

# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )



Doc#: 0618626116 Fee: \$21.50  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/05/2006 12:57 PM Pg: 1 of 7

## SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

The lien claimant, TERRA COTTA TRUCK SERVICE, INC., an Illinois corporation ("Claimant"), with an address at 4712 Reiland Drive, City of Crystal Lake, County of McHenry, State of Illinois, hereby files its Subcontractor's Claim for Mechanics Lien on the Real Estate as hereinafter described and against the interest of CAPRI DEVELOPMENT 111, LLC, in the Real Estate, and any person claiming an interest in the Real Estate, as hereinafter described, by through, or under Owner.

Claimant states as follows:

1. On or about May 26, 2006, and subsequently, Owner owned fee simple title to the Real Estate, including all land and improvements thereon, in Cook County, Illinois, commonly known as Applebee's Restaurant, 111 Algonquin Road, Arlington Heights, Illinois, and legally described as follows:

### PARCEL 1:

THAT PART OF THE FOLLOWING DESCRIBED PARCELS A AND B, TAKEN AS A TRACT, LYING EASTERLY OF A LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID TRACT, SAID POINT BEING 238.93 FEET EAST OF THE NORTH MOST CORNER OF SAID TRACT, AS MEASURED ALONG THE NORTH LINE THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF LOT 4, AFORESAID, SAID POINT BEING 286.44 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID TRACT, AS MEASURED ALONG THE SOUTH LINE THEREOF:

### PARCEL A:

THE NORTH 76.88 FEET OF THE SOUTH 104.41 FEET OF LOT 4, TOGETHER WITH THAT PART OF THE WEST 182.03 FEET LYING NORTH OF THE SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE THEREOF, IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS BY ORDER ENTERED JANUARY 20, 1994 IN CASE NO. 93L50915 AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 4, A DISTANCE OF 277.08 FEET TO THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4; THENCE SOUTH 82 DEGREES 53 MINUTES 55 SECONDS EAST, ALONG THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4, A DISTANCE OF 16.00 FEET; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST, ALONG A LINE 16.00 FEET THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST, ALONG A LINE 16.00 FEET NORMALLY DISTANT EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4, A DISTANCE OF 277.08 FEET TO THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF

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SAID LOT 4; THENCE NORTH 82 DEGREES 53 MINUTES 55 SECONDS WEST, ALONG SAID SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL B:**

LOT 4 (EXCEPTING THE SOUTH 104.41 FEET THEREOF, AND ALSO EXCEPTING THAT PART OF THE WEST 182.03 FEET LYING NORTH OF THE SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF SAID LOT 4, AND ALSO EXCEPTING THE NORTH 175.00 FEET OF THE WEST 165.08 FEET OF SAID LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE OF SAID LOT 4) IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS BY ORDER ENTERED APRIL 22, 1994 IN CASE NO. 94L50128 AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF SOUTH 26 DEGREES 24 MINUTES 20 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 4, A DISTANCE OF 13.45 FEET; THENCE NORTH 67 DEGREES 24 MINUTES 45 SECONDS WEST, ALONG A LINE 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 4, A DISTANCE OF 249.44 FEET TO THE EAST LINE OF SAID WEST 165.08 FEET OF LOT 4; THENCE NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST, ALONG SAID EAST LINE OF THE WEST 165.08 FEET OF LOT 4, A DISTANCE OF 14.27 FEET TO THE NORTHERLY LINE OF SAID LOT 4; THENCE SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST, ALONG SAID NORTHERLY LINE OF LOT 4, A DISTANCE OF 254.18 FEET TO THE POINT OF BEGINNING.

**PARCEL 2:**

THAT PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 15, 1928 AS DOCUMENT 10023115 IN BOOK 258 OF PLATS, PAGE 32, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 2; THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF LOT 2, BEING THE SOUTHERLY LINE OF ALGONQUIN ROAD, FOR 23 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF SAID LOT 2 FOR 295.92 FEET TO A POINT IN A SOUTHERLY LINE OF SAID LOT 2; THENCE NORTHWESTERLY ALONG THE AFORESAID SOUTHERLY LINE OF LOT 2 FOR 24.38 FEET TO THE MOST WESTERLY CORNER OF LOT 2; THENCE NORTHEASTERLY ALONG A WESTERLY LINE OF LOT 2 FOR 304.02 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS BY ORDER ENTERED APRIL 14, 1994 IN CASE NO. 93L51106 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE ON AN ASSUMED BEARING OF SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 2 A DISTANCE OF 23.00 FEET; THENCE SOUTH 26 DEGREES 24 MINUTES 20 SECONDS WEST ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID LOT 2 A DISTANCE OF 13.45 FEET; THENCE NORTH 63 DEGREES 24 MINUTES 45 SECONDS WEST ALONG A LINE 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 A DISTANCE OF 23.00 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 26 DEGREES 24 MINUTES 20 SECONDS EAST ALONG SAID WESTERLY LINE OF LOT 2 A DISTANCE OF 13.45 FEET TO THE POINT OF BEGINNING.

