

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
EAST CHICAGO, INDIANA

2013 057063

B D & C DEVELOPMENT, LLC a/k/a)
BD & C, LLC, an Indiana Limited Liability)
Company,)

Plaintiff,)

vs.)

EVERETT JOLLY a/k/a JOLLY EVERETT,)
BRIAN DAVIS, JACK GROSS, SONDR)
GROSS, EARLEAN ALLEN, EAST CHICAGO)
CHECK CASHERS, INC. n/k/a THE PAYDAY)
LOAN STORE OF INDIANA, INC., FORD)
MOTOR CREDIT COMPANY, LLC, CREDIT)
ACCEPTANCE CORPORATION, RECOVERY)
ONE, INC., CENTURION CAPITAL CORP.,)
INDIANA DEPARTMENT OF REVENUE)
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.)

CAUSE NO. 45D02-1302-CC-00043

Parcel No. 45-08-21-353019.000-004

STATE OF INDIANA
CLERK OF SUPERIOR COURT
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AUG 01 2013

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AUG 02 2013

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

QUIET TITLE JUDGMENT UPON MOTION FOR SUMMARY JUDGMENT

This matter came before the Court on Plaintiff's Motion for Summary Judgment.

Plaintiff was represented by counsel, Robert B. Golding, Jr. The Defendant, BRIAN DAVIS, filed a response, *pro se*. The Court, being duly advised in the premises, now finds:

1. That on February 1, 2013, Plaintiff filed its Quiet Title Complaint, Affidavit in

Support of Request for Summons by Publication, Summons for Service by Publication,

Non-CCM
CL#2556
\$20.00
M.E

004783

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

Summons, and Affidavit for Quiet Title Action in this cause.

2. That the Defendant, EVERETT JOLLY a/k/a JOLLY EVERETT, was served by Sheriff's service on February 7, 2013.

3. That the Defendant, BRIAN DAVIS, was served by was served by Sheriff's service on February 7, 2013.

4. That the Defendant, JACK GROSS, was served by was served by Sheriff's service on February 7, 2013.

5. That the Defendant, SONDRA GROSS, was served by was served by Sheriff's service on February 7, 2013.

6. That the Defendant, EARLEAN ALLEN, was served by was served by Sheriff's service on February 6, 2013.

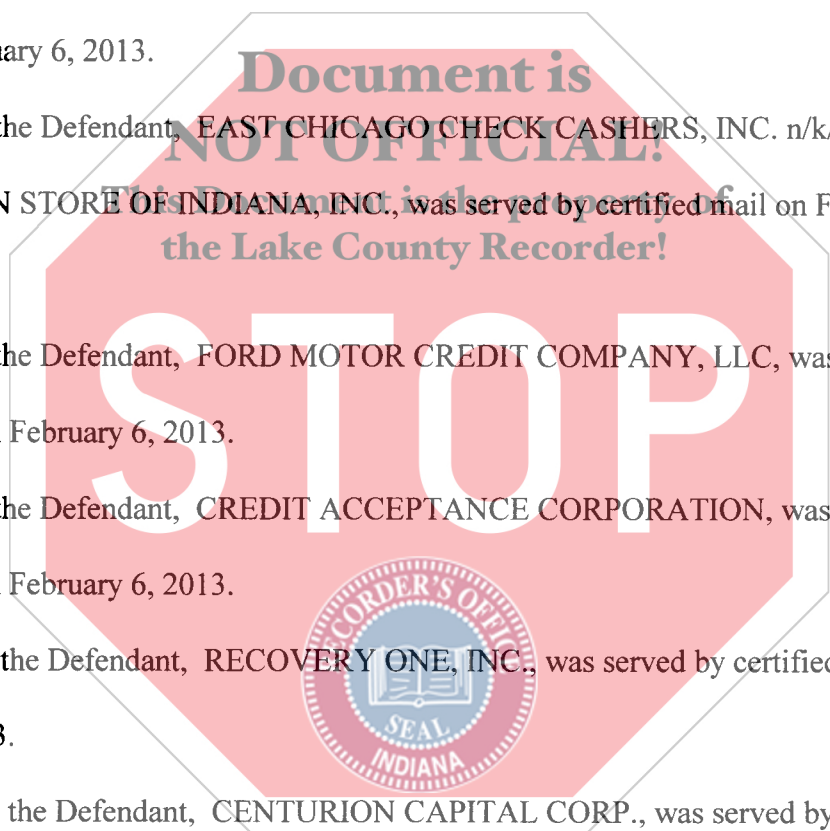
7. That the Defendant, EAST CHICAGO CHECK CASHERS, INC. n/k/a THE PAYDAYLOAN STORE OF INDIANA, INC., was served by certified mail on February 12, 2013.

