

96 SEP 19 AM 10:59

MARGARETTE CLEVELAND  
RECORDER

96062697

STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK    )

SS.

**AFFIDAVIT OF SERVICE OF § 32-8-3-10 NOTICE**

I, Karen L. Pszanka-Layng, being first duly sworn on oath, depose and state that if called to testify as a witness in this matter, I could competently testify to the following facts, of which I have personal knowledge:

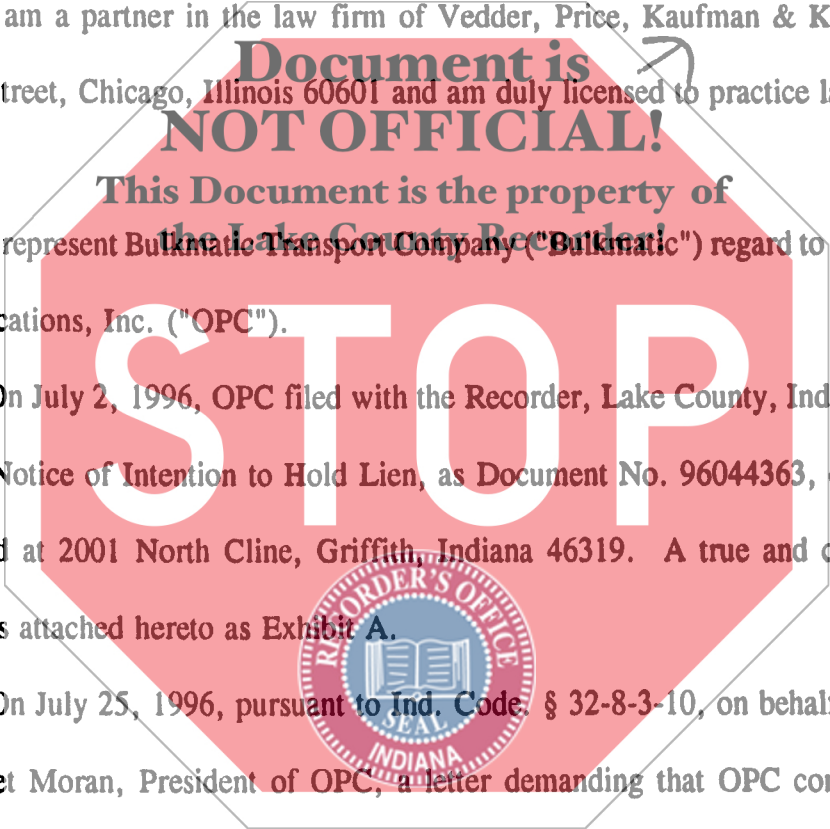
1. I am a partner in the law firm of Vedder, Price, Kaufman & Kammholz, 222 North LaSalle Street, Chicago, Illinois 60601 and am duly licensed to practice law in the State of Illinois.

2. I represent Bulkmatic Transport Company ("Bulkmatic") regard to its dispute with OPC Communications, Inc. ("OPC").

3. On July 2, 1996, OPC filed with the Recorder, Lake County, Indiana, its Sworn Statement and Notice of Intention to Hold Lien, as Document No. 96044363, on Bulkmatic's property located at 2001 North Cline, Griffith, Indiana 46319. A true and correct copy of OPC's Notice is attached hereto as Exhibit A.

4. On July 25, 1996, pursuant to Ind. Code. § 32-8-3-10, on behalf of Bulkmatic, I sent Ms. Janet Moran, President of OPC, a letter demanding that OPC commence suit to enforce its alleged lien within thirty (30) days of her receipt of my letter. A true and correct copy of my July 25, 1996 letter is attached hereto as Exhibit B.

5. On July 29, 1996, OPC received my letter dated July 25, 1996. A true and correct copy of the return receipt demonstrating delivery is attached hereto as Exhibit C.



2000  
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EX# 19332



**SWORN STATEMENT AND NOTICE OF INTENTION TO HOLD LIEU  
(NOTICE OF MORTGAGEE'S LIEU)  
(File in duplicate)**

To: **J B INC., c/o Bultmatic Company, 3001 N. Cline Griffith,  
Griffith, Indiana 46319**

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF LAKE )

The undersigned, being first duly sworn, makes this statement of intention to hold a lien upon the real estate described below and says that:

1. The undersigned, **GPC COMMUNICATIONS, INC.** whose address is 248 LaSalle Street, Suite 1668, Chicago, Illinois 60604 intends to hold a Mortgagee's Lien on the following described real estate:

**Grant's Business Center Addition, Part Lot 1, Block 1**

**Key No. 36-397-7, Unit 15**

**commonly known as 2001 North Cline Avenue, Griffith, Indiana, 46319**

including all buildings, other structures, and improvements located thereon or on the land thereon for work and labor done and for materials and machinery furnished by the undersigned in the erection, construction, alteration, repairs, and removal of said buildings, structures, and improvements for such work and labor and for such materials and machinery.

