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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2009 025337

2009 APR 21 AM 10:16

MICHAEL A. BROWN  
RECORDER

**IDEAL HEATING AIR CONDITIONING AND REFRIGERATION, INC.**  
**SWORN STATEMENT AND NOTICE OF INTENTION**  
**TO HOLD MECHANIC'S LIEN**  
**(Dalton Apartments Renovation - Tower Building - Gary, IN)**

Date: April 14, 2009

TO: **Gary Progress Development, L.P.**  
c/o Shawn P. Loyden  
1149 36<sup>th</sup> Avenue NE  
St. Petersburg, FL 33704

**Gary Progress Development, L.P.**  
c/o Shawn P. Loyden  
1300 Michigan Street  
Gary, IN 46402

**Gary Progress Development, L.P.**  
c/o CT Corporation System  
251 East Ohio Street, Suite 1100  
Indianapolis, IN 46204  
(The above referred to herein as "Owners")

RE: Dalton Apartments Renovation - Tower Building  
121 - 137 East Fifth Avenue  
Gary, IN  
(Hereinafter referred to as the "Project")

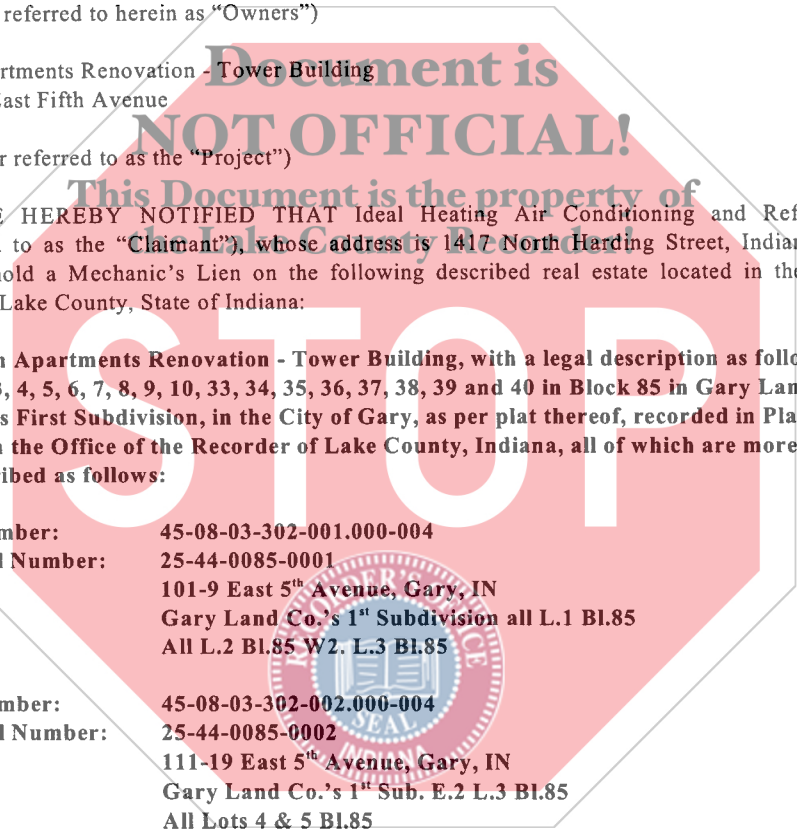
YOU ARE HEREBY NOTIFIED THAT Ideal Heating Air Conditioning and Refrigeration, Inc. (hereinafter referred to as the "Claimant"), whose address is 1417 North Harding Street, Indianapolis, Indiana 46202, intends to hold a Mechanic's Lien on the following described real estate located in the City of Gary, Calumet Township, Lake County, State of Indiana:

**The Dalton Apartments Renovation - Tower Building, with a legal description as follows:  
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 33, 34, 35, 36, 37, 38, 39 and 40 in Block 85 in Gary Land  
Company's First Subdivision, in the City of Gary, as per plat thereof, recorded in Plat Book 6,  
Page 15, in the Office of the Recorder of Lake County, Indiana, all of which are more particu-  
larly described as follows:**

**Parcel Number:** 45-08-03-302-001.000-004  
**Old Parcel Number:** 25-44-0085-0001  
**Address:** 101-9 East 5<sup>th</sup> Avenue, Gary, IN  
**Legal:** Gary Land Co.'s 1<sup>st</sup> Subdivision all L.1 Bl.85  
All L.2 Bl.85 W2. L.3 Bl.85

