clean the shores of the Ohio and some of its main tributaries in Indiana, Kentucky and four other states.

Last year, volunteers collected more than 10,000 tons of trash.

Jeanne Ison, who is directing the project for Orsanco, said the idea came about nearly a decade ago.

Dirty shoreline

She said the commission had a hard time convincing people water quality was actually improving. While testing water one day, she said she realized why. The shoreline was dirty.

"We found enough furniture ... to furnish an entire house," Ison said.

This year's cleanup will include debris carried downstream from heavy March flooding.

"There's an exceptional amount of trash out there because of the flood," Ison said.

Need for volunteers, supplies

The first river sweep involved only five Ohio counties and six Kentucky counties. This year's will include about 102 counties in Indiana, Illinois, Kentucky, Ohio, West Virginia and Pennsylvania.

She said organizers are trying to find volunteers and are requesting extra bags and gloves. She said areas along the river that experienced harsh flooding may take longer than usual to clean up.

"We're not going to get it all in one day, we know," Ison said. "But people feel good about what they do. And it makes us all conscious of the importance of the

LEGAL NOTICE

Notice is hereby given that the Danville Plan Commission will meet at the Fire Station Conference Room, 52 North Kentucky Street, Danville, Indiana, at 7:00 p.m. on December 9, 1996, to consider the application of Don Tharp to annex into the corporate limits of the Town of Danville and to zone to PD-E certain real estate, owned by Sharon C. Thuma and Cummins Implement, Inc., which is more particularly described as follows, to-wit:

LEGAL DESCRIPTION

TRACT #1

A part of the Northeast quarter of Section 10, Township 15 North, Range 1 West, located in Center Township, Hendricks County, Indiana, being more particularly described as follows:

Commencing at a concrete monument with an "X" marking the Northwest corner of said Northeast quarter; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing), 214.29 feet along the West line of said Northeast quarter; thence North 90 degrees 00 minutes 00 seconds East, 409.36 feet to a 5/8" rebar w/cap on the South right-of-way of U.S. 36 and the POINT OF BEGINNING of this description; thence South 80 degrees 41 minutes 36 seconds East, 142.11 feet along said right-of-way to a 5/8" rebar w/cap marking the point of curvature of a curve to the right having a radius of 914.93 feet, a delta angle of 13 degrees 15 minutes 10 seconds and a chord bearing South 74 degrees 04 minutes 02 seconds East, 211.16 feet; thence along the arc of said curve and along said right-of-way, 211.63 feet to a 5/8" rebar w/cap; thence South 05 degrees 00 minutes 00 seconds West, 183.00 feet parallel with aforesaid West line to a 5/8" rebar w/cap; thence North 90 degrees 00 minutes 00 seconds East, 23.50 feet to a 5/8" rebar w/cap; thence South 00 degrees 00 minutes 00 seconds West, 491.66 feet parallel

with said West line to a 5/8" rebar w/cap; thence South 51 degrees 15 minutes 00 seconds East, 288.51 feet to a 5/8" rebar w/cap; thence South 60 degrees 00 minutes 00 seconds East, 43.56 feet to a 5/8" rebar w/cap; thence South 00 degrees 00 minutes 00 seconds West, 17.76 feet parallel with said West line; thence North 60 degrees 00 minutes 00 seconds West, 43.56 feet; thence North 51 degrees 15 minutes 00 seconds West, 219.69 feet; thence North 61 degrees 37 minutes 20 seconds West, 245.76 feet; thence North 31 degrees 44 minutes 00 seconds West, 245.76 feet; thence North 31 degrees 44 minutes 00 seconds West, 140.00 feet to a 5/8" rebar w/cap; thence North 24 degrees 08 minutes 00 seconds West, 213.55 feet to a 5/8" rebar w/cap; thence North 09 degrees 40 minutes 00 seconds West, 361.75 feet to a 5/8" rebar w/cap; thence North 10 degrees 45 minutes 00 seconds East, 148.40 feet to the POINT OF BEGINNING. Containing 5.78 acres, more or less, and being subject to all legal highways, rights-of-way and easements of record.

