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NO LIEN AGREEMENT

SAMUEL ORLICH  
RECORDER

THIS AGREEMENT, entered into this 21<sup>st</sup> day of Dec., 1994  
by and between SAINT MARGARET MERCY HEALTHCARE CENTERS, INC.  
("Owner") and GIL BEHLING & SON, INC. ("Contractor"), WITNESSETH:

WHEREAS, Owner and Contractor have on this date entered into an  
agreement (the "Construction Contract") wherein Contractor agreed to construct on a no-  
lien basis certain improvements on Owner's land located in Hammond, Lake County,  
Indiana; and

WHEREAS, this Agreement is executed pursuant to the terms and provisions  
of the Construction Contract and to comply with the requirements of Indiana Code § 32-8-3-1;

NOW, THEREFORE, in consideration of the execution of the Construction  
Contract, the mutual promises contained in the Construction Contract and in this  
Agreement, and the Payment by Owner to Contractor of the sum of Ten Dollars (\$10.00),  
the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Owner is the owner in fee simple of the land described in Exhibit A  
attached hereto and incorporated herein (the "Real Estate") located in Lake County,  
Indiana.

2. Contractor, for itself and all parties claiming by or through Contractor  
who would be entitled to liens as provided in Indiana Code § 32-8-3-1:

(a) Agrees with Owner that no liens shall attach to the Real Estate  
or to any building or other improvements now existing or to be constructed  
thereon in favor of a subcontractor, mechanic, journeyman, laborer,  
materialman, vendor, lessor of equipment, tools or machinery or any other  
party who may perform or furnish labor, work, services, material, equipment,  
tools or machinery (or any other labor, material, or services which may result  
in a lien) for the Real Estate and/or construction of a building or other  
improvements thereon (collectively "Third Parties"), and

(b) Hereby waives all right to or claim of a lien on the Real Estate  
or any part thereof for such labor, work, services, material, equipment, tools  
or machinery, or any other matter which might otherwise support a lien,  
performed or furnished by Third Parties;

(c) This No-Lien Agreement shall also extend to extras, additions,  
modifications, or changes to the Construction Contract.



STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

Before me, a Notary Public within and for the State of Indiana, personally appeared GIL BEHLING & SON, INC., the Contractor, by Larry G. Behling, President, of the Contractor, who acknowledged the execution of the foregoing Agreement, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and Notarial Seal this 21<sup>st</sup> day of Dec., 1994.

*Susan E. Roguet*

Notary Public

My Commission Expires:  
3/22/98

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County of Residence: Lake

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A. LOT 7, THE SOUTH 11 FEET OF LOT 9, AND ALL OF LOTS 10 TO 23, BOTH INCLUSIVE, THE EAST AND WEST ALLEY LYING BETWEEN LOT 7 AND LOT 15 AND THE SOUTH HALF OF THE EAST AND WEST ALLEY LYING NORTH OF LOTS 16 THRU 20 BOTH INCLUSIVE AND THE VACATED NORTH AND SOUTH ALLEY LYING BETWEEN LOTS 11 TO 13, BOTH INCLUSIVE AND LOT 14, BLOCK 3, CAROLINE HOHMAN'S ADDITION TO THE TOWN, NOW THE CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 42, IN LAKE COUNTY, INDIANA.

B. LOTS 1 TO 30, BOTH INCLUSIVE, AND ALL VACATED ALLEYS ADJACENT TO SAID LOTS AND THE NORTH 1/2 OF VACATED DOUGLAS STREET, BLOCK 4, CAROLINE HOHMAN'S ADDITION TO THE TOWN, NOW CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 42, IN LAKE COUNTY, INDIANA, EXCEPT THE EAST 2 FEET THEREOF, OF LOTS 1, 2, 3, 28, 29, AND 30, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

C. LOTS 1 TO 30, BOTH INCLUSIVE, AND ALL VACATED ALLEYS ADJACENT TO SAID LOTS AND THE SOUTH 1/2 OF VACATED DOUGLAS STREET, BLOCK 5, CAROLINE HOHMAN'S ADDITION TO THE TOWN, NOW CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 42, IN LAKE COUNTY, INDIANA, EXCEPT THE EAST 2 FEET OF LOTS 1, 2, 3, 28, 29, AND 30, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

D. PART OF LOT 18, BLOCK 1, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 25 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 18; THENCE WEST ALONG THE SOUTH LINE OF ODGEN STREET 40.5 FEET; THENCE SOUTH 124 FEET TO A POINT 66.95 FEET WEST OF THE SOUTHEAST CORNER; THENCE EAST 41.95 FEET; THENCE NORTH 124 FEET TO THE PLACE OF BEGINNING, TOWLE AND YOUNG'S 2ND ADDITION, TO THE CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 2, PAGE 8, IN LAKE COUNTY, INDIANA.

AND ALSO

THE EAST 25 FEET OF LOT 18, ALL OF LOTS 19 TO 24, BOTH INCLUSIVE, LOTS 26 TO 29, BOTH INCLUSIVE, LOTS 1 AND 2, THE SOUTH 1/2 OF LOT 3, AND ALL OF LOTS 4 AND 5, BLOCK 1, TOWLE AND YOUNG'S 2ND ADDITION TO THE CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 2, PAGE 8, IN LAKE COUNTY, INDIANA, EXCEPT THE EAST 2 FEET THEREOF OF LOTS 1, 2, THE SOUTH 1/2 OF LOT 3, AND ALL OF LOTS 4 AND 5, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

E. LOTS 1 TO 7, BOTH INCLUSIVE, AND THE EAST 5 FEET OF LOT 8, BLOCK 2, TOWLE AND YOUNG'S 2ND ADDITION, TO THE CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 2, PAGE 8, IN LAKE COUNTY, INDIANA, EXCEPT THE EAST 2 FEET THEREOF OF LOTS 1 TO 5, BOTH INCLUSIVE, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

F. THE NORTH 1/2 OF LOT 2, ALL OF LOTS 3 AND 4, AND THE SOUTH 1/2 OF LOT 5, BLOCK 3, TOWLE AND YOUNG'S ADDITION TO HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 58, IN LAKE COUNTY, INDIANA, EXCEPT THE WEST 20 FEET THEREOF TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

G. LOTS 1 TO 5, BOTH INCLUSIVE, BLOCK 4, TOWLE AND YOUNG'S ADDITION TO HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 58, IN LAKE COUNTY, INDIANA, EXCEPT THE WEST 20 FEET THEREOF, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

H. LOTS 1 TO 6, BOTH INCLUSIVE, THE WEST 1/2 OF LOT 49, AND ALL OF LOTS 50, 51, AND 52, BLOCK 5, MARBLE'S SUBDIVISION OF BLOCK 5, TOWLE AND YOUNG'S ADDITION TO HAMMOND, AS SHOWN IN PLAT BOOK 2, PAGE 4, IN LAKE COUNTY INDIANA, EXCEPT THE WEST 20 FEET THEREOF OF LOTS 1 TO 6, BOTH INCLUSIVE TAKEN FOR HOHMAN AVENUE.

J. LOTS 1 AND 2, AND ALL OF LOTS 39 TO 43, BOTH INCLUSIVE, BLOCK 2, TOWLE AND YOUNG'S ADDITION, IN THE CITY OF HAMMOND, AS SHOWN IN PLAT BOOK 1, PAGE 58, IN LAKE COUNTY, INDIANA, EXCEPT THE WEST 20 FEET THEREOF, OF LOTS 1 AND 2, TAKEN FOR THE WIDENING OF HOHMAN AVENUE.

