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STATE OF INDIANA
LAKE COUNTY
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MICHELLE R. FAJMAN
RECORDER

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Parcel No. 45-17-16-277-033.000-044

IN RE: STANLEY J. SHIMKUS, JR., DECEDENT

SMALL ESTATE AFFIDAVIT

Steven Shimkus, being duly sworn, states:

1. Stanley J. Shimkus, Jr., deceased ("Decedent"), died on October 5, 2011, domiciled in Lake County, Indiana. A certified copy of his death certificate is attached hereto as Exhibit "A."

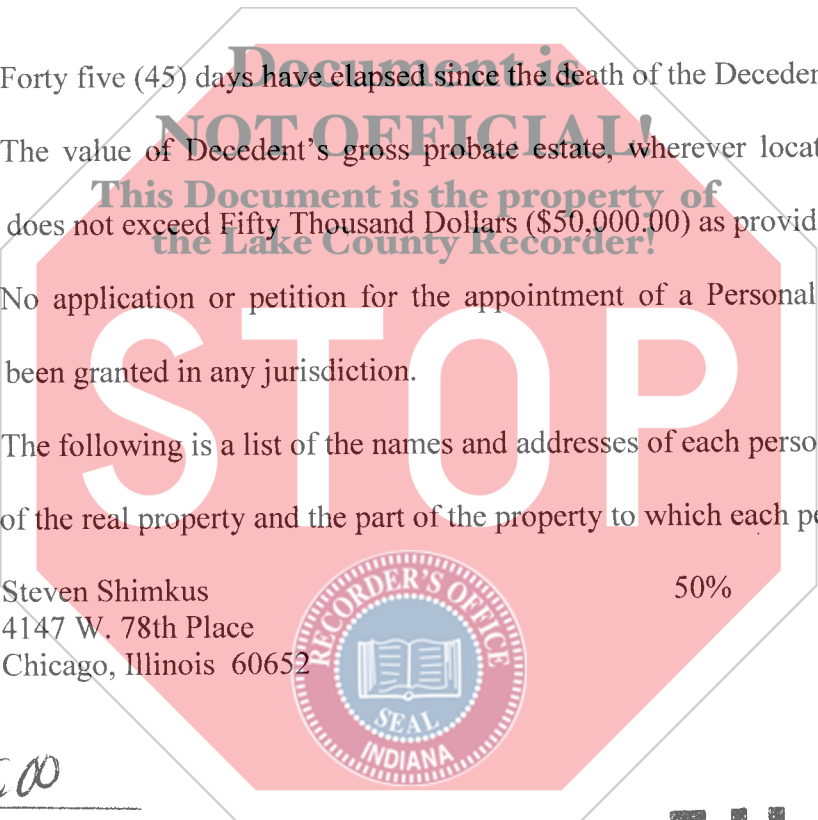
2. Forty five (45) days have elapsed since the death of the Decedent.

3. The value of Decedent's gross probate estate, wherever located, less liens and encumbrances, does not exceed Fifty Thousand Dollars (\$50,000.00) as provided by IC 29-1-8-1.

4. No application or petition for the appointment of a Personal Representative is pending or has been granted in any jurisdiction.

5. The following is a list of the names and addresses of each person that is entitled to an equal share of the real property and the part of the property to which each person is entitled:

Steven Shimkus 50%
4147 W. 78th Place
Chicago, Illinois 60652



AMOUNT \$ 25.00
CASH _____ CHARGE _____
CHECK # 7532
OVERAGE _____
COPY _____
NON-COM _____
CLERK CP

FILED

JUN 22 2012

24122 PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

Heather Shimkus
5040 Spinnaker Lane
Crown Point, Indiana 46307

50%

6. Affiant has notified each person identified in this Affidavit of Affiant's intention to present this Affidavit as provided by IC 29-1-8-1.

