

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE CIRCUIT COURT
CAUSE NO. 45C01-9709-CP-02289

KATL PROPERTIES, L.L.C.,)

Plaintiff,)

vs.)

TERRY T. SIMMONS, DARCEL M. SIMMONS,)
KAREN M. COULIS, WILLIAM W. HESTER,)
BERNICE HASKINS, and SOUTHLAKE)
CENTER FOR MENTAL HEALTH,)

Defendants.)

Filed in Open Court

NOV 24 1997

Anna N. Antone
CLERK LAKE CIRCUIT COURT
JULY ENTERED FOR TAXATION SUBJECT
FINAL ACCEPTANCE FOR TRANSFER

DEC 25 1997

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FILED FOR RECORD

QUIET TITLE DECREE

SAM ORLICH
AUDITOR LAKE
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

The Plaintiff, KATL Properties, L.L.C., having hertofore moved the Court to enter a Quiet Title Decree, and the Court upon reviewing said Motion, and being otherwise properly advised, does now find as follows:

1. This Court has jurisdiction over the subject matter of this action and jurisdiction over the parties and real property herein.

2. The Defendants, Terry T. Simmons, Darcel M. Simmons, Karen M. Coulis, and Bernice Haskins, were notified of the pendency of this action by service of summons by publication in the Post-Tribune on October 3, 1997, October 10, 1997 and October 17, 1997, and are now in default for failing to plead or otherwise respond to Plaintiff's Complaint.

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3. The Defendant, Southlake Center for Mental Health, received notice of the pendency of this action by certified mail on September 22, 1997, and more than twenty-three (23) days have elapsed since the date of said service.

4. The Defendant, William W. Hester, received notice of the pendency of this action by certified mail on September 20, 1997, and more than twenty-three (23) days have elapsed since the date of said service.

5. On October 5, 1995, the Lake County Treasurer sold at tax sale the following described real property located in Lake County, Indiana:

East 20 Feet of Lot 18 and West 20 Feet of Lot 17, Block 24
in Aetna Securities Company's Second Subdivision, City of Gary,
as per plat thereof, recorded in Plat Book 20, Page 39, in the Office
of the Recorder of Lake County, Indiana,

and more commonly known as 4406 E. 10th Avenue, Gary, Indiana.

6. KATL Properties, L.L.C., received a tax deed to the above-described real estate on April 11, 1997, following the statutory period of redemption.

7. Said tax deed was recorded June 27, 1997, as Instrument Number 97041939 in the Office of the Recorder of Lake County, Indiana.

8. Plaintiff's tax deed is, pursuant to I.C. 6-1.1-25-4, prima facie evidence of the regularity of the tax sale, the regularity of all proper proceedings; and, valid title in fee simple in the grantee of the deed.

9. Plaintiff's tax deed, pursuant to I.C. 6-1.1-25-4(d), vests in Plaintiff an estate in fee simple absolute, free and clear of all liens and encumbrances created or suffered before or after the tax sale, except those liens granted priority under federal law and the lien of the state for taxes and special assessments which accrue subsequent to the

sale.

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IT IS THEREFORE ORDERED, ADJUDGED and DECREED that:

1. Title to the following described real estate is hereby quieted in and to the Plaintiff, KATL Properties, L.L.C., and Plaintiff is vested with an estate in fee simple, absolute, free and clear of all liens and encumbrances of any other person or entity, except for the lien of the State of Indiana for real property and special assessments regarding the subject real property which is more specifically described as follows:

East 20 Feet of Lot 18 and West 20 Feet of Lot 17, Block 24
in Aetna Securities Company's Second Subdivision, City of Gary,
as per plat thereof, recorded in Plat Book 20, Page 39, in the Office
of the Recorder of Lake County, Indiana,

and more commonly known as 4406 E. 10th Avenue, Gary, Indiana.

2. The equity and right of redemption and claims of the Defendants, and all persons who claim by, under and through him, in and to said real property, are hereby forever barred and foreclosed.

3. The Defendants, or any occupants claiming by, under and through him, shall forthwith surrender said real estate to the Plaintiff, and in the event that such person or persons so in possession of the real estate shall refuse to fully and peaceably surrender possession, a certified copy of this Quiet Title Decree, shall be sufficient authority to the Sheriff of Lake County, Indiana, to remove such person or persons from the real estate and give full and peaceful possession to the Plaintiff.

11.24.97
Dated

Luigi A. Audoardo
Judge, Lake Circuit Court

Distribution: Mark A. Smith, Attorney at Law, 201 W. Main St., Plainfield, IN 46168



CERTIFICATION OF CLERK

As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this
10th day of December, 1997.

Clerk of the Lake Circuit and Superior Courts

By: _____
Deputy Clerk

