

9

STATE OF INDIANA)
)
COUNTY OF LAKE)

SS:

995864

AFFIDAVIT

I, HELEN M. BAIER, first being duly sworn upon her oath, deposes and says:

1. That Affiant is the HELEN M. BAIER, who with PETER S. BAIER, were the owners as husband and wife of the following described real estate in Lake County, Indiana, to-wit:

The following described tract except the East 400 feet thereof, to-wit:

Part of the Northwest ¼ of Section 9, Township 35 North, Range 7 West of the 2nd P. M., more particularly described as follows: Commencing at a point on the North line of said Northwest ¼ and 1560 feet East of the Northwest corner thereof; thence South with an interior angle of 89° 51 minutes 15 seconds, a distance of 351.13 feet to an iron pipe; thence East parallel to the North line of said Northwest ¼, a distance of 558.22 feet to an iron pipe; thence North 351.13 feet to a point on the North line of said Section 9 and 558.30 feet East of the point of beginning, thence West along the North line of said Section 9, a distance of 558.30 feet to the point of beginning, containing 4.5 acres, more or less.

KEY 2.2-3-4

FILED

SEP 2 1988

Anna N. Anton
AUDITOR LAKE COUNTY

LILLIAN A. BLASTICK
REGISTERED CLERK
COUNTY OF LAKE COUNTY
CROWN POINT, INDIANA 46307
SEP 6 9 19 AM '88

2. That Affiant's spouse, PETER S. BAIER, died March 2, 1987, leaving a Will, a copy of which is attached and made a part hereof and marked "Exhibit A", and the Will was not probated, nor an estate opened for PETER S. BAIER, and this Affiant and said spouse

1603

16.00
E

PETER S. BAIER, lived together as husband and wife to the date of the death of Affiant's spouse, PETER S. BAIER.

3. That the assets of Affiant's spouse, PETER S. BAIER, including any assets held jointly or as tenants by the entireties and including life insurance, gifts and any other assets subject to Federal Estate Tax were of such a value that they were not subject to Federal Estate Tax; that there was no Federal Estate Tax due, and there were no assets belonging to PETER S. BAIER that required administration; and that all debts, expenses of last illness and funeral expenses of PETER S. BAIER have been paid by this Affiant.

4. Affiant makes this Affidavit with full knowledge that it will be used by the public and title companies in determining title to the above property, and Affiant makes this Affidavit with full knowledge of such use.

5. Further Affiant sayeth not.

IN WITNESS WHEREOF, said Affiant has hereunto set her hand and seal this 23rd day of August, 1988.

Helen M. Baier
Helen M. Baier

Subscribed and sworn to before me this 23rd day of _____
August, 1988.

William J. Jensen
William J. Jensen, Notary Public
Resident of Lake County

My Commission Expires:

2/16/90

This Instrument Prepared By:

William J. Jensen, Attorney, P.O.
Box 465, Hobart, IN 46342-0465

LAST WILL AND TESTAMENT

I, PETER S. BAIER, now residing at 400 North Lake Park Avenue, Apartment K-2S, Hobart, 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 and codicils by me heretofore made, and declaring this and none other to be my LAST WILL AND TESTAMENT.

ONE

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

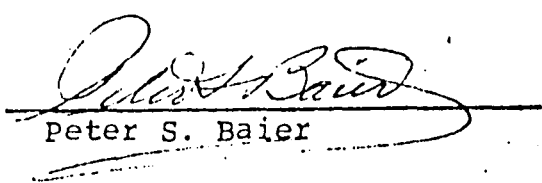
TWO

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 wife, HELEN M. BAIER, if she survives me.

THREE

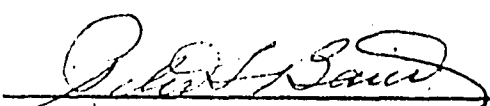
In the event my wife shall die prior to the date of my death, or shall die in a common disaster with me, then and in that event, I make the following specific bequests:

- a. I give my diamond ring to my grandson, STEVEN


Peter S. Baier

KRAWCZYK, if he survives me, and if he does not survive me, to my grandson, BRUCE KRAWCZYK.

- b. I give my wife's diamond ring that was her mother's ring, and the children can readily understand and recognize it as such, to my daughter, MARLENE KRAWCZYK, if she survives me, and if she does not survive me, to my granddaughter, SHARON MEDVECZ, if she survives me, and if she does not survive me, to my granddaughter, KAROL KRAWCZYK.
- c. I own crystal and dishes that have been loaned to my daughter, AUDRETA SIROVY. I hereby grant to her the right to use said crystal and dishes until the time of her death, but I hereby give and bequeath the crystal and dishes to my daughter, MARLENE KRAWCZYK, if she survives me, and if she does not survive me, to my granddaughter, SHARON MEDVECZ. The intent here is to keep these items, which are third generation heirlooms, in the BAIER FAMILY.
- d. All my certificates of deposit or bank accounts in any bank or savings institutions in joint names with a survivor shall be turned over to that survivor as his or her property, and that survivor

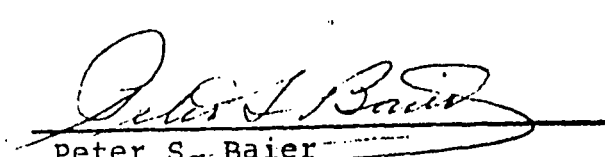

Peter S. Baier.

shall pay all Federal or State taxes arising out of that transfer to him or her.

