

NOTICE OF MECHANIC LIEN RIGHTS TO OWNER OF NON-RESIDENTIAL BUILDING

Owner's Name: KT Clay, LLC
Owner's Address: 9825 Indianapolis Boulevard
Highland, IN 46322

Project Address or Location: 4201 E. Lincoln Highway, Hobart, IN 46342
Legal Description: A part of Claymoor Park in Lake County, as per plat thereof, recorded in the Office of the Recorder of Lake County, Book 51, Page 21.

Commonly known as: Southlake Nissan – 4201 E. Lincoln Highway, Hobart, IN 46342

Contractor: Boyer Construction Corp.

Ziese & Sons Excavating, Inc. has furnished labor and or materials to the contractor or a subcontractor for the construction of the non-residential building described above for which you are the owner and the actual or intended occupant. State law, I.C.32-8-3-1, requires that this company provide you this notice that it has provided labor and materials for your building.

The labor and materials we have provided were first provided on May 12, 2005 and consist of the following:

Demolition of existing foundation, stripped topsoil, cut and filled site to proposed elevations, sub grade preparation for: parking lot, sidewalks, and stand up curb, excavated for building footings, backfilled building, fill sand for surcharge service area, placed and compacted sand for under floor slabs, installed sanitary sewer, installed storm sewer, installed water service. Extras above original contract: Removal of unsuitable soils and filled foundation areas back in with compacted fill.

This notice is furnished to you within the time provided by statute based upon the time the first labor or materials were provided and whether this is a new construction or a repair. The purpose of this statute, and our compliance with it, is to notify you as the owner of the property that statute permits us to file a mechanic's lien against the real estate in the event Ziese & Sons Excavating, Inc. is not paid within the time provided in Ziese's agreement with the contractor. This notice is so that you are aware of our participation in the construction of your intended building and is not intended to reflect poorly upon the contractor. The terms how and when you pay the contractor are matters exclusively between you, but may differ from the terms of Ziese's with the contractor.

Jean T. Ziese, Treasurer
Ziese & Sons Excavating, Inc. by its authorized officer

Before me, a Notary Public in and for Lake County, State of Indiana, personally appeared Jean T. Ziese, an officer of Ziese & Sons Excavating, Inc. who acknowledged the execution of the foregoing Pre-lien Notice to Owner of non-residential building, 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 by hand and seal this 23rd day of June, 2005.

Name of Notary: Tina L. Brite Notary Public: Tina L. Brite
My commission Expires: August 01, 2012

Ziese & Sons Excavating, Inc.
6929 W. 109th Avenue
Crown Point, IN 46307-8843

Tina L Brite
Notary Public Seal State of Indiana
Lake County
My Commission Expires 08/01/2012

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LAKE COUNTY
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