

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS Dallas Division

Name of Debtor
Ashburn Campus, LLC

Case Number
09-37018

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):
Century Fence Construction, LLC

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Name and address where notices should be sent:
**Century Fence Construction, LLC
9501 Old Marlboro Pike
Upper Marlboro, MD 20772-3644
Telephone number: (301) 599-2073**

Check box if you have never received any notices from the bankruptcy court in this case.
 Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Last four digits of account or other number by which creditor identifies debtor:
CF111

Check here replaces if this claim amends a previously filed claim, dated: **11/09/2009**

1. Basis for Claim

Goods sold

Services performed

Money loaned

Personal injury/wrongful death

Taxes

Retiree benefits as defined in 11 U.S.C. § 1114(a)

Other _____

Wages, salaries, and compensation (fill out below)

Last four digits of your SS #: _____

Unpaid compensation for services performed

From _____ to _____
(date) (date)

RECEIVED

MAR 16 2010

BMC GROUP

2. Date debt was incurred: **11/02/2009**

3. If court judgment, date obtained:

4. Classification of Claim. Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time the case was filed. See reverse side for important explanations.

Unsecured Nonpriority Claim \$ _____

Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or c) none or only part of your claim is entitled to priority.

Secured Claim

Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral:

Real Estate

Motor Vehicle

Other **Mechanic's Lien**

Value of Collateral: \$ _____

Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ **66,082.68**

Unsecured Priority Claim

Check this box if you have an unsecured claim, all or part of which is entitled to priority.

Amount entitled to priority \$ _____

Specify the priority of the claim:

Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Wages, salaries, or commissions (up to \$10,000)* 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).

Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

*Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

5. Total Amount of Claim at Time Case Filed:

\$ **66,082.68** (unsecured) **66,082.68** (secured) **66,082.68** (priority) **66,082.68** (total)

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

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7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Erickson Ret. Comm. LLC



01814

Date:

03-15-10

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

Bluyt S. Dur

MEMORANDUM OF MECHANIC'S LIEN

Name of Owner: Ashburn Campus, LLC

Address of Owner: c/o Erickson Retirement Communities
701 Maiden Choice Lane
Baltimore, MD 21228

and

CT Corporation System
4701 Cox Rd Ste 301
Glen Allen, VA 23060-6802

Name of General Contractor: Erickson Construction, LLC

Address of General Contractor: 701 Maiden Choice Lane
Baltimore, MD 21228

and

CT Corporation System
4701 Cox Rd Ste 301
Glen Allen, VA 23060-6802

Name Claimant: Century Fence Construction, LLC

Address of Claimant: 9501 Old Marlboro Pike
Upper Marlboro, MD 20772

It is the intent of the claimant to claim the benefit of a lien.

1. **Type of Material or Services Furnished:** Furnished and installed: 8' high Ornamental Iron Fences and Gates including but not limited to posts, rails, pickets, swivel brackets, fasteners, concrete, and coatings; 8' high vinyl coated chain-link fencing and gates, including but not limited to posts, rails, pickets, swivel brackets, fasteners, concrete, and coatings; temporary gardens and dumpster enclosure 6' Vinyl coated chain link fencing and gates, including but not limited to posts, rails, fittings, chain-link fabric, reinforcements, attachments, gates, concrete and hardware; perimeter 8' wood fence, including but not limited to 4x4 posts, 1x6 planks, 2x4 and 2x6 stringers, 1x4 trim, 2x4 cap board, concrete and hardware.
2. **Amount of Lien Claimed:** \$66,082.68, including interest, no amount of which is for work done or materials furnished more than one hundred fifty (150)

days prior to the last day on which work was done or materials were furnished to the job preceding the filing of this Memorandum.

3. Type of structure upon which Lien is Claimed: Residential retirement community and surrounding property.
4. Brief Description of Real Property: The property with a street address of 21125 Cardinal Pond Terrace, Ashburn Virginia 20147 and more specifically described as: All of the parcel known as Loudoun County PIN No. 060-49-8809-000, consisting of approximately 123.84 acres and known as St. John & Beaumeade Parcel B1 and recorded as instrument number 200612150104677.
5. Date from which interest on the above amount is claimed: July 18, 2009.

Century Fence Construction, LLC

By:

Bridget R. Burns
Bridget R. Burns, President

Date:

02/26/10

AFFIDAVIT

I, Beverly Costella a Notary Public in and for the State of Maryland do hereby certify that Century Fence Construction, LLC, Claimant, by Bridget Burns its Managing Member and authorized agent, this day made an oath before me that Ashburn Campus, LLC and Erickson Construction, LLC, are justly indebted to claimant in the sum of \$66,082.68, including interest, for the consideration stated in the foregoing Memorandum, and that the same is payable as stated therein.

Given under my hand and seal this 26 day of Feb, 2010.



BEVERLY COSTELLA
Notary Public, State of Maryland
St. Mary's County
My Commission Expires February 1, 2013

[Signature]

NOTICE and CERTIFICATE OF MAILING

TO: VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

ASHBURN CAMPUS, LLC
c/o Erickson Retirement Communities
701 Maiden Choice Lane
Baltimore, MD 21228

ASHBURN CAMPUS, LLC
CT Corporation System
4701 Cox Rd Ste 301
Glen Allen, VA 23060-6802

ERICKSON CONSTRUCTION, LLC
701 Maiden Choice Lane
Baltimore, MD 21228

ERICKSON CONSTRUCTION, LLC
CT Corporation System
4701 Cox Rd Ste 301
Glen Allen, VA 23060-6802

You are hereby notified that you are indebted to Century Fence Construction, LLC in the sum of SIXTY-SIX THOUSAND, EIGHTY-TWO DOLLARS AND 68/100 (\$66,082.68) for the provision of 8' high Ornamental Iron Fences and Gates including but not limited to posts, rails, pickets, swivel brackets, fasteners, concrete, and coatings; 8' high vinyl coated chain-link fencing and gates, including but not limited to posts, rails, pickets, swivel brackets, fasteners, concrete, and coatings; temporary gardens and dumpster enclosure 6' Vinyl coated chain link fencing and gates, including but not limited to posts, rails, fittings, chain-link fabric, reinforcements, attachments, gates, concrete and hardware; perimeter 8' wood fence, including but not limited to 4x4 posts, 1x6 planks, 2x4 and 2x6 stringers, 1x4 trim, 2x4 cap board, concrete and hardware for which you contracted with Century Fence Construction, LLC and that I have duly recorded a Memorandum for Mechanic's Lien for the same.

Property Description: The property with a street address of 21125 Cardinal Pond Terrace, Ashburn Virginia 20147 and more specifically described as: All of the parcel known as Loudoun County PIN No. 060-49-8809-000, consisting of approximately 123.84 acres and known as St. John & Beaumeade Parcel B1 and recorded as instrument number 200612150104677.

CENTURY FENCE CONSTRUCTION, LLC

By:


Bridget R. Burns, President

Date:

02-26-10

For information contact:

Elizabeth G. Dorfman, Esq.

VSF # 68190

WATT TIEDER HOFFAR & FITZGERALD, LLP

8405 Greensboro Drive, Suite 100

McLean, VA 22102

Tel: (703) 749-1000

Fax: (703) 893-8029

Counsel for Century Fence Construction, LLC