

EXHIBIT B FOR RECORD

97009435

97 FEB 14 AM 0:45

AFFIDAVIT

MORRIS W. CARTER
RECORDER

STATE OF INDIANA
COUNTY OF LAKE

I Billy L. Pacey Sr. and I ELLA M. Pacey
currently residing at 227 Madison Ave Hobart IN 46342
being duly sworn according to law do hereby depose, say and swear that to the best of my knowledge, information and belief the statements and representations in this paragraph, in paragraph(s) _____ below, and in the last paragraph of this affidavit are true and accurate.

- 1. NAME.** My full name appears above, including any alias, former, maiden, or other name(s) used now or in the past, even if I have had my name legally changed.
- 2. CITIZENSHIP AND AGE.** I am a citizen of the United States and at least 18 years old.
- 3. OWNERSHIP AND POSSESSION.** I am/We are the only owner(s) of the property located at the address which appears above in sole possession of the property. There are no tenants or other occupants (except members of my family who have no possessory, ownership, homestead, or other rights in the property and who may occupy the property only so long as I permit). I have owned this property since Apr. 2, 1995, and no one has questioned or challenged my ownership or right to possession, of if they have, a court of competent jurisdiction entered final judgment in my favor on _____, 19____, and no appeal or notice of appeal of that judgment has been filed or is pending, and the time within which such appeal or notice of appeal must be filed is past. I have not signed any contract to sell the property, or given anyone any rights concerning the purchase or lease of the property.
- 4. IMPROVEMENTS.** No additions, alterations or improvements are now being made or have been made to this property since _____, 19____. We have always obtained all necessary permits and certificates of occupancy. All charges for municipal improvements such as sewers, sidewalks, curbs, or similar improvements benefiting this property have been paid in full. No building addition, extension or alteration on this property has been made or worked on within the past four months. We are not aware that anyone has filed or intends to file a mechanics' lien or building contract relating to this property. No one has notified us that money is due and owing for construction, alteration or repair work on this property.
- 5. MECHANICS' AND MATERIALMEN'S LIENS.** There has been no work done, services rendered or materials furnished in connection with repairs, improvement, alteration, addition, development, design, building, construction, removal, demolition, excavation, landscaping, or other similar activity on the property within _____ days of this date. Any such work, services, or materials relating to any such activity prior to the above stated time have been paid for in full, except to the extent of any mortgage, deed of trust, security deed, other similar instrument, or other lien appearing on the attached title report or commitment. No one has made any claims or notified me that money is due or owing, or filed a mechanics' or materialmen's lien against the property, except as appear on the attached report or commitment, and no one intends or is entitled to do so.
- 6. SPECIAL ASSESSMENT AND MUNICIPAL IMPROVEMENTS.** All special assessments and charges for municipal improvements such as sewers, sidewalks, curbs, walls, streets, and similar improvements have been paid in full. No notices have been served by a governmental authority for the removal or abating or nuisances, or for the installation or repair of said and similar improvements, and no such work has been done or ordered to be done for which a municipal claim could be filed against the property.
- 7. BANKRUPTCY.** I have not filed any petition in bankruptcy and no such petition has been filed against me. (I have never been declared or adjudicated insolvent or bankrupt.)
- 8. LIENS OR ENCUMBRANCES.** Other than those appearing on the attached title report or commitment, I have not allowed any interests or legal rights to be created which affects my ownership or use of the property, there are no judgments against me, no lawsuits have been filed against me, no notice of lis pendens (indicating there is a lawsuit pending which could affect my property) or other similar notice has been delivered or filed concerning me or any of my property, and there are no other legal obligations, including mortgages, trust or security deeds, easements, other liens or encumbrances which may be enforced against the property.

9. **COMMON NAME.** The judgment(s) and/or other lien(s) appearing on the attached title report or commitment, which I have initialed or signed, and numbered A, is/are NOT against me, but rather, is/are against someone else with a similar name.

→ Banc One
4331 S Franklin St
P.O. Box 2152
Michigan City IN 463608152

ok #03402927
11 w
MS

10. MARRIAGE AND HOMESTEAD. Statements _____ below, accurately describe my/our marital status and history:

- a. I have never been married.
- b. We were married to each other on JUNE 24, 19 72, and remain married.
- c. We were married to each other on _____, 19 _____, and were divorced or granted an annulment on _____, 19 _____. (see f. below)
- d. I was previously married. All such previous marriages have been terminated by the death of the other party or by a valid and final decree of divorce. (see f. below)
- e. This property has never been occupied as my/our principal matrimonial residence, and neither I/we nor any other person has an homestead rights in this property.
- f. Attached are copies of _____
 - 1. Judgment(s), final decree(s), or settlement agreement(s) for divorce or annulment, including all terms related to disposition of property.
 - 2. Death certificate for any descendant named as current grantee or title holder of the property, and/or the deceased spouse of any current grantee or title holder.
 - 3. Other (describe).
- g. My complete marital history is as indicated above and further explained in the space provided here, or if indicated, on or continued on an attached page signed by me.

11. EXCEPTIONS AND ADDITIONS. The following is a complete list of exceptions and additions to the above statements, and any explanation or elaboration necessary to clarify the statements in this affidavit.

_____ page(s) attached for additional information.

We have made this affidavit to induce the buyer(s) Billy L. Paeley Sr. and Ella M. Paeley to accept my/our deed, and to induce United General Title to issue a policy of title insurance to mortgagee and buyer in connection herewith. Being so induced, they and their agents may and do rely upon the truthfulness of the statements made in this affidavit.

WITNESS: Nikki Goyela Billy L. Paeley Sr.

WITNESS: Nikki Goyela Ella M. Paeley

(Space Below This Line For Acknowledgement)

Commission Exp 4-21-97
Laroute Co Rec
Nikki Goyela

