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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2006 022077

2006 MAR 16 PM 4:17

MICHAEL A. BROWN
RECORDER

**NOTICE OF INTENTION TO
HOLD MECHANIC'S LIEN**

**Owner: Summertree Investors, LLC
9616 Indianapolis Blvd.
Highland, IN 46322**

You are hereby notified that the undersigned, Rieth-Riley Construction Co., Inc., an Indiana corporation, ("Lienholder") with an Area Office located at 7500 W. 5th Avenue, Gary, Indiana, intends to hold, and does hereby hold, a mechanic's lien, in the amount described below, upon the real estate and improvements thereon, located in Center Township, Lake County, Indiana, and more particularly and legally described as follows:

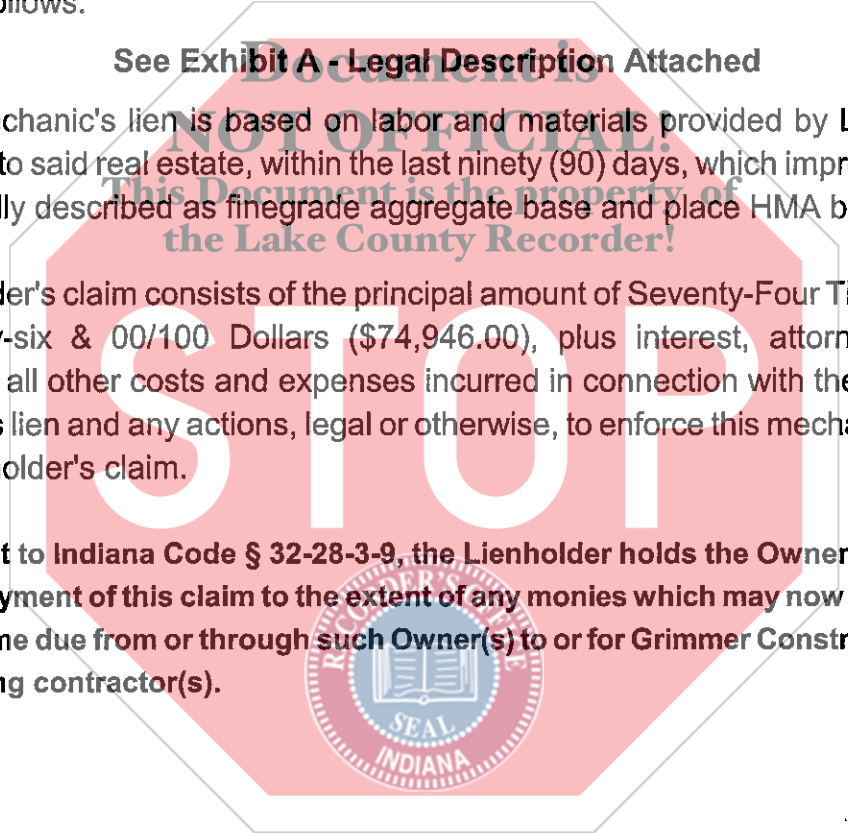


See Exhibit A - Legal Description Attached

This mechanic's lien is based on labor and materials provided by Lienholder for improvements to said real estate, within the last ninety (90) days, which improvements are more specifically described as finegrade aggregate base and place HMA binder course.

Lienholder's claim consists of the principal amount of Seventy-Four Thousand Nine Hundred Forty-six & 00/100 Dollars (\$74,946.00), plus interest, attorney fees and expenses, and all other costs and expenses incurred in connection with the recording of this mechanic's lien and any actions, legal or otherwise, to enforce this mechanic's lien and to collect Lienholder's claim.

Pursuant to Indiana Code § 32-28-3-9, the Lienholder holds the Owner(s) personally liable for the payment of this claim to the extent of any monies which may now be due or may hereafter become due from or through such Owner(s) to or for Grimmer Construction, Inc. or other intervening contractor(s).



