

FILED FOR RECORD

2004 078467

2004 SEP 15 PH 3-10

STATE OF INDIANA

LAKE COUNTY PROBATE COURT

COUNTY OF LAKE

ESTATE DOCKET 45001-9602-ES-058

IN THE MATTER OF THE SUPERVISED

ESTATE OF EDNA ELIZABETH LUNN, DECEASED

) SS:

Filed in Open Cour.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER SEP 15 2004

ORDER APPROVING PERSONAL REPRESENTATIVE'S

NOV 25 1997

FINAL REPORT AND ACCOUNTING, PETITION TO

ALLOW ACCOUNTING, PETITION FOR ORDER

APPROVING DISTRIBUTION AND CLOSING ESTATE

CLERK LANE CHOCKET

STEPHEN R. STIGLICH

CLERK LAKE CIRCUIT COURT LAKE COUNTY AUDITOR is cause came to be heard on the 25th day of November, 1997, upon the final accounting, petition to settle and allow account and for authority to distribute estate filed by DONNA JEAN SMITH and TERRY JAY LUNN, as personal representatives of the estate of EDNA ELIZABETH LUNN, deceased, which account and petition are on file with the Court and a part of the Court's record.

> And it appearing that no objections were filed thereto and the Court being fully advised in the premises, now finds that:

- 1. Due notices of the filing of said account and petition and of the hearing on the same were given to all persons interested in said estate. That a formal notice was published pursuant to the provisions of I.C.29-1-16-6 and that this matter is now properly before the Court for final action thereon.
- 2. That EDNA ELIZABETH LUNN died testate, a resident of the County of Lake, State of Indiana, on the 16th day of November, 1995, and her Last Will and Testament was duly admitted to probate before this Court on the 22nd day of February, 1996, and this Court appointed said DONNA JEAN SMITH and TERRY JAY LUNN as personal representatives of the Last Will and Testament of the decedent, and said personal representatives were issued Letters Testamentary on the 14th day of May, 1996, and since that date they have continued to serve in such capacity.
- 3. That the matters and things stated in said accounting and petition are true and that said personal representatives have accounted for all of the assets in this estate coming into their
- More than five (5) months have elapsed since the date of the first published notice to legatees, devisees, and creditors of said decedent; all claims filed against said estate have been paid and discharged; neither said decedent nor her personal representatives were employers of labor within the meaning of that term as used in the Indiana Employment Security Act; all estate taxes, inheritance taxes and gross income taxes, if any, assessed 001226 CS in said estate have been paid.

DONNA SMITH 430 E OAKley Ave Lowell, IND 46356

5. The following persons are the sole legatees and devisees under the decedent's Last Will and testament:

Donna Jean Smith Adult \$26,284.99 Terry Jay Lunn Adult \$29,119.44 Michael Lunn Adult Interest in Real Estate Kristina Fleener Adult Interest in Real Estate Tracy McDaniel Adult Interest in Real Estate

That the decedent owned a parcel of real estate located 426 East Oakley, Lowell, Indiana and more particularly described as follows:

The West 65 Feet of the East 160 feet of the following described tract to-wit: part of the Northwest 1/4 of the Northeast 1/4 Section 26, Township 33 North, Range 9 West of the 2nd P.M., described as commencing at a point 492 feet South of the intersection of the East point 492 feet South of the intersection of the East line of Freemont Street and the North line of said Section 26, thence South 355.80 feet, more or less to the center line of the new channel of Cedar Creek; thence Northwesterly along the center of said Cedar Creek, a distance of 547.80 feet, more or less to the South line of Oakley Avenue 355 feet to the place of beginning, in the Town of Lowell, Lake County, Indiana.

Said parcel was sold pursuant to an Order Approving Sale, issued by this Court on October 10. 1996. by this Court on October 10, 1996 Recorder!

7. That the decedent owned another parcel of real estate located at 430 East Oakley, Lowell, Indiana and more particularly described as follows:

The East 95 Feet by parallel lines of the following described tract, to wit: Part of the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 33 North, Range 9 West of the 2nd P.M., described as commencing at a point 492 feet South of the intersection of the East line of Freemont Street and the North line of said Section 26, thence South 355.80 feet, more or less to the center line of the new channel of Cedar Creek; thence Northwesterly along the center of said Cedar Creek, a distance of 547.80 feet, more or less to the South line of Oakley Avenue 355 feet to the place of beginning, in the Town of Lowell, Lake County, Indiana.

Which real estate is still held as part of the property of the decedent's estate.

decedent's estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. Said Final Report and Accounting of said personal representatives is hereby in all things approved, settled and

IN THE MATTER OF THE SUPERVISED)

ESTATE OF EDNA ELIZABETH LUNN, DECEASED)

CASE #45C01-9602-ES-058

- 2. That the distribution of the balance of the property remaining in said personal representatives' hands for distribution has been made pursuant to the distribution set forth in the final accounting as prescribed under the Last Will and Testament of said decedent and is hereby in all things approved.
- 3. Said personal representatives, having made distribution of all assets and property and having attached (receipts or vouchers) evidencing said distribution to said legatees and devisees, said distribution is hereby approved and confirmed.
- 4. Said personal representatives are hereby released and discharged from any further liability or responsibility along with their surety as said personal representatives.
- 5. That the parcel of real estate located at 430 East Oakley, Lowell, Indiana and more particularly described as follows:

The East 95 Feet by parallel lines of the following described tract, to wit: Part of the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 33 North, Range 9 West of the 2nd P.M., described as commencing at a point 492 feet South of the intersection of the East line of Freemont Street and the North line of said Section 26, thence South 355.80 feet, more or less to the center line of the new channel of Cedar Creek; thence Northwesterly along the center of said Cedar Creek, a distance of 547.80 feet, more or less to the South line of Oakley Avenue 355 feet to the place of beginning, in the Town of Lowell, Lake County, Indiana.

shall be transferred pursuant to Article I of the decedent's Will to Michael Lunn, Kristina Fleener, and Tracy McDaniel, as tenants in common. However, the transfer of this parcel of real estate, shall be subject to the life estate of Donna Jean Smith.

All of which is found and recommended this 25 day of November, 1997.

PROBATE COMMISSIONER

All of which is ordered and decreed this 25 day of

riled in Open Cour.

NOV 25 1997

CHERK LAKE CIRCUIT COURT

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This Document is the property of the Lake County Recorder!

As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this _day of

Clerk of the Lake Circuit and Superior Courts

By: A W MAJOU