

GINA PIMENTEL
RECORDER

2023-026064

STATE OF INDIANA
LAKE COUNTY
RECORDED AS PRESENTED

4:09 PM 2023 Sep 11

AFFIDAVIT OF PASSAGE OF TITLE AND SURVIVORSHIP

Comes Now Wallene M. Swentko ("Affiant") being duly sworn upon her oath according to law, states as follows:

1. Affiant is the daughter of Sophia Margaret Swentko also known as Sophia M. Swentko ("Decedent") who acquired an interest with her husband, Walter J. Swentko, as husband and wife and as tenants by the entireties, in the Real Estate described herein by Warranty Deed recorded on June 19, 1950 as Instrument Number 475790 in the Recorder's Office of Lake County, Indiana. The aforementioned Real Estate is commonly known as 7102 Howard Avenue, Hammond, Indiana 46324 and legally described as follows:

North Sixty-Five (65) Feet of the East Five (5) Feet Lot Twenty (20), in Block Two (2), and the North Sixty-Five (65) Feet of Lots Twenty-One (21), Twenty-Two (22), Twenty-Three (23) Twenty-Four (24), in Block Two (2) in Buena Vista Addition to the City of Hammond, Lake County, Indiana, as per Plat Recorded in the Office of the Recorder of Lake County, Indiana in Plat Book 18, page 31. Parcel Number 45-07-07-377-012.000-023.

2. Walter J. Swentko died on May 16, 1981, leaving Decedent, Sophia Margaret Swentko a/k/a Sophia M. Swentko as his surviving spouse. A true and accurate copy of the Death Certificate for Walter J. Swentko is attached hereto, made a part hereof, and labelled Exhibit A. Decedent, Sophia M. Swentko, and Walter J. Swentko were never at any time divorced subsequent to their acquisition of the above-described Real Estate as tenants by the entirety; and consequently by operation of law, title to the Real Estate was immediately vested in Decedent, Sophia Margaret Swentko a/k/a Sophia M. Swentko upon Walter J. Swentko's death.
3. The Decedent, Sophia Margaret Swentko a/k/a Sophia M. Swentko, died testate on February 26, 1983 while domiciled in Lake County, Indiana and the will of the Decedent was admitted to probate under Cause Number EE-83-142 by Order of the Lake County Superior Court on April 5, 1983. A true and accurate copy of the death certificate for the Decedent, Sophia M. Swentko, is attached hereto, made a part hereof, and labeled Exhibit B.
4. The Lake County Superior Court, In The Matter Of The Estate of Sophia M. Swentko, under Cause No. EE-83-142 entered a "Final Decree (1) Allowing And Approving Final Report And Account, (2) Determining Beneficiaries, (3) Authorizing Distribution, And (4) Discharging Personal Representative," on January 29, 1993 ("Final Decree"). The Final Decree Ordered at pages 3 and 4 that Title to the above-described Real Estate vested as the date of death of the Decedent, Sophia Margaret Swentko a/k/a/ Sophia M. Swentko, as follows:

"Wallene M. Swentko - undivided 1/2 interest therein
Walter M. Swentko - undivided 1/2 interest therein as co-tenants, and not as joint tenants, and without right of survivorship, as the sole and absolute owners of all right, title, and interest in such real property."

A true and accurate certified copy of said Final Decree is attached hereto, made a part hereof, and labelled Exhibit C.

5. Accordingly, Title of the above-described Real Estate was immediately vested in Wallene M. Swentko and Walter M. Swentko as tenants in common with each with an individual 1/2 interest in said Real Estate upon the death of the Decedent, Sophia M. Swentko a/k/a Sophia Margaret Swentko (pages 2, 3, & 4 of Exhibit C Final Decree).
6. The Lake County, Indiana Auditor currently lists Walter J. Swentko and Sophia Margaret Swentko as Owners of said Real Estate and this Affidavit is made for the purposes of establishing the facts herein contained and

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to induce the Lake County, Indiana Auditor to transfer the Real Estate into the names of Wallene M. Swentko and Walter M. Swentko.

FURTHER AFFIANT SAYETH NOT.

Dated this 8th day of September, 2023.

