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Lake

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

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MORRIS W. CARTER  
RECORDED

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

August 21, 2000

To: **Level 3 Communications, LLC**      **Metro Xmit LLC**  
 Attn: Senior Director, Billing      Attn: Patrick Opelt, General Manager  
 7581 W. 103<sup>rd</sup> Avenue      1728 Churchman Ave., Suite C  
 Westminster, CO 80021      Indianapolis, IN 46203

Attn: General Counsel      Attn: Jeffrey Reed  
 1025 Eldorado Drive      1728 Churchman Ave., Suite C  
 Broomfield, CO 80021      Indianapolis, IN 46203

(collectively referred to as "Real Estate Interest Owners")

You are hereby notified that Northern Line Layers, Inc. (hereinafter called "Claimant") whose address is 6780 Trade Center Avenue, Billings, MT 59101, intends to hold a Mechanic's Lien on the following described real estate interests:

1. Any right, title and interest possessed by "Real Estate Interest Owners" in the county herein described (including all permits, approvals, authorizations and easement rights) arising out of or relating to installation by Claimant of underground ducts and any other material or equipment so installed by Claimant including, but not limited to, manholes, handholds and splice boxes; and
2. Fiber optic cables, underground ducts and any other equipment connected thereto including, but not limited to, manholes, handholds, and splice boxes.

said legal rights and interests more fully described in the "route description" for the county herein identified as set forth on Exhibit A.

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Locke Reynolds LLP

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for the amount of One Million Three Hundred Fifty Thousand One Hundred Twenty-Five and 42/100ths Dollars (\$1,350,125.42) for work and labor done and materials furnished by Claimant pursuant to contract NCO2 for improvements of said real estate interests, which improvements are more specifically described as follows:

Installation of underground ducts and any other material or equipment installed by Claimant pursuant to contract NCO2 including, but not limited to, manholes, handholds, and splice boxes.

Claimant has provided work, labor and materials pursuant to said contract within the last 60 days.

You are also hereby notified that Claimant's Mechanic's Lien attaches to the real estate interest held by "Real Estate Interest Owners" described above and does not attach to any other interest in the real estate upon which any such permit, approval, authorization, or easement relates.

The undersigned individual executing this instrument, having been duly sworn upon his oath, under the penalties for perjury hereby states that Claimant intends to hold a mechanic's lien upon the above-described real estate interests and the described improvements, and that the facts and matters set forth in the foregoing statement are true and correct.

Northern Line Layers, Inc.



Its Attorney

(Signature)

JEFFREY MONBERG

(Printed)

STATE OF

SS:

COUNTY OF

Before me, a Notary Public in and for said County and State, personally appeared JEFFREY MONBERG 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 for perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 21<sup>st</sup> day of August, 2000.

My Commission Expires:

2/17/07

Signature:

Kathleen J. Trzcinski

Printed:

Kathleen J. Trzcinski

Notary Public

Residing in

Lake

County, Indiana

This instrument was prepared by Steven J. Strawbridge, attorney at law.

I hereby certify that I have this day mailed first class a duplicate of this Sworn Statement and Notice of Intention to hold Mechanic's Lien to the owners of said real estate interests named therein at the address set forth therein.

Date:

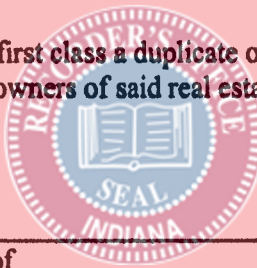
Recorder of

County, Indiana

NOT OFFICIAL!

This Document is the property of the Lake County Recorder!

STOP



**ROUTE DESCRIPTION NCO2**  
**(PHASE I and/or PHASE II and/or PHASE III)**  
**LAKE COUNTY INDIANA**

Start point at the Indiana/Illinois State line @ 101<sup>st</sup> Ave. and Stateline Rd. in St. John Township. Route proceeds East on the North side of 101<sup>st</sup> Ave. to the intersection of Calumet Ave.

