STATE OF INDIANA LAKE COUNTY FILED FOR RECORD

97087307

97 DEC 18 PM 12: 46

MORRIS M. CARTER

SWORN STATEMENT OF INTENTION TO HOLD LIEN (NOTICE OF MECHANIC'S LIEN)

To Owners:

Lake County Trust Company, as Trustee under provisions of a Trust Agreement known as TRUST NUMBER 4506 2200 N. Main Street

Crown Point, Indiana 46307

and

Mesa Ltd. Partnership, an Illinois limited partnership c/o Sedona Development Group, Inc. 8708 Merrillville Road Merrillville, Indiana 46410

STATE	OF _	INDIANA	_)	
)	SS
COUNTY	OF_	LAKE		

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

1. The undersigned, DYKR CONSTRUCTION COMPANY, INC., having an office located at 1716 Sheffield Avenue, Dyer, Indiana 46311, as a subcontractor or supplier, having been contracted with by Dan Sark of Construction Specialties, Inc. located at 1278 W. 85th Avenue, Merrillville, Indiana 46410, the prime contractor, to provide various labor and equipment to perform the earthwork on Phase III for Sedona Development, now states it intends to hold a lien on the land, improvements and fixtures erected thereon, and on your interest as the owner of the Real Estate commonly known as:

Sedona Development, Phase III (86th Avenue between Grant and Buchanan Streets), in the Town of Merrillville, Lake County, Indiana

and which Real Estate is legally described as follows:

See EXHIBIT "A" attached hereto and incorporated herein by reference thereto.

Key No. 15-127-1 4 15-120-20

1900 Jun + 7143 as well as on all buildings, other structures and improvements and fixtures located thereon or connected therewith for work and labor done and for materials and machinery furnished by the undersigned in the excavation and sitework for said real estate and in the installation, erection, construction, altering, repairing, and/or removing of buildings, structures, improvements, and/or fixtures, for such work and labor and for such materials and machinery.

- 2. The amount claimed under this statement is One Hundred Thousand Six Hundred Fifty-Six Dollars and Sixty-eight Cents (\$100,656.68), plus interest thereon, and attorney's fees and costs.
- 3. The last work and labor were done and the material and machinery were furnished by the undersigned within the past sixty (60) days.

DYER CONSTRUCTION COMPANY, INC.

BY:

Janet Furman, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, a Notary Public, in and for said County and State, personally appeared, Janet Furman, as Secretary of Dyer Construction Company, Inc., and knowledged the execution of the foregoing Sworn Statement of Intention to Hold Lien (Notice of 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 18th day of December, 1997.

My Commission Expires:

November 6. 2001

Resident of Lake County

Signature:_

Printed: Patrick A. Mysliwy

(Notary Public)

uman

11

EXHIBIT "A" (Legal Description)

PARCEL 1: A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE NORTH 0 DEGREES 01 MINUTES 27 SECONDS WEST, ALONG THE WEST LINE OF SAID SECTION 21, A DISTANCE OF 101.09 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS EAST, ALONG A NORTHERLY LINE OF SEDONA ADDITION, UNIT TWO, AS SHOWN ON THE PLAT OF SUBDIVISION OF SEDONA ADDITION, UNIT TWO, AS RECORDED IN PLAT BOOK 78, PAGE 44, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, A DISTANCE OF 161.85 FEET; (THE NEXT THREE COURSES WILL CONTINUE ALONG THE BOUNDARY OF SAID SEDONA, UNIT TWO) THENCE NORTH 0 DEGREES, 01 MINUTES 27 SECONDS WEST, A DISTANCE OF 30.20 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS EAST, A DISTANCE OF 1022.80 FEET; THENCE SOUTH 0 DEGREES 09 MINUTES 16 SECONDS WEST, A DISTANCE OF 150.15 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 44 SECONDS EAST, ALONG THE NORTHERLY LINE OF SEDONA ADDITION, UNIT ONE, AS SHOWN ON THE PLAT OF SUBDIVISION OF SEDONA ADDITION, UNIT ONE, AMENDED PLAT, AS RECORDED IN PLAT BOOK 76, PAGE 67 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; A DISTANCE OF 137.83 FEET; AFORESAID POINT BEING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 0 DEGREES 09 MINUTES 16 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21, A DISTANCE OF 1321.89 FEET; THENCE NORTH 89 DEGREES 08 MINUTES 14 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; A DISTANCE OF 1326.29 FEET; THENCE SOUTH O DEGREES OI MINUTES 27 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 21, A DISTANCE OF 1222.04 FEET TO THE POINT OF BEGINNING.

PARCEL 2: ALL THAT PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P. M. IN LAKE COUNTY, INDIANA, LYING WEST OF THE CENTER LINE OF THE MERRILLVILLE ROAD, EXCEPTING THEREFROM THAT PART PLATTED AS SEDONA ADDITION, UNIT ONE, AS SHOWN IN PLAT BOOK 75, PAGE 70, AND AS AMENDED BY PLAT RECORDED IN PLAT BOOK 76, PAGE 67, IN LAKE COUNTY, INDIANA AND FURTHER EXCEPTING THEREFROM THAT PART PLATTED AS SEDONA ADDITION, UNIT TWO, AS SHOWN IN PLAT BOOK 78, PAGE 44, IN LAKE COUNTY, INDIANA.

CERTIFICATE OF MAILING

I hereby certify that I have this 18th day of <u>December</u>, 1997 mailed a duplicate of this notice, first class, postage paid, to the within named property Owners at the addresses first listed above on the attached Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien).

Recorder of Lake County, Indiana

Y: Mhin W

This instrument prepared by: Patrick A. Mysliwy (10002-45) of MAISH & MYSLIWY, Attorneys at Law, P.O. Box 685, 5248 Hohman Avenue, Suite 200, Hammond, Indiana 46320

RETURN TO: MAISH & MYSLIWY, ATTORNEYS AT LAW P.O. BOX 685, HAMMOND, INDIANA 46320