

*Charles E. Daugherty
6 East 67th Ave
Merrillville*

645821

STATE OF INDIANA)
) SS IN THE SUPERIOR COURT OF MARION COUNTY
COUNTY OF MARION) PROBATE DIVISION ESTATE DOCKET E78-614

IN THE MATTER OF THE ESTATE OF)
) GEORGE E. TABBERT, DECEASED)

NUNC PRO TUNC ORDER APPROVING
FINAL ACCOUNT AND DIRECTING
DISTRIBUTION OF ESTATE

FILED
P SEP 23 1981 P

Bernard J. Robinson Jr.

This cause came on to be heard on the 7th day of November, 1979 on, (i) the Final Account and Petitions for Approval of Final Account and Order Directing Distribution of Estate" filed herein on October 8, 1979 by Don A. Tabbert, Executor of the Estate of George E. Tabbert, Deceased, and (ii) the "Petition for Nunc Pro Tunc Order Approving Final Account and Directing Final Distribution of Estate" filed herein on September 1981 by said Don A. Tabbert, which final account and which petition are in words and figures as follows, to wit:

(H.I.)

and the Court, having examined said final account and said petition and otherwise being duly advised in the premises, now finds that:

1. More than five months have elapsed since the first publication of Notice of Administration herein, as is evidenced by the Publisher's Proof of Publication thereof, which Proof is in words and figures as follows, to-wit: (H.I.)

2. Due notice of the filing of and hearing on said Final Account and Petitions has been given as is evidenced by the Clerk's Certificate of Mailing Notices and the Publisher's Proof of Publication, which Certificate and Proof are in words and figures as follows, to-wit: (H.I.)

**DULY ENTERED
FOR TAXATION**

SEP 29 1981

Lucas O. Pruitt
AUDITOR LAKE COUNTY

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
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WILLIAM BIELSKI JR
RECORDER

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3. All debts of the decedent have been paid or otherwise discharged and there are no unpaid claims filed against the Estate. All expenses of administration, other than expenses incident to the distribution of the Estate, have been paid, and the Estate is in a condition to be closed.

4. Neither the decedent nor the Executor as such was an employer of persons as that term is used in the Indiana Employment Security Act. Federal Estate taxes have been returned and paid and a Federal Estate Tax Closing Letter has been received by the Executor. Indiana Inheritance Tax on the estate has been determined and paid and the Counter-signed Receipt evidencing such payment is attached to the Final Account and Petitions as Exhibit C thereof. The Executor has filed Federal and Indiana Fiduciary Income Tax Returns and has paid any tax shown thereon. The Executor expects to file final fiduciary income tax returns.

5. The decedent was the owner and died seized of the following described unimproved real estate located in Hobart, Lake County, Indiana, which was neither sold nor distributed during the course of the administration of the estate:

An undivided one-third (1/3) interest in Lots 15 to 38 inclusive in Block 4 and also Lots 7 and 8 in Block 5, all in the Recorded Plat of "Tolleston-on-the-Hill", a subdivision of part of the South 1/2 of the West 1/4 of Section 23, Township 13 North, Range 8 West, in Lake County, Indiana.

The title to and ownership of said undivided one-third (1/3) interest in said real estate should be adjudged vested in the following named beneficiaries as of the date of the decedent's death in the undivided interests in the whole set forth opposite their names, to-wit:

Lois E. Tabbert - an undivided one-nineth (1/9)
interest
Eric J. Spicklemire - an undivided one-nineth (1/9)
interest
Don A. Tabbert - an undivided one-nineth (1/9)
interest

6. Said Final Account and Petitions should in all things be approved and confirmed and the credits claimed therein should be allowed.

7. The partial distributions pursuant to Item IV of the decedent's Last Will and Testament to Lois E. Tabbert, Don A. Tabbert and Eric J. Spicklemire, as set out in rhetorical paragraphs 8 and 9 of said Final Account and Petitions, should in all things be approved and confirmed.

8. The fees of the Executor for his services in the administration of the Estate, and the fees for his attorneys for services performed as attorneys for the Executor, as reported in Exhibit A of said Final Account and Petitions, are reasonable and should be approved and confirmed.

9. The proposed distribution of the balance of the Estate in the Executor's hands, as adjusted for receipts and disbursements since the date of his Final Accounting, as more particularly set forth in the proposed distribution schedule attached as Exhibit D of said Final Account and Petitions, should in all things be approved and confirmed and the Executor should be ordered to so distribute said adjusted remaining balance of the Estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that:

(a) Said Final Account and Petitions be, and the same hereby are, approved and confirmed and the credits claimed therein allowed.

