

3

2019-075171

2019 Oct 31

12:51 PM

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL B BROWN
RECORDER

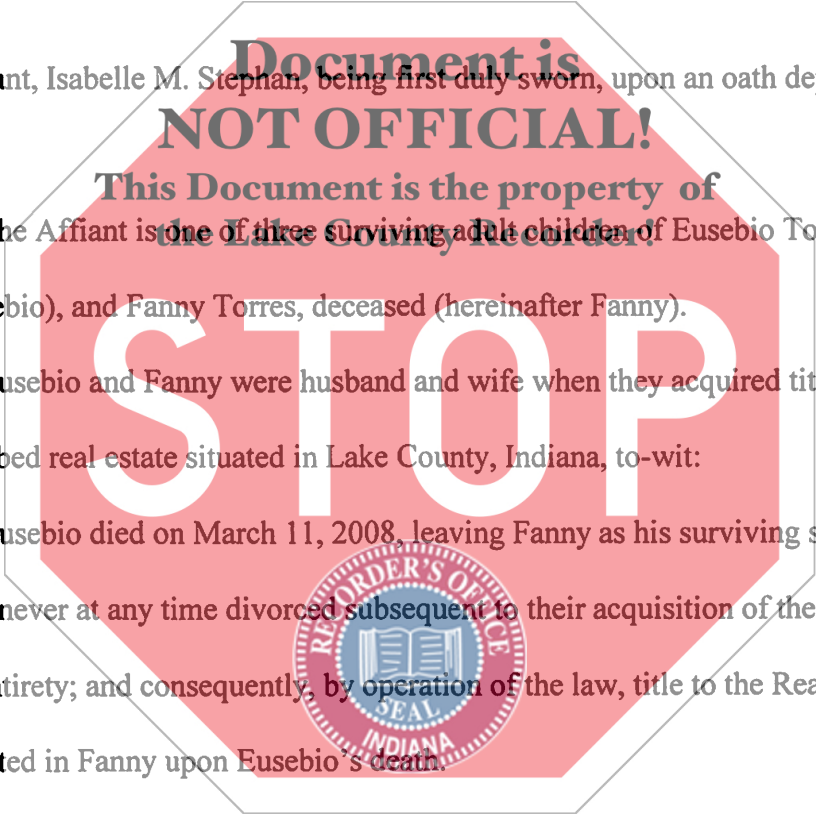
700 Matthews Street
Gary, IN 46406

Parcel No. 45-07-01-476-018.000-004

DEVOLUTION TRANSFER AFFIDAVIT

The Affiant, Isabelle M. Stephan, being first duly sworn, upon an oath deposes and says as follows:

1. The Affiant is one of three surviving adult children of Eusebio Torres, deceased (hereinafter Eusebio), and Fanny Torres, deceased (hereinafter Fanny).
2. Eusebio and Fanny were husband and wife when they acquired title to the following described real estate situated in Lake County, Indiana, to-wit:
3. Eusebio died on March 11, 2008, leaving Fanny as his surviving spouse. Eusebio and Fanny were never at any time divorced subsequent to their acquisition of the real estate as tenants by the entirety; and consequently, by operation of the law, title to the Real Estate was immediately vested in Fanny upon Eusebio's death.
4. A Survivorship Affidavit was recorded on July 25, 2019 as Instrument Number 2019 046215 the recording of which left the real estate titled in the name of Fanny.
5. Fanny Torres died on April 16, 2014. Surviving her were three adult children, namely, Isabelle M. Stephan, Cynthia A. Howell, and Maria D. Martinez.
6. The most recent instrument recorded in the Lake County Recorder's Office where this real estate is located is the aforementioned Survivorship Affidavit.



FILED

OCT 31 2019

JOHN E. PETALAS
LAKE COUNTY AUDITOR

30156

\$25.00
cash
[Signature]

7. When Fanny died, the real estate devolved to her three adult daughters by virtue of the laws of intestate under Indiana Code 29-1-2-1.

