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Filed in Open Court

STATE OF INDIANA)) SS: OCT 26 1993 SUPERIOR COURT OF LAKE COUNTY
COUNTY OF LAKE)) CIVIL DIVISION, ROOM TWO
EAST CHICAGO, INDIANA

Robert C. Antel
CLERK LAKE SUPERIOR COURT

IN THE MATTER OF THE ESTATE))
OF)) ESTATE NO. 45D02-9111-ES-259
FLORENCE E. HOMEIER,))
DECEASED))

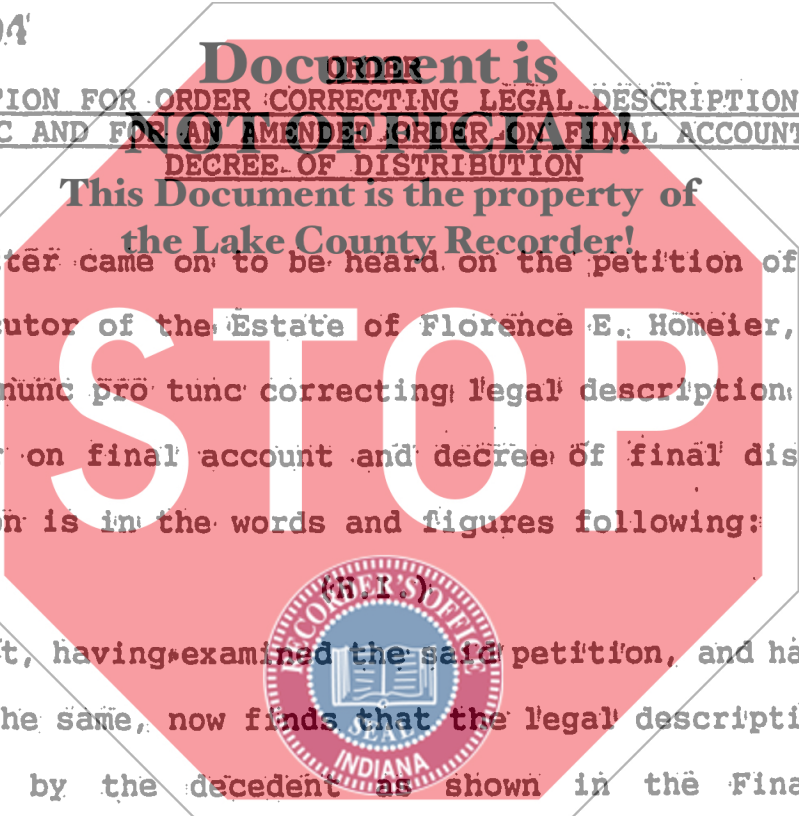
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~~ON PETITION FOR ORDER CORRECTING LEGAL DESCRIPTION NUNC PRO TUNC AND FOR AN AMENDED ORDER ON FINAL ACCOUNT AND DECREE OF DISTRIBUTION~~

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This matter came on to be heard on the petition of Dennis

Herlitz, Executor of the Estate of Florence E. Homeier, Deceased, for an order nunc pro tunc correcting legal description and for an amended order on final account and decree of final distribution, which petition is in the words and figures following:



The Court, having examined the said petition, and having heard evidence on the same, now finds that the legal description of real estate owned by the decedent as shown in the Final Account previously filed herein was incorrectly described and should be amended and that the prayer of the petition should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the legal description of the real estate owned by the decedent as shown in the Final Account be amended nunc pro tunc to read as follows:

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER.

NOV 30 1993

Gene M. Antel
AUDITOR LAKE COUNTY

STATE OF INDIANA
TICOR TITLE INSURANCE
Crown Point, Indiana

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Lots 1, 2 and 3 of the Resubdivision of Lot 2 of Homeier Addition to the City of Crown Point, Indiana, as per plat thereof recorded in the Office of the Recorder of Lake County, Indiana;

The Northwest Quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, excepting therefrom a parcel described as follows: Part of the Northwest quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., described as commencing at a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 4 and 118 feet North of the Southeast corner thereof; thence North 89 degrees 39 minutes 05 seconds West and parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4, a distance of 448.0 feet; thence North 00 degrees 00 minutes 00 seconds East and parallel to the East line of the Northwest Quarter of the Northeast Quarter of said Section 4 a distance of 365.00 feet; thence South 89 degrees 39 minutes 05 seconds East 276.4 feet to the center line of Beaver Dam Ditch; thence South 47 degrees 41 minutes 31 seconds East along the center line of said ditch, 232.03 feet more or less to the East line of the Northwest Quarter of the Northeast Quarter of said Section 4, thence South 00 degrees 00 minutes 00 seconds West 209.86 feet more or less, to the place of beginning in Lake County, Indiana.

