

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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MICHAEL B. BROWN
RECORDER

IN THE LAKE SUPERIOR COURT
EAST CHICAGO, INDIANA

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

TOM WHITE,)
)
Plaintiff,)

vs.)

CAUSE NO. 45D02-1504-CC-00186

BRIAN VETTER, FIRST MIDWEST BANK,)
CITY OF HAMMOND, INDIANA,)
SHINER MANAGEMENT GROUP, INC.,)
and the unknown lessees, creditors,)

Filed in Open Court

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.)



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, SHINER MANAGEMENT GROUP, INC., appeared by counsel, Paul B. Poracky. The Defendants, FIRST MIDWEST BANK and CITY OF HAMMOND, INDIANA have appeared by counsel. have disclaimed any interest in the real estate that is the subject of this action, and have been dismissed. The Court, being duly advised in the premises, now finds:

1. That on April 27, 2015 Plaintiff filed his Quiet Title Complaint, Affidavit in Support

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LAKE COUNTY AUDITOR

Robert Golding
PO Box 175
Dyer, IN 46311

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of Request for Summons by Publication, Summons for Service by Publication, Summons, and Affidavit for Quiet Title Action in this cause.

2. That the Defendant, BRIAN VETTER, was served by sheriff's service on April 29, 2015.

3. That the Defendant, FIRST MIDWEST BANK, was served by certified mail on April 29, 2015.

4. That the Defendant, CITY OF HAMMOND, INDIANA, was served by certified mail on April 29, 2015 and was also served care of the Corporation Counsel on or about April 29, 2015.

5. That the Defendant, SHINER MANAGEMENT GROUP, INC., was served by certified mail on April 29, 2015.

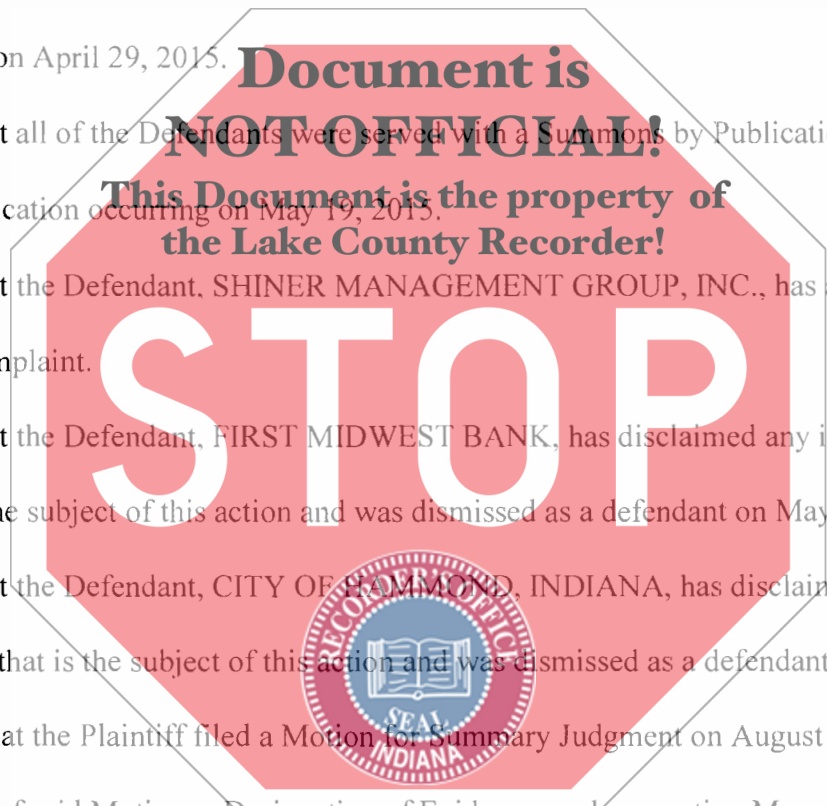
6. That all of the Defendants were served with a Summons by Publication with the third and final Publication occurring on May 19, 2015.

7. That the Defendant, SHINER MANAGEMENT GROUP, INC., has answered the Plaintiff's Complaint.

8. That the Defendant, FIRST MIDWEST BANK, has disclaimed any interest in the real estate that is the subject of this action and was dismissed as a defendant on May 15, 2015.

9. That the Defendant, CITY OF HAMMOND, INDIANA, has disclaimed any interest in the real estate that is the subject of this action and was dismissed as a defendant on May 7, 2015.

10. That the Plaintiff filed a Motion for Summary Judgment on August 5, 2015 and served a copy of said Motion, a Designation of Evidence, and supporting Memorandum upon all remaining Defendants, but the Defendants, BRIAN VETTER and SHINER MANAGEMENT



GROUP, INC., have not come forward to designate any evidence or make any written argument in opposition to the Plaintiff's designated evidence.

11. That the Defendant, SHINER MANAGEMENT GROUP, INC., is not entitled to rest upon the denials in its Answer, and 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.

12. That this Court has jurisdiction pursuant to *Browning v. Smith*, 139 Ind. 280, 285, 37 N.E.540 (Ind. 1894) and other applicable law, and 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 Defendants, BRIAN VETTER and SHINER MANAGEMENT GROUP, INC.

2. That Plaintiff's title to the following described real estate is quieted to the Plaintiff as against the the Defendants, BRIAN VETTER and SHINER MANAGEMENT GROUP, INC.. all those claiming through them, and as against the world:

Lot 45 in Block 3 in Evergreen Park, Hammond, as per plat thereof, recorded in Plat Book 28, page 81, in the Office of the Recorder of Lake County, Indiana.

Street Address: 7620 Walnut Avenue, Hammond, IN 46324

Parcel No. 45-07-18-277-044-006-023 (Hereinafter referred to as the Real Estate)

3. That all right, title and interest in the above described Real Estate of the Defendants, BRIAN VETTER and SHINER MANAGEMENT GROUP, INC., 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, TOM WHITE, 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, TOM WHITE, duly executed by law.

6. All costs are paid and this is not a money judgment against any Defendant.

SO ORDERED THIS 15th DAY OF October, 2015.

