SZZI HOMMAN Y HAMMONE

LIVING TRUST DECLARATION

OF

PAULA L. SCOTT

THIS TRUST INDERTURE, Made this 1th day of DECEMBER, 1987, by and between -- PAULA L. SCOTT -- of Hammond, Lake County, Indiana, hereinafter called the "GRANTOR"; and -- PAULA L. SCOTT -- of Hammond, Lake County, Indiana, hereinafter called the "TRUSTEE";

WITNESSETH:

THAT WHEREAS, the said GRANTOR DESIRES_TO TRANSFER INTO TRUST certain REAL ESTATE and PERSONAL PROPERTY described as follows, to-wit:

34-177-6

The home at No. 21 Indi-Illi Park, Hammond, Indiana, described as LOT 6 in Indi-Illi Park, in Hammond, Lake County, Indiana;

All of my belongings and contents in said home;

Checking Account and Savings Accounts; and

Such other Property, whether REAL or PERSONAL, which I may in the future add to this trust by conveying, assigning, transferring and delivering it to the TRUSTEE under the terms of this trust;

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all of said TRUST PROPERTY to be used for the purpose of providing income and other funds for PAULA L. SCOTT, as BENEFICIARY of this trust, during her lifetime, and for the purposes, after her lifetime, of distributing the trust assets to her daughter, JANE M. KOEN.

NOW THEREFORE, the GRANTOR by these presents, and by the transfer of title to said property to the TRUSTEE, VESTS TITLE TO SAID PROPERTY IN SAID TRUSTEE, AND HER SUCCESSOR TRUSTEE, TO HAVE AND TO HOLD the said property,

IN TRUST NEVERTHELESS, for the uses and purposes of this trust, and subject to the terms, conditions and powers hereinafter set forth.

1. The TRUSTEE shall hold, manage, and administer the aforesaid trust property, and any future additions thereto, and shall collect the interest, income and distributions therefrom; and the TRUSTEE shall pay over the entire net intake from such collections monthly as received to: PAULA L. SCOTT, for her personal use during her lifetime.

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2. The TRUSTEE shall have all powers conferred by law, including but not limited to the specific powers set forth in INDIANA CODE 30-4-3-3 and 30-4-3-4, as amended, and as further amended during the period of this trust, PROVIDED that any such powers shall not be interpreted to nullify any previsions hereof. I wish to especially emphasize that the TRUSTEE and the SUCCESSOR TRUSTEES shall have full powers to liquidate the assets of this trust and to invest, re-invest, contract to sell, and sell assets of this trust, including real estate, in such Trustee's sole discretion, without securing the approval or authority of any Court, or any Beneficiary, since it is intended that the trust assets be kept available for the needs and purposes of PAULA L. SCOTT2, and for distribution at termination.

3. The GRANTOR retains the right to withdraw from the trust all property of the trust, or any part thereof, and thereupon the TRUSTEE shall forthwith arrange the assignment, transfer, conveyance, pay-over and delivery of any said assets requested by the Grantor, it being intended that this trust is a revocable trust, in part, or as a whole. The GRANTOR further retains the right to change SUCCESSOR TRUSTEES and SUCCESSOR BENEFICIARIES, and to change the allocation to the SUCCESSOR BENEFICIARY.

4. After the lifetime of <u>PAULA L. SCOTT</u>, this trust shall terminate and all of the assets and accruals of the trust shall be distributed in cash or in kind to her daughter, <u>JANE M. KOEN</u>, as her absolute property forever.

Upon completion of distribution, this trust shall terminate and the SUCCESSOR.

TRUSTEE shall be automatically and finally discharged.

In the event that the said <u>JANE M. KOEN</u> is not living at the time of my death, then if said <u>JANE M. KOEN</u> dies leaving issue, then her issue shall take their mother's portion in equal shares, as their absolute property forever, when they reach the age of 21 years.

In the event that said <u>JANE M. KOEN</u> dies without issue, then her portion shall be distributed to my Niece, <u>ZOE LOUISE RICE</u>, as her absolute property forever.

