

STATE OF INDIANA)
COUNTY OF LAKE)

2003 109220

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2003 OCT 10 AM 8:43

MORRIS W. CARTER
RECORDER

TO: RECORDER OF LAKE COUNTY, INDIANA

AFFIDAVIT OF SERVICE

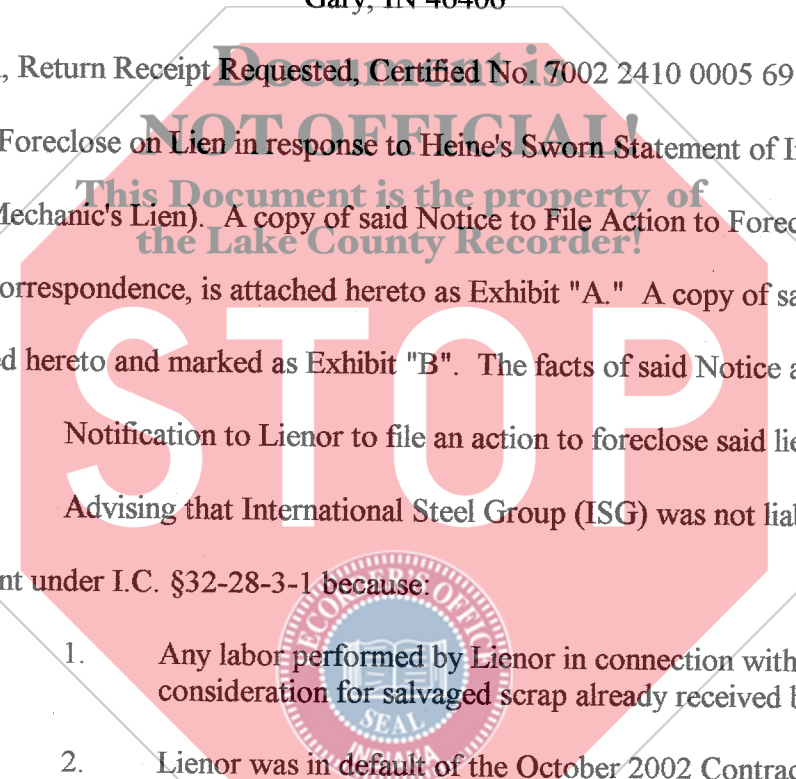
I, ROBERT A. ENGHOFFER, P.E. being first duly sworn upon my oath, state that I am a Project Engineer/Engineering Department, for ISG Indiana Harbor Inc. ("ISG), and as such is duly authorized to make this Affidavit on ISG's behalf, and further state that:

1. On July 23, 2003 the following was prepared and forwarded to:

Robert M. Heine, Jr., President
Bob Heine, Inc.
7318 W. 15th Avenue
Gary, IN 46406

via Certified Mail, Return Receipt Requested, Certified No. 7002 2410 0005 6915 1421, a Notice to File Action to Foreclose on Lien in response to Heine's Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien). A copy of said Notice to File Action to Foreclose on Lien, with transmittal correspondence, is attached hereto as Exhibit "A." A copy of said Certified Mail Receipt is attached hereto and marked as Exhibit "B". The facts of said Notice are:

- a. Notification to Lienor to file an action to foreclose said lien;
- b. Advising that International Steel Group (ISG) was not liable to Lienor for the claimed amount under I.C. §32-28-3-1 because:
 1. Any labor performed by Lienor in connection with the project was consideration for salvaged scrap already received by Lienor;
 2. Lienor was in default of the October 2002 Contract for Sale of Seamless Tube Mill Assets and is indebted to ISG in the amount of \$200,000.00 under said Contract; and
 3. Lienor has failed to pay its subcontractors as required under the Contract.



CHK# 15804
20.00
KM

2. More than thirty (30) days have passed since said Notice was received by the lienholder.

3. No action for foreclosure of the lien is pending; and

4. No unsatisfied judgment has been rendered on the lien.

FURTHER AFFIANT SAITH NOT.

