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STATE OF INDIANA)
COUNTY OF LAKE)

LAKE SUPERIOR COURT
CROWN POINT, INDIANA

PNC BANK, NAT'L ASSOC.,)
Plaintiff,)
v.)

CAUSE NO. 45D11-1308-MF-00234

Filed in Open Court

MORGAN GEORGAS, et al.)
Defendants.)

NOV 20 2014

Michael Perrow
CLERK LAKE SUPERIOR COURT

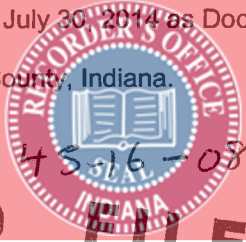
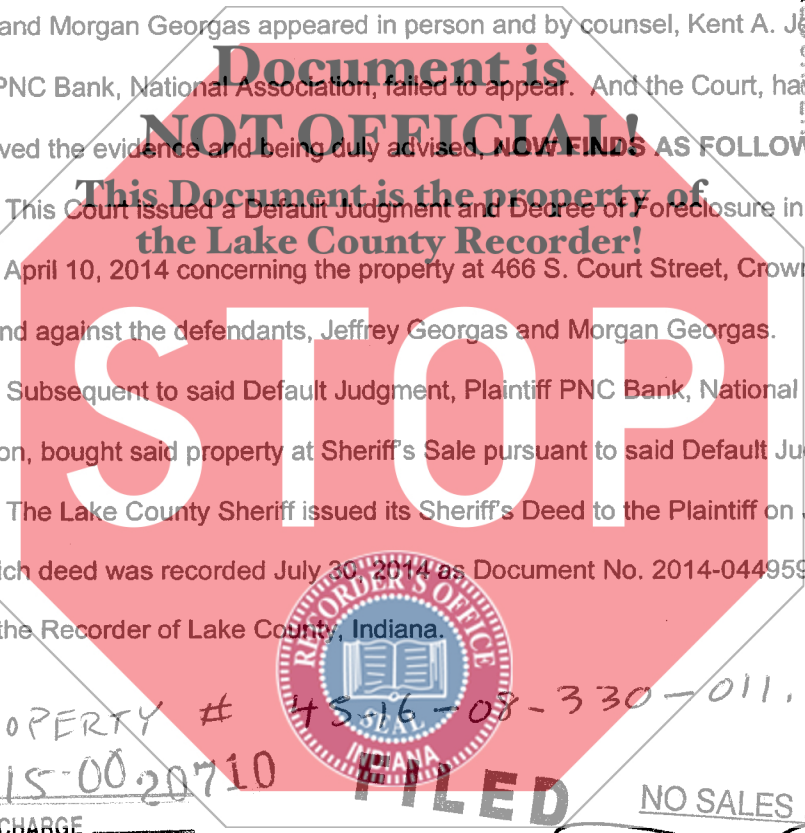
2015 032536

ORDER VACATING DEFAULT JUDGMENT AND VACATING SHERIFF'S DEED

This matter is before the Court on Defendants' Motion to Set Aside Default Judgment filed October 20, 2014. Hearing on said Motion was held November 12, 2014 at 1:30 p.m. pursuant to this Court's Order Scheduling Hearing on Motion to Set Aside Judgment entered and e-served on all parties on October 21, 2014. Defendants Jeffrey Georgas and Morgan Georgas appeared in person and by counsel, Kent A. Jeffers.

Plaintiff, PNC Bank, National Association, failed to appear. And the Court, having heard and received the evidence and being duly advised, NOW FINDS AS FOLLOWS:

1. This Court issued a Default Judgment and Decree of Foreclosure in this action on April 10, 2014 concerning the property at 466 S. Court Street, Crown Point, Indiana and against the defendants, Jeffrey Georgas and Morgan Georgas.
2. Subsequent to said Default Judgment, Plaintiff PNC Bank, National Association, bought said property at Sheriff's Sale pursuant to said Default Judgment.
3. The Lake County Sheriff issued its Sheriff's Deed to the Plaintiff on July 11, 2014, which deed was recorded July 30, 2014 as Document No. 2014-044959 in the Office of the Recorder of Lake County, Indiana.



