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R-58267

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James K. Whitaker

Atty, Suite 600, 5231 Hohman Ave  
Hammond

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STATE OF INDIANA )  
                          ) ss:  
COUNTY OF LAKE )

AFFIDAVIT OF SERVICE

Robert L. Ruckriegel, affirms under the penalties of perjury as follows:

1. That he is President of WHARFSIDE RESTAURANTS, INC., an Indiana Corporation which, on or about November 21, 1986 was the owner of the following described property:

"Part of the West half of the Northeast Quarter of Southwest Quarter of Section 10, Township 36, Range 9, 0.646 acres more or less (located in Lake County, Indiana).  
Key No. 37-39-52."

SEP 3 1987

2. That on or about November 21, 1986, Rudy Boenzi, 16937 Sayre, Tinley Park, Illinois 60477 filed a "Sworn Statement and Notice of Intention to Hold Mechanic's Lien" claiming a Mechanic's Lien upon the aforescribed property.

3. That on July 6, 1987, affiant, as President of WHARFSIDE RESTAURANTS, INC. mailed a "Notice to Commence Suit" to the alleged holder of the Mechanic's Lien, Rudy Boenzi, at the address given in the aforescribed "Sworn Statement and Notice of Intention to Hold Mechanic's Lien", to wit: 16937 Sayre Avenue, Tinley Park, Illinois 60477 to "commence suit thereon within thirty (30) days after receiving this Notice."

INDIANA DIVISION

STATE OF INDIANA/S.S. NO.  
LAKE COUNTY  
FILED FOR RECORD

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4. That said "Notice to Commence Suit" was mailed by your affiant, Certified Mail, Return Receipt Requested, Certified Mail No. P472-204-775 on July 6, 1987; that a copy of said "Notice to Commence Suit" is attached hereto as Exhibit "A".

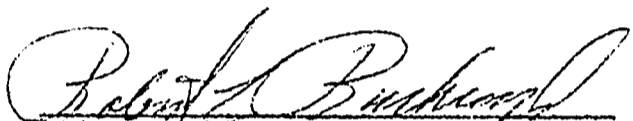
5. That said Certified Mail envelope containing the "Notice to Commence Suit" (attached hereto as Exhibit "A") was received by alleged lienholder, Rudy Boenzi, on July 8, 1987, as is evidenced by copy of "green" receipt card for Certified Mail No. P472 204 775 showing date of delivery of July 8, 1987 and received by "G. Boenzi" at 16937 Sayre Avenue, Tinley Park, IL 60477; that a copy of said "green" Certified Mail Receipt dated and signed is attached hereto as Exhibit "B".

6. That more than thirty (30) days have passed and no suit for foreclosure of said lien is pending and no unsatisfied judgment has been rendered on said lien.

7. This Affidavit is made to induce the Recorder of Lake County to record said Affidavit in the Miscellaneous Record Book of his office and to certify on the face of the record of any such lien that the same is fully released and that the real estate described in said Lien, and this Affidavit of Service, shall thereupon be released from the Lien thereof.

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I affirm under the penalties of perjury this 18<sup>th</sup> day of August, 1987 that the allegations in the above and foregoing "Affidavit of Service" are true and correct.

  
Robert L. Ruckriegel, President  
WHARFSIDE RESTAURANTS, INC.  
an Indiana Corporation  
R.R. #2 Box 168A  
Jasper, Indiana 47546

This instrument prepared by: James K. Whitaker,  
Attorney at Law, 5231 Hohman Avenue - Suite 600,  
Hammond, Indiana 46320-1780.

STATE OF INDIANA )  
 ) ss:  
COUNTY OF LAKE )

NOTICE TO COMMENCE SUIT

TO: Rudy Boenzel (Claimant)  
43937 Sayre Avenue  
Tanley Park, Illinois 60477

On or about November 21, 1986 you filed with the Office of the Recorder of Lake County, Indiana, a "Sworn Statement and Notice of Intention to Hold Mechanic's Lien" pertaining to the following described property:

"Part of the West half of the Northeast Quarter of Southwest Quarter of Section 10, Township 36, Range 9, 0.646 acres more or less.

Key No. 37-39-52."

As owner of the property upon which a mechanic's lien has been taken, the undersigned does hereby notify you, in writing, as the owner or holder of the attached lien to commence suit thereon within thirty (30) days after receiving this Notice.

DATED this 16th day of July, 1987.

WHARFSIDE RESTAURANTS, INC., an  
Indiana Corporation

BY: Robert L. Ruckriegel  
Robert L. Ruckriegel, President  
R.R. 2, Box 168A  
Jasper, Indiana 47546

Notice Certified Mail, Return  
Receipt Requested, Certified  
Mail No. 2001 2nd 225 this  
22nd day of JULY, 1987.

This instrument prepared by: James K. Whitaker,  
Attorney at Law, 5231 Honman Avenue, Suite 600,  
Hammond, Indiana 46320.

EXHIBIT

"A"

RECORDED  
JUL 20 1987

**INSTRUCTIONS:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address.      2.  Restricted Delivery.

<p>3. Article Addressed to:</p> <p><i>W. B. Brown, Chicago</i>  <i>1111 N. Dearborn Avenue</i>  <i>Chicago, Ill. 60611</i></p>	<p>4. Article Number</p> <p><i>P-473 304 725</i></p>
<p>5. Signature - Addressee</p> <p><i>X</i></p>	<p>Type of Service:</p> <p><input type="checkbox"/> Registered                      <input type="checkbox"/> Insured  <input checked="" type="checkbox"/> Certified                          <input type="checkbox"/> COD  <input type="checkbox"/> Express Mail</p>
<p>6. Signature - Agent</p> <p><i>X</i></p>	<p>Always obtain signature of addressee or agent and <b>DATE DELIVERED</b>.</p>
<p>7. (Date of Delivery)</p> <p><i>Feb 15 1986</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>

PS Form 3811, Feb. 1985

**DOMESTIC RETURN RECEIPT**

EXHIBIT

"B"