

IN THE CIRCUIT COURT OF COOK  
COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY  
DIVISION



AMERICAN TRUST & SAVINGS BANK  
a State Banking Association,

Plaintiff,

v.

DANIEL B. NELSEN, NELSEN FAMILY  
PROPERTIES, LLC and MCLENNAN  
COMMERCIAL PROPERTIES, INC.,

Defendants.

CASE NO. 02CH00127

Hon. Stephen A Schiller

LIS PENDENS NOTICE

NOTICE IS HEREBY GIVEN that an action entitled *American Trust & Savings Bank v. Daniel B. Nelsen, Nelsen Family Properties, LLC and McLennan Commercial Properties, Inc.* has been commenced and is now pending in the Circuit Court of Cook County, Illinois, County Department, Chancery Division, by the above-named Plaintiff against the above-named Defendants for the entry of injunctive relief, orders avoiding fraudulent transfers and accountings, and that the real property affected includes the real property commonly known as 9328-30 Franklin Avenue, Franklin Park, Illinois, which is legally described as set forth on Exhibit A attached hereto and incorporated herein.

DATED: March 28, 2002 AMERICAN TRUST & SAVINGS BANK

By: Mark A. Carter  
One of Its Attorneys

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## PARCEL 1

THAT PART OF THE EAST 26.75 CHAINS OF FRACTIONAL SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF THE INDIAN BOUNDARY LINE COMMENCING AT A POINT ON THE NORTHERLY BOUNDARY LINE OF WEEKS' SUBDIVISION OF PART OF LOTS 1, 2, 3, 4, 10 AND 11 IN RIVER PARK, 55.09 FEET EAST OF ITS INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE EAST ALONG SAID NORTH LINE TO A POINT 50 FEET WEST OF ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND WISCONSIN RAILROAD; THENCE NORTHWESTERLY TO A POINT ON THE SOUTHERLY LINE OF THE CHICAGO AND PACIFIC RAILROAD, 175 FEET NORTHWESTERLY OF ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND WISCONSIN RAILROAD; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND PACIFIC RAILROAD TO ITS INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER TO A POINT 23.56 FEET NORTH OF ITS INTERSECTION WITH THE NORTHERLY LINE OF WEEKS' SUBDIVISION AFORESAID; THENCE SOUTHEASTERLY TO THE PLACE OF BEGINNING, EXCEPT THAT PART OF THE ABOVE DESCRIBED TRACT OF LAND WHICH IS DESCRIBED AS FOLLOWS: THAT PART OF THE EAST 26.75 CHAINS OF FRACTIONAL SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, NORTH OF THE INDIAN BOUNDARY LINE, COMMENCING AT A POINT ON THE NORTHERLY BOUNDARY LINE OF WEEKS' SUBDIVISION OF PART OF LOTS 1, 2, 3, 4, 10 AND 11 IN RIVER PARK, 55.09 FEET EAST OF ITS INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 27 AFORESAID; THENCE EAST ALONG SAID NORTHERLY BOUNDARY LINE OF WEEKS' SUBDIVISION 75.5 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 27 AFORESAID TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE CHICAGO AND PACIFIC RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTHWEST LINE OF THE CHICAGO AND PACIFIC RAILROAD TO ITS INTERSECTION WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 27 AFORESAID; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 27 AFORESAID TO A POINT 23.56 FEET NORTH OF ITS INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF WEEKS' SUBDIVISION AFORESAID; THENCE ALONG A STRAIGHT LINE IN A SOUTHEASTERLY DIRECTION TO THE PLACE OF BEGINNING, AND ALSO EXCEPT THAT PART OF THE ABOVE DESCRIBED TRACT OF LAND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THE CHICAGO AND PACIFIC RAILROAD AND THE INTERSECTION WITH A LINE 130.59 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 65 DEGREES, 37 MINUTES, 37 SECONDS EAST (ASSUMED) ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 185.77 FEET (MEASURED 183.56 FEET); THENCE SOUTH 44 DEGREES, 37 MINUTES, 49 SECONDS EAST, A DISTANCE OF 272.95 FEET (MEASURED SOUTH 44 DEGREES, 14 MINUTES, 24 SECONDS EAST, 173.42 FEET) TO THE NORTH LINE OF LEYDEN BUILDERS RESUBDIVISION OF PART OF LOT 'Y' AND THE WEST HALF OF VACATED LOMBARD AVENUE LYING WEST OF AND ADJOINING SAID LOT 'Y' OF WEEKS' AND FRANKLIN'S SUBDIVISION, RECORDED AUGUST 25, 1961, AS DOCUMENT NUMBER 18258411; THENCE NORTH 88 DEGREES, 52 MINUTES, 52 SECONDS WEST (MEASURED NORTH 88 DEGREES, 38 MINUTES, 37 SECONDS WEST) ALONG SAID NORTH LINE, A DISTANCE OF 61.32 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 689.40 FEET AND A CENTRAL ANGLE OF 19 DEGREES, 11 MINUTES, 53 SECONDS; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, FROM WHICH THE LOCAL TANGENT AT THE BEGINNING POINT BEARS NORTH 39 DEGREES, 58 MINUTES, 14 SECONDS WEST (MEASURED NORTH 39 DEGREES, 31 MINUTES, 06 SECONDS WEST); A DISTANCE OF 231.00 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 49 DEGREES, 34 MINUTES, 11 SECONDS WEST (MEASURED NORTH 50 DEGREES, 09 MINUTES, 24 SECONDS WEST); A DISTANCE OF 229.92 FEET TO THE POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE NORTH 63 DEGREES, 34 MINUTES, 47 SECONDS WEST, A DISTANCE OF 59.58 FEET (MEASURED NORTH 63 DEGREES, 34 MINUTES, 24 SECONDS WEST, 59.69 FEET) TO A POINT ON SAID PARALLEL LINE; THENCE NORTH 30 DEGREES, 58 MINUTES, 20 SECONDS EAST (MEASURED NORTH 31 DEGREES, 03 MINUTES, 07 SECONDS EAST) ALONG SAID PARALLEL LINE, A DISTANCE OF 21.51 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXHIBIT A

