GINA PIMENTEL
RECORDER
STATE OF INDIANA
LAKE COUNTY
RECORDED AS PRESENTED

2024-035534

3:04 PM 2024 Dec 18

DEVOLUTION AFFIDAVIT FOR TRANSFER OF REAL PROPERTY PURSUANT TO INDIANA CODE 29-1-7-23

PHILLIP MIERZWA ("Affiant") being first duly sworn upon his oath, deposes and says:

 That the Affiant is an adult surviving stepson of MARY E. MIERZWA and surviving biological son of EUGENE L. MIERZWA.

 EUGENE L. MIERZWA and MARY E. MIERZWA acquired ownership of the following described Real Estate as tenants by the entircties, pursuant to a Quit Claim Deed recorded in March 2001 as Document Number 2001-022788 in the Office of the Recorder of Lake County, Indiana:

Unit No. 203, 321 Deerpath Drive, in Deerpath Estates, a Phase Two-A, a Horizontal Property Regime, as per Declaration recorded February 5, 1980 as Document No. 572045 and amended by Instrument recorded November 4, 1981 as Document No. 649610 and re-recorded November 19, 1981 as Document No. 651214 in the Office of the Recorder of Lake County, Indiana together with a 1.3263% Undivided interest in the common areas and limited common areas appertaining thereto.

Commonly Known As: 321 Deerpath Drive, #203, Schererville, IN 46375 Parcel Number: 45-11-15-385-051.000-036

Such real estate shall be referred to in this Affidavit as the "Real Estate".

- MARY E. MIERZWA died on APRIL 7, 2022 while domiciled in Lake County, Indiana thus leaving her husband, EUGENE L. MIERZWA, as surviving spouse/tenant by the entirety and sole owner of the Real Estate. (See Mary E. Mierzwa Certificate of Death, attached as Exhibit "A")
- 4. That EUGENE L. MIERZWA passed away on OCTOBER 29, 2024 (See Eugene L. Mierzwa Certificate of Death, attached as Exhibit "B").
- 5. The Last Will and Testament ("Will") of EUGENE L. MIERZWA was probated and spread of record in the Lake Superior Court on the 12th day of NOVEMBER, 2024, under Cause No. 45D02-2411-EM-203. (See Order of Probate Without Administration (and Will, attached as Exhibits "C" and "D").

FILED

DEC 18 2024

- Pursuant to Article III of EUGENE L. MIERZWA's Will, the Real Property was given in full to his surviving sons, in equal, 25% undivided shares, as tenants in common, as follows:
 - PHILLIP MIERZWA (Adult Son/Personal Representative), 1030 a. James Pass, New Lenox, IL 60451;
 - GREGORY MIERZWA (Adult Son) 200 N. Wiggs, Griffith, IN Ъ. 46319:
 - MARK MIERZWA (Adult Son) 323 W, 128th Avenue, Crown c. Point, IN 46307;
 - KEITH MIERZWA (Adult Son) 12812 Dunmoor Drive, Lemont, d. IL 60439.
- Pursuant to Indiana Code 29-1-7-23, when EUGENE L. MIERZWA died, the Real Estate passed to the persons to whom it was devised by his Will, subject to the power of a personal representative to divest ownership under the requirements of I.C. 29-1-7-15.1.
- Because no Letters Testamentary will be issued to a Personal Representative for EUGENE L. MIERZWA's Estate, Ownership of the Real Estate is now vested indefeasibly as follows:
 - a. Phillip Mierzwa 25% undivided interest as tenant in common
 - Gregory Mierzwa 25% undivided interest as tenant in common;
 - Mark Mierzwa 25% undivided interest as tenant in common;
 - d. Keith Mierzwa -25% undivided interest as tenant in common.
 - 8. The estate of EUGENE L. MIERZWA was not subject to federal estate tax.
- To the best of the affiant's knowledge, the statements made in this Affidavit are true and complete and are made for the purpose of establishing the ownership of the Real Estate. to obviate any problem concerning Federal Estate Tax, and to induce the Auditor of Lake County, Indiana, to transfer ownership of the Real Estate to: Pecorder
 - a. Phillip Mierzwa 25% tenant in common
 - b. Gregory Mierzwa 25% tenant in common;
 - Mark Mierzwa 25% tenant in common;
 - d. Keith Mierzwa -25% tenant in common.

