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Doc#: 0535549010 Fee: \$18.00
Eugene "Gene" Moon: LIESP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/21/2005 09:50 AM Pg: 1 of 2

SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN

STATE OF ILLINOIS)
)
COUNTY OF COOK)

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

LIVELY CONSTRUCTION COMPANY

v.

GEMINI CONSTRUCTION CORP.
RMS PROPERTIES, LLC a/k/a
RMS PROPERTIES, INC., and
PARKWAY BANK & TRUST

To: Gemini Construction Corp
10762 West 167th Street
Orland Park, Illinois 60467
("GENERAL CONTRACTOR")

RMS Properties
3318 West Golf Road
Schaumburg, IL 60195
("OWNER")

Re: Walgreen's (#07545)
1473 West Schaumburg
Schaumburg, Illinois
("PREMISES")

Parkway Bank & Trust, as Trustee
under Trust No. 13039 dated 8/31/01
("OWNER") and as Lender
4800 North Harlem Avenue
Harwood Heights, IL 60706

PLEASE TAKE NOTICE that LIVELY CONSTRUCTION COMPANY ("CLAIMANT"), with offices 500 Lakeview, Elk Grove Village, Cook County, Illinois, 60007, hereby files its Notice and Claim for Lien against the OWNER of the PREMISES located in the County of Cook, State of Illinois, and so states:

1. On or about September 28, 2005, and subsequently, OWNER owned fee simple title to the PREMISES located in Cook County, Illinois, and legally described as follows:

LOTS 1 AND 2 IN WESTERSFIELD COMMONS SHOPPING CENTER SUBDIVISION (EXCEPT THAT PART FALLING IN LOT 1 IN HERITAGE BANK PLAZA, A SUBDIVISION OF LOT 3 AND PART OF LOT 1 IN WEATHERSFIELD COMMPPNS SUBDIVISION) OF PART OF THE NORTHEAST ½ OF THE SOUTHEAST ¼ OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Tax Identification Numbers: 07-20-400-023-0000 and 07-20-400-019-0000

2. CLAIMANT, with consent of OWNER'S agent, GENERAL CONTRACTOR, agreed by contract to provide all necessary labor and materials to complete certain concrete work at the PREMISES for the original contract amount of \$135,000.00.

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3. At the special instance and request of GENERAL CONTRACTOR, the CLAIMANT furnished extra and additional materials and labor on said property of the value of \$17,408.00, making the total amount of the contract \$152,408.00.

4. As of the date hereof, GENERAL CONTRACTOR has paid CLAIMANT the sum of \$76,540.50.

5. As of the date hereof, there is due, unpaid and owing to CLAIMANT, after allowing all credits, the principal sum of \$75,867.50 which bears interest at the statutory rate of ten percent per annum. CLAIMANT hereby makes a claim upon the PREMISES and improvements thereon and upon all monies, bonds or warrants that are due or about to become due to GENERAL CONTRACTOR.

6. CLAIMANT last performed work under the Contract on or about September 28, 2005.

Dated: December 12, 2005

LIVELY CONSTRUCTION COMPANY

By: Mario Gullo

Its: Pres.

VERIFICATION

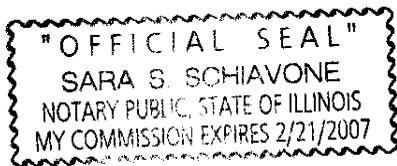
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

Mario Gullo, being first duly sworn on oath, states that he is President of the Claimant, Lively Construction Company, an Illinois corporation, that he is authorized to sign this Verification to the foregoing Subcontractor's Notice and Claim for Lien, and that the statements contained therein are true.

Mario Gullo

Subscribed and sworn to before me
this 12th day of December, 2005.

Sara S. Schiavone
Notary Public



This document has been prepared by and after recording should be returned to:

Michael A. Alesia
1111 Plaza Drive, Suite 450
Schaumburg, Illinois 60173