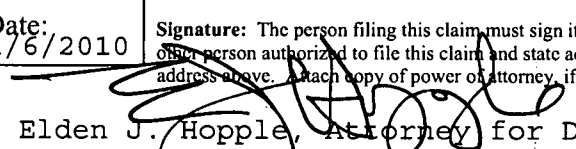



UNITED STATES BANKRUPTCY COURT Northern District of Texas (Dallas Division)		PROOF OF CLAIM
Name of Debtor: Columbus Campus, LLC		Case Number: 09-37019
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Decker Construction Company		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: Elden James Hopple, Esq., Schottenstein, Zox & Dunn Co., LPA, 250 West Street, Columbus, OH 43215 Telephone number: 614-462-2305		Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Telephone number: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$ <u>210,855.06</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____). Amount entitled to priority: \$ _____
2. Basis for Claim: <u>Mechanic's lien for material and labor in re: Hickory Chase Retirement Community</u> (See instruction #2 on reverse side.)		*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
3. Last four digits of any number by which creditor identifies debtor: <u>(Columbus Campus, LLC)</u> 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ <u>Unknown</u> Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ <u>210,885.06</u> Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date: 1/6/2010	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <div style="text-align: center;">  Elden J. Hopple, Attorney for Decker Construction Company </div>	
		FOR COURT USE ONLY Erickson Ret. Comm. LLC  00648

77.019 ACRES

Situate in the State of Ohio, County of Franklin, City of Hilliard, lying in Virginia Military Survey Nos. 3000 and 4854, being part of the 40.924 and all of the 0.742 acre tracts conveyed to Columbus Campus LLC by deed of record in Instrument Number _____, and part of the 45.957 acre tract conveyed to Columbus Campus LLC by deed of record in Instrument Number _____, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 0005 RESET found at the centerline intersection of Davidson Road (variable width) and Leap Road (variable width);

Thence South 23° 37' 07" East, a distance of 1243.56 feet, with the centerline of said Leap Road, to a point;

Thence North 66° 22' 53" East, a distance of 50.00 feet, across the right-of-way of said Leap Road and entering said 45.957 acre tract, to an iron pin set, the TRUE POINT OF BEGINNING;

Thence across said 45.957 acre tract, the following courses and distances:

North 68° 44' 53" East, a distance of 556.74 feet, to an iron pin set at a point of curvature;

With said curve to the left, having a central angle of 09° 08' 20", a radius of 1099.00 feet, an arc length of 175.29 feet, and a chord which bears North 60° 37' 51" East, a chord distance of 175.11 feet, to an iron pin set;

North 23° 37' 07" West, a distance of 384.33 feet, to an iron pin set in the line common to said 45.957 acre tract and the remainder of the original Tract Three conveyed to Wolpert Enterprises, Limited by deed of record in Instrument Number 200204080088414;

Thence North 84° 08' 15" East, a distance of 1139.80 feet, with the northerly line of said 45.957 and 0.742 acre tracts and with the southerly lines of the remainder of said Tract Three, the southerly line of the remainder of the original Tract Two conveyed to Wolpert Enterprises, Limited by deed of record in Instrument Number 200204080088414 and a southerly line of the remainder of the original Tract 1 conveyed to Ansmil Limited Partnership by deed of record in Official Record 32225 G17, to an iron pin set;

Thence South 05° 55' 17" East, a distance of 353.64 feet, with the line common to said 0.742 acre tract and the remainder of said original Tract 1, to an iron pin set at a point of curvature;

Thence with said curve to the left, having a central angle of 17° 44' 53", a radius of 1332.49 feet, an arc length of 412.75 feet, and a chord which bears South 14° 47' 43" East, a chord distance of 411.10 feet, with an easterly line of said 0.742 and 45.957 acre tracts and a westerly line of the remainders of said original Tract 1 and original Tract Two, to an iron pin set at a point of tangency;

Thence South 23° 40' 10" East, a distance of 353.83 feet, with an easterly line of said 45.957 and 40.924 acre tracts, and with a westerly line of the remainders of said original Tract Two and original Parcel Two, Tract Two conveyed to Ansmil Limited Partnership by deed of record in Official Records 32225 G17 and 32225 105, to an iron pin set;

Thence continuing with the line common to said 40.924 acre tract, the remainder of said original Parcel Two, Tract Two and the remainder of the original Parcel Two, Tract Three conveyed to Ansmil Limited Partnership by deed of record in Official Records 32225 G17 and 32225 105; the following courses and distances:

South 01° 52' 05" East, a distance of 53.85 feet, to an iron pin set;

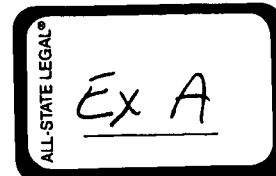
South 23° 40' 10" East, a distance of 105.00 feet, to an iron pin set;

South 45° 28' 15" East, a distance of 53.85 feet, to an iron pin set;