**Parcel Number:** 45-08-03-302-002.000-004  
**Old Parcel Number:** 25-44-0085-0002  
**Address:** 111-19 East 5<sup>th</sup> Avenue, Gary, IN  
**Legal:** Gary Land Co.'s 1<sup>st</sup> Sub. E.2 L.3 Bl.85  
All Lots 4 & 5 Bl.85

**Parcel Number:** 45-08-03-302-007.000-004  
**Old Parcel Number:** 25-44-0085-0005  
**Address:** 121-131 East 5<sup>th</sup> Avenue, Gary, IN  
**Legal:** Gary Land Co.'s 1<sup>st</sup> Subdivision all L.6 Bl.85  
All L.7 Bl.85 and L.8 Bl.85



26<sup>us</sup>  
12280  
E 12276  
RM

Parcel Number: 45-08-03-302-008.000-004  
Old Parcel Number: 25-44-0085-0006  
Address: 504-10 Connecticut S, Gary, IN  
Legal: Gary Land Co.'s 1<sup>st</sup> Sub. all L.9 B1.85  
All L.10 B1.85

Parcel Number: 45-08-03-302-003.000-004  
Old Parcel Number: 25-44-0085-0027  
Address: 521-35 Massachusetts, Gary, IN  
Legal: Gary Land Co.'s 1<sup>st</sup> Subdivision all Lots 37, 38, 39, 40  
B1.85


and all improvements thereon, and any leasehold interests therein, all of which is commonly known and identified as the Dalton Apartments Renovation Project, located at 121 - 137 East Fifth Avenue, Gary, Indiana 46402, to secure payment in the amount of One Hundred Fifty-Two Thousand Five Hundred Fifty-Five and 50/100 Dollars (\$152,555.50), plus attorneys' fees, contractual interest and all costs associated therewith, which sum is now owed the Claimant for labor, material, equipment and/or services, plus retainage, last furnished to and for the improvement of the Project by the Claimant within ninety (90) days of the date of recordation hereof, and consisting of the Claimant's subcontract work for the Project, including labor, materials, equipment and supervision related thereto.

The undersigned individual executing this instrument, having been duly sworn upon his oath, under the penalties of perjury, hereby states that Claimant intends to and hereby does hold a mechanic's lien upon the above described real estate and improvements and that the facts and matters set forth in this Sworn Statement and Notice of Intention to Hold Mechanic's Lien are true and correct.

IDEAL HEATING AIR CONDITIONING AND REFRIGERATION, INC.

Dated: April 14, 2009

By:

  
David R. Gooderum, President, acting for and on behalf of  
Ideal Heating Air Conditioning and Refrigeration, Inc.

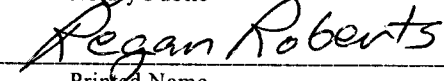
STATE OF INDIANA )  
                                  ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared David R. Gooderum of Ideal Heating Air Conditioning and Refrigeration, Inc., 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, affirmed that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 14 day of April, 2009.



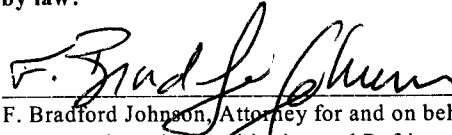
  
Notary Public

  
Printed Name

My Commission Expires: 9/29/2016

My County of Residence: Hendricks

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



F. Bradford Johnson, Attorney for and on behalf of  
Ideal Heating Air Conditioning and Refrigeration, Inc.

**RECORDER'S CERTIFICATE OF SERVICE**

The undersigned, being the duly elected and acting Recorder of Lake County, Indiana, hereby certifies that a duplicate copy of this Sworn Statement and Notice of Intention to Hold Mechanic's Lien asserted by Ideal Heating Air Conditioning and Refrigeration, Inc. (the "Claimant") was mailed by first class United States mail, postage prepaid, to the Owners named above within three (3) days after the date of recordation of this instrument.

Dated: April 21, 2009

By: 

Recorder, Lake County, Indiana

**Return to:**

F. Bradford Johnson, Attorney at Law, ITTENBACH JOHNSON TRETTIN & KOELLER, 6350 North Shadeland Avenue, Suite 4, Indianapolis, IN 46220. Telephone: (317) 842-5235; FAX: (317) 842-5256

**This instrument prepared by:**

F. Bradford Johnson, Attorney at Law, ITTENBACH JOHNSON TRETTIN & KOELLER, 6350 North Shadeland Avenue, Suite 4, Indianapolis, IN 46220. Telephone: (317) 842-5235; FAX: (317) 842-5256

