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**RELEASE AND FINAL WAIVER
OF MECHANIC'S LIEN
(BY SUBCONTRACTOR/SUPPLIER)**

2010 073937

TO WHOM IT MAY CONCERN:

WHEREAS, the undersigned, **ILLIANA REMEDIAL ACTION, INC., an Indiana for-profit domestic corporation whose address is 6550 Osborne Avenue, Hammond, Indiana 46320** (hereinafter "Subcontractor/Supplier"), was subcontracted by Merryman Excavation, Inc., having an address of 1501 Lamb Road, Woodstock, Illinois 60098 (hereinafter referred to as "Subcontractor"), a subcontractor to Synergy Group, Inc., having an address of 39400 Woodward Avenue, Suite 190, Bloomfield Hills, Michigan 48304 (hereinafter referred to as "Contractor") to furnish various labor, materials, and/or equipment, in regard to the supply and delivery of loads of sand, stone and/or earthen fill materials that benefited and improved a project for Menard, Inc. (hereinafter referred to as "Owner"), upon the real estate known as the Menard's Store located at 1233 165th Street, in Hammond, Lake County, Indiana (hereinafter "Project"), which real estate is more particularly and legally described as follows:

**Lot 1, Menards Commons Addition, an addition to the City of Hammond, Indiana, as per plat thereof recorded in the Office of the Recorder of Lake County, Indiana.
(Said Menards Common Addition, being a part of the Real Estate as formerly described in Exhibit A attached hereto).**

Real Estate Tax ID Number: 45-07-06-451-007.000-023

Common Address: 1233 165th Street, Hammond, Indiana 46320

The undersigned Subcontractor/Supplier, for and in consideration of payment made in the principal amount of **Fifteen Thousand Two Hundred Four Dollars and Eighty-Five Cents (\$15,204.85)**, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby **FINALLY WAIVE** and **FULLY RELEASE** as to Owner, Contractor and Subcontractor, and their successors and assigns, any and all liens or claims, or right to receive payment from the Owner, Contractor, or Subcontractor, existing under the statutes of the State of Indiana, including, but not limited to, the personal liability provisions of I.C. 32-28-3-9, or otherwise relating to mechanic's liens under I.C. 32-28-3-1 et seq., in regard to the Project, or on the above-described real estate and improvements thereon, and/or on the material, fixtures, apparatus, and/or machinery furnished, and/or on any monies, bonds,

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and/or other consideration due or to become due between the Owner, Contractor and Subcontractor on account of labor, services, material, fixtures, apparatus, and/or machinery heretofore and/or hereinafter furnished by the Subcontractor/Supplier, and that may relate to or have been delivered or provided to the Project, and specifically including that written Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien) existing in favor of the Subcontractor/Supplier, Illiana Remedial Action, Inc., and against the Owner that was filed in the office of the Recorder of Lake County, State of Indiana, on November 24, 2010, and recorded as **Document No. 2010-069496**, which lien is hereby declared fully **SATISFIED AND RELEASED.**

Dated this 14th day of December, 2010, at Hammond, Indiana.

Name of Subcontractor/Supplier: **ILLIANA REMEDIAL ACTION, INC.**

Signed By: James L. Hough, Jr.
James L. Hough, Jr., its President

STATE OF INDIANA)
COUNTY OF LAKE) SS:

Before me, a Notary Public in and for said County and State, personally appeared James L. Hough, Jr., known by me to be the President of Illiana Remedial Action, Inc., who signed the foregoing Release and Final Waiver of Mechanic's Lien (By Subcontractor/Supplier) as his free and voluntary act on behalf of said entity on this 14th day of December, 2010.

My Commission Expires:

Oct. 05, 2018

Anita A. Bayer
Anita A Bayer, Notary Public and a
Resident of Lake County, Indiana

This Instrument was prepared by: Patrick A. Mysliwy, Attorney at Law (Indiana Attorney No. 10002-45)
Maish & Mysliwy, Attorneys at Law, 53 Muenich Court, Hammond,
IN 46320

Preparer's Certification

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.

Patrick A. Mysliwy
Patrick A. Mysliwy, Attorney at Law
(Preparer)

AFTER RECORDING MAIL TO:

Menard's Inc.
4777 Menard Drive
Eau Claire, WI 54703

EXHIBIT A

PARCEL A.

Lot 4, in Columbia Avenue Business Park (a Planned Unit Development), Phase 2, an Addition to the City of Hammond, as per plat thereof, recorded in Plat Book 94, page 27, in the Office of the Recorder of Lake County, Indiana.

