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1037 River Dr.
Hammond 46324

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE CIRCUIT COURT
CROWN POINT, INDIANA

In Re the Marriage of)
)
JACQUELYN L. CARTER and)
IVAN L. CARTER)

CAUSE NO. C81-6091

Filed in Open Court

FILED

FINDINGS AND DECREE

APR 26 1982

MAY 14 1982

Edward M. Lubanski
Clerk Lake Circuit Court

Louis D. Priddy
AUDITOR LAKE COUNTY

The parties having entered into a partial property settlement, custody, child support and visitation agreement, on all of the issues in this cause with the exception of the disposition of the parties' residence, and the matter of disposition of the parties' residence being submitted to the Court and the Court having heretofore heard evidence in this matter, NOW FINDS:

That concerning the parties' personal residence commonly known as 1037 North River Drive, Hammond, Indiana, 46324, and legally described as follows:

JUN 2 9 53 PM 1982
WILLIAM BIELSKI JR.
RECORDER
LAKE COUNTY INDIANA

The West 30 feet of Lot 18, Block 7, and the East 10 feet of Lot 19, Block 7, Calumet Center Second Addition in the City of Hammond, as per plat recorded in Plat Book 19, page 22, in the Office of the Recorder of Lake County, Indiana,

the petitioner, JACQUELYN L. CARTER, is entitled to the real estate and improvements of the residence commonly described as 1037 North River Drive, Hammond, Indiana, subject to the existing mortgage balance to the First Federal Savings & Loan Association of Hammond located at 131 Rimbach, in Hammond, Indiana, in the approximate sum of Twenty-Eight Thousand Three Hundred Thirty-Five Dollars (\$28,335.00), which petitioner is ordered to assume and pay as the same becomes due. Petitioner is also ordered to pay the real estate taxes, insurance, and all costs of maintenance and improvements.

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The Court further finds that the net equity of the respondent in the above-described residence shall be determined as of the date of the dissolution decree based upon the following calculations:

Appraised Value:	\$47,500.00
Less:	
Mortgage Balance	28,335.00
Projected Closing Costs	350.00
Realtor's Commission (6%)	<u>2,850.00</u>
Combined Net Equity:	\$15,965.00
(Respondent's Net Equity = \$15,965.00 ÷ 2 = \$7,982.50)	7,982.50
Less:	
Obligations of respondent pursuant to provisional orders	2,697.00
Attorney fees due petitioner's attorney	<u>600.00</u>
TOTAL EQUITY DUE RESPONDENT:	<u>\$ 4,685.50</u>

The Court further finds that the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), as calculated above, shall be payable to the respondent, without interest accruing, upon the occurrence of any one (1) of the following events:

- (a) Remarriage of the petitioner; or
- (b) Petitioner no longer uses said residence as her principal place of residence; or
- (c) The parties' youngest child, Timothy Louis Carter, reaches his twenty-first (21st) birthday or becomes emancipated prior to his twenty-first (21st) birthday, and the duty of the respondent to support said child except for educational needs has terminated; or

- (d) Voluntary sale on the part of the petitioner; or
- (e) Petitioner is cohabiting with an individual in a state equivalent to marriage.

The Court further finds that upon the occurrence of any one (1) of the above-designated events, the petitioner shall be obligated to pay to respondent the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), without any interest accruing on this amount.

The Court further finds that the respondent owes his attorney, M. Jean Rawson, the sum of Six Hundred Dollars (\$600.00) as her attorney fees herein which are unpaid, and the Court does hereby find that in the event respondent has not paid M. Jean Rawson her attorney fees at the time that he is entitled to receive the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), the petitioner herein is hereby ordered to pay to M. Jean Rawson the sum of Six Hundred Dollars (\$600.00) prior to making any payment to the respondent and deduct that Six Hundred Dollars (\$600.00) from the net equity due the respondent in the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that concerning the parties' personal residence commonly known as 1037 North River Drive, Hammond, Indiana, 46324, and legally described as follows:

The West 30 feet of Lot 18, Block 7, and the East 10 feet of Lot 19, Block 7, Calumet Center Second Addition in the City of Hammond, as per plat recorded in Plat Book 19, page 22, in the Office of the Recorder of Lake County, Indiana,

the petitioner, JACQUELYN L. CARTER, is entitled to the real

estate and improvements of the residence commonly described as 1037 North River Drive, Hammond, Indiana, subject to the existing mortgage balance to the First Federal Savings & Loan Association of Hammond located at 131 Rimbach, in Hammond, Indiana, in the approximate sum of Twenty-Eight Thousand Three Hundred Thirty-Five Dollars (\$28,335.00), which petitioner is ordered to assume and pay as the same becomes due. Petitioner is also ordered to pay the real estate taxes, insurance, and all costs of maintenance and improvements.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the net equity of the respondent in the above-described residence shall be determined as of the date of the dissolution decree based upon the following calculations:

Appraised Value:	\$47,500.00
Less:	
Mortgage Balance	28,335.00
Projected Closing Costs	350.00
Realtor's Commission (6%)	<u>2,850.00</u>
Combined Net Equity:	\$15,965.00
(Respondent's Net Equity = \$15,965.00 ÷ 2 = \$7,982.50)	7,982.50
Less:	
Obligations of respondent pursuant to provisional orders	2,697.00
Attorney fees due petitioner's attorney	<u>600.00</u>
TOTAL EQUITY DUE RESPONDENT:	<u><u>\$ 4,685.50</u></u>


IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), as calculated above, shall be payable to the respondent, without interest accruing, upon the occurrence of any one (1) of the following events:

- (a) Remarriage of the petitioner; and
- (b) Petitioner no longer uses said residence as her principal place of residence; or
- (c) The parties' youngest child, Timothy Louis Carter, reaches his twenty-first (21st) birthday or becomes emancipated prior to his twenty-first (21st) birthday, and the duty of the respondent to support said child except for educational needs has terminated; or
- (d) Voluntary sale on the part of the petitioner; or
- (e) Petitioner is cohabiting with an individual in a state equivalent to marriage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon the occurrence of any one (1) of the above-designated events, the petitioner shall be obligated to pay to respondent the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), without any interest accruing on this amount.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the respondent owes his attorney, M. Jean Rawson, the sum of Six Hundred Dollars (\$600.00) as her attorney fees herein which are unpaid, and the Court does hereby find that in the event respondent has not paid M. Jean Rawson her attorney fees at the time that he is entitled to receive the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50), the petitioner herein is hereby ordered to pay to M. Jean Rawson the sum of Six Hundred Dollars (\$600.00) prior to making any payment to the respondent and deduct that Six Hundred Dollars (\$600.00) from the net equity due the respondent in the sum of Four Thousand Six Hundred Eighty-Five Dollars and Fifty Cents (\$4,685.50)

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED this
26th day of April, 1982.


JUDGE, LAKE CIRCUIT COURT