

ORDER

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IN THE CIRCUIT COURT OF COOK COUNTY, CHANCERY DIVISION, MECHANICS' LIEN SECTION

Doc#: 0436327096 Eugene "Gene" Moore Fee: \$28.00 Cook County Recorder of Deeds Date: 12/28/2004 03:02 PM Pg: 1 of 3

SPECTRUM STONE GROUP, INC., Plaintiff

v.

FORDHAM 65 E. GOETHE LLC, et al., Defendants.

0324 10773 No. 03 CH 10773 Judge C. Watson ENTERED JUL 22 2004 JUDGE WATSON

ORDER #1

This cause coming to be heard on the motion of Fordham 65 E. Goethe L.L.C. for Summary Judgment on Counts I and II of Spectrum Stone Group's First Amended Complaint, and the Court having considered the briefs filed by the parties, heard oral arguments and being fully advised,

IT IS HEREBY ORDERED as follows:

1. Fordham's motion is granted in part and denied in part.
2. Fordham's motion as to Constructive Fraud is denied.
3. The Court has especially considered Fister Affidavit P10 and Ex. 37 to Fordham's Reply as the response to that issue, and determines that Spectrum's Lien filed in the Office of the Cook County Recorder of Deeds on April 4, 2003 as document No. 0030450063, is based by Spectrum's Waiver and Affidavit dated October 8, 2002, to the extent it exceeds eighty-five thousand five hundred forty seven and 21/100 dollars (\$85,547.21).
4. Pursuant to Ill. Sup. Ct. Rule 304(a), this Court finds that there is no just reason to delay enforcement or appeal of this order as to para 2 and 3 of this order.

Atty. No.: 90747

Name: Roger L. Price, Seyfarth Shaw LLP

Atty. for: Fordham 65 E. Goethe LLC

Address: 55 E. Monroe Street, Suite 4200

City/State/Zip: Chicago, IL 60603

Telephone: (312) 346-8000

ENTER:

Judge

Judge's No.

7/22/04 [Signature]

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

JPL/cmk NNNT 20F2

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Parcel 1:

Lot 4 and Lot 3 (except that part of Lot 3 lying East of the line drawn from a point on the North boundary of Lot 3, 21 feet 11 inches West of the Northeast corner to a point in the South boundary of Lot 3, 14 feet 4 3/4 inches West of the Southeast corner) in subdivision of Lots 4 to 7 inclusive, and vacated alley lying West of and adjoining said Lot 7 in Block 6 in H.O. Stone's Subdivision of Astor's Addition to Chicago in the Northwest Fractional 1/4 of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2:

The West 1/2 of the following taken as a tract; that part of Lot 2 lying West of a line drawn from a point on the North boundary of Lot 2, 3 feet and 1 5/8 inches East of the Northwest corner to a point on the South boundary of said Lot 2, 10 feet 7 and 7/8 inches East of the Southwest corner thereof; together with that part of Lot 3 lying East of a line drawn from a point on the North boundary of said Lot 3, 21 feet and 11 inches West of the Northeast corner to a point on the South boundary of said Lot 3, 14 feet and 4 3/4 inches West of the Southeast corner; all in subdivision of Lots 4, 5, 6 and 7 and vacated alley lying West of and adjoining said Lot 7 in Block 6 in H.O. Stone's Subdivision of Astor's Addition to Chicago in the Northwest Fractional 1/4 of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 3:

Lots 1 and 2 (except that part of Lot 2 lying West of a line drawn from a point on North boundary of Lot 2, 3 feet 1 5/8 inches East of the North West corner to the point on South boundary of Lot 2, 10 feet 7 7/8 inches East of Southwest corner) in Subdivision of Lots 4 to 7 and vacated alley lying West of and adjoining said Lot 7 in Block 6 in H.O. Stone's Subdivision of Astor's Addition to Chicago in the Northwest Fractional Quarter (1/4) of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 4:

The East half (1/2) of following described property: that part of Lot 2 lying West of a line drawn from a point on North boundary of Lot 2, 3 feet and 1 5/8 inches East of Northwest corner to a point on South boundary of said Lot 2, 10 feet 7 7/8 inches East of Southwest corner thereof; also of that part of Lot 3 lying East of a line drawn from a point on North boundary of said Lot 3, 21 feet 11 inches West of the Northeast corner to a point on the South boundary of Lot 3, 14 feet 4 3/4 inches West of Southeast corner all in Subdivision of Lots 4 to 7 and the vacated alley lying West of and adjoining said Lot 7 in Block 6 in H.O. Stone's Subdivision of Astor's Addition to Chicago in the Northwest Fractional Quarter (1/4) of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

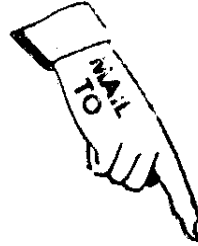
Which survey is attached as Exhibit "D" attached to the Declaration of Condominium recorded August 21, 2002 as document number 0020920698, as amended from time to time, together with its undivided percentage interest in the common elements.

Northwestern Title Corp
222 North LaSalle Street
Chicago, Illinois 60601

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65 E. Goethe Street, Chicago, IL.

17-03-110-012



PREPARED BY:

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