PARCEL 2:  
LOT "V" (EXCEPT THE WEST 75.5 FEET AS MEASURED ALONG THE NORTH LINE THEREOF) IN WEEKS' AND FRANKLIN'S SUBDIVISION OF PART OF RIVER PARK IN THE NORTH HALF OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF WEEKS' AND FRANKLIN'S SUBDIVISION RECORDED AUGUST 28, 1894 AS DOCUMENT 2093730, IN COOK COUNTY, ILLINOIS.

PARCEL 3:  
ALL THAT PART OF LOT "W" LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF FRANKLIN AVENUE AS SHOWN ON THE PLAT OF DEDICATION RECORDED AS DOCUMENT 12249206 WHICH LIES EAST OF THE EAST LINE OF THE WEST 75.5 FEET (AS MEASURED ALONG THE NORTH LINE) OF SAID LOT "V" EXTENDED SOUTH OF WEEKS' AND FRANKLIN'S SUBDIVISION OF PART OF RIVER PARK IN THE NORTH HALF OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF WEEKS' AND FRANKLIN'S SUBDIVISION RECORDED AUGUST 28, 1894 AS DOCUMENT 2093730, IN COOK COUNTY, ILLINOIS.

PARCEL 4:  
THAT PART OF THE WEST HALF OF VACATED LOMBARD AVENUE LYING EAST OF AND ADJOINING PARCELS 2 AND 3, AND LYING NORTH OF THE NORTHERLY LINE OF FRANKLIN AVENUE AFORESAID.

PARCEL 5:  
THE WEST 25 FEET OF LOT 5 IN LEYDEN BUILDERS RESUBDIVISION OF PART OF LOT "Y" AND THE EAST HALF OF VACATED LOMBARD AVENUE LYING WEST OF AND ADJOINING LOT "Y" OF WEEKS' AND FRANKLIN'S SUBDIVISION OF PART OF RIVER PARK, IN SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED AUGUST 25, 1961, AS DOCUMENT 18258411 IN COOK COUNTY, ILLINOIS.

PARCEL 6:  
THE EAST HALF (EXCEPT THE EAST 8 FEET OF THE EAST HALF) OF VACATED LOMBARD AVENUE LYING WEST OF AND ADJOINING LOT "X" IN BLOCK 10 IN WEEKS' AND FRANKLIN'S SUBDIVISION OF BLOCKS 1 TO 4 INCLUSIVE, 10 AND 11 OF RIVER PARK ACCORDING TO THE PLAT RECORDED AUGUST 28, 1894 IN BOOK 63 OF PLATS, PAGE 33 AS DOCUMENT 2093730 IN SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 7:  
LOT "X" AND THE EAST 8 FEET OF THE EAST HALF OF VACATED LOMBARD AVENUE LYING WEST OF AND ADJOINING SAID LOT "X" IN BLOCK 10 OF WEEKS' AND FRANKLIN'S SUBDIVISION OF PART OF BLOCKS 1 TO 4 INCLUSIVE, 10 AND 11 OF RIVER PARK, ACCORDING TO THE PLAT RECORDED AUGUST 28, 1894 IN BOOK 63 OF PLATS, PAGE 33 AS DOCUMENT 2093730 IN SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 8:  
THE WEST 8 FEET OF LOT 4 AND LOT 5 (EXCEPT THE WEST 25 FEET OF LOT 5) IN LEYDEN BUILDERS RESUBDIVISION OF PART OF LOT "Y" AND THE EAST HALF OF VACATED LOMBARD AVENUE LYING WEST OF AND ADJOINING SAID LOT "Y" OF WEEKS' AND FRANKLIN'S SUBDIVISION OF PART OF RIVER PARK IN SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED AUGUST 25, 1961 AS DOCUMENT 18258411, IN COOK COUNTY, ILLINOIS.

