

CCS ENTRY FORM  
LAKE CIRCUIT COURT, PROBATE DIVISION  
CROWN POINT, INDIANA

ESTATE NO. 45C01-0807-EU-188

TITLE OF CAUSE: ADMINISTRATION OF ESTATE OF ROBERT P. BOLIN, DECEASED

The activity of the Court should be summarized as follows on the Chronological Case Summary (CCS):

Personal Representative, Marjorie M. Zemkewicz, files Personal Representative's Second Revised Final Account and Petition to Settle and Allow Account and for Authority to Distribute Estate, along with proposed order. Hearing set for the \_\_\_\_\_ day of \_\_\_\_\_, 2010 at \_\_\_\_\_ M.

**Submitted by:**

J. Brian Hittinger (#16428-64)  
KRIEG DEVAULT LLP  
833 W. Lincoln Highway, Suite 410W  
Scherville, IN 46375 (219) 227-6100  
Direct No. (219) 227-6114  
Attorney for Personal Representative

**Opposing Counsel:**

Shaun T. Olsen  
The Law Office of Weiss & Schmidgall  
6 West 73<sup>rd</sup> Avenue  
Merrillville, IN 46410  
Attorney for David Bolin

.....  
(TO BE DESIGNATED BY THE COURT)

This CCS Entry Form shall be:

- Placed in the case file;
  - Discarded after entry on the CCS;
  - Mailed to all counsel by: \_\_\_ Counsel \_\_\_ Clerk \_\_\_ Court
  - There is no attached order; or
- The attached order shall be placed in the RJO: Yes  No

Dated: \_\_\_\_\_, 2010

\_\_\_\_\_  
Judge, Lake Circuit Court

CERTIFICATE OF SERVICE

Service of the foregoing was made by placing a copy of the same into the United States Mail, first class mail, this gth day of October, 2010, addressed to:

Shaun T. Olsen, Esq.  
The Law Office of Weiss & Schmidgall  
6 West 73<sup>rd</sup> Avenue  
Merrillville, IN 46410



STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

LAKE CIRCUIT COURT  
PROBATE DIVISION  
CROWN POINT, INDIANA

ADMINISTRATION OF ESTATE OF )  
ROBERT P. BOLIN, )  
DECEASED. )

ESTATE NO. 45C01-0807-EU-188

PERSONAL REPRESENTATIVE'S SECOND REVISED FINAL ACCOUNT  
AND PETITION TO SETTLE AND ALLOW ACCOUNT  
AND FOR AUTHORITY TO DISTRIBUTE ESTATE

Marjorie M. Zemkewicz, as Personal Representative of the Last Will and Testament of Robert P. Bolin, deceased, respectfully shows the Court the following:

I. Probate of Will.

On March 28, 2008, the decedent herein died domiciled in Lake County, Indiana. Thereafter on July 18, 2008, his Last Will and Testament dated August 1, 1997, was duly admitted to probate in this Court and on July 18, 2008, this Court duly entered its order of probate of such Will. A copy of such Will is attached hereto, made a part hereof and labeled Exhibit "A."

II. Opening of Estate.

Having been duly appointed by this Court as the Personal Representative of decedent's Last Will and Testament, Marjorie M. Zemkewicz, duly qualified as such Personal Representative on July 18, 2008, and Letters Testamentary were thereupon issued to her. Notice of the issuance of such Letters Testamentary was given, the first publication thereof being had on August 5, 2008. On or about July 21, 2009, David Bolin, son and heir-at-law of decedent, filed his Petition to Convert to Supervised Administration and on or about July 23, 2009 the Court entered an Order Converting Matter to Supervised Administration. The Personal Representative has continued to serve to this date as the duly appointed, qualified and acting Personal Representative of such decedent's Last Will and Testament. More than three (3) months have

elapsed since the date of the first published notice to creditors and other persons interested in this estate. All known and reasonably ascertainable creditors have been notified of the estate proceedings and all claims have been settled, to the Personal Representative's knowledge.