Part of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, being more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 6; thence North 00 degrees 00 minutes 40 seconds East, along the West line of the Southeast Quarter of said Section 6, a distance of 798.36 feet; thence North 88 degrees 32 minutes 00 seconds East, a distance of 895.30 feet, to the point of beginning; thence Northerly, along the West line of former Willard Avenue (vacated by the City of Hammond, Resolution No. 7034) a distance of 424.02 feet; thence Southeasterly, along a curve concave to the Southwest, having a radius of 115.60 feet, an arc distance of 0.20 feet; thence Southeasterly, parallel to the Westerly line of the property owned by Illiana Transit Warehouse, a distance of 486.59 feet; thence Southwesterly, along the Southwesterly extension of the Westernmost line of property owned by Illiana Transit Warehouse, a distance of 45.19 feet; thence South 88 degrees 32 minutes 00 seconds West, a distance of 254.41 feet to the point of beginning, in the City of Hammond, Lake County, Indiana.

Part of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, being more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 6; thence North 00 degrees 00 minutes 40 seconds East, along the West line of the Southeast Quarter of said Section 6, a distance of 828.36 feet; thence North 88 degrees 32 minutes 30 seconds East, a distance of 315.10 feet; thence North 00 degrees 00 minutes 40 seconds East, a distance of 140.00 feet to the point of beginning; thence continuing North 00 degrees 00 minutes 40 seconds East, a distance of 316.89 feet to a point on the South right-of-way line of Kenwood Avenue; thence South 89 degrees 48 minutes 02 seconds East, along said South line, a distance of 486.97 feet, to a point of curve; thence Southeasterly along said curve, concave to the Southwest, having a radius of 115.60 feet, an arc distance of 106.91 feet; thence Southerly, along the West line of former Willard Avenue (vacated by the City of Hammond, Resolution No. 7034), a distance of 254.02 feet; thence South 88 degrees 32 minutes 00 seconds West, a distance of 580.20 feet, to the point of beginning, all in the City of Hammond, Lake County, Indiana.

PARCEL B:

PARCEL 1:

That part of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, North Township, Lake County, Indiana, described as follows: Beginning at the Southwest corner of the Southeast Quarter of said Section 6 and running thence East along the South line of said Southeast Quarter a distance of 920.02 feet; thence North at right angles to said South line a distance of 798.09 feet; thence West along a line parallel to the South line of said Southeast Quarter a distance of 899.43 feet to the West line of said Southeast Quarter; thence Southerly on the West line of said Southeast Quarter a distance of 798.36 feet to the point of beginning, except that part deeded to the City of Hammond for street purposes by Quit Claim Deed recorded October 23, 1975 as Document No. 322317, made by Minwick Centers of Indiana, Inc. (formerly known as Shop Lease Co., of Indiana, Inc.) described as follows: Beginning at a point 30.0 feet North and 50.0 feet East of the Southwest corner of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian; thence East on a line parallel to and 30.0 feet North of the South line of the Southeast Quarter of said Section 6, a distance of 870.02 feet; thence North at right angles to the South line of the Southeast Quarter of said Section 6, a distance of 2.0 feet; thence West on a line parallel to and 32.0 feet North of the South line of the Southeast Quarter of said Section 6, a distance of 22.2 feet, more or less, to a point which is 898.0 feet East of the West line of the Southeast Quarter of said Section 6; thence Northwesterly a distance of 120.13 feet, more or less, to a point, said point lying 37.5 feet North and 778.0 feet East of the Southwest corner of the Southeast Quarter of said Section 6; thence West on a line parallel to and 37.5 feet North of the South line of the Southeast Quarter of said Section 6, a distance of 400.0 feet to a point which is 377.0 feet East of the West line of the Southwest corner of Southeast Quarter of said Section 6; thence Northwesterly a distance of 146.90 feet to a point, said point lying 48.5 feet North and 231.5 feet East of the Southwest corner of the Southeast Quarter of said Section 6; thence West on a line parallel to and 48.5 feet North of the South line of the Southeast Quarter of said Section 6, a distance of 150.0 feet to a point which is 81.5 feet East of the West line of the Southwest corner of the Southeast Quarter of said Section 6; thence Northwesterly a distance of 32.53 feet to a point, said point lying 71.5 feet North and 58.5 feet East of the Southwest corner of the Southeast Quarter of said Section 6; thence North on a line parallel to and 58.5 feet East of the West line of the Southeast Quarter of said Section 6, a distance of 150.00 feet; thence Northwesterly a distance of 136.26 feet, more or less, to a point, said point lying 357.5 feet North and 50.0 feet East of the Southwest corner of the Southeast Quarter of said Section 6; thence South on a line parallel to and 50.0 feet East of the West line of the Southeast Quarter of said Section 6, a distance of 327.5 feet to the place of beginning, being dedicated to the public as street right of way, consisting of 11,189.65 square feet, more or less, all in the City of Hammond, Lake County, Indiana; Resolution No. 2377;

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE: Lot 1, McDonald's Columbia Avenue Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 99, page 33, in the Office of the Recorder of Lake County, Indiana.

