

STATE OF INDIANA
COUNTY OF LAKE

DEUTSCHE BANK NATIONAL
TRUST COMPANY FORMERLY
KNOWN AS BANKERS TRUST
COMPANY OF CALIFORNIA, N.A.,
AS TRUSTEE OF VENDEE
MORTGAGE TRUST 1995-3

Plaintiff,

vs.

LUE L. SMITHBLACK A/K/A LUE L.
SMITH-BLACK

Defendants.

SS: IN THE LAKE SUPERIOR COURT
CIVIL ROOM 4/ GARY
CAUSE NO. 45D04-2103-MF-000058

FILED IN OPEN COURT
October 1, 2021

JUDGE, LAKE SUPERIOR COURT,
CIVIL DIVISION, ROOM 4
KK

ENTRY OF IN REM DEFAULT JUDGMENT AND DECREE OF FORECLOSURE

The Court, upon review of Plaintiff's Complaint, Plaintiff's Motion for Default Judgment, and the evidence, finds as follows:

1. Plaintiff filed its Complaint on March 31, 2021.
2. Summonses were issued herein, and the returns endorsed thereon show that Luc L. Smithblack a/k/a Lue L. Smith-Black were duly served with process on or before June 2, 2021.
3. Lue L. Smithblack a/k/a Lue L. Smith-Black is in default pursuant to Indiana Trial Rule 55(B) as Defendant has failed to appear, request a foreclosure settlement conference, file an Answer, or otherwise plead within the time prescribed. Accordingly, Plaintiff is entitled to judgment consistent with the relief sought in its Complaint.
4. Answers to Plaintiff's Complaint were due within thirty (30) days from the date of service.

5. Lue L. Smithblack a/k/a Lue L. Smith-Black defaulted on the Installment Contract for Sale of Real Estate, upon which Plaintiff is owed the Principal Balance of \$14,781.27, plus interest at the rate of 0.08%, from September 1, 2010.
6. To the best of Plaintiff's Counsel's knowledge, Lue L. Smithblack a/k/a Lue L. Smith-Black is neither a minor nor an incompetent person and a judgment may be rendered against her pursuant to Indiana Rules of Trial Procedure.
7. Plaintiff has complied with the Presuit and Settlement Conference Notice Requirements as set forth in IC 32-30-10.5-8.
8. Plaintiff is the current fee simple owner and has a valid first Installment Contract for Sale of Real Estate against the following Real Estate:

**LOT 4, BLOCK 3, IN SCARSDALE FIRST ADDITION TO GARY,
AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 25 PAGE
77, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY,
INDIANA.**

Commonly known as: 825 E. 44th Ave., Gary, IN 46409

9. Plaintiff's Real Estate is encumbered by said Installment Contract for Sale of Real Estate and is entitled to have said Installment Contract for Sale of Real Estate foreclosed.
10. This Court has personal jurisdiction over the parties by reason of filing of the Complaint and the service of Summons herein.
11. This Court has jurisdiction over the subject matter of Plaintiff's Complaint.

IT IS THEREFORE ORDERED as follows:

1. That Plaintiff's Installment Contract for Sale of Real Estate is hereby foreclosed as a first Installment Contract for Sale of Real Estate lien, subject only to the interest of the Treasurer for Taxes and those liens protected with statutory priority, if any.
2. That Plaintiff may move for an Order for Writ of Assistance from the Court from which the Sheriff will have the authority to evict any person or persons occupying said real estate.
3. A certified copy of this judgment with the Clerk's seal shall be sufficient authority to the Sheriff to execute the directives of the Court herein.
4. When recorded, a certified copy of this judgment shall be sufficient to certify the release of the Installment Contract for Sale of Real Estate and extinguish any interest in the subject Real Estate that the Defendants may have.

October 1, 2021

Date

ELECTRONIC SIGNATURE OF
JUDICIAL OFFICER AND FILE
STAMP INCLUDED BELOW:



PROOF OF NOTICE UNDER TRIAL RULE 72 (D)

A copy of this entry was served either by mail to the address of record, deposited in the Court's attorney's distribution box, distributed personally upon the persons and/or filed as listed below:

Distribution:

Brian K. Tekulve (30882-49)
Law Office of Gerald M. Shapiro, LLP
4805 Montgomery Road, Suite 320
Norwood, OH 45212

Lue L. Smithblack a/k/a Lue L. Smith-Black
825 E 44th Ave
Gary, IN 46409

DATE OF NOTICE: _____

NOTICE GIVEN BY:
____ **COURT** ____ **CLERK** ____ **PARTY** ____ **OTHER**

Property of Lake County Recorder