

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

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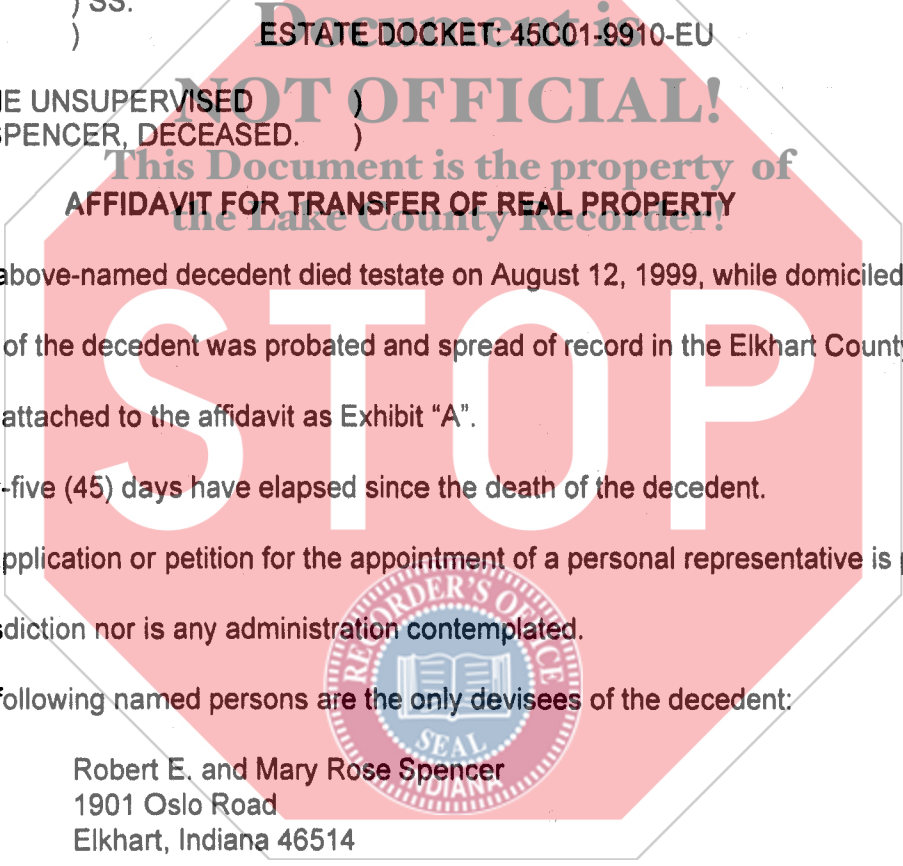
MORRIS M. CARTER  
RECORDER  
Tax Key No.: 39-50-47

Mail tax bills to: Richard Spencer  
1317 East Elm Street  
Griffith, Indiana 46319

STATE OF INDIANA )  
                          ) SS: IN THE LAKE COUNTY CIRCUIT COURT  
COUNTY OF LAKE ) ESTATE DOCKET: 45C01-9910-EU

IN THE MATTER OF THE UNSUPERVISED )  
ESTATE OF ROBERT SPENCER, DECEASED. )

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the Lake County Recorder!



1. That the above-named decedent died testate on August 12, 1999, while domiciled in Elkhart, County, and that the will of the decedent was probated and spread of record in the Elkhart County, Circuit Court and a copy of that will is attached to the affidavit as Exhibit "A".
2. That forty-five (45) days have elapsed since the death of the decedent.
3. That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction nor is any administration contemplated.
4. That the following named persons are the only devisees of the decedent:

1. Robert E. and Mary Rose Spencer  
1901 Oslo Road  
Elkhart, Indiana 46514
2. Richard W. And Rita Spencer  
1317 Elm Street  
Griffith, Indiana 46319
3. Deborah and Roger Slayton  
7013 Lindburgh Avenue  
Hammond, Indiana 46323

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**FILED**

OCT 19 1999

PETER BENJAMIN  
LAKE COUNTY AUDITOR

29.00  
E.P.  
CS

5. That the value of the decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of the allowance provided by IC §29-1-4-1, the costs and expenses of administration and reasonable funeral expenses.

6. That among the decedent's probate assets is a parcel of real estate which was owned by the decedent located in Lake County, Indiana, more particularly described as follows:

That part of the Southwest Quarter of Section Thirty-Six (36), Township Thirty-Six (36) North, Range nine (9) west of the 2nd p.m., described as commencing at a point on the north line of said Quarter Section 296.1 feet East of the Northwest corner thereof; thence South 206.333 feet; thence East 100 feet; thence North to the north line of said Southwest Quarter; thence west at the place of beginning. Commonly known as 1317 East Elm, Griffith, Indiana.

7. That the debts of the decedent, to the knowledge of your affiants, have been paid with non-estate funds. Said debts plus the funeral expenses exceeded the appraised value of the decedent's property.

