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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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MICHAEL D. BROWN
RECORDER

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
ROOM FOUR, GARY, INDIANA

OAK GROVE PROPERTY MANAGEMENT,)
LLC, an Indiana Limited Liability Company,)

Plaintiff,)

vs.)

CAUSE NO. 45D04-1510-PL-00084

RICHARD HABERMAN, FIRST FEDERAL)
SAVINGS & LOAN ASSOCIATION OF)
HAMMOND n/k/a PEOPLES BANK SB,)

US BANK NATIONAL ASSOCIATION, AS)

Parcel No. 45-08-01-405-010.000-004

TRUSTEE FOR CREDIT SUISSE FIRST)
BOSTON HEAT 2005-5,)

and the unknown lessees, creditors,)

husband or wife, widower or widow, heirs, personal)

representatives, trustees, trust beneficiaries,)

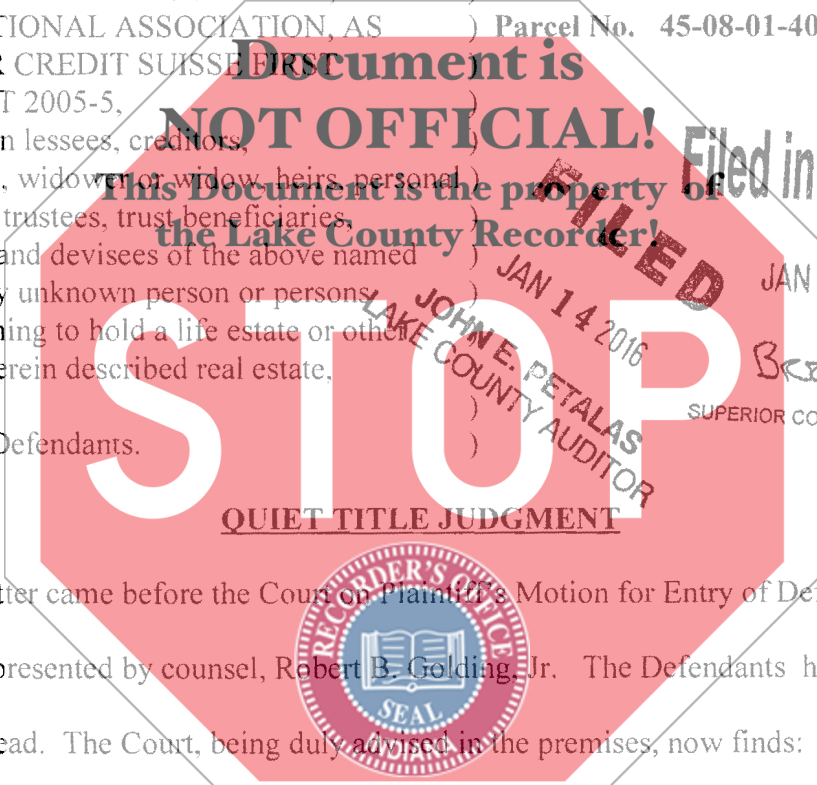
remaindermen, and devisees of the above named)

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.)



Filed in Open Court

JAN 11 2016

BEER P.P.
JUDGE
SUPERIOR COURT OF LAKE COUNTY

010332

This matter came before the Court on Plaintiff's Motion for Entry of Default Judgment.

Plaintiff was represented by counsel, Robert B. Golding, Jr. The Defendants have neither appeared nor plead. The Court, being duly advised in the premises, now finds:

1. That on October 22, 2015 Plaintiff filed its Quiet Title Complaint, Affidavit in Support of Request for Summons by Publication, Summons for Service by Publication,

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3243
CP



Robert Golding
PO Box 175
Dyer, IN 46311

Summons, and Affidavit for Quiet Title Action in this cause.

2. That the Defendant, RICHARD HABERMAN, cannot be found, has concealed its whereabouts, or has left the state, and, therefore, was served by publications with the third and final publication occurring on December 1, 2015.

3. That the Defendant, FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF HAMMOND n/k/a PEOPLES BANK SB, was served by certified mail on November 9, 2015.

4. That the Defendant, US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5, was served by certified mail on November 10, 2015

5. That all of the Defendants were served with a Summons by Publication with the third and final Publication occurring on December 1, 2015.

6. According to the Indiana Rules of Trial Procedure, the Defendants were required to plead or otherwise comply with the said Rules on or before January 4, 2016.

7. The allotted time has expired for the 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.

8. The Defendants are not entitled to any stay or immunity from the entry of a default judgment. The Plaintiff is filing an Affidavit of Non-Military Service herewith.

9. 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 Defendants, RICHARD HABERMAN, FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF HAMMOND n/k/a PEOPLES BANK SB,



US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5, 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.

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

11. 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 Defendants, RICHARD HABERMAN, FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF HAMMOND n/k/a PEOPLES BANK SB, US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5,

2. That Plaintiff's title to the following described real estate is quieted to the Plaintiff as against the Defendants, RICHARD HABERMAN, FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF HAMMOND n/k/a PEOPLES BANK SB, US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5, all those claiming through them, and as against the world.

Lot 9, in Block 7, in Glen L. Ryan's Second Subdivision, in the City of Gary, as per plat thereof, recorded in Plat Book, 30 page 24, in the Office of the Recorder of Lake County, Indiana.

Street Address: 4400 E. 6th Place, Gary, IN 46403

Parcel No. 45-08-01-405-010.000-004 (Hereinafter referred to as the Real Estate)

3. That all right, title and interest in the above described Real Estate of the Defendants, RICHARD HABERMAN, FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF HAMMOND n/k/a PEOPLES BANK SB, US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5, 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, OAK GROVE PROPERTY MANAGEMENT, LLC, 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, OAK GROVE PROPERTY MANAGEMENT, LLC, duly executed by law.

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

SO ORDERED THIS 11 DAY OF JAN 11, 2016.

