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STATE OF INDIANA LAKE COUNTY FILED FOR RECOMD \$500

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MORRIS W. CARTER RECORDER DEC 13 1998

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MORMA HOLM
7/19. Meadow Ln. Deed of Trust
HAMMOND, In 46324

WHEREAS, I, Garry J. HOLM, of the City of Hammond, County of Lake, and State of Indiana, am the owner of certain real property located at, (and known as) 7131 Meadow Lane, County of Lake, and State of Indiana, which property is described more fully in the Deed conveying it from, The Mercantile National Bank of Indiana, as Trustee, under the provision of a Trust agreement dated April 29, 1977 and known as Trust 3564 does hereby grant, bargain, and convey to Garry J. Holm "that certain piece or parcel of land, located in said Hammond, being:

The West 1/2, except the East Ten (10) feet of said West 1/2 of part of the Southwest 1/4 of Section 12, Township 36 North, Range 10 West of the 2nd Principal Meridian, in the City of Hammond, Lake County, Indiana, described as follows:

This Document is the property of

Beginning at a point on the east line of said 174 Section 1677.6123 RepSouth of the Northeast corner thereof; thence West along the South line of a tract of land conveyed to Harry E. Lubert on June 25th, 1946 and recorded July 2nd, 1946 in Deed Record 753, Page 559, 416.11 feet to the East line of Meadow Lane Avenue; thence South along the East line of Meadow Lane Avenue 50.01 feet; thence East 417.24 feet to the East line of said 1/4 Section; thence North 50 feet to the place of beginning.

Tax Key No# 37-93-78

SUBJECT TO THE FOLLOWING RESTRICTIONS: Covenant, Conveyance and restrictions of record, if any.

Being the same premises earlier conveyed to the releasor by an instrument dated the 29th, day of October 1980 and recorded in Plat Book 753, page 559, of the Lake County Land Records.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I do hereby acknowledge and declare that I hold and will hold said real property and all my right, title and interest in and to said property on the date of my death, in Trust

For the use and benefit of the following Primary Beneficiary, /per stripes:

The issue of Garry J. Holm

or if he is not living and has left no issue to the below listed contingent Beneficiaries, per stirpes:

Norma J. Holm, my Mother, 7119 Meadow Lane, Hammond, Indiana 46342 or if she be not living for the use and benefit of

Denise J. Baker, my Cousin, 9008 Price Pl. Highland, Indiana 46322 or if she be not living for the use and benefit of

Debbie Tracy, My Cousin, 8736 Madison Avenue, Munster, Indiana 46321

If because of my physical or mental incapacity certified in writing by a physician, and a second physician concurs with the diagnosis, the Trustee hereinafter named shall assume active administration of this Trust during my lifetime, such Trustee shall be fully authorized to invest, reinvest or otherwise manage the Trust's assets as he shall deem appropriate, paying to me or disbursing on my behalf such sums from income or principal as may appear necessary or desirable for my comfort or welfare. Upon my death, unless all the beneficiaries shall predecease me, or unless we all shall die as a result of a common accident or disaster, the Trustee is hereby directed forthwith to transfer said property and all my right, title and interest in and to said property unto the beneficiary or beneficiaries absolutely and thereby terminate this trust; provided, however, that if any beneficiary hereunder shall not have attained the age of 25 years, the Trustee shall hold such beneficiary's share of the trust assets in continuing trust until such beneficiary shall have attained the age of 25 years. During such period of continuing trust, the Trustee, in her absolute discretion, may retain the specific trust property herein described if she believes it in the best interest of the beneficiary(s), so to do, or she may sell or otherwise dispose of said specific trust property, investing and reinvesting the proceeds as she may deem appropriate.

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William III

If the specific trust property shall be productive of income, or if it be sold or otherwise disposed of, the Trustee may apply or expend any or all of the income or principal directly for the maintenance, education and proper support of the beneficiary without the intervention of any guardian or without application to any court. Such payments of income or principal may be made to the parents of such beneficiary or to the person with whom the beneficiary is living without any liability on the Trustee to see to the application thereof. If such beneficiary(s) survives me but dies before attaining the age of 25 years, at his or her death the Trustee shall transfer, pay over and deliver the Trust property being held for such beneficiary to such beneficiary's personal representative, absolutely.

- 2. Any beneficiary hereunder shall be liable for his proportionate share of any taxes levied upon the Settlor's total taxable estate by reason of the Settlor's death.
- 3. All interests of a beneficiary hereunder shall be inalienable and free from anticipation, assignment, attachment, pledge or control by creditors or a present or former spouse of such beneficiary in any proceedings at law or in equity.
- 4. I reserve unto myself the power and right during my lifetime (1) to place a mortgage or lien upon the property, (2) to collect any rental or other income which may accrue from the trust property during my lifetime, and no beneficiary named herein shall have any claim upon any such income/or profits distributed to me.
- 5. I reserve unto myself the power and right at any time during my lifetime to amend or revoke in whole or in part the trust hereby created without the necessity of obtaining the consent of the beneficiaries and without giving notice to the beneficiaries. The sale or other disposition by me of the whole or any part of the trust property held hereunder shall constitute as to such whole or part a revocation of this trust.
- 6. The death during my lifetime, or in a common accident or disaster with me, of all of the beneficiaries designated hereunder shall revoke such designation, and in the former event, I reserve the right to designate new beneficiaries. Should I for any reason fail to designate such new beneficiaries, this trust shall terminate upon my death and the trust property shall revert to my estate.
- 7. In the event of my physical or mental incapacity of my thath, I hereby from thate and appoint My Mother, NORMA J. HOLM as Successor Trustee, to administer the Trust Fund on Behalf of the issue of GARRY J. HOLM or if there be no issue, for the use and benefit of Herself as Primary Beneficiary. If NORMA J. HOLM shall have resigned because of physical or mental incapacity or at her death, I hereby nominate and appoint DENISE J. BAKER, My Cousin, to be Sole Successor Trustee on behalf of the issue of GARRY J. HOLM until the first child attains the age of 25 years, at which time that child shall assume active administration of the Trust fund on behalf of himself and his or her brothers and or sisters. If GARRY J. HOLM leaves no issue then DENISE J. BAKER shall administer the Trust fund on behalf of herself as contingent Beneficiary. If DENISE J. BAKER shall resign due to physical or mental incapacity or at her death I hereby nominate and appoint DEBBIE TRACY, My Cousin as Successor trustee to administer the Trust for the use and benefit of Herself. Thereafter to be followed in succession of age by the remaining niece's should it become necessary because of resignation or death.
- 8 This Declaration of Trust shall extend to and be binding upon the heirs, executors, administrators and assigns of the undersigned and upon the Successors to the Trustees.
- 9. The Trustees and their Successors shall serve without bond
- 10. This Deed of Trust shall be construed and enforced in accordance with the laws of the State of Indiana.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this for many of

Witness (1) Delna Relman Witness (2) Cypet L. L. Delis
Printed Name

1542 Happy Valley Rd

1543 TENNANT TN 46307

Address

STATE OF INDIANA)
COUNTY OF LAKE

CITY OF HAMMOND

On the 15 14 day of August, 1998, personally appeared GARRY J. HOLM known to me to be the individual who executed the foregoing document, and acknowledged the same to be his free act and deed, before me.

A resident of hake County Notary Public

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EDGAR M. PRATER, NOTARY PUBLIC A Resident Of Lake County, Indiana My Commission Expires August 14, 1999