

UNOFFICIAL COPY

Prepared by and after recording
Return to:

David S. Martin, Esq.
Neal, Gerber & Eisenberg
Two North LaSalle Street
Suite 2200
Chicago, IL 60602



Doc#: 0432127177
Eugene "Gene" Moore Fee: \$30.00
Cook County Recorder of Deeds
Date: 11/16/2004 04:16 PM Pg: 1 of 4

NOTICE OF CLAIM

This Notice of Claim ("Notice") is made as of the 16th day of November, 2004 by Owen Wagener & Co. an Illinois corporation (hereinafter referred to as "OWCO").

WITNESSETH

A. OWCO as broker and Daniel M. Quirk, as owner ("Quirk") are parties to that certain Exclusive Right To Sell or Lease agreement ("Agreement") dated as of October 4, 2004, relating to Quirk's sale of a certain commercial property located at 10148 Pacific Ave., Franklin Park, Illinois (the "Property"). The legal description of the Property is attached hereto as Exhibit A. No potential purchasers of the Property are excluded from the Agreement.

B. OWCO has learned that Quirk has entered into a contract to sell the Property for \$315,000. Pursuant to the terms of the Agreement, upon the sale of the Property the commission due OWCO from Quirk would be \$18,900, or 6% of the sale price.

C. Quirk has informed OWCO that he will not pay the commission due OWCO upon sale of the Property to current contract purchaser.

NOW, THEREFORE, OWCO hereby records this Notice to reflect its continuing claims with respect to a real estate commission upon the sale of the Property. All notices and other communications given pursuant to this notice shall be in writing and sent to the undersigned as follows:

RETURN TO BOX 26

MEH

Owen Wagener & Co.
955 N. Plum Grove Road, Suite C
Schaumburg, Illinois 60173
Attention: Kelly Joyce

With a copy to:

Neal, Gerber & Eisenberg
Two N. LaSalle Street
Suite 2200
Chicago, Illinois 60602
Attn: David S. Martin, Esq.

IN WITNESS WHEREOF, this Notice has been executed by the undersigned as of the date first written above.

OWEN WAGENER & CO, an Illinois Corporation

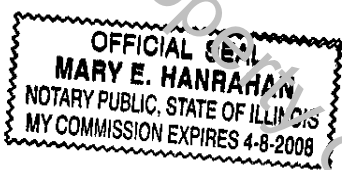
By: *Kelly M. Joyce*
Kelly Joyce
Its: President

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STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)

I, the undersigned, a notary public and for said County, in the State aforesaid, DO HEREBY CERTIFY that Kelly Joyce, personally known to me to be the President of Owen Wagener & Co., an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as President she signed and delivered the said instrument as her free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and official seal, this 16th day of November.



Mary E. Hanrahan
Notary Public

Commission Expires: 4-8-2008

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EXHIBIT A

LEGAL DESCRIPTION

THE WEST 0.50 FEET OF LOT 14, MEASURED AT RIGHT ANGLES, AND ALL OF LOTS 15 AND 16 IN BLOCK 41 IN THE THIRD ADDITION TO FRANKLIN PARK IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28; AND PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

TAX PARCEL NOS.: 12-21-307-020

Property of Cook County Clerk's Office