

# UNOFFICIAL COPY



Doc#: 0800355037 Fee: \$34.50  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/03/2008 01:23 PM Pg: 1 of 6

Property of Cook County Clerk's Office

## LIS PENDENS NOTICE AND CLAIM

STATE OF ILLINOIS                    )  
  )        SS.  
COUNTY OF COOK

The undersigned Claimant, Edmund J. Loninski, Jr., of 917 E. Main St., Cary, IL. 60013 of McHenry County, Illinois (the "Claimant"), hereby files a notice of litigation and claim against Roland K. Kaeser, legal owner of the property commonly known as 1300 REMINGTON ROAD, SCHAUMBURG. IL. 60173, County of Cook (the "Owner"), and states as follows:

1. Owner now holds title to that certain real property in the County of Cook, State of Illinois (the "Property"), to wit:

### LEGAL DESCRIPTION

(SEE ATTACHED EXHIBIT A)

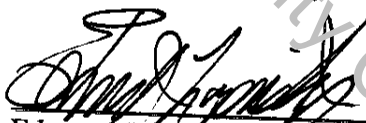
The Property is commonly known as 1300 Remington Road, Schaumburg, IL. 60173, County of Cook, Permanent Real Estate Index Number 07-12-300-029.

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2. For the period of February 24, 2005 through February 10, 2007 and beyond, owner has taken substantial funds from Enterprise Investment Corporation (Enterprise), a company owned by owner and claimant and from a Limited Partnership of which Enterprise is the General Partner. These funds were used for the maintenance and improvement of the property described herein. Claimant is aware that owner took at least \$115,528.96 from the accounts of Enterprise and the Limited Partnership through February 10, 2007 (Schedule Attached).
4. Claimant, other stockholders, and investors have an ownership interest in these and any other funds taken from the accounts of Enterprise and the Limited Partnership and files this Notice and Claim as protection of said interest.
6. Claimant has filed litigation against owner, claiming substantial diversion of funds from the accounts of Enterprise and the Limited Partnership. This litigation is on record in the Circuit Court of Cook County, Illinois, County Department, Chancery Division, Case # 07 CH 32453.
7. Claimant now claims a lien on the above-described Property plus improvements made thereon, and against the Owner and all persons interested therein for amounts diverted from the accounts of Enterprise and the Limited Partnership plus interest, as well as court costs and attorney fees.

BY:

  
Edmund J. Lopinski, Jr., CLAIMANT  
Personally and on behalf of the other  
Enterprise Stockholders and Investors

Prepared by:

Edmund J. Lopinski, Jr.  
917 East Main Street  
Cary, IL. 60013

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EXHIBIT "A"

PARCEL 1:  
 LOT 2 IN 'EQUITABLE'S SUBDIVISION OF THAT PART OF OUT-LOT "E" LYING EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 12, EXCEPTING THEREFROM THE EAST 300.00 FEET, AS MEASURED ON THE SOUTH LINE THEREOF, IN SCHAUMBURG INDUSTRIAL PARK, BEING A SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 11, PART OF THE NORTHEAST 1/4 OF SECTION 11, PART OF THE SOUTHWEST 1/4 OF SECTION 12, PART OF THE NORTHWEST 1/4 OF SECTION 13 AND, PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:  
 A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS OVER, UNDER AND ACROSS THE EAST 24.00 FEET OF THE SOUTH 364.99 FEET OF LOT 1 IN EQUITABLE'S SUBDIVISION OF THAT PART OF OUT-LOT "E" LYING EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 12, EXCEPTING THEREFROM THE EAST 300.00 FEET, AS MEASURED ON THE SOUTH LINE THEREOF, IN SCHAUMBURG INDUSTRIAL PARK, BEING A SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 11, PART OF THE NORTHEAST 1/4 OF SECTION 11, PART OF THE SOUTHWEST 1/4 OF SECTION 12, PART OF THE NORTHWEST 1/4 OF SECTION 13, AND PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED JULY 1, 1987 AND RECORDED AUGUST 31, 1987 AS DOCUMENT 87479301, MADE BY THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, A CORPORATION OF NEW YORK AND MAYWOOD PROVISO STATE BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 15, 1987 AND KNOWN AS TRUST NUMBER 7453; AS AMENDED BY THE FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED MARCH 8, 1988 AND RECORDED APRIL 6, 1988 AS DOCUMENT 8812492 MADE BY AND BETWEEN THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, A NEW YORK CORPORATION, AND MAYWOOD-PROVISO STATE BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 15, 1987 AND KNOWN AS TRUST NUMBER 7453, GRANTING AN ADDITIONAL NON-EXCLUSIVE PERPETUAL EASEMENT IN FAVOR OF MAYWOOD-PROVISO STATE BANK AS TRUSTEE UNDER TRUST NUMBER 7453 WITH RESPECT TO THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A TELEPHONE LINE UNDER THE EASTERLY 3 FEET OF THE EASEMENT PARCEL AS DEFINED IN THE RECIPROCAL EASEMENT AGREEMENT, IN COOK COUNTY, ILLINOIS.

