

STATE OF INDIANA, } ss:
St. Joseph County

St. Joseph

Cancel before 5:00
**Circuit
Superior**

Court

..... Term, 20.....

The State of Indiana, to the Sheriff of St. Joseph County, Greeting:

Whereas, On the 1 day of May A.D. 2014, the following

JUDGMENT and DECREE

was rendered in said Court in relation to the below entitled cause, to-wit:

See Order Inside

RECEIVED

JUN 18 2014

SHERIFF
St. Joseph County, IN

NELSON & FRANKENBERGER

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

JAMES J. NELSON
CHARLES D. FRANKENBERGER
JAMES E. SHINAVER
LAWRENCE J. KEMPER
JOHN B. FLATT
FREDRIC LAWRENCE
BRIAN K. TEKULVE

3105 EAST 98TH STREET, SUITE 170
INDIANAPOLIS, INDIANA 46280
PHONE: 317-844-0108
FACSIMILE: 317-846-8782

JANE B. MERRILL,
Of Counsel

JON C. DOBOSIEWICZ,
Land Use Professional

June 16, 2014

Via fax 574-235-9744

St. Joseph County Sheriff
Attn: Sheila
125 S. Lafayette Blvd., 3rd Floor
South Bend, IN 46601

8/14/14
28827

Re: JPMorgan Chase Bank, National Association v. Marcin G. Kamrowski, et al.
Cause No. 71D06-1403-MF-00124
Property Address: 1715 S. Twyckenham Dr., South Bend, IN 46613
Sale date not yet set – Praeipice sent for filing 6/6/14

Dear Sheila:

My firm represents the Plaintiff, JPMorgan Chase Bank, National Association in the above-referenced foreclosure action. **Please accept this letter as written confirmation authorizing you to cancel the sale in the above captioned matter.**

Please contact me with any questions. Thank you for your assistance in this matter.

Very truly yours,
NELSON & FRANKENBERGER

Brian K. Tekulve
Brian K. Tekulve

BKT/cjh
enclosures

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STATE OF INDIANA

)

ST. JOSEPH SUPERIOR COURT 6

)SS:

COUNTY OF ST. JOSEPH

)

CASE NO. 71D06-1403-MF-00124

JPMorgan Chase Bank, National Association

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Plaintiff

)

)

vs.

)

)

Marcin G. Kamrowski

)

)

Defendant

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)

- FILED -

MAY 1 - 2014

Clerk
St. Joseph Superior Court

JUDGMENT AND DECREE OF FORECLOSURE

Comes now the Plaintiff, JPMorgan Chase Bank, National Association, (hereafter referred to as "Plaintiff"), by counsel, and it appearing to the Court that the following parties in this action are properly before the Court by service of process pursuant to Trial Rule 4 of the Indiana Rules of Procedure in that the summonses and the returns endorsed thereon show that summons was served upon the Defendant, Marcin G. Kamrowski.

And it appearing that this cause came pursuant to Plaintiff's Motion for Default Judgment Entry and Decree of Foreclosure, which Motion was previously filed with this Court and which Motion states that (i) Marcin G. Kamrowski is not known to be an infant or incompetent and (ii) service has matured a sufficient time to place Marcin G. Kamrowski in default for failure to appear or file a responsive pleading herein.

And it further appearing to the Court by the affidavit, which affidavit was previously filed with this Court and which affidavit states that Marcin G. Kamrowski is not in the military service of the United States of America.

Marcin G. Kamrowski is now placed in default herein.

