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STATE OF INDIANA )  
COUNTY OF LAKE )

STATE OF INDIANA )  
LAKE COUNTY )  
IN THE LAKE CIRCUIT COURT )  
FILED FOR RECORD )  
2000 AUG 23 AM 10:07 )  
SITTING AT CROWN POINT, INDIANA )

ISS: 2000 061051

MORRIS W. CARTER  
RECORDED

IN THE MATTER OF THE )  
SALE OF REAL PROPERTY )  
WITH DELINQUENT TAXES )  
OR SPECIAL ASSESSMENTS )

ADVANTAGE 99, )

Petitioner, )

CAUSE NO.: 45C01-9809-MI-02192

-vs-

KENNETH and KATHERINE L. KIRLEIS, )

Respondents. )

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Made Open Court

AUG 15 2000

**AGREED ORDER**

The respondents, Kenneth Kirleis and Katherine L. Kirleis, having filed on July 18, 2000, their Trial Rule 60B(6) Motion To Set Aside Order Of January 13, 2000, which Motion is incorporated by reference herein, and said Motion having been served on petitioner's counsel, by mail on July 19, 2000; the parties, by counsel, now respectfully agree and stipulate as follows:

1. That this Court's Order of January 13, 2000, was premised on the fact that notice pursuant to I.C. 6-1.1-25-4.5 and I.C. 6-1.1-25-4.6 had been given to all owners of record.
2. However, neither statutorily required notice had been given to respondent Katherine Kirleis, who is a co-owner of the real estate sold at tax sale.

N.C.  
E.P.

3. As such, this Court's Order of January 13, 2000, should be vacated, set aside, and held for naught.

4. The tax deed issued by the Lake County Auditor to petitioner on January 13, 2000, being based upon said Order, should, likewise, be voided and held for naught. This deed was recorded in the office of the Lake County Recorder on March 1, 2000.

5. The lien of the Sanitary District of Hammond, upon which the sale order of this Court, under date of September 18, 1998 was based, is invalid since respondents had never been given notice as required by I.C. 36-9-23-32(c) nor were they given notice as required by I.C. 36-9-23-33(c).

6. As such, this Court's general sale order of September 18, 1998, should be set aside, vacated, and held for naught as to the following real estate only:

FORSYTH HIGHLAND'S ADDITION, NORTH 25 FT. OF LOT  
29, BLOCK 8, SOUTH 27 FT. OF LOT 28, BLOCK 8, IN THE  
CITY OF HAMMOND, INDIANA.

(Commonly known as: 6832 Olcott Avenue,  
Hammond, Indiana,)

7. That this stipulation shall be approved by this Court and, as such, constitute an Agreed Order by the parties.

8. That when so approved by this Court, a copy of said Agreed Order shall constitute authorization and direction to the Lake County Auditor, the Lake County Treasurer and the Lake County Recorder to immediately take any and all

actions to effectuate any necessary changes in their records to reflect the invalid sale order as well as the void deed of April 25, 2000, which wrongfully transferred title to the aforesaid real estate to petitioner.

9. That petitioner further agrees to take all other required actions needed, including the execution and recording, at its expense, of any documents necessary to reflect title in the aforesaid real estate solely in the name of respondents.

10. So stipulated and agreed to by counsel for petitioner and respondents this 14<sup>th</sup> day of August, 2000.

*Marc L. Griffin*

MARC GRIFFIN, #17047-49, Attorney  
for petitioner, Advantage 99

*Richard P. Komyatte*

RICHARD P. KOMYATTE, #5297-45,  
Attorney for respondents, KENNETH  
and KATHERINE L. KIRLEIS

The Court, having examined the above and foregoing stipulation by counsel for petitioner and respondents, now expressly approves and adopts same as an Agreed Order of this Court.

SO ORDERED.

*[Signature]*  
V. Kirby Komyatte 8/15/00

*[Signature]*  
JUDGE, LAKE CIRCUIT COURT

RPK\Kirleis\AgreedOrder



**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  
25<sup>th</sup> day of Aug., 2000.

Anna M. Anton

Clerk of the Lake Circuit and Superior Courts

By: Mary Kay D'Fon  
Deputy Clerk