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STATE OF INDIANA) IN THE LAKE CIRCUIT COURT
)SS:
COUNTY OF LAKE)

IN THE MATTER OF THE UNSUPERVISED)

ESTATE OF WILLIAM J. FENNESSY,) ESTATE NO. CE82-72

.)

a/k/a WILLIAM J. FENNESSY, SR., DEC.)

AFFIDAVIT OF SURVIVORSHIP

Comes now Rita Marie Lamprecht, being duly sworn upon her oath and states as follows:

That the Affiant is a surviving daughter of William J. Fennessy, a/k/a William J. Fennessy, Sr., Deceased, who died on the 4th day of January, 1982, and whose record of death is duly entered in the records maintained by the Lake County Health Department, Indiana State Board of Health, Local Record No. 46-82.

That the said William J. Fennessy, a/k/a William J. Fennessy, Sr. and his wife, Eleanor R. Fennessy, now deceased, acquired title to the hereinafter described real estate as tenants by the entireties by Warranty Deed dated the 7th day of May, 1941, and recorded the 15th day of May, 1941, in Book 632 page 472 in the Office of the Recorder of

WAS ALREADNER YCOMPANY, Indiana. That said real estate is described as follows,

FOR TAXATION IN NAME OF

MAR 25 1982

The South of the East 175' (One Hundred Seventy Five Feet) of Lot 22, as marked and laid down on the recorded Plat of Wood's Addition to the Town of Hobart, Lake County, State of Indiana.

Further, that the said William J. Fennessy and Eleanor R. Fennessy, husband and wife, held title to said real estate as tenants by the entireties until the death of Eleanor R. Fennessy, deceased, on the 14th day of August, 1981, at which time the said William J. Fennessy,

4000 10.00

a/k/a William J. Fennessy, Sr., now deceased, acquired title to said real estate as surviving tenant by the entireties.

That the said Eleanor R. Fennessy died testate, leaving a Last Will and Testament dated August 8, 1973, a copy of which is attached hereto and prayed to be read as a part hereof, by the terms of which she left all of her estate to her husband, the said William J. Fennessy, a/k/a William J. Fennessy, Sr., if he survived her. That he did survive her. That said Will has not been admitted to probate.

That the gross value of the Estate of Eleanor R. Fennessy, deceased, was less than the value required for the filing of a Federal Estate Tax Return and said estate was not subject to Federal Estate Tax. Further, that the gross value of the Estate of William J. Fennessy, a/k/a William J. Fennessy, Sr., Deceased, was less than the value required for the filing of a Federal Estate Tax Return as a consequence of which the decedent's estate was not subject to Federal Estate Tax.

That the Last Will and Testament of William J. Fennessy, a/k/a William J. Fennessy, Sr., Deceased, has been admitted to probate in the Lake Circuit Court in Cause No. CE82-72 in the cause entitled "IN THE MATTER OF THE UNSUPERVISED ADMINISTRATION OF THE ESTATE OF WILLIAM J. FENNESSY, a/k/a WILLIAM J. FENNESSY, SR., DECEASED" and that the required Schedule of All Property for Inheritance Tax Appraisement will be filed and the Inheritance Tax assessed will be paid by this Affiant prior to final closing of said estate.

Rita Marie Lamprecht, Affiant

Sworn and subscribed by the said Rita Marie Lamprecht before the undersigned notary in and for said County and State this 23rd day of March, 1982.

My Comm. expires: 8-1-82 County of Residence: Lake

Carolyn K. Sempf. Notary Public

Prepared by Martin Behnke, Attorney for Estate

Tast Will and Testament

I, ELEANOR R. FENNESSY, now residing in Lake County, Indiana, being of sound and disposing mind and memory, but mindful of the uncertainty of life, do make, publish and declare this to be my Last Will and Testament, hereby revoking all former Wills by me heretofore made, and declaring this and none other to be my Last Will and Testament.

ONE

I direct my Executors to pay out of my estate all of my just debts, including the expenses of my last illness, and funeral expenses.

TWO

All the rest and residue of my estate, be the same real estate, personal property, or, mixed property, and wherever situate, I hereby give, devise and bequeath, upon my death, to my husband, William J. Fennessy, if he survives me.

THREE

In the event my husband shall die prior to the date of my death, or shall die in a common disaster with me, then and in that event, I do hereby give, devise and bequeath, upon my death, all the rest and residue of my estate, be the same real estate, personal property, or, mixed property, and wherever situate, of which I die possessed, in equal shares, one share to each of my children surviv-

Eleanor R. Fennessy

ing me and one share to each group of the then surviving children of a child of mine who has predeceased me.

FOUR

Although it is my understanding that my husband, William J.

Fennessy, is or may be executing his Last Will and Testament at or
about the time of the execution of this, my Last Will and Testament,
it is not my nor our intention that such Wills shall be construed or
deemed to be mutual, reciprocal, or dependent one upon the other,
and it is not my nor our intention that the freedom of testation of
myself and my husband be in any way limited or that the freedom to
transfer property during the life of either of us be in any way
limited.

FIVE

I hereby name and appoint my husband, William J. Fennessy, to be the Executor of this, my Last Will and Testament, and ask that he be permitted to serve without bond; and should he for any reason fail to act or qualify as such, then I do appoint my daughter, Rita Marie Lamprecht, to act as Successor Executrix.

IN TESTIMONY WHEREOF, I, ELEANOR R. FENNESSY, have hereunto set my hand and seal to each page of this, my Last Will and Testament, at Hobart, Indiana, this ______ day of August 1973.

Eleanor R. Fennessy

We, the undersigned, hereby certify that the foregoing instrument of writing was this day produced to us by Eleanor R. Fennessy, and in our joint presence signed and acknowledged by her to be her Last Will and Testament, consisting of three (3) pages including this attestation clause; and we do now, at her request and in her presence, and in the presence of each other, subscribe our names hereto as witnesses of said Will, the day and year first above written.

WITNESSES:	
Belva dlinkelman	Martin Behike
1311 Garfield	130 5 Wise
Hohart, Ind 46342	Holark
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