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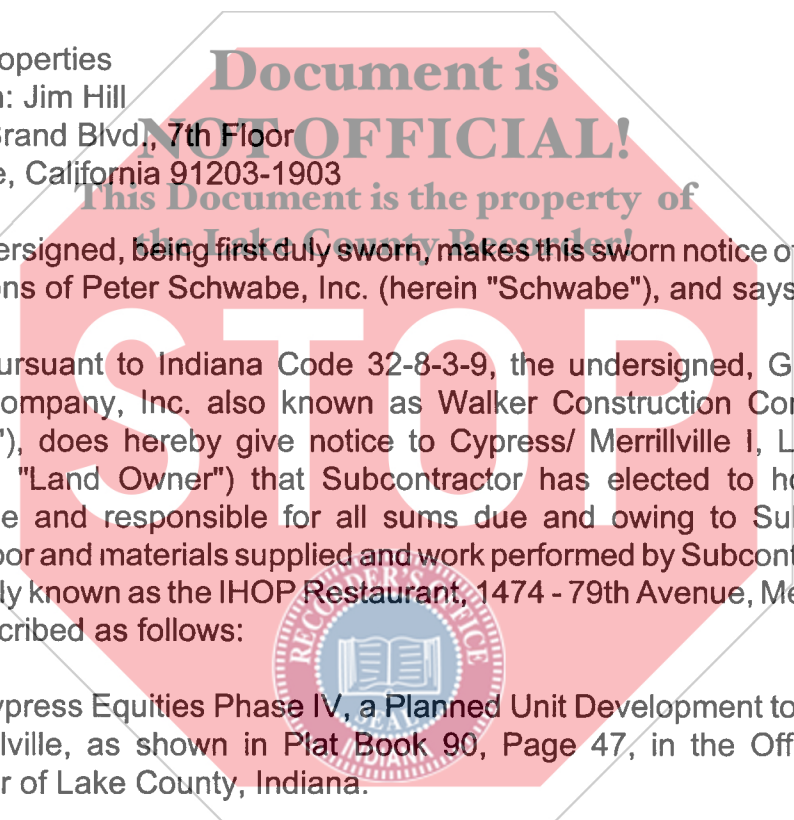
2002 JAN 30 PM 3:00
RECORDED

RETURN TO: GLENN R. PATTERSON, ESQ.
9211 BROADWAY
MERRILLVILLE, IN 46410

**NOTICE TO LAND OWNER OF PERSONAL LIABILITY
AND RESPONSIBILITY FOR THE PAYMENT OBLIGATIONS
OF PETER SCHWABE, INC.**

TO: Cypress/Merrillville I, Ltd.
c/o Christopher C. Maguire, President
Cypress/Merrillville Management, Inc.
15601 Dallas Parkway, Suite 400
Dallas, Texas 75001

IHOP Properties
Attention: Jim Hill
450 N. Brand Blvd., 7th Floor
Glendale, California 91203-1903



The undersigned, being first duly sworn, makes this sworn notice of personal liability for the obligations of Peter Schwabe, Inc. (herein "Schwabe"), and says that:

1. Pursuant to Indiana Code 32-8-3-9, the undersigned, G. William Walker Construction Company, Inc. also known as Walker Construction Company, Inc. (the "Subcontractor"), does hereby give notice to Cypress/ Merrillville I, Ltd. and/or IHOP Properties (the "Land Owner") that Subcontractor has elected to hold Land Owner personally liable and responsible for all sums due and owing to Subcontractor from Schwabe for labor and materials supplied and work performed by Subcontractor on the real estate commonly known as the IHOP Restaurant, 1474 - 79th Avenue, Merrillville, Indiana, and legally described as follows:

Lot 5, Cypress Equities Phase IV, a Planned Unit Development to the Town of Merrillville, as shown in Plat Book 90, Page 47, in the Office of the Recorder of Lake County, Indiana.

Tax Key No. 08-15-0751-0001

Handwritten signature: J. H. Patterson

and

Lot 4, Pleasant Dale, as shown in Plat Book 25, Page 58, in Lake County, Indiana.

