

STATE OF INDIANA )  
COUNTY OF LAKE )

IN THE SUPERIOR COURT OF LAKE  
COUNTY, ROOM NO. THREE, SITTING  
AT GARY, LAKE COUNTY, INDIANA

797016358

Filed in Open Court

IN RE THE MARRIAGE OF: )

DANIEL PEACHES,

JAN 22 1997

VS.

*James Danahy*  
SUPERIOR COURT OF LAKE COUNTY  
CIVIL DIVISION, COURT ROOM 3

CAUSE NO.: 45 D03 9308 DR 2808

SHARON K. PEACHES,

PROPERTY SUBJECT TO  
TAXATION ACCEPTANCE FOR TRANSFER.

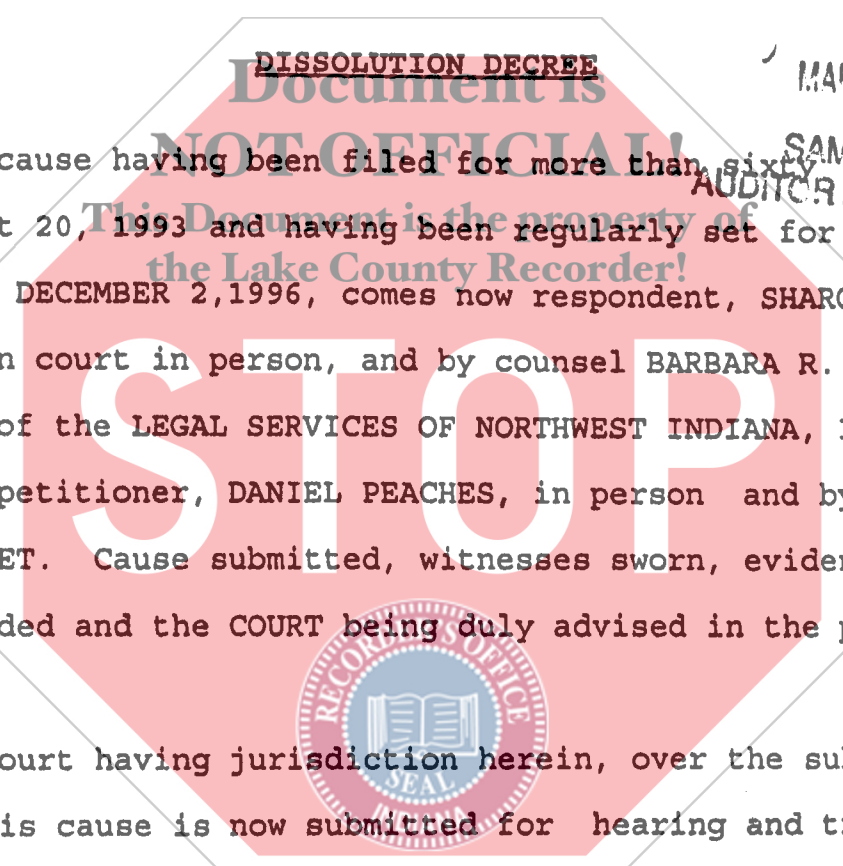
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DISSOLUTION DECREE

This cause having been filed for more than sixty (60) days from August 20, 1993 and having been regularly set for final hearing on DECEMBER 2, 1996, comes now respondent, SHARON K. PEACHES, in court in person, and by counsel BARBARA R. BLADE SPOTWOOD, of the LEGAL SERVICES OF NORTHWEST INDIANA, INC. and comes now petitioner, DANIEL PEACHES, in person and by counsel, JERRY PETEET. Cause submitted, witnesses sworn, evidence heard and concluded and the COURT being duly advised in the premises now finds:

The Court having jurisdiction herein, over the subject matter, this cause is now submitted for hearing and trial, without the intervention of a jury, and the Court having heard and concluded the evidence and being duly advised in the premises now finds that the marriage of the parties is irretrievably broken.

The Court further finds that there were three children born to the parties, to-wit: DANIEL PEACHES, JR., B. 6-26-72 (emancipated); ANTON D. PEACHES, B. 12-31-76 (emancipated); and TOI M. PEACHES, B. 10-04-79 and that the respondent is the fit



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AUDITOR LAKE COUNTY  
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and proper person to have the care, custody and control of the parties' minor child.

The Court further finds that the respondent is not now pregnant.

The Court further finds that the respondent is currently employed by Buffington Harbor River Boat, L.L.C.

The Court further finds that the petitioner is currently employed by Majestic Star Casino, L.L.C.

The Court further finds that there is a pension to be considered.

The Court further finds that the parties accumulated certain real property during their marriage which disposition needs to be determined by this Court.

The Court further finds that the parties accumulated no personal property which disposition needs to be determined by this Court.