7. At the time of his death, Decedent was the owner of the following described real estate located in Lake County, Indiana:


Unit 5040-C in Building 5, Lake Holiday Condominium, a horizontal property regime, as per Declaration recorded September 18, 1981, as Document No. 644346 and as amended by First Amendment to Declaration recorded September 10, 1982, as Document No. 677329 and as amended by Second Amendment recorded February 27, 1989, as Document No. 024499 and as amended by Third Amendment recorded May 23, 1989, as Document No. 038016 and as re-recorded on June 1, 1989, as Document No. 039603 and as amended by Fourth Amendment recorded September 26, 1989, as Document No. 059778 and as amended Fifth Amendment to Declaration recorded February 9, 1990, as Document No. 083896 and as amended by Sixth Amendment dated April 13, 1990, and recorded April 20, 1990, as Document No. 096200 and as amended by Seventh Amendment dated September 26, 1990, and recorded October 1, 1990, as Document No. 126504 and as amended by Certificate of Correction dated October 5, 1990, and recorded October 5, 1990, as Document No. 127452 in the Recorder of Deeds of Lake County, Indiana, and as amended by Eighth Amendment recorded March 26, 1991, as Document No. 91013792, together with undivided interest in the common areas appertaining thereto and Garage No. G-2.

8. Affiant, Steven Shimkus, and Heather Shimkus are entitled to ownership of the property in equal shares pursuant to Article V of Decedent's Last Will and Testament dated September 26, 1996. A copy of such Last Will & Testament is attached hereto and marked as Exhibit "B."

9. Pursuant to IC 29-1-8-2, any person paying, delivering, transferring, or issuing real property of the evidence thereof pursuant to this Affidavit is discharged and released to the same extent as if that person dealt with a Personal Representative of the Decedent.

WHEREOFRE, Affiant herein requests that title to the above-described real estate be transferred to Steven Shimkus and Heather Shimkus as tenants in common; and that Affiant herein charges himself with the responsibility of proper disbursement of such real estate according to the provisions of Indiana Code.

Dated June 21, 2012.



STEVEN SHIMKUS

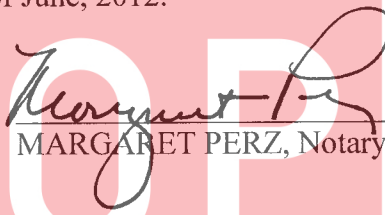
STATE OF INDIANA)

) SS:

COUNTY OF LAKE)

Before me the undersigned, a Notary Public for the State of Indiana, personally appeared Steven Shimkus and he, being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true this 21st day of June, 2012.

My Commission Expires: 9/12/2015



MARGARET PERZ, Notary Public

County of Residence: LAKE

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Dana Rifai

Document prepared by and return to after recording:  Dana Rifai, Burke Costanza & Carberry LLP
9191 Broadway, Merrillville, IN 46410.



INDIANA STATE DEPARTMENT OF HEALTH
CERTIFICATE OF DEATH

Local No 003070

EDR No 00000222627

State No 043787

Form with fields for decedent's name, sex, date of death, social security number, age, date of birth, birthplace, facility name, education, cause of death, and certifying physician information.

EXHIBIT "A"

**LAST WILL AND TESTAMENT
OF
STANLEY J. SHIMKUS**

I, STANLEY J. SHIMKUS, a resident of Illinois, declare this to be my will, and I revoke all other wills and codicils that I may have made.

ARTICLE I.

I have two (2) children now living, namely:

**STEVEN SHIMKUS
HEATHER SWALLOW**

ARTICLE II.

I direct my executor to pay out of the principal of my residuary estate the expenses of my last illness and funeral, claims allowable against my estate, the costs of administration of my estate, wherever situated, and all estate, inheritance, transfer or succession taxes which may become due by reason of my death, except that my executor shall not pay any generation-skipping tax on property not included in my estate for federal estate tax purposes, and in any event any generation-skipping tax caused by a direct skip from a trust or by a disclaimer shall be paid by the person holding or receiving that property. Interest and penalties shall be paid in the same manner as any tax. My executor shall not seek contribution or reimbursement for any such payments, except to the extent my executor has the right by law or otherwise to seek contribution or reimbursement for taxes payable by reason of property over which I have a power of appointment or in which I have an income interest for life for which a federal estate tax marital deduction has been elected and allowed, or which is includible in my estate as a transfer with a retained interest.

