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2008 065667

CLERK OF SUPERIOR COURT  
LAKE COUNTY, INDIANA  
FILED FOR RECORD  
2008 SEP 16 PM 1:15

MICHAEL A. BROWN  
RECORDER

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

(file in duplicate)

To: ASCENT HOSPITALITY, INC.  
1701 Mount Pleasant Street  
Burlington, Iowa 52601

ASCENT HOSPITALITY, INC.  
3564 Hintocks Circle  
Carmel, IN 46032

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 Total Disposal, Inc., 100 Blaine Street, Gary, IN 46406, intends to hold a lien on the real estate commonly known as Hilton Garden Inn, 7555 Mississippi Street, Merrillville, Indiana 46140, and legally described as follows:

A parcel of land in the North One-half (N 1/2) of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Ross Township, Lake County, Indiana, lying Southwesterly of the 100 foot right-of-way of the Chesapeake and Ohio Railroad, being more particularly described as follows:  
Commencing at the Northwest corner of said Section 23; thence South 02 degrees, 42 minutes, 00 seconds East (assumed bearing) along the West line of said Section, a distance of 1258.66 feet to a point being 416.46 feet South of the Southerly line of the 100 foot right-of-way of the Chesapeake and Ohio Railroad, as measured along said West line; thence North 87 degrees, 18 minutes, 00 seconds East, at a right angle from said West line, a distance of 55.00 feet to the Southeast corner of the City of Hobart Tract, as conveyed by Warranty Deed recorded July 16, 1999, as Document Number 99058823 in the Office of the Recorder of Lake County, Indiana, said corner also being the Point of Beginning of the parcel described herein; thence continuing North 87 degrees, 18 minutes, 00 seconds East, a distance of 666.33 feet to the intersection with said Southerly line of the 100 foot right-of-way of the Chesapeake and Ohio Railroad; thence North 62 degrees, 42 minutes, 00 seconds West along said Southerly line, a distance of 758.89 feet to the Northeast corner of said City of Hobart Tract; thence South 00 degrees, 24 minutes, 15 seconds East along the East line of said City of Hobart Tract, a distance of 227.55 feet to the East corner of said City of Hobart Tract; thence South 02 degrees, 42 minutes, 8 seconds East continuing along said East line a distance of 152.08 feet to the Point of Beginning. Contains 2.92 acres, more or less.

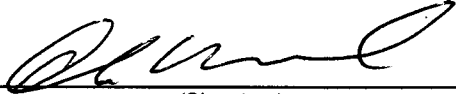
Key #53-153-1

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 Seven Thousand Four Hundred Ten and 03/100 Dollars (\$7,410.03), plus interest and attorney fees.

17.00  
OK # 1067  
gp  
EE

3. The work and labor were done and the materials and machinery were furnished by the undersigned within the last ninety (90) days.

  
\_\_\_\_\_  
(Signature)  
By: David E. Woodward,  
Attorney for Total Disposal, Inc

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF LAKE            )

Before me, a Notary Public for in and said County and State, personally appeared David E. Woodward, 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 for perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 10 day of September, 2008.

My commission expires \_\_\_\_\_ Signature   
 \_\_\_\_\_  
Resident of \_\_\_\_\_ County Printed Pamela R. Miller  
NOTARY PUBLIC

I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in the document unless required by law.

  
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This instrument prepared by: David E. Woodward, Attorney No. 15299-45, 9223 Broadway, Suite A, Merrillville, IN 46410, (219) 736-9990.

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