And the Court, having reviewed the pleadings filed herein and being duly advised in the premises, now finds for the Plaintiff that the allegations of Plaintiff's Complaint are true, and that the prayer thereof should be granted, and that there is due Plaintiff, on the cause of action sued upon, the sum of \$64,550.75, as of April 7, 2014. The sum of \$64,550.75 consists of \$62,485.43, in principal, accrued but unpaid interest, late fees and advances of the Note, as of April 7, 2014; plus title search costs in the sum of \$350.00; plus filing fee costs in the amount of \$215.32; plus attorney's fees of \$1,500.00. Plaintiff shall also be entitled to interest at the rate set forth in its Note from March 31, 2014, to the date of judgment; plus post-judgment interest; plus all advances made or incurred in the collection of the aforesaid sums, including real estate taxes and insurance, which the Plaintiff incurs in protecting its interest in the Real Estate (hereafter defined) in order to protect its interest herein; and, plus any other further amounts expended by the Plaintiff, all without relief from valuation or appraisal laws.

That the Plaintiff is entitled to have its mortgage, as such is set forth in its Complaint, foreclosed as against Marcin G. Kamrowski and that the lien of the Plaintiff is superior to all other mortgages, liens, interests, and claims.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiff be, and it is given an *in-rem* judgment against the Real Estate (hereafter defined) and *in-personam* judgment against Marcin G. Kamrowski, on the cause of action sued upon, in the sum of \$64,550.75, as of April 7, 2014. Plaintiff shall also be entitled to interest at the rate set forth in its Note from March 31, 2014, to the date of judgment; plus post-judgment interest; plus all advances made or incurred in the collection of the aforesaid sums, including real estate taxes and insurance, which the Plaintiff incurs in protecting its interest in the

Real Estate (hereafter defined) in order to protect its interest herein; and, plus any other further amounts expended by the Plaintiff, all without relief from valuation or appraisal laws.

2. That the mortgage of the Plaintiff be and it hereby is, foreclosed as first and prior lien and the claims and the equity of redemption of Marcin G. Kamrowski and any persons who might have some possible interest in the real estate described herein, and any and all persons claiming under or through them, hereby are foreclosed and Marcin G. Kamrowski is forever barred from asserting any right, title or interest in and to the following real estate located in St. Joseph County, Indiana, and any improvements thereon, to-wit:

LOT NUMBERED TWENTY-SEVEN (27) AS SHOWN ON THE RECORDED PLAT OF MAYR'S VISTULA AVENUE ADDITION TO THE CITY OF SOUTH BEND, TOGETHER WITH THE EAST HALF (1/2) OF THAT PART OF THE VACATED ALLEY LYING WEST OF ADJOINING SAID LOT, EXCEPTING THEREFROM A TRACT OF LAND TWENTY (20) FEET IN WIDTH, EAST AND WEST, TAKEN OFF OF AND FROM THE ENTIRE EAST END OF SAID LOT FOR THE WIDENING OF KLINE STREET, NOW TWYCKENHAM DRIVE, IN ST. JOSEPH COUNTY, INDIANA.

Commonly known as 1715 S.Twyckenham Dr., South Bend, IN 46613
(hereafter referred to as "Real Estate").

3. That the Real Estate which is the subject of this Judgment and Decree of Foreclosure shall be sold by the Sheriff of St. Joseph County, Indiana, all without relief from valuation or appraisal laws, in order to satisfy the amounts found to be due Plaintiff, as soon as the said sale can be had under the laws of this jurisdiction governing the sale of the Real Estate, a proper deed or deeds be issued according to law to the purchaser or purchasers at such sale or sales.

4. That the Plaintiff be, and it hereby is, empowered to bid for the Real Estate or any part thereof with the indebtedness due Plaintiff.

5. That the proceeds of such sale shall be applied first to the costs of this action, including costs of sheriff's sale, next to the payment of delinquent real estate taxes, penalties and

interest due and owing, next to the payment of the amount due the Plaintiff on its judgment rendered herein, and next to those entitled thereto according to their priorities as is later determined by this Court.

6. In the event the proceeds of any sheriff's sale are insufficient to satisfy in full the costs of this action and the amount due to Plaintiff hereunder, the difference between the amount due to Plaintiff at any sheriff's sale and Plaintiff's actual bid at any sheriff's sale shall establish the personal deficiency judgment against Marcin G. Kamrowski.