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ck# 6852
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W. Douglas Robinson, being first duly sworn on oath, under the penalties of perjury, deposes and states that he is an Regional Vice President Cal-Region for Lienholder, that as such Regional Vice President Cal-Region and on behalf of and as authorized and empowered by said Lienholder, he has executed this Notice of Intention to Hold Mechanic's Lien and that the facts, statements and contents set forth herein are true to the best of my knowledge, information and belief.

Dated this 16th day of March, 2006.

RIETH-RILEY CONSTRUCTION CO., INC.

By: *W. Douglas Robinson*
W. Douglas Robinson
Regional Vice President Cal-Region

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared W. Douglas Robinson, Regional Vice President Cal-Region for Rieth-Riley Construction Co., Inc., who acknowledged the execution of the foregoing 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 to the best of his knowledge, information and belief.

Witness my hand and Notarial Seal this 16th day of March, 2006.

My Commission Expires:
Nov. 17, 2006

Stacy Jovanovich
Stacy Jovanovich, Notary Public
Residing in Lake County, Indiana

This instrument prepared by Francis J. Gantner, General Counsel, Rieth-Riley Construction Co., Inc., 3626 Elkhart Road, P.O. Box 477, Goshen, Indiana 46527-0477.

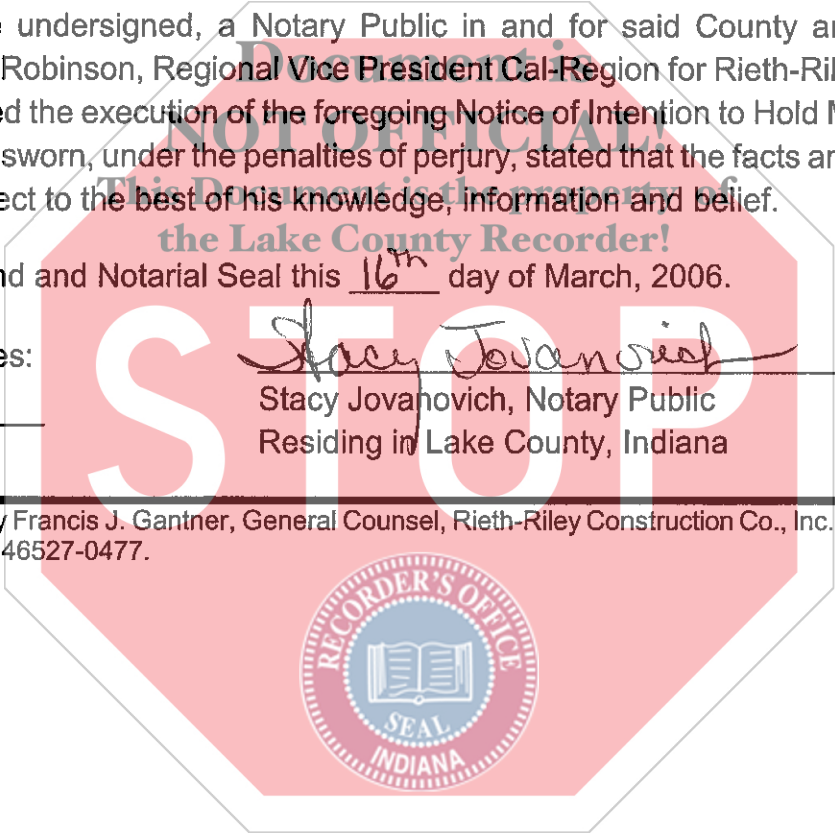


EXHIBIT A

LEGAL DESCRIPTION

The following described real estate in Lake County, in the State of Indiana: Part of Section 2, Township 34 North, Range 8 West of the Second Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of said Section 2; thence North 89 degrees 58 minutes 11 seconds East along the North line of said Section 2, 2390.50 feet to the point of beginning; thence South 00 degrees 07 minutes 53 seconds East parallel with the North South center line of said Section, 522.31 feet; thence North 89 degrees 58 minutes 11 seconds East parallel with the North line of said Section 2, 394.08 feet to the East line of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 2; thence South 00 degrees 04 minutes 44 seconds East along the said East line, 154.94 feet to the North line of the South 5 acres of the West One Half East One half of the Northwest Quarter of the Northeast Quarter of said Section 2; thence North 89 degrees 49 minutes 38 seconds East along the said North line, 332.36 feet to the West line of Hunter Point, as per plat thereof recorded in Plat Rook 78 page 14, in the Office of the Recorder of Lake County, Indiana; thence South 00 degrees 3 minutes 09 seconds East along the said West line, 655.61 to the Southwest corner of said Hunter Point; thence North 89 degrees 58 minutes 11 seconds East, 332.06 feet to the Southeast corner of said Hunter Point, said point also being the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 2; thence South 00 degrees 01 minutes 33 seconds East along the East line of said Southwest Quarter, 1324.26 feet to the Southeast corner of said Southwest Quarter, said corner also being the Northwest corner of the West Half of the West Half of the Northeast Quarter of the Southeast Quarter, thence North 89 degrees 