

7

STATE OF INDIANA)
COUNTY OF LAKE)

SS: 2007 095199

2007 DEC -7 10:11:44
MICHAEL J. BROWN

IN RE: LAKE COUNTY, INDIANA TREASURER PROPERTY NO: 263401260027
C. Hohmans 2nd Add. Lot 24 BL. 1, commonly known as 539-541 State Street, Hammond, Indiana 46320

AFFIDAVIT

BARBARA C. BARTON, being first duly sworn upon her oath, states as follows:

1. She is the surviving widow of Barry A. Barton, deceased.
2. Barry A. Barton died on June 14, 2006. A copy of the Death Certificate is attached hereto as Exhibit A.
3. Barry A. Barton left a Last Will and Testament, a copy of which is attached hereto as Exhibit B.
4. All of the property owned by Barry A. Barton, including the above-captioned real estate, was devised and bequeathed to Affiant pursuant to the terms of Barry A. Barton's Last Will and Testament.
5. Barry A. Barton resided at 1140 East 166th Street, South Holland (Cook County), Illinois. *60473-2562*
6. Barry A. Barton's Will was admitted to probate on October 10, 2006 and Barbara C. Barton was appointed as independent Executrix, a copy of which is attached hereto as Exhibit C.
7. Barbara C. Barton resides in the martial residence at 1140 East 166th Street, South Holland (Cook County), Illinois (erroneously shown as 1140 East 186th Street, South Holland, Illinois).

*Believe
ADDRESS FOR
TAXES* →

Further your Affiant saith not.

Barbara C. Barton
BARBARA C. BARTON

*# 23
CS
CRA*

SUBSCRIBED AND SWORN to before me, a Notary Public in and for said County and State this 5th day of December, 2007.

Janis L. Bermingham
Janis L. Bermingham, Notary Public

FILED
DEC -6 2007

My Commission Expires: 7/16/2014
County of Residence: Lake

BEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

23984

STATE OF ILLINOIS
County of Cook

DAVID ORR, County Clerk

I, David Orr, County Clerk of the County of Cook, in the State aforesaid, and Keeper of the Records and Files of said County do hereby certify that the attached is a true and correct copy of the original Record on file, all of which appears from the records and files in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Seal of the County of Cook, at my office in the city of Chicago, in said County.

