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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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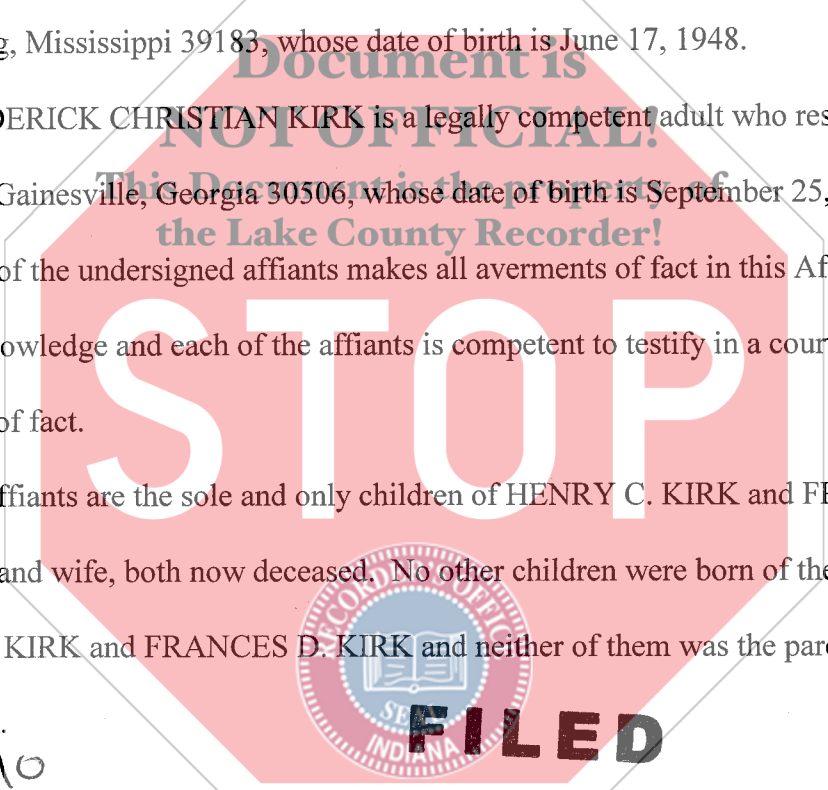
MICHAEL A. BROWN
RECORDER

Mailto:
Paul T. Cholis
202 S. Michigan St. #905
South Bend, IN 46601

AFFIDAVIT OF HEIRSHIP AND IN AID OF TITLE
TO REAL ESTATE

Come now JAMES PHILIP KIRK and FREDERICK CHRISTIAN KIRK hereafter occasionally referred to collectively as "the affiants" each of whom being first duly sworn upon his oath deposes and says as follows:

1. JAMES PHILIP KIRK is a legally competent adult who resides at 1106 Newit Vick Drive, Vicksburg, Mississippi 39183, whose date of birth is June 17, 1948.
2. FREDERICK CHRISTIAN KIRK is a legally competent adult who resides at 3533 Maritime Glen, Gainesville, Georgia 30506, whose date of birth is September 25, 1949.
3. Each of the undersigned affiants makes all averments of fact in this Affidavit of his own personal knowledge and each of the affiants is competent to testify in a court of law as to all such averments of fact.
4. The affiants are the sole and only children of HENRY C. KIRK and FRANCES D. KIRK, husband and wife, both now deceased. No other children were born of the union of the said HENRY C. KIRK and FRANCES D. KIRK and neither of them was the parent of any other child or children.



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TAXES: Julia Klemm
1302 Pulaski Rd.
Calumet City,
IL 60409

MAY 23 2007
PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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5. The said FRANCES D. KIRK, sometimes also known in the public records of Lake County, Indiana as "FRANCIS [*sic*] KIRK" died testate a resident of Lowndes County, Mississippi on May 8, 2003 at the age of 88 years survived by her spouse, the aforesaid HENRY C. KIRK, and her sole and only children, the undersigned affiants.

6. HENRY C. KIRK died testate a resident of Lowndes County, Mississippi, a widower, on January 26, 2005, at the age of 83 years survived by his sole and only children, the undersigned affiants.

7. At the time of the death of FRANCES D. KIRK, the fee simple title to the following described real estate situated in Lake County, Indiana, was in the name of the said FRANCES D. KIRK, whose name also appears as "FRANCIS KIRK":

Parcel 1

The West Half of the Northwest Quarter and the West 23.2 acres of the East Half of the Northeast Quarter of Section 29, Township 33 North, Range 9 West of the 2nd P.M., in Lake County, Indiana.