III. Accounting.

That this is the "Second Revised Final Accounting" filed in this estate. The Initial Accounting was filed on or about the 27<sup>th</sup> day of April, 2010. The Personal Representative chose not to request a fee for her services in the initial accounting. Then the decedent's son, David Bolin, objected to the Initial Accounting filed in this estate causing the Personal Representative and the estate's attorney to spend a significant amount of time addressing numerous objections. Copies of all invoices pertaining to the estate were submitted to this court, separate fee petitions were filed by the Personal Representative and the estate's attorney and a Revised Final Accounting was filed with this Court on or about the 28<sup>th</sup> day of June, 2010. The Revised Final Accounting was identical to the Initial Accounting except that the Personal Representative sought a Personal Representative's fee equal to four thousand six hundred dollars (\$4,600.00). Upon the Personal Representative's filing of the Revised Final Accounting a hearing was held before this Court. During that hearing all objections to the Revised Final Accounting filed by the decedent's son, David Bolin, were addressed by this Court. An Order was issued by this Court pertaining to the Revised Final Accounting on or about the 9<sup>th</sup> day of September, 2010. The Personal Representative now files this "Second Revised Final Accounting" in accordance with this Court's Order. This "Second Revised Final Accounting" also reflects the distribution of the decedent's personal property which was inadvertently missing from the Initial Accounting and Revised Final Accounting.

The Personal Representative attaches hereto and makes a part hereof, marked as Exhibit "B," a schedule showing property and money chargeable to her, including all property previously inventoried herein, adjustments to such inventory, additional property coming into her hands and income received by her during the period from July 17, 2008 through August 31, 2010.

The Personal Representative attaches hereto and makes a part hereof, marked as Exhibit "C," with receipts attached, a schedule showing the disbursements made by her for which credit is claimed.

The Personal Representative attaches hereto and makes a part hereof, marked as Exhibit "D," a recapitulation of the charges against her and the credits claimed by her and showing the balance of the assets of the estate in her hands and undistributed.

The Personal Representative attaches hereto and makes a part hereof, marked as Exhibit "E," a schedule showing previous distributions of assets of the estate and the proposed distribution of the balance of assets of the estate.

IV. Administration.

A. No inheritance tax was due and an Order Waiving the Requirement of Filing Indiana Inheritance Tax Return and Determining No Tax Due was entered by this Court on January 8, 2009.

B. No United States Estate Tax was due with respect to this estate.

C. All Indiana adjusted gross income tax due from the decedent or his estate with respect to income received on or before January 31, 2010 has been reported by appropriate tax returns and the amount of tax due, if any, has been paid. It may be necessary for the Personal Representative to file a final Indiana adjusted gross income tax return with respect to income received by the estate during the current year beginning January 1, 2010; however, since all of

such income will be distributed to the beneficiaries of this estate, any Indiana adjusted gross income tax due thereon is required to be paid by such beneficiaries.

D. All federal income tax due from the decedent or her estate with respect to income received on or before January 31, 2010 has been reported by appropriate tax returns and the amount of tax due, if any, has been paid. It may be necessary for the Personal Representative to file a final federal adjusted gross income tax return with respect to income received by the estate during the current year beginning January 1, 2010; however, since all of such income will be distributed to the beneficiaries of this estate, any federal income tax due thereon is required to be paid by such beneficiaries.

E. Neither the decedent nor the Personal Representative, in her capacity as Personal Representative, was an employer of labor as that term is defined in the Indiana Employment Security Act and, therefore, no payments under the act are due from this estate.

V. Payment of Claims.

With the exception of expenses incidental to the final distribution of the balance of assets remaining in the hands of the Personal Representative, all expenses of administration have been paid. All claims filed against this estate have been discharged and there are no outstanding debts or obligations of this decedent's estate known to the Personal Representative.

VI. Execution of the Will.

All provisions of the decedent's Last Will and Testament have been completely executed with the exception of the distribution of the balance of his estate as directed by the Will.

VII. Administration Complete Except for Distribution.

All assets of this decedent's estate have been administered upon and the Personal Representative knows of no reason why distribution of the estate cannot or should not be accomplished.

VIII. Proposed Distribution.

The Personal Representative proposes to distribute the remaining property of this estate as of the date of her final account in the amount and share as set forth on Exhibit "E," attached hereto and made a part hereof. It is not anticipated there will be any additional income or property received after the date of the final account.