FOUR

In the event my wife shall die prior to the date of my death, or shall die in a common disaster with me, then and in that event, I 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, as follows:

- a. Twenty Five Per Cent (25%) to my daughter, MARLENE KRAWCZYK, if she survives me, and if she does not survive me, in accordance with the terms of Sub-Paragraph (c) of this Paragraph.
- b. Twenty-Five Per Cent (25%) to my daughter, AUDRETA SIROVY, if she survives me, and if she does not survive me, in accordance with the terms of Sub-Paragraph (c) of this Paragraph.
- c. Fifty Per Cent (50%), in equal shares, to my grandchildren who survive me, and if any of my grandchildren should die before my death leaving issue, their share shall go in equal shares to their children surviving them.


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FIVE

I constitute and appoint, as Executrix or Executor of my will, the following persons in the order named, to-wit:

- a. My wife, HELEN M. BAIER, if she qualifies.
- b. My grandson, STEVEN KRAWCZYK, if he qualifies.
- c. My son-in-law, WALTER KRAWCZYK, if he qualifies.
- d. My daughter, MARLENE KRAWCZYK, if she qualifies.

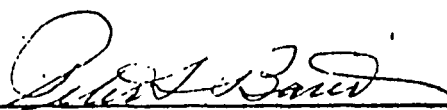
I direct that any of the above named Executrices or Executors be allowed to serve without bond.

SIX

I expressly grant to my Executrix or her substitute the power to sell any real estate or personal property that I may own without giving notice to any of my heirs or any other persons who might be entitled to notice under the laws of the state wherein I may own real estate or personal property and to sell said property without Court Order at private sale for not less than the full inventoried value, or at public sale for not less than Two-Thirds (2/3) of the inventoried value.

SEVEN

Although it is my understanding that my wife is or may be executing her Last Will at or about the same time of the execution of this, my Last Will, it is not my intention that such wills shall


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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 or my wife be in any way limited or that the freedom to transfer property during the life of either of us be in any way limited.

EIGHT

I expressly grant to my Executrix or Personal Representative the power to transfer the distributive share of any of my heirs who might be minors to any named guardian, whether they are resident or non-resident guardians in a resident or a non-resident guardianship, provided that the law of the state of my residence at the time of my death requires the payment of said minor's share to a guardian, and that said guardian, whether either a resident or a non-resident, shall have been appointed a guardian by a Court of competent jurisdiction in the state in which said minor heir and guardian reside, and provided, further, that said guardian has accepted his responsibility as guardian of the property and person of the minor heir or heirs involved.

NINE

I own, at the time of making this will, stocks and bonds and direct that my Executrix or her substitute make every effort to distribute these in kind to those heirs desiring any of the stocks


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and bonds to be distributed to them, provided, however, any stock distributed to them shall be valued as of the date within one (1) month of filing the Final Report in my estate, and those persons who have stock distributed to them shall pay for the costs of the transfer of stock and bonds to them.

IN TESTIMONY WHEREOF, I, PETER S. BAIER, have hereunto set my hand and seal to each page of my LAST WILL AND TESTAMENT, at Hobart, Indiana, this 14th day of February, 1986.

Peter S. Baier
Peter S. Baier

We, the undersigned, hereby certify that the foregoing instrument of writing was this day produced to us by PETER S. BAIER, and in our joint presence signed and acknowledged by him to be his LAST WILL AND TESTAMENT, consisting of seven (7) pages including this attestation clause and the following self-proving clause; and we do now, at his request and in his presence, in the presence of each other, subscribe our names hereto as witnesses of said will, the day and year first above written.

WITNESSES:

William J. Jensen
222 N. California St.
Hobart, Indiana

Veronica M. Bodak
4550 E. 81st Avenue
Merrillville, In 46410

UNDER PENALTIES FOR PERJURY, WE


Peter S. Baier TESTATOR

William J. Jensen WITNESS

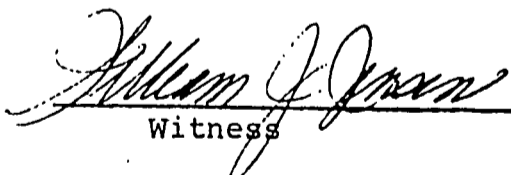
Veronica M. Bodak WITNESS,

the Testator and witnesses respectively, whose names are signed to the attached or foregoing instrument, declare:

1. that the Testator executed the instrument as his will;
2. that, in the presence of both witnesses, he signed or acknowledged his signature already made or directed another to sign for him in his presence;
3. that he executed the will as his free and voluntary act for the purposes expressed in it;
4. that each of the witnesses, in the presence of the Testator and of each other, signed the will as witnesses;
5. that the Testator was of sound mind; and
6. that, to the best of his knowledge, the Testator was at the time Eighteen (18) or more years of age, or was a member of the armed forces or of the merchant marine of the United States, or its allies.


Peter S. Baier

February 14, 1986
Date


Witness

Veronica M. Bodak
Witness