

October 9, 2023

Homes by L, Inc.
Attn: Larry N. Luebcke – Registered Agent
684 Verdano Terrace
Crown Point, IN 46307

Via Certified: 7021 0950 0001 9239 8846
and Regular Mail

Re: Our Clients: Oscar G. Flores and Maria D. Flores

Dear Mr. Luebcke,

You are hereby advised that my law firm has been retained by Oscar G. Flores and Maria D. Flores to pursue claims against you and your company arising out of an unlawful filing of a Mechanic Lien against their property located at 8298 E. 101st Ave, Crown Point, IN 46307. A copy of the unlawful Mechanic Lien is enclosed with this letter.

If you were to have a valid lien, you were required to file that lien within 60 days of last work performed. You are fully aware that no work was performed by you in any fashion within 60 days of the lien being filed on August 30, 2023. You need to file a Release of Lien immediately. If we do not receive a fully recorded and file-stamped Release of Lien within the next ten (10) days, I have been authorized by our clients to immediately file suit against you individually and against your company for slander of title, quiet title, and fraud.

You are also put on notice that your lien has caused an interruption in the construction project on our client's real estate. You are aware that there is a construction loan in place. The filing of your unlawful Mechanic Lien has caused the bank to stop all payments from the construction loan, which in turn has caused a disruption in the construction project. Furthermore, the interruption to this construction loan and to this construction project is causing our clients excessive bank fees, interest charges, lost work hours, increased construction costs, and an absorbent amount of unnecessary attorney fees.

If you fail to release the Mechanic Lien of record as demanded in this letter, you are hereby provided notice in accordance with Indiana Code Section 32-28-3-10 to file an action to foreclose the Mechanic Lien and this action must be filed no later than 30 days after the date of this letter.

EXHIBIT

A

Homes by L, Inc.
October 9, 2023
Page 2

Please govern yourself accordingly.

Very truly yours,

ROBERT A. PLANTZ & ASSOCIATES, LLC



Robert A. Plantz

RAP/ed
Enclosure
cc: Oscar G. Flores and Maria D. Flores

Property of Lake County Recorder

NOT AN OFFICIAL DOCUMENT

6. In accordance with Indiana Code §32-28-3-10, the Recorder shall (a) record this Affidavit in the miscellaneous record book of the Recorder's Office and (b) certify by cross reference to the record that the lien is fully released of record.

7. As a matter of law, the Mechanic's Lien filed on August 30, 2023 should be released of record.

FURTHER THE AFFIANT SAYETH NOT.

DATED: 11-13-2023



ROBERT A. PLANTZ, #22104-64

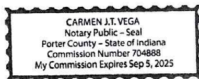
NOTARY

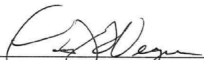
State of Indiana, County of Lake) SS:

On this 13TH day of November, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Attorney Robert A. Plantz and acknowledged the execution of the foregoing Release of Mechanic's Lien.

Witness my hand and official seal

My Commission Expires: 9-5-25




(Signature of Notary Public)

Carmen J.T. Vega
(Printed/Typed Name of Notary Public)

Resident of Porter County, Indiana.

"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."
PREPARED BY: RP

prepared by: Robert A. Plantz

2023-528274
08/30/2023 02:20 PM
TOTAL FEES: 25.00
BY: JAS
PG #: 4
RECORDED AS PRESENTED

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

STATE OF INDIANA)
)
COUNTY OF LAKE)

—Above this Line for Official Use Only—

GENERAL CONTRACTOR MECHANIC'S LIEN - NOTICE AND CLAIM

The undersigned Claimant, Homes by L, Inc., of 684 Verdano Terrace, Crown Point, Indiana 46307, County of Lake (the "Claimant"), hereby claims a mechanics lien pursuant to the IC 32-28-3 and IC 32-28-6 against Oscar G. Flores and Maria D. Flores, ("Owners") regarding the property commonly known as 8298 E. 101st Avenue, Crown Point, Indiana 46307 and states as follows:

1. Owner(s) now holds title to that certain real property in the County of Lake, State of Indiana (the "Property"), which is commonly known as 8298 E. 101st Avenue, Crown Point, Indiana 46307. A copy of the legal description is attached hereto as Exhibit A.
2. On or about May 1, 2022, Claimant and Owner(s) entered into that certain Construction Agreement (the "Contract") for the performance of certain work and the delivery of certain materials by Claimant (the "Work") in exchange for Owner(s) agreeing to pay Ten Percent (10%) of the cost of the home, all materials and labor, minus the lot equaling the Contract Sum.
3. On or about August 15, 2023, Claimant completed a significant portion of the Work under the terms of and in accordance with the Contracts, in that Claimant supplied labor and materials necessary for performance of its duties as general contractor under the Contract for the improvements to the Property with the exception of certain work being performed by Owner(s) own subcontractors. The Work consisted of the following: excavation, foundation, flat work, plumbing, lumber, liability insurance, Town of Merrillville applications and permits, a weatherization study, and Lake County health certifications.
4. All of the general contractor services, labor, and materials furnished and delivered by Claimant were furnished to and used in connection with the improvement of the Property, and the last of such labor and materials was furnished, delivered and performed, and the work contemplated under the Contract allowed to have been completed at the specific direction of the Owner(s), was last performed on or about April 3, 2023.
5. There is now justly due and owing the Claimant after allowing to the Owner(s) all credits, deductions and offsets, the sum of Fifty Thousand Dollars (\$50,000.00) plus interest at the rate specified in the IC 32-28-3 and IC 32-28-6.

NOT AN OFFICIAL DOCUMENT

6. Claimant now claims a lien on the above-described Property, and on all of the improvements therein for Fifty Thousand Dollars (\$50,000.00) plus interest at the rate specified in the IC 32-28-3 and IC 32-28-6, as well as court costs, and attorney fees.

7. Larry Luebcke, being first duly sworn, on oath, under the penalties of perjury states that he is the duly authorized agent on behalf of Homes by L, Inc.; that he has read the foregoing claim for lien and knows the contents of the claim; and that all the statements contained in the claim are true; and that the \$50,000.00 claimed is justly due claimant from Owner.

Dated: August 30th 2023

CLAIMANT:

HOMES BY L, INC.

By: _____

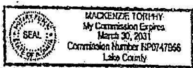
Larry Luebcke
Name: Larry Luebcke

Title: President

STATE OF INDIANA)
) SS.
COUNTY OF LAKE)

The undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Larry Luebcke, the President of Homes by L, Inc., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30th day of August, 2023.



Mackenzie Torrey
Notary Public
My Commission Expires:
03/30/2031

I hereby certify that I have this 30th day of July, 2023 mailed a duplicate of this notice, first-class, postage prepaid, to the within named property owner at Robert E. Kells Jr., 7816 Westwood Drive, Elmwood Park, Illinois 60707.

[Signature]

NOT AN OFFICIAL DOCUMENT

AFFIRMATION

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. */s/ Paul B. Poracky*

THIS DOCUMENT PREPARED BY AND RETURN AFTER RECORDING TO:
PAUL B. PORACKY (10899-45)
KORANSKY, BOUWER & PORACKY, P.C.
425 JOLIET STREET, SUITE 425, DYER, IN 46311

Property of Lake County Recorder

NOT AN OFFICIAL DOCUMENT

EXHIBIT A

LOT 27 IN DUFFALA ESTATES, UNIT NO. 2, AS PER PLAT THEREOF, RECORDED NOVEMBER 24, 2004 AS INSTRUMENT NO. 2004-099744, IN PLAT BOOK 96, PAGE 47, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

COMMONLY KNOWN AS: 8298 E. 101ST AVENUE, CROWN POINT, INDIANA 46307

Property of Lake County Recorder