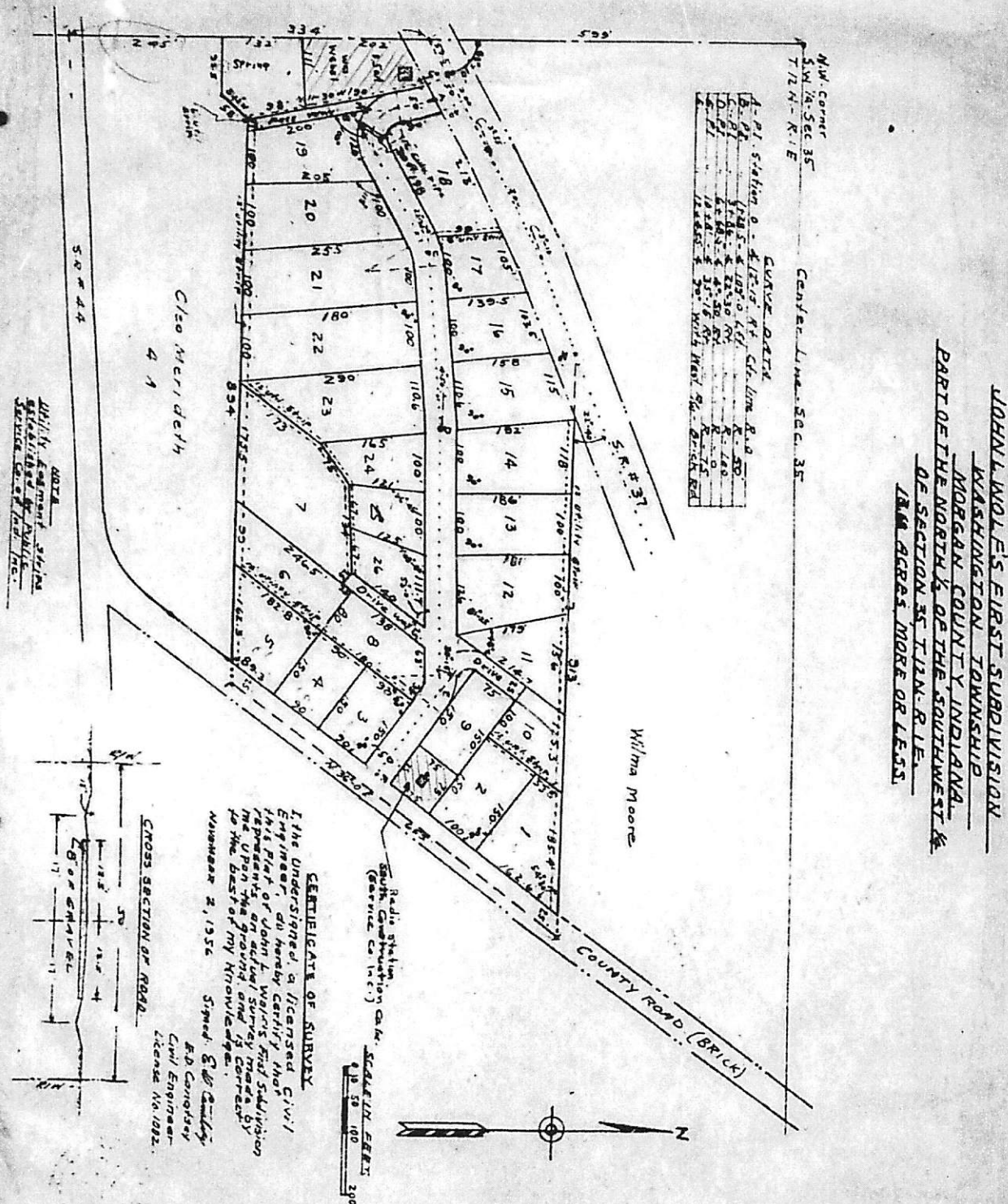


In Petition for order Sec. Mis 50 Page 469-470
 Gov. aff. of Correction Sec. Mis 73 Page 70

