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STATE OF INDIANA )  
 )  
COUNTY OF LAKE )  
 )  
IN RE: THE 2011 TAX SALE )  
 )  
CAULKINS FAMILY PARTNERSHIP )  
 )  
 )  
 )  
PETITIONER, )  
 )  
V. )  
 )  
AMADO MANGUAL, et al. )  
 )  
 )  
 )  
RESPONDENT. )

2014 008474

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
2014 FEB 13 AM 9:39

MICHAEL B. BROWN  
RECORDER

CAUSE NO.: 45C01-1109-MI-0115

KEY NO.: 45-08-08-104-013.000-004

Filed in Open Court

JAN 28 2014

*Michael Brown*  
CLERK LAKE CIRCUIT COURT

**AMENDED AGREED ORDER**

**(Amending the Agreed Order filed in Open Court on November 27, 2013)**

Comes now the Petitioner, CAULKINS FAMILY PARTNERSHIP, and WELLS FARGO BANK, N.A. ("Wells Fargo") and the LAKE COUNTY AUDITOR, all by counsel, and respectfully file this Agreed Order and state as follows:

1. The parcel of real estate at issue in this matter is a part of the real estate which has been designated by the Lake County taxing officials as Parcel No.: 45-08-08-104-013.000-004 (hereinafter referred to as "the Parcel") and described as HUSAK'S ADD. L.40 BL. 1.
2. The Parcel was sold to the Petitioner or its assignor at Tax Sale on June 28, 2012.
3. The Court entered an Order on December 7, 2012, directing the county clerk to issue a Tax Deed for the Parcel to the Petitioner. The Deed was subsequently issued, but remains unrecorded.
4. Wells Fargo asserts there are legal bases to set aside the Tax Sale and issued Tax Deed, while Petitioner asserts the Tax Sale was properly conducted and the Tax Deed issued according to law, and therefore not subject to challenge.
5. The Parties hereto have reached a settlement with terms as follows:
  - a. The Parties agree to the setting aside of the Tax Deed;
  - b. The Parties request that the Court treat the Parcel as having been timely redeemed by Wells Fargo and any rights obtained by Respondent by the Tax Sale be treated as void;

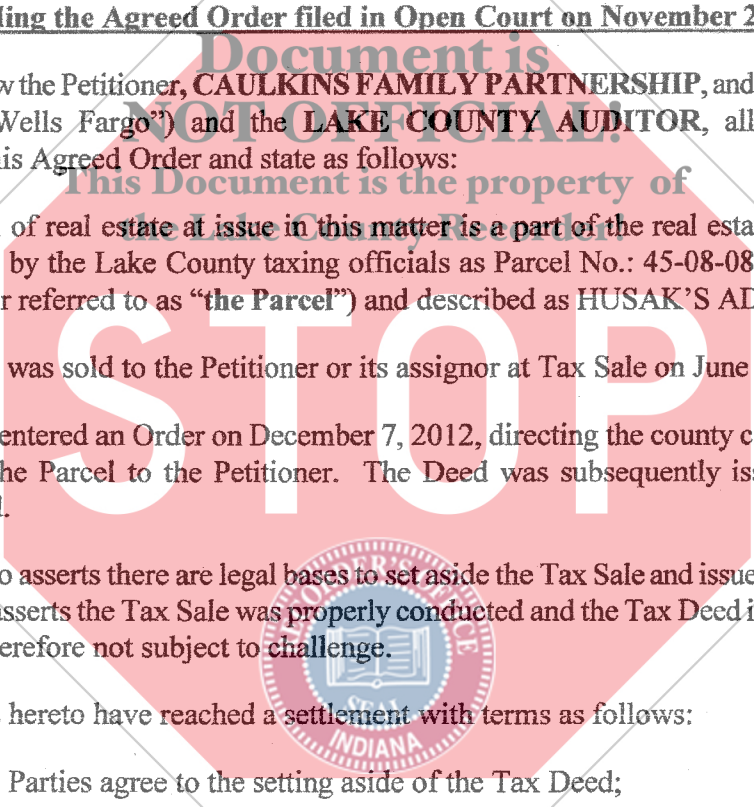
**FILED**

FEB 12 2014

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

20819

AMOUNT \$ 15-  
 CASH \_\_\_\_\_ CHARGE \_\_\_\_\_  
 CHECK # 3 23961  
 OVERAGE \_\_\_\_\_  
 COPY \_\_\_\_\_  
 NON-COM \_\_\_\_\_  
 CLERK RM



- c. Any and all amounts paid to the County through the Lake County Auditor or through any other county offices or departments for the underlying purchase at tax sale or for property taxes thereafter by Petitioner or any party claiming by and through the Petitioner or other parties hereto shall not be refundable; and
- d. The Parties shall dismiss this Cause upon the completion of the terms agreed to between the same for settlement under their separately executed Agreement, with each party to pay its own costs.

**ORDER**

The court being duly advised of the agreed terms of the parties and as the parties hereto have reached a mutually agreeable resolution,

**IT IS HEREBY ORDERED** that:

- (1) The Tax Deed issued to the Petitioner is hereby set aside and deemed void with no funds paid for the tax sale purchase or real property taxes paid thereafter to be refundable;
- (2) The Auditor's records and all related records shall treat the Parcel as timely redeemed by Wells Fargo and any rights of Petitioner are void and Wells Fargo's mortgage lien remains unaffected by the voided tax sale as a valid, existing first mortgage upon the real estate;
- (3) Although the Parcel will be treated as redeemed, no funds shall be paid out to either the tax sale buyer, Caulkins, Wells Fargo, or anyone claiming by or through them; and
- (4) Wells Fargo's counsel shall record this Amended Order to address this Court's order in the chain of title; and
- (5) This matter is hereby dismissed with prejudice, each party to pay its own costs.

**SO ORDERED THIS 29 DAY OF Jan., 2014.**

  
JUDGE, LAKE CIRCUIT COURT

FOREGOING WAS FULLY REVIEWED AND AGREED TO BY

  
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