All that part of the Northeast Quarter of the Northwest Quarter lying East of a line described as follows: Commencing at a point on the North line of said tract 1276.7 feet East of the Northwest corner thereof, running thence South 1373.5 feet to the South line thereof at a point 1274 feet East of the Southwest corner thereof, containing 1.26 acres, more or less, all in Section 4, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana.

Excepting from all of the above described property that portion taken for public roads, easements and ditches,

and an amended Order on Final Account and Decree of Distribution should issue showing the correct legal description.

Date: 10/26/93



Temporary Judge

Filed in Open Court

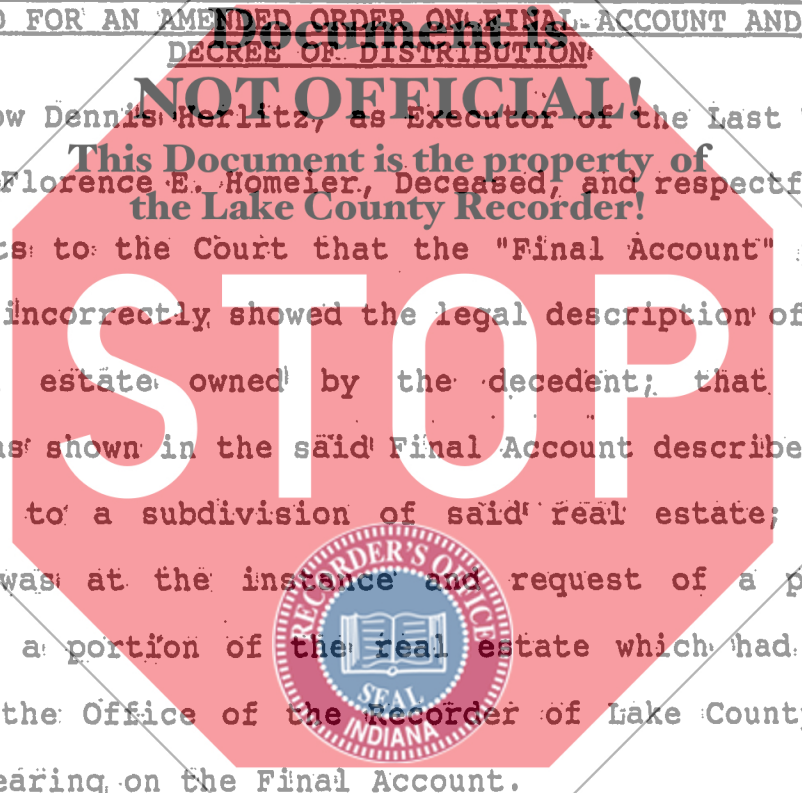
OCT 26 1993

STATE OF INDIANA) *James A. ...* SUPERIOR COURT OF LAKE COUNTY
COUNTY OF LAKE) SS: PERK LAKE SUPERIOR CO. CIVIL DIVISION, ROOM TWO
EAST CHICAGO, INDIANA

IN THE MATTER OF THE ESTATE)
OF) ESTATE NO. 45DO2-9111-ES-259
FLORENCE E. HOMEIER,)
DECEASED)

PETITION FOR ORDER CORRECTING LEGAL DESCRIPTION NUNC PRO TUNC
AND FOR AN AMENDED ORDER ON FINAL ACCOUNT AND
DECREE OF DISTRIBUTION

Comes now Dennis Herlitz, as Executor of the Last Will and Testament of Florence E. Homeier, Deceased, and respectfully shows and represents to the Court that the "Final Account" previously filed herein incorrectly showed the legal description of a portion of the real estate owned by the decedent; that the legal description as shown in the said Final Account described the real estate prior to a subdivision of said real estate; that said subdivision was at the instance and request of a prospective purchaser of a portion of the real estate which had been duly recorded in the Office of the Recorder of Lake County, Indiana before the hearing on the Final Account.