Tax Key No. 08-15-0184-0004

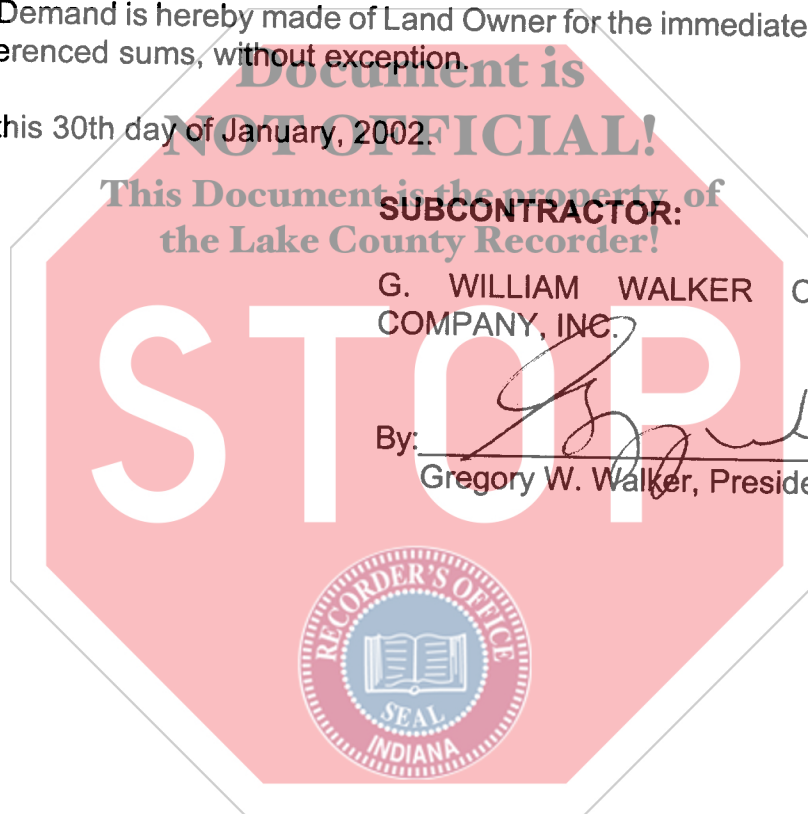
and

A part of the Northeast Quarter of Section 22, Township 35 North, Range 8 West, of the Second Principal Meridian, in Lake County, Indiana.

2. The obligation remaining due and owing to the Subcontractor from Schwabe for said labor and materials and work is in the sum of Sixteen Thousand Nine Hundred Eighty Dollars and Thirty Cents (\$16,980.30), out of a total subcontract amount Eighty-six Thousand One Hundred Sixty-six Dollars (\$86,166.00).

3. Demand is hereby made of Land Owner for the immediate payment in full of the above-referenced sums, without exception.

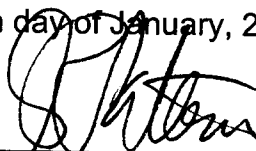
Dated this 30th day of January, 2002.



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

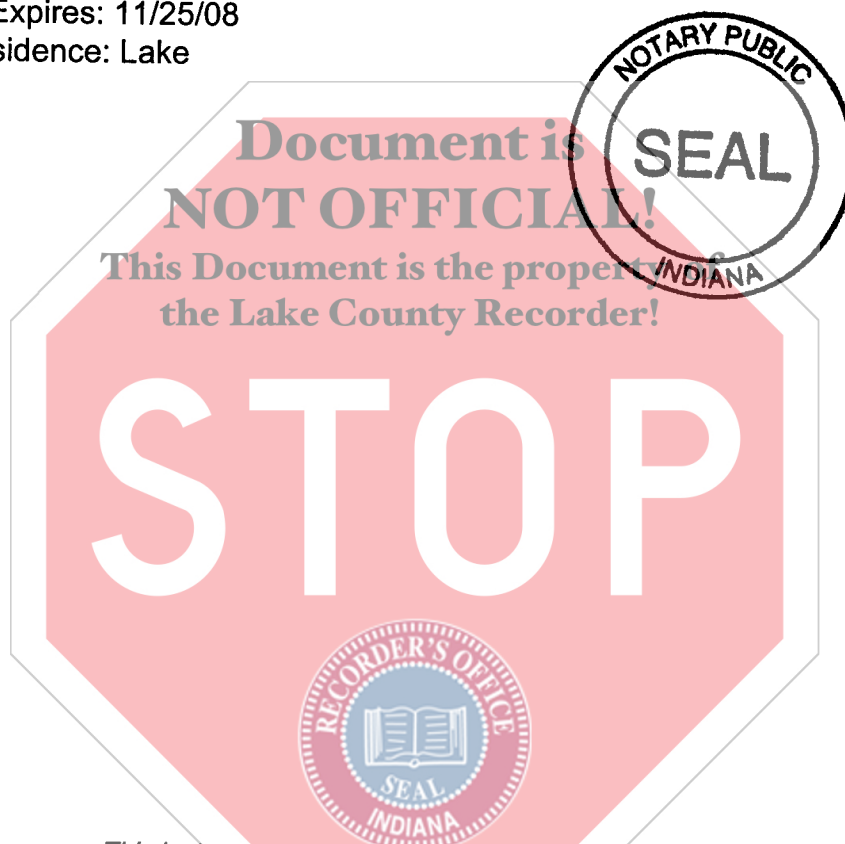
Before me, a Notary Public in and for said County and State, personally appeared Gregory W. Walker, who acknowledged the execution of the foregoing Notice to Land Owner of Personal Liability and Responsibility for the Payment Obligations of Peter Schwabe, Inc., and who, having been duly sworn, under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

WITNESS my hand and notarial seal this 30th day of January, 2002.



Glenn R. Patterson, Notary Public

Commission Expires: 11/25/08
County of Residence: Lake



*This instrument prepared by Glenn R. Patterson, Esq.
9211 Broadway, Merrillville, Indiana 46410*

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