

140190

FILED

Return to: Thomas K. Hoffman
One Professional Center, Suite 308
Crown Point, IN 46307

DEC 19 1990

Anna N. Anton
AUDITOR LAKE COUNTY

STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

AFFIDAVIT PURSUANT TO I.C. 32-8-3-10

ROBERT E. STOCHEL, being first duly sworn upon his oath,
deposes and says:

1. That HOFFMAN AND STOCHEL are the attorneys for GAINER BANK, NATIONAL ASSOCIATION, as Trustee under the provisions of a Trust Agreement dated the 27th day of March, 1989, known as TRUST NO. P-6157.

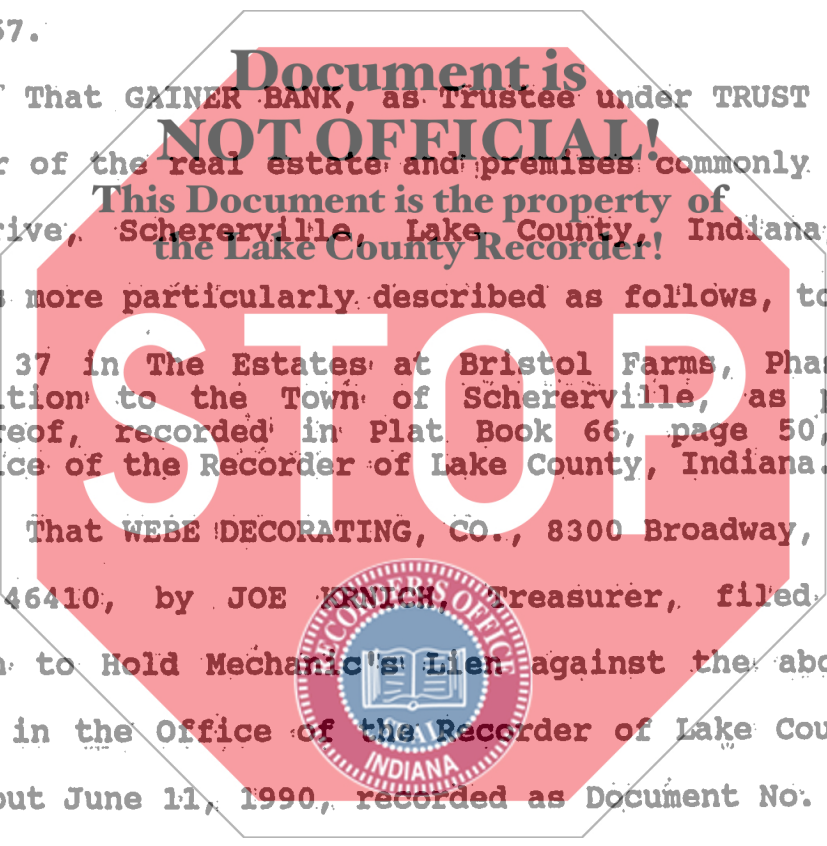
2. That GAINER BANK, as Trustee under TRUST NO. P-6157 is the owner of the real estate and premises commonly known as 2805 Capri Drive, Schererville, Lake County, Indiana, which real estate is more particularly described as follows, to-wit:

Lot 37 in The Estates at Bristol Farms, Phase I, an addition to the Town of Schererville, as per plat thereof, recorded in Plat Book 66, page 50, in the Office of the Recorder of Lake County, Indiana.

3. That WEBE DECORATING, CO., 8300 Broadway, Merrillville, Indiana 46410, by JOE KRNIC, Treasurer, filed a Notice of Intention to Hold Mechanic's Lien against the above-referenced property in the Office of the Recorder of Lake County, Indiana, on or about June 11, 1990, recorded as Document No. 105032.

4. That HOFFMAN AND STOCHEL, as attorneys for GAINER BANK, as Trustee under TRUST NO. P-6157, notified WEBE DECORATING, CO. by correspondence dated November 8, 1990 to commence suit on the aforesaid Notice of Intention to Hold Mechanic's Lien within thirty (30) days from the date of said correspondence pursuant to the provisions of I.C. 32-8-3-10, a true and correct copy of which correspondence is attached hereto as Exhibit A, made a part hereof and incorporated herein by reference.