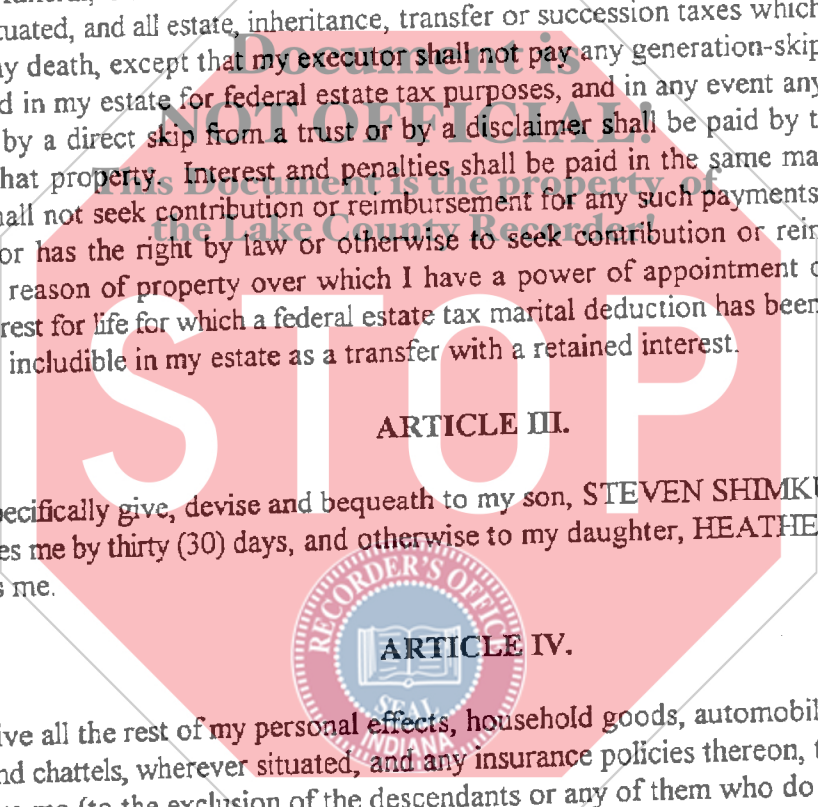
ARTICLE III.

I specifically give, devise and bequeath to my son, STEVEN SHIMKUS, my diamond ring, if he survives me by thirty (30) days, and otherwise to my daughter, HEATHER SWALLOW, if she so survives me.

ARTICLE IV.

I give all the rest of my personal effects, household goods, automobiles, and all other items of goods and chattels, wherever situated, and any insurance policies thereon, to such of my children who survive me (to the exclusion of the descendants or any of them who do not so survive me), in shares of equal value, to be divided among them as they agree. My executor shall sell any property as to which they cannot agree within sixty (60) days after the admission of my will to probate, and shall add the proceeds of such sale to the residue of my estate.

EXHIBIT "B"



Handwritten notes:
Stanley J. Shimkus
J.M.
S.E.

ARTICLE V.

All the rest and residue of my estate, wherever situate, but not including any property over which I may have power of appointment at my death, I give in shares of substantially equal value to my children. If any child of mine does not survive me by thirty (30) days, then I give his or her share to his or her descendants, per stirpes.

