

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

2013 055510

THOMAS VANDERWERF,

Plaintiff,

vs.

MARILYN P. HAWKS, JAMES HAWKS,
THOMAS L. KIRSCH,
MIDLAND FUNDING NNC-2 CORP.,
PLATINUM FINANCIAL SERVICE,
and the unknown lessees, creditors,
husband or wife, widower or widow, heirs, personal
representatives, trustees, trust beneficiaries,
remaindermen, and devisees of the above named
person; and any unknown person or persons
holding or claiming to hold a life estate or other
interest in the herein described real estate,

Defendants.

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDED
EAST CHICAGO, INDIANA

2013 JUL 30 PM 12:25

MICHAEL B. BROWN
RECORDER

) CAUSE NO. 45D02-1304-CC-0221

) Parcel Nos. 45-15-23-477-039.000-043
45-15-23-477-038.000-043

Filed in Open Court

JUL 25 2013

DULY ENTERED FOR TAXATION SUBJECT
SUPERIOR COURT OF INDIANA
CIVIL DIVISION COURT ROOM 2

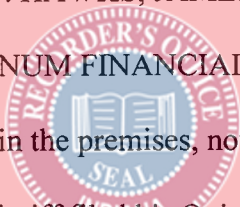
JUL 30 2013

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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STOP



This matter came before the Court on Plaintiff's Motion for Entry of Default Judgment.

Plaintiff was represented by counsel, Robert B. Golding, Jr. The Defendant, THOMAS L. KIRSCH, has disclaimed his interest in the real estate that is the subject matter of this quiet title action. The Defendants, MARILYN P. HAWKS, JAMES HAWKS, MIDLAND FUNDING NNC-2 CORPORATION, and PLATINUM FINANCIAL SERVICE, have neither appeared nor plead. The Court, being duly advised in the premises, now finds:

- 1. That on April 19, 2013, Plaintiff filed his Quiet Title Complaint, Affidavit in Support of Request for Summons by Publication, Summons for Service by Publication, Summons, and Affidavit for Quiet Title Action in this cause.

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Robert Golding
P.O. Box 175
Dyer, IN 46311

2. That the Defendant, MARILYN P. HAWKS, was served by publication with the third and final publication occurring on May 14, 2013. On June 23, 2013 a Summons and a copy of the Complaint were left by a private process server at an address in Chicago Heights, Illinois which may be an address of the said Defendant.

3. That the Defendant, JAMES HAWKS, was served by sheriff's service on April 24, 2013.

4. That the Defendant, THOMAS L. KIRSCH, was served by certified mail, disclaimed its interest in the real estate that is the subject of this quiet title action on May 2, 2013, and should be dismissed as a Defendant to this action.

5. That the Defendant, MIDLAND FUNDING NNC-2 CORP., was served by certified mail on April 23, 2013.

6. That the Defendant, PLATINUM FINANCIAL SERVICE, was served by sheriff's service on April 26, 2013.

7. That all of the Defendants were served with a Summons by Publication with the third and final Publication occurring on May 14, 2013.

8. That the allotted time has expired for Defendants to plead or otherwise comply with the Indiana Rules of Trial Procedure, and the said Defendants have not plead or otherwise complied with the Indiana Rules of Trial Procedure.

9. That the Defendants are not entitled to any stay or immunity from the entry of a default judgment.

10. That the allegations in the Complaint and the statements in the Affidavits should be taken as true, and those allegations and statements are legally sufficient to entitle the Plaintiff to

judgment in favor of the Plaintiff and against the Defendants, MARILYN P. HAWKS, JAMES HAWKS, MIDLAND FUNDING NNC-2 CORPORATION, and PLATINUM FINANCIAL SERVICE pursuant to Ind. Code 6-1.1-25-14 and 6-1.1-25-16 and other applicable law, extinguishing any and all interests other than the interest of the Plaintiff in the real estate described in the Complaint.

11. That this Court has jurisdiction pursuant to *Browning v. Smith*, 139 Ind. 280, 285, 37 N.E.540 (Ind. 1894) and other applicable law.

12. That venue is proper in Lake County, Indiana.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED, AND DECREED BY THE COURT as follows:

1. The Defendant, THOMAS L. KIRSCH, is hereby DISMISSED as a Defendant it being the finding of the Court that THOMAS L. KIRSCH has disclaimed his interest in the real estate that is the subject matter of this quiet title action.

2. That Judgment is hereby entered in favor of the Plaintiff and against the Defendants, MARILYN P. HAWKS, JAMES HAWKS, MIDLAND FUNDING NNC-2 CORPORATION, and PLATINUM FINANCIAL SERVICE.

3. That Plaintiff's title to the following described real estate is quieted to the Plaintiff as against the Defendants, MARILYN P. HAWKS, JAMES HAWKS, MIDLAND FUNDING NNC-2 CORPORATION, and PLATINUM FINANCIAL SERVICE, all those claiming through them, and as against the world:

Lot 1, Halley's Second Cedar Lake Subdivision, as shown in Plat Book 22, page 21, in Lake County, Indiana

Street Address: 13240 Colfax Street, Cedar Lake, IN 46303

Parcel Number: 45-15-23-477-039.000-043

ALSO

Lot 2, except the Northwest triangular corner (12 x 20 ft) of Lot 2, in Halley's Second Addition to Cedar Lake Subdivision, an addition to the Town of Cedar Lake, per plat thereof recorded in the Office of the Recorder of Lake County, Indiana.

Street Address: 13240 Colfax Street, Cedar Lake, IN 46303

Parcel Number 45-15-23-477-038.000-043 (Hereinafter collectively referred to as the Real Estate)

4. That all right, title and interest in the above described Real Estate of the Defendants, MARILYN P. HAWKS, JAMES HAWKS, MIDLAND FUNDING NNC-2 CORPORATION, and PLATINUM FINANCIAL SERVICE all those claiming through them, and all others is hereby divested and extinguished, except for the State's lien for taxes and special assessments that accrue subsequent to the tax sale.

5. That the transfer records of the Auditor of Lake County, Indiana for the above described Real Estate shall be amended to show fee simple, absolute title in the Plaintiff, THOMAS VANDERWERF, free and clear of all other right, title or interest.

6. That the Plaintiff may record this Judgment in the deed records of the Office of the Recorder of Lake County, Indiana, and this Judgment shall have the effect of both a judgment and of a conveyance of the above described Real Estate to the Plaintiff THOMAS VANDERWERF, duly executed by law.

SO ORDERED THIS 25th DAY OF July, 2013.

RECEIVED

JUL 25 2013

Michael Robinson
CLERK LAKE SUPERIOR COURT

[Signature]
HON. CALVIN D. HAWKINS, JUDGE
LAKE SUPERIOR COURT
EAST CHICAGO, INDIANA