



Doc#: 0707406113 Fee: \$21.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 03/15/2007 01:27 PM Pg: 1 of 7

THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE
RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 1000
Chicago, Illinois 60603
(312) 658-1100

SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

To: See Attached Service List

The Claimant, CEM Partners, LLC, a Delaware limited liability company, d/b/a Titan Electric Contracting, LLC, with an office at 401 East North Avenue, Villa Park, Illinois ("Titan"), hereby files and serves its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Costco Wholesale Corporation, a Washington corporation ("Owner"), and against the interest of any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner including, without limitation, Novak Construction Company ("Prime Contractor") and on funds owing from Owner to Prime Contractor;

Titan states:

1. Since October 25, 2005, Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as 9915 West 159th Street, Orland Park, Illinois, and adjacent street addresses and legally described as follows ("Real Estate"):

SEE EXHIBIT A, LEGAL DESCRIPTION ATTACHED.

The Real Estate PIN Numbers are: 27-21-100-001; 27-21-200-003; 27-21-200-004;
27-21-200-005.

2. Titan entered into a written subcontract ("Subcontract") with Prime Contractor dated March 2, 2006. Under the Subcontract, Titan agreed to furnish and install electrical work

PIN Numbers: Part of each of 27-21-100-001; 27-21-200-003; 27-21-200-004; 27-21-200-005.

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("Subcontractor's Work") for the Project (as defined below) in exchange for payment of an original subcontract price of One Million One Hundred Eighty-Two Thousand Eight Hundred Seventy Dollars (\$1,182,870) subject to increase for changed or extra work, differing conditions, equitable adjustments or delays.

3. The Subcontractor's Work was part of the Work that Prime Contractor was obligated to perform for Owner under a prime construction contract (the "Prime Contract") between Prime Contractor and Owner for improvement of the Real Estate for the Project known as Costco Wholesale Warehouse, 9915 West 159th Street, Orland Park, Illinois (the "Project").

4. At the special instance and request of Prime Contractor, Titan furnished extra and additional materials and extra and additional labor for the improvement of the Real Estate in the net total amount of Six Hundred Forty-Two Thousand Six Hundred Thirty-Six Dollars and 47/100 Dollars (\$642,636.47). Titan contends the current adjusted Subcontract Sum should be One Million Eight Hundred Twenty Five Thousand Five Hundred Six and 47/100 Dollars (\$1,825,506.47).

5. The Subcontract was entered into by Prime Contractor and Titan performed Subcontractor's Work and extra work with the knowledge and consent of Owner. Alternatively, Owner authorized or knowingly permitted Prime Contractor to enter into subcontracts to improve the Real Estate. Alternatively, Owner knowingly permitted Prime Contractor or Titan or both to perform the Subcontractor's Work and extra work to improve the Real Estate.

6. Titan completed Titan's Subcontractor's Work and extra work for which this mechanics lien is claimed on December 18, 2006

7. As of the date hereof, there is due to Titan, after allowing all credits, the principal amount of One Hundred Ninety-Four Thousand One Hundred and 35/100 Dollars (\$194,100.35) (the "Principal Amount") for which Titan claims a mechanics lien against Owner's and Prime Contractor's interest(s) in the Real Estate and on the funds due or to become due Prime Contractor and against anyone who claims through Owner or Prime Contractor, plus interest.

8. Titan reserves all of Titan's other rights and remedies for amounts due under or relating to the Subcontract or the Project.

9. Titan hereby revokes any waiver of rights or remedies for which Titan has not received payment.

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NOTICE TO OWNER

DO NOT PAY PRIME CONTRACTOR FOR WORK OR EXTRA WORK OR MATERIALS DELIVERED UNLESS YOU HAVE RECEIVED PRIOR SATISFACTORY EVIDENCE OF PAYMENT TO TITAN ELECTRIC CONTRACTING, LLC.

Dated: March 12, 2007

CEM PARTNERS, LLC, d/b/a TITAN
ELECTRIC CONTRACTING, LLC

By: Jane Klass
Jane Klass, Chief Financial Officer

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EXHIBIT A TO SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN - LEGAL DESCRIPTION

LOT 1 IN THE COSTCO-ORLAND PARK, IL SUBDIVISION, A SUBDIVISION IN PART OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO DESCRIBED AS:

THAT PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 01 DEGREES 31 MINUTES 21 SECONDS EAST FOR 75.00 FEET TO THE PLACE OF BEGINNING; THENCE NORTH 88 DEGREES 23 MINUTES 14 SECONDS EAST ALONG A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 711.04 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 46 SECONDS EAST FOR 771.50 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 14 SECONDS WEST FOR 880.67 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 46 SECONDS WEST FOR 771.53 FEET; THENCE NORTH 88 DEGREES 23 MINUTES 45 SECONDS EAST FOR 169.63 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS

LOT 3 IN THE COSTCO-ORLAND PARK, IL SUBDIVISION, A SUBDIVISION IN THE PART OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO DESCRIBED AS:

