

STATE OF INDIANA )  
 )  
COUNTY OF LAKE )

SS:

IN THE LAKE SUPERIOR COURT  
HAMMOND, INDIANA

CITY OF HAMMOND,  
REDEVELOPMENT COMMISSION,

Plaintiff

-vs-

**LEWIS F. JAGGER, DONNA Y. JAGGER**, All  
Unknown Heirs, Devisees, Legatees, Administrators,  
Executors, Personal Representatives, Assigns,  
Grantees, Successors-in-Interest, Husband or Wife,  
Widower or Widow of LEWIS F. JAGGER and/or  
DONNA Y. JAGGER; **PETER BECKER, FRIEDA  
BECKER**, All Unknown Heirs, Devisees, Legatees,  
Administrators Executors, Personal Representatives,  
Assigns Grantees, Successors-in-Interest, Husband or  
Wife, Widower or Widow of PETER BECKER and/or  
FRIEDA BECKER; All Persons, Corporations,  
Partnerships Or Other Entities Claiming And/Or  
Having Any Right or Interest in the Real Estate  
Described Herein; **LAKE COUNTY AUDITOR;  
LAKE COUNTY TREASURER; RAND MCNALLY  
& COMPANY; ERIE RAILROAD COMPANY**,  
Defendants.

CAUSE NO.

45D05 0406 PL 119

KEY NO.: 33-45-23  
(Tax Unit No. 26)

2006 071332

Filed in Open Court

AUG 13 2004

2006 AUG 16 AM 9:16

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

Thomas R. Philpott  
CLERK LAKE SUPERIOR COURT

**ORDER AND JUDGMENT QUIETING TITLE**

Comes now City of Hammond, Redevelopment Commission, by its attorney, Glenn W. Kuchel, and shows the Court as follows:

1. That service of Summons was made upon defendant, Lake County Treasurer, by certified mail, return receipt requested on June 22, 2004, which Summons and the return thereon is in the following words and figures, to-wit: (H.I.).

2. That service of Summons was made upon the Lake County Auditor by certified mail, return receipt requested, on June 22, 2004, which Summons and the return thereon is in the following words and figures, to wit: (H.I.).

**FILED**

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PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

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3. That service of Summons was made upon Rand McNally & Company by certified mail, return receipt requested on June 22, 2004, which Summons and the return thereon is in the following words and figures, to wit: (H.I.)

4. That service of Summons was made upon Lewis F. Jagger by certified mail, return receipt requested on June 22, 2004, which Summons and the return thereon is in the following words and figures, to wit: (H.I.)

5. That Lewis F. Jagger and Donna Y. Jagger have disclaimed any interest in the Subject Real Estate by Quit Claim Deed and have been dismissed as Defendants by this Court's Order dated July 9, 2004 in the following words and figures, to wit: (H.I.)

6. Comes further the plaintiff, by counsel, and shows the Court that the following named defendants could not be found within the State of Indiana and that their whereabouts are unknown and that personal service upon them was not able to effectuated:

All Unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Assigns, Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of LEWIS F. JAGGER and/or DONNA Y. JAGGER; **PETER BECKER, FRIEDA BECKER**, All Unknown Heirs, Devisees, Legatees, Administrators Executors, Personal Representatives, Assigns Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of PETER BECKER and/or FRIEDA BECKER; All Persons, Corporations, Partnerships Or Other Entities Claiming And/Or Having Any Right or Interest in the Real Estate Described Herein; **ERIE RAILROAD COMPANY**

7. Comes further the plaintiff, by counsel, and shows the Court that said defendants were duly served with Summons by Publication appearing in The Times newspaper on June 21, 2004, June 28, 2004 and July 5, 2004, which Service by Publication and the Publisher's Affidavit of such publication are in the following words and figures, to-wit: (H.I.).

8. Comes further the plaintiff, by counsel, and shows the Court that all remaining defendants have failed to appear or otherwise plead herein and that more than thirty (30) days have passed since the date of the last publication against the defendants named in the preceding paragraph 6 above and that more than 23 days have passed since the date of service via certified mail upon defendants Lake County Treasurer, Lake County Auditor, Rand McNally & Company, and Lewis F. Jagger as set forth in the preceding paragraphs 1, 2, 3 and 4 respectively.