PROPERTY # 45-16-08-330-011,000-042

AMOUNT \$ 15-00-20710
 CASH _____ CHARGE _____
 CHECK # 2003
 OVERAGE _____
 COPY _____
 NON-COM _____
 CLERK M.E.

MAY 28 2015

NO SALES DISCLOSURE NEEDED

JOHN E. PETALAS
LAKE COUNTY AUDITOR

Approved Assessor's Office
By: *[Signature]*

s/ ELIZABETH BEZAK, Judge Pro Tem

E-FILED 2014 Nov 20 AM 11 21

Lake County Superior Court - Civil Division - Room 7

2015 MAY 28 PM 9:19
MICHAEL PERROW
RECORDER

NORTHWEST INDIANA TITLE
STATE OF INDIANA
462 WASHINGTON STREET
LAKE CROWNELL, IN 46356
FILED FOR RECORDER 696-0100

4. Based on the evidence presented, the Court finds that there was defective and insufficient service of process of the Summons and Complaint on Note and to Foreclose Mortgage on the defendants, and that there was no service of process other than by publication on Defendant Jeffrey Georgas who received no actual notice of the Summons and Complaint.

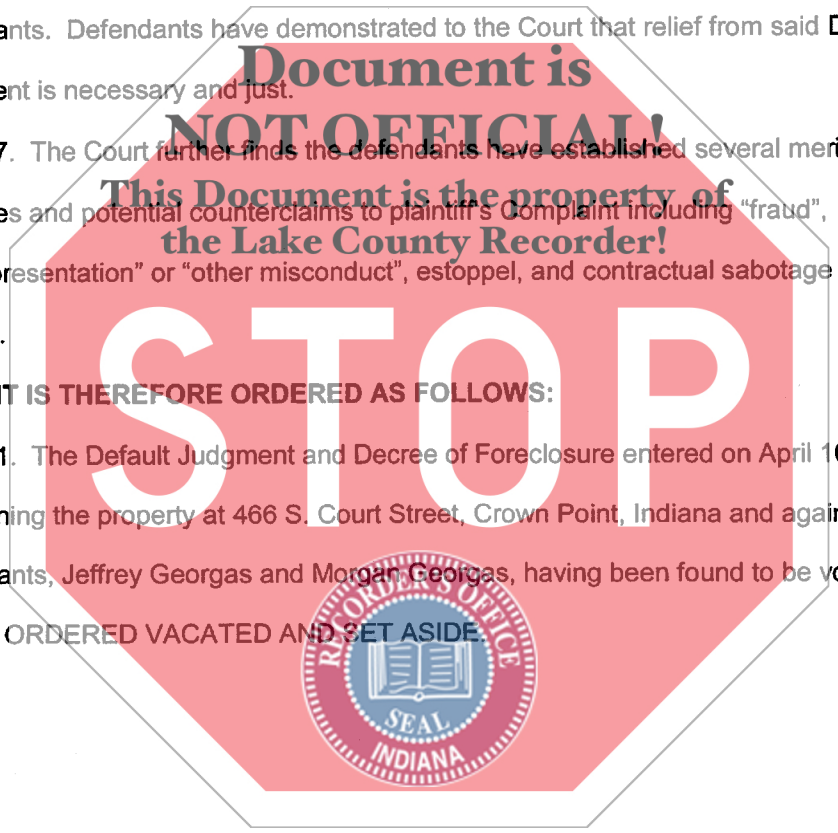
5. The Court finds that the Default Judgment and Decree of Foreclosure entered on April 10, 2014 is void and should be set aside.

6. The Court further finds that the defendants have met the requirements of Trial Rule 60(B) by presenting evidence of insufficient or no service of process on the defendants and that said Judgment should further be set aside based on "fraud", "misrepresentation" or "other misconduct", estoppel, and contractual sabotage on the part of plaintiff, and based on "mistake", "surprise" or "excusable neglect" on the part of defendants. Defendants have demonstrated to the Court that relief from said Default Judgment is necessary and just.