BOOK 148 PAGE 556

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



JOHN L. WOLFF'S FIRST SUBDIVISION

STATE OF INDIANA,
COUNTY OF MORGAN, SS:

I, the undersigned, hereby certify that the within plat of John L. Wolff's First Subdivision was surveyed by me and is true and correct, and represents a subdivision of the following described tract of land in Morgan County, Indiana, to-wit:

DESCRIPTION OF TRACT

Part of the North $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 35, Township 12 North, Range 1 East, described as follows: From the Northeast corner of the Southwest $\frac{1}{4}$ of said Section 35, measure West along the North line of said Southwest $\frac{1}{4}$ of Section 35, a distance of 945.5 ft. to a point in the center of the Brick Road, then with the center of said Road South 36 degrees West, measure 480 ft. to a point in the center of Brick Road, this point being the place of beginning for this survey; thence with the center of said Brick Road, South 36 degrees West 655 ft.; thence West 894 ft.; thence South 42 degrees West, 58 ft.; thence West through the center of a spring, 95.5 ft.; thence North 884 feet to the center of State Highway No. 37; thence deflecting 42 degrees 10 min. right and measure 200 feet; following the center of said Highway; thence deflecting 3 degrees 55 min. right and measure 200 ft.; along the center of Highway; thence deflecting 3 degrees 10 min. right and measure 165 ft., along the center of said State Highway; thence deflect 22 degrees 40 min. right and measure 918 ft. East, to the place of beginning, containing 14.35 acres more or less.

Except 0.173 acres deeded to the South Construction Co. Inc., described as follows; from the Northeast corner of the above tract, run South 36 degrees West along the center of Brick Road 280 ft. to the place of beginning; thence deflect 90 degrees right and measure 100 ft.; thence deflect 90 degrees left and measure 75 ft.; thence deflect 90 deg. left and measure 100 ft. to the center of the brick Road; thence deflect 90 degrees left and measure 75 feet to the place of beginning.

Also except a tract located in the Northwest corner of the first described tract, described as follows: part of the West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 35, Township 12 North,

Range 1 East, beginning at a point where the West line of said Section 35 intersects the center line of State Road No. 37, said point being 599.0 feet South of the Northwest corner of the Southwest quarter of said Section 35; thence following the center of said State Road No. 37, North 58 degrees East, 59.5 feet; thence South 33 degrees 30 minutes East 50 feet; thence South 11 degrees 30 minutes East 190 feet; thence South 87 degrees West 111.0 feet; thence North 202.0 feet to the place of beginning, containing 0.50 acres, more or less.

Containing, after exceptions are subtracted, 13.677 acres, more or less.

Subject to any easement or deed for land used for Right of Way, along State Highway No. 37.

The width of streets, size and dimension of the lots are marked on this plat in figures denoting feet and decimal parts thereof.

The Subdivision contains Twenty-six (26) Lots numbered consecutive from One (1) to Twenty-six (26), both inclusive.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 18th day of April, 1958.

E. H. Canatsey
E. H. Canatsey
Registered Engineer No. 1002
State of Indiana



DULY ENTERED FOR RECORD

..... May 5, 1958

Jessie B. Rance
JESSIE B. RANCE
AUDITOR BERKAM COUNTY

Transfer Fee \$ 2.60

The undersigned, John L. Wolff and Helen Wolff, husband and wife and William Boyts and Shirley Boyts, husband and wife, owners of the above described real estate, hereby certify that we do hereby lay off, plat and subdivide the same into lots in accordance with the above plat, the real estate described in the above and foregoing certificate, the same to be known as John L. Wolff's First Subdivision. All lots are the property of John L. Wolff and Helen Wolff, husband and wife, except for Lot Number 18 which is the property of William Boyts and Shirley Boyts, husband and wife.

The undersigned owners hereby establish the following restrictions, provisions and conditions as a part of said plat and subdivision, to-wit:

1. All streets, roadways and drives as shown on said plat are hereby dedicated to the public and are for the use of the owners of the lots in said Subdivision.