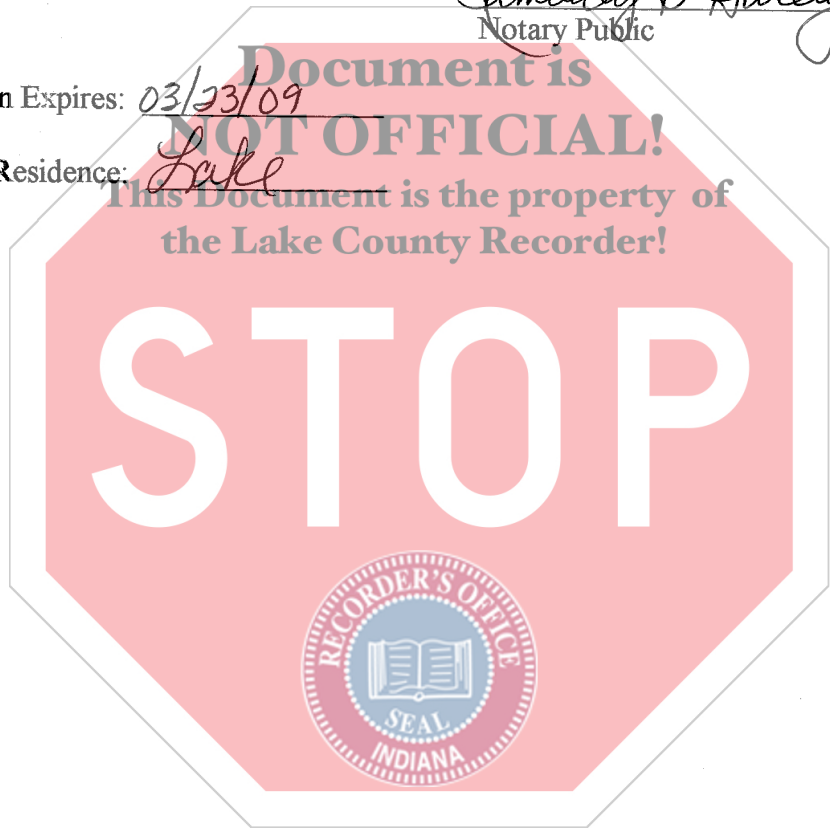
Robert A. Enghofer
ROBERT A. ENGHOFER, J.E.

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State this 9th day of October, 2003.

Kimberly D. Hurley
Notary Public

My Commission Expires: 03/23/09

My County of Residence: Lake



Mail to: Terrance L. Smith, Smith & DeBonis, LLC, 9696 Gordon Drive, Highland, IN 46322



July 23, 2003

VIA CERTIFIED MAIL

Robert M. Heine, Jr.
President
Bob Heine, Inc.
7318 West 15th Avenue
Gary, IN 46406

Re: Sale of ISG Seamless Tube Mill Assets—*ISG Notice to File Action to Foreclose on Lien*

Dear Mr. Heine:

Please find enclosed ISG Indiana Harbor Inc.'s Notice to File Action to Foreclose on Lien relating to the Mechanic's Lien recorded on or about July 9, 2003 by Bob Heine, Inc. for the claimed amount of \$850,750.00 with respect to the October 2002 Contract for Sale of Seamless Tube Mill Assets.

Document is
NOT OFFICIAL
This Document is the property of
the Lake County Recorder!
Very truly yours,

Vincent Atriano
Vincent Atriano

* 7002 2410 0005 6925 1421 *

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent to: **Robert M. Heine, Jr., President**
Street, Apt. No., or P.O. Box No.: **Bob Heine, Inc. 7318 W. 15th Ave.**
City, State, ZIP+4: **Gary, IN 46406**

PS Form 3800, June 2002 See Reverse for Instructions



EXHIBIT

A

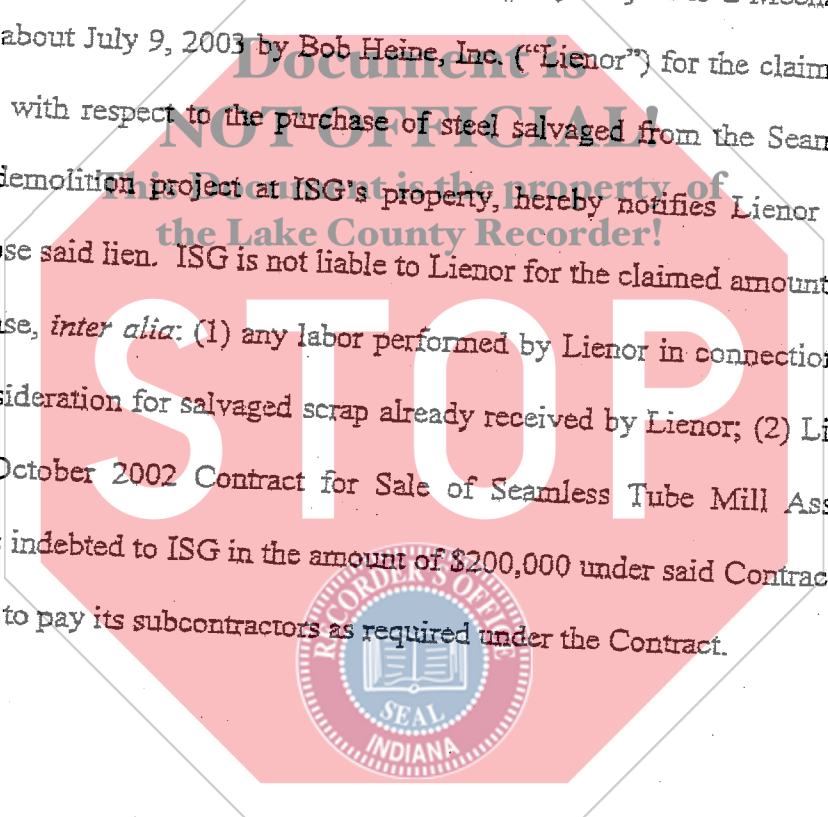
NOTICE TO FILE ACTION TO FORECLOSE ON LIEN