The Court further finds that the parties accumulated certain marital debts or obligations during their marriage which disposition needs to be determined by this Court.

The Court further finds that the petitioner was ordered to pay child support to respondent in the amount of \$114.00 per week beginning September of 1993 and is presently in arrears approximately \$6,000.00.

The Court further finds that there is an accident settlement check from Canal Insurance Company made payable to "Daniel and Sharon Peaches Individually and as husband and wife" which disposition needs to be determined by this Court.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the marriage of DANIEL PEACHES and SHARON K. PEACHES is irretrievably broken, and that said marriage be and is hereby dissolved and the parties restored to the state of unmarried persons.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court the the respondent be and hereby is granted the sole care, custody and control of the parties' minor child, TOI M. PEACHES, B. 10-4-75 subject to petitioner's right to reasonable visitation within twenty-four (24) hours notice to the respondent.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that ANTON D. PEACHES, B. 12-31-76, is found to be emancipated as of the date of this dissolution decree.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner shall pay current child support for the support of the parties daughter, TOI M. PEACHES, to the respondent in the amount of \$60.42 per week. The petitioner's \$60.42 support is to begin instanter and is payable to the Clerk of the Lake Superior Court, Support Division, 2293 North Main Street, Crown Point, Indiana. The Court also enters and activates a continuing Child Support Income Withholding Order to insure that the child support is paid.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner is responsible for the major medical, dental, hospital, optical, and pharmaceutical expenses incurred on behalf of the parties' minor child, uninsured medical expenses shall be paid as follow: the first \$355.68 of uninsured medical bills in

any calendar year shall be paid by the respondent and if in any calendar year uninsured medical bills exceed \$355.68, then the petitioner shall be responsible for 53% of the cost and the respondent shall be responsible for 47% of the cost.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that both parties are to keep TOI PEACHES and their granddaughter covered by the medical insurance at their respective places of employment.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner DANIEL PEACHES be and hereby is responsible for all outstanding medical bills incurred by the minor child, Toi Peaches, and is to hold the respondent, SHARON PEACHES harmless thereon.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the parties are responsible for any other marital debts in their respective names and are to hold the other party harmless thereon.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the Respondent is awarded a judgment in the amount of Six Thousand Dollars (\$6,000.00) against the Petitioner for the unpaid child support arrearages. Said judgement is hereby satisfied by the petitioner voluntarily relinquishing to the respondent \$6,000 of his \$9,000 equity interest in the marital residence.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner is awarded exclusive rights, control and possession of his 401(K) plan from American President Trucking by

offsetting the respondents one-half (1/2) interest in the 401(K) plan with the relinquishing to the respondent his \$3,000 remainder equity interest in the marital residence. The petitioner Daniel Peaches no longer has any rights, title, interest or ownership in the residence located at 2141 Kentucky Street, Gary, Indiana.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner DANIEL PEACHES is hereby divested of all rights, title, interest and ownership in the property located at 2141 KENTUCKY STREET, GARY, INDIANA. Furthermore, the respondent, SHARON K. PEACHES is hereby awarded the home located at 2141 Kentucky Street, Gary, Indiana and vested of all rights, title interest and ownership in said property. The legal description of the property is as follows:

Lot Thirty-Five (35), and the North 10 feet of Lot Thirty-Four (34), Block Twenty-One (21), Ironwood Unit "A", in the City of Gary, as shown in Plat Book 21, Page 4, in Lake County, Indiana, a/k/a 2141 Kentucky Street, Gary, Indiana.  
Key Number: 45-101-36

The Respondent, SHARON K. PEACHES, shall file and have recorded at the Lake County Recorder's Office a copy of this decree, vesting her with all rights, title, interest and ownership in the property located at 2141 Kentucky Street.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the respondent is awarded a one-half (1/2) share of the Canal Insurance Company Accident Settlement Check in the amount of \$5,815.77. The petitioner's share of said check is \$2,907.89, this amount is to be remitted to her in the form of a cashier's

check. The petitioner's attorney has been holding the settlement check for him since approximately September, 1995. Should this settlement check need to be re-issued, the petitioner's attorney is to assist him with this process and further the petitioner's attorney is responsible to make sure the respondent receives her \$2,907.89 cashier's check.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the petitioner shall be awarded all personal property that is now in his possession with the exception of those items awarded to the respondent in the foregoing paragraph.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the respondent shall be awarded all personal property that is now in her possession with the exception of those items awarded to the petitioner in the foregoing paragraph.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by this Court that the court issue a Permanent Restraining Order. All law enforcement officers subject to the jurisdiction of this court are hereby empowered and ordered to enforce the terms of this Order upon complaint and as provided at I.C. 35-46-1-15.

ALL OF WHICH IS ORDERED THIS 22 DAY OF January, 1999.

  
James Danikolas, Judge

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