2. There are strips of ground twelve (12) feet in width as shown on the within plat which are reserved for Public Utility Companies, not including transportation companies, for the installation of poles, lines, ducts, gas or water mains and laterals and sewers, subject at all times to the proper authorities. No permanent or other structures are to be erected or maintained upon any of said strips. The owners shall take title subject to the rights of the Public Utilities and subject to the rights of the owners of other lots in this Subdivision.

3. The use of all lots are hereby restricted to residential purposes.

4. No more than one dwelling shall be placed upon any lot used for residential purposes.

5. All dwellings shall have at least Eight hundred (800) square feet of floor space, exclusive of basement, garage floors and porches, with solid masonry or concrete foundations with recognized standard frame or masonry construction.

6. Exteriors shall be of approved conventional siding and roofs shall be of approved regulation shingles or of approved fire proof materials.

7. There is hereby established set-back building lines in accordance with the terms of the Morgan County Zoning Ordinance for subdivisions as adopted August 6, 1956.

8. All waste from bathrooms, sinks and other appurtenances shall be treated through septic tanks and filtered into the soil in such a manner as to eliminate odors and to comply with the regulations of the Indiana State Board of Health or other municipal and State Authorities..

9. No dumping of refuse, garbage or tin cans will be permitted.

10. No trailer or other portable device, garage or out-building shall be erected or used as a residence therein.

11. No lot owner shall be permitted to keep or shelter any animals or poultry, except household pets, upon any lot in said subdivision.

12. The right to enforce these provisions and conditions by injunction, together with the right to cause removal by due process of law, of any structure erected or maintained in violation

of the above conditions and provisions is hereby reserved to the owners and is dedicated to the several owners of the lots in said subdivision.

IN WITNESS WHEREOF, we have hereunto set our hands this 18th day of April, 1958.

John L. Wolff
John L. Wolff

Helen Wolff
Helen Wolff

William Boyts
William Boyts

Shirley Boyts
Shirley Boyts

STATE OF INDIANA,
COUNTY OF MORGAN, SS:

Personally appeared before me, a Notary Public in and for said County and State, John L. Wolff and Helen Wolff, husband and wife, and William Boyts and Shirley Boyts, husband and wife, and acknowledged the execution of the above and foregoing Certificate to be their voluntary act and deed for the uses and purposes therein mentioned and described.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 18 day of April, 1958.

Notary Public

My commission expires:
January 6, 1959.

This plat and subdivision is hereby approved and entitled to record.

Dated this 22 day of April, 1958.



MORGAN COUNTY PLAN COMMISSION

By Walter K. Smith
Walter K. Smith, Chairman

Attest: Paul J. Jerning
Paul J. Jerning, Secretary

Recorded this 5th day of May A. D., 1958, at 3:00 o'clock P. M.

Blades G. Marley
Recorder of Morgan County

PETITION TO VACATE HIGHWAY

MAR 21 1969

STATE OF INDIANA
COUNTY OF MORGAN

Auditor Morgan

To the Honorable Board of Commissioners of Morgan County, Indiana:

Gentlemen:

The undersigned petitioners to your honorable board represent as follows:

1. That they are resident freeholders of Morgan County, Indiana;
2. That six (6) of them reside in the immediate vicinity of Shady Drive, running between Lots 8 and 26 and Lots 10 and 12 in Wolff's First Subdivision, Morgan County, Indiana.
3. That the undersigned petitioners are interested in vacating said public highway.

WHEREFORE, your petitioner respectfully requests that said highway be vacated.

<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
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<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>
<i>[Signature]</i>	<i>RR # 4 Martinsville, Ind</i>

This instrument was prepared by Ralph Miles

ORDER VACATING PUBLIC ROADWAY

Comes now the Petitioner, John E. Miles, Sr., and files his Petition to Vacate Highway,

(H.I.)

And the Board of County Commissioners being duly advised now finds that:

1. Notice of hearing of said vacation was duly published in the Martinsville Daily Reporter on March 26, 1969 and April 22, 1969 and it further being duly advised that the Petition to Vacate said highway contained the names of 19 freeholders of Morgan County; at least six of which resided in the immediate neighborhood of said roadway.