The heirs-at-law of this decedent's estate and their post office addresses are:

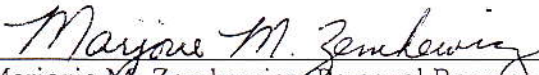
1. David B. Bolin, son, 224323 Strassburg Avenue, Sauk Village, IL 60411
2. Donna L. Cox, daughter, 1425 Stonegate, Algonquin, IL 60102
3. Sheryl L. Stapinski, daughter, 14515 Lake Shore Drive, Cedar Lake, IN 46303
4. Marjorie M. Zemkewicz, daughter, 10301 Fox Run, Munster, IN 46321

WHEREFORE, the Personal Representative respectfully submits her final account and petition and prays that:

1. After due notice, this account and accounts previously filed herein, be settled and allowed by the Court and the amounts claimed as credits be allowed and approved by the Court.
2. The Court designate, determine and confirm the persons to whom final distribution is to be made, as set forth in Exhibit "E."
3. The Court enter an order authorizing her to distribute the balance of the assets available for final distribution as set forth in Exhibit "E"; and

4. The Court grant such additional relief as may be proper in the premises.

I, Marjorie M. Zemkewicz, hereby affirm under the penalties for perjury, that I have read the foregoing petition and that the representations set forth therein are true.

  
\_\_\_\_\_  
Marjorie M. Zemkewicz, Personal Representative  
of the estate of Robert P. Bolin, Deceased

J. Brian Hittinger (#16428-64)  
KRIEG DEVAULT LLP  
833 W. Lincoln Highway, Suite 410W  
Scherville, IN 46375 (219) 227-6100  
Direct No. (219) 227-6114  
Attorney for Personal Representative,  
Marjorie M. Zemkewicz

KD\_2387411\_3.DOC

# LAST WILL AND TESTAMENT

I, ROBERT PAUL BOLIN, of SAUK VILLAGE in the State of ILLINOIS, declare this to be my last WILL and TESTAMENT, and I revoke all Wills and Codicils heretofore made by me.

FIRST: I order and direct my Executor, hereinafter named, to pay all my just debts and funeral expenses as soon after my death as practicable.

SECOND: I give, devise and bequeath to my wife, DONNA M. BOLIN, the following items: The property located at 14515 Lakeshore Drive, Cedar Lake, Indiana, along with any and all items contained within and on said property. ANY life insurance policies, automobiles that are registered in my name, along with any other assets I have accumulated. If Donna M. Bolin preceeds me in death, the above property and other assets I bequeath to the four individuals named below:

Sheryl L. Anderson

Marjorie M. Zemkewicz

David B. Bolin

Donna L. Cox

The above four individuals to be treated as equal inheritors.

LASTLY: I hereby nominate and appoint <sup>(1)</sup> MARJORIE M. ZEMKIEWICZ or <sup>(2)</sup> DAVID B. BOLIN as Executor of this, my Last Will and Testament, and I direct that my Executor shall NOT be required to furnish a surety bond to act as such Executor.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this FIRST (1<sup>st</sup>) day of AUGUST 1997.

 (SEAL)  
ROBERT PAUL BOLIN

This instrument was, on the date thereof, signed, sealed, published and declared by the Testator as and for his Last Will and Testament, in our presence, who, at his request and in his presence and in the presence of each of us, have subscribed our names hereto as witnesses thereof. And we do hereby certify that at the time of the execution thereof the Testator was of sound and disposing mind and memory.

Marion D. Neuffer Residence 6155 So. Maple Chicago, Ill.  
John D. Lintmiller Residence same as above  
Sharon L. Lencoste Residence P.O. Box 1652 HOBART, IND.