- 5. The GRANTOR hereby appoints PAULA L. SCOTT, as TRUSTEE of this trust. The GRANTOR hereby appoints JANE M. KOEN as FIRST SUCCESSOR TRUSTEE hereunder, with like powers as provided for the Trustee herein, to serve in the case of the resignation, disability or death of PAULA L. SCOTT.

 The GRANTOR hereby appoints ZOE LOUISE RICE, as SECOND SUCCESSOR TRUSTEE hereunder, with like powers as provided for the Trustee herein, to serve in the case of the resignation, disability, or death of her immediate predecessor Trustee.
- 6. The SUCCESSOR TRUSTEES shall have the power and authority in her sole discretion, while serving as the Current Successor Trustee, to determine that PAULA L. SCOTT is in need of funds for necessities, maintenance, taxes, treatment, care, hospitalization, nursing, companion or convalescent care, and for any funeral expenses; and the Current Successor Trustee is authorized to liquidate, sell, convey, withdraw, and reduce to cash assets of the trust to meet such requirements of said Beneficiary.
- 7. The Current SUCCESSOR TRUSTEE may pay all bills of PAULA L. SCOTT so that the Beneficiary may be relieved of all details in connection therewith, and may purchase food, clothing, incidentals, necessities and items for the comfort and convenience of said Beneficiary, and may pay for all medical, nursing, hospital, convalescent home, companion care and housekeeping services needed by Beneficiary.
- 8. This trust shall terminate, if it does not terminate previously by reason of the above provisions, at a date twenty-one (21) years after the date of death of the last Beneficiary living at the date of death of the Grantor.
- 9. The GRANTOR declares and directs that the "disability" of a Trustee or Successor Trustee shall be established by a statement of a licensed doctor stating that the person serving currently as Trustee or Successor Trustee is not able to effectively carry out the functions of a Trustee under this trust. We direct that such a statement, or a photocopy thereof, be regarded as conclusive evidence of such incapacity when received by any financial institution or title company, and to be sufficient evidence as to the disability of the current Trustee, thus causing the succession of the next Successor Trustee to the conduct and management of this trust.

dealing with the trust assets duly delivered on the date duties are undertaken hereunder; and there shall be no duty to examine the accounts, records and acts of the previous Trustee, nor shall such Successor Trustee be responsible for any acts or failure to act by the previous Trustee, it being intended hereby to explain that Indiana Code, Sec. 30-4-3-13 shall not apply to this trust.

11. The TRUSTEE by signing this agreement thereby accepts the trust herein created and assents to its terms. Any SUCCESSOR TRUSTEE who undertakes to act under powers and duties of the office thereby accepts the terms and conditions of the trust herein created.

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IN WITNESS WHEREOF, the said PAULA I. SCOTT, as GRANTOR has hereunto set her hand and seal, on this, the day and year first hereinabove written; and the said PAULA L. SCOTT, as TRUSTEE has hereunto set her hand and seal, signifying her acceptance of the said trusteeship.

Toula L. Seit (SEAL)

(PAULA L. SCOTT) - GRANTOR

(SEAL)

(PAULA L. SCOTT) - TRUSTEE.

STATE OF INDIANA)
SS:
COUNTY OF LAKE

BEFORE ME, the undersigned, a NOTARY PUBLIC in and for the COUNTY and STATE aforesaid, appeared: <u>PAULA L. SCOTT</u>, the <u>GRANTOR</u> and <u>TRUSTEE</u> herein, personally known to me, and she signed the above and foregoing <u>LIVING</u> <u>TRUST DECLARATION</u>, as her act and deed for the uses and purposes therein set forth.

WITNESS my hand and Notarial seal, on this, the 4th day of DECEMBER,

1987.

My Commission Expires: April 12th, 1991. Mildred E. Anderson) - NOTARY PUBLIC

(The COUNTY of my residence is LAKE)

(This document prepared by: Arnold G. Huebner, attorney.)