

OVADIA, LLC
8813 Pikesville Road
Pikesville, Maryland 21208

Plaintiff

vs.
ERIC L. JOHNSON and
FIONA NEWTON, his wife
1336 Heather Hill Road
Baltimore, Maryland 21239

Defendant

* IN THE CIRCUIT COURT FOR
*
* BALTIMORE COUNTY

* Case No:

* 03-C-12-8259

* * * * *

PETITION TO ESTABLISH AND ENFORCE MECHANIC'S LIEN

COMES NOW OVADIA, LLC ("Ovadia"), the Plaintiff, by Jeffrey L Forman, Esquire and Kauffman and Forman, P.A., its attorneys, and petitions this Court to establish and enforce a mechanic's lien against certain real property and improvements owned by Eric L. Johnson and Fiona Newton, his wife, and for cause represents as follows:

1. Ovadia is a Maryland Limited Liability Company engaged in the business of providing construction and home improvement services.

2. Mr. Johnson and Ms. Newton, husband and wife, are the owners of certain property known as 1336 Heather Hill Road, Baltimore, Maryland 21239, which is a detached one story single family home, with a walk out basement. The property is also known as Baltimore County District 09, Account Number 0902652830. A copy of the SDAT printout is attached hereto as Exhibit 1.

3. From November 10, 2011 through August 6, 2012 (and ongoing), Ovadia supplied labor and materials to the Defendants for demolition of the existing sunroom of the house, the installation of an addition, the renovation of the kitchen, the living room and the dining room and the installation of a two story deck (being an enclosed deck which comes out from the basement

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and then has a deck coming out from the rear of the house - see photograph attached hereto as Exhibit 2). A copy of the contract between Ovadia and Mr. Johnson dated October 24, 2011 is attached hereto as Exhibit 3.

4. The work done on the project included the construction of a new building (the addition and the deck) as well as renovation to the existing building and improved the total value of the property by at least 15%.

5. The total amount of the labor and materials supplied to the Defendants on this job was \$136,343 of which \$24,682 is due and unpaid as of the date hereof.

6. The work was performed in a good and workmanlike manner and was accepted by Mr. Johnson and Ms. Newton.

7. There remains unpaid and owing the liquidated sum of \$24,682 for the work performed by the Plaintiff, which sum has been due and owing since May 6, 2012.

8. Pursuant to paragraph 5 (e), the Defendants further owe interest at the rate of 10% per annum on the unpaid balance. The pre-judgment interest is \$6.76 per diem.

9. Attached hereto as collective Exhibit 4 are the material papers consisting of the adjustments to the contract and the building permit showing the work that was performed on the project.

10. Attached hereto is an affidavit of Jerry Ovadia, the President of Ovadia, attesting to the facts set forth in this Petition and verifying the authenticity and accuracy of the documents attached hereto as exhibits, which exhibits are the material papers constituting the basis of the lien claimed.

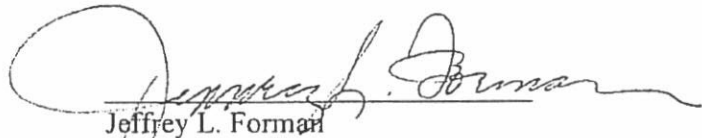
WHEREFORE, the Plaintiff prays that this Honorable Court:

A) Establish a mechanic's lien against the property known as 1336 Heather Hill Road, Baltimore, Maryland 21239, in the amount of \$24,682, plus interest, costs and attorneys fees;

B) Pass an Order requiring the Defendant to show cause, if any, why a final mechanic's lien upon the land and improvements described herein for the amount claimed should not be established;

C) Pass an Order after the mechanic's lien requested herein is established, enforcing the same and directing that the leasehold interest be sold unless the mechanic's lien is paid and satisfied on or before a date specified by this Court; and

D) Grant such other and further relief as the nature of this cause may require.



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