(b) Said partial distributions of property pursuant to Item IV of the decedent's Last Will and Testament to Lois E. Tabbert, Don A. Tabbert and Eric J. Spicklemire as set out above be, and they are hereby are, in all things approved and confirmed.

(c) Said fees of the Executor for his services in the administration of the Estate, and the fees for his attorneys for services performed as attorneys for the Executor, as set out above be, and they hereby are, in all things approved and confirmed.

(d) Title to and ownership of an undivided one-third(1/3) interest in the following described unimproved real estate in Hobart, Lake County, Indiana, to-wit:

An undivided one-third (1/3) interest in Lots 15 to 38 inclusive in Block 4 and also Lots 7 and 8 in Block 5, all in the Recorded Plat of "Tolleston-on-the-Hill", a subdivision of part of the South 1/2 of the West 1/4 of Section 23, Township 13 North, Range 8 West, in Lake County, Indiana.

be, and hereby is, adjudged vested in the following named beneficiaries as of the date of the decedent's death in the undivided interests in the whole set forth opposite their names, to-wit:

Lois E. Tabbert	-	an undivided one-nineth (1/9) interest
Eric J. Spicklemire	-	an undivided one-nineth (1/9) interest
Don A. Tabbert	-	an undivided one-nineth (1/9) interest

and the Executor be, and hereby is, directed to record a certified Copy of this Order in the office of the Recorder of Lake County, Indiana.

(e) The Executor be, and he hereby is, directed to distribute the remaining balance of the Estate in his hands, as adjusted for receipts and disbursements since the date of his Final Accounting, as follows:

(1) A one-third share to Don A. Tabbert as Executor of the Estate of Lois E. Tabbert, Deceased;

(2) A one-third share to Eric J. Spicklemire;

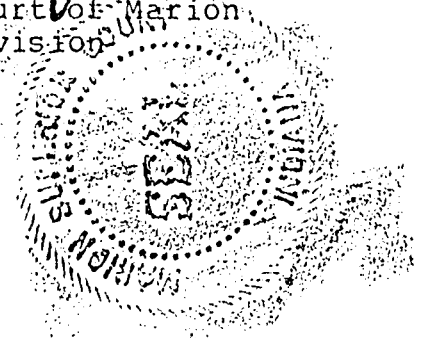
(3) A one-third share to Don A. Tabbert (individually);
and to make the specific allocations of property among the foregoing residuary devisees in the manner set forth in the Executor's Proposed Distribution Schedule attached as Exhibit D of said Final Account and Petitions.

IT IS FINALLY ORDERED, ADJUDGED AND DECREED by the Court that the Executor be, and he hereby is, ordered to file his Supplemental Report of Distribution showing that he has complied with the terms of this Order, to the end that the Estate may be adjudged fully and finally administered upon and closed, and the Executor and the surety on bond released.

Dated this 23 day of September 1981 (as of November 7, 1979).

Victor S. Pfau

Judge, Superior Court of Marion
County, Probate Division



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State of Indiana, Marion County, ss:

BE IT KNOWN, That on the 23rd day of SEPTEMBER, 1981,
being the _____ judicial day of the _____ Term, 19____,
of the Marion Superior Court, Probate Division, of Marion County, held at the Court House in the City of
Indianapolis, County of Marion, and State of Indiana, before the Honorable _____
VICTOR S. PEAU

Judge of said Court, the following proceedings were had in the cause of _____
GEORGE E. TABBERT

NUNC PRO TUNC ORDER APPROVING FINAL ACCOUNT AND DIRECTING DISTRIBUTION
OF ESTATE

FILED

SEP 29 1981

Louis O. Thoms
AUDITOR LAKE COUNTY

State of Indiana, Marion County, ss:

I, the undersigned, Clerk of the Marion Superior Court, Probate Division, of Marion County, in the State
of Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings listed herein, had
in said Court, and entered on the records thereof in the above entitled cause, on the day and year first aforesaid,
as appears of record in my office.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and
affix the seal of said Marion Superior Court, Probate
Division, at my office, in the City of Indianapolis, this
23rd day of SEPTEMBER, 1981.

Bernard J. Robinson

Clerk of Marion Superior Court, Probate Division,
Marion County

