

5

STATE OF INDIANA)
COUNTY OF LAKE)

SS:

IN THE SUPERIOR COURT OF
LAKE COUNTY, CIVIL DIVISION
SITTING AT HAMMOND, INDIANA

City of Whiting,
Indiana,
Plaintiff)

Cause No.: 45D05-1402-PL-00007

v.

Filed in Open Court

T.G.Vanzandth, Inc.;
Urban Partnership Bank
f/k/a/Shorebank; Amaizo
Federal Credit Union;
MD7 Funding One, LLC;
MD7 Capital Four, LLC;
T-Mobile Central, LLC;
Unknown Occupants;
Any and All
Unknown Parties Who
Claim or May Claim to
Have an Interest in Real
Estate,
Defendants)

AUG 15 2014

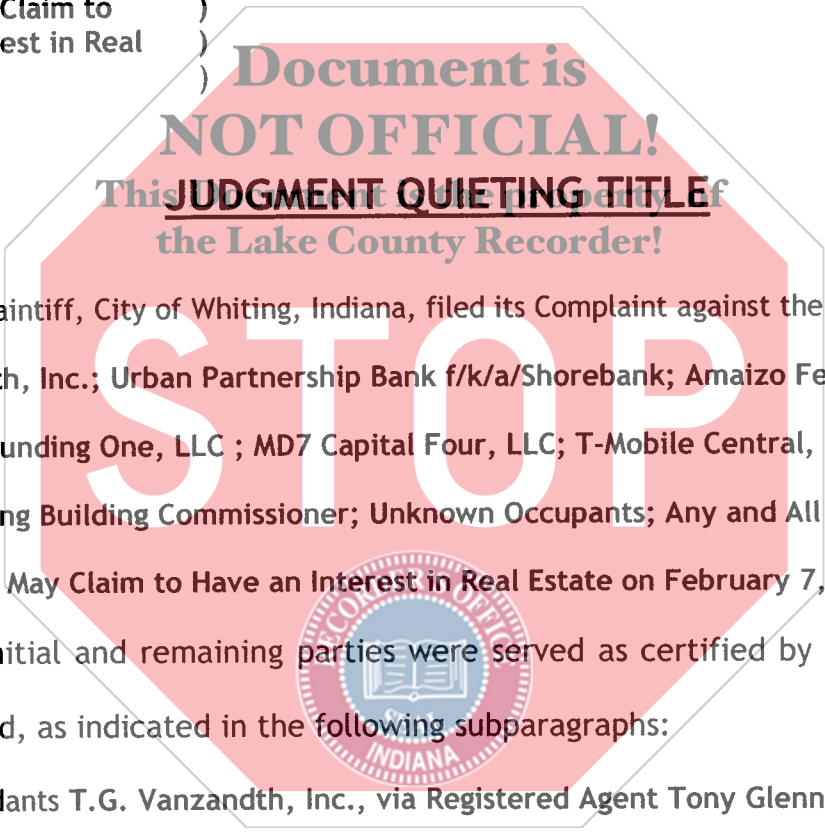
William E. Davis
Judge, Lake Superior Court
Civil Division, Court Room 6

2014 050034

MICHAEL B. BROWN
RECORDER

2014 AUG 20 PM 2:47

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD



The Plaintiff, City of Whiting, Indiana, filed its Complaint against the Defendants, T.G.Vanzandth, Inc.; Urban Partnership Bank f/k/a/Shorebank; Amaizo Federal Credit Union; MD7 Funding One, LLC ; MD7 Capital Four, LLC; T-Mobile Central, LLC; Mike Hrinoy, Whiting Building Commissioner; Unknown Occupants; Any and All Unknown Parties Who Claim or May Claim to Have an Interest in Real Estate on February 7, 2014.

The initial and remaining parties were served as certified by the Clerk of the Court's record, as indicated in the following subparagraphs:

a. Defendants T.G. Vanzandth, Inc., via Registered Agent Tony Glenn in Chicago, IL on February 7, 2014 (accepted service/returned on Feb. 11/Feb. 18, 2014. See Item #7 on Certified Record of Return of Service);

