

STATE OF INDIANA )

IN THE LAKE SUPERIOR COURT

396389-90 x pny  
JNU 268420

COUNT OF LAKE )

SS:

HOOSIER STATE BANK OF INDIANA )  
Plaintiff )

665853 )

-VS-

CAUSE NO. 581 236

JOSEPH O'BRIEN, ET AL )  
Defendant )

JUDGMENT OF QUIET TITLE

Plaintiff, Hoosier State Bank of Indiana, having filed its complaint to quiet title herein on the 17th day of March 1981, and the defendant, Medusa Cement Company, having been served by certified mail on March 20, 1981; the defendant, Stearns Manufacturing Company Inc., having been served by certified mail on March 20, 1981; the defendant, Baker Highway Express Inc., having been served by certified mail on March 20, 1981; the Treasurer of Lake County Indiana having been served by certified mail on March 19, 1981; and the defendant, Joseph O'Brien, having refused service through his attorneys Murphy and Storey on March 30, 1981, the plaintiff, Hoosier State Bank of Indiana, now moves for default against each of said defendants.

The defendant, Belden Brick, having appeared by its attorneys Hodges, Davis Gruenberg, Compton and Sayers, P.C., and having filed their answer which answer is in the following words and figures, to-wit and this matter having been set for trial on November 24, 1981, this matter is now submitted for trial without the intervention of a jury.

Cause submitted. Evidence heard.

The court being duly advised in the premises now finds that the United States Bankruptcy Court for the Northern District of Indiana, Hammond Division, sitting at Gary, Indiana, in a cause of action captioned In Re South Hammond Concrete, the same being Bankruptcy No. HB 79-108 entered judgment on the December 28, 1979, which judgment is in the following words and figures, to-wit: (here insert) and it now appearing that said property, absent sale was to

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
APR 19 10 05 AM '82  
WILLIAM BISHOP  
RECORDER

**FILED**  
APR 2 1982  
*Lucie O'Brien*  
CLERK LAKE COUNTY

**FILED**  
APR 16 1982  
*Lucie O'Brien*  
CLERK LAKE COUNTY

620

pc  
1000  
89d  
~~FILED~~

be turned over to the secured creditors of South Hammond Concrete Inc. on September 30, 1980, and that in fact no sale by the Trustee in Bankruptcy was consummated. The court further finds that no sale consummated by the Trustee in Bankruptcy and pursuant to said judgment said real estate was transferred, set over and released to the secured creditors under the terms of said judgment.

The court further finds that all of the defendants with the exception of Belden Brick Company are in default for having failed to appear, file answer or otherwise respond to plaintiff's complaint.

The court further finds that in the event the parcels of real estate transferred to the Hoosier State Bank of Indiana and others under the terms of said judgment and decree are sold in the aggregate sum of One Hundred Fifty-Three Thousand Forty-Nine and 34/100 Dollars (\$153,049.34) together with interest accrued and accruing subsequent to said date and reasonable expenses of sale, any and all proceeds in excess of said proceeds from said parcel of real estate shall be paid to the defendant, Belden Brick Company.

IT IS NOW THEREFORE ORDERED, ADJUDGED AND DECREED

1. That the defendants, Joseph O'Brien, Medusa Cement Company, Stearns Manufacturing Company, Inc., Baker Highway Express Inc., and the Treasurer of Lake County, be and are hereby defaulted and determined to have no interest in the parcels of real estate owned by South Hammond Concrete, the legal description of which are attached hereto, made a part hereto and marked as Exhibit "A".

2. That the Hoosier State Bank of Indiana be and is the owner in fee simple of said real estate described in Exhibit "A" and is entitled to the quiet and peaceful possessful of said property.

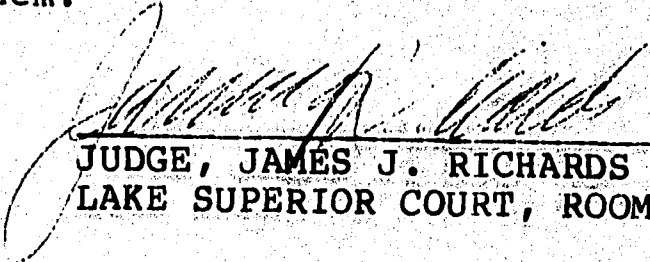
3. That the Hoosier State Bank of Indiana rightfully and legally obtained title to the aforesaid real property by virtue of a judgment of the United States Bankruptcy Court for the Northern District of Indiana, Hammond Division sitting at Gary on the 30th day of September, 1980 by virtue of a judgment entered on December 28, 1979 under Cause No. HB 79 108.

