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DECLARATION OF TRUST

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WHEREAS, we, WALTER HARTMANN and PHYLLIS HARTMANN, of the City of Hammond, County of Lake, State of Indiana, are the owners in fee simple of certain real estate in said county known as 7844 Chestnut Avenue, Hammond, Indiana 46324, which real estate is described more fully in the Deed conveying it from FRED JOHN DONKIN and JANETTE R. DONKIN to WALTER HARTMANN and PHYLLIS HARTMANN, Husband and Wife

LEGAL DESCRIPTION:

Lot 22, Block 1, Beverly 8th Addn, City of Hammond, per Plat Book 30, page 68, in Lake County, Indiana.



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we do hereby acknowledge and declare that we hold and will hold said real estate and all our rights, 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 the co-trustees together with other property so designated, IN TRUST:

1. For the use and benefit of our children, ALEXANDER HARTMANN, GAIL GOLDEN and JULIE ORBACH. If because of our physical or mental incapacity 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 and principal as appear necessary or desirable for our welfare. Upon the death of the survivor of the co-trustees, unless a beneficiary shall predecease us, our Successor Trustee is hereby directed

STATE OF INDIANA  
COUNTY OF LAKE  
RECORDERS OFFICE  
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*Anna N. Anton*  
AUDITOR LAKE COUNTY

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forthwith to sell said real estate and distribute the sale proceeds and other personalty unto the beneficiaries in equal shares, per stirpes and thereby terminate this TRUST; provided, however, that if any beneficiary hereunder shall not have attained the age of twenty-one (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 twenty-one (21) years. During such period of continuing trust the Successor Trustee in her absolute discretion, may retain the specific trust property herein described if she believes it in the best interest of the beneficiary so to do, or she may sell or otherwise dispose of such specific trust property, investing and reinvesting the proceeds as she may see appropriate. Payments hereunder by the Successor Trustee may be made to the person with whom said minor beneficiary resides without the intervention of a guardian.

2. The beneficiaries hereunder shall be liable for their proportionate share of any taxes levied upon our total taxable estate by reason of our deaths.

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

4. We reserve the right during our lifetime (a) to place a mortgage or other lien upon said property and (b) to collect any rental or other income which may accrue from the trust property and to pay such income to ourselves. 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 the power and right 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. The sale or disposition of the whole or any part of the property shall constitute as to such whole or part a revocation of this trust.

6. We reserve the right to designate new or additional beneficiaries hereunder.

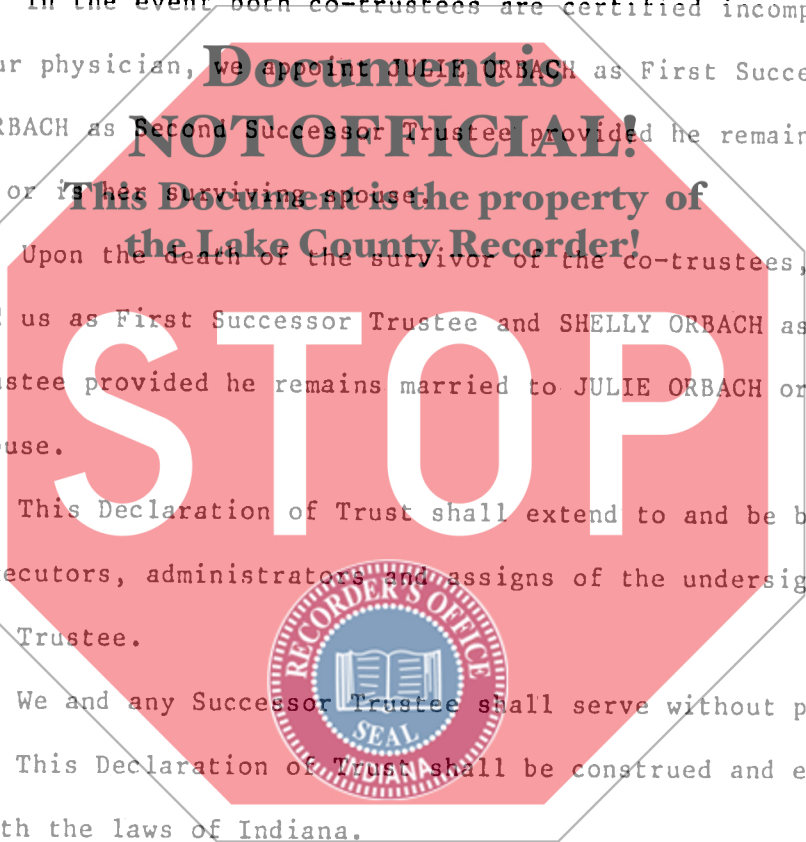
7. In the event both co-trustees are certified incompetent in writing by our physician, we appoint JULIE ORBACH as First Successor Trustee and SHELLY ORBACH as Second Successor Trustee provided he remains married to JULIE ORBACH or is her surviving spouse.

8. Upon the death of the survivor of the co-trustees, JULIE ORBACH, shall succeed us as First Successor Trustee and SHELLY ORBACH as Second Successor Trustee provided he remains married to JULIE ORBACH or is her surviving spouse.

9. This Declaration of Trust shall extend to and be binding upon the heirs, executors, administrators and assigns of the undersigned and upon any Successor Trustee.

10. We and any Successor Trustee shall serve without posting bond.

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



IN WITNESS WHEREOF, we have signed this Declaration of Trust

on April 3<sup>rd</sup>, 1992.

Walter Hartmann  
WALTER HARTMANN

Phyllis Hartmann  
PHYLLIS HARTMANN

BEFORE ME, the undersigned Notary Public in and for the County of Lake, State of Indiana, personally appeared WALTER HARTMANN and PHYLLIS HARTMANN and acknowledged the execution of this Declaration of Trust on April 3, 1992.

R. C. Moore

**Document is NOT OFFICIAL!**  
R. C. MOORE, Notary Public  
Lake County Resident  
Commission Expiration: 8/3/92

**This Document is the property of the Lake County Recorder.**

This instrument prepared by: Attorney Roger T. Moore, P.C., #9289-64  
6195 Central Avenue, Portage, IN 46368  
(219) 762-0402

**STOP**