South 23° 40' 10" East, a distance of 514.24 feet, to an iron pin set at a point of curvature;

With said curve to the right, having a central angle of 08° 02' 24", a radius of 1390.00 feet, an arc length of 195.05 feet, and a chord which bears South 19° 38' 58" East, a chord distance of 194.89 feet, to an iron pin set;

South 74° 22' 14" West, a distance of 20.00 feet, to an iron pin set;



77.019 ACRES

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With a curve to the right, having a central angle of 01° 02' 00", a radius of 1370.00 feet, an arc length of 24.71 feet, and a chord which bears South 15° 06' 46" East, a chord distance of 24.71 feet, to an iron pin set;

- South 76° 07' 35" West, a distance of 82.51 feet, to an iron pin set;
- South 70° 47' 24" West, a distance of 286.15 feet, to an iron pin set;
- South 68° 02' 13" West, a distance of 159.38 feet, to an iron pin set;
- South 82° 20' 53" West, a distance of 300.01 feet, to an iron pin set;
- South 76° 34' 35" West, a distance of 307.14 feet, to an iron pin set;
- South 82° 47' 36" West, a distance of 138.56 feet, to an iron pin set;
- North 79° 56' 50" West, a distance of 85.56 feet, to an iron pin set;
- North 71° 18' 50" West, a distance of 150.01 feet, to an iron pin set;
- North 65° 38' 53" West, a distance of 208.41 feet, to an iron pin set;
- North 57° 48' 25" West, a distance of 129.32 feet, to an iron pin set;
- North 59° 01' 48" West, a distance of 170.38 feet, to an iron pin set;
- North 67° 18' 16" West, a distance of 57.59 feet, to an iron pin set;
- North 80° 44' 53" West, a distance of 8.85 feet, to an iron pin set;

Thence across said 40.924 and 45.957 acre tracts, the following courses and distances:

North 02° 32' 02" East, a distance of 270.04 feet, to an iron pin set at a point of curvature;

With said curve to the left, having a central angle of 26° 09' 10", a radius of 600.00 feet, an arc length of 273.87 feet, and a chord which bears North 10° 32' 33" West, a chord distance of 271.50 feet, to an iron pin set;

North 23° 37' 07" West, a distance of 682.05 feet, to the TRUE POINT OF BEGINNING, containing 77.019 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

This description is based on existing record and field work performed in December, 2006.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FCGS 0005 RESET and FCGS 0006, having a bearing of North 23° 37' 07" West, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.



EVANS, MECIHWART, HAMBLETON, & TILTON, INC.
Heather L. King
 Heather L. King
 Professional Surveyor No. 8307
 Date: 5/31/07

HLK/29May07
77.019 ac 62116

OK
 PRELIMINARY APPROVAL
 FRANKLIN COUNTY ENGINEERING DEPT.
 DATE: 5-2 BY: ASZ

Approved, No Plat Required
 City of Hilliard
 City Engineer
 By: *Clayton* Date: 4/14/07

DECKER CONSTRUCTION COMPANY
 ** Aged Trial Balance By Job **
 Thru Month Ending: 09/30/2009
 Aged through: 09/30/2009
 All Accounts
 Selected Customers

Customer	Job Description							
- I n v o i c e -								
Number	Date	Total Due	0-30 Days	31-60 Days	61-90 Days	Over 90	Retention	
OLSON1 JM OLSON CORPORATION, (586) 771-9330								
07236 HICKORY CHASE - HILLIARD								
46126	04/20/09	11,444.27	.00	.00	.00	11,444.27	.00	
46274	05/11/09	2,618.20	.00	.00	.00	2,618.20	.00	
46277	05/11/09	133,123.97	.00	.00	.00	133,123.97	.00	
46278	05/12/09	6,628.81	.00	.00	.00	6,628.81	.00	
46477	05/31/09	57,039.81	.00	.00	.00	57,039.81	.00	
	Job Totals:	210,855.06	.00	.00	.00	210,855.06	.00	
	Customer Totals:	210,855.06	.00	.00	.00	210,855.06	.00	
	Report Totals:	210,855.06	.00	.00	.00	210,855.06	.00	



NELL CHAMBERS
614-462-1090
FAX: 614-228-4895
E-MAIL: NCHAMBERS@SZD.COM

January 29, 2010

VIA OVERNIGHT DELIVERY

BMC Group Inc
Attn: Erickson Retirement Communities, LLC Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

**Re: Erickson Communities, LLC, Lead Case No. 09-37010
Columbus Campus, LLC, Case No. 09-37019**

Dear Sir or Madam:

Enclosed is an original and two copies of a Proof of Claim we are filing on behalf of Decker Construction Company against Columbus Campus, LLC. Please time-stamp a copy and return to us in the enclosed envelope.

Should you have any questions or concerns, please contact me. Thank you for your assistance in this matter.

Very truly yours,

Nell Chambers, Paralegal

Encl.