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

Timothy R. Conway Edward B. Keidan Conway & Mrowiec 20 South Clark Street Suite 750 Chicago, Illinois 60603 (312) 658-1100

Doc#: 0333932051 Eugene "Gene" Moore Fee: \$18.50 Cook County Recorder of Deeds Date: 12/05/2003 11:51 AM Pg: 1 of 4

ORIGINAL CONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS

COUNTY OF COOK)

The Claimant, Rausch Construction Company, Inc. ("Rausch"), with an address at 2717 South 13th Avenue, Broadview, Illinois, hereby files its Original Contractor's Claim for Mechanics Lien and claims a mechanics lien against the Real Estate (as hereinafter described) and all improvements constructed on the Real Estate and against the interest of the Owner of the Real Estate, LaSalle Bank, as Successor Trustee to American National Bank and Trust Company of Chicago, As Trustee Under Trust Agreement Dated September 12, 1985 and known as Trust Number 069436-09, with an address at 135 South LaSalle Street, Chicago, Illinois, and against the interest of any person claiming an interest in the Real Estate by, through, or under Owner as more fully stated below.

Rausch states as follows:

On or about February 1, 2001 and subsequently, Owner owned rec simple title to the 1. real estate (including all land and improvements thereon) (the "Real Estate") in Cock County, Illinois commonly known as 130 West Carpenter Avenue, Wheeling, Illinois and legally described as follows:

Lots 5 And 6 In Block 4 In Ameriline's Subdivision Of Part Of The East ½ Of The Southwest 1/4 Of Section 11, Township 42 North, Range 11, East Of The Third Principal Meridian, In Cook County, Illinois.

The permanent real estate tax number for the Real Estate is: 03-11-304-005.

PIN Nos.:

03-11-304-005

Street Address: 130 West Carpenter Avenue, Wheeling, Illinois.

Page 1 of 4

0333932051 Page: 2 of 4

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The common address of the Real Estate is: 130 West Carpenter Avenue, Wheeling, Illinois.

MAGC Investments, LLP ("MAGC") is the owner of the beneficial interest under the Trust Agreement dated September 12, 1986 and known as Trust Number 069436-09.

- Rausch was the Design/Builder on a project commonly known as the Warehouse and 2. Office Addition (the "Project").
- Rausch entered into a written contract (the "Contract") dated as of February 1, 2001, with MAGC. Pursuant to the Contract, Rausch agreed to perform certain design/build services and related work in connection with the Project for the original contract amount of the cost of work plus five percent fee.
- The Contract was entered into by MAGC, an authorized agent of Owner, and an entity 4. knowingly permitted by Owner to enter into contracts for the improvement of the Property, and as Owner's agent, and the work was performed by Rausch with the knowledge, authorization and consent of Owner. Alternatively, Owner authorized MAGC to enter into the Contract. Alternatively, Owner knowingly permitted MAGC to enter into the Contract for the improvement of the Real Estate, and Owner knowingly permitted Rousch to perform its work.
 - Rausch completed all work on the Project on August 26, 2003. 5.
- As of the date hereof, there is due, unpaid, and owing to Rausch, after allowing all 6. credits, the principal sum of \$256,242.45, which principal amount bears interest at the statutory rate of 10 percent per annum. Rausch claims a lien on the Real Estate (including all land and improvements thereon) in the total principal amount of \$256,242 45 together with interest at the statutory rate of 10 percent per annum.

PIN Nos.:

03-11-304-005

Street Address: 130 West Carpenter Avenue, Wheeling, Illinois.

Page 2 of 4

0333932051 Page: 3 of 4

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Dated: December 4, 2000.

RAUSCH CONSTRUCTION COMPANY, INC.

Name: William M. Rausch

Title: Vice President

THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING SHOULD BE LOF COOP COUNTY CLOPA'S OFFICE RETURNED TO:

Timothy R. Conway Edward B. Keidan Conway & Mrowiec 20 South Clark Street Suite 750 Chicago, Illinois 60603

PIN Nos.:

03-11-304-005

Street Address: 130 West Carpenter Avenue, Wheeling, Illinois.

Page 3 of 4

0333932051 Page: 4 of 4

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VERIFICATION

STATE OF ILLINOIS)	
)	SS
COUNTY OF COOK)		

William M. Rausch, being first duly sworn on oath, deposes and states that he is the Vice President of Rausch Construction Company, Inc., that he is authorized to sign this verification to the foregoing original contractors claim for mechanics lien on its behalf, and that he has read the original contractor's claim for mechanics lien, and that the statements contained therein are true.

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SUBSCRIBED and Sworn To Before Me This 5th day of December, 2003.

Notary Public

H Colling Clorks Office THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING SHOULD BE **RETURNED TO:**

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Page 4 of 4