(INTENTIONALLY BLANK)

In Witness Whereof, PHILLIP MIERZWA has executed this Affidavit on this 16th
day of gecember, 2024.
19,11,0///
PHILLIP MIERZWA
STATE OF INDIANA) COUNTY OF LAKE)
Before me the undersigned, a Notary Public in and for said County and State, this Vecential 2024, personally appeared PHILLIP MIERZWA, who swore,
affirmed and acknowledged his/her execution of the foregoing Affidavit as his/her voluntary act and deed many
My Commission Expires 29-2031 County of Residence: Lake Notary Public Notary Public
Comment Parties Commen
I affirm, under the penalties for perupy, that I have taken reasonable care to redact each Social and Security number in this document, unless required by law.
Randy H. Wyllic Attorney# 17621-64
Kandy II. Wylle, Altolle W 17021-04
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Recorder
2

This Instrument Prepared By: Randy H. Wyllie, Attorney at Law, 429 West Lincoln Highway, Schererville, IN 46375, (219) 865-7404, at the specific request of the affiant/owner and is based solely on information supplied by one or more of those parties and without examination for accuracy. This preparer assumes no liability for any errors, inaccuracy or omissions in this instrument resulting from the information provided. The parties accept this disclaimer by the owner's execution of this document.

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Eugene Mierzwa		Husband		321 Deerpat	th Drive 2	03, Sch	ererville	, IN, 46	3375			
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		6c. Under 1 Monti	6d. Under 1 Day	6e. Under 1 H	our 7. Dat		nth/Day/Year)				oreign Country)
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12. City Or Town, State, And Zip Code	IVIE	iodist nospit	al IIIC-Slake Ca	impus	inty Of Death			144	Marriet Co	tus At Time Of	David
Merrillville, Indiana 46410				Lake							Separated Divor
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To. during Spouses Halle	-		a. Last Marité Bélore i	rint warrage		Sales	ient's Usual Occ	upation			dusiness/industry
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IN	Lake			Scheren							
18c, Street And Number	Land		-	Ocheren	IIIO	-	18d. Apl. No.		18e, Zip	Cade	18i. Inside City Limit
321 Deerpath Drive)						Apt 203	177	46375	Code	Yes No
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High School graduate or GED comp		d Spanish/Hispan			Vhite	a nano					
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Joseph P. Mierzwa				Clara R.					Janicki		
24, Informant's Name		26a. Relationship	CELOCOR STOL			And Mumber	Chr State Zin	Code	-	Orti	Annual Property
Keith Mierzwa		Son					nt, IL, 6043				
The state of the s			25, Pia	ace Of Disposition				-			
25a, Method Of Disposition Burial, Cremation Donation Entomb	25b, Place	Of Disposition (N	ame Of Cernotery, Cr	ematory, Other Pl	ace) 25c.	Location - City	, Town, And Sta	ite		1111	- 11 a. 11
Removal From State		m Lincoln Na	ational Cemeter	n/	Flu	ood, IL					
Other (Specify): 26. Was Coroner Contacted? 27. Nam	ne And Complete A			,					-	Lora Consul	Home License Num
Memo	ry Lane Cen	netery And								FH1110	
27b. Signature Of Indiana Funeral Service Licensee	al Home Cha	pel 6305 W	Lincoln Highwa	y, Grown Po	int, India	na, 46307	- House	-h (O)	1100000		
Raquel A Santos	AC .	and the same of th		Electromically			a. Ucense Nur				067
28. Part I. Enter The Chain Of Events - Diseas	ses Inluries Or	Complications - T	hat Directly Caused	e Instructions A	and Example	s)	RECORD	ONF	ILE WIT	H THE	Approximate Interval: Onset
28. Part I. Enter The Chain Of Events - Diseas Such As Cardiac Arrest, Respiratory Arrest, Or A Line. Add Additional Lines if Necessary.	Ventricular Fibri	llation Without Si	howing The Etiology	. Do Not Abbrey	ate, Enter O	HY ENERGY THE	H YTHUSOE	EALT	H DEPA	RTMENT	To Death
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		ted On B.					te Oi:			-	-
		C.	coronary hea	rt disease	Contain Dates & Contain and						years
		D.	hypertension		(k						years
Part II. Enter Other Significant Conditions Contribution	g to Death But No	Resulting In The	Underlying Cause Giv	en In Part I	29. W	a An AutoArk	E-GGUNT	HEA	ILTH OF	FICER	
congestive heart failure					30. Wo	re Autopsy Fi	ndry Available			use Of Death?	☐ Yes ☐ No
11. Did Tobapco Use Contribute To Death?	32. If Female:	Whin Past Year	Pregnant At Time Of Death	The Personal flui	Patronaed William &	Para Of Bush	33. Manner	Of Deal	h:	esident 🗆 0	ending kwestigation
Yes Probably No Unknown 4. Date Of Injury (Month/DaylYear)	Not Pregnant	But Pregnant 43 Days T	o I year Belove Death	Unknown If Pregn	pet Winle The Pay	t Year	☐ Suicide I	Coul	Not Be De	termined	
. Date Of Injury (Monthroay) Year)	35. Time Of I	njury	36. Plac	e Of Injury (E.G.,	Decedent's H	ome, Constru	tion Site, Resta	uräntyV	looded Area		jury At Work? Yes No
18. Location Of Injury - State	38a. City Or T	own	38b. St	treet & Number				-	38c. Apl. N	and the second	Zip Code
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9. Describe How Injury Occurred	-			-			40. If Transp	ortation	Injury, Son	sity:	
							☐ Ovives/Operas	or DH	40 PV	AL PU	NLESS
 Signature, Of Person Certifying Cause Of Death Rakesh N. Parikh 	K.		F	Electronically	Signed	42. Cer	tiller (Check St	Ty Thron	1 000000	This is	uh Officer
	ng Cause Of Deat	h:		and a mounty	Olgitou	I E Ce	tilier (Check St tilying Physician 44, Lic	onso N	inber	A5. Q	ale Certified
Name, Address And Zip Code Of Person Certifying	treet 106, Me	errillville, IN	16410					3290		11/0	7/2024
Rakesh N. Parikh 5490 Broadway S					-		47.	kast	10 219 16	LTM B	Charles .
Rakesh N. Parikh 5490 Broadway S 6. Additional Funeral Service Provider:											
Rakesh N. Parikh 5490 Broadway S 6. Additional Funeral Service Provider: 8. Signature of Local Health Officer:						49. For Re	gistrar Only U	Date Fix	d (Month)	ay/Year):	
Rakesh N. Parikh 5490 Broadway S 5. Additional Funeral Service Provider:		AMENDAR	E NT TO CERTIFICAT	lectronically	Signed		gistrar Only U	Date Fix	EU (MONIVE	ay/Year):	07/2024

