

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE CIRCUIT COURT
SITTING IN CROWN POINT, INDIANA

3

OCTAVIA McLAURIN and DAVID SNIPES,)
)
Plaintiffs,)

Filed in Open Court

June 12, 2019

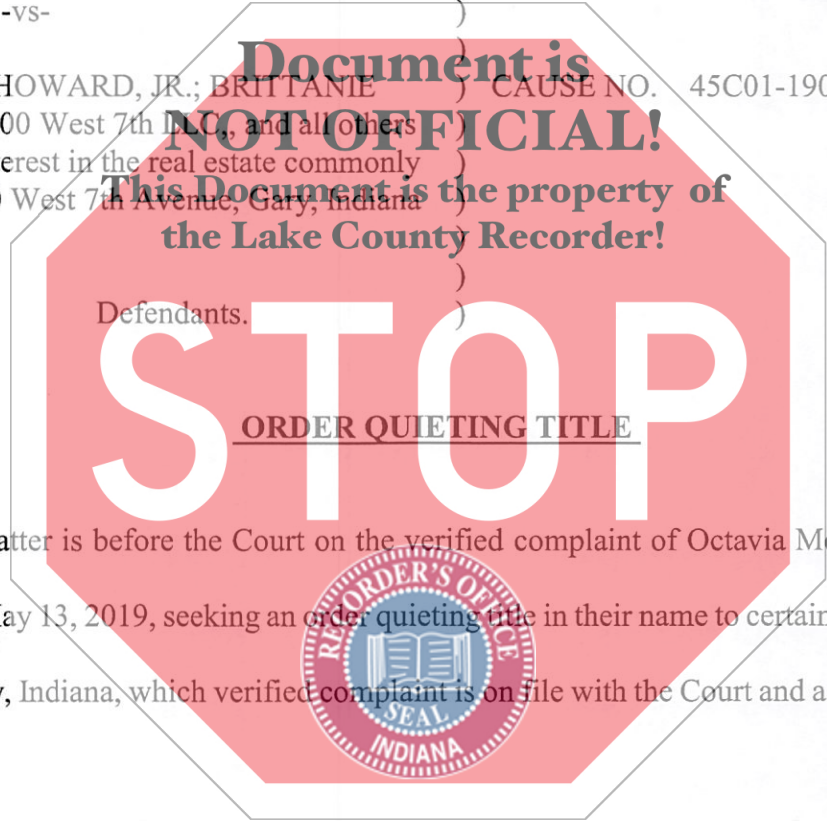
LAKE CIRCUIT COURT
MM

-VS-

GEORGE M. HOWARD, JR.; BRITTANIE)
CARR; and 4800 West 7th LLC, and all others)
claiming an interest in the real estate commonly)
known as 4800 West 7th Avenue, Gary, Indiana)
46406,)

CAUSE NO. 45C01-1905-PL-000311

Defendants.)



2019 JUN 19 03:37:24 PM

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2019 JUN 20 PM 12:28
MICHAEL B. BROWN
RECORDER

This matter is before the Court on the verified complaint of Octavia McLaurin and David Snipes, filed May 13, 2019, seeking an order quieting title in their name to certain real estate located in Lake County, Indiana, which verified complaint is on file with the Court and a part of the Court's record.

Notice to all defendants, known and unknown claimants was duly served upon George M. Howard, Jr., and Brittanie Carr by Sheriff on May 16, 2019 and upon 4800 West 7th LLC by Certified mail on May 16, 2019, as reflected by the proofs of service that is on file with the Court and a part of the Court's record.

Being duly advised, the Court now finds as follows:

FILED

JUN 20 2019

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JOHN E. PETALAS
LAKE COUNTY AUDITOR

Handwritten notes: "25-4084" and a signature.

1. By Real Estate Purchase Agreement dated June 1, 2017, a true and accurate copy of which is on file with the Court and a part of its record, Plaintiffs were sold the following described real estate for the sum of Fifty Thousand Dollars (\$50,000.00), payable as described in said contract:

Lot 9 and the East 10 feet of Lot 10 in block 14, in New Brunswick Addition to Gary, as per plat thereof, recorded in Plat Book 14, page 168, in the Office of the Recorder of Lake County, Indiana.

Tax Key No. ~~45-07-01-435-016-000-004~~

Commonly known as 4800 West 7th Avenue, Gary, Indiana 46406.

2. Neither Defendant George M. Howard, Jr., who signed the contract on behalf of 4800 West 7th LLC, nor 4800 West 7th LLC, were or are the owners of the above-described real estate. Defendant Brittanie Carr, an employee of George M. Howard, Jr., is the actual owner of said real estate.

3. The plaintiffs have named as defendants all persons whom the plaintiffs know may have a claim to or interest in the real estate.

4. Plaintiffs have paid in excess of \$16,434.00 to defendant George M. Howard, Jr., for real estate that said defendant did not own, and pursuant to Indiana Code §34-24-3-1, plaintiffs are entitled to an award of damages not to exceed three (3) times their actual damages, together with their costs and reasonable attorney fees, which sum exceeds the purchase price of the subject real estate.

5. Since the actual owner of the subject real estate, defendant Brittanie Carr, was an employee of defendant George M. Howard, Jr., and was aware of the sale of the property to plaintiffs, it is also appropriate that any interest she had in the subject property should be dissolved and ceded to plaintiffs.

6. That defendants have wholly failed to contest plaintiff's right to title to said real estate, or otherwise objected to plaintiff's claim of right therein.

7. An In Rem judgment quieting title to the aforementioned property in favor of the plaintiffs herein is the most equitable way to compensate plaintiffs for their losses and for defendants' actions as set forth in plaintiffs' verified complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that pursuant to the provisions of Indiana Code §33-20-2-1, et seq., title to the real estate located at 4800 West 7th Avenue, Gary, Indiana 46406, which is legally described as follows:

Lot 9 and the East 10 feet of Lot 10 in block 14, in New Brunswick Addition to Gary, as per plat thereof, recorded in Plat Book 14, page 168, in the Office of the Recorder of Lake County, Indiana.

Tax Key No. 45-07-01-435-016.000-004

is hereby quieted in favor of the plaintiffs, Octavia McLaurin and David Snipes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the records of the Lake County Auditor, Assessor and Treasurer be amended to reflect entry of this judgment, and that future tax statements be sent to plaintiffs, Octavia McLaurin and David Snipes, at 4800 West 7th Avenue, Gary, Indiana 46406.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED this _____ day of
June 12, 2019, 2019.



Maura M. Bennett
MM

JUDGE, LAKE SUPERIOR COURT
CIVIL DIVISION, ROOM 6

LAKE CIRCUIT

DISTRIBUTION:

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