

2009 028762

2009 MAY -4 AM 9:43

MICHAEL A. BROWN  
RECORDER

**STENZ CONSTRUCTION CORPORATION  
SUPPLEMENTAL SWORN STATEMENT AND NOTICE  
OF INTENTION TO HOLD MECHANIC'S LIEN**

**[Dalton Apartments Renovation Project – Gary, IN]**

Date: April 30, 2009

TO:

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

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

**Gary Progress Development, L.P.**  
c/o CT Corporation System  
251 East Ohio St., Suite 1100  
Indianapolis, IN 46204

(Referred to below as "Owners")

**YOU ARE HEREBY NOTIFIED** that **STENZ CONSTRUCTION CORPORATION** (hereinafter called "Claimant"), whose address is 429 N. Pennsylvania Street, Indianapolis, IN 46204, 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 Project, 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 particularly described as follows:*

<b>Parcel No.:</b>	45-08-03-302-001.000-004
<b>Old Parcel No.:</b>	25-44-0085-0001
<b>Address:</b>	101 – 9 E. 5 <sup>th</sup> Ave.
<b>Legal:</b>	GARY LAND CO'S 1 <sup>ST</sup> SUBDIVISION ALL L.1 BL.85 ALL L.2 BL. 85 W2. L.3 BL.85

#13  
CK#  
16954  
CA

**Parcel No.:** 45-08-03-302-002.000-004  
**Old Parcel No.:** 25-44-0085-0002  
**Address:** 111 – 19 E. 5<sup>th</sup> Ave.  
**Legal:** GARY LAND CO'S. 1<sup>ST</sup> SUB. E2. L.3 BL.85 ALL  
LOTS 4 & 5 BL.85

**Parcel No.:** 45-08-03-302-007.000-004  
**Old Parcel No.:** 25-44-0085-0005  
**Address:** 121 – 31 E. 5<sup>th</sup> Ave.  
**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

**Parcel No.:** 45-08-03-302-008.000-004  
**Old Parcel No.:** 25-44-0085-0006  
**Address:** 504 – 10 Connecticut S  
**Legal:** GARY LAND CO'S. 1<sup>ST</sup>. SUB. ALL L.9 BL.85  
ALL L.10 BL. 85

**Parcel No.:** 45-08-03-302-003.000-004  
**Old Parcel No.:** 25-44-0085-0027  
**Address:** 521 – 35 Massachusetts  
**Legal:** GARY LAND CO'S. 1<sup>ST</sup> SUB. ALL LOTS 37,38,39 40  
BL.85

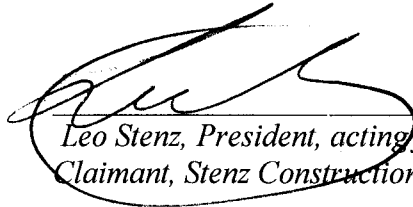
and on improvements thereon, and any leasehold interests therein, all of which is commonly known and identified as the Dalton Apartments Renovation Project, located at 121 – 137 East Fifth Avenue, Gary, Indiana 46402, to secure payment in the amount of One Million Six Hundred Seventy-Two Thousand Twelve Dollars and Twenty-Five Cents (\$1,672,012.25), plus attorney fees, contractual interest of eighteen percent (18%) and all costs associated therewith, which sum is owed to Claimant by Gary Progress Development, L.P., 1149 36<sup>th</sup> Ave. NE, St. Petersburg, FL 33704, for labor, materials, equipment and/or services, plus retainage, last furnished to and for improvement of the Project by Claimant within ninety (90) days of the date of recordation hereof, and consisting of the general construction work for the Project, including labor, materials, equipment and supervision in connection therewith, and additional and extra work related thereto.

This Mechanic's Lien includes and incorporates all amounts claimed in Claimant's February 26, 2009 Mechanic's Lien Notice against the Dalton Apartments Renovation Project, recorded on February 27, 2009 as Instrument No. 2009012715 in the Office of the Recorder of Lake County, Indiana.

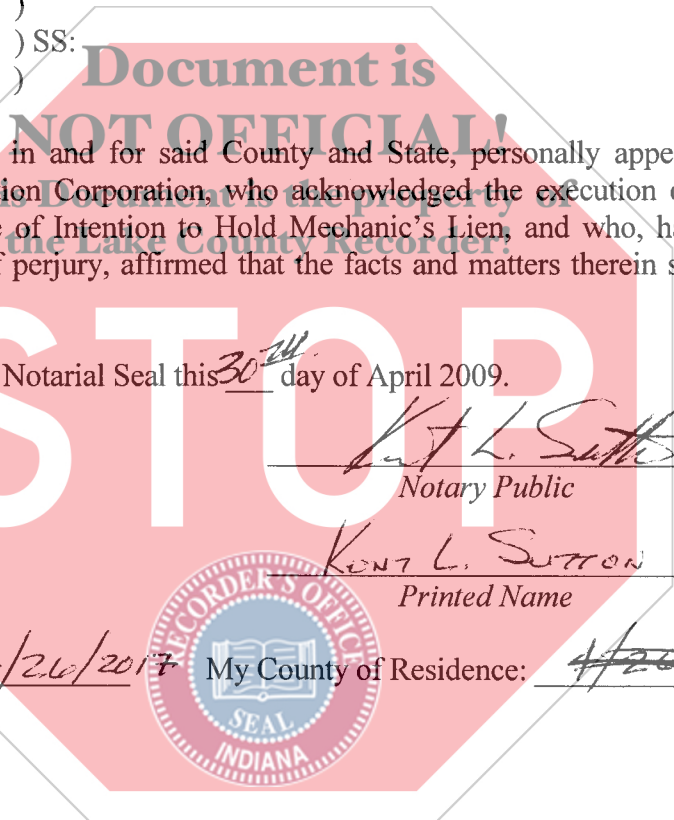
The undersigned individual executing this instrument, having been duly sworn upon his oath, under the penalties of perjury, hereby states that Claimant intends to and hereby does hold a mechanic's lien upon the above described real estate and improvements and that the facts and matters set forth in this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

STENZ CONSTRUCTION CORPORATION

Dated: April 30, 2009


  
 Leo Stenz, President, acting for and on behalf of  
 Claimant, Stenz Construction Corporation

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MARION )



Before me, a Notary Public in and for said County and State, personally appeared Leo Stenz, President of Stenz Construction Corporation, 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 30<sup>th</sup> day of April 2009.

  
 Notary Public

KENT L. SUTTON  
 Printed Name

My Commission Expires: 4/26/2017 My County of Residence: Madison

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law

\_\_\_\_\_  
*Daniel M. Drewry, Attorney for and on Behalf of  
Stenz Construction Corporation*

**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 Stenz Construction Corporation was mailed by first class United States mail, postage prepaid, to the Owners named above within three (3) business days after the date of recordation of this instrument.

Dated: April \_\_, 2009

By: \_\_\_\_\_  
Recorder, Lake County, Indiana



**RETURN TO:** Michael F. Drewry, Esq. and Daniel M. Drewry, Esq., **DREWRY SIMMONS VORNEHM, LLP**, 8888 Keystone Crossing, Suite 1200, Indianapolis, Indiana 46240. Telephone: (317) 580-4848; Telecopier: (317)580-4855.

**THIS INSTRUMENT PREPARED BY:** Michael F. Drewry, Esq. and Daniel M. Drewry, Esq., **DREWRY SIMMONS VORNEHM, LLP**, 8888 Keystone Crossing, Suite 1200, Indianapolis, Indiana 46240. Telephone: (317) 580-4848; Telecopier: (317)580-4855.