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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2011 051610

2011 SEP 20 AM 11:24

MICHELLE D. FAJMAN  
RECORDER

**STATEMENT OF INTENTION TO HOLD MECHANICS' LIEN**

William E. Smith, III (Indiana Attorney #170-10), authorized attorney for Claimant, HD Supply Waterworks, LTD, 1805 Borman Circle Drive, St. Louis, MO 63146, being duly sworn upon oath, hereby deposes and provides the following sworn statement:

**Notice**

1. That this Notice is directed to Merrillville Lakes, LLC, owner of real estate located in Lake County, Indiana, with notice to be mailed to:



111100 / 14339521

AMOUNT \$ 29<sup>00</sup>  
 CASH \_\_\_\_\_ CHARGE \_\_\_\_\_  
 CHECK # 1156  
 OVERTAGE \_\_\_\_\_  
 COPY \_\_\_\_\_  
 NON-COM \_\_\_\_\_  
 CLERK AB

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**To Contractor:**

Herman & Kittle Properties, Inc.  
c/o Jeffrey L. Kittle  
Registered Agent  
500 East 96<sup>th</sup> Street, Suite 300  
Indianapolis, IN 46240

Fire Systems, Services, Inc.  
c/o Kevin R. Crawmer  
Registered Agent  
1424 Sadlier Circle East Drive  
Indianapolis, IN 46239

**Ownership And Description**

2. That on or about March 17, 2008, Merrillville Lakes, LLC, by means of a Trustee's Deed recorded as Instrument No. 2008060361 in the Lake County Recorder's Office, became the owner of a certain piece of real estate situated in Lake County, Indiana, commonly known as The Residences at Merrillville Lakes, 8400 Grant Circle, Merrillville, IN 46410, (hereinafter referred to as the "Property") and more particularly described in Exhibit "A" attached hereto and incorporated by reference as though fully set forth herein.

**Contract**

3. That Claimant entered into a contract with Fire Systems Services, Inc., wherein Claimant was obligated to supply certain materials to be used in the improvement of the property. Pursuant

to said contract, Claimant supplied materials for the improvement of said property. Claimant last supplied materials to the property within the last ninety [90] days.

**Lien Claim**

4. That there is now due and owing and unpaid to the Claimant for said performance the sum of Fifty Eight Thousand Seven Hundred Eight Dollars and Seventy-nine Cents [\$58,708.79] for which Claimant hereby declares its intention to hold a Mechanics' Lien against the above-described property.

**Authority**

5. That the undersigned is the authorized attorney for the Claimant and is specifically authorized to make this sworn statement.

DATED: \_\_\_\_\_

9/19/11

*I affirm under the penalties for perjury that the foregoing representations are true.*



BY: \_\_\_\_\_

*William E. Smith, III*  
William E. Smith, III, Atty. No. 170-10

Attorney for HD Supply Waterworks, LTD

STATE OF INDIANA ]  
  :SS  
COUNTY OF Floyd ]

Before me, a Notary Public in and for said County and State, personally appeared William E. Smith, III, authorized attorney for Claimant, HD Supply Waterworks, LTD, and acknowledged the execution of the above and foregoing Statement of Intention to Hold Mechanics' Lien.

Subscribed and sworn to before me this 19th day of September, 2011.

Susan L. King  
\_\_\_\_\_  
Notary Public (Signature)

Susan L. King  
Notary Public State of Indiana  
Clark County  
My Commission Exp June 5th 2016

\_\_\_\_\_  
Notary Public (Printed)  
\_\_\_\_\_  
County of Residence  
\_\_\_\_\_  
My Commission Expires

Document is NOT OFFICIAL! This Document is the property of the Lake County Recorder!