Upon motion of the plaintiff, all defendants are duly called in open Court three (3) times and, having failed to answer, upon motion of the plaintiff, and all of them are hereby and totally defaulted.

And this cause being now at issue, is submitted to the Court for hearing and trial without the intervention of a jury and the Court having heard the evidence and being duly advised in the premises, NOW FINDS AND ORDERS AS FOLLOWS:

1. That the plaintiff is owner in fee simple of the following described real estate, located in Lake County, Indiana, to-wit:

Key No.: 33-45-23 (Tax Unit No. 26)

Lot B, Eder's Addition to Hammond, as per plat thereof, recorded in Plat Book 12, page 24, in the Office of the Recorder of Lake County, Indiana.

2. That the City of Hammond, Redevelopment Commission ("Hammond") acquired title to said real estate pursuant to a Commissioners' Quit Claim Deed granted and delivered to the City of Hammond, Redevelopment Commission by the Lake County Board of

Commissioners, and recorded in the Office of the Recorder of Lake County, Indiana, on April 7, 2000 as Document No. 2000 023930.

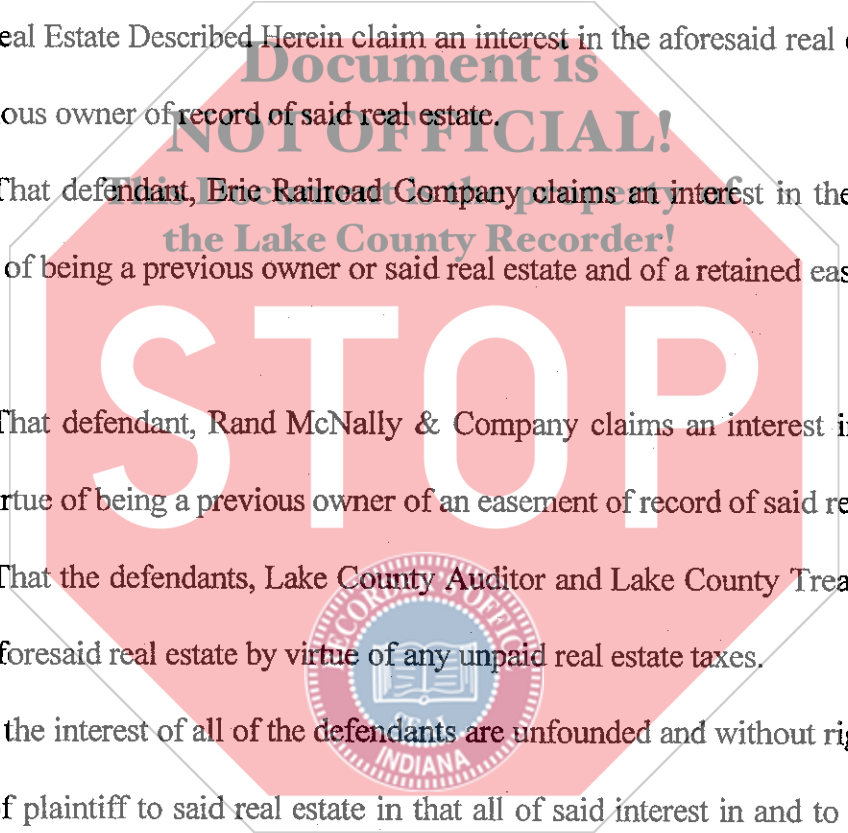
3. That the defendants, **LEWIS F. JAGGER, DONNA Y. JAGGER**, All Unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Assigns, Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of LEWIS F. JAGGER and/or DONNA Y. JAGGER; **PETER BECKER, FRIEDA BECKER**, All Unknown Heirs, Devisees, Legatees, Administrators Executors, Personal Representatives, Assigns Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of PETER BECKER and/or FRIEDA BECKER; All Persons, Corporations, Partnerships Or Other Entities Claiming And/Or Having Any Right or Interest in the Real Estate Described Herein claim an interest in the aforesaid real estate by virtue of being a previous owner of record of said real estate.

4. That defendant, **Eric Railroad Company** claims an interest in the aforesaid real estate by virtue of being a previous owner or said real estate and of a retained easement upon its sale.

