



Plaintiffs show service of summons on the defendant, Consolidated Rail Corporation, by United States Certified Mail on the 3rd day of December, 1990. a copy of the clerk's return reads as follows:

The plaintiffs further show service of summons on all other defendants by publication in the Lake County Star on December 6, 13 and 20, 1990, the affidavit of the publisher reading in the following words and figures, to wit: (H. I).

Consolidated Rail Corporation and all other defendants other than those represented by counsel herein have failed to appear either in person or by counsel and have failed to answer or respond in any manner to plaintiffs' complaint. Consolidated Rail Corporation and all other defendants other than those represented by counsel herein are now called in open court, appear not and are defaulted.

Cause submitted on plaintiffs' complaint and the court having heard the evidence, now finds as follows:

1. The plaintiffs are the owners of the following described real estate located in Lake County, Indiana:

The Northeasterly 50 feet of the real estate described in that certain grant dated January 15, 1864, and recorded in Deed Records "Z", page 52 in the Office of the Recorder of Lake County, Indiana, on the 20th day of January, 1864, which lies within the Northwest Quarter of the Northwest Quarter of Section 15, Township 34 North, Range 8 West of the Second Principal Meridian in Lake County, Indiana.

2. The the defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, are the owners of all of that real estate which is the subject of plaintiffs' complaint described as follows:

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 34 North, Range 8 West of the Second Principal Meridian in Lake County, Indiana, lying Southwesterly of the center line of that certain rail road right of way described in a grant dated January 15, 1864 and recorded in Deed Record "Z", Page 52 in the

Office of the Recorder of Lake County, Indiana on the  
20th day of January 1864.

3. That the defendant, Thomas C. Niermeyer, has no interest in the real estate described in paragraphs one and two.

4. The court further finds that all defendants other than Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, each claim some interest in and to the above described real property adverse to the interest of the plaintiffs and the named defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, and that their claims are without right and are unfounded and that the plaintiffs herein and the named defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, are entitled to have the title to the real estate found to be owned by them quieted in said property against all claims of all other defendants.

IT IS, THEREFORE, CONSIDERED, ADJUDGED AND DECREED BY THE COURT AS FOLLOWS:

1. That the plaintiffs are the owners of the following described real property located in Lake County, Indiana, to wit:

The Northeasterly 50 feet of the real estate described in that certain grant dated January 15, 1864, and recorded in Deed Records "Z", page 52 in the Office of the Recorder of Lake County, Indiana, on the 20th day of January, 1864, which lies within the Northwest Quarter of the Northwest Quarter of Section 15, Township 34 North, Range 8 West of the Second Principal Meridian in Lake County, Indiana.

That title to the real estate described herein is hereby quieted in the names of the plaintiffs, Harold L. Wheeler and Martha Wheeler, husband and wife.

2. That the defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, are the owners of the following described real estate located in Lake County, Indiana, to wit:

That part of the Northwest Quarter of the Northwest Quarter of Section 15, Township 34 North, Range 8 West

of the Second Principal Meridian in Lake County, Indiana, lying Southwesterly of the center line of that certain rail road right of way described in a grant dated January 15, 1864 and recorded in Deed Record "Z", Page 52 in the Office of the Recorder of Lake County, Indiana on the 20th day of January 1864.

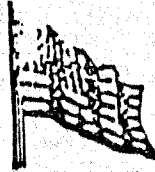
That title to the real estate described herein is hereby quieted in the names of the defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick.

3. That the claims of all other defendants hereto as they might relate to the title of real estate quieted in the names of the plaintiffs and the defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, are without right and are unfounded and that the plaintiffs' title to said real estate described hereinabove is hereby quieted and forever set at rest against all defendants and that the title to said real estate found to be owned by the defendants, Thomas C. Niermeyer, Paul Seegers, Gerald Seegers and Nancy Bruick, is hereby quieted and forever set at rest against all other defendants and persons claiming by or through or under them.

Dated this 14 day of March, 1994.

Judge, Lake Superior Court  
Room No. Two

# 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

**JUDGMENT**

dated MARCH 16, 1994, in Cause Number 45D02-9011-CP-1000 entitled HAROLD L. WHEELER ET AL VS. CONSOLIDATED RAIL CORP ET AL 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, at my office in EAST CHICAGO, INDIANA in the said County, this 18 day of MARCH A. D., 1994

*Robert A. Anderson*  
Clerk Lake SUPERIOR Court.  
By *Robert A. Anderson*  
Deputy