LEGAL DESCRIPTION

TRACT #2

A part of the Northeast quarter of Section 10, Township 15 North, Range 1 West, located in Center Township, Hendricks County, Indiana, being more particularly described as follows:

Commencing at a concrete monument with an "X" marking the Northwest corner of said Northeast quarter; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing), 214.29 feet along the West line of said Northeast quarter; thence North 90 degrees 00 minutes 00 seconds West, 409.36 feet to a 5/8" rebar w/cap on the South right-of-way of U.S. 36; thence South 80 degrees 41 minutes

36 seconds East, 142.11 feet along said right-of-way to a 5/8" rebar w/cap marking the point of curvature of a curve to the right having a radius of 914.93 feet and a delta angle of 22 degrees 15 minutes 00 seconds; thence along the arc of said curve and along said right-of-way, 211.63 feet to a 5/8" rebar w/cap and the POINT OF BEGINNING of this description; thence continuing along the arc of said curve and along said right-of-way, 135.69 feet to a 5/8" rebar w/cap marking the point of tangency of said curve; thence South 58 degrees 56 minutes 36 seconds East, 180.96 feet along said right-of-way to a 5/8" rebar w/cap; thence South 00 degrees 00 minutes 00 seconds West, 839.26 feet parallel with aforesaid West line to a 5/8" rebar w/cap; thence North 60 degrees 00 minutes 00 seconds West, 43.56 feet to a 5/8" rebar w/cap; thence North 51 degrees 15 minutes 00 seconds West, 288.51 feet to a 5/8" rebar w/cap; thence North 00 degrees 00 minutes 00 seconds East, 491.66 feet parallel with said West line to a 5/8" rebar w/cap; thence North 90 degrees 00 minutes 00 seconds West, 23.50 feet to a 5/8" rebar w/cap; thence North 00 degrees 00 minutes 00 seconds East, 183.00 feet parallel with said West line to a 5/8" rebar w/cap; thence North 05 degrees 00 minutes 00 seconds East, 117.18 feet to the POINT OF BEGINNING. Containing 5.09 acres, more or less, and being subject to all legal highways, rights-of-way and easements of record.

Also, the Danville Town Council will meet at the Fire Station Conference Room 52 North Kentucky Street, Danville, Indiana, at 7:00 p.m. on December 16, 1996 to also consider the application of Don Tharp to annex the above described real estate.

Said real estate is more commonly known as being located on the south side of old U.S. 36, 689 E. Main St. and 675 E. Main St., Danville, Indiana.

At the above stated time and place you may appear and be heard.

The Danville Plan Commission

Publish: The Weekend Flyer
11/27/96 (934)

LEGAL NOTICE

Notice is hereby given that the Danville Board of Zoning Appeals will meet at the Fire Station Conference Room, 52 North Kentucky Street, Danville, IN at 7:00 p.m. on Tuesday, December 17th, 1996 to consider the application of Sprint Spectrum, L.P. for a use variance of the Office Development District to construct a 250 foot lattice telecommunications tower which will replace two existing towers. The proposed tower would be utilized by Sprint

Spectrum for Personal Communications Services (P.C.S.) and for the radio systems of the Highway Department, Sheriff Department, Emergency Management Agency, and Danville Police Department. The property is more particularly described as follows:

SITE NO. 506 LEASE AREA

A part of the Southeast Quarter of Section 3, Township 15

North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning at a point on the east line of said section North 0 degrees 19 minutes 51 seconds East 70.59 feet from the southeast corner of said section; thence North 89 degrees 40 minutes 09 seconds West 75.00 feet; thence North 0 degrees 19 minutes 51 seconds East 75.00 feet; thence South 89 degrees 40 minutes 09 seconds East 75.00 feet to the east line of said section; thence South 0 degrees 19 minutes 51 seconds West 75.00 feet along said east line to the point of beginning and containing 5,625 square feet, more or less.

Given under my hand and seal 11/21/96

Lawrence C. Suhre, Registered Land Surveyor No. 910018, State of Indiana

Said real estate is more commonly known as being located on the grounds of Hendricks County Highway Department in Danville, Indiana.

At the above stated time and place you may appear and be heard.

The Danville Board of Zoning Appeals

Publish: The Weekend Flyer
11/27/96 (930)

COUNTY HOME PROPERTY SURVEY

Shartle's Estimated Working Time

Reconnaissance and field work	12 hours
Research in old survey records and liaison with Maxwell	4 hours
Deed analysis, reconciliation of conflicts between deeds and between deeds and occupation, and determination of ancient chaining calibration factors	12 hours
Calculations	16 hours
Drawing Rule 12 plat	18 hours
Writing descriptions and Rule 12 report	16 hours

November 29, 1996

12 Recan Field work		4 Research Mapwork		12 Dead analysis etc		16 Coloc.		18 Plot		16 Krec Report 12	
5.5		1.3		7.0		6.1		6.0		2.7	
1.0		0.7	2.0	1.5	8.5	1.4	7.5	7.0	13.0	13.3	
2.5	9.0	1.5	3.5	3.5	12.0	2.0	9.5	5.0	18.0		
3.0	12.0			7.		4.5	14.0				
						2.0	16.0				

Rail-trails finally picking up steam in state

A recent Associated Press story made the point that Indiana is out of step with the rest of the country when it comes to rail-trails. Statistically, that is true. The 12 rail-trails in the state account for a tiny fraction of the 902 rail-trails nationwide. And the state accounts for less than 50 miles of rail-trails, an even smaller percentage of the 9,318 miles of trails around the United States.

