

3.

NORTHWEST INDIANA
LAKE COUNTY
FILED FOR RECORD

2011 048200

2011 SEP -1 AM 11:20

MICHAEL J. SWAN
RECORDER

AFFIDAVIT

The undersigned being first duly sworn upon her oath states:

1. That your Affiant is a niece of Irene Knish, who was the owner of a parcel of real estate commonly known as 4202 Todd Avenue, East Chicago, Indiana, and more particularly described as follows:

Lot 5, Block 5, of the re-subdivision of part of the West 1317.5 feet of the Northeast Quarter of Section 29, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, as shown in Plat Book 5 page 2, in Lake County, Indiana.

2. That on or about May 11, 2004, Irene Knish, by QuitClaim Deed dated May 11, 2004 and recorded May 14, 2004 as Document No. 2004-040085 conveyed the property to Irene Knish-Paula Jean Knish, Irene Knish reserves life estate. The deed was prepared by Irene Knish in order to transfer the property to herself and your Affiant and that Irene was to maintain the use and benefit of the property for her life (thus the life estate) and upon her death your Affiant was to be the sole owner of the property.

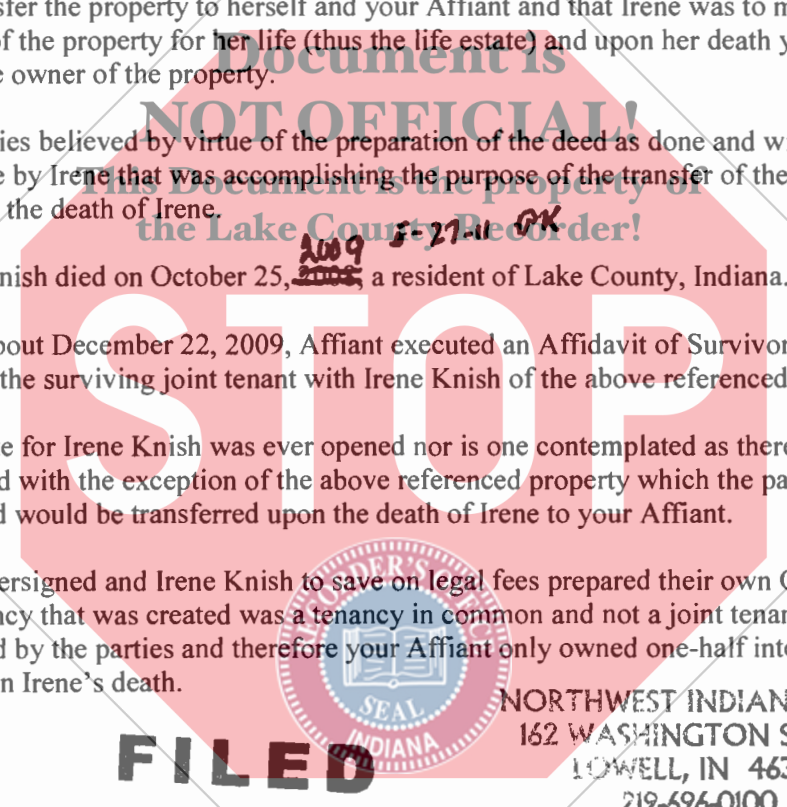
3. That the parties believed by virtue of the preparation of the deed as done and with the retaining of the life estate by Irene that was accomplishing the purpose of the transfer of the property to your Affiant upon the death of Irene.

4. That Irene Knish died on October 25, ~~2008~~²⁰⁰⁹, a resident of Lake County, Indiana.

5. That on or about December 22, 2009, Affiant executed an Affidavit of Survivorship setting forth that she was the surviving joint tenant with Irene Knish of the above referenced property.

6. That no estate for Irene Knish was ever opened nor is one contemplated as there are no assets to be transferred with the exception of the above referenced property which the parties had contemplated would be transferred upon the death of Irene to your Affiant.

7. That the undersigned and Irene Knish to save on legal fees prepared their own QuitClaim Deed and the tenancy that was created was a tenancy in common and not a joint tenancy as contemplated by the parties and therefore your Affiant only owned one-half interest in and to said property upon Irene's death.



FILED

SEP 01 2011

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

002942

NORTHWEST INDIANA TITLE
162 WASHINGTON STREET
LOWELL, IN 46356
219-696-0100

18773 15
AMOUNT \$ _____
CASH _____ CHARGE _____
CHECK # 3083
OVERAGE _____
COPY _____
NON-COM _____
CLERK _____

8. That the value of the property for resale purposes is \$11,000.00 and is being sold to a bona fide purchaser.
9. That after the death of Irene Knish your Affiant paid for her funeral expenses in the amount of approximately \$3,000.00 and your Affiant further paid Federal taxes that were due and owing by Irene Knish in the amount of \$5,779.43, both expenses paid by your Affiant being in excess of the value of the property of the one-half interest of Irene Knish.
10. The above payments were made by your Affiant from her personal funds and they were paid for the benefit of Irene Knish and there were no corresponding funds of Irene's that were used to pay the above debts.
11. That in the event your Affiant did not pay the Federal tax obligation a lien would have been placed upon the property which would have been in excess of one-half of the value of the property owned by Irene Knish.
12. That your Affiant had contemplated filing a partition action or quiet title suit to rectify the failure of the deed as prepared to transfer the property according to the intent and understanding of the parties upon Irene's death. Due to the contemplated time and cost of said action and potential parties involved, including but not limited to, having to open an estate for Irene that the undersigned having expended monies on said property in excess of its value believes that any type of legal action to rectify the situation would be a burden upon the undersigned and potentially cost all parties an amount far in excess of any benefit and would result in either a judgment in favor of your Affiant for sums advanced against the property (Irene's one-half interest) or an actual order of transfer of Irene's one-half interest.
13. That subsequent to the filing of the Affidavit of Survivorship your Affiant conveyed said property in December, 2009, to Carrie Taylor and Gregory Taylor who subsequently conveyed said property to the Independent Cat Society, Inc., a non-profit corporation, which is the current owner of said property.
14. That said conveyances to the Taylors and the Independent Cat Society, Inc., were for no consideration and were a donation.

FURTHER AFFIANT SAITH NOT.

Dated this 27th day of May, 2011.



