

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MISSOURI

IN RE:

FARMLAND INDUSTRIES, INC, et al.,

Debtor.

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Case No. 02-50557-11-jwv  
Joint Administration

**UTILITY CONTRACTORS, INC.'S NOTICE OF CONTINUED  
PERFECTION PURSUANT TO 11 U.S.C. § 546(B)(2)**

COMES NOW Utility Contractors, Inc. ("Utility Contractors"), by and through counsel, John J. Cruciani of Lentz & Clark, P.A., and hereby submits its Notice of Continued Perfection Pursuant to 11 U.S.C. § 546(b)(2). In support of this Notice, Utility Contractors states and alleges as follows:

1. Utility Contractors is a creditor of the Farmland Industries, Inc. ("Farmland") bankruptcy case by virtue of a subcontract agreement Utility Contractors entered into with IT Corporation as general contractor on a project for Farmland at its new Wichita, Kansas facility located at 1400 East 25<sup>th</sup> Street North, Wichita, Kansas, and legally described to-wit:

A tract in the Northwest Quarter of Section 4, Township 27 South, Range 1 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, described as follows: Beginning as a point in the South line of said Northeast Quarter, 50 feet Northwesterly from the center line of Main Track of the Missouri Pacific Railroad Company, thence Northeasterly 50 feet from and parallel with said center line 1308 feet; thence Northwest at right angles 150 feet, thence Southwesterly parallel with first described course, 1387 feet to said South line of said Northeast Quarter; thence East 173.2 feet to the point of beginning.

2. IT Corporation commenced a Chapter 11 bankruptcy in Delaware (Case Number 02-10118). With Delaware Bankruptcy Court approval, Utility Contractors received approximately \$60,000.00 from IT Corporation to reduce Utility Contractors' balance to its current amount owed of approximately \$88,000.00.

3. On January 18, 2002, Utility Contractors filed its Statement of Subcontractor for Mechanic's Lien. Counsel for Utility Contractors provided a true and correct copy of its Statement of Subcontractor for Mechanic's Lien to Debtors' counsel on or about August 6, 2002.

4. Under the laws of the State of Kansas, Utility Contractors has a valid perfected mechanics' lien on the real property described in Paragraph 1 hereof. Under the laws of the State of Kansas, Utility Contractors must commence an action to foreclose its mechanics' lien in said property on or before January 18, 2003, or its lien will cease to exist.

5. The automatic stay provisions of § 362(a) of the Bankruptcy Code prevents Utility Contractors from commencing an action to foreclose its mechanics' lien against Farmland. As a result, Utility Contractors submits this Notice of Continued Perfection Pursuant to 11 U.S.C. § 546(b)(2) and hereby declares that its mechanics lien against the real estate described in Paragraph 1 hereof, owned by Farmland, continues to be perfected, and will continue to exist and be perfected after January 18, 2003.

Dated this 28th day of October, 2002.

/s/ John J. Cruciani  
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