5. That the aforesaid correspondence dated November 8, 1990 was sent to WEBE DECORATING, CO., to the attention of SIMO CEKO, an officer or owner thereof, by certified mail, return receipt requested and was received by WEBE DECORATING, CO. on the



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15th day of November, 1990, as evidenced by a true and correct copy of the certified mail return receipt card which is attached hereto as Exhibit B, made a part hereof and incorporated herein by reference.

6. That more than thirty (30) days have passed since the giving of the notice to commence suit by correspondence dated November 8, 1990 and no suit for foreclosure of said lien is pending and no unsatisfied judgment has been rendered on said lien.

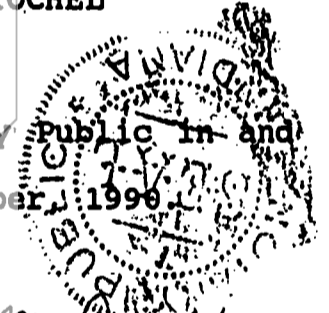
7. That this Affidavit is made for the purpose of inducing the Recorder of Lake County, Indiana, after recording this Affidavit, to certify on the face of the record of the foregoing Notice of Mechanic's Lien recorded as Document No. 105032 that the same is fully released in accordance with the provisions of I.C. 32-8-3-10.

Further Affiant sayeth not.

HOFFMAN AND STOCHEL

BY: Robert E. Stochel
ROBERT E. STOCHEL

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 17th day of December, 1990.



Judith A. McDonald
NOTARY PUBLIC

Judith A. McDonald
PRINTED NAME

My Commission Expires:
September 23, 1991
County of Residence: Lake

THIS INSTRUMENT PREPARED BY: HOFFMAN AND STOCHEL
One Professional Center, Suite 308
Crown Point, IN 46307
(219) 662-0165

Hoffman & Stochel

Attorneys at Law

Thomas K. Hoffman

Robert E. Stochel

One Professional Center

95th & Main Street

Suite 308

Crown Point Indiana 46307

(219) 662-0165

November 8, 1990

CERTIFIED MAIL
RETURN RECEIPT #P 713 817 200

Webe Decorating, Co.

Attn: Simo Ceko
9425 Hayes Street
Crown Point, IN 46307

Re: 2805 Capri Drive
Schererville, Indiana

Dear Mr. Ceko:

Please be advised that this letter shall serve as notice to you from Gainer Bank, as Trustee under Trust No. P-6157, and First Builders of Indiana, Inc. to commence suit pursuant to I.C. 32-8-3-10 on the mechanic's lien filed by you against the real estate and premises commonly known as 2805 Capri Drive, Schererville, Lake County, Indiana, which real estate is more particularly described as follows, to-wit:

Lot 37 The Estates at Bristol Farms:
The west half of the Northeast Quarter of the Southeast Quarter of Section 21, Township 35 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana

which notice of mechanic's lien was recorded in the Office of the Recorder of Lake County, Indiana on June 11, 1990 as Document No. 105032.

Kindly govern yourself accordingly.

Very truly yours,

HOFFMAN AND STOCHEL

BY: THOMAS K. HOFFMAN

TKH:l jg

EXHIBIT A

Document is NOT TO BE RECORDED
This Document is the Property of the Lake County Recorder!

SENDER: 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 boxes for additional service(s) requested:

1. Show to Whom Delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery. (Extra charge)

3. Article Addressed to: **Webe Decorating, Co.
 Attn: Simo Ceko
 9425 Hayes Street
 Crown Point, IN 46307**

4. Article Number: **P 713 817 200**

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED:**

5. Signature - Addressee: *[Signature]* 8. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent: *[Signature]*

7. Date of Delivery: *[Signature]*

RECORDER'S OFFICE
SEALED
INDIANA
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CROWN POINT, IN 46307

PS Form 3811, Apr. 1989

U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT