

91028342

# Declaration Of Trust

4311 Hogan Ct.  
C. Point, In  
46307

1. We, Arthur Ruling Husband and  
Shirley Ruling Wife of

4311 Hogan Court  
City of Crown Point, County of Lake, State of Indiana

referred to hereinafter as Grantors and/or Joint Trustees, hereby declare that we are Joint Trustees of the property referred to in this Declaration of Trust agreement as the trust estate, which is more fully set forth in the Schedule of Trust Estate Assets attached hereto and made a part hereof.

2. We hereby declare that we hold the trust estate created by this Declaration of Trust agreement and all right, title and interest to the trust estate in trust for the use and benefit of: Arthur Ruling and Shirley Ruling of 4311 Hogan Court, Crown Point, Indiana

3. Upon the death of the above-mentioned beneficiary, all right, title and interest to the trust estate created by this Declaration of Trust agreement shall be held in trust for the use and benefit of: the surviving spouse of 4311 Hogan Court, Crown Point, Indiana

4. Upon the death of Arthur Ruling or upon the death of Shirley Ruling if not survived by his/her spouse, the Successor Trustee is hereby directed with to transfer the trust estate and all right, title and interest in the trust estate to the herein named contingent beneficiaries in the following manner, subject to amendment:

Bonnie Ruling of 365 Summit Park West (address),  
City of Crown Point, County of Lake, State of Indiana, shall receive one third from the trust estate;

Patricia Seniw of 4318 Annandale Lane  
City of Crown Point, County of Lake, State of Indiana, shall receive one third from the trust estate;

Laurie Ryan of 10845 Tottenham Drive  
City of Carmel, County of \_\_\_\_\_, State of Indiana, shall receive one third from the trust estate,

absolutely and thereby terminate this trust.

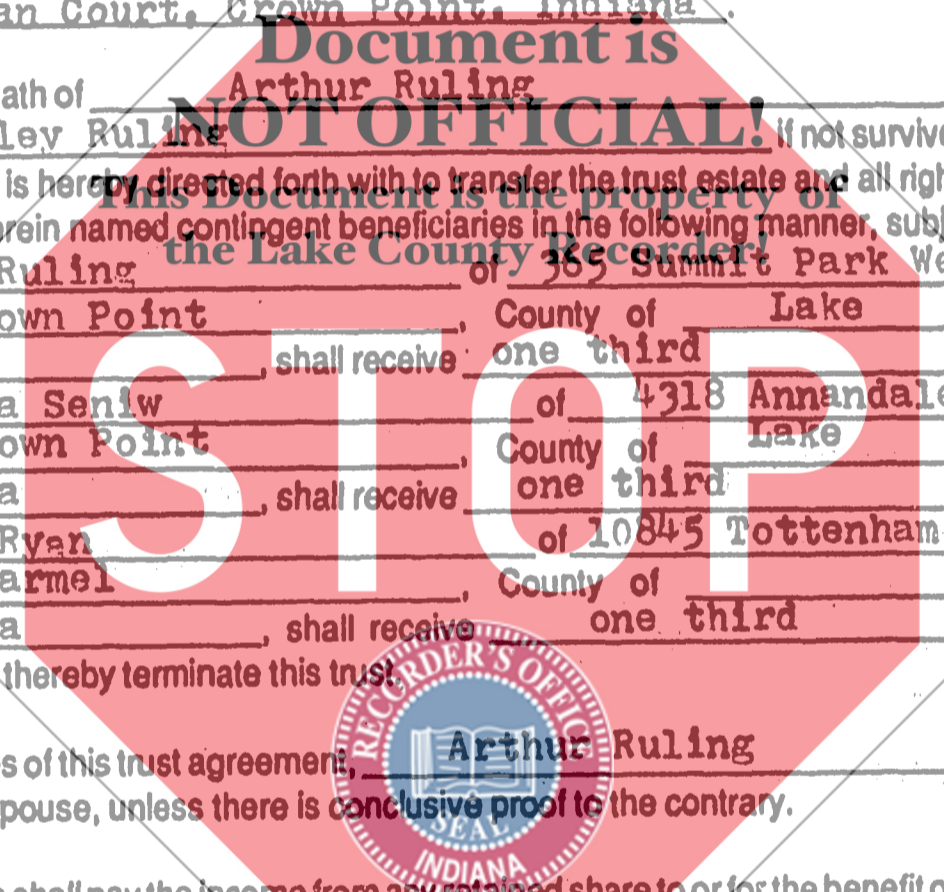
5. For purposes of this trust agreement, Arthur Ruling shall be deemed to be the last surviving spouse, unless there is conclusive proof to the contrary.

6. The trustees shall pay the income from any retained share to or for the benefit of the beneficiary thereof during the period that such share is retained, and at the end of such period the principal thereof shall be distributed to such beneficiary.

7. In the event of the death of any contingent beneficiary for whom a trust share is being retained, the trustee shall apportion and distribute the principal thereof per stirpes among the then living lineal or legally adopted descendants of that person, and if there be none, then per stirpes among the then living contingent beneficiaries.

8. In the event that the income to be received by any beneficiary from the trust property or his or her share thereof, and from other sources known to the trustees, shall be considered at any time by the trustees to be insufficient for the support, maintenance and education of any such beneficiary or of any person being supported by any such beneficiary, the trustees shall pay to such beneficiary from time to time such amounts from the beneficiary's share of the trust estate as the trustees shall deem sufficient for such purposes.

9. The Grantors reserve the right during their joint lives and during the life of the survivor of them to amend, modify or revoke this Declaration of Trust agreement in whole or in part, without the consent of any beneficiary and without giving notice to any beneficiary hereunder, by a writing or writings signed and acknowledged by the Grantors or the survivor, to be effective upon delivery to either Trustee.



**FILED**

JUN 10 1991

*Arthur Ruling*  
AUSTON LAKE COUNTY

STATE OF INDIANA  
LAKE COUNTY  
FILED  
JUN 10 1991  
42 AM  
ROBERT (8) FREEDLAND  
ORDER



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10. Upon the death of both Co-Trustees, Bonnie Ruling of Crown Point, Indiana shall serve as Successor Trustee.

If the Successor Trustee is unable to serve as the trustee for any reason, Patricia Seniw of Crown Point, Indiana shall serve as Contingent Successor Trustee. Any Successor Trustee shall have all of the powers and authorities granted to the Trustees or the surviving Trustee as set forth in the provisions of this Declaration of Trust.

11. The Trustees of this Declaration of Trust have all of the discretionary powers necessary and appropriate to administer this Trust, including but not limited to, the power to sell, mortgage, encumber, pledge, hypothecate, lease, rent or improve, invest and reinvest the trust estate property when such action is deemed to be in the best interest and furtherance of the Trust purposes.

The Trustees may pay income or principal to the beneficiaries or for their benefit, and shall have no obligation to confirm the use of such payments for the use and welfare of any beneficiary.

In the event this Declaration of Trust provides for more than one Trustee, the exercise of any and all powers, authorities, discretions and rights granted to said Trustees shall not be construed to require the Trustees to act in unison in order to exercise any Trust power, but each Trustee may individually exercise any of the Trust powers.

In the event of a physical or mental incapacity or death of one of the Co-Trustees, the survivor shall continue as the Sole Trustee with full power and authority to exercise all of the powers granted to the Trustees under this Declaration of Trust.

Any person serving as Trustee hereunder shall serve without bond.

12. No interest of a Beneficiary of this Trust can be alienated. No Beneficiary can assign, pledge, encumber or otherwise transfer an interest in the Trust estate, nor shall such interest be garnished, attached, or levied upon or otherwise subjected to any proceedings whether at law or in equity.

13. Each Beneficiary hereunder shall be liable for his/her proportionate share of any estate tax that may be imposed by any state or federal entity upon the share of the Trust estate held for or distributed to a Beneficiary upon the death of the Grantors or the survivor of the Grantors.

14. This Declaration of Trust shall be administered and interpreted in accordance with the laws of the State of Indiana.

15. We hereby declare that this Declaration of Trust fully and accurately sets forth the manner in which our trust estate shall be held, managed, disposed by the Trustees.

May 15, 1991  
Date

Arthur Ruling  
Grantor/Trustee

Shirley Ruling  
Grantor/Trustee

County of Lake

City of Crown Point

State of Indiana

On May 15, 1991, Arthur Ruling

and Shirley Ruling Grantors and Joint Trustees of the trust estate created by this Declaration of Trust agreement, came before me and acknowledged that it was their free act and deed to execute this agreement.

Notary Seal:

Kathleen Glenn  
Notary Public

