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MECHANIC'S LIEN:
CLAIM

STATE OF ILLINOIS }
 }
COUNTY OF Cook }



Doc#: 0433550106
Eugene "Gene" Moore Fee: \$18.00
Cook County Recorder of Deeds
Date: 11/30/2004 02:51 PM Pg: 1 of 3

SCURTO CEMENT CONSTRUCTION, LTD.

CLAIMANT

-VS-

Devon Lincoln Properties, LLC (Original Landlord)
LaSalle Bank, NA, Trust #103992-02 (Sub-Landlord)
Home Depot U.S.A., Inc. (Tenant)
Principal Life Insurance Company
GLENN H. JOHNSON CONSTRUCTION CO.

DEFENDANT(S)

The claimant, **SCURTO CEMENT CONSTRUCTION, LTD.** of Elgin, IL 60123-1146, County of Kane, hereby files a claim for lien against **GLENN H. JOHNSON CONSTRUCTION CO.**, contractor of 8600 W. Bryn Mawr Avenue Suite 1000 N, CHICAGO, State of IL and **Devon Lincoln Properties, LLC (Original Landlord)** Chicago, IL 60602 **LaSalle Bank, NA, Trust #103992-02 (Sub-Landlord)** Chicago, IL 60603 **Home Depot U.S.A., Inc. (Tenant)** Chicago, IL 60604-1101 {hereinafter referred to as "owner(s)"} and **Principal Life Insurance Company** Des Moines, IA 50392-1450 {hereinafter referred to as "lender(s)"} and states:

That on or about **03/02/2004**, the owner owned the following described land in the County of Cook, State of Illinois to wit:

Street Address: **Home Depot # 8598 6211 N. Lincoln Avenue Chicago, IL:**

A/K/A: **SEE ATTACHED LEGAL DESCRIPTION**

A/K/A: **TAX # 13-02-202-005; 13-02-202-008; 13-02-202-009; 13-02-202-010; 13-02-202-012; 13-02-202-013; 13-02-202-015; 13-02-202-016; 13-02-202-017; 13-02-202-018; 13-02-202-020; 13-02-202-021; 13-02-202-022**

and **GLENN H. JOHNSON CONSTRUCTION CO.** was the owner's contractor for the improvement thereof. That on or about **03/02/2004**, said contractor made a subcontract with the claimant to provide **labor and material for concrete work** for and in said improvement, and that on or about **10/01/2004** the claimant completed thereunder all that was required to be done by said contract.



Box 10

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The following amounts are due on said contract:

Contract	\$1,220,592.00
Extras/Change Orders	\$136,933.00
Credits	\$878.00
Payments	\$1,098,532.80

Total Balance Due \$258,114.20

leaving due, unpaid and owing to the claimant after allowing all credits, the sum of **Two Hundred Fifty-Eight Thousand One Hundred Fourteen and Two Tenths (\$258,114.20) Dollars**, for which, with interest, the Claimant claims a lien on said land, beneficial interests, if any, and improvements, and on the moneys or other considerations due or to become due from the owner under said contract.

To the extent permitted by law, all waivers of lien heretofore given by claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice.

SCURTO CEMENT CONSTRUCTION, LTD.

BY: _____
President

Prepared By:
SCURTO CEMENT CONSTRUCTION, LTD.
1675 Todd Farm Drive
Elgin, IL 60123-1146

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NOV 24 2004

VERIFICATION

BY: _____

State of Illinois

County of Kane

The affiant, Greg Scurto, being first duly sworn, on oath deposes and says that the affiant is President of the claimant; that the affiant has read the foregoing claim for lien and knows the contents thereof; and that all the statements therein contained are true.

x _____
President

Subscribed and sworn to
before me this **November 18, 2004**.

Mary Del Vecchio
Notary Public's Signature



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LEGAL DESCRIPTION

THAT PART OF THE NORTH EAST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF LINCOLN AVENUE (AS WIDENED); NORTHWESTERLY OF THE NORTHWESTERLY LINE OF MCCORMICK ROAD (ALSO KNOWN AS KIMBALL AVENUE) AND SOUTH OF THE SOUTH LINE OF DEVON AVENUE (AS WIDENED), IN COOK COUNTY, ILLINOIS.

EXCLUDING THEREFROM THE FOLLOWING:

A PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE ON AN ASSUMED BEARING OF SOUTH 88 DEGREES 19 MINUTES 10 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 212.624 METERS [697.58 FEET]; THENCE SOUTH 01 DEGREES 29 MINUTES 55 SECONDS 15.240 METERS [50.00 FEET] TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF DEVON AVENUE WITH THE WESTERLY RIGHT OF WAY LINE OF MCCORMICK BOULEVARD AS DESIGNATED UPON THE PLAT OF SURVEY FOR HIGHWAY PURPOSES RECORDED MAY 2, 1952 AS DOCUMENT NUMBER 12724159, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 29 MINUTES 58 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE 1.094 METERS [3.59 FEET]; THENCE SOUTHERLY 5.906 METERS [19.38 FEET] ALONG SAID WESTERLY RIGHT OF WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 137.316 METERS [450.51 FEET], THE CHORD OF SAID CURVE BEARS SOUTH 00 DEGREES 17 MINUTES 05 SECONDS WEST 5.905 METERS [19.37 FEET]; THENCE NORTH 45 DEGREES 50 MINUTES 28 SECONDS WEST 9.752 METERS [32.00 FEET] TO THE SOUTHERLY RIGHT OF WAY LINE OF DEVON AVENUE; THENCE NORTH 88 DEGREES 19 MINUTES 10 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 7.000 METERS [22.97 FEET] TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.0025 HECTARES [0.006 ACRES] MORE OR LESS.

PROPERTY BOUNDED DEVON AVENUE, LINCOLN AVENUE AND MCCORMICK BOULEVARD