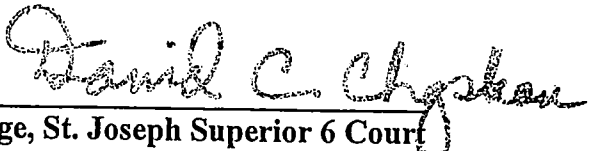
7. Plaintiff may cancel the sheriff's sale at any time prior to the scheduled time and date without further order of this Court by providing notification to the Sheriff of St. Joseph County or the Sheriff's representative.

8. Marcin G. Kamrowski and any and all persons claiming under or through them are hereby enjoined from committing waste upon the Real Estate and from doing any act which may impair the value of the Real Estate, unless said Real Estate is properly redeemed as provided by law.

9. A copy of this Decree of Foreclosure, duly certified by the Clerk of this County, under the seal of this Court, shall be sufficient authority for the Sheriff to proceed as herein directed.

ORDERED, ADJUDGED AND DECREED:

Dated this 1st day of May, 2014.


Judge, St. Joseph Superior 6 Court

Distribution:

Brian K Tekulve
NELSON & FRANKENBERGER
3105 E. 98th St., Suite 170
Indianapolis, IN 46280

Marcin G. Kamrowski
1715 S. Twyckenham Dr.
South Bend, Indiana 46613



STATE OF INDIANA)	ST. JOSEPH CIRCUIT/SUPERIOR COURT
)SS:	
COUNTY OF ST. JOSEPH)	CASE NO. <u>710061403mF00124</u>
JPMorgan Chase Bank, National Association)	
)	
Plaintiff)	
)	
vs.)	
)	
Marcin G. Kamrowski)	
)	
Defendant)	
)	

- FILED -

MAR 07 2014

Clerk
St. Joseph Superior Court

**COMPLAINT ON NOTE AND TO
FORECLOSE MORTGAGE**

Comes now the Plaintiff, JPMorgan Chase Bank, National Association (hereafter "Plaintiff") and complains of the Defendant, and for its cause of action herein alleges:

1. On May 8, 2008, the Defendant, Marcin G. Kamrowski, for value received, executed and delivered to 1st Source Bank a certain mortgage note in the principal amount of \$63,640.00 (hereafter "Note"). Said Note provides for attorney's fees and is payable without relief from valuation or appraisal laws. A photocopy of the original Note, bearing the signature of Marcin G. Kamrowski, is attached hereto and incorporated herein by reference as Exhibit "A".

2. That in order to secure the payment of said Note, interest, and attorney's fees, Marcin G. Kamrowski executed and delivered to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for 1st Source Bank a mortgage (hereafter "Mortgage"), on May 8, 2008, mortgaging and warranting the real estate therein described (hereafter "Real Estate"),

STATE OF INDIANA) ST. JOSEPH SUPERIOR COURT 6
)SS:
COUNTY OF ST. JOSEPH) CASE NO. 71D06-1403-MF-00124

JPMorgan Chase Bank, National Association)

Plaintiff)

vs.)

Marcin G. Kamrowski)

Defendant)

- FILED -

JUN 11 2014

Clerk
St. Joseph Superior Court

PRAECIPE FOR SALE

To the Clerk of the Superior 6 Court of St. Joseph County, Indiana:

Judgment has been entered herein in the above entitled cause. The Clerk is hereby requested to certify a copy of the judgment under the seal of the Court and issue the same to the Sheriff of St. Joseph County, Indiana for the setting of a Sheriff Sale.

Brian K. Tekulve
Brian K. Tekulve

Brian K. Tekulve
NELSON & FRANKENBERGER
3105 E. 98th St., Suite 170
Indianapolis, IN 46280
317/844-0106
Atty. #30882-49

This communication is from a debt collector and is an attempt to collect a debt; any information obtained will be used for that purpose.

