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0602619087

Doc#: 0602619087 **Fee:** \$30.50
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 01/26/2006 03:46 PM Pg: 1 of 4

Property of Cook County Clerk's Office

NOTICE OF LIS PENDENS

Prepared by and after recording return to:

Robert W. Glantz
Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
321 N. Clark Street, Suite 800
Chicago, IL 60610
312-541-0151

{5474 MSC A0116153.DOC}

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IN THE CIRCUIT COURT OF THE COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, CHANCERY DIVISION

IMPERIAL CAPITAL BANK, federally)
chartered, organized and existing)
under the laws of the state of California)

Plaintiff,)

vs.)

DAMON'S RESTAURANTS OF AMERICA,)
INC., DAMON'S RESTAURANTS, INC.)
DAMON'S INTERNATIONAL, INC.,)
THREE LAKES BUSINESS PARK PROPERTY)
OWNERS ASSOCIATION, TERRA COTTA)
TRUCK SERVICES, INC., UNKNOWN)
OWNERS AND NON-RECORD CLAIMANTS.)

2006 CH 01506

Defendants.)

NOTICE OF FORECLOSURE (LIS PENDENS)

The undersigned certifies pursuant to 735 ILCS 5/15/1503 that the above entitled mortgage foreclosure action was filed on January 23, 2005 and is now pending.

(I) The names of all plaintiffs and the case number are identified above.

(ii) The Court in which said action was brought is identified above.

(iii) The names of the title holders are:

Damon's Restaurants Of America, Inc.

(iv) A legal description of the real estate sufficient to identify it with reasonable certainty is attached as Exhibit A.

Commonly known as: 1140 E. Higgins Road, Schaumburg, IL

(v) A common address or description of the location of the real estate is follows:

1140 E. Higgins Road, Schaumburg, IL

(vi) An identification of the mortgages sought to be foreclosed is as follows:

Name of mortgagors: Damon's Restaurant of America, Inc.
Name of mortgagee: Imperial Capital Bank

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Date of mortgage: December 29, 2003

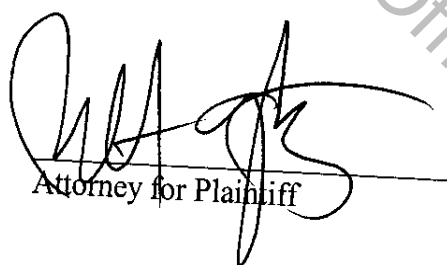
Date of recording: January 8, 2004

County where recorded: Cook County, Illinois

Recording document identification: Document Number 0400842027

The undersigned further certifies pursuant to 735 ILCS 5/15-1218:

- (a) The name and address of the party plaintiff making said claim and asserting said mortgage is: Imperial Capital Bank
c/o Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
321 N. Clark Street, Suite 800
Chicago, IL 60610
- (b) Said plaintiff claims mortgage liens upon said real estate.
- (c) The nature of said claims are the mortgages and foreclosure action described above.
- (d) The names of the persons against whom said claim is made are:
Damon's Restaurants Of America, Inc., Damon's Restaurants, Inc., Damon's International, Inc., Three Lakes Business Park Property Owners Association, Terra Cotta Truck Services, Inc., Unknown Owners And Non-Record Claimants
- (e) The legal description of said real estate appears in Exhibit A attached hereto.
- (f) The name and address of the person executing this Notice appears below.
- (g) The name and address of the person who prepared this Notice appears below.



Attorney for Plaintiff

PREPARED BY:
 Robert W. Glantz
 Jeffrey L. Widman
 Shaw Gussis Fishman Glantz & Wolfson, LLC
 321 N. Clark Street, Suite 800
 Chicago, Illinois 60610
 (312)541-0151
 Attorney ID# 40040

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EXHIBIT A

LOT 2A IN FINAL PLAT OF SUBDIVISION OF DAMON'S RESUBDIVISION BEING A RESUBDIVISION OF LOT 2 IN WINKELHAKE'S THREE LAKES BUSINESS PARK LOTS 1 AND 5 RESUBDIVISION BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT RECORDED AUGUST 7, 2003 AS DOCUMENT 0321918081, IN COOK COUNTY, ILLINOIS.

Commonly known as 1140 E. Higgins Road, Schaumburg, IL

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