What is most perplexing about Indiana's lack of rail-trails is that the rest of the Midwest is a veritable hotbed of rail-trail activism. Wisconsin is the No. 1 state with 59 trails running for almost 1,100 miles. The balance of the top 10 states includes Michigan (No. 2), Minnesota (No. 3), Pennsylvania (No. 4), Iowa (No. 5), Illinois (No. 7) and Ohio (No. 10). The Fox River Trail from Elgin to Aurora, Ill. is one of the most heavily used rail-trails in America, attracting about one million users each year.

Why have Hoosiers been reluctant to embrace rail-trails? There are a number of possible explanations.

■ One is that Indiana Farm

Bureau has been successful in convincing many Hoosiers that abandoned rail corridors automatically revert to adjacent landowners. Several court cases, including one involving the Pumpkinvine Nature Trail, have proven that idea false, but the myth of automatic reversion persists.

■ A second reason is that Indiana rail-trail advocates have had few examples of operational trails to demonstrate their benefits. That changed with the opening of two first-class rail-trails last summer. The Monon Trail in Indianapolis and the Prairie-Duneland Trail in Portage.

■ Others have suggested that rail-trails have been slow to catch on because rural residents don't want "outsiders" to disturb their tranquillity.

My view is that the primary reason rail-trails are lagging behind in Indiana is because selling the benefits takes time. Other states started slowly, too; we just started later. In my capacity as president of the Pumpkinvine Nature Trail, a 16-mile rail-trail now under

development from Goshen to Shipshewana, Ind., I've learned that Hoosiers are first cousins to Missourians — they want to be shown. And, when people understand the benefits of rail-trails, they become supporters.

That helps to explain why an independent survey of residents in our area found almost half (48 percent) supporting the proposed trail, about a third (30 percent) were uncertain and less than one in four (22 percent) opposed it.

And what exactly makes a compelling case for more rail-trails in Indiana? Consider the following:

■ Economic development. The nonprofit Rails-to-Trails Conservancy estimates that the typical rail-trail brings in about \$2 million a year in tourism and other benefits for surrounding communities. There is ample anecdotal evidence from around the Midwest of rail-trails helping revive small towns that had been struggling to keep their economics going. Even Kansas, which has exhibited some of Indiana's misgivings on rail-trails, is now coming around to seeing rail-trails as a way of keeping small towns in the state

alive. I don't know of many Indiana small towns that can afford to reject such an obvious and environmentally beneficial way of bringing in new jobs, business development and expansion of the tax base.

■ Safe recreation for kids. A February 1997 survey commissioned by the Bikes Belong! Coalition showed that more than three out of four Americans agree with the need to provide safe communities for children and others through rail-trails, bike lanes and other arrangements for non-motorized transportation. The bottomline for parents and other concerned adults is very simple: Rail-trails are a safe place for our children to play and exercise.

■ Improved health. A 1996 Surgeon General's report identified bicycling, running, inline skating and cross country skiing (e.g., the types of activities most often carried out on rail-trails) among the best ways for sedentary Americans to get active and become healthier. Adding a rail-trail to a community may not be the same as finding a "fountain of youth,"

but it does create a handy and safe way for people to engage in health-giving activities.

The good news is that the future of rail-trails in Indiana is anything but gloomy. In fact, it is estimated that 32 rail-trails (including the Pumpkinvine Natural Trail) totaling 440 miles are now under development around the state. Hoosiers may have taken a bit longer than some to realize the benefits of rail-trails, but Indiana is finally on the right path.

— John D. Yoder is president of Friends of the Pumpkinvine Nature Trail, Inc. For more information call (219) 533-4943 or write Friends of the Pumpkinvine Nature Trail, P.O. Box 392, Goshen, Ind. 46527-0392. Or visit our web site at <http://ourworld.compuserve.com/homepages/jdyoder>.

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