

SUB CONTRACTORS
NOTICE AND CLAIM
FOR MECHANICS LIEN

STATE OF ILLINOIS }
 } SS
COUNTY OF COOK }



JERRY OELERICH HEATING, VENTILATING
AND AIR CONDITIONING COMPANY
CLAIMANT

-VS-

85 S. BUFFALO GROVE, LLC
LOU MALNATI'S PIZZERIA
ZERA CONSTRUCTION CO., INC.
UNKNOWN OWNERS
NON-RECORD CLAIMANTS
DEFENDANT

The claimant, JERRY OELERICH HEATING, VENTILATION AND AIR CONDITIONING COMPANY, an Illinois Corporation ("Claimant"), hereinafter referred to as ("Oelerich Heating"), with an address at 169 N. Lake St., Mundelein, Illinois 60063, hereby files its Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and on all funds held in connection with the improvements constructed on the Real Estate, and against 85 S. Buffalo Grove LLC of 346 Anthony Trail, Northbrook, Illinois 60062, and Lou Malnati's Pizzeria, of 346 Anthony Trail, Northbrook, Illinois 60062, {hereinafter referred to as Owner(s)}, and Zera Construction Co., Inc. ("General Contractor") of 7800 Lehigh Ave., Niles, Illinois 60714, Unknown Owners and Non-Record Claimants, and against the interest of any person claiming an interest in the Real Estate (as hereinafter described) by, through or under Owner.

Claimant states as follows:

1. On or about November 7, 1999, "Owner(s)", owned title to the real estate (including all land and improvements thereon) (the "Real Estate") in Cook County, Illinois, commonly known as: 85 S. Buffalo Grove Rd., Buffalo Grove, Illinois 60089, and legally described as follows:

SEE EXHIBIT "A", LEGAL DESCRIPTION ATTACHED

P.I.N. 03-04-101-003 and 03-04-101-011

2. That Zera Construction Co., Inc., ("Zera Construction") acted as General Contractor for the improvements at the premises.

3. That Zera Construction, as General Contractor made a written / oral contract with Oelerich Heating whereby Claimant agreed to furnish Ductwork and Temporary Heat, related equipment, materials and labor to Zera Construction in exchange for payment in the original contract amount of Three Thousand, Eight-Hundred Dollars & 00/100, (\$3,800.00).

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4. The contract was entered into between **Zera Construction** and **Oelerich Heating** with the full knowledge and consent of the Owner. Alternatively, the Owner did knowingly permit **Zera Construction** to enter into contracts for and in said improvement of the Real Estate.

5. At the special instance and request of **Zera Construction** and with the full knowledge and express consent or acquiescence of Owner, Claimant furnished extra and additional materials and extra and additional labor on the Real Estate to the value of \$.00. Claimant completed providing the additional materials and labor at various times.

6. On November 29, 1999 Claimant completed and delivered, substantially all work and materials required to be performed under the contract.

7. That **Zera Construction** is entitled to Credits for payments of \$.00.

8. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing credits for payments by **Zera**, the principal sum of Three Thousand, and Eight-Hundred Dollars & 00/100, (\$3,800.00), for which principal amount bears interest at the statutory rate of 10 percent per annum. Claimant claims a lien on the Real Estate (including all land and improvements thereon) and on the monies or other considerations due or to become due from Owner to **Zera Construction**, under the Contract between the Owner and **Zera Construction Co., Inc.**

Dated: February 18, 2000

JERRY OELERICH HEATING, VENTILATION
AND AIR CONDITIONING COMPANY

By: 
Jerry Oelerich Vice President

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VERIFICATION

State of Illinois }
 }
 } SS.
County of Lake }

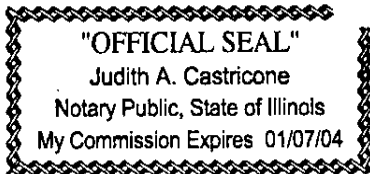
I, Jerry Oelerich, being first duly sworn on oath, depose and state that I am Vice President for Claimant, Jerry Oelerich Heating, Ventilating and Air Conditioning Company, an Illinois corporation, that I am authorized to execute this Notice and Claim of Mechanics Lien on behalf of Claimant, that I have read the foregoing Notice and Claim for Mechanics Lien and know the contents thereof, and the statements contained therein are true.


Jerry Oelerich, Vice President

Subscribed and Sworn to
before me this 18th day
of February 2000.


Notary Public

Notary Seal



My Commission Expires: 01/07/04

**THIS INSTRUMENT WAS PREPARED BY AND
AFTER RECORDING SHOULD BE RETURNED TO:**

Ms. Mary Oelerich
Oelerich HVAC
169 N. Lake St.
Mundelein, Illinois 60060

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American National Bank,
T/U/T No. 105237-02
Restaurant Building
85 S. Buffalo Grove Road
Buffalo Grove, Illinois