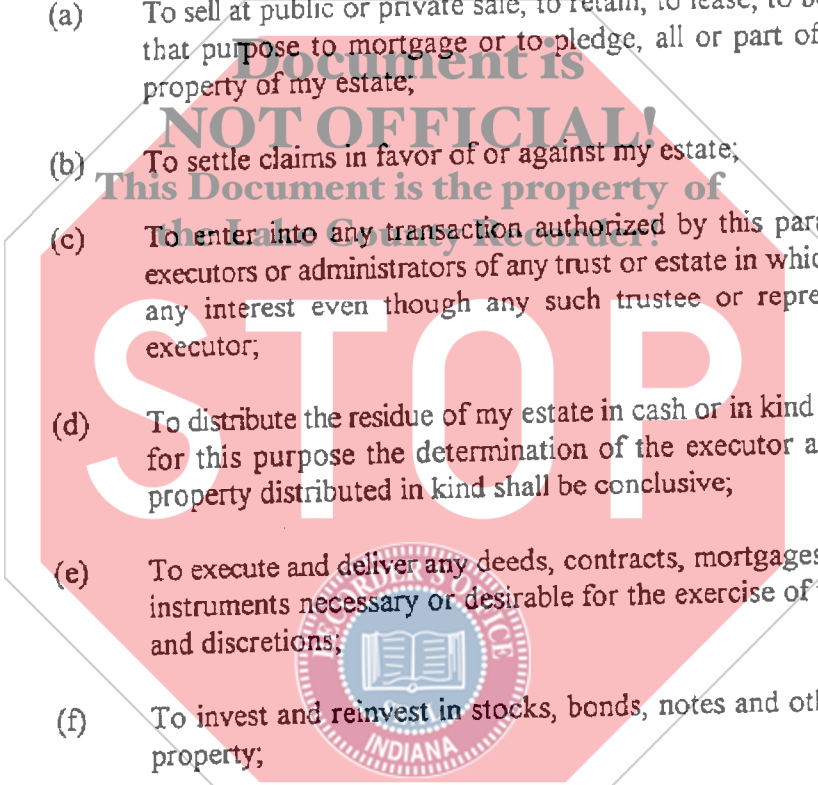
ARTICLE VI.

1. I appoint my son, STEVEN SHIMKUS, executor of this will. If for any reason my son fails or ceases to act as executor, I appoint my daughter, HEATHER SWALLOW, executor in his place.

2. No security on the bond of any executor shall be required.

3. My executor may in its discretion exercise the following powers, and any others that may be granted by law, in each case without court order:

- (a) To sell at public or private sale, to retain, to lease, to borrow money and for that purpose to mortgage or to pledge, all or part of the real or personal property of my estate;
- (b) To settle claims in favor of or against my estate;
- (c) To enter into any transaction authorized by this paragraph with trustees, executors or administrators of any trust or estate in which any beneficiary has any interest even though any such trustee or representative is also my executor;
- (d) To distribute the residue of my estate in cash or in kind or partly in each, and for this purpose the determination of the executor as to the value of any property distributed in kind shall be conclusive;
- (e) To execute and deliver any deeds, contracts, mortgages, bills of sale or other instruments necessary or desirable for the exercise of the executor's powers and discretions;
- (f) To invest and reinvest in stocks, bonds, notes and other income-producing property;
- (g) To allot different kinds or disproportionate shares of property or undivided interests in property among the distributive shares, without regard to the income tax basis of such property or interest; and



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 June 12, 2012
 [Signature]

(h) To retain any person, firm or bank as agent, and to delegate in writing to such agent any ministerial right, power or discretion of the executor, including the rights to sign and endorse checks and have access to any safe deposit box.

4. My executor may exercise any discretion, election or power permitted under the tax laws that my executor deems advisable, including the allocation of my federal generation-skipping tax exemption, without regard to its effect on the relative interests of the beneficiaries, except that my executor shall allocate my federal generation-skipping tax exemption to property that I, rather than another, give or appoint, and shall not allocate any part of such exemption to a direct skip caused by a disclaimer if another allocation is possible. No adjustments between the principal and income, or in the relative interests of the beneficiaries, shall be made to compensate for the effect of discretions, elections and powers exercised either under the tax laws or under settlement options available for any employee benefit plan or individual retirement account, by my executor or by any trustee. The action of my executor shall be binding on all persons.