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07-12-300-029

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## Enterprise Investment Corporation Transactions by Account As of April 30, 2007

8:58 AM  
12/05/07  
Accrual Basis

Type	Date	Num	Name	Memo	Class	Cir	Split	Amount	Balance
Owner's/Officer's Accounts									
Kaeser, R									
Remington Office Payments									
Check	2/24/2005	1004	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	0.00	0.00
Check	5/18/2005	1119	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	100.00	0.00
Check	6/25/2005	1172	Rebecca Anne	Antique Stree...	Other Pa...		LaSalle Bank	405.50	100.00
General Journal	7/25/2005	68	Enterprise Partners...	Build Out of ...	Other Pa...		Enterprise part...	522.53	505.50
Check	8/31/2005	1254	Remington Group Li...		Other Pa...		LaSalle Bank	20,000.00	1,028.03
Check	9/14/2005	1290	Brenda Palmer	Office Design...	Other Pa...		LaSalle Bank	2,800.00	21,028.03
General Journal	9/30/2005	80		Phone System	Other Pa...		LaSalle Bank	302.14	23,828.03
Check	10/1/2005	1330	Remington Group Li...		Other Pa...		Enterprise part...	5,034.07	24,130.17
Check	10/1/2005	1330	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	29,164.24
Check	10/7/2005	1340	American Glass Top		Other Pa...		LaSalle Bank	31,964.24	31,964.24
Check	10/14/2005	1355	DCS Midwest	Glass Tops i...	Other Pa...		LaSalle Bank	32,519.98	32,519.98
Check	10/14/2005	1356	On Electric	Build out of R...	Other Pa...		LaSalle Bank	372.60	32,892.58
Check	10/14/2005	1357	Carpet Values	Electric Work...	Other Pa...		LaSalle Bank	10,329.00	32,892.58
Check	10/14/2005	1363	HITEC	Carpeting Re...	Other Pa...		LaSalle Bank	890.00	43,221.58
Check	10/14/2005	1364	Imagetec	Water Cooler...	Other Pa...		LaSalle Bank	14,005.00	44,111.58
Check	10/24/2005	1009	Imagetec		Other Pa...		LaSalle Bank	100.38	58,116.58
Check	11/2/2005	1044	Remington Group Li...		Other Pa...		LaSalle Bank	153.05	58,216.96
Check	11/2/2005	1045	Remington Group Li...		Other Pa...		LaSalle Bank	153.04	58,370.01
Check	11/11/2005	1058	Northwest Alarm	Remington of...	Other Pa...		LaSalle Bank	2,800.00	58,523.05
Check	11/11/2005	1059	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	392.58	61,323.05
Check	11/29/2005	1087	Imagetec		Other Pa...		LaSalle Bank	986.25	61,715.63
Check	12/1/2005	1107	Remington Group Li...		Other Pa...		LaSalle Bank	1,000.00	62,701.88
Check	12/6/2005	1113	House of Granite	Granite Table...	Other Pa...		LaSalle Bank	174.34	63,701.88
Check	12/21/2005	1123	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	2,800.00	63,876.22
Check	1/5/2006	1144	Hi Tech Water Solu...	Water Cooler	Other Pa...		LaSalle Bank	332.65	66,676.22
Check	1/5/2006	1161	Imagetec		Other Pa...		LaSalle Bank	1,865.50	67,008.87
Check	1/5/2006	1161	Imagetec		Other Pa...		LaSalle Bank	346.00	68,874.37
Check	2/1/2006	1248	Remington Group Li...		Other Pa...		LaSalle Bank	100.38	69,220.37
Check	2/1/2006	1245	Remington Group Li...		Other Pa...		LaSalle Bank	159.04	69,320.75
Check	2/11/2006	1278	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	2,800.00	69,479.79
Check	2/21/2006	1311	Remington Group Li...		Other Pa...		LaSalle Bank	159.04	72,279.79
Check	2/21/2006	1311	Remington Group Li...		Other Pa...		LaSalle Bank	159.04	72,438.83
Check	4/10/2006	1424	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	75,238.83
Check	4/14/2006	1456	Remington Group Li...		Other Pa...		LaSalle Bank	1,000.00	76,238.83
Check	4/19/2006	1455	ATC	Mike's time t...	Other Pa...		LaSalle Bank	2,800.00	79,038.83
Check	5/9/2006	1507	Remington Group Li...		Other Pa...		LaSalle Bank	1,493.14	80,531.97
Check	5/20/2006	1549	Norberto Mendez	Janitorial	Other Pa...		LaSalle Bank	2,800.00	83,331.97
Check	6/10/2006	623	Remington Group Li...		Other Pa...		LaSalle Bank	70.00	83,953.24
Check	7/10/2006	1748	Remington Group Li...		Other Pa...		LaSalle Bank	84,023.24	84,023.24
Check	7/14/2006	1768	Betto		Other Pa...		LaSalle Bank	86,823.24	86,823.24
Check	8/1/2006	1826	Remington Group Li...		Other Pa...		LaSalle Bank	1,115.00	87,938.24
Check	9/9/2006	1920	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	90,738.24
Check	10/27/2006	1026	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	93,538.24
Check	11/6/2006	1045	Imagetec	Maintenance	Other Pa...		LaSalle Bank	1,923.15	95,461.39
Check	11/10/2006	1080	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	98,261.39
					Other Pa...		LaSalle Bank	2,800.00	101,061.39
					Other Pa...		LaSalle Bank	3,267.57	103,861.39
					Other Pa...		LaSalle Bank	2,800.00	107,128.96
					Other Pa...		LaSalle Bank	2,800.00	109,928.96