NOTICE OF SHERIFF'S SALE

By virtue of a certified copy of a decree directed to me from the Clerk of the Superior 6 Court of St. Joseph County, Indiana, in Cause No. 71D06-1403-MF-00124, wherein JPMorgan Chase Bank, National Association was the Plaintiff, and Marcin G. Kamrowski was the Defendant, requiring me to make the sum as provided for in said Decree with interest and costs, I will expose at public sale to the highest bidder, on _____ at the hour of _____m. of said day, at Lobby of County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, the fee simple of the whole body of Real Estate in St. Joseph County, Indiana:

LOT NUMBERED TWENTY-SEVEN (27) AS SHOWN ON THE RECORDED PLAT OF MAYR'S VISTULA AVENUE ADDITION TO THE CITY OF SOUTH BEND, TOGETHER WITH THE EAST HALF (1/2) OF THAT PART OF THE VACATED ALLEY LYING WEST OF ADJOINING SAID LOT, EXCEPTING THEREFROM A TRACT OF LAND TWENTY (20) FEET IN WIDTH, EAST AND WEST, TAKEN OFF OF AND FROM THE ENTIRE EAST END OF SAID LOT FOR THE WIDENING OF KLINE STREET, NOW TWYCKENHAM DRIVE, IN ST. JOSEPH COUNTY, INDIANA.

Parcel Number: 71-09-18-333-014.000-026

Commonly known as 1715 S. Twyckenham Dr., South Bend, Indiana 46613

Together with rents, issues, income and profits thereof, said sale will be made without relief from valuation or appraisal laws. This is an attempt by a debt collector to collect a debt, and any information obtained will be used for that purpose.

Michael D. Grzegorek
Sheriff of St. Joseph County

South Bend - Portage Township
1715 S. Twyckenham Dr.
South Bend, Indiana 46613

Brian K. Tekulve
NELSON & FRANKENBERGER
3105 East 98th Street, Suite 170
Indianapolis, IN 46280
Attorney for Plaintiff

The Sheriff's Department does not warrant the accuracy of the street address published herein.

Sheriff Sale Number _____

Served by Sheriff:

Marcin G. Kamrowski
1715 S. Twyckenham Dr.
South Bend, Indiana 46613

This communication is from a debt collector and is an attempt to collect a debt; any information obtained will be used for that purpose.

All of which I hereby certify to be a full, true and complete copy of the judgment and decree aforesaid. And the plaintiff by.....praecipe in writing filed with me, having demanded the enforcement thereof.

You are therefore hereby commanded to carry the same into effect, cause the Real Estate therein described to be sold according to law, and said money to be paid together with accruing interest and costs, and return this writ to the Clerk's office of said Court within 180 days from this date, with an account of your doings endorsed thereon to render unto the plaintiff aforesaid.

Witness, TERRI J. RETHLAKE, and the Seal of said

Court hereunto affixed at South Bend, this _____

day of JUN 16 2014, 20 _____,

TERRI J. RETHLAKE, Clerk

Melissa Jones, Deputy

71D06 1403 MF 000124
1715 S. TWYCKENHAM DRIVE
SOUTH BEND, IN 46613

No. 28827

Order Book Page
Judgment Docket Page
Fee Book Page
Execution Docket (O.S.) Page

ORDER OF SALE

ST. JOSEPH CIRCUIT COURT
SUPERIOR

JPMORGAN CHASE BANK
VS.

MARCIN G. KAMROWSKI

Judgment \$ 64,550.75

Interest \$

Costs \$

Total \$

Accruing Interest \$

Accruing Costs \$

JUDGMENT RENDERED

MAY 1, 2014, 20

Repleviable — Appraisement Waived

TERRI J. RETHLAKE, Clerk

NELSON & FRANKENBERGER

317.844.0106, Attorney.

Returned UNSATISFIED per fax from Atty Nelson & Frankenger on 6/16/14 due to cancel before set, no fees incurred.

Michael D Grzegorek - Sheriff