8. That the individuals entitled to the real estate as result of the decedent's death are Richard W. Spencer and Rita Spencer, the other beneficiaries of the decedent's will having assigned their interest in the decedent's property by the assignments attached hereto.

9. That the gross value of the estate of the decedent, Robert W. Spencer, as determined for the purposes of Federal Estate taxes, was less than the value required for the filing of a Federal Estate Tax Return. As a consequence thereof, the decedent's estate was not subject to Federal Estate Tax.

10. That the decedent's estate was not subject to Indiana Inheritance Tax as the value of the estate was less than the decedents debts, funeral expenses and costs of administration.

*Robert Spencer*

Robert Spencer

STATE OF INDIANA )  
 )SS.  
COUNTY OF LAKE )

SUBSCRIBED AND SWORN to before me, a Notary Public, this 1<sup>st</sup> day of October, 1999.

*Michael S. Vass*

Michael S. Vass, Notary Public

This Document is the property of  
the Lake County Recorder!

My Commission Expires: 6/14/00  
County of Residence: Lake



This instrument prepared by: Michael S. Vass, 2850 45th Street, Highland, IN 46322 (219) 922-3264

*↑*



STATE OF INDIANA ) IN THE LAKE COUNTY CIRCUIT COURT  
 ) SS:  
COUNTY OF LAKE ) ESTATE DOCKET: 45C01-9910-EU-

IN THE MATTER OF THE UNSUPERVISED )  
ESTATE OF ROBERT W. SPENCER, DECEASED. )

**ASSIGNMENT OF INTEREST IN DECEDENT'S ESTATE**

For valuable consideration, the receipt of which is hereby acknowledged, we Robert E. And Mary Rose Spencer, hereby sell, assign, transfer, and set over unto Richard W. And Rita Spencer of Lake County Indiana, all of our rights, title, and interest in the specific bequest made in Article III, entitled "Distribution of Residuary Estate" of the decedent's Last Will and Testament in the estate of Robert W. Spencer, who died testate on the 12 day of August, 1999, which may become vested on us as legatees under the Last Will and Testament of the decedent, subject, however, to Federal Estate Taxes and Indiana Inheritance Taxes payable with respect thereto, which taxes, if not paid by the estate, the assignee hereby agrees to pay or to cause to be paid.

I hereby direct the personal representative of said estate to pay or deliver Richard W. And Rita Spencer all of our rights, title, and interest in the bequest made in Article III, in the decedent's estate to which I am entitled and to take Richard W. and Rita Spencer's receipt therefore, and any receipt therefore signed by them shall be as binding on me as if signed by mer personally

All of which is assigned this 15<sup>th</sup> day of October, 1999.

Robert E. Spencer  
Robert E. Spencer

Mary Rose Spencer  
Mary Rose Spencer

STATE OF INDIANA )  
 ) SS.  
COUNTY OF LAKE )

SUBSCRIBED AND SWORN to before me, a Notary Public, this 15<sup>th</sup> day of October, 1999.

Michael S. Vass  
Michael S. Vass, Notary Public

My Commission Expires: 6/14/00  
County of Residence: Lake



STATE OF INDIANA ) IN THE ELKHART COUNTY CIRCUIT COURT  
 ) SS:  
COUNTY OF ELKHART ) ESTATE DOCKET: 20C01-9910-EU 117

IN THE MATTER OF THE ESTATE OF )  
ROBERT W. SPENCER, DECEASED. )

FILED  
OCT - 4 1999

**ORDER OF PROBATE OF WILL WITHOUT ADMINISTRATION** CLERK ELKHART CIRCUIT COURT

Comes now Robert E. Spencer having filed his verified Petition for the Probate of Decedent's Will Without Administration, which petition is on file with the Court and a part of its record.

Further, there is now produced in open Court and submitted to the Court an instrument in writing purporting to be the Last Will and Testament of Robert W. Spencer. That said Will was a Self-Proved Will executed in all respects according to law with proper acknowledgment and verification thereof. Such instrument, and petition are now submitted to the Court and the Court having examined the same, having heard evidence and being duly advised now finds that:

1. That such decedent died on or about August 12, 1999, and at the time of such death was domiciled in Elkhart County, Indiana.

2. That such written instrument purporting to be such decedent's Last Will and Testament was duly executed in all respects according to law, has been duly proved, is the Last Will and Testament of such decedent, and is entitled to be admitted to probate in such County and that such will, written testimony, and Petition are on file with the Court. IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the written instrument purporting to be the Last Will and Testament of Robert W. Spencer be and it is hereby admitted to probate and spread record as such.

ALL OF WHICH IS ORDERED AND APPROVED this 4<sup>th</sup> day of

October, 1999.

