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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2004 099722

2004 NOV 24 PM 12:01

MORRIS W. LANTIER

THIS FORM HAS BEEN PREPARED FOR USE IN THE STATE OF INDIANA BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS, AND INSERTION OF SPECIAL CLAUSES, MAY CONSTITUTE THE PRACTICE OF LAW WHICH SHOULD ONLY BE DONE BY A LAWYER.

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

(file in duplicate)

To: CMS / Summer Wood Retail Venture LLC
1996 South Kirk Road, Suite 320
Geneva, Illinois 60134

OWNER'S NAME AND ADDRESS

STATE OF Indiana, COUNTY OF Lake, SS:

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

1. The undersigned A Line II, a partnership
7012 Kennedy Ave, Hammond, IN 46323

(NAME OF CLAIMANT)

(ADDRESS)

intends to hold a lien on the real estate commonly known as Summer Wood Apartments
8101 Polo Club Drive Merrillville, Indiana 46410

STREET

CITY

STATE

and legally described as follows:



See Exhibit "A"

including all buildings, other structures and improvements located thereon or connected therewith for work and labor done and for materials and machinery furnished by the undersigned in the erection, construction, altering, repairing and removing of said buildings, structures and improvements for such work and labor and for such materials and machinery.

2. The amount claimed under this statement is Twenty three thousand six Dollars (\$ 23006.00).

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

A Line II, a partnership By Louis Travis
STATE OF INDIANA, COUNTY OF Lake SS: Louis Travis

PRINTED

Before me, a Notary Public in and for said County and State, personally appeared A Line II, a partnership
by Louis Travis 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 of perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 23 day of November, 2004

My Commission Expires: 04/15/2012 Signature Roberta Lager

Resident of Lake County Printed Roberta Lager
NOTARY PUBLIC

I hereby certify that I have this 23rd day of November, 2004 mailed a duplicate
of this notice, first-class, postage prepaid, to the within named property owner at _____
(Latest address shown on tax records)

Recorder of _____ County

This instrument prepared by: Jonathan R. O'Hara Attorney at Law, Attorney No. 10004-64

MAIL TO:

1304 Vale Park Road
VALIARANI IN 46383

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19-DC
39938

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1: Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77 page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Beginning at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South right of way line of U.S. Highway No. 30; thence South 89 degrees 08 minutes 15 seconds East, along the boundary line of said Polo Club Apartments, a distance of 37.00 feet; thence South 00 degrees 02 minutes 41 seconds West a distance of 1,054.03 feet to the point of curve; thence Southeasterly along a curve concave to the East and having a radius of 191.50 feet, an arc distance of 100.42 feet, to the point of tangent of said curve (the chord of said curve bears South 14 degrees 58 minutes 39 seconds East, a distance of 99.27 feet); thence South 30 degrees 00 minutes 00 seconds East a distance of 206.44 feet; thence North 89 degrees 36 minutes 49 seconds West a distance of 166.09 feet; thence North 00 degrees 02 minutes 41 seconds East, along the boundary line of said Polo Club Apartments, a distance of 1,328.14 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

Parcel 2: Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South right of way line of U.S. Highway 30; thence South 89 degrees 08 minutes 15 seconds East, along the boundary line of said Polo Club Apartments, a distance of 220.02 feet; thence South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 363.31 feet to the point of beginning; thence continue South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 431.50 feet; thence South 89 degrees 51 minutes 39 seconds West, a distance of 183.00 feet thence North 00 degrees 02 minutes 41 seconds East, a distance of 373.50 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 48.28 feet; thence North 60 degrees 00 minutes 00 seconds East a distance of 49.66 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 33.61 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 91.76 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

Parcel 6: Part of the Amended Final Site Plan of the Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South right of way line of U.S. Highway No. 30; thence South 89 degrees 08 minutes 15 seconds East, a distance of 37.00 feet to the point of beginning; thence South 00 degrees 02 minutes 41 seconds West, a distance of 424.51 feet to the Northwest corner of Parcel "2"; thence North 90 degrees 00 minutes 00 seconds East, a distance of 48.28 feet; thence North 60 degrees 00 minutes 00 seconds East, a distance of 49.66 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 33.61 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 91.76 feet to the Northeast corner of Parcel "2"; thence North 00 degrees 02 minutes 41 seconds East, a distance of 363.31 feet to the Northeast corner of Polo Club Apartments; thence North 89 degrees 08 minutes 15 seconds West, a distance of 183.02 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