Route turns and proceeds South along Calumet Ave. on the West side of the Road to the intersection of SR 231 (W 109<sup>th</sup> St.) Start Hanover Township.

Route then continues East on the North side of Highway 231 for approximately 7 miles to the intersection of SR 231 and Harrington St. Start Center Township.

Route proceeds South on the West side of Harrington St. to South St. (appx. ½ mile)

Route turns and proceeds West on the North side of South St. to the intersection of Lake St. (appx. 300 ft.)

Route continues South on the East side of Lake St. to West 121<sup>st</sup> St. (appx. 5300 ft.)

From this intersection the Route proceed East on the North side of 121<sup>st</sup> St. to the intersection of S. Court St. (appx 1300 ft.)

Route continues South on the West side of S. Court St. to the intersection of W. 125<sup>th</sup> St. (appx. 2700 ft.)

Route continues East on the South side of W. 125<sup>th</sup> St. to the intersection of SR 55 Grant St. (appx. 3900 ft.)

Route continues South on the West side of SR 55 (Grant St.) to the intersection of 169<sup>th</sup> Ave. (appx. 5.5 miles) In Center and Cedar Creek Township

Route goes East on the South side of 169<sup>th</sup> Ave. to the intersection of SR 55 (appx. 2700 ft.) Cedar Creek Township

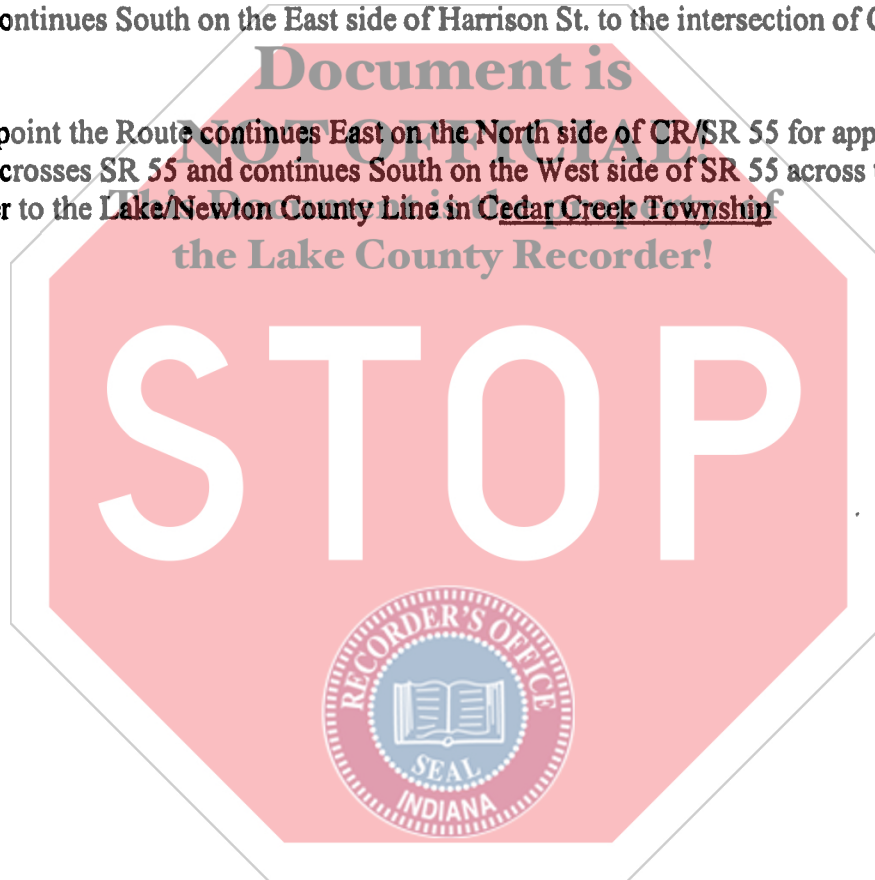
**Exhibit "A"**

Route continues South on the East side of SR 55 for appx. 2.3 miles. At this point the route crossed SR 55 and continues South on the West side of SR 55 for appx. 2.04 miles. The route again crosses SR 55 and continues South on the East side of SR 55 to the intersection of Harrison St. (appx. 3.65 miles)

Route continues South on the East side of Harrison St. to the intersection of CR/SR 55 (appx 3840 ft.)