EXHIBIT "B"

RECEIPTS	AMOUNT
Indiana Department of Revenue (state income tax refund)	288.00
Internal Revenue Service (federal income tax refund)	233.00
Internal Revenue Service (federal income tax refund)	600.00
<b>Decedent's 1997 Mercury Tracer automobile</b>	<b>750.00</b>
Decedent's personal property and furnishings	5,900.00
Proceeds from sale of decedent's residence, 14515 Lake Shore Drive, Cedar Lake, Indiana	98,584.20
State Farm Insurance (refund of premium of homeowner's insurance on decedent's residence)	567.74
NIPSCO (refund of unused utility charges at decedent's residence)	210.23
Internal Revenue Service (refund due on decedent's 2008 federal income tax)	<u>326.00</u>
TOTAL RECEIPTS:	<u>\$107,459.17</u>



EXHIBIT "C"

DISBURSEMENTS

PROVIDER	TYPE OF SERVICE	AMOUNT	
All State Appraisal	Appraisal of decedent's home	\$350.00	
State Farm Insurance Co.	Insurance on decedent's automobile	164.00	
George Gancarz	Decedent's 24 hour medical caretaker	3,600.00	
Burdan Funeral Home	Funeral services	9,078.00	
Cedar Lake Florist	Funeral expense	340.00	
Teibel's	Funeral luncheon	1,560.00	
Elmwood Cemetery	Memorial marker	125.00	
Carpetland	Replace carpet in preparation for sale of decedent's residence	795.00	
Bruce's Septic	Repairs in preparation for sale of decedent's residence	95.00	
Ideal Plumbing	Repairs of gas leak in decedent's residence	165.00	
South Shore Improvement	Lake Rights Association Annual Fee	140.00	
State Farm Insurance Co.	Homeowners insurance on decedent's residence (\$474.00 and \$759.00)	1,233.00	
Comcast	Cable service at decedent's residence from 4/15/08 to 4/29/09	0.00	
Sun Times and The Times	Newspapers decedent received	0.00	
AT&T	Telephone services at decedent's residence (4/15/08 to 7/11/09)	1,108.00	
NIPSCO	Utilities at decedent's residence (4/15/08 to 5/10/09)	4,502.00	
Town of Cedar Lake	Garbage services at decedent's residence (4/15/08 to 7/16/09)	1,107.00	
St. Margaret Mercy Healthcare Centers	Expense of decedent's last illness	52.00	
Apria Healthcare	Expense of decedent's last illness	50.00	
Miramend Revenue Group	Expense of decedent's last illness	144.00	
George Gancarz	Labor and various miscellaneous purchases made for repairs to decedent's residence, including living room, kitchen floors and bathroom	11,726.00	
Terry Hansen	Reimburse for labor and various miscellaneous purchases made for repairs to decedent's residence - drywall and paint kitchen walls	1,800.00	

David Bolin	Reimburse for various miscellaneous purchases made for repairs decedent's residence – material for kitchen floor, kitchen cabinets, kitchen counter tops, lighting	2,097.00
Indiana Dept of Revenue	2008 State Income Tax Payment	54.00
Krieg DeVault LLP	Administrative costs	282.14
Krieg DeVault LLP	Legal fees	12,000.00
Lake County Treasurer	2007 Property Tax on decedent's residence	845.00
Lake County Treasurer	2008 Property Tax on decedent's residence	766.67
Town of Cedar Lake	Sanitation/disposal at decedent's residence	216.50
Margaret Zemkewicz	Personal representative's fee	4,000.00
	TOTAL DISBURSEMENTS:	<u>\$58,395.31</u>

EXHIBIT "D"

RECAPITULATION

Property and Receipts	\$107,459.17
Disbursements	<u>&lt;58,395.31&gt;</u>
BALANCE	<u>\$49,063.86</u>

EXHIBIT "E"

FINAL DISTRIBUTION

Marjorie M. Zemkewicz	Adult Daughter	\$12,265.97
	Less: One fourth (1/4) personal property and furnishings	< <u>\$1,475.00</u> >
	Final Distribution	<u>\$10,790.97</u>
Sheryl L. Stapinski	Adult Daughter	\$12,265.96
	Less: One fourth (1/4) personal property and furnishings	< <u>\$1,475.00</u> >
	Final Distribution	<u>\$10,790.96</u>
Donna L. Cox	Adult Daughter	\$12,265.97
	Less: One fourth (1/4) personal property and furnishings	< <u>\$1,475.00</u> >
	Final Distribution	<u>\$10,790.97</u>
David B. Bolin	Adult Son	\$12,265.96
	Less: One fourth (1/4) personal property and furnishings	<\$1,475.00>
	1997 Mercury Tracer Automobile	< <u>\$750.00</u> >
	Final Distribution	<u>\$10,040.96</u>