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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2006 008944

2006 FEB -3 PM 1:18

MICHAEL A. BROWN  
RECORDER

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

February 2, 2006

TO:

Crossing at Hobart-I, LLC  
1798 Frebis Ave.  
Columbus, OH 43206

Rare Hospitality International, Inc.  
8215 Roswell Road, Building 600  
Atlanta, GA 30350

Longhorn Steakhouse  
2345 E. 80th Ave.  
Merrillville, IN 46410

You are hereby notified that Cleats Mfg., Inc. d/b/a Cleats Manufacturing (hereinafter called "Claimant") whose address is 1855 S. Kilbourn Ave., Chicago, IL 60623, intends to hold a Mechanic's Lien on the following described real estate located in Lake County:

PT. N1/2 S.23 T.35 R.8 LY'G N. OF U.S. ROUTE 30 & SW'LY OF FORMER C & O R.R. 16.184AC.  
(Parcel No. 43-53-0011-0050); and see attached Exhibit "A"

commonly known as Longhorn Steakhouse, 2217-2350 East 80th Avenue, Merrillville, IN 46410, and improvements thereon including leasehold interests, for the amount of Five Thousand Seven Hundred Seventy Dollars and 44/100 (\$5,770.44) for materials and/or labor furnished by Claimant for improvements of said real estate within the last ninety (90) days.

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

The undersigned is executing this Mechanic's Lien on behalf of the Claimant pursuant to Indiana Code 32-28-3-3 and the statements contained herein are true and correct to the best of his knowledge and belief.

I affirm under penalties for perjury that the foregoing representations of fact are true to the best of my knowledge and belief.

CLEATS MFG., INC. d/b/a Cleats Manufacturing  
By: RUBIN & LEVIN, P.C.

By: *Sue Figert Meyer*  
Sue Figert Meyer, Attorney at Law

STATE OF INDIANA )  
) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Sue Figert Meyer, 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 2<sup>nd</sup> day of February, 2006.  
My Commission Expires: 06-16-09  
My County of Residence: Marion

*Angela G. McCraw*  
Angela G. McCraw, Notary Public

This instrument was prepared by Sue Figert Meyer, Attorney at Law, 500 Marott Center, 342 Massachusetts Avenue, Indianapolis, IN 46204-2161, 317/634-0300. G:\WP80\ANGIE\LIENS\Cleats-Shilois-Longhorn-ML File No: 80556601

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## EXHIBIT "A"

PART OF PARCEL 2, AS DESCRIBED IN A QUIT CLAIM DEED TO "THE CROSSINGS AT HOBART, L.L.C.", RECORDED MARCH 26, 1998 AS DOCUMENT NUMBER 98020748, SAID PART BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2, SAID CORNER BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S.R. 30; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, 641.64 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREES 22 MINUTES 12 SECONDS WEST, 73.91 FEET, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 22 MINUTES 12 SECONDS WEST, 81.35 FEET TO THE BEGINNING OF A TANGENT CURVE THAT IS CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 4.50 FEET AND A CHORD THAT BEARS NORTH 46 DEGREES 22 MINUTES 12 SECONDS WEST, 6.36 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 7.07 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, 15.15 FEET, PARALLEL WITH SAID RIGHT-OF-WAY LINE; THENCE NORTH 01 DEGREES 22 MINUTES 12 SECONDS WEST, 4.50 FEET, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE TO THE BEGINNING OF A TANGENT CURVE THAT IS CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 4.50 FEET AND A CHORD THAT BEARS NORTH 46 DEGREES 22 MINUTES 12 SECONDS WEST, 6.36 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF LAST SAID CURVE 7.07 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 48 SECONDS WEST, 66.15 FEET, PARALLEL WITH SAID RIGHT-OF-WAY LINE TO THE BEGINNING OF A TANGENT CURVE THAT IS CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 16.50 FEET AND A CHORD THAT BEARS SOUTH 43 DEGREES 37 MINUTES 48 SECONDS WEST, 23.34 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF LAST SAID CURVE 25.92 FEET; THENCE SOUTH 01 DEGREES 22 MINUTES 12 SECONDS EAST, 83.35 FEET, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE TO THE BEGINNING OF A TANGENT CURVE THAT IS CONCAVE TO THE NORTHEAST WITH A RADIUS OF 16.50 FEET AND A CHORD THAT BEARS SOUTH 46 DEGREES 22 MINUTES 12 SECONDS EAST, 23.34 FEET; THENCE ALONG THE ARC OF LAST SAID CURVE 25.92 FEET; THENCE NORTH 88 DEGREES 37 MINUTES 48 SECONDS EAST, 66.80 FEET, PARALLEL WITH SAID RIGHT-OF-WAY LINE TO THE BEGINNING OF A TANGENT CURVE THAT IS CONCAVE TO THE NORTHWEST WITH A RADIUS OF 21.50 FEET AND A CHORD THAT BEARS NORTH 43 DEGREES 37 MINUTES 48 SECONDS EAST, 30.41 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE 33.77 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA.