David Orr
COUNTY CLERK

DECEDENT'S BIRTH NO.		REGISTRATION DISTRICT NO. 16.0		STATE OF ILLINOIS		STATE FILE NUMBER	
		REGISTERED NUMBER		MEDICAL CERTIFICATE OF DEATH			
Type or Print in PERMANENT INK See Funeral Directors, Hospital, or Physicians Handbook for INSTRUCTIONS	DECEASED—NAME FIRST MIDDLE LAST		SEX		DATE OF DEATH (MONTH, DAY, YEAR)		
	1. Barry A. Barton		2. Male		3. June 14, 2006		
	COUNTY OF DEATH		AGE—LAST BIRTHDAY (YRS)		UNDER 1 YEAR		DATE OF BIRTH (MONTH, DAY, YEAR)
	4. Cook		5a. 66		5b. 66		5d. April 22, 1940
	CITY, TOWN, TWP, OR ROAD DISTRICT NUMBER		HOSPITAL OR OTHER INSTITUTION—NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER)			IF HOSP. OR INST. INDICATE D.O.A., OP/EMER. RM, INPATIENT (SPECIFY)	
	6a. South Holland		6b. 1140 E. 166th. Street			6c.	
	BIRTHPLACE (CITY AND STATE OR FOREIGN COUNTRY)		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY)		NAME OF SURVIVING SPOUSE (MAIDEN NAME, IF WIFE)		WAS DECEASED EVER IN U.S. ARMED FORCES? (YES/NO)
	7. Hammond, Indiana		8a. Married		8b. Barbara C. Hoffman		9. No
	SOCIAL SECURITY NUMBER		USUAL OCCUPATION		KIND OF BUSINESS OR INDUSTRY		EDUCATION (SPECIFY ONLY HIGHEST GRADE COMPLETED)
	10. 323-36-0040		11a. Owner		11b. Food		12. 1
RESIDENCE (STREET AND NUMBER)		CITY, TOWN, TWP, OR ROAD DISTRICT NO.		INSIDE CITY (YES/NO)		COUNTY	
13a. 1140 E. 166th. Street		13b. South Holland		13c. Yes		13d. Cook	
STATE		ZIP CODE		RACE (WHITE, BLACK, AMERICAN INDIAN, etc.) (SPECIFY)		OF HISPANIC ORIGIN? (SPECIFY NO OR YES—IF YES, SPECIFY CUBAN, MEXICAN, PUERTO RICAN, etc.)	
13e. Illinois		13f. 60473		14a. White		14b. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES SPECIFY:	
FATHER—NAME FIRST MIDDLE LAST		MOTHER—NAME FIRST MIDDLE (MAIDEN) LAST					
15. Herman Barton		16. Dorothy Winer					
INFORMANT'S NAME (TYPE OR PRINT)		RELATIONSHIP		MAILING ADDRESS (STREET AND NO. OR R.F.D., CITY OR TOWN, STATE, ZIP)			
17a. Barbara C. Barton		17b. Wife		17c. 1140 E. 166th. St. South Holland, Illinois 60473			
18. PART I.		Enter the diseases, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.				APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
Immediate Cause (Final disease or condition resulting in death)		(a) LUNG CA with Brain metastasis					
CONDITIONS, IF ANY WHICH GIVE RISE TO IMMEDIATE CAUSE (a) STATING THE UNDERLYING CAUSE LAST.		(b) Sq. Cell CA of Lung					
		(c) Chronic Smoking					
PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in PART I.		CAD D.M.				AUTOPSY (YES/NO)	
						19a. No 19b.	
DATE OF OPERATION, IF ANY		MAJOR FINDINGS OF OPERATION		IF FEMALE, WAS THERE A PREGNANCY IN PAST THREE MONTHS?		HOUR OF DEATH	
20a.		20b.		20c. YES <input type="checkbox"/> NO <input type="checkbox"/>		21c. 1:45 P.M.	
1 (DID) (DID NOT) ATTEND THE DECEASED AND LAST SAW HIM/HER ALIVE ON (MONTH, DAY, YEAR)		WAS CORONER OR MEDICAL EXAMINER NOTIFIED? (YES/NO)		HOUR OF DEATH			
21a. 6/3/06		21b. No		21c. 1:45 P.M.			
TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED.		DATE SIGNED (MONTH, DAY, YEAR)		ILLINOIS LICENSE NUMBER			
22a. SIGNATURE <i>Dilip Shah</i>		22b. 6/15/06		22c. 36-45-36-1			
NAME AND ADDRESS OF CERTIFIER (TYPE OR PRINT)		NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (TYPE OR PRINT)		NOTE: IF AN INJURY WAS INVOLVED IN THIS DEATH THE CORONER OR MEDICAL EXAMINER MUST BE NOTIFIED.			
22c. Dilip Shah, M.D., 17901 Governor's Hwy Homewood IL 60430		23.					
BURIAL, CREMATION, REMOVAL (SPECIFY)		CEMETERY OR CREMATORY—NAME		LOCATION CITY OR TOWN STATE		DATE (MONTH, DAY, YEAR)	
24a. Crementation		24b. Forest Crematory		24c. Romeoville, Illinois		24d. 6-16-06	
FUNERAL HOME		NAME		STREET AND NUMBER OR R.F.D. CITY OR TOWN STATE ZIP			
25a. Crementation Society of Illinois 1030 E. Northwest Hwy. Mt. Prospect, Illinois 60056		FUNERAL DIRECTOR'S SIGNATURE		FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER			
25b. <i>Gerald Sullivan</i>		25c. Gerald Sullivan		25c. 034-011165			
LOCAL REGISTRAR'S SIGNATURE		DATE FILED BY LOCAL REGISTRAR (MONTH, DAY, YEAR)					
26a. <i>David Orr</i>		26b. JUN 16 2006					

A

**Last Will and Testament
of**

BARRY A. BARTON

I, BARRY A. BARTON, currently of South Holland, Illinois, being of sound and disposing mind and memory and mindful of the uncertainty of this life, do hereby declare this instrument to be my Last Will and Testament, hereby revoking all Wills and Codicils thereto by me heretofore made.

ARTICLE I

I direct that all my just debts, funeral expenses, and costs of the administration of my estate be paid by my Executrix as soon as may be done commensurate with the sound administration and conservation of my estate.

