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STATE OF INDIANA )  
COUNTY OF LAKE )

SS:

LAKE CIRCUIT/SUPERIOR COURT  
SITTING AT CROWN POINT, INDIANA

EWELL LONG,  
Plaintiff,

2005 044725

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
2005 JUN -1 PM 2:04

v.

MICHAEL A. PHILPOT  
RECORDED  
NO. 45C01-0411-PL-00254

JOHN AND JANE DOES, unknown and  
unidentified beneficiaries of the Pearl M.  
Carley, Living Trust; TREASURER OF  
LAKE COUNTY, INDIANA; and BOARD OF  
COUNTY COMMISSIONERS OF LAKE  
COUNTY, INDIANA,  
Defendants.

**Filed in Open Court**

MAY 25 2005

*Thomas R. Philpot*  
CLERK LAKE CIRCUIT COURT

**MODIFIED DEFAULT JUDGMENT AND ORDER TO QUIET TITLE**

Comes now the Plaintiff, EWELL LONG, by counsel, TRENT A. McCAIN, upon Plaintiff's Complaint to Quiet Title and Motion for Default Judgment and respectfully shows to the Court as follows:

The Plaintiff, EWELL LONG, shows proof of service upon the Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, by publication, with notice having been published in *The Crown Point Star* three (3) consecutive weeks, with the last publication date having been December 2, 2004, as more fully evidenced by the Publisher's Affidavit which was attached to Plaintiff's Motion for Default Judgment as Exhibit A, made a part thereof and incorporated therein by reference.

The Plaintiff, EWELL LONG, further shows the Court that the Defendants, TREASURER OF LAKE COUNTY, INDIANA and BOARD OF COUNTY

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MODIFIED DEFAULT JUDGMENT AND ORDER TO QUIET TITLE

COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, were duly served with Complaint and Summons by the Sheriff of Lake County, Indiana by personal service on November 18, 2004.

The Plaintiff, EWELL LONG, shows the Court that the above-named Defendants, PEGGY HOLINGA KATONA, TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, have wholly failed to appear or otherwise plead or defend the action herein and that more than thirty (30) days have passed since the date of the publication of the last legal notice herein; or since the issuance of Complaint and Summons either by personal service of the Lake County Sheriff or by publication.

Upon the motion of Plaintiff, EWELL LONG, the Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; PEGGY HOLINGA KATONA, TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, is duly called in Open Court three (3) times and, having failed to appear and answer, upon further motion of Plaintiff, Defendants, PEGGY HOLINGA KATONA, TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, are wholly and totally defaulted.

The Court, having examined Plaintiff's Complaint to Quiet Title and being duly advised in the premises, now finds that the material allegations of the Plaintiff's Complaint are true and that Plaintiff, EWELL LONG, is entitled to judgment herein

MODIFIED DEFAULT JUDGMENT AND ORDER TO QUIET TITLE

against Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, to quiet title to the real estate which is the subject of these proceedings.

IT IS NOW, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff, EWELL LONG, be, and hereby is, granted judgment against the Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, quieting title in fee simple on Plaintiff's behalf, and against the Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and all persons claiming any right, title or interest in or to the following described real estate, by, through or from the above-named Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, their heirs, successors or assigns, to the following described real estate, to-wit:

TOWLE & YOUNGS ADD ALL L. 25, 26, & 27 BL 2 & E ½ VAC ALLEY ADJ.

Cause No. 45C01-0411-PL-00254

MODIFIED DEFAULT JUDGMENT AND ORDER TO QUIET TITLE

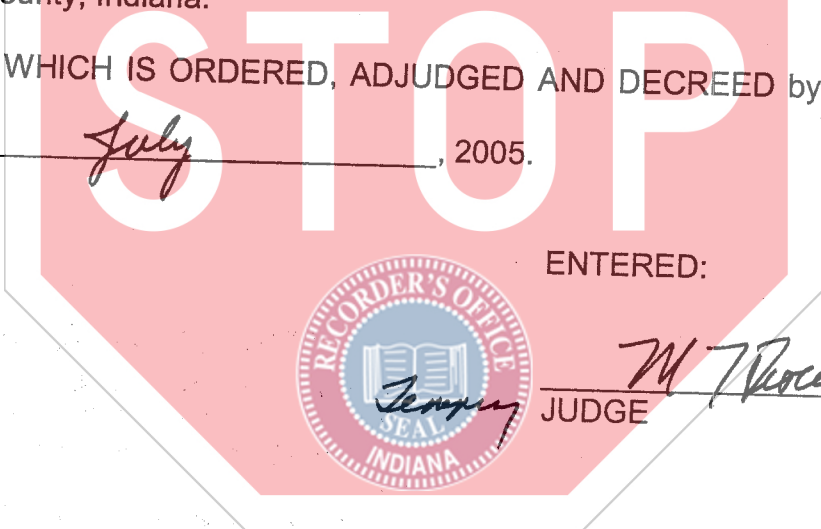
Property ID: 26-36-0226-0029  
Common Address: 5418-26 Oakley Avenue, Hammond, Lake County, Indiana 46320

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that

- A. Defendants, JOHN AND JANE DOES, unknown and unidentified beneficiaries of the Pearl M. Carley, Living Trust; TREASURER OF LAKE COUNTY, INDIANA; and BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, INDIANA, and each of them, and any person or entity claiming under or through said Defendants is permanently enjoined and restrained from asserting any claim or interest in or to the aforesaid real estate or any part thereof.
- B. Pearl M. Carley, as Trustee of the Pearl M. Carley Living Trust, dated 12/18/1980, or any successor trustee(s) to the Living Trust and each of them, and any person or entity claiming under or through said Defendants is permanently enjoined and restrained from asserting any claim or interest in or to the aforesaid real estate or any part thereof.
- C. The Clerk of the Court issue a certified copy of this modified judgment to be recorded by the Plaintiff herein in the Office of the Recorder of Lake County, Indiana.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED by the Court this

25 day of July, 2005.



ENTERED:

M. J. [Signature]  
JUDGE



**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 \_\_\_\_\_ day of \_\_\_\_\_ 2005  
*Thomas A. Phillips*  
Clerk of the Lake Circuit and Superior Courts

By: *Debra Decker*  
Deputy Clerk