4. That defendant, **Rand McNally & Company** claims an interest in the aforesaid real estate by virtue of being a previous owner of an easement of record of said real estate.

5. That the defendants, **Lake County Auditor and Lake County Treasurer**, claim an interest in the aforesaid real estate by virtue of any unpaid real estate taxes.

6. That the interest of all of the defendants are unfounded and without right and a cloud upon the title of plaintiff to said real estate in that all of said interest in and to said real estate were extinguished by the aforesaid Lake County Board of Commissioners' Quit Claim Deed.



7. That the plaintiff has a superior, exclusive, full and complete title to said real estate as against each of said defendants.

8. That the plaintiff has fee simple title in and to the aforescribed real estate which is superior and exclusive to any interest claimed by any of the defendants herein.

9. That the plaintiff is entitled to have the title to the aforescribed real estate quieted against the claims of all of the defendants herein as a result of the aforesaid Commissioners' Quit Claim Deed and Warranty Deed and that the defendants should be enjoined from ever asserting any right, title or interest in the above described real estate and from, in any manner, interfering with the plaintiff in its possession and enjoyment of the aforesaid real estate.

10. That the plaintiff, the City of Hammond, Redevelopment Commission, is the owner in fee simple and is entitled to the quiet and peaceful possession of the aforescribed real estate and that the asserted interest of any and all of the defendants herein is without any right whatsoever and said defendants do not have any right, title, lien, or interest in and to said real estate or to any part thereof in any manner.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT** that judgment is hereby entered in favor of the plaintiff, the City of Hammond, Redevelopment Commission, and against the defendants:

**LEWIS F. JAGGER, DONNA Y. JAGGER**, All Unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Assigns, Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of LEWIS F. JAGGER and/or DONNA Y. JAGGER; **PETER BECKER, FRIEDA BECKER**, All Unknown Heirs, Devisees, Legatees, Administrators Executors, Personal Representatives, Assigns Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of PETER BECKER and/or FRIEDA BECKER; All Persons,



Corporations, Partnerships Or Other Entities Claiming And/Or Having Any Right or Interest in the Real Estate Described Herein; **LAKE COUNTY AUDITOR; LAKE COUNTY TREASURER; RAND MCNALLY & COMPANY; ERIE RAILROAD COMPANY**

quieting title in said plaintiff to the following described real estate, to-wit:

Key No.: 33-45-23 (Tax Unit No. 26)

Lot B, Eder's Addition to Hammond, as per plat thereof, recorded in Plat Book 12, page 24, in the Office of the Recorder of Lake County, Indiana.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT**

that the plaintiff is owner in fee simple of the aforescribed real estate and is entitled to the quiet and peaceful possession of the said real estate and that the defendants are without right whatsoever to said real estate or any interest therein, and said defendants have no estate, right, title, lien, judgment or interest in and to said real estate or to any part thereof.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT**

that the fee simple title of the plaintiff, The City of Hammond, by and through its Redevelopment Commission is quieted against any interest of the defendants:

**LEWIS F. JAGGER, DONNA Y. JAGGER, All Unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Assigns, Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of LEWIS F. JAGGER and/or DONNA Y. JAGGER; PETER BECKER, FRIEDA BECKER, All Unknown Heirs, Devisees, Legatees, Administrators Executors, Personal Representatives, Assigns Grantees, Successors-in-Interest, Husband or Wife, Widower or Widow of PETER BECKER and/or FRIEDA BECKER; All Persons, Corporations, Partnerships Or Other Entities Claiming And/Or Having Any Right or Interest in the Real Estate Described Herein; LAKE COUNTY AUDITOR; LAKE COUNTY TREASURER; RAND MCNALLY & COMPANY; ERIE RAILROAD COMPANY**

and as against all persons claiming through them and as against all the world, and that each and every defendant and all of the rest of the world are hereby forever enjoined from asserting any

right, title or interest in the abovedescribed real estate and from, in any manner, interfering with the plaintiff's possession and enjoyment thereof.

ALL OF WHICH IS SO ORDERED, ADJUDGED AND DECREED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2004.

*Robert A. Peterson*

Judge,  
Lake Superior Court



**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 8 day of August, 2006

Clerk of the Lake Circuit and Superior Courts

By: Thomas R. Phillips  
Deputy Clerk [Signature]