**PARCEL 3:**

EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 (TAKEN AS A TRACT) AS CREATED BY DEED RECORDED DECEMBER 7, 1973 AS DOCUMENT NO. 22566267 FOR INGRESS AND EGRESS OVER THE NORTH 24 FEET OF THE SOUTH 27.58 FEET OF LOT 4, AS MEASURED ALONG THE WESTERLY LINE THEREOF, (EXCEPT THE WESTERLY 16 FEET TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS BY ORDER ENTERED APRIL 29, 1994 IN CASE NO. 93L50754) IN AUGUST BUSSE'S DIVISION OF PARTS OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**UNOFFICIAL COPY****PARCEL 4:**

THAT PART OF LOTS 1 AND 2 IN LINCOLN-EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 27 DEGREES 05 MINUTES 35 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1, 11.27 FEET TO A POINT OF BEGINNING AT THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES 11 MINUTES 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED 16.70 FEET (SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED BEING A STRAIGHT LINE DRAWN FROM SAID POINT ON THE WESTERLY LINE OF SAID LOT 1, 11.27 FEET, AS MEASURED ALONG SAID WESTERLY LINE SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 1 TO A POINT ON THE EAST LINE OF SAID LOT 1, 11.18 FEET AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1); THENCE SOUTH 28 DEGREES 48 MINUTES 58 SECONDS WEST, 21.29 FEET; THENCE SOUTH 06 DEGREES 56 MINUTES 53 SECONDS EAST, 22.07 FEET; THENCE SOUTH 49 DEGREES 43 MINUTES 46 SECONDS EAST, 33.35 FEET; THENCE SOUTH 40 DEGREES 16 MINUTES 14 SECONDS WEST, 104.60 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 5.12 FEET TO THE WEST LINE OF SAID LOT 1 (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES 37 MINUTES 07 SECONDS WEST, 5.12 FEET); THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG THE WEST LINE OF SAID LOT, BEING ALSO THE EAST LINE OF SAID LOT 2, 34.16 FEET TO A POINT 605.61 FEET, AS MEASURED ALONG SAID EAST LINE OF LOT 2, NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS WEST, 152.02 FEET TO A CORNER OF SAID LOT 2; THENCE NORTH 82 DEGREES 20 MINUTES 08 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 2, 93.22 FEET TO A SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 27 DEGREES 05 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 2, 282.19 FEET TO THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES 62 MINUTES 35 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, 126.70 FEET TO AN ANGLE POINT IN SAID LINE, THENCE SOUTH 63 DEGREES 11 MINUTES 02 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, 45.36 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## Permanent Index Numbers:

08-16-401-030-0000

08-16-401-036-0000

08-16-401-039-0000

2. Claimant made an oral contract ("Contract") with C.J. Backhoe Service, Inc., under which Claimant agreed to provide all necessary labor and material to provide site rock on the Real Estate on a time and material basis.

3. The subcontract was entered into by C.J. Backhoe Service, Inc., and the work was performed with the knowledge and consent of C.J. Backhoe Service, Inc., and Capri Development 111, LLC.

4. Claimant last performed work under the subcontract on March 6, 2006.

5. As of the date hereof, there is due, unpaid, and owing to Claimant, after allowing all credits, the principal sum of \$43,870.66, which principal amount bears interest at the statutory

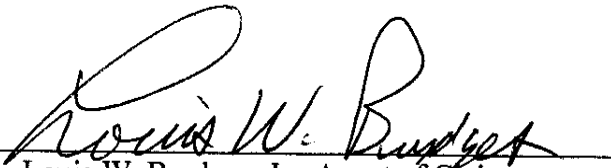
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per annum. Claimant claims a lien on the Real Estate (including all land and improvements thereon) in the amount of \$43,870.66 plus interest.

Dated: July 5, 2006

TERRA COTTA TRUCK SERVICE, INC.

by:

  
Louis W. Brydges, Jr., Agent of Claimant

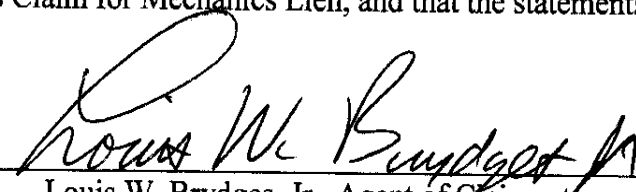
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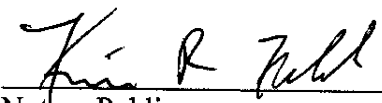
STATE OF ILLINOIS     )  
  ) ss.  
COUNTY OF L A K E     )

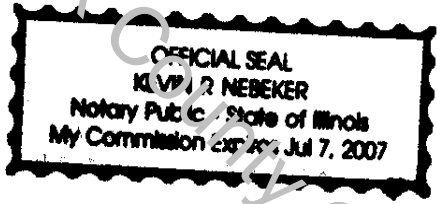
## VERIFICATION

Louis W. Brydges, Jr., being first duly sworn on oath, states that he is General Counsel and Agent of Claimant, TERRA COTTA TRUCK SERVICE, INC., an Illinois corporation, that he is authorized to sign this verification to the foregoing Subcontractor's Claim for Mechanics Lien, that he has read the Subcontractor's Claim for Mechanics Lien, and that the statements contained therein are true.

  
\_\_\_\_\_  
Louis W. Brydges, Jr., Agent of Claimant

Subscribed and sworn to before me  
this 5<sup>th</sup> day of July, 2006.

  
\_\_\_\_\_  
Notary Public



Clerk's Office

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Capri Development 111, LLC  
Applebee's Restaurant  
111 Algonquin Road, Arlington Heights, IL 60004  
Mechanics Lien  
**Service List**

TO:

CAPRI DEVELOPMENT 111, LLC  
208 So. LaSalle Street, Suite 1144  
Chicago, IL 60604

MB FINANCIAL BANK, N.A., As Trustee  
5100 So. Damen Avenue  
Chicago, IL 60609

BANK OF AMERICA, N.A., As Trustee  
105 W. Madison Street, Suite 101  
Chicago, IL 60602

APPLEBEE'S INTERNATIONAL, INC.  
4551 W. 107<sup>th</sup> Street  
Overland Park, KS 66207

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Please mail to:

Louis W. Brydges, Jr.  
BRYDGES RISEBOROUGH  
201 W. Winchester Road  
Libertyville, IL 60048

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