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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2011 075784

2011 DEC 29 PM 2: 58

MICHELLE COLEMAN
RECORDER

**SWORN STATEMENT OF INTENTION TO HOLD LIEN
(NOTICE OF MECHANIC'S LIEN)
Pursuant to I. C. 38-28-3-3(a)(c)**

TO OWNER: LEE PUBLICATIONS INC.
Formerly d/b/a Northwest Indiana Newspapers Inc.
d/b/a The Times
d/b/a The Times Media Company

601 45th Avenue, Munster, IN 46321 attn: James Kmetz
201 N. Harrison, Suite 600, Davenport, IA 52801

Registered Agent: CORPORATION SERVICE COMPANY
251 E. Ohio Street Suite 1100
Indianapolis, IN 46204

And other owners of record

STATE OF INDIANA
COUNTY OF LAKE

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the Lake County Recorder

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, Simon Roofing & Sheet Metal Corp., an Ohio Corporation having its principal place of business located at 70 Karago Avenue, Youngstown, Ohio, 44512, and having contracted with Lee Publications Inc d/b/a The Times, as Owner of record of the real estate commonly described as 601 45th Avenue, Munster, IN 46321 (hereinafter "Real Estate"), to perform various roofing work and to provide various roofing materials for the improvement of said Real Estate, and related work, intends to hold a lien on the land, improvements and fixtures thereon, and on your interest as the owner of the

Real Estate commonly known as: 601 45th Avenue, Munster, IN 46321 and
Legally described as follows: TIMES SUBDIVISION LOT #1
Real Estate Property Tax Key Number: 45-06-25-426—001.000-027

as well as on all buildings, other structures and 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

AMOUNT \$ 25⁰⁰
CASH CHARGE _____
CHECK # _____
OVERAGE _____
COPY _____
NON-COM _____
CLERK Rm

buildings, structures, improvements, 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 Fifty-four thousand, thirty four dollars 50/100 Dollars (\$54,034.50), plus interest thereon, and attorney's fees and costs.

3. Work and labor was performed on the Real Estate and the material was provided to the Real Estate by the undersigned within the last ninety (90) days.

4. I am an attorney (#27463-45) in good standing and registered with the Clerk of the Supreme Court of the State of Indiana

By: *Michelle Wendlinger*
Michelle K. Wendlinger
Attorney/Simon Roofing & Sheetmetal Inc.

STATE OF INDIANA)

COUNTY OF LAKE)

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Before me, a Notary Public, in and for said County and State, personally appeared, Michelle K. Wendlinger, as Attorney for Simon Roofing & Sheetmetal Inc., who acknowledged the execution of the foregoing Sworn Statement of Intention to Hold Lien (Notice of Mechanic's Lien) on behalf of said entity, 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 29 day of December, 2011.

June M Mullen
Notary Public
June M Mullen
Printed Name

Commission Expires: 3/22/2017
County of Residence: Lake

June M. Mullen
Notary Public
SEAL
Resident of Lake County, Indiana
My Commission Expires 03/22/2017



CERTIFICATE OF MAILING

I hereby certify that I have on this 27th day of December, 2011, 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 address:

TO OWNER: **LEE PUBLICATIONS INC.**
Formerly d/b/a Northwest Indiana Newspapers Inc.
d/b/a The Times
d/b/a The Times Media Company

601 45th Avenue, Munster, IN 46321 attn: James Kmetz
201 N. Harrison, Suite 600, Davenport, IA 52801

Registered Agent: **CORPORATION SERVICE COMPANY**
251 E. Ohio Street Suite 1100
Indianapolis, IN 46204

And other owners of record:



This instrument prepared by: Michelle K. Wendlinger (#27436-45)
Cohen, Kelly, Olson, DeHaan & Richter, L.L.C.
9337 Calumet Avenue, Suite A-1, Munster, IN 46321

RETURN TO: Cohen, Kelly, Olson, DeHaan & Richter, L.L.C.
9337 Calumet Avenue, Suite A-1, Munster, IN 46321

AFFIDAVIT

The undersigned, Rocco Augustine, being first duly sworn, hereby deposes and testifies as follows:

1. That I am a Vice President of Simon Roofing and Sheet Metal Corp.
2. That I am familiar with the scheduling, payroll, and the work provided to The Times newspaper in Munster, Indiana.
3. That the first day of work on the job was July 26, 2011.
4. That the last day of work on the job was October 2, 2011.
5. That Simon Roofing duly billed The Times for the balance remaining to be paid to wit: \$54,034.50.
6. That as of the date of this Affidavit, Simon Roofing has not been paid the remaining balance due.

FURTHER AFFIANT SAYETH NAUGHT.

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the Lake County Recorder Rocco Augustine, V.P.

Sworn to by me and in my presence this 29th day of December, 2011.



Kelly L. Morocco
Notary Public
KELLY L. MOROCCO
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires June 10, 2014

SIMON ROOFING™
SINCE 1900

INVOICE NUMBER
211984
INVOICE DATE
10/5/2011

CORPORATE HEADQUARTERS
70 Karago Avenue
YOUNGSTOWN, OHIO
PHONE: 800-523-7714

B I L L T O
2-77355-0000
The Times
Attn: James Kmetz
601 45th Avenue
Munster, IN 46321

J O B S I T E
11-010-1015
The Times
601 45th Ave.
Attn James Kmetz
Munster, IN 46321

Contact: MOD
Terms: NET 30 DAYS

Reference: Work Order 185531
PO Number: Sianed Quote

SECTIONS 1, 2, 3 AND 4
APPROXIMATELY 57,700 SQUARE FEET
SIGNED QUOTE DATED 6-27-2011

ORIGINAL PROJECT COST: \$258,069.00

PROJECT ADDS:

- Cut existing roof and deck to accomodate new HVAC unit.
- Flashed around the HVAC unit once it was installed by others.
- Remobilization charges for putting the job on hold.
- *Flex Spending/ No change to contract price

TERMS:

- 50% DUE UPON CONTRACT ACCEPTANCE
- BALANCE SEMI-MONTHLY PROGRESS

COMPLETED PROJECT BILLING
AMOUNT DUE THIS INVOICE: \$54,034.50



Our top priority is to consistently provide exceptional service to our customers. Your feedback is very important to us, so we welcome you to share your comments with one of our customer service representatives toll free at 866.641.7663.

REMIT TO
SIMON ROOFING AND SHEET METAL CORP. POST OFFICE BOX 951109 CLEVELAND, OHIO 44193

Subtotal:	54,034.50
Sales Tax:	0.00
Total Due:	<u>54,034.50</u>