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**Enterprise Investment Corporation  
Transactions by Account  
As of April 30, 2007**

8:58 AM  
12/05/07  
Accrual Basis

Type	Date	Num	Name	Memo	Class	Cir	Split	Amount	Balance
Check	12/12/2006	1203	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	112,728.96
Check	2/10/2007	1443	Remington Group Li...		Other Pa...		LaSalle Bank	2,800.00	115,528.96
Total Remington Office Payments									115,528.96
Total Kaesser, R									115,528.96
Total Owner's/Officer's Accounts									115,528.96
<b>TOTAL</b>									<b>115,528.96</b>

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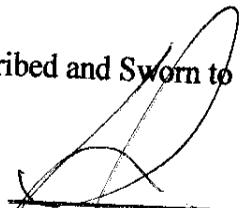
STATE OF ILLINOIS            )  
  )  
COUNTY OF \_\_\_\_\_ )    SS.

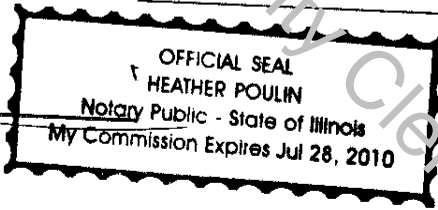
### CERTIFICATION

The Affiant, Edmund J. Lopinski, Jr., being first duly sworn, on oath deposes and says he is one of the "Claimants") described herein; that the Affiant has read the foregoing Notice and Claim for Lien and knows the contents thereof; and that statements therein contained are true to the best of Affiant's knowledge.

BY:   
CLAIMANT

Subscribed and Sworn to Before me this \_\_\_\_\_

BY:   
Notary Public



[SEAL]

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