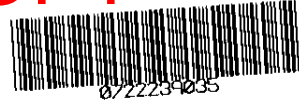


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Doc#: 0722239035 Fee: \$34.50
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/10/2007 09:24 AM Pg: 1 of 6

Bond number 103825011 is hereby fully and unconditionally discharged and released, and Travelers Casualty and Surety Company of America, its parents, affiliates and subsidiaries are hereby released from any and all past, present and future liability under said bond.

Phoenix Air Control, Inc.
By: [Signature]
Its: A Horney

Sworn to me this 24th day of July 2007.

[Signature]
Notary Public



Property of Cook County Clerk's Office

UNOFFICIAL COPYRe: Cook County file No.
0318322120

No. 103825011

**SURETY COMPANY BOND TO PROTECT AGAINST DEFECTS IN TITLE
GENERAL FORM**

KNOWN ALL MEN BY THESE PRESENTS, that BUCA Restaurants 2, Inc. as
Principal and Travelers Insurance Company of America
, a corporation organized and existing under the
laws of the State of Connecticut and duly authorized and qualified to become
surety on bonds in the State of Illinois, is held and firmly bound unto Near North National Title
Corporation, as agent for Issuing Title Insurance Company, AND
Phoenix Air Control, Inc.

_____ hereinafter collectively referred to
as "the Company", in the penal sum of
Fifty Thousand Two Hundred Forty seven and no/100th Dollars for the payment of which, well
and truly to be made, the said does hereby bind itself, its corporate successors and assigns,
firmly by these presents.

Signed, sealed and dated August 21, 2003

The condition of the above obligation is such that, whereas the
Company is about to issue its insurance policy No. _____ upon and insuring the
title to the following described real estate, to-wit: Bucca Di Beppo, 520 N. Michigan Ave.,
Chicago, IL 60611

AND WHEREAS, said Company, in its examination of the title to said
real estate, has raised as objections to the title following mentioned actual or supposed rights and
interests, claims, encumbrances, or defects in title, which now exist or may at any time be
claimed to exist, to wit: Mechanics Lien Claim filed by Phoenix Air Control, Inc.
in the amount of \$33,475.69 and Filed with the Cook County Recorder of Deeds
dated 04/30/2003

AND WHEREAS, said the Company has been requested to issue its insurance policy as
aforesaid. free and clear of all mention of the aforesaid objections; and

WHEREAS, said Company may hereafter in the ordinary course of its business issue
another policy or other policies in the form or forms now or then commonly used by said
Company, insuring the title to said premises of to some part or parts thereof or interest
therein, without mention of the aforesaid objections;

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NOW, THEREFORE, if the said Principal shall fully protect, defend and save harmless the said Company from and against the above mentioned rights and interest, liens, claims, encumbrances and defects in title, and each and every of them, and from any and all loss, costs, damages, attorney's fees and expenses of every kind and nature which it may suffer, expend or incur, under or by reason or in consequence of said insurance policy and (or) of any and every other policy or policies which it may at any time or times hereafter issue insuring the title to said real estate or to any part or parts thereof or interest therein, on account or in consequence of the above mentioned rights and interest, liens, claims, encumbrances and defects in title, or any of them, or growing out of the same, or on account of the assertion or enforcement or attempted assertion or enforcement thereof or any rights existing or hereafter arising or which may at any time or times hereafter issue insuring the title to said real estate or to any part or parts thereof or interest therein, on account or in consequence of the above mentioned rights and interest, liens, claims, encumbrances and defects in title, or of any of them, of growing out the same, or on account of the assertion or enforcement or attempted assertion or enforcement thereof or of any rights existing or hereafter arising or which may at any time be claimed to exist, under or by reason or in consequence of said rights and interest, liens, claims, encumbrances or defects in title, or of any of them, or growing out of the same; and shall, as against the assertion or attempted assertion of any such rights and interest, liens, claims or encumbrances, defend at its own cost and charges in behalf and for the protection of said Company and of the parties insured, or who may be insured by it under its said policy (but without prejudice to the right of said Company to defend if it so elects), any and every suit, action or proceeding in which any such rights and interests, liens, claims or encumbrances may be asserted or attempted to be asserted, established or enforced in, to, upon, against or in respect to said real estate, or any part thereof, or interest therein, then the above obligation to be void; otherwise to remain in full force and virtue.

Provided that surety's liability under this bond shall terminate upon the written evidence that the lien specified above has been settled, and the release of said lien has been filed and recorded with the Cook County Recorder of Deeds, Cook County, IL

BUCA Restaurants 2, Inc.

BY _____
(Principal)

Travelers Insurance Company of America

BY Michel Lopez
Attorney-in-fact

BY Michele Grogan
Attorney-in-fact

COUNTERSIGNED

Not Required

BY _____

ATTEST: Deborah J. Morgan



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One Tower Square
Hartford, CT 06183

IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism which is in excess of Travelers' statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

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**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY
Hartford, Connecticut 06183-9062**

POWER OF ATTORNEY AND CERTIFICATE OF AUTHORITY OF ATTORNEY(S)-IN-FACT

KNOW ALL PERSONS BY THESE PRESENTS, THAT TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, corporations duly organized under the laws of the State of Connecticut, and having their principal offices in the City of Hartford, County of Hartford, State of Connecticut, (hereinafter the "Companies") hath made, constituted and appointed, and do by these presents make, constitute and appoint: **Charyl Cherrhomes, Marata Kadlec, Michele Grogan, Ann Higgins, of Minneapolis, Minnesota,** their true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any place within the United States, the following instrument(s): by his/her sole signature and act, any and all bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking and any and all consents incident thereto and to bind the Companies, thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Companies, and all the acts of said Attorney(s)-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Standing Resolutions of said Companies, which Resolutions are now in full force and effect:

VOTED: That the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her.

VOTED: That the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary.

VOTED: That any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary, or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority.

This Power of Attorney and Certificate of Authority is signed and sealed by facsimile (mechanical or printed) under and by authority of the following Standing Resolution voted by the Boards of Directors of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, which Resolution is now in full force and effect:

VOTED: That the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

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IN WITNESS WHEREOF, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY have caused this instrument to be signed by their Senior Vice President and their corporate seals to be hereto affixed this 12th day of November, 2002.

STATE OF CONNECTICUT

)SS. Hartford

COUNTY OF HARTFORD

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY



By *George W. Thompson*
George W. Thompson
Senior Vice President

On this 12th day of November, 2002 before me personally came **GEORGE W. THOMPSON** to me known, who, being by me duly sworn, did depose and say that he/she is Senior Vice President of **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY** and **FARMINGTON CASUALTY COMPANY**, the corporations described in and which executed the above instrument; that he/she knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; and that he/she executed the said instrument on behalf of the corporations by authority of his/her office under the Standing Resolutions thereof.



Marie C Tetreault
My commission expires June 30, 2006 Notary Public
Marie C. Tetreault

CERTIFICATE

I, the undersigned, Assistant Secretary of **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY** and **FARMINGTON CASUALTY COMPANY**, stock corporations of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that the Standing Resolutions of the Boards of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this 21st day of August, 2003.



By *Kori M. Johanson*
Kori M. Johanson
Assistant Secretary, Bond