At this point the Route continues East on the North side of CR/SR 55 for appx. 300 ft. The route then crosses SR 55 and continues South on the West side of SR 55 across the Kankakee River to the Lake/Newton County Line in Cedar Creek Township

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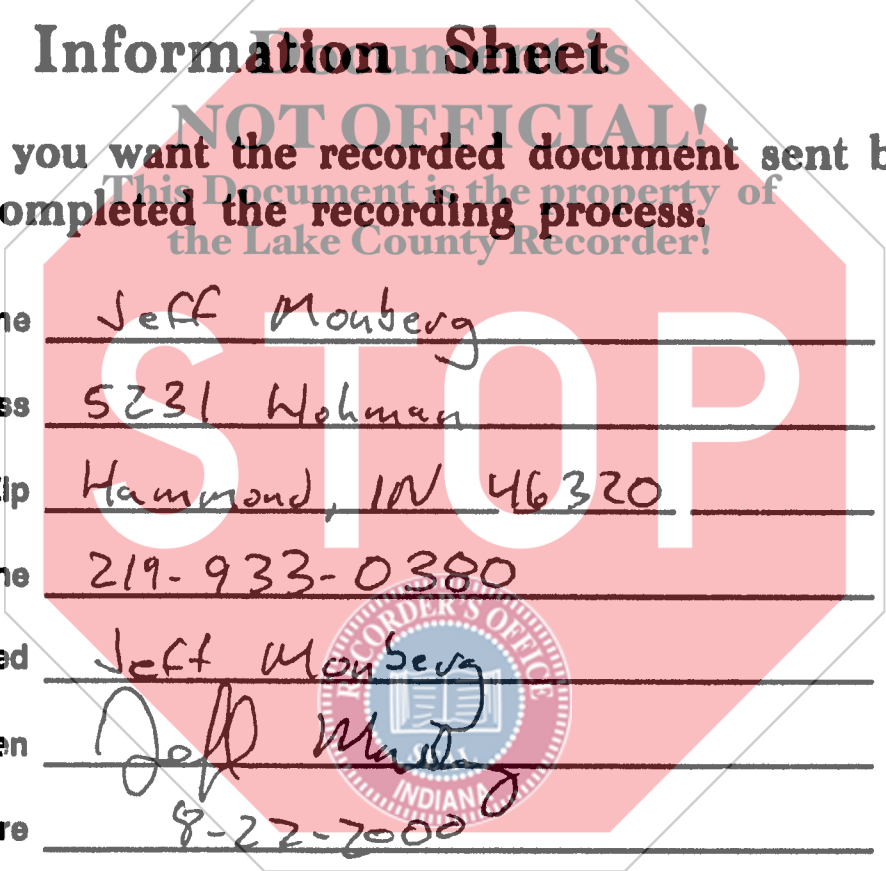


**Official Stamp**

2000-060736  
8/22/00  
3.16

**Document Mail Back to  
Information Sheets**

**This is where you want the recorded document sent back to when it has completed the recording process.**



Name Jeff Monberg

Address 5231 Wehman

City St Zip Hammond, IN 46320

Telephone 219-933-0380

Signature Printed Jeff Monberg

Signature Written Jeff Monberg

Date of Signature 8-22-2000

Check Number # 1252

Check Amount \_\_\_\_\_

**Office Use Only**

Check Equals Amount Due  Yes  No

Total \_\_\_\_\_

Initials \_\_\_\_\_