July 23, 2003

VIA CERTIFIED MAIL

To: Robert M. Heine, Jr., President
Bob Heine, Inc.
7318 West 15th Avenue
Gary, IN 46406

Pursuant to I.C. 32-28-3-10, ISG Indiana Harbor Inc. ("ISG"), 3001 Dickey Road, East Chicago, Indiana 46312-1610, owner of the property subject to a Mechanic's Lien recorded on or about July 9, 2003 by Bob Heine, Inc. ("Lienor") for the claimed amount of \$850,750.00 with respect to the purchase of steel salvaged from the Seamless Tube Mill Building demolition project at ISG's property, hereby notifies Lienor to file an action to foreclose said lien. ISG is not liable to Lienor for the claimed amount under I.C. 32-28-3-1 because, *inter alia*: (1) any labor performed by Lienor in connection with the project was consideration for salvaged scrap already received by Lienor; (2) Lienor is in default of the October 2002 Contract for Sale of Seamless Tube Mill Assets ("the Contract") and is indebted to ISG in the amount of \$200,000 under said Contract; and (3) Lienor has failed to pay its subcontractors as required under the Contract.



Issued this 23rd day of July, 2003.

ISG INDIANA HARBOR INC.

By: 

Vincent Atriano, Esq.
Ohio Bar No. 0041084
SQUIRE, SANDERS & DEMPSEY L.L.P.
1300 Huntington Center
41 South High Street
Columbus, Ohio 43215
Telephone: (614) 365-2783
Facsimile: (614) 365-2499
Email: vatriano@ssd.com

Attorney for ISG Indiana Harbor Inc.



Track & Confirm

Current Status

You entered 7002 2410 0005 6915 1421

Your item was delivered at 11:11 am on July 25, 2003 in GARY, IN 46406.

Notification Options

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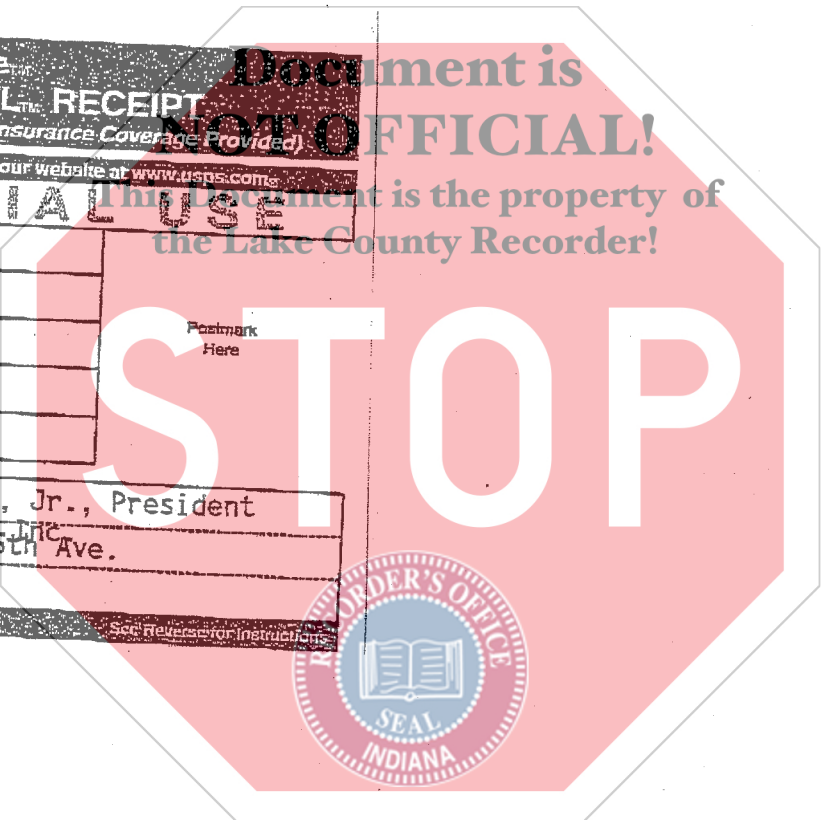
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent to
Robert M. Heine, Jr., President
 Street, Apt. No., Box, Heine, Inc.
 or PO Box No. **7318 W. 15th Ave.**
 City, State, ZIP+4
Gary, IN 46406

PS Form 3800, June 2002 See Reverse for Instructions



EXHIBIT

 B