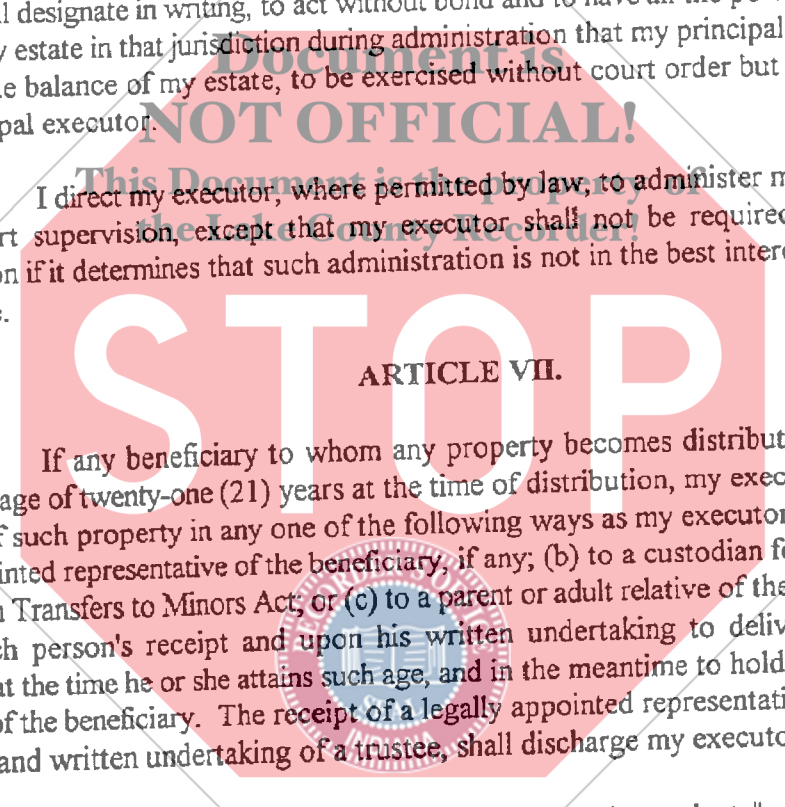
5. If the appointment of an executor of my estate is necessary or desirable in any jurisdiction in which any executor otherwise acting (my "principal executor") is unable or unwilling to act, I appoint as my executor in that jurisdiction such individual or corporation as my principal executor shall designate in writing, to act without bond and to have all the powers and discretion with respect to my estate in that jurisdiction during administration that my principal executor is given with respect to the balance of my estate, to be exercised without court order but only with the approval of my principal executor.

6. I direct my executor, where permitted by law, to administer my estate independently of any court supervision, except that my executor shall not be required to elect independent administration if it determines that such administration is not in the best interests of the beneficiaries of my estate.

ARTICLE VII.

1. If any beneficiary to whom any property becomes distributable hereunder has not attained the age of twenty-one (21) years at the time of distribution, my executor may distribute any part or all of such property in any one of the following ways as my executor deems best: (a) to the legally appointed representative of the beneficiary, if any; (b) to a custodian for the beneficiary under any Uniform Transfers to Minors Act; or (c) to a parent or adult relative of the beneficiary, as trustee, against such person's receipt and upon his written undertaking to deliver the property to the beneficiary at the time he or she attains such age, and in the meantime to hold it in trust and use it for the benefit of the beneficiary. The receipt of a legally appointed representative or of a custodian, or the receipt and written undertaking of a trustee, shall discharge my executor.

2. For purposes of this instrument, the term "descendants" shall refer only to those persons who (a) are born to a lawful marriage, or (b) are legitimized by a lawful marriage, or by other action, subsequent to birth, or (c) are adopted prior to attaining the age of eighteen (18) years.



Handwritten notes on the right margin:
- Handwritten signature/initials at the top right.
- Vertical handwritten text: "Handwritten by [unclear]".
- Handwritten initials "JH" and "B-E" on the right side.

ARTICLE VIII.

No person named or described in this Will shall be deemed to have survived me unless he or she is living on the thirtieth (30th) day after the day of my death.

I have signed this will, consisting of 5 pages, including this page and the page following, on this 26 day of Sept, 1996.

Stanley J. Shimkus
STANLEY J. SHIMKUS

We certify that in our presence on the date appearing above STANLEY J. SHIMKUS signed the foregoing instrument and acknowledged it to be his will, that at his request and in his presence and in the presence of each other we have signed our names below as witnesses, and that we believed him to be of sound mind and memory.

NAME	ADDRESS
<u>Dean M. Noke</u>	<u>10735 S. Cicero</u>
<u>Priscilla M. Noke</u>	<u>Park Lawn II 60453</u>
	<u>10735 S. Cicero</u>
	<u>Park Lawn II 61453</u>

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