Parcel 11: Declaration of Reciprocal Easements dated _____ and recorded _____, as Document No. _____, made by and between CMS/Summer Wood Retail Venture, LLC, and CMS/Summer Wood Residential Venture, LLC, granting easement for ingress/egress, parking and pylon sign access over the following described property:

(Parcel 3): Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77 page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South right of way line of U.S. Highway No. 30; thence South 89



degrees 08 minutes 15 seconds East, along the boundary line of said Polo Club Apartments, a distance of 220.02 feet; thence South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 1,326.31 feet to the point of beginning; thence continue South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 360.07 feet; thence South 89 degrees 40 minutes 00 seconds East, along the boundary line of said Polo Club Apartments, a distance of 0.37 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 257.54 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 234.27 feet; thence South 45 degrees 00 minutes 00 seconds West a distance of 285.95 feet; thence North 45 degrees 00 minutes 00 seconds West a distance of 44.58 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 186.24 feet to a point on the boundary line of said Polo Club Apartments; thence North 00 degrees 03 minutes 30 seconds East, along the boundary line of said Polo Club Apartments, a distance of 792.69 feet; thence South 89 degrees 36 minutes 49 seconds East, along the boundary line of said Polo Club Apartments and said boundary line extended East, a distance of 653.34 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

(Parcel 4:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development, in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South right of way line of U.S. Highway No. 30; thence South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 1,328.14 feet; thence North 89 degrees 36 minutes 49 seconds West, along the boundary line of said Polo Club Apartments, a distance of 433.34 feet; thence South 00 degrees 03 minutes 30 seconds West, along the boundary line of said Polo Club Apartments, a distance of 792.69 feet to the point of beginning; thence South 90 degrees 00 minutes 00 seconds East a distance of 186.24 feet; thence South 45 degrees 00 minutes 00 seconds East a distance of 44.58 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 285.95 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 234.27 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 541.92 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 654.60 feet; thence North 00 degrees 03 minutes 30 seconds East, along the boundary line of said Polo Club Apartments and said line extended South a distance of 371.25 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

(Parcel 5:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Polo Club Apartments; thence North 00 degrees 05 minutes 30 seconds West, along the boundary line of said Polo Club Apartments, a distance of 120.01 feet; thence South 89 degrees 40 minutes 00 seconds East, along the boundary line of said Polo Club Apartments, a distance of 92.00 feet to the point of beginning; thence North 00 degrees 05 minutes 30 seconds West, along the boundary line of said Polo Club Apartments, a distance of 550.00 feet; thence South 89 degrees 40 minutes 00 seconds East, along the boundary line of said Polo Club Apartments, a distance of 492.48 feet; thence South 00 degrees 03 minutes 30 seconds West, a distance of 39.59 feet; thence South 90 degrees 00 minutes 00 seconds East, a distance of 654.60 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 443.93 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 48.00 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 266.72 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 197.58 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 122.79 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 450.28 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 330.17 feet to a point on the South boundary line of said Polo Club Apartments; thence North 89 degrees 40 minutes 00 seconds West, along the South boundary line of said Polo Club Apartments, a distance of 450.10 feet; thence North 00 degrees 05 minutes 30 seconds West a distance of 120.01 feet to the point of beginning, all in Merrillville, Lake County, Indiana.

(Parcel 7:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Polo Club Apartments; thence North 00 degrees 05 minutes 30 seconds West, along a line parallel to and 750 feet East of the West line of the Northeast Quarter of Section 29, Township 35 North, Range 8 West of the Second Principal Meridian, a distance of 120.01 feet; thence South 89 degrees 40 minutes 00 seconds East, parallel with the North line of said Section 29-35-8 a distance of 92.00 feet to the West line of Parcel 5 as described in Document Number 97074019, recorded October 30, 1997 in the Office of the Recorder



of Lake County, Indiana; thence South 00 degrees 05 minutes 30 seconds East, along the West line of said Parcel 5, a distance of 120.01 feet, to the South boundary line of said Polo Club Apartments; thence North 89 degrees 40 minutes 00 seconds West, along said South boundary line of the Polo Club Apartments extended Westerly, a distance of 92.00 feet, to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

