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Filed in Open Court
November 19, 2019

Lorenzo Arredondo

STATE OF INDIANA) IN THE LAKE SUPERIOR COURT
CLERK OF THE SUPERIOR COURT)
COUNTY OF LAKE) CM CROWN POINT, INDIANA

DENNIS J. VAN WAARDENBURG,)
Plaintiff)
v) CAUSE NO. 45D01-1908-MF-839
THOMAS J. SNOOKS, JR.,)
Defendant)

DECREE

Comes now Plaintiff **Dennis J. Van Waardenburg**, by counsel Michael D. Kvachkoff, and having filed its Application for Default Judgment and supporting documents, moves the Court for judgment against the Defendant, **Thomas J. Snooks, Jr.** It appears that the Defendant was duly served by certified mail, and that there have been no appearances or response of pleadings filed by the Defendant. The Defendant, **Thomas J. Snooks, Jr.**, is hereby found by the Court of be in default. This Cause being now an issue is hereby being submitted to the Court for finding and judgment.

The Court being duly advised in the premises now finds as follows:

1. That the Court has jurisdiction over parties and subject matter of this action.

2. That on or about **October 6, 2010**, Plaintiff and Defendant entered into a Land Contract for the following-described parcel:

Lot 10 in Rustic Acres, an addition to Lake County, Indiana, as per plat thereof, recorded in Plat Book 47, page 111, in the Office of the Recorder of Lake County, Indiana. ("the Property")

Commonly known as 1064 East 135th Court, Crown Point, IN 46307

3. That the **October 6, 2010** Land Contract Agreement superseded an agreement entered into by the parties for which a Memorandum of Contract was recorded on **September 23, 2008** as document number **2008 066356**.

4. That the allegations contained in the complaint are uncontroverted and true in substance and fact.



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL B BROWN
RECORDER

2019-082116

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2019 Nov 27

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JOHN E. PETALAS
LAKE COUNTY AUDITOR

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@2500
JB

5. That the Defendant was to make bi-weekly payments beginning **October 15, 2010** on every other Friday. However, Defendant has failed to make all of the payments required under the terms of the Contract.

6. That the initial contract price was **\$144,555.27**.

7. That pursuant to the terms of the contract, the Defendant is in default and the Plaintiff has the right to forfeit the contract.

8. That the Defendant does not have substantial equity in the Property and has defaulted under the terms of the contract.

9. That the Plaintiff had to retain the services of an attorney for the prosecution of this action and perform a title search to determine the status of the property.

10. That there is the amount of **\$260,319.00** that is due and owing in payment for physical damage, unpaid payments and outstanding interest accrued to date, including late fees, plus reasonable attorney fees of **\$593.00** and court costs of **\$157.00**.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. That a personal judgment shall be granted to the Plaintiff against the Defendant, **Thomas J. Snooks, Jr.**, in the amount of **\$260,319.00** for the unpaid payments, accrued interest, late charges, attorney fees totaling **\$593.00**, court costs in the amount of **\$157.00**, with interest at the rate of 8% from the date of the judgment without relief from valuation and appraisal laws for a total judgment of **\$261,069.00**.

2. The contract executed by the Defendant on **October 6, 2010**, did not have substantial equity and the Defendant has forfeited all right, title and interest, and the contract is forfeited and terminated.



3. That the Land Contract entered into by the parties on **September 15, 2008** is null and void and the Memorandum of the Land Contract, the same which was recorded **September 23, 2008** under instrument **Number 2008 066356**, is rendered null and void.

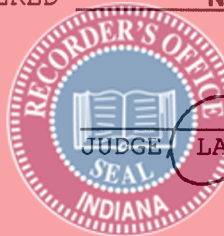
4. The Defendant and any and all persons claiming from, by, through, or under him are hereby enjoined from committing waste upon said premises and from doing any act which may impair the value of the Plaintiff's Property.

5. The Sheriff of Lake County is hereby empowered, ordered, and commanded to dispossess any and all occupants of said real estate, to eject them from the premises, and to place the Plaintiff in immediate possession of said real estate.

6. A duly certified copy of this Decree issued under the hand and seal of the Clerk of the Court of Lake County shall be sufficient authority for the Sheriff of Lake County to execute the same.

ALL OF WHICH IS SO ORDERED

November 19, 2019



JUDGE LAKE SUPERIOR COURT