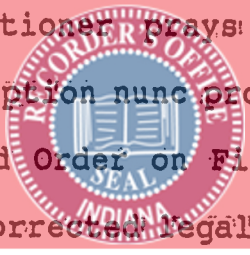
Your petitioner respectfully shows and represents to the Court that the correct legal description of the real estate owned by the decedent as of the date of the hearing on the Final Account is as follows:

Lots 1, 2 and 3 of the Resubdivision of Lot 2 of Homeier Addition to the City of Crown Point, Indiana, as per plat thereof recorded in the Office of the Recorder of Lake County, Indiana;

The Northwest Quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, excepting therefrom a parcel described as follows: Part of the Northwest quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., described as commencing at a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 4 and 118' feet North of the Southeast corner thereof; thence North 89 degrees 39' minutes 05 seconds West and parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4, a distance of 448.0 feet; thence North 00 degrees 00' minutes 00 seconds East and parallel to the East line of the Northwest Quarter of the Northeast Quarter of said Section 4 a distance of 365.00 feet; thence South 89 degrees 39' minutes 05 seconds East 276.4 feet to the center line of Beaver Dam Ditch; thence South 47 degrees 41' minutes 31 seconds East along the center line of said ditch, 232.03 feet more or less to the East line of the Northwest Quarter of the Northeast Quarter of said Section 4, thence South 00 degrees 00' minutes 00 seconds West 209.86 feet more or less, to the place of beginning, in Lake County, Indiana.

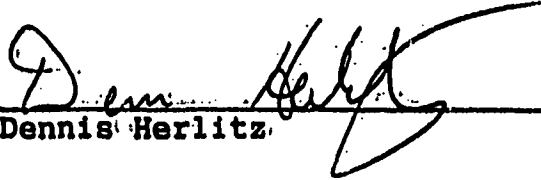
All that part of the Northeast Quarter of the Northwest Quarter lying East of a line described as follows: Commencing at a point on the North line of said tract 1276.7 feet East of the Northwest corner thereof, running thence South 1373.5 feet to the South line thereof at a point 1274 feet East of the Southwest corner thereof, containing 1.26 acres, more or less, all in Section 4, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana.

WHEREFORE, your petitioner prays the Court for an order correcting the legal description nunc pro tunc and for the issuance by the Court of an amended Order on Final Account and Decree of Distribution showing the corrected legal description and all other relief in the matter.


Dennis Herlitz Executor
Dennis Herlitz, Executor of the
Estate of Florence E. Homeier,
Deceased

V E R I F I C A T I O N

I, Dennis Herlitz, affirm under the penalties of perjury, that the above and foregoing representations are true to the best of my knowledge.


Dennis Herlitz

Donald R. O'Dell
Indiana Attorney Number 9724-45
P.O. Box 128
Lowell, Indiana 46356
(219)696-6641



Filed in Open Court

STATE OF INDIANA)

OCT 26 1993

SUPERIOR COURT OF LAKE COUNTY
CIVIL DIVISION, ROOM TWO
EAST CHICAGO, INDIANA

COUNTY OF LAKE)

SS. *Robert C. Anttila*
CLERK LAKE SUPERIOR COURT

IN THE MATTER OF THE ESTATE)

