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

TO OWNER: Aldi LP

197 E. Division Rd.

Valparaiso, Indiana 46383

Aldi (Indiana) L.P. P.O. Box 1398

Valparaiso, Indiana 46384

Aldi (Indiana) L.P. 9921 Earl Drive St. John, Indiana 46373

Aldi (Indiana) L.P. 486 E. Stop 18 Rd.

Greenwood, Indiana 46142

STATE OF INDIANA)) SS: COUNTY OF LAKE)

The undersigned, being first duly sworn, makes this sworn statement of intention to hold a lien upon the property described below and says that:

1. The undersigned, **SITE SERVICES, INC.,** an Indiana for-profit domestic corporation having its principal place of business located at 10117 Kennedy Avenue, Highland, Indiana 46322, and having been contracted with by Covenant Building Corporation, the general contractor pursuant to a contract with Aldi (Indiana) L.P., the owner of the real estate described below, and/or the agent of said owner, to perform various asphalt pavement, stone base, and related work for the construction of the Aldi Retail Facility #31 located at 9921 Earl Drive, St. John, IN 46373 (hereinafter "Project"), intends to hold a mechanic's lien on the land, improvements and fixtures erected thereon, and on your interest as the owner of the real estate commonly known as 9921 Earl Drive, St. John, IN 46373 and legally described as follows:

Lot 4 in St. John Square, an Addition to the Town of St. John, as per plat thereof, recorded in Plat Book 99 page 42, in the Office of the Recorder of Lake County, Indiana.

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#23-CS CA Real Estate Parcel Number: 45-11-33-352-003.000-035

(Old Parcel No.: 22-12-0295-0004)

as well as on all buildings, other structures, improvements, and fixtures located thereon or connected therewith for work and labor done and for materials and machinery furnished by the undersigned in the installation, erection, construction, altering, repairing, and/or removing of said buildings, structures, improvements, sitework, and/or fixtures for such work and labor and for such materials and machinery located upon said real estate, the improvements thereon, and/or any leasehold interest in said real estate and/or improvements thereon.

- 2. The amount claimed under this statement is One Hundred Seventy-Nine Thousand Three Hundred Eight and 00/100 Dollars (\$179,308.00), plus interest thereon, and attorney's fees and costs.
- 3. The work and labor were done and the material and machinery were furnished by the undersigned within the last ninety (90) days.

SITE SERV

Randall J De Vries, Its President and

Its Authorized Agent

STATE OF INDIANA)

) SS:

COUNTY OF LAKE

Before me, a Notary Public, in and for said County and State, personally appeared, Randall J. DeVries, as President and Authorized Agent of Site Services, Inc., who acknowledged the execution of the foregoing Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien) on behalf of said corporation, and who, having been duly sworn, under the penalties of perjury, stated that the facts and matters therein set forth are true and correct.

Witness my hand and Notarial Seal this 16th day of December, 2010.

My Commission Expires: $\frac{10/17/15}{17/15}$ Signature: Koron M. Printed:

A Notary Public for the State of Indiana and a Resident of Lake County, Indiana

CERTIFICATE OF MAILING

I hereby certify that I have on this 20th day of December, 2010, mailed a duplicate of this Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien) by first class mail, postage prepaid, to the within named property Owner at the following addresses:

Aldi LP 197 E. Division Rd. Valparaiso, Indiana 46383

Aldi (Indiana) L.P. P.O. Box 1398 Valparaiso, Indiana 46384 Aldi (Indiana) L.P. 9921 Earl Drive St. John, Indiana 46373

Aldi (Indiana) L.P. 486 E. Stop 18 Rd. Greenwood, Indiana 46142

Recorder of Lake County, Indiana

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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.

Stephen M. Maish (Preparer

THIS INSTRUMENT PREPARED BY: Stephen M. Maish, Esq.

MAISH & MYSLIWY, Attorneys at Law

53 Muenich Court

Hammond, Indiana 46320

RETURN TO: MAISH & MYSLIWY, Attorneys at Law 53 Muenich Court Hammond, Indiana 46320

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