8. That the Defendant, FORD MOTOR CREDIT COMPANY, LLC, was served by certified mail on February 6, 2013.

9. That the Defendant, CREDIT ACCEPTANCE CORPORATION, was served by certified mail on February 6, 2013.

10. That the Defendant, RECOVERY ONE, INC., was served by certified mail on February 5, 2013.

11. That the Defendant, CENTURION CAPITAL CORP., was served by certified mail on April 11, 2013.



12. That the Defendant, INDIANA DEPARTMENT OF REVENUE, was served by certified mail on February 6, 2013.

13. That the Defendant, INDIANA DEPARTMENT OF REVENUE, CARE OF THE INDIANA ATTORNEY GENERAL, was served by certified mail on February 6, 2013

14. That all of the Defendants were served with a Summons by Publication with the third and final Publication occurring on February 26, 2013.

15. That the Defendant, BRIAN DAVIS, has responded to the Plaintiff's Complaint.

16. That the Plaintiff filed a Motion for Summary Judgment on May 10, 2013 and served a copy of said Motion, a Designation of Evidence, and supporting Memorandum upon all Defendants, but none of the Defendants have come forward to designate any evidence in opposition to the Plaintiff's designated evidence.

17. That the Plaintiff is entitled to judgment as a matter of law, 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, because the Plaintiff's designated evidence is legally sufficient and is undisputed.

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

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

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

1. That Judgment is hereby entered in favor of the Plaintiff and against all the Defendants.

2. That Plaintiff's title to the following described real estate is quieted to the Plaintiff as against the Defendants, EVERETT JOLLY a/k/a JOLLY EVERETT, BRIAN DAVIS, JACK GROSS, SONDR A GROSS, EARLEAN ALLEN, EAST CHICAGO CHECK CASHERS, INC. n/k/a THE PAYDAY LOAN STORE OF INDIANA, INC., FORD MOTOR CREDIT COMPANY, LLC, CREDIT ACCEPTANCE CORPORATION, RECOVERY ONE, INC., CENTURION CAPITAL CORP., and INDIANA DEPARTMENT OF REVENUE, all those claiming through them, and as against the world:

The South 1/2 of Lot 19 and all of Lot 20 in Block 7 in Golfmoor, in the City of Gary, as per Plat Book 18, page 35, in the Office of the Recorder of Lake County, Indiana.

Street Address: 3560 Buchanan Street, Gary, IN 46408

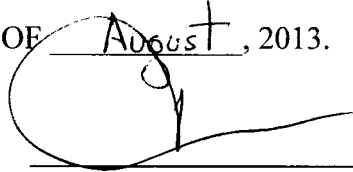
Parcel Number: 45-08-21-353-019.000-004 (Hereinafter referred to as the Real Estate)

3. That all right, title and interest in the above described Real Estate of the Defendants, EVERETT JOLLY a/k/a JOLLY EVERETT, BRIAN DAVIS, JACK GROSS, SONDR A GROSS, EARLEAN ALLEN, EAST CHICAGO CHECK CASHERS, INC. n/k/a THE PAYDAY LOAN STORE OF INDIANA, INC., FORD MOTOR CREDIT COMPANY, LLC, CREDIT ACCEPTANCE CORPORATION, RECOVERY ONE, INC., CENTURION CAPITAL CORP., and INDIANA DEPARTMENT OF REVENUE, 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.

4. 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, B D & C DEVELOPMENT, LLC a/k/a BD & C, LLC, an Indiana Limited Liability Company, free and clear of all other right, title or interest.

5. 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, B D & C DEVELOPMENT, LLC a/k/a BD & C, LLC, duly executed by law.

SO ORDERED THIS 1st DAY OF August, 2013.



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