8. At least seven months have elapsed since the death of Fanny Torres.

9. No petition was filed for probate of a will and for issuance of letters testamentary, for appointment of an administrator with the will annexed, or for the appointment of an administrator under IC 29-1-7-5 within five months after Fanny's death, nor did the Clerk issue letters testamentary or letters of administration within seven months after Fanny's death, so the power of a personal representative to divest title expired automatically as a matter of law under IC 29-1-7-15.1(b), and title is now invested indefeasibly in the heirs as follows:

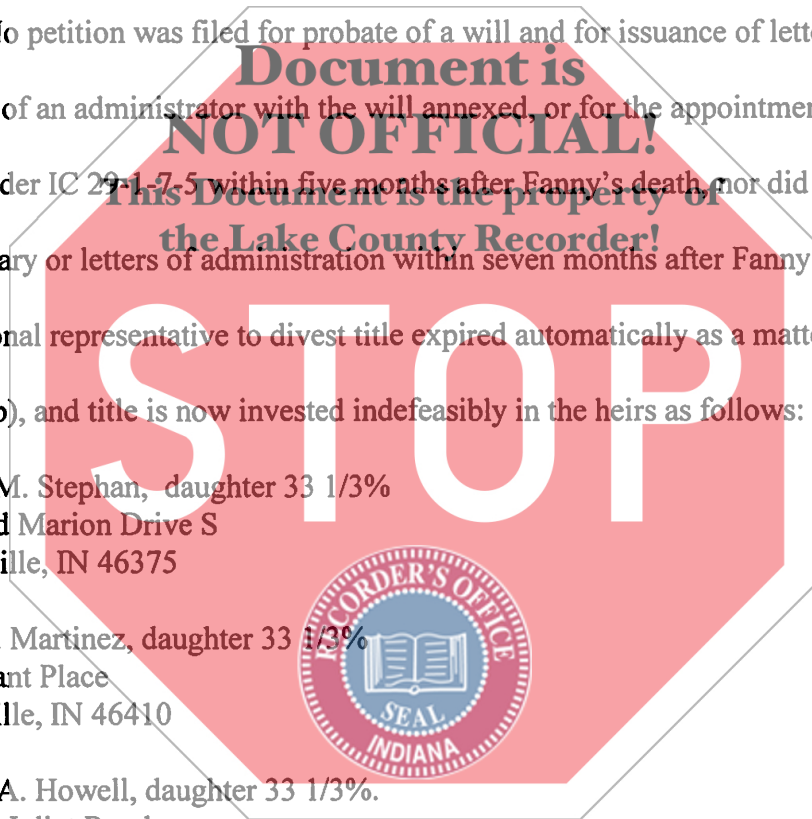
Isabelle M. Stephan, daughter 33 1/3%
336 Maid Marion Drive S
Schererville, IN 46375

Maria D. Martinez, daughter 33 1/3%
5812 Grant Place
Merrillville, IN 46410

Cynthia A. Howell, daughter 33 1/3%.
9014 W. Joliet Road
Laporte, IN 46350

10. A Probate Court has not issued findings and an accompanying order preventing the limitation in Indiana Code 29-1-17-15.1(b) from applying to the decedent's real property.

11. Under the laws of intestate pursuant to Indiana Code 29-1-2-1 this real estate would devolve to the decedent's three adult daughters in equal shares as tenants in common insofar as the decedent did not have a surviving spouse or surviving parents.



12. This affidavit is made for the purpose of establishing the facts herein contained and to induce the Lake County Auditor to transfer the Real Estate to the names of Isabelle M. Stephan, Maria D. Martinez, and Cynthia A. Howell upon the Lake County Auditor's real estate transfer records.

FURTHER, AFFIANT SAYETH NOT.

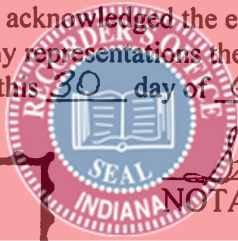
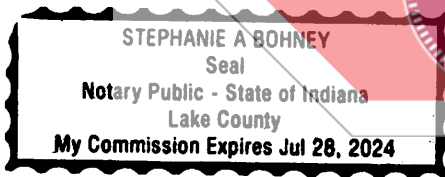
Document is NOT OFFICIAL!
This Document is the property of the Lake County Recorder!

Isabelle M. Stephan
ISABELLE M. STEPHAN

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

BEFORE me, the undersigned, a Notary Public in and for said County and State, personally appeared ISABELLE M. STEPHAN, and acknowledged the execution of the foregoing instrument, and who having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notary Seal this 30 day of October, 2019.



Stephanie A. Bohney
NOTARY PUBLIC

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.

This Instruments prepared by:

/s/ James A. Harris
JAMES A. HARRIS
Attorney at Law
9719 Prairie Avenue
Highland, IN 46322
(219) 924-5141