EXHIBIT A CON'T

PARCEL 2:

A part of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, North Township, Lake County, Indiana, described as beginning at a point on the East line of the 50 foot wide dedicated East Half of Columbia Avenue and the North line of dedicated 30 foot wide Cleveland Street as described in Deed Record 1311, page 350, in the Recorder's Office, Lake County, Indiana, said point is found by going North 0 degrees 0 minutes 40 seconds East on the North-South centerline of said Section 6, a distance of 828.36 feet from the Southwest corner of said Southeast Quarter and thence North 88 degrees 32 minutes East 50.00 feet on the North line of dedicated Cleveland Street; thence continuing North 88 degrees 32 minutes East on the North line of dedicated Cleveland Street, 265.10 feet; thence North 0 degrees 0 minutes 40 seconds East on a line parallel to and 120 feet East of the East line of a 20 foot wide alley dedicated with Hawkins Second Addition to Hammond, as appears of record in Plat Book 20, page 51, in the Recorder's Office, Lake County, Indiana, a distance of 457.12 feet to the South line of dedicated Kenwood Street; thence on the South line of dedicated Kenwood Street, 120 feet to the East line of aforesaid 20 foot wide alley; thence South 0 degrees 0 minutes 40 seconds West 326.51 feet; thence North 89 degrees 38 minutes 40 seconds West on the South line of dedicated Moss Street, 145.00 feet to the East line of dedicated Columbia Avenue; thence South 0 degrees 0 minutes 40 seconds West 138.29 feet to the place of beginning.

PARCEL 3:

A 30-foot wide dedicated street known as Cleveland Street as recorded in Deed Record 1311, page 351, Commencing at the East 50-foot right of way line of Columbia Avenue, in the City of Hammond, North Township, Lake County, Indiana, said point of beginning and description from the deed of dedication being more particularly described as follows: A parcel of land in the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, North Township, Lake County, Indiana, described as beginning at a point in the East line of Columbia Avenue in the North line of property owned by Libby, McNeill and Libby and described in Deed Record 836, pages 221 to 229, in the Recorder's Office, Lake County, Indiana; thence North 88 degrees 32 minutes East on said North line 838 feet, more or less, to the West line of here dedicated 50-foot wide Willard Avenue; thence North 0 degrees 09 minutes West on said West line of Willard Avenue, 30 feet; thence Westerly parallel to and 30 feet Northerly of aforesaid 838-foot line, 838 feet, more or less, to the East line of Columbia Avenue; thence Southerly on the East 50-foot right-of-way line of Columbia Avenue, 30 feet to the point of beginning. This is a 30-foot wide prior dedication of Cleveland Street from the 50-foot East right-of-way line of Columbia Avenue to the West line of 50-foot wide Willard Avenue, as dedicated aforesaid Deed Record 1311, pages 350 and 351, Lake County, Indiana Recorder's Office.

PARCEL 4:

Part of the Southeast Quarter of Section 6, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, North Township, Lake County, Indiana, described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 6, running thence North along the North-South centerline of said Section 6, a distance of 828.36 feet to a line parallel to and 30 feet North of the North line of property once owned by Libby, McNeill and Libby as described in Deed Record 836, pages 221 through 229, in the Recorder's Office, Lake County, Indiana; thence North 88 degrees 32 minutes 00 seconds East on said 30-foot parallel line for a distance of 315.0 feet to the true point of beginning; thence continuing North 88 degrees 32 minutes 00 seconds East for a distance of 580.2 feet, to the West line of vacated Willard Avenue (Street); thence North on said West line of vacated Willard Avenue (Street) a distance of 140.0 feet to a line that is parallel to and 170.0 feet North of said North line of the Libby, McNeill and Libby property; thence West on said 170-foot parallel line 580.2 feet to a line parallel to and 120 feet East of the East line of a 20-foot wide alley dedicated with Hawkins Second Addition to Hammond, as shown in Plat Book 20, page 51, in Lake County, Indiana; thence South 00 degrees 00 minutes 40 seconds West on said 120-foot parallel line 140 feet to the point of beginning.

PARCEL 5:

Lot 1, McDonald's Columbia Avenue Addition, in the City of Hammond, as per plat thereof, recorded in Plat Book 99, page 33, in the Office of the Recorder of Lake County, Indiana.