ARTICLE II

I hereby nominate and appoint my beloved wife, BARBARA BARTON, as Executrix of this my Last Will and Testament, and in the event that she predeceases me, or for any reason is unable or unwilling to serve as Executrix, I then appoint my son, NICHOLAS BARTON, as Alternate Executor. In the event that NICHOLAS BARTON shall also predecease me, or fail or refuse to act as my Alternate Executor, I then appoint my daughter, NICOLE BARTON, as Alternate Executrix. In the event that NICOLE BARTON shall also predecease me, or fail or refuse to act as my Alternate Executrix, I then appoint my daughter, RACHEL BARTON, ^{AGRESTA} as Alternate Executrix. It is my desire that said Executrix or Alternate Executors serve without bond. My Executrix or Alternate Executor with respect to my estate shall have all powers enumerated and granted by law, to be exercised without the necessity of Court approval, as my fiduciary in its sole discretion determines to be in the best interests of the beneficiaries.

ARTICLE III

I hereby give, devise and bequeath to my wife, BARBARA BARTON, if she survives me, all of my clothing, jewelry, furniture, furnishings, household and personal property and in general all of the tangible personal property owned by me at the time of my death to be hers absolutely. In the event that BARBARA shall predecease me, all of my remaining tangible personal property shall be divided equally among my surviving children by agreement, or if they cannot agree as to the division of such tangible personal property,

then the said personal property over which a dispute remains shall be sold and the proceeds thereof shall be added to my residuary estate.

ARTICLE IV

I hereby give, devise and bequeath to my wife, BARBARA BARTON, if she survives me, any interest which I may own in real property occupied by us as a home at the time of my death, to be hers absolutely.

ARTICLE V

I hereby give, devise and bequeath all of my residuary estate, being all property, real and personal, tangible and intangible, wherever situated, in which I may have any interest at the time of my death not otherwise effectively disposed of hereinabove to my wife, BARBARA BARTON, if she survives me. In the event that she fails to so survive me, then my residuary estate shall be distributed to my following children, or their respective issue per stirpes if any of them do not survive me, in the following proportions:

- 1.) NICHOLAS BARTON - Forty percent (40%)
- 2.) NICOLE BARTON - Forty percent (40%)
- 3.) RACHEL BARTON - Twenty percent (20%)

AGRESTA

If any of my above-named children shall have predeceased me leaving no issue surviving me, the share otherwise payable to that residuary beneficiary or his/her issue shall be paid to my other residuary beneficiaries or their issue then living per stirpes, in the proportion which the share of each of my surviving residuary beneficiaries or issue of predeceased residuary beneficiaries bears to the aggregate shares of my surviving residuary beneficiaries or their issue.

ARTICLE VI

If my wife, BARBARA BARTON, and I should die under such circumstances that there is not sufficient evidence as to the order of our deaths, it shall be presumed for all purposes under this Will that I survived my wife.

ARTICLE VII

A. Throughout this Will, the masculine gender shall be deemed to include the feminine and/or the neuter, and the singular the plural, and vice versa, wherever required by the context.

B. I am depositing an executed copy of this Will with the law firm of Abrahamson, Reed & Bilse of Hammond, Indiana, and I direct that said copy may be admitted to Probate as my Last Will and Testament in the event that the original cannot be found after my death.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament, consisting of four (4) pages (the last page being the Proof of Will page), each of which has been identified by my name or initials, this 5th day of December, 2005.

Barry A. Barton
BARRY A. BARTON, Testator

We hereby certify that on the date thereof, the foregoing instrument was signed, sealed, published and declared by the Testator in our presence as her Last Will and Testament; and that in her presence and at her request and in the presence of each other, we have subscribed our names as witnesses to its execution, believing said Testator to be of sound mind at the time of so signing.

