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Declaration of Trust

1533 Lincoln St
Hobart, Ind
46342
DT-103-J

WHEREAS, WE, Carl W. Boswell and Anita K. Boswell, of the City of Hobart, County of Lake, State of Indiana,

are the owners as joint tenants of certain real property located at (and known as) 1533 Lincoln St., in the City of Hobart, State of Indiana,

which property is described more fully in the Deed conveying it from Harold E. Reid, Jr. & Joann Reid to Carl W. Boswell-Anita K. Boswell as "that certain piece or parcel of land with buildings thereon

standing, located in said Hobart, being Part of the N.E. Quarter of the Southwest Quarter of Section 5, Township 35 North, Range 7 West of the 2nd P.M., in the City of Hobart, Lake County, Indiana, described as follows: Beginning at the Southeast Corner thereof, thence West along the South line thereof 776.44 feet, thence North and parallel to the East line thereof 275 feet to the point of beginning of the tract herein described. Thence East parallel to the South line thereof 175 feet, thence North 65.78 feet, more or less, to a point on a line which is 980 feet South and parallel to the North line of said Quarter, Quarter Section, thence West along said line 175 feet, thence South parallel to the East line thereof 65.71 feet, more or less, to the point of beginning.

KEY 17-4-6

STATE OF INDIANA
LAKE COUNTY
RECORDS
FEB 8 2 16 PM '85
RUDOLPH
RECORDER

Being the same premises earlier conveyed to the Settlers by an instrument dated 12th of July 1966 recorded in Vol. 1325, Page 523 of the Lake County, Ind. Courthouse Land Records.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we do hereby acknowledge and declare that we hold and will hold said real property and all our right, title and interest in and to said property and all furniture, fixtures and personal property situated therein on the date of the death of the survivor of us, IN TRUST

1. For the use and benefit of the following Two (2) persons, in equal shares, C.W.B. A.K.B. per stirpes:

- Carla Rae Ksenak (our daughter)
- Russell Carl Boswell-(our son)

FILED

FEB 8 1985

James O. ...
AUDITOR LAKE COUNTY

If because of the physical or mental incapacity of both of us certified in writing by a physician, the Successor Trustee hereinafter named shall assume active administration of this trust during our lifetime, such Successor Trustee shall be fully authorized to pay to us or disburse on our behalf such sums from income or principal as appear necessary or desirable for our comfort or welfare. Upon the death of the survivor of us, unless the beneficiaries shall predecease us or unless we all shall die as a result of a common accident or disaster, our Successor Trustee is hereby directed forthwith to transfer said property and all right, title and interest in and to said property unto the beneficiaries absolutely and thereby terminate this trust; provided, however, that if any beneficiary hereunder shall not have attained the age of 21 years, the Successor Trustee shall hold such beneficiary's share of the trust assets in continuing trust until such beneficiary shall have attained the age of 21 years. During such period of continuing trust the Successor Trustee, in his absolute discretion, may retain the specific trust property herein described if he believes it in the best interest of the beneficiary so to do, or he may sell or otherwise dispose of such specific trust property, investing and reinvesting the proceeds as he may deem appropriate. If the specific trust property shall be productive of income or if it be sold or otherwise disposed of, the Successor Trustee may apply or expend any or all of the income or principal

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directly for the maintenance, education and support of the beneficiary without the intervention of any guardian and without application to any court. Such payments of income or principal may be made to the parents of such beneficiary or to the person with whom the beneficiary is living without any liability upon the Successor Trustee to see to the application thereof. If such beneficiary survives us but dies before attaining the age of 21 years, at his or her death the Successor Trustee shall transfer, pay over and deliver the trust property being held for such beneficiary to such beneficiary's personal representative, absolutely.

2. Each beneficiary hereunder shall be liable for his proportionate share of any taxes levied upon the total taxable estate of the survivor of us by reason of the death of such survivor.

3. All interests of a beneficiary hereunder shall be inalienable and free from anticipation, assignment, attachment, pledge or control by creditors or by a present or former spouse of such beneficiary in any proceedings at law or in equity.

4. We reserve unto ourselves the power and right during our lifetime (1) to place a mortgage or other lien upon the property, (2) to collect any rental or other income which may accrue from the trust property and to pay such income to ourselves as individuals. We shall be exclusively entitled to all income accruing from the trust property during our lifetime, and no beneficiary named herein shall have any claim upon any such income and/or profits distributed to us.

5. We reserve unto ourselves the power and right at any time during our lifetime to amend or revoke in whole or in part the trust hereby created without the necessity of obtaining the consent of any beneficiary and without giving notice to any beneficiary. The sale or other disposition by us of the whole or any part of the property held hereunder shall constitute as to such whole or part a revocation of this trust.

6. The death during our lifetime, or in a common accident or disaster with us, of all of the beneficiaries designated hereunder shall revoke such designation, and in the former event, we reserve the right to designate a new beneficiary. Should we for any reason fail to designate such new beneficiary, this trust shall terminate upon the death of the survivor of us and the trust property shall revert to the estate of such survivor.

7. In the event of the physical or mental incapacity or death of one of us, the survivor shall continue as sole Trustee. In the event of the physical or mental incapacity or death of the survivor, or if we both shall die in a common accident, we hereby nominate and appoint as Successor Trustee hereunder the beneficiary named first above, unless such beneficiary shall not have attained the age of 21 years or is otherwise legally incapacitated, in which event we hereby nominate and appoint as such Successor Trustee the beneficiary named second above, unless such beneficiary named second above shall not have attained the age of 21 years or is otherwise legally incapacitated, in which event we hereby nominate and appoint

(Name) Mrs. Evanelle Rainey, _____, of
(Address) Box 425 Route One (I) Cottondale, Alabama 35453
Number Street City State Zip

to be Successor Trustee.

8. This Declaration of Trust shall extend to and be binding upon the heirs, executors, administrators and assigns of the undersigned and upon the Successors to the Trustees.

9. We as Trustee and our Successor Trustee shall serve without bond.

10. This Declaration of Trust shall be construed and enforced in accordance with the laws of the State of Indiana

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 23RD
day of JANUARY, 1985.

(First Settlor sign here) Carl W. Boswell L.S. ✓

(Second Settlor sign here) Anita K. Boswell L.S. ✓

I, the undersigned legal spouse of one of the above Settlers, hereby waive all community property, dower or curtesy rights which I may have in the hereinabove-described property and give my assent to the provisions of the trust and to the inclusion in it of the said property.
(Spouse sign here) _____ L.S.

Witness: (1) John P. Madley
STATE OF INDIANA
COUNTY OF LAKE

Witness: (2) Doris M. Maddux
City
or
Town HOBART

On the 23RD day of JANUARY, 1985, personally appeared
CARL W. BOSWELL and ANITA K. BOSWELL

known to me to be the individuals who executed the foregoing instrument, and acknowledged the same to be their free act and deed, before me.

(Notary Seal)

Joyce E. Fetteress
JOYCE E. FETTERESS
Notary Public
NOTARY PUBLIC STATE OF INDIANA
LAKE CO.
MY COMMISSION EXP. FEB. 5, 1999
ISSUED THRU INDIANA NOTARY ASSOC.