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SWORN STATEMENT AND NOTICE OF INTENTION TO HOLD MECHANIC'S LIEN

January 23, 1995

To: Mercantile National Bank, as Trustee U/W/A dated 30 July 1990 and also known as Trust No. 5305, Olthof Properties Inc.; Olthof Development Inc; Dennis Olthof and Fritz Olthof, D/B/A Olthof Development

Address: Mercantile National Bank
Trustee of Trust No. 5305
5243 Hohman Ave.
Hammond, IN 46320

Olthof Properties, Inc.
C/O Frederick A. Olthof
119 Beverly Place
Munster, IN 46321

Olthof Development, Inc.
C.T. Capital System
1 North Capital Ave.
Indianapolis, IN 46204

Fritz A. Olthof
119 Beverly Place
Munster, IN 46321

Dennis Olthof
8557 Heather Ct.
St. John, IN 46373

Town of Highland
Town Clerk/Treasurer
Town Hall
3333 Ridge Road
Highland, IN 46322



You are hereby notified that Kelly Clemons, D/B/A Kelly's Tree Service (hereinafter called "Claimant") whose address is 7705 Independence St., Merrillville, Indiana, 46410, intends to hold a Mechanic's Lien on the following-described real estate:

1. Lots No. 1, 2, 3, 4, 5, 10, 35, and 37, in Whispering Oaks Addition to the Town of Highland, as per plat thereof, recorded in Plat Book 77, Page 93, in the Office of the Recorder of Lake County, Indiana.
2. Common Areas designated on recorded plat as "Ramblewood Drive", "Prairie Avenue", and "Whispering Oaks Court" of Whispering Oaks Addition to the Town of Highland, as per plat thereof, recorded in Plat Book 77, Page 93, in

95004301

MARGARETTE N. CLEVELAND
LAKE COUNTY RECORDER

95 JAN 25 AM 9:10

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

22.00

the Office of the Recorder of Lake County, Indiana., being more particularly described as:

A. Parcel One: The North 40 feet of Torbatti's Addition to the Town of Highland, Indiana, recorded in Book 69 page 59 on January 2, 1991 in Lake County, Indiana.

B. Parcel Two: That part of the North 1/2 of the Southeast 1/4 of Section 32, Township 36 North, Range 9 West of the 2nd Principal Meridian in Lake County, Indiana, bounded and described as follows:

Beginning at the point of intersection of the East line of said Southeast 1/4 of Section 32 and the South line of the North 1/2 of said Southeast 1/4 of Section 32; thence North 89 degrees 14 minutes 08 seconds West on the last described line, a distance of 982.14 feet to a point on a curved line; thence Northeasterly on a curved line convex to the Northwest having a radius of 286.01 feet, a chord bearing of North 75 degrees 25 minutes 51 seconds East, a chord length of 151.26 feet and an arc distance of 153.08 feet to a point of tangency, said point being on a line 40 feet North of and parallel to the South line of the North 1/2 of said Southeast 1/4 of Section 32; thence South 89 degrees 14 minutes 08 seconds East, on the last described line, a distance of 835.66 feet to a point on the East line of said Southeast 1/4 of Section 32; thence South 00 degrees 06 minutes 03 seconds East on the last described line a distance 40.00 feet to the point of beginning, (excepting therefrom that part heretofore dedicated or acquired for the right of way of U.S. highway Route 31) in the Town of Highland, Lake County, Indiana.

C. Parcel Three: That part of the North 1/2 of the South 1/2 of the Southeast 1/4 of Section 32, Township 36 North, Range 9 West of the 2nd Principal Meridian, in the Town of Highland, Lake County, Indiana, bounded and described as follows:

Beginning at a point on the North line of the South 1/2 of said Southeast 1/4 of Section 32, said point being 863.88 feet West of the East line of said Southeast 1/4 of Section 32, said point also being common with the Northwest corner of Torbatti's Addition to the Town of Highland, Indiana, recorded on January 2, 1991 in Book 89 page 58; thence South 00 degrees 06 minutes 03 seconds East on a line drawn parallel to the East line of said Southeast 1/4 of Section 32, a distance of 30.68 feet to a point on a curved line; thence Southwesterly on said curved line convex to the Northwest having a radius 216.01 feet, a chord bearing of South 68 degrees 41 minutes 06 seconds West, a chord length of 130.12 feet and a ARC distance of 132.17 feet to a point of tangent; thence South 51

degrees 09 minutes 21 seconds West, tangent to the last described line, a distance of 30.00 feet; thence North 38 degrees 60 minutes 39 seconds West, a distance of 128.14 feet to a point on the North line of the South 1/2 of said Southeast 1/4 of Section 32; thence South 89 degrees 14 minutes 06 seconds East on the last described line a distance of 224.92 feet to the point of beginning.

and all improvements thereon, for the amount of Fourteen Thousand Three Hundred Fifty Dollars (\$14,350.00) for work and labor done and by Claimant for improvement of said real estate within the last sixty (60) days. The undersigned individual executing this instrument, having been duly sworn upon oath, under the penalties of perjury, hereby states that Claimant intends to hold a Mechanic's Lien upon the above-described real estate and that the facts and matters set forth in the foregoing statement are true and correct.

Documentary Kelly's Tree Service

NOT OFFICIAL

By: Kelly Clemons

This Document is the property of Kelly Clemons

STATE OF INDIANA) the Lake County Recorder!

)SS:

COUNTY OF LAKE)

Before me, a Notary Public in and for said County and State, personally appeared Kelly Clemons, d/b/a Kelly's Tree Service, who acknowledged the execution of the foregoing Sworn Statement and Notice of Intention to Hold Mechanic's Lien, and who, having been duly sworn, under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

WITNESS my hand and Notarial Seal, this 23 day of January, 1995.

My Commission Expires:

3-26-97

County of Residence: Newton



Marc H. Donaldson
(Signature) Notary Public

MARC H. DONALDSON
(printed)

This instrument was prepared by: Marc H. Donaldson, Attorney at Law.

7 101 N. Main St. C.H. 46307