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STATE OF INDIANA)
COUNTY OF LAKE)

SS: IN THE LAKE SUPERIOR COURT
ROOM NUMBER FIVE
SITTING AT HAMMOND, INDIANA

WILLIAM KAMINSKI,
Plaintiff,

-vs-

CAUSE NO.: 45D05-9211-CP-1762

BEN L. DARNELL; EDITH DARNELL;
COL. ROBERT HINDS, SUPERINTENDENT
OF INDIANA VETERANS HOME; GERALD L.
BOLE, DIRECTOR OF VETERANS AFFAIRS,
INDIANA DEPARTMENT OF VETERANS
AFFAIRS; LINLEY E. PEARSON, STATE
OF INDIANA ATTORNEY GENERAL;
DAVID GALESKI, also known as DAVID
J. GALESKI; JOHN GALESKI, JR.
ANNA GALESKI; MAGNUM MORTGAGE CO
F/K/A THE MILLIKIN MORTGAGE CO.,
JOHN L. SZANYI; and DISCOVER CARD
SERVICE, INC.

Defendants.

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Robert C. Antle
CLERK LAKE SUPERIOR COURT

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DEFAULT AND JUDGMENT

Comes now the Plaintiff, by counsel, and shows the Court that
service of the Summonses were made upon the Defendants and who were
served as follows:

- A. Ben L. Darnell and Edith Darnell served by the sheriff on November 6, 1992, with copies mailed thereafter on November 6, 1992;
- B. Col. Robert Hinds, Superintendent of Indiana Veterans Home, Gerald L. Bole, Director of Veterans Affairs and Linley E. Pearson, State of Indiana Attorney General, served by certified mail on either November 9th or 10th, 1992, who



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SARAH J. PULLICH
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FEB 10 1993

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thereafter on December 15, 1992, appeared by Attorney Mary Ann Habeeb, Deputy Attorney General, and who thereafter on January 15, 1993, filed with the Court an Answer in Disclaimer and Motion to Dismiss specifying that her clients neither assert nor claim any interest or right in the real estate described in the Plaintiff's Complaint and who thereafter on January 19, 1993, were dismissed as party Defendants in this action by the Court;

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- C. David Galeski a/k/a David J. Galeski, John Galeski, Jr., and Anna Galeski, served by sheriff on November 6, 1992, with copies mailed thereafter on November 9, 1992;
- D. Magnum Mortgage Co. f/k/a the Millikin Mortgage Co. served by certified mail on November 9, 1992;
- E. John L. Szanyi served by sheriff on November 6, 1992, with a copy mailed thereafter on November 6, 1992; and
- F. Discover Card Service, Inc., served by certified mail on November 9, 1992;

which summonses and the returns thereon are in the following words and figures, to-wit:

(H.I.)

Plaintiff further shows the court that the Defendants, BEN L. DARNELL, EDITH DARNELL, DAVID GALESKI also known as DAVID J. GALESKI, JOHN GALESKI, JR., ANNA GALESKI, and JOHN L. SZANYI, are not in the

military service of the United States and files an Affidavit of non-military service, which Affidavit is in the following words and figures, to-wit:

(H. I.)

Comes further the Plaintiff and shows the Court that the Defendants, with the exception of COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME, GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS, and LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL, who on January 19, 1993, were dismissed as party Defendants in this action by the Court because they neither asserted nor claimed any interest or right in the real estate described in the Plaintiff's Complaint, have failed to appear or otherwise plead herein and that more than thirty (30) days have passed since the date of filing the Complaint;

Upon Motion of the Plaintiff, the Defendants, with the exception of COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME, GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS and LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL, who on January 19, 1993, were dismissed as party Defendants in this action by the Court because they neither asserted nor claimed any interest or right in the real estate described in the Plaintiff's Complaint, are duly called in open Court three (3) times and having failed to answer upon Motion of Plaintiff, said Defendants, with the exception of COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME, GERALD L. BOLE, DIRECTOR OF

VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS and LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL, and who have already been dismissed as party Defendants in this action by the Court on January 19, 1993, are hereby wholly and totally defaulted.