And the Board of County Commissioners pursuant to law having appointed three viewers and the said viewers having returned their findings in favor of said vacation which finding is the words and figures as follows:

(H.I.)

IT IS THEREFORE ORDERED pursuant to Burns Indiana Statutes 36-201 through 36-204 that said roadway be and hereby is vacated.

IT IS FURTHER ORDERED that a copy of this vacation be transmitted by the County Auditor to the Trustee of Washington Township who shall notify the supervisor in charge of the roads of said township.

Dated this 2nd day of June, 1969.

Chester Bastin
Chester Bastin

Jack Gore
Jack Gore

JUN 3 1 41 PM '69

John H. Gray
CLERK OF
MORGAN COUNTY

Thelma Gray
Thelma Gray

12330

Best Copy Available

BOOK 73 PAGE 70

Recd 9-30-80

AFFIDAVIT

Comes now Jack Gore, after being duly sworn upon his oath and says:

1. That on June 2, 1969, and at all other times herein referred to, your affiant was duly elected and serving as one of the Board of Commissioners of Morgan County, Indiana.
2. That on or about March 21, 1969, resident free holders of Morgan County, Indiana, filed a petition to vacate roadway a copy of which petition is attached hereto and made a part hereof and marked exhibit A.
3. That on or about June 2, 1969, the Board of Commissioners including your affiant herein, entered an order vacating public roadway, a copy of which is attached hereto, made a part hereof, and marked exhibit A.
4. That the petition and order herein, indicate vacation of a roadway between Lots 10 and 12 in Wolfe's First Subdivision, of Morgan County, Indiana.
5. Having reviewed the documents herein, and the plat of said subdivision, your affiant states that it was the intention of your affiant and the other commissioners to vacate the roadway between Lots 9 and 11 in Wolfe's First Subdivision, Morgan County, Indiana.
6. That this affidavit is made for the purpose of clarifying the record as to the intent of the Board of Morgan County Commissioners on June 2, 1969, in entering their order vacating public roadway.

Further affiant saith not.


Jack Gore
Jack Gore

Subscribed and sworn to before me a Notary Public this 26th day of Sept., 1980.

MY COMMISSION EXPIRES:

10/11/83

Phillip R. Smith
Phillip R. Smith, Notary Public,
Residing in Morgan County, Indiana



THIS INSTRUMENT PREPARED BY: Phillip R. Smith, Attorney at Law

DULY ENTERED FOR TAXATION 10/22
Phillip R. Smith
Notary, Morgan County

PETITION TO VACATE

MAR 21 1969

STATE OF INDIANA
COUNTY OF MORGAN

To the Honorable Board of Commissioners of Morgan County, Indiana:

Gentlemen:

The undersigned petitioners to your honorable board represent as follows:

1. That they are resident freeholders of Morgan County, Indiana;
2. That six (6) of them reside in the immediate vicinity of Shady Drive, running between Lots 8 and 26 and Lots 10 and 12 in Wolff's First Subdivision, Morgan County, Indiana.
3. That the undersigned petitioners are interested in vacating said public highway.

WHEREFORE, your petitioners jointly requests that said highway be vacated.

<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
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<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>
<i>[Signature]</i>	<i>[Address]</i>

This instrument was prepared by Ralph Miles

ROADWAY

Commissioner, John E. Miles, Sr., and
file this Petition for Roadway.

And the Board of County Commissioners being duly advised
now finds that:

1. Notice of opening of said roadway was duly pub-
lished in the ... on March 26, 1969
and April 22, 1969 ...
petition to vacate ... contained the names of
freeholders of ... at least six of which
in the immediate neighborhood of said roadway.

And the Board of County Commissioners pursuant to ...
having appointed ... and the said viewers having
assumed their ... of said roadway ...
of the road ...

to ... to Burns Indiana
through ... roadway be and hereby
transmitted by the ... to the Trustee of Wash
ship who shall ... supervisor in charge of the
of said township.

dated this ... June, 1969.

John E. Miles, Sr.
Commissioner

RECEIVED
FOR FILED
JUN 3 1969

Jack Gore
Jack Gore

John E. Miles, Sr.
Commissioner