Key Nos. 10-01-0078-0001
10-01-0078-0002

Parcel 2

That part of the Southeast Quarter of the Southeast Quarter of Section 19, Township 33 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, lying West of White Oak Avenue, except therefrom: The East 314.00 feet of the South 418.18 feet, and except therefrom: The East 350 feet of the West 385 feet of the South 368.3 feet and further excepting the East 240 feet of the West 625 feet of the South 368.3 feet of the Southeast Quarter of the Southeast Quarter of Section 19, Township 33 North, Range 9 West of the 2nd P.M., in Lake County, Indiana.

Key Nos. 10-01-0069-0010
10-01-0069-0011

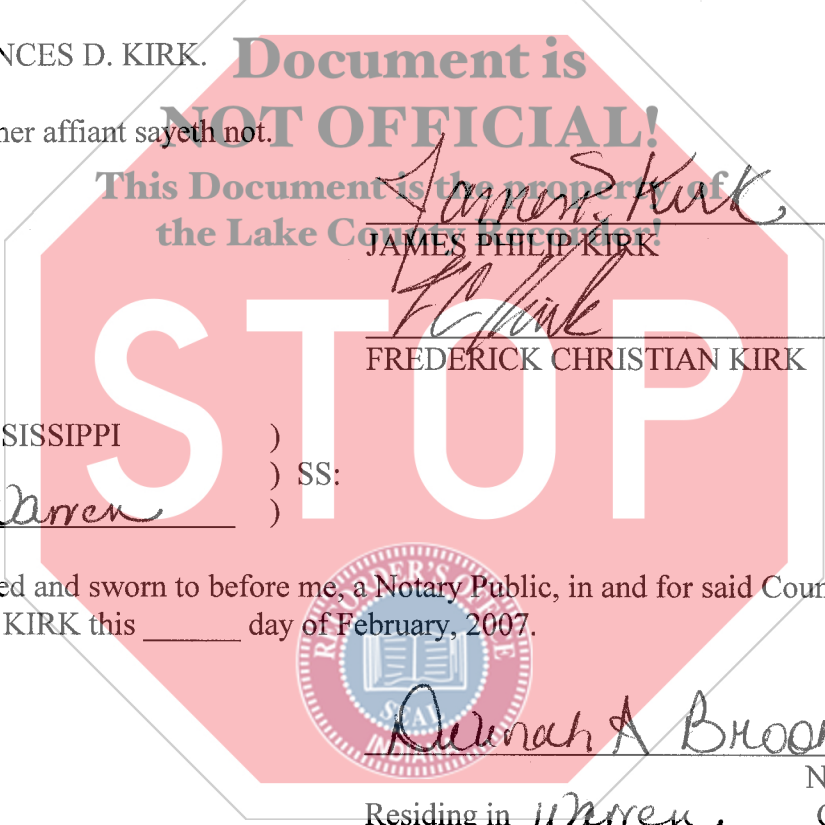
8. Pursuant to Indiana Code Section 29-1-7-15.1(d) the Last Will and Testament of FRANCES D. KIRK shall not be admitted to probate in the State of Indiana. Pursuant to Indiana

Code Section 29-1-2-1, legal title to the above described real estate vested upon her death in her surviving spouse, HENRY C. KIRK, and her sons, JAMES PHILIP KIRK and FREDERICK CHRISTIAN KIRK, the undersigned affiants, as tenants in common, the shares thereof being one-half, one-quarter and one-quarter respectively.

9. The Last Will and Testament dated November 24, 1997 of the said HENRY C. KIRK, who died as aforesaid on January 26, 2005 a resident of Lowndes County, Mississippi, has been admitted to probate in the Lake Circuit Court. Said will leaves the entire residue of the decedent's estate to the trustee of "The KIRK Family Trust" dated November 24, 1997.

10. The undersigned affiants are the sole and only beneficiaries as equal tenants in common of the KIRK Family Trust upon the death of the said HENRY C. KIRK after the death of the said FRANCES D. KIRK.

11. Further affiant sayeth not.



STATE OF MISSISSIPPI)
) SS:
COUNTY OF Warren)

Subscribed and sworn to before me, a Notary Public, in and for said County and State by JAMES PHILIP KIRK this _____ day of February, 2007.

Dorothy A. Broom
Notary Public
Residing in Warren County
Mississippi

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 23, 2010
BONDED THRU STEGALL NOTARY SERVICE

STATE OF GEORGIA)
) SS:
COUNTY OF Fulton)

Subscribed and sworn to before me, a Notary Public, in and for said County and State by

FREDERICK CHRISTIAN KIRK this 2nd day of February, 2007.

KAROLINA COFFEY
NOTARY PUBLIC
Fulton County
State of Georgia
My Comm. Expires Oct. 18, 2010

Karolina Coffey
Notary Public
Residing in Fulton County,
Mississippi Georgia

My Commission Expires:

10-18-2010

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STOP

THIS INSTRUMENT PREPARED: PAUL T. CHOLIS #3217-71
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KIRK, FRANCES D. Aff. Of Heirship.doc

