

670458

SURVIVORSHIP AFFIDAVIT

STATE OF ILLINOIS
COUNTY OF COOK

S. S.

FILED

On this February 25, 1981, before me personally appeared
(insert date)

ERWIN W. VIERK

JUN 17 1982

Erwin W. Vierk
NOTARY LAKE COUNTY

to me personally known, who being duly sworn on oath did say that:

1. Affiant resides at the address given below affiant's signature;
2. Affiant is spouse and surviving tenant by the entirety of premises
(state interest of affiant in the above premises as "owner," "son of owner," etc.)
commonly known as 6805 Kennedy Avenue, Hammond, Lake County, Indiana,
and legally described as follows:*
3. Said premises were formerly owned as joint tenants or as tenants by the entireties by

ERWIN W. VIERK and MYRTLE S. VIERK

4. Said MYRTLE S. VIERK
(fill in name of co-tenant who died)

died on April 27, 1980

leaving a will;
(insert "a" or "no"; if will left, attach a copy)

STATE OF ILLINOIS
LAKE COUNTY
RECORDER OF DEEDS
JUN 2 12 36 PM '82
WILLIAM BIELSKI JR.
RECORDER

5. The total value of the taxable estate of said deceased including joint tenancies, tenancies by the entireties, individual ownerships of both real and personal property, and insurance does not exceed the sum of \$134,675.21 and to the best of affiant's knowledge there is no estate or inheritance tax liability by reason of the death of said decedent;
6. Where this affidavit relates to a tenancy by the entireties, were the parties ever divorced? No

(If answer is "Yes," identify the divorce proceedings:

unit 26

day 34-42-14

7. Affiant's relationship to the deceased was spouse

*Lot fourteen (14), block one (1), Hartman's Gardens Addition to Hessville, in the City of Hammond, as shown in Plat Book 14, page 22, in Lake County, Indiana.

Signature: *Erwin W. Vierk*

Address: 18338 Myrtle Court
Lansing, IL 60438

Subscribed and sworn to before me by the affiant

this Feb 25, 1981
(insert date)

R. A. Biederman
Notary Public

My Commission Expires August 24, 1983
Residing in Cook County, Illinois.

This instrument prepared by R. A. BIEDERMAN, Attorney at Law
18107 Torrence Avenue, Lansing, IL

39 850 / E

3-22-74

Last Will and Testament of

MYRTLE VIERK

I, MYRTLE VIERK, of Lansing, Cook County, Illinois, being of full legal age and of sound mind and memory, and being mindful of the uncertainty of life and the certainty of death, and wishing to dispose of my earthly effects, do make and publish this, my Last Will and Testament, hereby and by this instrument revoking and annulling any and all Wills and Codicils heretofore at any time by me made.

ITEM 1. I will and direct that my Executor, hereinafter named, pay all of my just debts, including the expenses of my last illness and funeral expenses, out of my estate as soon as conveniently may be done after my death.

ITEM 2. I direct my Executor to pay all estate, inheritance, and succession or other taxes, whether state or federal, which may be assessed as the result of my death, with respect to the value of my property, which term shall be construed as including insurance and all interest of any type in property, without regard to whether such property passes under this Will or whether such taxes be payable by my estate or by the recipient of any such property. All such taxes shall be paid out of and be charged generally against the principal of my residuary estate without reimbursement from any person.

ITEM 3. All the rest, residue and remainder of my property, of whatsoever character and wheresoever situated, I give, devise and bequeath to my three children, THOMAS VIERK, VERN VIERK, and NANCY SALZWEDEL, in equal shares.

ITEM 4. I nominate and appoint my husband, ERWIN W. VIERK, as Executor of this, my Last Will and Testament. In the event my husband should predecease me or be unwilling or unable to serve as Executor then I nominate and appoint FIRST NATIONAL BANK OF LANSING, LANSING, ILLINOIS, as Executor of this, my Last Will and Testament.

I direct and request that my Executor be permitted to serve with the minimum bond allowed by law.

My Executor shall have the following powers, to be exercised at his or its discretion:

A. To sell any real or personal property of my estate, for cash or on credit, at public or private sale, or exchange any such property for any other property.

B. To collect, pay, contest, compromise, or abandon claims of or against any of my estate; and to execute contracts, conveyances and other instruments, including instruments containing covenants and warranties binding upon and creating a charge against my estate, and containing provisions excluding personal liability.

C. If at the time of my death, I am the owner of any shares of stock of a corporation which at the time of my death is operating under a prior election as a Subchapter S Corporation under the Internal Revenue Code, I authorize my Executor, in his or its sole discretion and without authorization of any legatee, devisee or beneficiary under this Will, to file with the Internal Revenue Service its consent to the election; PROVIDED, HOWEVER, that nothing in this Paragraph shall be construed to make it mandatory on the part of the Executor to file such a consent, it being my intention that such a decision shall rest within the absolute discretion of the Executor. The Executor shall not be held liable in any manner or in any amount whatever for filing or failing to file such a consent.

The foregoing powers granted to my Executor in Paragraphs A, B and C of this Item of my Last Will and Testament shall be in addition to any conferred upon ~~it by law, and it may seek an order~~ of court either prior to or after the exercise of any such power.

IN WITNESS WHEREOF, I have hereunto set my hand this

3rd day of March, 1974.

Mirtha White
Testatrix

We, the undersigned witnesses, hereby certify that the foregoing instrument was signed and sealed by the Testatrix as and for her Last Will and Testament, in the presence of us, who, at her request and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses; and we further certify that at the time of the execution of the said Will, the said Testatrix was of sound mind and memory and free from all coercion and restraint.

[Signature]
Witness

[Signature]
Address

Carl W. Carpenter
Witness

Hammond, Indiana
Address

[Signature]
Witness

Hammond, Indiana
Address