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LEGAL FORMS

No. 370 REC  
February 2000

0010011381

4914/0033 39 005 Page 1 of 4  
2001-01-04 13:59:00  
Cook County Recorder 15.50

**SUBCONTRACTOR'S  
NOTICE AND CLAIM  
FOR LIEN**

**COOK COUNTY  
RECORDER  
EUGENE "GENE" MOORE  
ROLLING MEADOWS**



0010011381

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STATE OF ILLINOIS

COUNTY OF McHenry } SS.

The claimant, Merrigan Excavation, Inc  
1316 N. Madison St  
of Woodstock, County of McHenry

State of Illinois, hereby files notice and claim for lien against Weis Builders, Inc  
3701 Algonquin Rd, Ste 710

contractor, of Rolling Meadows, County of Cook

State of Illinois, and Costco Wholesale  
999 Lake Drive

(hereinafter referred to as "owner"), of Issaquah, WA 98027

County of King, State of Washington

and states:

That on April 4, 2000, the owner owned the following described land in the County of Cook, State of Illinois, to wit:

Permanent Real Estate Index Number(s): 19-28-202-010 and 19-28-202-010

Address(es) of premises: 7300 S. Cicero Bedford Park, IL

and Weis Builders, Inc

was owner's contractor for the improvement thereof.

That on April 4, 2000, said contractor made a <sup>written</sup> subcontract with the claimant

to (1) furnish & install underground material (storm, water & sanitary pipe & manholes, stone to fill trenches, fire hydrants) for underground site utilities & excavation in the construction of the store located at 7300 S. Cicero Bedford Park, IL, which contract required that claimant be paid \$534,000.00 for the provision of said material & service. Claimant & Contractor entered into

Handwritten initials/signature

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a contract on or about July 25, 2000 to provide certain additional material & service namely adding - adjusting, replacing & or rebuilding existing manholes. for and in said improvement, and that on July 28, 2000, the claimant completed thereunder (2) provided material as follows - storm, water & sanitary pipe, manholes, fire hydrants & stone in the amount of \$240,000.00, and provide service accordingly in the total amount of \$294,000.00, and by Oct. 25, 2000 claimant completed all extra work & provided all extra material in the amount of \$33,200.00 & provided all services requested in the amount of \$45,822.47.

That at the special instance and request of said contractor the claimant furnished extra and additional materials at and extra and additional labor on said premises of the value of \$79,022.47 and completed same on October 25, 2000. (3)

That said owner, or the agent, architect or superintendent of owner (a) cannot, upon reasonable diligence, be found in said County, or (b) does not reside in said County. (4)

That said contractor is entitled to credits on account thereof as follows: \$480,600.00 has been paid on the base contract of \$534,000.00, and nothing has been paid for the extra work and additional materials.

leaving due, unpaid and owing to the claimant, after allowing all credits, the sum of 132,422.46 One Hundred Thirty-two thousand, four hundred twenty-two Dollars, for which, with interest, the claimant claims a lien on said land and improvements and on the moneys or other considerations due or to become due from the owner under said contract against said contractor and owner.

Merriman Excavation, Inc (Name of sole ownership, corporation, or partnership)

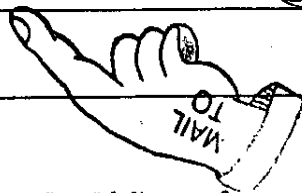
By [Signature]

This document was prepared by Denise Lehman 1316 N. Madison St, Woodstock, IL 60098 (Name and Address)

Mail to: Denise Lehman 1316 N. Madison St (Name and Address)

Woodstock, IL 60098 (City) (State) (Zip Code)

Or Recorder's Office Box No. [Blank]



- (1) State what the claimant was to do.
(2) "All required by said contract to be done;" or, "delivery of materials to the value of \$ \_\_\_\_\_," or "labor to the value of \$ \_\_\_\_\_," etc.
(3) If extras fill out, if no extras strike out.
(4) Strike out clause(a) or (b).

0010011381 Page 2 of 4

State of Illinois, County of McHenry } SS.

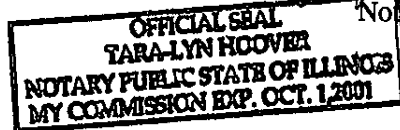
The affiant, Merriman Excavation, Inc  
being first duly sworn, on oath deposes and says that he is Thomas Merriman-Vice President,  
Merriman Excavation, Inc. 1316 N. Madison St Woodstock, Il. 60098

the claimant; that he has read the foregoing notice and claim for lien and knows the contents thereof; and that all the statements therein contained are true.

Subscribed and sworn to before me this 25<sup>th</sup> day of October, 2000

Tara-Lyn Hoover

Notary Public



Parcel 1:

That part of the North East 1/4 of section 28, Township 38 North, Range 13 East of the Principal Meridian, described as beginning at a point on the south line of the north 1373 of said North East 1/4, 36.32 feet west of the last line of the west 1/2 of the North East 1/4 aforesaid. Thence South at Right angles to the south line of the north 1373 feet aforesaid, 717 feet for a point of beginning, then continuing south of said last described line 266.10 feet to the point of tangency of a curved line convex to the south east, thence southwesterly on said curve having a radius of 247.01 feet for a distance of 236.12 feet to an intersection with the north line of the south 120 feet of the said North East 1/4. Thence east on the North line of the south 120 feet of said North East 1/4, 222.79 feet to the northwesterly line of state Rd. Being 50.0 feet at right angles from the center line of state Rd, thence northeasterly along the north-easterly line of State Rd 713.65 feet, thence west along a line at right angles to the first described line 657.57 feet to the point of beginning in Cook County, Illinois.

Parcel 2:

That part of the North East  $\frac{1}{4}$  of section 28, Township 38 North, Range 13 East of the Third principal meridian. Described as follows: Beginning at a point on the South line of the North 1373 feet of said North East  $\frac{1}{4}$ , 36.32 feet West of the East line of the West  $\frac{1}{2}$  of the North East  $\frac{1}{4}$  aforesaid; Thence South at right angles to the South line of the North 1373 feet aforesaid, a distance of 717 feet; Thence East at right angles to the last described course 657.57 feet to the Northwestely line of State Road. Being 30 feet at right angles from the center line of said State Road; Thence Northeastely along the Northwestely line of State Road, 770.36 feet to a line 117.07 feet West of the East line of the North East  $\frac{1}{4}$  aforesaid, Thence North on said last described line, 212.68 feet to the South line of the North 1373 feet of said North East  $\frac{1}{4}$ . Thence West on said last described line, 3238 feet to the point of beginning, in Cook County, Illinois.

Parcel 3:

Easements for the benefit of Parcel 2 created by the deed from Cleaning Industrial District, Inc. a corporation of Delaware, to Clark Equipment Company, a corporation of Michigan, by dated 10/22/56 and recorded Oct 25/56 as document number 1679587/1, for use as private streets for driving and trucks over the surface of the premises described as follows:

("A") The South 70 feet of the North 3 1373 feet of the North  $\frac{1}{2}$  (except the last 57 feet thereof) of section 28, Township 38 North, Range 13 East of the Third principal meridian, 1, in Cook County, Illinois also

("B") The West 60.07 feet of the East 117.07 feet of the North East  $\frac{1}{4}$  of section 28, Township 38 North, Range 13 East of the Third principal meridian, lying South of the North 151375 feet and north of the property line of State Road, being 50 feet at right angles from the center line of State Road all in E. Cook County, Illinois

7300 S. Cicero Ave., Chicago, Illinois