Doc#. 0834608171 fee: \$40.00 April: 12/17/2008 11 50 AM/Pg: 1 of 4 Coccounty Recorder of Deeds *RHSP FEE \$10.00 Applied

MECHANIC'S LIEN: CLAIM

STATE OF ILLINOIS

COUNTY OF Cook

THATCHER FOUNDATIONS INC.

CLAIMANT

-VS-

351 Mortgage Loan Borrower L.C Mesirow Financial Holdings, Inc. Jenner & Block LLP Hypo Real Estate Capitol Corporation LaSalle Bank, NA BOVIS LEND LEASE, INC.

DEFENDANT(S)

The claimant, THATCHER FOUNDATIONS INC. of Gary, IN 46406, County of Lake, hereby files a claim for lien against BOVIS LEND LEASE, INC., contractor of i N. Wacker Drive Suite 850, Chicago, State of IL and 351 Mortgage Loan Borrower LLC Chicago, IL 60601 Mesir ow Financial Holdings, Inc. (lessee) Chicago, IL 60604 Jenner & Block LLP (lessee) Chicago, IL 60611 Chicago, IL 60604 Jenner & Block LLP (lessee) Chicago, IL 60611 Chicago, IL 60604 Jenner & Block LLP (lessee) Chicago, IL 60601 Vice einafter referred to as "owner(s)"} and Hypo Real Estate Capitol Corporation New York, NY 10017 LaSalle Bank, NA Chicago, IL 60603 {hereinafter referred to as "lender(s)"} and states:

That on or about 01/19/2007, the owner owned the following described land in the County of Cook, State of Illinois to wit:

Street Address:

353 N. Clark Street. Chicago, IL 60610:

A/K/A:

SEE ATTACHED LEGAL DESCRIPTION

A/K/A:

TAX # 17-09-408-009; 17-09-408-010

and BOVIS LEND LEASE, INC. was the owner's contractor for the improvement thereof. That on or about 01/19/2007, said contractor made a subcontract with the claimant to provide labor and material for earth retention system including but not limited to sheeting, soldier piles and lagging for and in said improvement, and that on or about 08/20/2008 the claimant completed thereunder all that was required to be done by said contract.

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The following amounts are due on said contract:

 Contract
 \$2,835,291.00

 Extras/Change Orders
 \$163,170.00

 Credits
 \$0.00

 Payments
 \$2,597,588.00

Total Balance Due \$400,873.00

leaving due, unpaid and owing to the claimant after allowing all credits, the sum of Four Hundred Thousand Eight Hundred Seventy-Three and no Tenths (\$400,873.00) Dollars, for which, with interest, the Claimant claims a lien on said land, beneficial interests, if any, and improvements, and on the moneys or other considerations due or to become due from the owner under said contract.

To the extent permitted by the all waivers of lien heretofore given by claimant, if any, in order to induce payment not received are hereby evoked. Acceptance of payment by claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice.

IN WITNESS WHEREOF, the undersigned has signed this instrument on November 17, 2008.

THATCHER, FOUNDATIONS INC.

Prepared By:

THATCHER FOUNDATIONS INC. 7100 Industrial Highway Gary, IN 46406

VERIFICATION

State of Illinois

County of Lake

The affiant, T. John Wysockey, being first duly sworn, on oath deposes and says that the affiant is Vice President of the claimant; that the affiant has read the foregoing claim for lien and knows the contents thereof; and that all the statements therein contained are true.

T. John Wysockey Vice Presiden

Subscribed and sworn to

before me this November 17, 2008.

Notary Public's Signature

"NOTARY SEAL."