PIN 12-27-111-003

12-27-111-032, 039, 043, 044, 045 and 046

9329-30 Franklin Ave, Franklin Park

PIN 12-27-111-032, 12-27-111-039, 12-27-111-043, 12-27-111-044,  
12-27-111-045, 12-27-111-046 and 12-27-128-003

### LEGAL DESCRIPTION

The subject property is composed of eight parcels all contiguous and described as follows:

#### Parcel #1

That part of the East 26.75 chains of fractional Section 27, Township 40 North, Range 12 East of the Third Principal Meridian, North of the Indian Boundary Line, commencing at a point on the Northerly boundary line of Weeks' Subdivision of part of Lots 1, 2, 3, 4, 10 and 11 in River Park, 55.09 feet East of its intersection with the West line of the East half of the North West quarter of Section 27, Township 40 North, Range 12 East of the Third Principal Meridian; thence East along said North line to a point 50 feet West of its intersection with the westerly right of way line of the Chicago and Wisconsin Railroad; thence Northwesterly to a point on the Southerly line of the Chicago and Pacific Railroad, 175 feet Northwesterly of its intersection with the westerly right of way line of the Chicago and Wisconsin Railroad; thence Northwesterly along the Southwesterly right of way line of the Chicago and Pacific Railroad to its intersection with the West line of the East half of the North West quarter of said Section 27; thence South along said West line of the East half of the North West quarter to a point 23.56 feet North of its intersection with the Northerly Boundary line of Weeks' Subdivision aforesaid; thence Southeasterly to the place of beginning, except that part of the above described tract of land which is described as follows: That part of the East 26.75 chains of fractional Section 27, Township 40 North, Range 12 East of the Third Principal Meridian, North of the Indian Boundary Line, commencing at a point on the Northerly Boundary line of Weeks' Subdivision of part of lots 1, 2, 3, 4, 10 and 11 in River Park, 55.09 feet East of its intersection with the West line of the East half of the North West quarter of Section 27 aforesaid; thence East along said North line along said Northerly boundary line of Weeks' Subdivision, 75.5 feet; thence Northerly along a line parallel with the said West line of the East half of the North West quarter of Section 27 aforesaid to its intersection with the Southwesterly line of the Chicago and Pacific Railroad; thence Northwesterly along the said Southwesterly line of the Chicago and Pacific Railroad to its intersection with the West line of the East half of the North West quarter of Section 27 aforesaid; thence South along said West line of the East half of the North West quarter of Section 27 aforesaid to a point 23.56 feet North of its intersection with the Northerly boundary line of Weeks' Subdivision aforesaid; thence along a straight line in a Southeasterly direction to the place of beginning.

## LEGAL DESCRIPTION

Parcel #2

Lot "y" (except the West 75.50 feet as measured along the North line thereof) in Weeks' and Franklin's Subdivision of part of River Park in the North half of Section 27, Township 40, North, Range 12 East of the Third Principal Meridian, according to the plat of Weeks' and Franklin's Subdivision recorded August 28, 1894 as Document #2093730.

Parcel #3

All that part of Lot "y" lying Northeastly of the Northeastly line of Franklin Avenue as shown on plat of Dedication recorded as Document #12249206, which line East of the East line of the West 75.50 feet (as measured along the North line) of said Lot "y" extended South in Weeks' and Franklin's Subdivision aforesaid.

Parcel #4

That part of the West half of vacated Lombard Avenue lying East of and adjoining Parcels 2 and 3 and lying North of the Northerly line of Franklin Avenue aforesaid.

Parcel #5

The West 25 feet of Lot 3 in Layden Builders Resubdivision of part of Lot "y" and the East 1/2 of vacated Lombard Avenue lying East of and adjoining Lot "y" of Weeks' and Franklin's Subdivision of part of River Park, in Section 27, Township 40 North, Range 12, East of the Third Principal Meridian, as recorded August 25, 1961, as Document #1823641 in Cook County, Illinois.

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