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Cook County Recorder 27.00

AFTER RECORDING

RETURN TO:

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Schwartz, Cooper,  
Greenberger & Krauss, Chtd.  
Attn: Mark B. Butterman, Esq.



For Recorder's Use Only

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

LEVIN MENZIES & ASSOCIATES, LLC, a )  
California limited liability company (f/k/a Levin )  
Menzies Kelly & Associates, LLC), )

Plaintiff, )

v. )

TWELFTH MONT ASSOCIATES, a New York )  
limited partnership, BROOKWOOD ENERGY & )  
PROPERTIES, INC., a Delaware corporation, )  
&UNKNOWN OWNERS, and NON-RECORD )  
CLAIMANTS, )

Defendants. )

02CH11903

No.

NOTICE OF FORECLOSURE (LIS PENDENS)

The undersigned certifies that the above-entitled mortgage foreclosure action was filed on June 26, 2002, and is now pending.

- (i) The names of all plaintiffs and the case number are identified above.
- (ii) The court in which said action was brought is identified above.
- (iii) The name of the title holders of record are:

(1) as to the land, Anchor One, LLC, a Delaware limited liability company;

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(2) as to the leasehold estate, and ownership of the buildings, structures and improvements located on the land, Twelfth Mont Associates, a New York limited partnership;

(iv) A legal description of the real estate sufficient to identify it with reasonable certainty is attached. The PIN number is 31-22-30-025.

(v) A common address or description of the location of the real estate is as follows:  
500 Lincoln Mall, Matteson, Illinois.

(vi) An identification of the mortgages sought to be foreclosed is as follows:

Names of mortgagor: Twelfth Mont Associates and Montgomery Ward Development Corporation

Name of mortgagee: Levin Menzies & Associates, LLC (f/k/a Levin Menzies Kelly & Associates, LLC), assignee of Charter One Bank F.S.B., successor-in-interest to A'bank, F.S.B. (f/k/a Albany Savings Bank, F.S.B.), assignee of Northern Trust Company

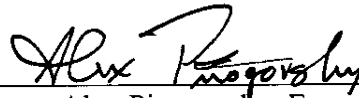
Date of mortgage: December 1, 1973

Date of recording: April 16, 1974

and recording Number: 22686737

County where recorded: Cook

Dated: June 26, 2002

  
\_\_\_\_\_  
Alex Pirogovsky, Esq.

Prepared by:

Mark B. Buttermann  
Alex Pirogovsky  
SCHWARTZ, COOPER, GREENBERGER  
& KRAUSS, CHARTERED  
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Firm I.D.: 31395

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## LEGAL DESCRIPTION

(A) THE LEASEHOLD ESTATE (SAID LEASEHOLD ESTATE BEING DEFINED IN PARAGRAPH 1(H) OF THE CONDITIONS AND STIPULATIONS OF THE POLICY), CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: MONTGOMERY WARD DEVELOPMENT CORPORATION TO TWELFTH MONT ASSOCIATES DATED APRIL 30, 1973 AND RECORDED APRIL 16, 1974 AS DOCUMENT NO. 22686733, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING APRIL 30, 1973 AND ENDING MAY 1, 2006. FIRST AMENDMENT TO GROUND LEASE RECORDED APRIL 16, 1974 AS DOCUMENT 22686734 AMENDED BY INSTRUMENT RECORDED APRIL 16, 1974 AS DOCUMENT 22686736. (EXCEPT BUILDINGS AND IMPROVEMENTS LOCATED ON THE LAND)

(B) OWNERSHIP OF THE BUILDINGS, STRUCTURES AND IMPROVEMENTS LOCATED ON THE LAND THE LAND BEING DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 4 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS, PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS, THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMP HOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANGS, AWNINGS, ALARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AND OTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THE DEVELOPMENT AND CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24, 1972 AS DOCUMENT 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT STORES, INC., AN ILLINOIS

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CORPORATION, IN, ON, OVER, UPON AND UNDER LOTS 1, 2, 3, 5 AND 6 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AS AMENDED AND MODIFIED BY THAT CERTAIN EASEMENT RELOCATION AGREEMENT, FIRST AMENDMENT TO TOTAL SITE AGREEMENT AND HIGHWAY EASEMENT REVOCATION AND DRAINAGE GRANT EASEMENT, RECORDED ON SEPTEMBER 9, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS AS DOCUMENT 24099069.

## PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57866, IN, ON, OVER, UPON AND UNDER LOTS 1, 2, 3, 5, 8, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT AS AMENDED AND MODIFIED BY THAT CERTAIN EASEMENT RELOCATION AGREEMENT, FIRST AMENDMENT TO TOTAL SITE AGREEMENT AND HIGHWAY EASEMENT REVOCATION AND DRAINAGE GRANT EASEMENT, RECORDED ON SEPTEMBER 9, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS AS DOCUMENT 24099069.

Common Address: 500 Lincoln Mall  
Matteson, Illinois

P.I.N. #: 31-22-300-025