THAT PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE SOUTH 01 DEGREES 31 MINUTES 21 SECONDS EAST FOR 75.00 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 45 SECONDS WEST ALONG A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 169.63 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 01 DEGREES 36 MINUTES 46 SECONDS EAST FOR 771.53 FEET; THENCE NORTH 88 DEGREES 23 MINUTES 14 SECONDS EAST FOR 880.67 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 46 SECONDS EAST FOR 2.09 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE CONCAVE TO THE

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NORTHEAST, HAVING A RADIUS OF 480.00 FEET, HAVING A CHORD BEARING OF SOUTH 22 DEGREES 14 MINUTES 52 SECONDS EAST, FOR AN ARC LENGTH OF 345.74 FEET; THENCE SOUTH 47 DEGREES 07 MINUTES 01 SECONDS WEST FOR 80.12 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 46 SECONDS EAST FOR 138.79 FEET; THENCE SOUTH 88 DEGREES 57 MINUTES 08 SECONDS WEST FOR 613.47 FEET; THENCE NORTH 72 DEGREES 59 MINUTES 06 SECONDS WEST FOR 211.29 FEET; THENCE NORTH 81 DEGREES 36 MINUTES 46 SECONDS WEST FOR 119.32 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 46 SECONDS WEST FOR 186.33 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 14 SECONDS WEST FOR 157.88 FEET; THENCE NORTH 46 DEGREES 36 MINUTES 46 SECONDS WEST FOR 122.21 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 46 SECONDS WEST FOR 113.35 FEET; THENCE NORTH 66 DEGREES 36 MINUTES 46 SECONDS WEST FOR 91.58 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 46 SECONDS WEST FOR 762.87 FEET TO A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 23 MINUTES 45 SECONDS EAST FOR 318.50 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS.

EXCEPT

THAT PART OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 31 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER FOR 44.58 FEET TO THE EXISTING SOUTH RIGHT OF WAY LINE OF 159TH STREET (U.S. ROUTE 8), AS OCCUPIED AND MONUMENTED; THENCE NORTH 88 DEGREES 39 MINUTES 22 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF 159TH STREET FOR 1066.08 FEET TO THE WEST LINE OF THE EAST 255.00 FEET OF THE WEST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 38 MINUTES 18 SECONDS EAST ALONG THE WEST LINE OF THE EAST 255.00 FEET OF THE WEST HALF OF SAID NORTHEAST QUARTER FOR 25.42 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 14 SECONDS WEST ALONG A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 1066.11 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 23 MINUTES 45 SECONDS WEST ALONG A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 488.13 FEET; THENCE NORTH 01 DEGREE 36 MINUTES 46 SECONDS WEST FOR 75.00 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 23 MINUTES 45 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER FOR 488.25 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

AFFIDAVIT

I, Jane Klass, being first duly sworn on oath, depose and state that I am Chief Financial Officer of Claimant, am authorized as agent to execute this Subcontractor's Notice and Claim for Mechanics Lien on behalf of Claimant, that I have read the foregoing Subcontractor's Notice and Claim for Mechanics Lien and know the contents thereof, and that the statements contained therein are true.

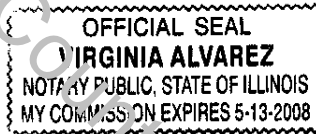
Jane Klass

Jane Klass

SUBSCRIBED AND SWORN TO
before me this 14 day of March, 2007.

Virginia Alvarez

Notary Public



THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 1000
Chicago, Illinois 60603
(312) 658-1100

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AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) ss.
COUNTY OF C O O K)

I, John S. Mrowiec, being first duly sworn on oath, depose and state that on March 15th, 2007 before 5:00 p.m., I caused to be served the attached Subcontractor's Notice and Claim for Mechanics Lien by sending a duplicate original thereof to each person and entity listed below by certified mail, restricted delivery, return receipt requested:

Owner

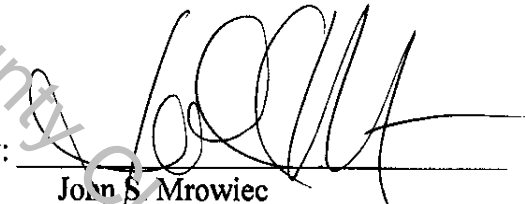
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027
Attn: Joel Benolil, Secretary

Costco Wholesale Corporation
c/o CT Corporation System
208 South LaSalle Street
Suite 814
Chicago, Illinois 60604-1101
Attn: Registered Agent

Original Contractor

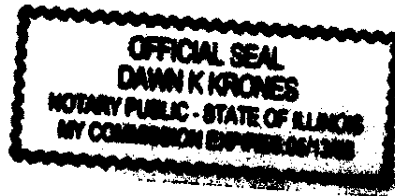
Novak Construction Company
3423 North Drake Avenue
Chicago, Illinois 60618
Attn: John G. Novak, President

By: _____


John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 1000
Chicago, Illinois 60603
(312) 658-1100

Subscribed and Sworn to before me this day of
March, 2007.


Notary Public



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