EXHIBIT A

Legal Description

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWN OF WHEELING DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE MIDDLE OF THE MCHENRY ROAD, 175 FEET SOUTH 34 1/2 DEGREES EAST OF THE POINT OF INTERSECTION OF THE NORTH LINE OF SECTION 4, AFORESAID AND THE MIDDLE LINE OF SAID MCHENRY ROAD, RUNNING THENCE SOUTH 34 1/2 DEGREES EAST ALONG THE MIDDLE OF SAID MCHENRY ROAD, 405 FEET; THENCE NORTH 55 DEGREES, 30 MINUTES EAST, 426 FEET; THENCE NORTH 24 DEGREES, 7 MINUTES WEST, 88 FEET; THENCE NORTH 85 DEGREES 18 MINUTES, 241 FEET; THENCE NORTH 38 DEGREES, 40 MINUTES WEST, 63 FEET; THENCE SOUTH 79 DEGREES WEST, 272 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PART THEREFROM DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT IN THE CENTER LINE OF BUFFALO GROVE ROAD FORMERLY KNOWN AS MCHENRY ROAD, 175 FEET SOUTH 34 1/2 DEGREES EAST OF THE POINT OF INTERSECTION OF THE NORTH LINE OF SECTION 4 AFORESAID AND THE CENTER LINE OF SAID BUFFALO GROVE ROAD; THENCE SOUTH 34.5 DEGREES EASTERLY ALONG THE CENTER LINE OF BUFFALO GROVE ROAD, 292 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE CENTER LINE OF SAID BUFFALO GROVE ROAD, 50 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS 50 FEET EASTERLY OF AND PARALLEL TO THE CENTER LINE OF SAID BUFFALO GROVE ROAD TO IT'S POINT OF INTERSECTION WITH A LINE DRAWN FROM THE POINT OF BEGINNING WITH A BEARING NORTH 79 DEGREES EAST; THENCE SOUTHWESTERLY ALONG THE LAST DESCRIBED LINE TO THE POINT OF BEGINNING; ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

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THAT PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE NORTH LINE OF SAID SECTION 4, SAID POINT BEING 961.90 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION (AS MEASURED ON THE NORTH LINE THEREOF); THENCE SOUTH 34 DEGREES, 30 MINUTES, 00 SECONDS EAST ON A LINE (BEING THE CENTER LINE OF BUFFALO GROVE ROAD AS HERETOFORE ESTABLISHED) EXTENDED TO THE NORTHEASTERLY CORNER OF BUFFALO GROVE UNIT 1, A SUBDIVISION IN THE

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T/U/T No. 105237-02
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NORTHWEST 1/4 OF SAID SECTION 4, SAID NORTH-EASTERLY CORNER BEING A POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF ST. MARY'S PARKWAY AS DEDICATED BY SAID SUBDIVISION WITH THE CENTERLINE OF BUFFALO GROVE ROAD, FOR A DISTANCE OF 175 FEET TO A POINT, HEREINAFTER TO BE REFERRED TO AS POINT "A"; THENCE CONTINUING SOUTHEASTERLY ON SAID CENTER LINE, A DISTANCE OF 129.40 FEET; THENCE NORTH 55 DEGREES, 30 MINUTES, 00 SECONDS EAST, A DISTANCE OF 80.00 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF BUFFALO GROVE ROAD AS PER RIGHT-OF-WAY PLAT RECORDED AT THE RECORDER'S OFFICE OF COOK COUNTY AS DOCUMENT NUMBER 24865307 ON MARCH 1, 1979 SAID POINT HEREINAFTER REFERRED TO AS THE POINT OF BEGINNING; THENCE NORTH 67 DEGREES, 34 MINUTES, 04 SECONDS EAST, A DISTANCE OF 148.28 FEET TO A POINT 335.40 FEET SOUTHEASTERLY OF AND 225 FEET NORTHEASTERLY OF THE PLACE OF COMMENCING (AS MEASURED ON SAID CENTERLINE AND AT RIGHT ANGLES THERETO); THENCE NORTH 34 DEGREES, 30 MINUTES, 00 SECONDS WEST ON A LINE PARALLEL WITH SAID CENTER LINE A DISTANCE OF 81.27 FEET TO A POINT ON A LINE HAVING A BEARING OF NORTH 74 DEGREES, 52 MINUTES, 32 SECONDS EAST, A DISTANCE OF 238.51 FEET FROM AFORESAID POINT "A"; THENCE NORTH 74 DEGREES, 52 MINUTES, 32 SECONDS EAST, A DISTANCE OF 23.06 FEET; THENCE SOUTH 37 DEGREES, 43 MINUTES, 44 SECONDS EAST, A DISTANCE OF 63.00 FEET; THENCE SOUTH 87 DEGREES, 21 MINUTES, 17 SECONDS EAST, A DISTANCE OF 241.00 FEET; THENCE SOUTH 25 DEGREES, 06 MINUTES, 04 SECONDS EAST, A DISTANCE OF 160.03 FEET; THENCE SOUTH 61 DEGREES, 04 MINUTES, 37 SECONDS EAST, A DISTANCE OF 47.80 FEET; THENCE SOUTH 56 DEGREES, 17 MINUTES, 33 SECONDS WEST, A DISTANCE OF 387.79 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BUFFALO GROVE ROAD AFORESAID; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING (3) THREE COURSES:

- 1.) NORTH 34 DEGREES, 30 MINUTES, 00 SECONDS WEST PARALLEL WITH THE CENTERLINE AFORE-DESCRIBED; A DISTANCE OF 45.46 FEET;
- 2.) NORTH 28 DEGREES, 47 MINUTES, 22 SECONDS WEST, A DISTANCE OF 301.50 FEET; AND
- 3.) NORTH 34 DEGREES, 30 MINUTES, 00 SECONDS WEST, PARALLEL WITH THE CENTERLINE AFORE-DESCRIBED, A DISTANCE OF 15.60 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS. CONTAINING 2.664 ACRES MORE OR LESS.

PINS: 03-04-101-003 and 03-04-101-011

NOTE: Parcel 2 may contain part of Parcel 1.
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