Wallene M. Swentko
Wallene M. Swentko

STATE OF Indiana

COUNTY OF Lake

Before me, a Notary Public in and for the county of Lake and the state of Indiana personally appeared Wallene M. Swentko, who acknowledged the execution of the foregoing Affidavit of Passage of Title and Survivorship, and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand in Notarial Seal this 8th day of September, 2023
Lawrence A. Kalina
Notary Public

Lawrence A. Kalina
Printed Signature

My County of Residence: Lake

My Commission expires: June 21, 2024

THIS INSTRUMENT WAS PREPARED BY: LAWRENCE A. KALINA, Attorney at Law, Spangler Jennings & Dougherty, P.C., 8396 Mississippi Street, Merrillville, IN 46410, Atty. No. 5058-45, (219)769-2323

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number from this document, unless required by law

Lawrence A. Kalina
LAWRENCE A. KALINA

Tax Mailing Address: 7102 Howard Avenue, Hammond, IN 46324
Grantee Address: 7102 Howard Avenue, Hammond, IN 46324

EXHIBIT C

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
ROOM NUMBER TWO

IN THE MATTER OF THE)
ESTATE OF SOPHIA H. SWENTKO,)
DECEASED)

Estate Number:)
EE-93-142)

Robert C. Swentko
Attorney for Decedent

JAN 29 1992

FINAL DECREE (1) ALLOWING AND APPROVING FINAL REPORT AND ACCOUNT, (2) DETERMINING BENEFICIARIES, (3) AUTHORIZING DISTRIBUTION AND (4) DISCHARGING PERSONAL REPRESENTATIVE

There now appears in open court Wallene M. Swentko, personal representative of Sophia M. Swentko, deceased, by counsel, and appears for the hearing on the (1) Final Report and Account, (2) Petition to Settle and Allow the Account, (3) Petition to Determine Beneficiaries and (4) Petition for Leave to Distribute the Estate (N.I.), which were filed with the clerk on December 15, 1992.

No objections have been filed to the final report and account. The court having received evidence and being advised now finds:

1. Due notice of the filing of the said Account and Petitions and the hearing on the same were given according to law and to all persons interested in said estate, and the same are now properly before the Court for final action thereon.
2. The matters and things stated in said Account and Petitions are true and said personal representative has accounted for all of the assets in this estate coming into her hands.

3. More than five (5) months have elapsed since the date of the first published notice of the appointment of the personal representative and of the pendency of this estate, more than one year has elapsed since the death of decedent, and all claims owed by the estate have been paid and discharged.

4. Neither said decedent nor the Personal Representative were employers of labor within the meaning of that term as used in the Indiana Employment Security Act.

5. All state and federal inheritance and estate taxes have been paid.

6. The decedent died the owner of the following described real estate:

North Sixty-Five (65) Feet of the East Five (5) Feet Lot Twenty (20), in Block Two (2), and the North Sixty-Five (65) Feet of Lots Twenty-One (21), Twenty-Two (22), Twenty-Three (23), Twenty-Four (24), in Block Two (2), in Buena Vista Addition to the City of Hammond, Lake County, Indiana, as per Plat Recorded in the Office of the Recorder of Lake County, Indiana in Plat Book 18, page 11.

Commonly known as: 7102 Howard Avenue
Hammond, IN 46324

Title to the said real estate vested, pursuant to Article Two of decedent's will duly admitted to probate herein, as of the date of decedent's death in Wallene M. Swentko as to an undivided one-half (1/2) interest, and Walter M. Swentko as to an undivided one-half (1/2), as tenants in common. Title to the real property should be affirmed.

7. The beneficiaries under the will of decedent herein are as follows, and each is entitled to distribution from the estate in the following manner:

Wallene M. Swentko - 1/2 Net Estate

Walter W. Swentko - 1/2 Net Estate

8. And comes now Wallene M. Swentko, personal representative, and files Report and Receipts of Distribution (H.I.), which is now examined and approved, and the court now finds that the personal representative has in all things completed administration of this estate, and should be discharged.

IT IS ORDERED THAT:

1. The Final Report and Accounting of the personal representative is ratified, approved, and confirmed, including all advance distributions, if any.

2. The personal representative is authorized and directed to distribute all of the property of this estate to the beneficiaries as follows:

Wallene M. Swentko
Adult Daughter of Decedent 1/2 Net Estate

Walter W. Swentko
Adult Son of Decedent 1/2 Net Estate

3. Title to the following described real estate:

North Sixty-Five (65) Feet of the East Five (5) Feet Lot Twenty (20), in Block Two (2), and the North Sixty-Five (65) Feet of Lots Twenty-One (21), Twenty-Two (22), Twenty-Three (23), Twenty-Four (24), in Block Two (2), in Buena Vista Addition to the City of Hammond, Lake County, Indiana, as per Plat Recorded in the Office of the Recorder of Lake County, Indiana in Plat Book 18, page 31.

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vested as of the date of death of the decedent herein in fee simple, as follows:

Wallene M. Swentko - undivided 1/2 interest therein

Walter M. Swentko - undivided 1/2 interest therein

as co-tenants, and not as joint tenants, and without right of survivorship, as the sole and absolute owners of all right, title, and interest in such real property.

4. There having been filed the Report of the personal representative and Receipts of the beneficiaries herein (H.I.), said Report and Receipts are now examined and approved, the personal representative is now discharged, surety on bond released, and these proceedings are closed.

ENTERED at East Chicago, Indiana this 25th day of

January, 1993.

Timothy R. Sudd
JUDGE, Lake Superior Court