Robert B. Lynch *1206 Mac Arthur Blvd*
WITNESS ADDRESS *Munster, IN*

James L. Cunningham *7211 Madison Ave*
WITNESS ADDRESS *Hammond, IN 46324*



PROOF OF WILL

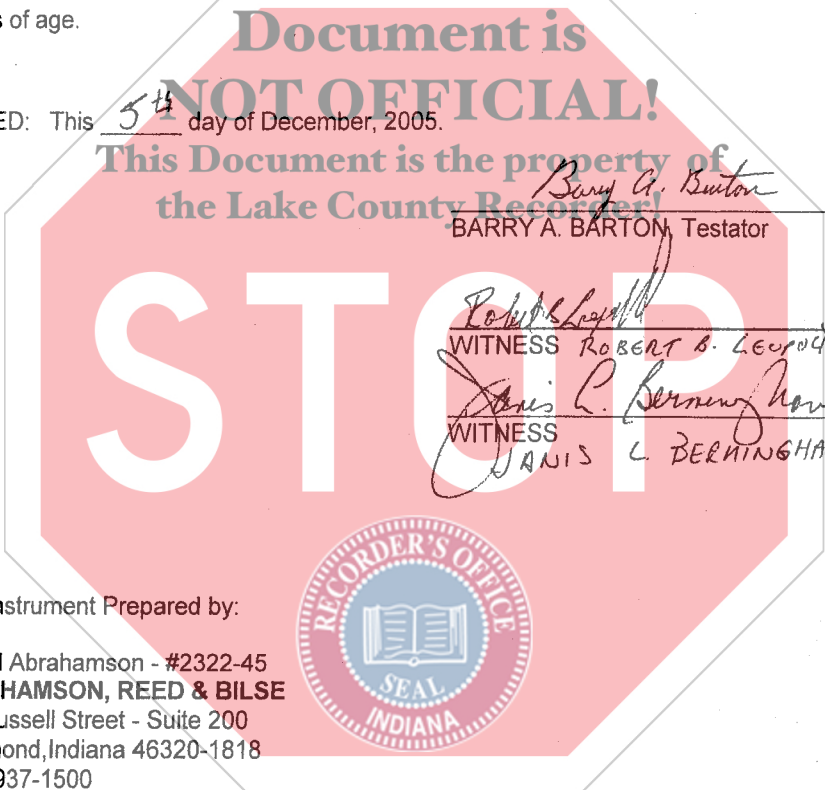
Under penalties of perjury, BARRY A. BARTON, Testator

and, ROBERT B. LEOPOLD, and JANIS L. BIRMINGHAM, witnesses,

whose names are signed to the foregoing instrument, declare:

1. That BARRY A. BARTON, Testator, executed said instrument as his Will.
2. That he signed his signature in the presence of all witnesses.
3. That each witness saw the Testator sign said Will.
4. That he executed his Will as his free and voluntary act for the purposes therein expressed.
5. That each of the witnesses, in the presence of the Testator and of each other, signed the Will as witnesses.
6. That each of us believed the Testator was of sound mind and memory at the time the Testator signed the Will; and
7. That at the time of so signing, the Testator was more than eighteen (18) years of age.

DATED: This 5th day of December, 2005.



Barry A. Barton
BARRY A. BARTON, Testator

Robert B. Leopold
WITNESS ROBERT B. LEOPOLD

Janis L. Birmingham
WITNESS JANIS L. BIRMINGHAM

This instrument Prepared by:

Harold Abrahamson - #2322-45
ABRAHAMSON, REED & BILSE
200 Russell Street - Suite 200
Hammond, Indiana 46320-1818
(219) 937-1500

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
PROBATE DIVISION

ESTATE OF BARRY A. BARTON,
Deceased.

)
)

CAUSE NO. 2006 P 006975

DOCKET NO. _____

PAGE: _____

**ORDER ADMITTING WILL TO PROBATE
AND APPOINTING REPRESENTATIVE**

On Petition for Admission to Probate of the Will of the decedent and for issuance of letters of office, the Will having been proved as provided by law;

IT IS ORDERED THAT:

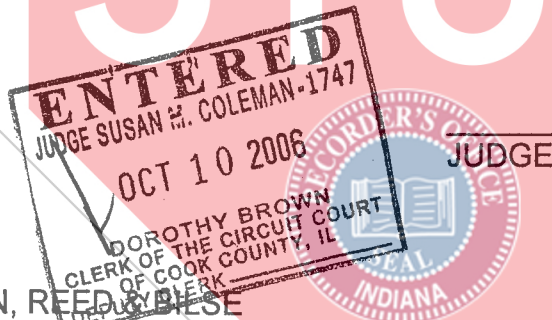
1. The Will of BARRY A. BARTON dated December 5, 2005, be admitted to probate;

2. Letters of Office as Independent Executrix issue to BARBARA C.

BARTON.

3. *Order to Account or Report on or before 12/7/07
at 10:00 AM,*

Entered this _____ day of _____, 2006.



ABRAHAMSON, REED & BILSE
By: Scott R. Bilse IL Atty No. 6195261
200 Russell Street, Suite 200
Hammond, Indiana 46320
(219) 937-1500
Attys for Independent Executrix