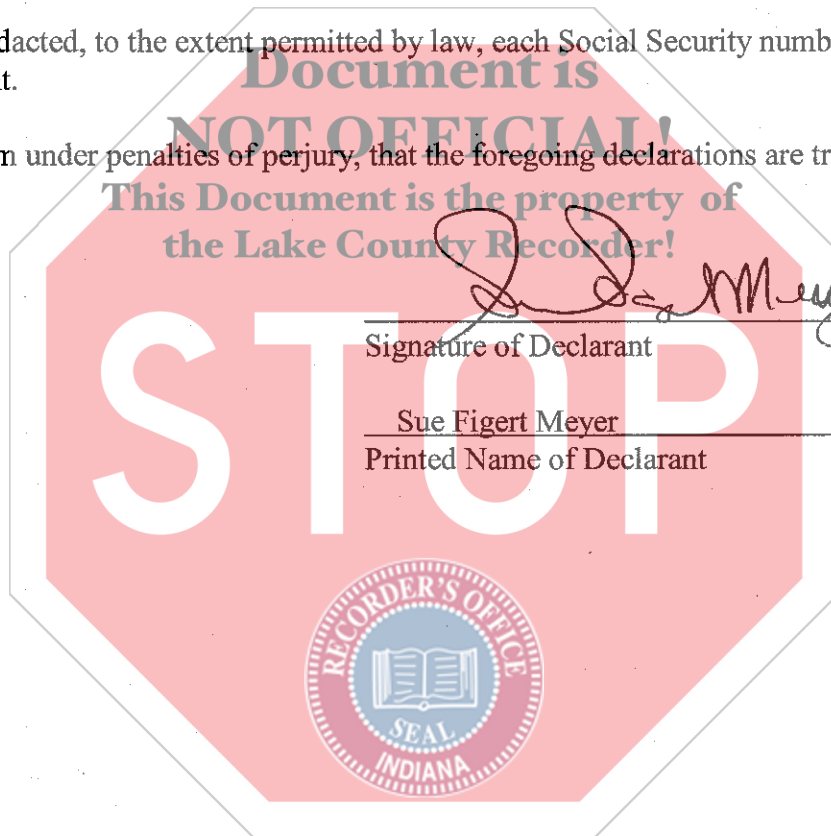
DECLARATION

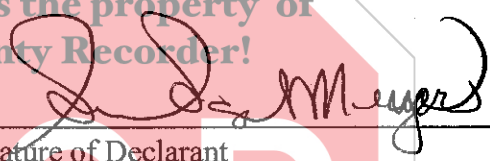
This form is to be signed by the preparer of a document and recorded with each document in accordance with I.C. 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with I.C. 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under penalties of perjury, that the foregoing declarations are true.



  
\_\_\_\_\_  
Signature of Declarant

Sue Figert Meyer  
\_\_\_\_\_  
Printed Name of Declarant