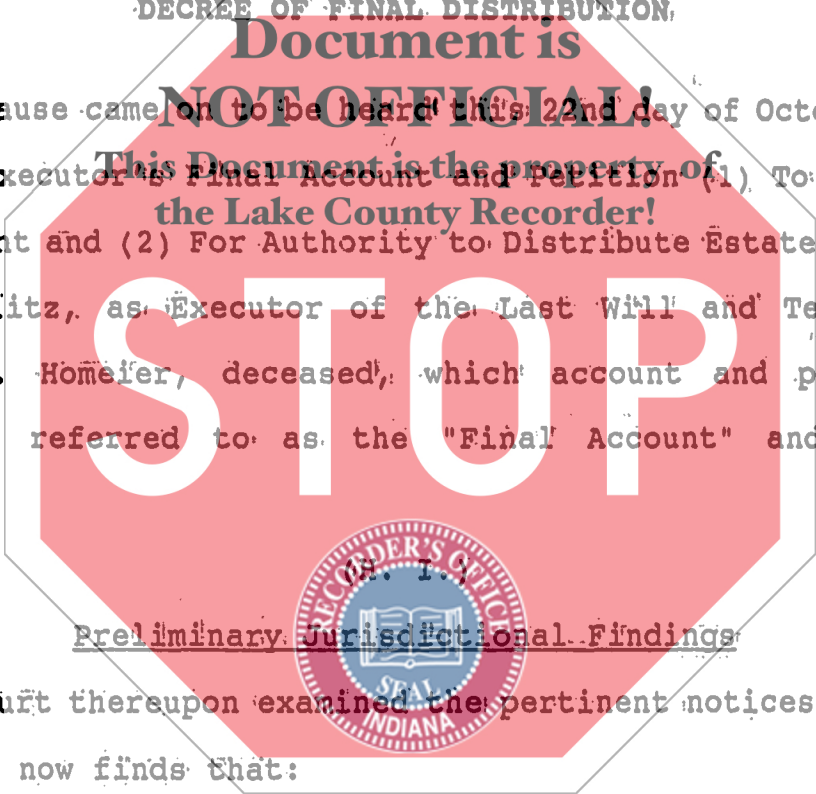
OF

ESTATE NO. 45D02-9111-ES-259

FLORENCE E. HOMEIER,

Deceased)

AMENDED
ORDER ON FINAL ACCOUNT AND
DECREE OF FINAL DISTRIBUTION



This cause came on to be heard this 22nd day of October, 1993, upon the "Executor's Final Account and Petition (1) To Settle and Allow Account and (2) For Authority to Distribute Estate," filed by Dennis Herlitz, as Executor of the Last Will and Testament of Florence E. Homeier, deceased, which account and petition is hereinafter referred to as the "Final Account" and reads as follows:

Preliminary Jurisdictional Findings

The Court thereupon examined the pertinent notices and proofs thereof and now finds that:

(1) Due notice of the qualification of such executor and of the issuance of Letters Testamentary was given as required by law.

(2) More than five (5) months have elapsed since the date of the first published notice to creditors and other persons in the estate.

(3) Due notice of the filing of such Final Account and of the hearing thereon was given to all persons interested in this estate, as required by law.

(4) No objections to such Final Account have been filed.

(5) Such Final Account is now ready for submission to the Court and for consideration thereof and action thereon by the Court.

Findings of Facts

Having examined and considered such Final Account and being duly advised, the court now finds that:

(1) The executor has accounted for all assets in the estate coming into his hands during the administration of the estate and for which it is chargeable by law, except for making final distribution to the legatees of this decedent's residuary estate.

(2) All Indiana Inheritance Taxes and Federal Estate Taxes due by reason of this decedent's death have been paid.

(3) All income subject to Federal or Indiana Income Taxes and for which this decedent or her estate are liable has been duly reported by proper tax returns and the amounts shown to be due have been paid.

(4) Neither the decedent nor her executor, as such executor, was an employer of labor as that term is defined by the Indiana Employment Security Act, and there are no unpaid contributions, interest, or penalties imposed by such act due from this decedent's estate.

(5) Except for expenses incidental to the final distribution of this estate, all claims, including expenses of administration, have been paid; there are no unsatisfied claims against this decedent's estate and all debts and obligations of this decedent and her estate, not otherwise mentioned above, have been paid or discharged.

(6) All of the assets of this decedent's estate have been fully administered upon except for making final distribution.

(7) The decedent left real property, described below, which was not disposed of during the administration of this estate, inventoried at \$665,000.00 (with a death tax value of \$778,000.00) and available for final distribution or disposition to the beneficiaries under her will.

(8) The devisees of this decedent's estate, all of whom are legally competent adults whose names and address are known, and the share of the residuary estate to which each is entitled are as follows:

Dennis Herlitz	1/6 share
Donald Herlitz	1/6 share
Linda Herlitz Gates	1/6 share
Elaine Herlitz	1/6 share
Gilbert Stiener	1/6 share
Milton Schlueter	1/6 share

(9) All other matters and things as stated and shown in such Final Account are true, correct, and proper.

General Conclusion

The Court now concludes that such Final Account is correct, and that the prayer thereof should be granted in full.

Decree

IT IS NOW THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that:

(1) The Final Account is hereby in all respects approved, settled, allowed and confirmed.

