

Deed of Trust

WHEREAS, I, **PATRICIA A. KELLY**, an unmarried single person, of the City of Gary, County of Lake, State of Indiana, am the owner of certain real property located at (and known as) 1002 N. Warren Street, in the City of Gary, County of Lake, State of Indiana, which property is described more fully in the Warranty Deed conveying it from **HOWARD C. RUSH**, a single person to **PATRICIA A. KELLY**, a single person, the following described real property located in the City of Gary, County of Lake, and State of Indiana To Witt:

Lots Twenty Six (26) and Twenty Seven (27), Block thirteen (13), Lake Shore Addition to East Chicago, in the City of Gary, as per Plat thereof, Recorded in Plat Book 2 Page 17, in the Office of the Recorder of Lake County, Indiana. Tax Key # 45-255-26

SUBJECT TO THE FOLLOWING::

To all easements, restrictions, and covenants now of record. The address of which is 1002 N. Warren Street, Gary, Indiana 46403

Being the same premises earlier conveyed to the Settlor by an instrument dated the 27th. day of June 1990 and recorded in Plat Book 2, at Page 17, 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 our right, title and interest in and to said property on the date of the death, IN TRUST.

For the use and benefit of the following Primary Beneficiary, per Stirpes.

GAILWYN M. STARR, Friend of **PATRICIA A. KELLY**.

or if **GAILWYN M. STARR** be not surviving for the use and benefit of the following Three (3) contingent Beneficiaries, Per/Stirpes.

RITA MARSHALL, Sister of **PATRICIA A. KELLY**.

NOREEN KELLY, Sister of **PATRICIA A. KELLY**.

MARY M. KELLY Sister of **PATRICIA A. KELLY**.

If because of the physical or mental incapacity of myself certified in writing by a physician and a second physician in agreement, the Successor Trustee's hereinafter named shall assume active administration of this Trust during my lifetime, such Successor Trustee shall be fully authorized to invest, reinvest and otherwise manage the trust's assets(s) as they shall deem appropriate, paying to me or dispersing on my behalf such sums from income or principal as may appear necessary or desirable for my comfort or welfare. Upon my death, unless the beneficiaries shall predecease me or unless we all shall die as a result of common accident or disaster, my Successor Trustees are hereby directed forthwith to transfer said property and all right, title and interest in and to said property unto the beneficiaries absolutely and thereby terminate this trust; provided, however, that if any beneficiary shall not have attained the age of 21 years, the Successor Trustees shall hold such beneficiary's share of the trust assets in continuing trust until such beneficiary shall have attained the age of 21 years. During such period of continuing trust the Successor Trustees, in their absolute discretion, may retain the specific trust property herein described if they believes it in the best interest of the beneficiaries so to do, or they may sell or otherwise dispose of such specific trust property, investing and reinvesting the proceeds as they may seem appropriate. If the specific trust property shall be productive of income or if it be sold or otherwise disposed of, the Successor Trustees may apply or expend any or all of the income or principal directly for the maintenance, education and support of the beneficiaries without the intervention of any guardian and without application to any court. Such payments of income or principal may be made to the parents of such beneficiaries or to person with whom the beneficiaries is living without any liability upon the Successor Trustees to see to the application thereof. If such beneficiary survives us but dies before attaining the age of 21 years, at his or her death the Successor Trustees shall transfer, pay over and deliver the trust property being held for such beneficiary to such beneficiary's personal representative, absolutely.

2. Each beneficiary hereunder shall be liable for his/ her proportionate share of any taxes levied upon the total taxable estate of myself.

3. All interests of a beneficiary hereunder shall be inalienable and free from anticipation, assignment, attachment, pledge or control by creditors or by 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 other lien upon the property, (2) to collect any rental or other income which may accrue from the trust property and to pay such income to myself as an individual. I shall be exclusively entitled to all income accruing from the trust property during my lifetime, and no beneficiary named hereunder shall have any claim upon any such income and/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 any beneficiary and without giving notice to any beneficiary. The sale or other disposition by me of the whole or any part of the property held hereunder shall constitute as to such whole or part a revocation of this trust.

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OCT 25 1999
the Lake County Recorder!

PETER BENJAMIN
LAKE COUNTY AUDITOR

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