This cause being now at issue, is submitted to the court for hearing and trial without the intervention of a jury and the court having heard the evidence and being duly advised in the premises now finds as follows:

1. That the Plaintiff, WILLIAM KAMINSKI, is the owner in fee simple of the following described real estate located in Lake County, Indiana, to-wit:

Parcel A:

Lot 36, except the South 2 feet thereof and the South 18 feet of Lot 37 in Block 2 in F. R. Mott's 3rd Addition to Hammond, as per plat thereof, recorder in Plat Book 19 page 8, in the Office of the Recorder of Lake County, Indiana.

Commonly known as 4410
Columbia Avenue, Hammond, Indiana 46327.

Key No. 26-35-120-37

Parcel B:

Lot 17 in Block 1 in Hyde Park Addition, in the City of Hammond, as per plat thereof, recorded in Plat book 12 page 3, in the Office of the Recorder of Lake County, Indiana,

Commonly known as 6345 Blaine Avenue,
Hammond, Indiana 46324.

Key No. 26-34-153-17

Parcel C:

The South 5 1/2 feet of Lot 16 and the North 36 feet of Lot 15 in Block 1 in Stafford and Trankle's Second South Central Calumet Addition to Hammond, as per plat thereof, recorded in Plat Book 21 page 22, in the Office of the Recorder of Lake County, Indiana,

Commonly known as 4842 Catalpa Avenue,
Hammond, Indiana 46327.

Key No. 26-36-132-15

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2. That the Defendants, BEN L. DARNELL and EDITH DARNELL, as husband and wife, assert an interest in and to said real estate identified as Parcel "A" above by virtue of their names appearing as the owners of record, which interest is unfounded and without right and a cloud upon Plaintiff's title;
3. That the Defendants, COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME, GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS and LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL, assert an interest in and to said real estate identified as Parcel "A" above by virtue of a lien in an unspecified amount dated July 9, 1987, and recorded August 26, 1987, as Document Number 934832, and which lien is unfounded and without right and a cloud upon Plaintiff's title. The same is further evidenced by the fact that these Defendants appeared by Attorney Mary Ann Habeeb, Deputy Attorney General, and who thereafter on January 15, 1993, filed with the Court an Answer in Disclaimer and Motion to Dismiss specifying that the Defendants, COL. ROBERT HINDS,

SUPERINTENDENT OF INDIANA VETERANS HOME, GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS and LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL, neither assert nor claim any interest or right in the real estate identified as Parcel "A" above; Further, on January 19, 1993, these Defendant's were dismissed as party Defendants in this action by the Court.

4. That the Defendants, DAVID GALESKI also known as DAVID J. GALESKI, JOHN GALESKI, JR. and ANNA GALESKI, assert an interest in and to said real estate identified as Parcel "B" above by virtue of their names appearing as the owners of property which interest is unfounded and without right and a cloud upon Plaintiff's title;

5. That the Defendant, MAGNUM MORTGAGE CO. f/k/a THE MILLIKIN MORTGAGE CO. assert an interest in and to said real estate identified as Parcel "B" above by virtue of a mortgage in the amount of TWENTY THREE THOUSAND NINE HUNDRED AND 00/100 (\$23,900.00) DOLLARS assigned to them on March 18, 1981, and recorded May 19, 1981, as Document Number 628818, and which mortgage and assignment is unfounded and without right and a cloud upon Plaintiff's title;

6. That the Defendant, JOHN L. SZANYI, asserts an interest in and to said real estate identified as Parcel "C" above by virtue of his name appearing as the owner of record, which interest is unfounded and without right and a cloud upon Plaintiff's title;

7. That the Defendant, DISCOVER CARD SERVICES, INC., asserts an interest in and to said real estate identified as Parcel "C" above by virtue of a judgment, rendered on November 26, 1991, in the Lake