STATE OF INDIANA) IN THE LAKE SUPERIOR CO SS: COUNTY OF LAKE) SITTING AT EAST CHICAGO CAUSE NO. Filed in Open Co November 12, ADMINISTRATION OF THE ESTATE OF: EUGENE L. MIERZWA, DECEASED. ORDER OF PROBATE OF WILL WITHOUT ADMINISTRATION (Will Spread of Record) Comes now PLILLIP MIERZWA, having filed his verified Petition for the Proceedent's Will Without Administration, which petition is in the words and figures for-wit:	
COUNTY OF LAKE SITTING AT EAST CHICAGO CAUSE NO. Filed in Open Co November 12, ADMINISTRATION OF THE ESTATE OF: EUGENE L. MIERZWA, DECEASED. ORDER OF PROBATE OF WILL WITHOUT ADMINISTRATION (Will Spread of Record) Comes now Plift LIP MIERZWA, having filed his verified Petition for the P. Decedent's Will Without Administration, which petition is in the words and figures for- to-writ:	URT
IN THE MATTER OF THE SUPERVISED ADMINISTRATION OF THE ESTATE OF: EUGENE L. MIERZWA, DECEASED. ORDER OF PROBATE OF WILL WITHOUT ADMINISTRATION (Will Spread of Record) Comes now Pull LIP MIERZWA, having filed his verified Petition for the Proceedent's Will Without Administration, which petition is in the words and figures for to-wit:	, IN
CLERK LAKE SUPERIOR CO ORDER OF PROBATE OF WILL WITHOUT ADMINISTRATION (Will Spread of Record) Comes now Phil.LIP MIERZWA, having filed his verified Petition for the Probecedent's Will Without Administration, which petition is in the words and figures forwit:	
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(Will Spread of Record) Comes now PLILLIP MIERZWA, having filed his verified Petition for the Proceedent's Will Without Administration, which petition is in the words and figures forwit:	CH
Decedent's will without Administration, which petition is in the words and figures f to-wit:	<u>v</u>
Further those is never and the Company of the compa	robate of ollowing,
Further, there is now produced in Open Court and submitted to the Court an in writing purporting to be the Last Will and Testament of EUGENE L. MIERZWA. The Last Will and Testament of the decedent was a will executed in all respects according with proper acknowledgment and verification thereof. Such instrument, petition and testimony are now submitted to the Court and the Court having examined the same, he evidence and being duly advised now finds that:	hat said g to law
 That such decedent died on or about the 20th day of OCTOBER, 2024, time of such death was domiciled in Lake County, Indiana. 	and at the
 That such written instrument purporting to be such decedent's Last Wi Testament was duly executed in all respects according to law has been duly proved, i Will and Testament of such decedent, and is entitled to be admitted to probate in such and that such will, written testimony and Petition read as follows: 	e the Lost
(H.L)	
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the C he written instrument purporting to be the Last Will and Testament of EUGENE L. No he and it is hereby admitted to probate and spread of record as such.	ourt that HERZWA
All of which is ORDERED this date: November 12, 2024	
JUDGE, LAKE SUPERIOR COURT	