Joanne Briney, Notery Public

Porter County, State of Indiana

My Commission Express 8/11/2014

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LEGAL DESCRIPTION

Parcel 1:

That part of Block 2 in Original Town of Chicago in Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

satu Block 2) and the South line of West Kinzie Street (also being the West line of Lot 5 in satu Block 2) and the South line of West Kinzie Street (also being the North line of Lots 5 thru 8, both inclusive, in said Block 2); thence East along the South line of said West Kinzie Street a distance of 321.47 feet (also being the East line of North Dearborn Street; thence South along the West line of said North Dearborn Street; also being the East line of Lot 8 in said Block 2) a distance of 178.60 feet to a point 311.60 feet North (25 measured along said West line of North Dearborn Street) of the Chicago River, as occupied; thence West at right angles to the last described line a distance of 321.47 feet to a point on the East line of said North Clark Street 300.43 feet North (as measured along said East line of North Clark Street of 177.86 feet to the point of beginning, in Cook County, Illinois.

Parcel 2

Non-Exclusive Easement for the benefit of Par ell, as created by First Amendment to Easement and Operating Agreement dated August 23, 1988 and recorded August 24, 1988 as document number 88384561 for pedestrian and vehicular ingress and erress on, over, through and across the "Hotel Road Easement Area" and the "Project Road Easement Area" described as follows:

Hotel Road Easement Area:

Part of Block 2 in Original Town of Chicago in Section 9, Township 23 North, Range 14 East of the Third Principal Meridian, bounded and described as follows: Commencing at the point of intersection of the South line of West Kinzie Street (also being the North line of Lots 5, 6, 7 and 8 in said Block 2) and the East line of North Clark Street (also being the East line of Lots 4 and 5 in sail Block 2); thence South 0 degrees West along said East line of North Clark Street a distance of 177.86 feet to 27 intersection with the North line of Tracts I and II in said Block 2; thence South 90 degrees East along said North line of Tracts I and II a distance of 134.10 feet to an intersection with the line between Parcels I (below or 0.06 feet Chicago City Datum) of said Tracts I and II and the point of beginning, thence continuing Sout 130 degrees East along said North line of Tracts I and II a distance of 187.57 feet to a point in the west 11.05 North Dearborn Street (also being the East line of Lots 1 and 8 in said Block 2) said point being 17 .60 feet South of said South line of West Kinzie Street as measured along the West line of North Dearbonn Street; thence South 0 degrees West along said West line of North Dearborn Street a distance of 26.32 fee: to the back of a curb of an elevated driveway; thence South 89 degrees 59 minutes 22 seconds West along said back of curb a distance of 68.78 feet; thence North 89 degrees 34 minutes 27 seconds West a distance of 47.20 feet; thence South 89 degrees 59 minutes 22 seconds West a distance of 29.31 feet; thence North 75 degrees 07 minutes 03 seconds West a distance of 43,45 feet to a point where the said line between Parcels 1 intersects the back of curb of said elevated driveway; thence North 0 degrees East along said line between Parcels 1 a distance of 14.83 feet to the point of beginning.

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Project Road Easement Area:

Part of Block 2 in Original Town of Chicago in Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows: Commencing at the point of intersection of the South line of West Kinzie Street (also being the North line of Lots 5, 6, 7 and 8 in said Block 2) and the East line of North Clark Street (also being the West line of Lots 4 and 5 in said Block 2); thence South 0 degrees West along the East line of North Clark Street a distance of 177.86 feet to an intersection with the North line of Tracts I and II in said Block 2 and the point of beginning; thence South 90 degrees East along said North line of Tracts I and II a distance of 134.10 feet to an intersection with the line between Parcel: I (below +50.00 feet Chicago City Datum) of said Tract I and II; thence South 0 degrees West along said line between Parcels 1 a distance of 14.83 feet to a point of intersection, not tangent with a cured fire, said curved line being the back of a curb of an elevated driveway; thence Westerly along the back of cure of said driveway being the arc of a circle convex Northerly and having a radius of 15.00 feet a distance of 5.68 first to a point of tangency; thence South 89 degrees 59 minutes 39 seconds West along the back of cure of said driveway and tangent to the last described curved line a distance of 129.11 feet to said East line of Norm Clark Street; thence North 0 degrees East along said East line of North Clark Street a distance of 13.99 feet to the point of beginning. Coot County Clark's Office