Superior Court in Cause Number 45D08-9110-SC-4116 in the amount of ONE THOUSAND NINE HUNDRED THIRTY THREE AND 62/100 (\$1,933.62) DOLLARS and costs against JOHN L. SZANYI, which judgment is unfounded and without right and a cloud upon the Plaintiff's title;

8. That the Plaintiff's fee simple title in and to the aforescribed real estate is superior and exclusive to any interest claimed by Defendants, BEN L. DARNELL; EDITH DARNELL; COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME; GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS; LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL; DAVID GALESKI, also known as DAVID J. GALESKI; JOHN GALESKI JR.; ANNA GALESKI; MAGNUM MORTGAGE CO., F/K/A THE MILLIKIN MORTGAGE CO.; JOHN L. SZANYI; and DISCOVER CARD SERVICE, INC.;

9. That the Plaintiff is entitled to have the title to the aforescribed real estate quieted against the claims of the said Defendants, BEN L. DARNELL; EDITH DARNELL; COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME; GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS; LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL; DAVID GALESKI, also known as DAVID J. GALESKI; JOHN GALESKI JR.; ANNA GALESKI; MAGNUM MORTGAGE CO., F/K/A THE MILLIKIN MORTGAGE CO.; JOHN L. SZANYI; and DISCOVER CARD SERVICE, INC.;

10. That the Plaintiff acquired title to the above described parcels of property identified as Parcels "A", "B", and "C" by tax deeds issued by the Lake County Auditor subsequent and pursuant to orders entered by the Lake Circuit Court on October 30, 1992, in Cause

Number 45C01-9109-MI-2155, directing the Lake County Auditor to execute, issue and deliver the same to the Plaintiff, WILLIAM KAMINSKI;

11. That the Plaintiff, WILLIAM KAMINSKI, is the owner in fee simple and is entitled to the quiet and peaceful possession of his respected parcels of the aforescribed real estate and that the asserted interest of the Defendants, and all of them, in and to said real estate is without any right whatsoever and said Defendants do not have any right, title, ~~lien or interest in~~ and to said real estate or any part thereof in any manner.

NOW, THEREFORE ~~IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT~~ **Document is NOT OFFICIAL!** said judgment is entered for the Plaintiff, WILLIAM KAMINSKI, and against the Defendants, BEN L. DARNELL; EDITH DARNELL; COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME; GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS; LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL; DAVID GALESKI, also known as DAVID J. GALESKI; JOHN GALESKI JR.; ANNA GALESKI; MAGNUM MORTGAGE CO., F/K/A THE MILITARY MORTGAGE CO.; JOHN L. SZANYI, and DISCOVER CARD SERVICE, INC., **STOP** to quiet title to the following described real estate, to-wit:

Parcel A:

Lot 36, except the South 2 feet thereof and the South 18 feet of Lot 37 in Block 2 in F. R. Mott's 3rd Addition to Hammond, as per plat thereof, recorder in Plat Book 19 page 8, in the Office of the Recorder of Lake County, Indiana.

Commonly known as 4410
Columbia Avenue, Hammond, Indiana 46327.

Key No. 26-35-120-37

Parcel B:

Lot 17 in Block 1 in Hyde Park Addition, in the City of Hammond, as per plat thereof, recorded in Plat book 12 page 3, in the Office of the Recorder of Lake County, Indiana,

Commonly known as 6345 Blaine Avenue,
Hammond, Indiana 46324.