Exhibit "C"

Filed: 11/12/2024 8:47 A Clerk Lake County, Indiana

LAST WILL AND TESTAMENT OF

EUGENE L. MIERZWA

I, EUGENE L. MIERZWA, presently of Lake County, Indiana, declare this to be my Last
Will and J grangent and I revoke all other wills and codicils that I have made.

ARTICLE I

All my debta expenses of my last illness, funeral expenses, expenses of administering my estate, and all estate, inheritance or other taxes which may be assessed or imposed with respect to my estate, or any part thereof, shall consider our or my residuary estate as an expense of administration and without apportionment, and shall looke pro-rated or charged against any of the other gifts in this Will or any property not passing under this Will.

ARTICLE II

I give all of my personal and household effects and the like not otherwise effectively disposed of, such as clothing, furniture, furnishings, silver, bodge pigtures, automobiles and jewelry to my sons, namely, GREGORY MIERZWA, MARK MIERZWA, PHICLIP MIERZWA and KEITH MIERZWA, in substantially equal shares, if they survive me. If any son of mine shall predecease me, said predeceased son's share of said items shall pass to his surviving children who survive me, in substantially equal shares.

ARTICLE III

I direct that my entire residuary estate be given to sons, namely, GREGORY MIERZWA, MARK MIERZWA, PHILLIP MIERZWA and KEITH MIERZWA, in substantially equal shares, if they survive me. If any son of mine shall predecease me, said predeceased son's share of my residuary estate shall pass to his surviving children who survive me, in substantially equal shares.

Exhibit "D"

PAGE TWO

ARTICLE IV

I hereby nominate and appoint PHILLIP MIERZWA to act as Personal Representative herein. That in the event said Personal Representative is unable to serve, for whatever reason, I then nominate and appoint KEITH MIERZWA to act as Personal Representative. In the event he is unable to serve, for whatever reason, I then appoint, GREGORY MIERZWA. Finally, I direct that they personal Representative shall serve without having to post a bond.

ARTICLE V

I hareby empower my Personal Representative with all the powers and discretion with respect to my estate during administration as outlined under the Indiana Code, including the power to sell real or personal property at public or private sales for any purpose, to be exercised without court order.

IN WITNESS WHEREOF, I have signed this, my Last Will and Testament, consisting of THREE (3) typewritten pages, on this 4 day of 45445 2024.

We, the undersigned, attesting witnesses, do hereby attest that EUGENE L. MIERZWA, signed the above and foregoing instrument in our presence, declaring it to be his Last Will and Testament, and that we, at his request and in his presence and in the presence of each other have hereunto affixed our signatures as altesting witnesses.

Church day 429 ht June story willy in

UNDER THE PENALTIES FOR PERIURY, We, EUGENE L. MIERZWA,

Rady H. Mylic and Dejsha long
the Testator and the witnesses respectively, whose names are signed to the attached or foregoing

1. That the Testator executed this instrument as his Will;

instrument declare:

- That, in the presence of both witnesses, EUGENE L. MIERZWA, signed or acknowledged his signature, already made or directed another to sign for him in his presence;
- That EUGENE L. MIERZWA executed the Will as his free and voluntary act for the purposes expressed in it;

PAGE THREE

- 4. That each of the witnesses, in the presence of the Testator and of each other, signed the Will as witnesses;
 - 5. That the Testator was of sound mind; and
- 6. That to the best of our knowledge, the Testator was at the time eighteen (18) or more

orlake County Recorder years of age or was a member of the armed forces or of the merchant marines of the United States or