2. The amount claimed against said real estate is **Twenty-seven Thousand Two Hundred Thirty and 00/100 Dollars (\$27,230.00).**

3. The work and labor done and the materials and machinery were furnished by the undersigned within the last sixty (60) days.

**GPC COMMUNICATIONS, INC.**

*Janet Moran*  
Janet Moran, President

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF LAKE )

before me, a Notary Public in and for said County and State, personally appeared **Janet Moran, President of GPC COMMUNICATIONS, INC.** who acknowledged the execution of the foregoing Sworn Statement and Notice of Intention to Hold Mortgagee'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 29th day of **JUNE**, 1996.

OFFICIAL SEAL  
**CHRISTINE R. BERARDI**  
NOTARY PUBLIC, STATE OF INDIANA  
COMMISSION EXPIRES 1-22-97

*Christine R. Berardi*

Notary Public  
County Resident

I hereby certify that I have this 29th day of JUNE, 1996, mailed a duplicate of this notice, first-class, postage prepaid, to the within named property owner at 2001 North Cline Avenue, Griffith, Indiana 46319.

Dated: \_\_\_\_\_, 1996  
Recorder, Lake County, Indiana

This instrument was prepared by and an extra copy should be returned to: Joseph M. Shoen, Attorney No. 388-48, LUCAS, HOLCOMB & MEDREA, Eastern Court, 300 East 90th Drive, Merrillville, Indiana 46410

REV. 06/95



96044363

96 JUL -2 AM 11:20

MAINTENANCE RECORD AND RECORDED

EXHIBIT  
A

# VEDDER PRICE

VEDDER, PRICE, KAUFMAN & KAMMHOLZ  
222 NORTH LASALLE STREET  
CHICAGO, ILLINOIS 60601-1003  
312-609-7500  
FACSIMILE: 312-609-5005

KAREN PSZANKA-LAYNG  
312-609-7891

A PARTNERSHIP INCLUDING VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.  
WITH OFFICES IN CHICAGO AND NEW YORK CITY

July 25, 1996

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Ms. Janet Moran, President  
OPC Communications, Inc.  
208 South LaSalle Street  
Suite 1468  
Chicago, Illinois 60604

**Document is  
NOT OFFICIAL!**

**This Document is the property of  
the Lake County Recorder!**

**Re: Bulkmatic Transport Company; Lake County,  
Indiana Recorder of Deeds, Document No. 96044363**

Dear Ms. Moran:

We represent Bulkmatic Transport Company. Bulkmatic recently received a copy of OPC Communications, Inc.'s Sworn Statement and Notice of Intention to Hold Lien on the property commonly known as 2001 North Cline Avenue, Griffith, Indiana 46319 (the "Project").

As you may know, Indiana's Mechanic's Lien Act provides that any subcontractor who wishes to enforce a mechanic's lien against certain property must file and record with the recorder of deeds for the county where the property is located his notice of intent to hold a lien within sixty (60) days of last furnishing labor or materials to a construction project.

Bulkmatic's records show that OPC performed work at the Project in question as a subcontractor of Block Technologies during the third week of March, 1996, but no later than March 31, 1996, including all punch list items. Accordingly, OPC's notice of lien was due to be recorded no later than May 30, 1996. Moreover, Block Technologies invoiced Bulkmatic for this work on April 26, 1996 and Bulkmatic remitted payment to Block for the same on June 10, 1996.

VPKK-001/109785.V1



VEDDER PRICE

Ms. Janet Moran  
July 25, 1996  
Page 2

Because OPC's notice of lien was not recorded until July 2, 1996, we believe OPC has no lien rights as to the property in question. Pursuant to Ind. Code § 32-8-3-10, Bulkmatic hereby demands that OPC commence suit to enforce its alleged lien within thirty (30) days of your receipt of this notice. Your failure to do so will result in your lien being null and void.

Should you have any questions, or wish to forward an immediate release of of said lien, please direct all further inquiries to the attention of the undersigned.

**NOT OFFICIAL!**

Very truly yours,  
This Document is the property of  
the Lake County Recorder!

  
Karen L. Pszarka-Layng

KPL/ect  
cc: Mr. Anthony Block, President  
Block Technologies



Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

7/25/96 (Bulkmatic)

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Ms. Janet Moran, President  
 OPC Communications, Inc.  
 208 South LaSalle Street, Ste 1466  
 Chicago, IL 60604

4a. Article Number: 2 421 927 955

Return Receipt Requested

4b. Service Type

Registered  Certified

Express Mail  Insured

Return Receipt for Merchandise  COD

5. Received By: (Print Name)

7. Date of Delivery

7. 25. 96

6. Signature: (Addressee or Agent)

X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt



Thank you for using Return Receipt Service.

EXHIBIT  
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