19th Whiting City of RW

NON-TAXABLE

AUG 20 2014

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

NO SALES DISCLOSURE NEEDED

1 03627

Approved Assessor's Office

By: _____

- b. T.G. Vanzandth, Inc. also via attorney Smith & Sersic, Munster, IN on February 7, 2014 (accepted/returned Feb. 18, 2014. See Item #10, Certified Record of Return of Service);
- c. Md7 Capital Four, LLC, c/o National Corporate Research, LTD., February 7, 2014 (accepted/returned Feb.14/Feb.18, 2014. See Item #19 & Item #8, Certified Record of Return of Service);
- d. MD7 Funding One, LLC, c/o National Registered Agents, Inc., on February 7, 2014 (accepted/returned Feb.14/Feb18, 2014. See Item #6 Certified Record of Return of Service);
- e. Urban Partnership Bank f/k/a Shorebank, Chicago, IL, c/o Reg. Agent Christopher Horsch on February 7, 2014 (accepted/returned March 11, 2014. See Item # 3, Certified Record of Return of Service);
- f. Highest Ranking Officer, Urban Partnership Bank f/k/a Shorebank, Chicago,IL on February 7, 2014 (accepted/returned March 11/March 19, 2014. See Item #4, Certified Record of Return of Service);
- g. Urban Partnership Bank f/k/a Shorebank c/o attorney David M. Blaskovich, Merrillville, IN on February 7, 2014 (accepted/returned Feb. 11/Feb. 13, 2014. See Item #13, Certified Record of Return of Service);
- h. Amaizo Federal Credit Union on February 7, 2014 (accepted/returned Feb.11/Feb 13. 2014. See Item #14, Certified Record of Return of Service);
- i. T-Mobile Central, LLC, on February 7, 2014 (accepted/returned Feb. 12/Feb.14, 2014. See Item #9, Certified Record of Return of Service);
- j. Unknown Occupants on February 7, 2014 (accepted/returned Feb. 18, 2014, *unsuccessful service - moved*. See Item #11, Certified Record of Return of Service);
- k. Mike Hyrino, Building Commissioner, on February 7, 2014 (accepted/returned Feb. 11/Feb.12, 2014. See Item #12, Certified Record of Return of Service).

All of these defendants were also served by publication on March 10, 2014; March 17, 2014 and March 24, 2014. (See Plaintiff Exhibit B, Post Tribune publisher's Affidavit dated March 24, 2014; and Exhibit C, exhibiting the same dates of publication in The Northwest Indiana Times, per publisher's Affidavit dated March 24, 2014.)

In addition to the service reflected in Plaintiff's Exhibit A & A.1, **Any and All Unknown Parties Who Claim or May Claim to Have an Interest in Real Estate** were served by publication on March 10, March 17, & March 24, 2014 (See, Plaintiff's Exhibit B & Exhibit C).

None of the Defendants have answered or otherwise pled to the Complaint of the Plaintiff, except for Defendant **Mike Hrinyo, Building Commissioner** who answered in disclaimer and was dismissed from this case by order of the court on April 1, 2014.

Lastly, the Plaintiff, subsequent to the filing of this action, has entered into a new Lease Agreement with T-Mobile in the name of the Plaintiff rather than the prior property owner, dated March 31, 2014, which should survive this action. (See, Plaintiff's Exhibit E, Lease Agreement.)

The Court, being fully advised, now finds as follows:

1. Plaintiff is the owner of the fee simple title in and to the following described real estate, to wit:

Street Address: 1200-1210 119th St., Whiting, IN 46394

Key Number or Parcel Number: 45-03-07-251-001.000-025

Legal Description: Lot One (1) through Six (6), both inclusive, Block 1, Davidson's Boulevard Addition to Whiting, as per plat thereof, recorded in Plat Book 5, page 26, in the Office of the Recorder of Lake County, Indiana

2. The Defendants claim some right, title or interest in and to the above-described real estate, which claims are adverse to the Plaintiff's title in and to the real estate. The claims are wholly unfounded in truth and in fact, and are without right and constitute clouds on the

Plaintiff's title to the above-described real estate, other than the Roof-Top Lease Agreement executed between the Plaintiff City and Defendant T-Mobile on March 31, 2014.

3. That pursuant to IC 6-1.1-24, the Lake County Auditor issued Tax Sale Certificate No. 451217980 to the Lake County Commissioners for the above real property. That thereafter on March 20, 2013, the Lake County Commissioners assigned the above identified property to the City of Whiting, whose mailing address is 1443-119th Street, Whiting, IN 46394.

4. Thereafter the City of Whiting, Indiana, in compliance with Indiana law filed its Petition to obtain a Tax Deed for the property described above.

5. That the periods for redemption and objection expired without being redeemed or claims made against the City of Whiting, Indiana, objecting or challenging its Petition.

6. That pursuant to court order the City of Whiting received from the Lake County Auditor's office a Tax Deed dated October 4, 2013, a copy of which was attached to the Complaint and marked, "Exhibit D."

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court as follows:

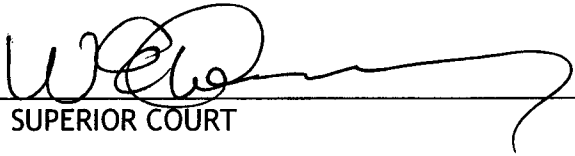
1. The Plaintiff shall have judgment against the Defendants.
2. Title in and to the following described real estate is forever quieted in the name of the City of Whiting and said title is set at rest against any and all claims of Defendants and any and all other persons claiming under Defendants to any estate, right, title, lien or interest in said real property, other than the Roof-Top Lease Agreement executed between the Plaintiff City and Defendant T-Mobile on March 31, 2014:

Street Address: 1200-1210 119th St., Whiting, IN 46394

Key Number or Parcel Number: 45-03-07-251-001.000-025

Legal Description: Lot One (1) through Six (6), both inclusive, Block 1, Davidson's Boulevard Addition to Whiting, as per plat thereof, recorded in Plat Book 5, page 26, in the Office of the Recorder of Lake County, Indiana

Dated this _____ day of AUG 15 2014, 2014.



JUDGE, SUPERIOR COURT




CLERK LAKE SUPERIOR COURT