(2) The executor is hereby directed to distribute the personal property, including cash, remaining in his hands and available for distribution to the residuary devisees.

(4) The following described real estate owned by this decedent at the time of her death and not disposed of by the executor during the administration of this estate, situated in Lake County, Indiana:

Lots 1, 2 and 3 of the Resubdivision of Lot 2 of Homeier Addition to the City of Crown Point, Indiana, as per plat thereof, recorded in the Office of the Recorder of Lake County, Indiana.

The Northwest Quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, excepting therefrom a parcel described as follows: Part of the Northwest quarter of the Northeast Quarter of Section 4, Township 34 North, Range 8 West of the 2nd P.M., described as commencing at a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 4 and 118 feet North of the Southeast corner thereof; thence North 89 degrees 39 minutes 05 seconds West and parallel to the South line of the Northwest Quarter of the Northeast Quarter of said Section 4, a distance of 448.0 feet; thence North 00 degrees 00 minutes 00 seconds East and parallel to the East line of the Northwest Quarter of the Northeast Quarter of said Section 4, a distance of 365.00 feet; thence South 89 degrees 39 minutes 05 seconds East 276.4 feet to the center line

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Excepting from all of the above described property that portion taken for public roads, easements and ditches.

was devised by Article VI of decedent's will as a part of her residuary estate to her residuary devisees and upon the death of

this decedent, all right, title and interest in and to such real estate vested in said residuary devisees, as tenants in common as

follows:

Dennis Herlitz an undivided 1/6 interest
Donald Herlitz an undivided 1/6 interest
Linda Herlitz Gates an undivided 1/6 interest
Elaine Herlitz an undivided 1/6 interest
Gilbert Stiener an undivided 1/6 interest
Milton Schlueter an undivided 1/6 interest

and the post office addresses of the above devisees are as follows:

Dennis Herlitz
4402 Belshaw Road
Lowell, Indiana 46356

Donald Herlitz
3513 Grange Court
Columbus, Indiana 47204

Linda Herlitz Gates
P.O. Box 462
Oshtemo, Michigan 49077

Elaine Herlitz
2727 North Pine Grove 3302
Chicago, Illinois 60614

Gilbert Stiener
6111 East 109th Avenue
Crown Point, Indiana 46307

Milton Schlueter
13210 West 173rd Avenue
Lowell, Indiana 46356

(5) The executor is hereby directed to record a certified copy of this decree in the office of the recorder of each county in which the real estate described above is situated and is further directed after making distribution of the personal property as directed herein, to file his supplemental report showing therein:

(a) any further accounting for receipts and disbursements in accordance with this decree;

(b) that distribution and payment of personal property and cash in this decedent's residuary estate has been made pursuant to this decree; and

(c) that the executor has in all respects carried out the provisions of this decree.



Temporary Judge

Dated: 10/26/93

The United States of America



STATE OF INDIANA, COUNTY OF LAKE, ss:

**Document is
NOT OFFICIAL!**

I, the undersigned, Clerk of the Lake Superior Court of Lake County, and the keeper of the records and files thereof, in the State

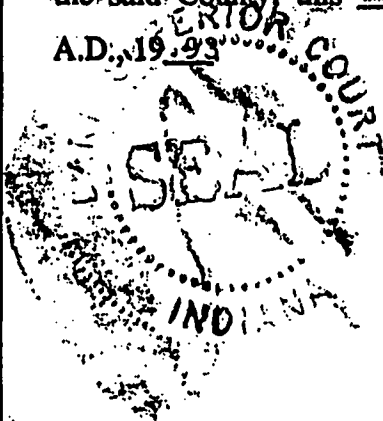
of Lake County, do hereby certify that the above and foregoing are full, true, correct and complete photocopies of: Court Order, dated October 26, 1993; Petition For Order Correcting Legal Description Nunc Pro Tunc And For An Amended Order On Final Account and Decree of Distribution, dated October 26, 1993; and Amended Order, dated October 26, 1993, in Cause Number 45-D02-9111-ES-259, entitled IN THE MATTER OF THE ESTATE OF FLORENCE E. HOMEIER, Deceased, as fully as the same appears of record in my office as such Clerk.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at my office in East Chicago in

the said County this 22nd day of November,

A.D., 1993



Robert C. Antich

Clerk Lake Superior Court.

By *Jane J. Jurewski*
Deputy