Debra L. Kline  
JUDGE: CIRCUIT COURT OF ELKHART COUNTY

CURTIS T. HILL, JR.  
LAWYER  
414 VISTULA STREET  
ELKHART, INDIANA 46516

Last Will and Testament  
of

**ROBERT W. SPENCER**

I, ROBERT W. SPENCER, a resident of Elkhart County, Indiana, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all former wills, codicils, or other instruments of a testamentary character by me at any time heretofore made.

ARTICLE I

EXECUTOR

I appoint my son, ROBERT E. SPENCER, of Elkhart County, Indiana, as Executor of this Will. If he is unable or unwilling to serve, I appoint my daughter-in-law, MARY ROSE SPENCER, of Elkhart County, Indiana, as Executrix of this Will.

ARTICLE II

PAYMENT OF DEBTS AND TAXES

I direct that my Executor, hereinafter named, shall first pay out of the assets of my estate, all of my just debts and obligations, including the expenses of my last illness, and costs of administration expenses and all inheritance, successor and estate taxes that may be levied and assessed in any way by reason of my death, without charging them against or collecting them from any beneficiary

TESTATOR'S INITIALS RP

hereunder, or recipient or holder of property not passing hereby, but which is included in my gross estate for federal or state tax purposes.

**ARTICLE III**

**DISTRIBUTION OF RESIDUARY ESTATE**

A. All my residuary estate, which I define as all real and personal property, wherever situated and whenever acquired by me, in which I may have any interest at the time of my death, including property in which I have a reversionary interest or interest in any option to purchase, and all property which is not otherwise effectively disposed of under this Will, shall be divided as follows: one-third (1/3) to my son and his wife, ROBERT E. AND MARY ROSE SPENCER, of Elkhart County, Indiana; one-third (1/3) to my son and his wife, RICHARD W. AND RITA SPENCER, of Lake County, Indiana; and one-third (1/3) to my daughter and her husband, DEBORAH AND ROGER SLATON, of Lake County, Indiana.

B. In the event that both ROBERT E. AND MARY ROSE SPENCER predecease me, their one-third (1/3) interest of my residuary estate shall be divided equally between their surviving children. If ROBERT E. AND MARY ROSE SPENCER have no surviving children at the time of my death, their one-third (1/3) interest of my residuary estate shall be divided equally with one-half (1/2) of their interest to RICHARD W. AND RITA SPENCER and one-half (1/2) of their interest to ROGER AND DEBORAH SLATON.

C. In the event that both RICHARD W. AND RITA SPENCER predecease me, their one-third (1/3) interest of my residuary estate shall be given to their son, ROBERT K. SPENCER, of Lake County, Indiana. If RICHARD W. AND RITA SPENCER have no surviving son at the time of my death, their one-third (1/3) interest of my residuary estate shall be divided equally with one-half

TESTATOR'S INITIALS RS



(1/2) of their interest to ROBERT E. AND MARY ROSE SPENCER and one-half (1/2) of their interest to ROGER AND DEBORAH SLATON.

D. In the event that ROGER AND DEBORAH SLATON predecease me, their one-third (1/3) interest of my residuary estate shall be divided equally with one-half (1/2) of their interest to ROBERT E. AND MARY ROSE SPENCER and one-half (1/2) of their interest to RICHARD W. AND RITA SPENCER.

**Document is**  
**ARTICLE IV**

**NOT OFFICIAL!**  
**EXECUTOR'S POWERS**


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**the Lake County Recorder!**