(Parcel 8:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Polo Club Apartments; thence South 89 degrees 40 minutes 00 seconds East, along the South line of said Polo Club Apartments, a distance of 542.10 feet to the point of beginning; thence North 00 degrees 00 minutes 00 seconds East, a distance of 330.17 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 450.28 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 122.79 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 197.58 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 266.72 feet; thence North 90 degrees 00 minutes 00 seconds East, 24.00 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 190.15 feet to the South line of said Polo Club Apartments; thence North 89 degrees 40 minutes 00 seconds West, along said South line, a distance of 671.87 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

(Parcel 9:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as per plat thereof, recorded in Plat Book 77 page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Polo Club Apartments; thence South 89 degrees 40 minutes 00 seconds East, along the South line of said Polo Club Apartments, a distance of 1,213.97 feet to the point of beginning; thence North 00 degrees 00 minutes 00 seconds East, a distance of 190.15 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 24.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 190.29 feet; thence North 89 degrees 40 minutes 00 seconds West, along said South line of said Polo Club Apartments, a distance of 24.00 feet to the point of beginning.

(Parcel 10:) Part of the Amended Final Plat of Polo Club Apartments, a Planned Unit Development in the Town of Merrillville, as recorded in Plat Book 77, page 41, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Polo Club Apartments, said point being on a line that is 40 feet South of and parallel to the South Right-of-Way line of U.S. Highway 30; thence South 89 degrees 08 minutes 15 seconds East, along the boundary line of said Polo Club Apartments, a distance of 220.02 feet; thence South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 794.81 feet to the point of beginning; thence continue South 00 degrees 02 minutes 41 seconds West, along the boundary line of said Polo Club Apartments, a distance of 531.50 feet; thence North 89 degrees 36 minutes 49 seconds West, a distance of 53.91 feet; thence North 30 degrees 00 minutes 00 seconds West a distance of 206.44 feet to a point of curve; thence Northwesterly, along a curve concave to the East and having a radius of 191.50 feet, an arc distance of 100.42 feet to the point of tangent of said curve (the chord of said curve bears North 14 degrees 56 minutes 39 seconds West, a distance of 99.27 feet); thence North 00 degrees 02 minutes 41 seconds East, a distance of 256.02 feet; thence North 89 degrees 51 minutes 39 seconds East a distance of 183.00 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

Parcel 12: Sign Easement dated _____ and recorded _____, as Document No. _____, made by and between Centler Bank Trustee u/a/d 10/1/93 and known as Land Trust No. 1985 and The Northwestern Mutual Life Insurance Company, a Wisconsin corporation, as assigned to CMS/Summer Wood Retail Venture, LLC, granting an easement for installing and maintaining a sign over the following described property:

Part of Lot 1, Business Park 142, an Addition to the Town of Merrillville, recorded in Plat Book 68, page 17, in the Office of the Recorder, Lake County, Indiana, Commencing at the Northeast corner of said Business Park 142; thence North 89 degrees 08 minutes 15 seconds West, along the South right of way of U.S. Highway #30, a distance of 70.00 feet to the West right of way line of Grant Street (extended) as shown on the recorded plat of said Business Park 142, and to the point of beginning; thence South 00 degrees 00 minutes 00 seconds West along the West Right-of-Way line of Grant Street, a distance of 70.00 feet to the North line of the proposed Frontage Road as shown on said recorded plat; thence North 89 degrees 08 minutes 15 seconds West along the North line of a 40 foot Public Frontage Road, a distance of 30.00 feet; thence North 60 degrees 17 minutes 17 seconds West continuing along said North line of a 40 foot Public Frontage Road, a distance of 145.06 feet to a point on the South Right-of-Way line of U.S. Highway No. 30; thence South 89 degrees 08 minutes 15 seconds East along said South

CC6010 9/04 LR



Right-of-Way line, a distance of 156.00 feet to the point of beginning, in the Town of Merrillville, Lake County, Indiana.



CC6010 8/08 LB