7. The Court further finds the defendants have established several meritorious defenses and potential counterclaims to plaintiff's Complaint including "fraud", "misrepresentation" or "other misconduct", estoppel, and contractual sabotage by plaintiff.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The Default Judgment and Decree of Foreclosure entered on April 10, 2014 concerning the property at 466 S. Court Street, Crown Point, Indiana and against the defendants, Jeffrey Georgas and Morgan Georgas, having been found to be void, is hereby ORDERED VACATED AND SET ASIDE.



s/ ELIZABETH W. BEZAK, Judge Pro Tem

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2. The Sheriff's Deed to the Plaintiff dated July 11, 2014, which deed was recorded July 30, 2014 as Document No. 2014-044959 in the Office of the Recorder of Lake County, Indiana, is hereby ORDERED VACATED AND SET ASIDE. Ownership of the property located at 466 S. Court Street, Crown Point, Indiana is hereby ordered re-vested in Jeffrey V. Georgas and Morgan J. Georgas, Husband and Wife, as tenants by the entireties, pursuant to the Trustees' Deed by which they took title in 2004, which Trustees' Deed was recorded December 8, 2004 as Document No. 2004-103933 in the Office of the Recorder of Lake County, Indiana. The Lake County Auditor and Lake County Recorder are ordered to re-establish ownership in Jeffrey V. Georgas and Morgan J. Georgas pursuant to this Order upon presentment of a copy of this Order.

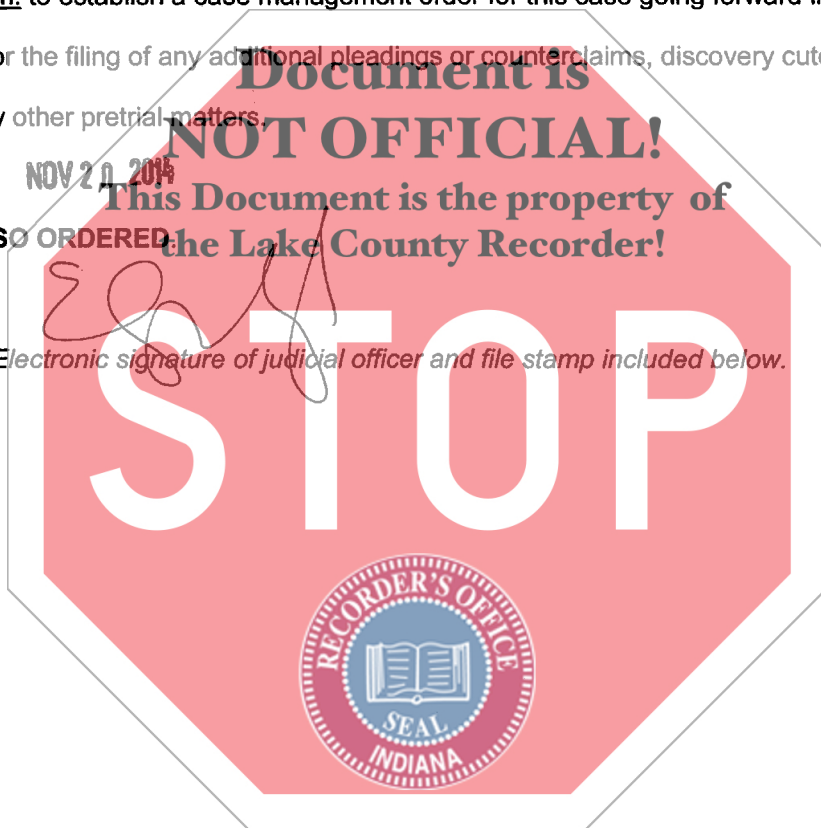
3. The Court hereby sets this matter for a status hearing on January 21, 2015 at 3:00 p.m. to establish a case management order for this case going forward including dates for the filing of any additional pleadings or counterclaims, discovery cutoff periods and any other pretrial matters.

NOV 20 2014

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This Document is the property of the Lake County Recorder!

SO ORDERED

Electronic signature of judicial officer and file stamp included below.



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2014 Nov 20 AM 11 21

s/ ELIZABETH W. BEZAK, Judge Pro Tem

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