52 minutes 12 seconds East along the North line of said West Half, 331.45 feet to the Northeast corner of said West half, thence South 00 degrees 00 minutes 02 seconds West along the East line of said West Half, 281.14 feet; thence South 89 degrees 58 minutes 11 seconds West parallel with the North line of said Section 2, 396.18 feet; thence South 10 degrees 00 minutes 00 seconds West, 165.17 feet; thence South 45 degrees 00 minutes 00 seconds West, 99.20 feet thence North 90 degrees 00 minutes 00 seconds West, 110.00 feet; thence North 34 degrees 00 minutes 00 seconds West, 160.00 feet; thence North 00 degrees 00 minutes 02 seconds East parallel with the East line of the West Half of the West Half of the Northeast Quarter of the Southeast Quarter of said Section 2; 486.67 feet; thence North 05 degrees 41 minutes 02 seconds West; 326.85 feet; thence North 18 degrees 02 minutes 40 seconds West 152.57 feet; thence North 18 degrees 35 minutes 43 seconds West 384.29 feet; thence North 30 degrees 29 minutes 11 seconds West 327.68 feet; thence North 64 degrees 53 minutes 50 seconds West, 133.47 feet; thence South 74 degrees 25 minutes 16 seconds West, 160.17 feet; thence North 00 degrees 06 minutes 18 seconds West, 386.73 feet; thence South 89 degrees 53 minutes 42 seconds West, 61.46 feet; thence North 00 degrees 07 minutes 53 seconds West parallel with the North South centerline of said Section 2, 318.03 feet to a point 713.78 feet South of the North line of said Section 2 as measured with the North South centerline of said Section 2; thence South 89 degrees 44 minutes 17 seconds West 371.85 feet; South 00 degrees 22 minutes 53 seconds East, 236.25 feet; thence South 89 degrees 50 minutes 44 seconds West, 340.31 feet; thence North 28 degrees 56 minutes 52 seconds West, 248.43 feet; thence North 61 degrees 02 minutes 22 seconds West, 350.92 feet; thence South 49 degrees 15 minutes 45 seconds West, 440.10 feet; thence South 42 degrees 34 minutes 42 seconds West, 191.65 feet; thence South 56 degrees 00 minutes 00 seconds West 341.46 feet; thence North 82 degrees 12 minutes 41 seconds West, 57.10 feet; thence North 07 degrees 47 minutes 19 seconds East, 361.34 feet; thence North 58 degrees 58 minutes 48 seconds West 95.92 feet; to the centerline of Deep River; thence North 08 degrees 52 minutes 17 seconds East along the centerline of said Deep River, 204.61 feet; thence North 10 degrees 33 minutes 12 seconds East continuing along said centerline 576.08 feet to the North line of said Section 2, thence North 89 degrees 58 minutes 11 seconds East along the North line of said Section 2, 1845.21 feet to the point of beginning. EXCEPTING THEREFROM THE FOLLOWING: That parcel described as the South 5 acres of the West Half of the East Half of the Northwest Quarter of the Northeast Quarter of Section 2, Township 34 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, incorporated into the legal description herein.

RECORDING DECLARATION

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

I, the undersigned preparer of the attached document, in accordance with IC 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 the penalties of perjury, that the forgoing declarations are true.