4. That the claims of Joseph O'Brien, Belden Brick Company, Medusa Cement Company, Stearns Manufacturing Company, Inc., Baker Highway Express Inc., and the Treasurer of Lake County are

without right, whatever with the exception of the defendant, Belden Brick Company, who shall be entitled to any net proceeds of said parcel of real estate which exceed the sum of One Hundred Fifty-Three Thousand Forty-Nine and 24/100 Dollars (\$153,049.34) together with interest accrued and accruing from December 28, 1979.

5. That the defendants, and each of them, with the exception of Belden Brick, as identified above are hereby permanently enjoined from ascertaining any right, title, claim or interest or lien on said real estate.

6. That the title of the Hoosier State Bank of Indiana to said real estate is hereby forever quieted against any and all claims and demands of the defendants, and each of them, except the interest of Belden Brick Company, as identified above, and any persons claiming under or through them.

  
\_\_\_\_\_  
JUDGE, JAMES J. RICHARDS  
LAKE SUPERIOR COURT, ROOM FIVE

Parcel 1:

North half of Lot "P" in the 2nd South Hammond Addition to the City of Hammond, as shown in Plat Book 12, page 6, Lake County, Indiana, except that part thereof as follows:

Beginning at a point on the East line of Lot "P", said point being 16 feet South of the North-east corner of said Lot; thence South 50 feet; thence due West 125 feet; thence North 50 feet; thence East 125 feet to the point of beginning.

Parcel 2:

# 36-90-41 & 42

All of Lot "Q" in the 2nd South Hammond Addition to the City of Hammond, as shown in Plat Book 12, page 6, Lake County, Indiana.

Parcel 3:

# 36-90-35

Part of the Southeast quarter of Section 12, Township 36 North, Range 10 West of the 2nd P.M., commencing at a point 30 feet South of the North line of said Southeast quarter and 155 feet West of the centerline of Harrison Avenue; thence South parallel to the West line of Harrison Avenue 140 feet; thence West parallel to the North line of said Southeast quarter 185.2 feet; thence North 140 feet to a point 30 feet South of the North line of said Southeast quarter; thence East 185.2 feet to the point of beginning, in the City of Hammond, Lake County, Indiana.

Parcel 4:

# 37-92-5

A part of the Southeast quarter of Section 12, Township 36 North, Range 10 West of the 2nd P.M., commencing at a point 86.4 feet South of the North line of said Southeast quarter and 30 feet West of the center line of Harrison Avenue; thence South 83.6 feet on the West line of Harrison Avenue; thence West 125 feet parallel to the North line of said Southeast quarter; thence North 83.6 feet parallel to the West line of Harrison Avenue to a point 86.4 feet South of the North line of said Southeast quarter; thence East 125 feet to the point of beginning, in the City of Hammond, Lake County, Indiana.

# 37-92-4

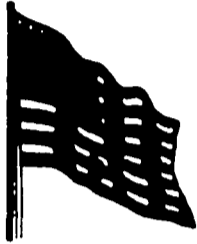
Parcel 5:

A part of the South half of vacated Block 15 of the South Hammond Addition to the City of Hammond, Lake County, Indiana, being a Subdivision of part of the East half of Section 12, Township 36 North, Range 10 West of the 2nd P.M., more particularly described as follows:

# 37-90-2

Beginning at a point on the South line of the Northeast quarter of said Section 12, said point being 200 feet West of the East line of said Block 15, thence North 166.28 feet parallel with the East line of said vacated Block 15; thence Westerly 107.85 feet to Easterly line of the Chicago, Indianapolis and Louisville Railroad right of way; thence South along the Easterly line of said Railroad 166.28 feet to the South line of said Northeast quarter of said Section 12; thence East 107.85 feet to the point of beginning, all in Lake County, Indiana.

The United States of America



STATE OF INDIANA, COUNTY OF LAKE, ss:

I, the undersigned, Clerk of the Lake Superior Court of Lake County, and the keeper of the records and files thereof, in the State aforesaid, do hereby certify

that the above and foregoing is a full, true, correct and complete copy of the "JUDGMENT OF QUIET TITLE" entered in Cause No. 581-236 on March 5, 1982, as fully as the same appears of record in my office as such Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, Hammond  
at my office in \_\_\_\_\_ in the said County,  
this 31 day of March, A. D., 1982.

*Edward A. Leskewski*  
Clerk Lake Superior Court.

By *Jolanda Egan*  
Deputy