

4

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 050342

2014 AUG 21 AM 11:05

MICHAEL B. BROWN
RECORDER

STATE OF INDIANA)
COUNTY OF LAKE)
IN THE LAKE SUPERIOR COURT
AT CHICAGO, INDIANA

RECEIVED

JOHN DUNNETT,

Plaintiff,

vs.

EDWARD BURCZYK, TOWN OF CEDAR
LAKE, INDIANA, and the unknown lessees,
creditors, husband or wife, widower or widow,
heirs, personal representatives, trustees, trust
beneficiaries, remaindermen, and devisees of the
above named persons; and any unknown person or
persons holding or claiming to hold a life estate or
other interest in the herein described real estate,

Defendants.

AUG 15 2014

Michael Brown
LAKE SUPERIOR COURT

CAUSE NO. 45D02-1404-CC-00219

Parcel No. 45-15-23-261-026.000-043
45-15-23-261-027.000-043
45-15-23-261-028.000-043

Document is Filed in Open Court
NOT OFFICIAL!

AUG 14 2014

This Document is the property of
the Lake County Recorder!

QUIET TITLE JUDGMENT

CKH
SUPERIOR COURT OF LAKE COUNTY
CIVIL DIVISION COURT ROOM 2

This matter came before the Court on Plaintiff's Motion for Entry of Default Judgment and to Dismiss the Town of Cedar Lake, Indiana. Plaintiff was represented by counsel, Robert B. Golding, Jr. The Defendant, EDWARD BURCZYK, has neither appeared nor plead. The Town of Cedar Lake, Indiana was represented by counsel, David Austgen. The Court, being duly advised in the premises, now finds:

1. That on April 1, 2014, 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.



FILED
AUG 21 2014

PEGGY HOLINGA KATON
LAKE COUNTY AUDITOR

014531

\$17

CKH
2841

CK

Robert Golding
PO Box 175
Dyer, IN 46311

2. That the Defendant, EDWARD BURCZYK, was served by Sheriff's service on April 8, 2014.

3. That the Defendant, TOWN OF CEDAR LAKE, INDIANA, was served by Sheriff's service on April 9, 2014, and the Town Attorney was served by Sheriff's service on April 4, 2014, but the Plaintiff now desires to dismiss the claim against the Town of Cedar Lake, Indiana without prejudice.

4. That all of the Defendants were served with a Summons by Publication with the third and final Publication occurring on April 22, 2014.

5. That according to the Indiana Rules of Trial Procedure, the Defendants were required to plead or otherwise comply with the said Rules on or before May 22, 2014 or the next business day thereafter.

6. 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, except that the TOWN OF CEDAR LAKE, INDIANA has appeared and answered.

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

8. 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 Defendant, EDWARD BURCZYK, pursuant to Ind. Code 6-1.1-25-14 and 6-1.1-25-16 and other applicable law, extinguishing any and all interests in the real estate described in the Complaint other than the interest of the Plaintiff and

other than any interest of the TOWN OF CEDAR LAKE, INDIANA.

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

10. 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 the Defendant, EDWARD BURCZYK.

2. That Plaintiff's title to the following described real estate is quieted to the Plaintiff as against the Defendant, EDWARD BURCZYK, all those claiming through him, and as against the world, except for any interest of the TOWN OF CEDAR LAKE, INDIANA:

Lots 25, 26, 27 in Block 6 in Highgrove, Cedar Lake, as per plat thereof, recorded in Plat book 15, page 21, in the Office of the Recorder of Lake County, Indiana.

Street Address: 7006 W. 128th Place, Cedar Lake, IN 46303

Parcel No. 45-15-23-261-026.000-043 (Lot 25)
45-15-23-261-027.000-043 (Lot 26)
45-15-23-261-028.000-043 (Lot 27)

(Hereinafter referred to as the Real Estate)

3. That all right, title and interest in the above described Real Estate of the Defendant, EDWARD BURCZYK, all those claiming through him, 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 and except for any interest of the TOWN OF CEDAR LAKE, INDIANA.

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, JOHN

DUNNETT, 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, JOHN DUNNETT, duly executed by law.

6. That the TOWN OF CEDAR LAKE, INDIANA is hereby dismissed without prejudice.

7. The costs of this action are paid, and this is not a money judgment against any defendant.

SO ORDERED THIS 14th DAY OF August, 2014.

