

FILED

JAN 26 2024

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

Mail Tax Bills To:

Stephen G. Delay, Trustee
13925 Lauerman St.
Cedar Lake, IN 46303
Grantee's Address Above

GINA PIMENTEL
RECORDER

2024-002669

STATE OF INDIANA
LAKE COUNTY
RECORDED AS PRESENTED

10:04 AM 2024 Jan 26

STATE OF INDIANA)
)
COUNTY OF LAKE)

**AFFIDAVIT OF DEATH AND
AFFIDAVIT FOR TRANSFER OF REAL ESTATE**

STEPHEN G. DELAY and JAMES R. DELAY (the "Affiants"), being duly sworn, states:

1. The Affiants are the sons and named Co-Personal Representatives of the Estate of Susan G. Delay (the "Decedent"), who died testate on August 1, 2022, domiciled in Lake County, Indiana.
2. The Decedent acquired ownership of the real estate described in this Affidavit (the "Real Estate") by a Warranty Deed dated August 17, 2018, and recorded on September 20, 2018, as Document No. 2018-064263, in the Office of the Recorder of Lake County, Indiana.
3. The Decedent acquired fee simple interest ("Decedent's Title Interest") in the Real Estate described in this affidavit by a Warranty Deed dated August 17, 2018 and recorded on September 20, 2018, as Document No. 2018-064263 in the Office of the Recorder of Lake County, Indiana.
4. The last instrument recorded in the Office of the Recorder of Lake County, Indiana, was the Warranty Deed dated August 17, 2018, and recorded on September 20, 2018 described in the previous paragraph (the "Latest Recorded Instrument").
5. The Real Estate is located in Lake County, Indiana, and is more fully described by property tax parcel number and legal description as follows:

The West 28.00 feet, by parallel lines, of the East 70.00 feet, by parallel lines of Lot 23 in Deerpath Phase 3, to the Town of Schererville, Lake County, Indiana, as per plat thereof, recorded in Plat Book 72 page 70. in the Office of the Recorder of Lake County, Indiana.

Commonly known as: 351 W. Deerpath Dr., Schererville, IN 46375
Tax ID No: 45-11-15-386-003.000-036

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NOT AN OFFICIAL DOCUMENT

6. The Decedent died testate, and the Decedent's Last Will and Testament, which was admitted to probate without administration in Cause No. 45C01-2401-EM-00013 on January 18, 2024 by order of the Circuit Court of Lake County, Indiana, provided for the Decedent's Title Interest to be distributed to the Decedent's sole legatee and devisee (the "Legatee") as follows:

STEPHEN G. DELAY and JAMES R. DELAY, as Co-Successor Trustees of the Susan G. Delay Revocable Trust dated September 22, 1999, as Amended

7. The Decedent's Title Interests devolved to and vested in said Legatee under the Will immediately as a matter of law under IC 29-1-7-23 upon the Decedent's death.

8. There is no federal estate tax or Indiana Inheritance Tax due and owing as a consequence of the Decedent's death.

9. As of this date:

- a. no letters testamentary or letters of administration have been issued to date to a court-appointed personal representative for the Decedent within the time limits specified under IC 29-1-7-15.1(d);
- b. a probate court has not issued findings and an accompanying order preventing the limitations in IC 29-1-7-15.1(b) from applying to the Real Estate;
- c. a majority in interests of the Decedent's distributees have not consented to the Decedent's personal representative's sale of the Decedent's Title Interest to pay any debt or obligation of the Decedent, which is not a lien of record in Lake County, Indiana, or to pay any costs of administration of any Decedent's estate under IC 29-1-10-21; and
- d. it is not possible for the Decedent's personal representative to sell the Decedent's Title Interest to pay any debt or obligation of the Decedent, which is not a lien of record in Lake County, Indiana, or to pay any costs of administration of any Decedent's estate because more than 5 months have elapsed since the date of the decedent's death.

10. The purpose of this Affidavit is to induce the Auditor of Lake County, Indiana, to endorse this Affidavit and record it as a title transfer in the Auditor's real estate ownership records as an instrument that is exempt from the requirements to file a sales disclosure under IC 29-1-7-

NOT AN OFFICIAL DOCUMENT

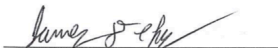
23(c), and to direct the Recorder of Lake County, Indiana, to record the Affidavit and index it to the Latest Recorded Instrument in the Recorder's index records.

11. The Affiants affirm the truth of the representations in this Affidavit under penalty for perjury and authorize any person to rely upon this Affidavit as evidence of an effective transfer of title of record (as defined in IC 32-20-3-1) as stated in IC 29-1-7-23(e).

We affirm under the penalties for perjury that the foregoing statements are true.

Dated: January 18, 2024

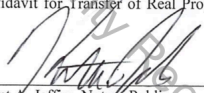

STEPHEN G. DELAY


JAMES R. DELAY

STATE OF INDIANA)
)
COUNTY OF LAKE)

BEFORE ME, a Notary Public in and for said County and State, personally appeared **STEPHEN G. DELAY** and **JAMES R. DELAY** who affirmed the truth of the representations above and acknowledged execution of this Affidavit for Transfer of Real Property on January 18, 2024.




Kent A. Jeffirs, Notary Public

Prepared by: Kent A. Jeffirs, Attorney at Law
104 W. Clark Street, Crown Point, IN 46307

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.

/s/ Kent A. Jeffirs
Kent A. Jeffirs