

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

To: Ron Austgen and Lake Real Estate Management Company, LLC
 801 E. Main Street 29375 W. 10 Mile Rd.
 Griffith, IN 46319 Farmington, MI 48336

2011 AUG 11 04:42:43

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. Claimant, Biesen Excavating, Inc., of 521 E. Ridge Road, Griffith, IN 46319, intends to hold a lien on land commonly known as Taco Bell; 105 E. Ridge Road; Griffith, Indiana 46319, legally described in the transfer books of the Lake County Auditor, according to Indiana 6-1.1-5-4.

For the Lake County Auditor's Office tax year 2010 payable 2011 as follows:
 W 100 FT. E 300 FT. S 15 1/2 A. OF W2 NE NW EX. S 500 FT. S.26 T.36 R.9 1.20 AC.

As further listed by the Lake County Auditor's Office tax year 2012 payable 2013;
 Griffith Taco Bell Sub Lot 1

But with the Lake County Recorder's Office long description, of a larger parcel as follows:
 Part of the West 100 feet of the East 300 feet of the South 15 1/2 acres of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 (Except the South 500 Feet thereof) in section 26, Township 36 North Range 9 West of the 2nd Principal Meridian, in the Town of Griffith, Lake County, Indiana, More particularly described as follows: Commencing at a point on the Northeast corner of the 3700 addition to the town of Griffith, Lake County, Indiana, as recorded in Plat Book 41, Page 121, in the recorder's office of Lake County, Indiana, said point of commencement being on the centerline of Ridge Road (State Route 6); Thence (Recorded South 82 Degrees 59 Minutes 30 Seconds East) along said centerline of Ridge Road (State Route 6) for a distance of 100.91 Feet to the point of beginning; Thence continuing (Record South 82 Degrees 59 Minutes 30 Seconds East) along said centerline of Ridge Road (State Route 6) for a distance of 101.01 feet; Thence South 1 Degree 29 Minutes 48 Seconds East along a line for a distance of 455.60 feet to an iron pipe; thence South 88 Degrees 58 Minutes 53 Seconds West along a line for a distance of 99.89 feet to an iron pipe; thence North 1 Degree 29 Minutes 56 Seconds West along a line of a distance of 469.47 feet to said point of beginning; Except therefrom all that part lying North of the Southernly Right-of-Way line of said Ridge Road (State Route 6).
 and commonly known as **TACO BELL; 105 EAST RIDGE ROAD; GRIFFITH, INDIANA 46319**

as well as on 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 Thirty Seven Thousand Nine Hundred Forty and 40/100 Dollars (\$37,940.40).
3. The work and labor were done and the materials and machinery were furnished by the undersigned within the last ninety (90) days.

Biesen Excavating, Inc.

STATE OF INDIANA)
) SS:
 COUNTY OF LAKE)

By: [Signature]
 Colby A. Barkes, Its Attorney

Before me, a Notary Public, in and for said County and State, personally appeared Colby A. Barkes, Attorney for Biesen Excavating, Inc., who acknowledged the execution of the foregoing Sworn Statement and Notice of Intention to Hold Lien, 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 11th day of August, 2011.

[Signature]
 Elizabeth M. Benigenburg, Notary Public

My Commission Expires: May 21, 2016
 My County of Residence: Lake

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document and its attachments, if any, unless required by law.

By: [Signature]

I hereby certify that I have this _____ day of August, 2011, mailed a duplicate of this notice, Certified Mail with Return Receipt Requested, to the within named property owner(s), Ron Austgen, at 801 E. Main Street, Griffith, IN 46319 and Lake Real Estate Management Company, LLC, at 29375 W. 10 Mile Rd. Farmington, MI 48336.

Recorder of Lake County

AMOUNT \$ 130
 CASE # _____
 CHECK # _____
 OVERAGE _____
 COPY _____
 NON COM _____
 CLERK AD

This instrument prepared by: Colby A. Barkes, Johnson, Rappa & Ivancevich, LLC, 250 E. 90th Drive, Merrillville, IN 46410