Key No. 26-34-153-17

Parcel C:

The South 5 1/2 feet of Lot 16 and the North 36 feet of Lot 15 in Block 1 in Stafford and Trankle's Second South Central Calumet Addition to Hammond, as per plat thereof, recorded in Plat Book 21 page 22 in the Office of the Recorder of Lake County, Indiana,

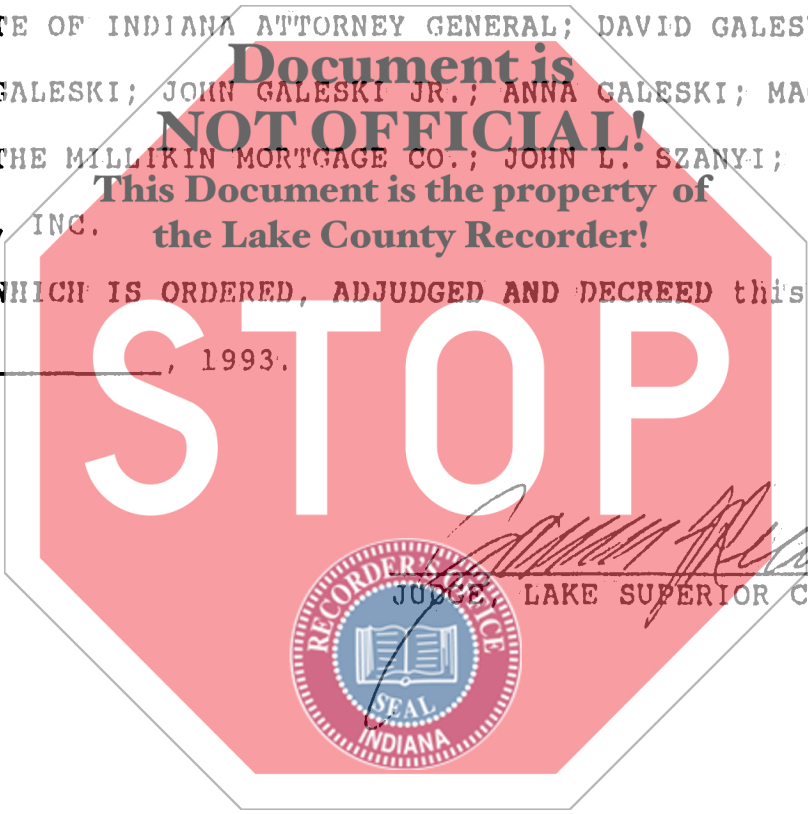
Commonly known as 4842 Catalpa Avenue,
Hammond, Indiana 46327.

Key No. 26-36-132-15

IT IS FURTHER ORDER, ADJUDGED AND DECREED BY THE COURT that the Plaintiff, WILLIAM KAMINSKI, is the owner in fee simple and is entitled to quiet and peaceful possession of his respected parcels of the aforescribed real estate and that the Defendants, BEN L. DARNELL; EDITH DARNELL; COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME; GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS; LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL; DAVID GALESKI, also known as DAVID J. GALESKI; JOHN GALESKI JR.; ANNA GALESKI; MAGNUM MORTGAGE CO., F/K/A THE MILLIKIN MORTGAGE CO.; JOHN L. SZANYI; and DISCOVER CARD SERVICE, INC., are without any rights whatsoever to said real estate or interest therein, and said Defendants have no right, title, lien or interest in and to

said real estate or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the fee simple title of, the Plaintiff, WILLIAM KAMINSKI, to his parcels of the aforescribed real estate is quieted against any interest of the Defendants, BEN L. DARNELL; EDITH DARNELL; COL. ROBERT HINDS, SUPERINTENDENT OF INDIANA VETERANS HOME; GERALD L. BOLE, DIRECTOR OF VETERANS AFFAIRS, INDIANA DEPARTMENT OF VETERANS AFFAIRS; LINLEY E. PEARSON, STATE OF INDIANA ATTORNEY GENERAL; DAVID GALESKI, also known as DAVID J. GALESKI; JOHN GALESKI JR.; ANNA GALESKI; MAGNUM MORTGAGE CO., F/K/A THE MILLIKIN MORTGAGE CO.; JOHN L. SZANYI; and DISCOVER CARD SERVICE, INC.



ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED this 10th day of February, 1993.

[Handwritten Signature]

JUDGE, LAKE SUPERIOR COURT, ROOM FIVE