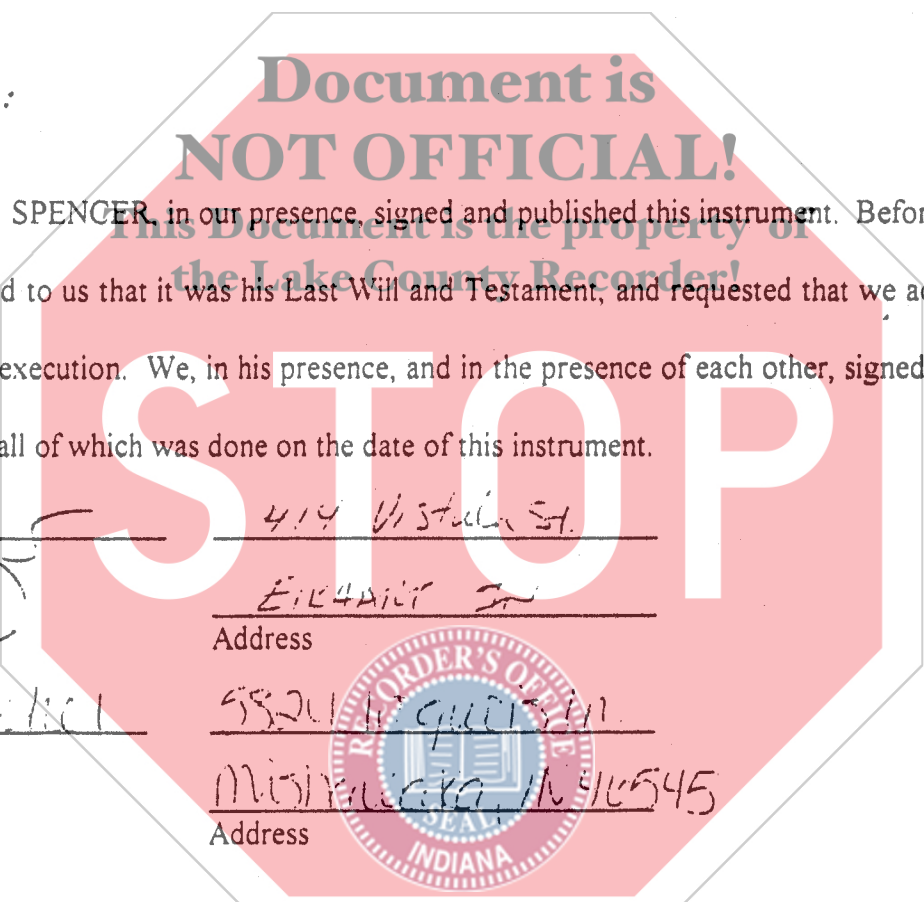
A. In the administration of any property in my estate, whether owned by me at the time of my death or subsequently acquired by my Executor, my Executor shall have the powers as provided in the Indiana Probate Code Section 29-1-7.5-3 as amended from time to time or as similarly provided in other sections of Indiana law, to be exercised as the Executor, in his discretion, determines to be in the best interests of the beneficiary.

B. My Executor shall have the power, in his discretion, to select assets to be sold by my estate for the payment of debts and taxes in a manner that will minimize the recognition by my estate of gain for Federal income tax purposes. My Executor shall have the right to exercise any options and elections under the tax laws applicable to my estate as the Executor determines should be made. The action of my Executor with respect to options and elections made shall be conclusive and binding upon all beneficiaries. My Executor may elect, in his discretion, to recognize in the estate any gain or loss for income tax purposes resulting from the distribution of property in kind to any beneficiary.

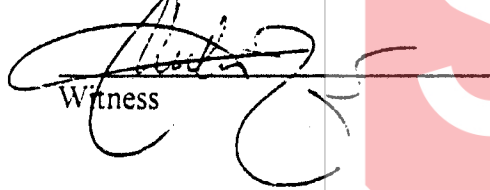
TESTATOR'S INITIALS MR S

I now sign this Last Will and Testament, consisting of five (5) pages, in the presence of the witnesses whose names appear below, and request that they witness my signature and attest to the due execution of this my Last Will and Testament this 17<sup>th</sup> day of April, 1997 at Elkhart, Elkhart County, Indiana.

  
ROBERT W. SPENCER



ROBERT W. SPENCER, in our presence, signed and published this instrument. Before he signed it, he declared to us that it was his Last Will and Testament, and requested that we act as witnesses to its due execution. We, in his presence, and in the presence of each other, signed our names as witnesses, all of which was done on the date of this instrument.

  
Witness

414 Vista St.  
Elkhart IN  
Address

WMA S. M... ..  
Witness

5820 ... ..  
Mishawaka, IN 46545  
Address

**ACKNOWLEDGEMENT AND VERIFICATION OF WILL**

STATE OF INDIANA     )  
  ) SS.  
COUNTY OF ELKHART    )

UNDER THE PENALTIES FOR PERJURY, we, ROBERT W. SPENCER, the undersigned Testator and undersigned witnesses, respectively, whose names are signed on the foregoing instrument declare:

TESTATOR'S INITIALS RS

(1) That the Testator executed the instrument and signified to the witnesses that the instrument is his Will;

(2) That, in the presence of all witnesses, the Testator signed or acknowledged his signature already made or directed another to sign for him in his presence;

(3) That the Testator executed the Will as his free and voluntary act for the purposes expressed in it;

(4) That each of the witnesses, in the presence of the Testator and of each other, signed the Will as a witness;

(5) That the Testator was of sound mind; and

(6) That to the best of his knowledge, the Testator was at the time eighteen (18) or more years of age, or was a member of the Armed Forces or of the Merchant Marines of the United States or its allies.

Dated this 17<sup>th</sup> day of April, 1997.

ROBERT W. SPENCER

[Signature]  
Witness

[Signature]  
Witness

414 Vistula St.

Elkhart, IN  
Address

5524 Higgins Ln.

Mishawaka, IN 46545  
Address

This instrument prepared by: Curtis T. Hill, Jr., Attorney at Law, 414 Vistula Street, Elkhart, Indiana 46516 (219) 295-9000.

TESTATOR'S INITIALS [Signature]