

STATE OF INDIANA )  
 ) SS:  
COUNTY OF JASPER )

IN THE JASPER SUPERIOR COURT  
DIVISION NO. 1  
2 0 0 1 T E R M

IN THE MATTER OF THE )  
GUARDIANSHIP OF )  
MARTHA E. HAM, )  
AN ADULT. )

CAUSE NO. 37D01-0102-GU-048

**F I L E D**  
IN OPEN COURT  
FEB 20 2001

**ORDER APPOINTING GUARDIAN OVER  
PERSON & ESTATE OF INCAPACITATED PERSON**

*Belva Castagna*  
Clerk of the Jasper Superior Court

Comes now Kyle S. Hamilton, having filed her verified petition for the appointment of a guardian over the person and estate of Martha E. Ham, which petition is on file with this Court and a part of the Court's record.

And the Court, having reviewed the petition, and the petitioner, having appeared in person and by her attorney, Richard M. O'Brien, and the Court, having heard evidence thereon on the 20th day of February, 2001, and being fully advised in the premises, now finds that the allegations contained in the petition are true, and:

1. That Martha E. Ham has been personally served notice of these guardianship proceedings and has received a copy of the Petition for Guardianship as evidenced by the certificate of service filed herein.
2. That Martha E. Ham appeared in person at the Court hearing and testified.
3. Notice required under the statute and by this Court has been sent to all interested parties and persons as evidenced by the certified mail receipts filed herein.
4. Martha E. Ham, an adult person eighty-two (82) years of age, a resident of Jasper County, Indiana, presently residing at 529 Pheasant Run, Rensselaer, Indiana, is incapable of handling her person and property because she suffers from general infirmity due to old age and is hereby found to be an incapacitated person under Indiana Law.
5. Martha E. Ham is in need of a guardian because of her incapacity, and it

is in the best interest of Martha E. Ham that a guardian be appointed over her person and estate.

6. Kyle S. Hamilton is a suitable person to serve as guardian and is fully qualified and willing to assume the duties and responsibilities of the guardianship.

7. All of the requirements for the appointment of a guardian as set forth in the Indiana Code have been satisfied, and Kyle S. Hamilton is entitled to be guardian of the person and estate of Martha E. Ham and is so appointed without any limitations as to her duties, responsibilities, or powers as set out in I.C. §29-3-8-1, I.C. §29-3-8-2, and I.C. §29-3-8-4.

8. That the estimated value of Martha E. Ham's property is approximately the sum of Three Hundred Thirty Thousand Dollars (\$330,000.00). That one (1) year's estimated income from this property is Twenty One Thousand Dollars (\$21,000.00). The total amount of bond to be posted by the guardian according to I.C. §29-3-7-1(a) is Two Hundred Thousand Dollars (\$200,000.00).

It is therefore *ORDERED, ADJUDGED & DECREED* by the Court that:

1. Martha E. Ham by reason of her incapacity is unable to care for her person and estate and is therefore adjudicated to be an incapacitated person, and a guardian over her person and estate is necessary.

2. Kyle S. Hamilton is the most qualified and suitable person available to serve as guardian and is hereby appointed as the guardian of the person and estate of Martha E. Ham.

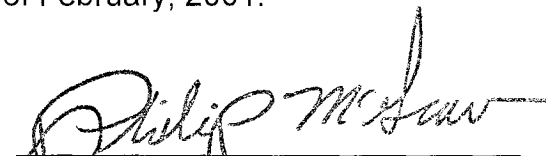
3. Kyle S. Hamilton shall serve as guardian upon taking an oath and posting a bond in the sum of Two Hundred Thousand Dollars (\$200,000.00).

4. Kyle S. Hamilton, the Guardian, should not sell, convey or dispose of any real estate of the guardianship without prior order of this Court.

5. Upon taking such oath, the Clerk of this Court is directed to issue Letters of Guardianship of the Person and Estate of Martha E. Ham to Kyle S. Hamilton without

any limitations as the guardian is authorized to exercise all powers granted a guardian over the person and estate of an adult incapacitated person as set forth in I.C. §29-3-8-1, I.C. §29-3-8-2, and I.C. §29-3-8-4.

All of which is **ORDERED** this 20<sup>th</sup> day of February, 2001.

  
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J. Philip McGraw, Judge  
Jasper Superior Court  
Division No. 1

cc: Richard M. O'Brien, Attorney for Guardian  
Ned J. Tonner, Attorney for Ward

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