**S O P**

THIS INSTRUMENT PREPARED BY:  
KIGHTLINGER & GRAY, LLP  
By: William E. Smith, III, Atty. No. 170-10  
Attorneys at Law  
Bonterra Building, Suite 200  
3620 Blackiston Blvd.  
New Albany, IN 47150  
PHONE: (812) 949-2300  
FAX: (812) 949-8556  
[wsmith@k-glaw.com](mailto:wsmith@k-glaw.com)

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. William E. Smith, III

No: 920074289

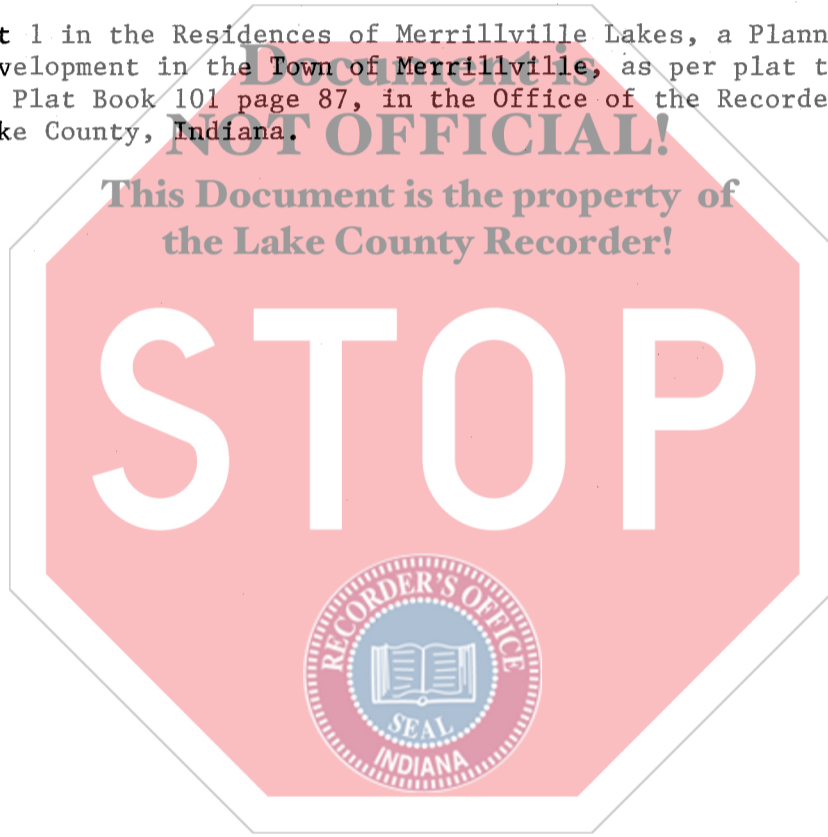
### LEGAL DESCRIPTION

Part of the Final Plat of Polo Club Apartments recorded in Plat Book 70 page 50 and the Amended Final Plat of Polo Club Apartments, a Planned Unit Development, in the Town of Merrillville, as per plat thereof, recorded in Plat Book 77 page 41, in the Office of the Recorder of Lake County, Indiana., more particularly described as follows:

Part of Southeast 1/4 of Section 20 and also part of the Northeast 1/4 of Section 29, Township 35 North, Range 8 West of the Second Principal Meridian in the Town of Merrillville, in Lake County, Indiana, being more particularly described as follows: beginning a point on the South line of said Section 20, 70 feet West of the Southeast corner of said Section 20; thence South 00 degrees 01 minutes 30 seconds West, parallel with and 70 feet West of the East line of said Section 29, a distance of 670.00 feet; thence North 89 degrees 40 minutes 00 seconds West parallel with the North line of said Section 29, a distance of 609.76 feet; thence North 00 degrees 00 minutes 00 seconds East parallel with the said East line of said Section 20, a distance of 670.00 feet to the North line of said Section 29; thence North 00 degrees 00 minutes 00 seconds East parallel with the East line of said Section 20, a distance of 763.68 feet; thence South 89 degrees 40 minutes 00 seconds East parallel with the South line of said Section 20, a distance of 610.05 feet; thence South 00 degrees 00 minutes 00 seconds East, 70 feet West of and parallel with the East line of said Section 20, a distance of 763.68 feet to the point of beginning, all in the Town of Merrillville, Lake County, Indiana.

THE ABOVE LEGAL DESCRIPTION IS NOW KNOWN AS:

Lot 1 in the Residences of Merrillville Lakes, a Planned Unit Development in the Town of Merrillville, as per plat thereof, recorded in Plat Book 101 page 87, in the Office of the Recorder of Lake County, Indiana.



LEGAL 6/98 SB

EXHIBIT     A