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Cook County Recorder of Deeds  
Date: 02/26/2009 09:24 AM Pg: 1 of 6

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

**ORIGINAL CONTRACTOR'S CLAIM FOR  
MECHANICS LIEN OF LEOPARDO COMPANIES, INC.**

STATE OF ILLINOIS     )  
  ) ss.  
COUNTY OF COOK     )

The Claimant, Leopardo Companies, Inc. ("Leopardo"), an Illinois corporation with an office at 5200 Prairie Stone Parkway Hoffman Estates, Illinois 60192, hereby files its Original Contractor's Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Oliver McMillan Glenview Retail, LLC, a Delaware limited liability company ("Owner"), and against the interest of any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner;

Leopardo states:

- 1. Since at least May 26, 2006, Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as the Glen Town Center, 2641 and 2671 Navy Boulevard, 1951 Tower Drive and other street addresses in Glenview, Illinois and legally described as follows ("Real Estate"):

See Legal Description attached to this Claim as Exhibit A.

The PIN Numbers of the Real Estate are 04-27-103-015; 04-27-103-017; 04-27-103-019; 04-27-103-021; 04-27-103-023; 04-27-103-024; 04-27-103-025; 04-27-103-026; 04-27-103-029; 04-27-103-031; 04-27-103-032; 04-27-103-033; 04-27-103-042-1002.

PIN Numbers: 04-27-103-015; 04-27-103-017; 04-27-103-019; 04-27-103-021; 04-27-103-023; 04-27-103-024; 04-27-103-025; 04-27-103-026; 04-27-103-029; 04-27-103-031; 04-27-103-032; 04-27-103-033; 04-27-103-042-1002

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2. As of June 30, 2008, Leopardo entered into a written contract with Owner under which Leopardo agreed to provide labor, material, superintendence and equipment to perform construction services as general contractor to perform demolition and to construct retail tenant spaces D14 and D15 in an existing building on the Real Estate in exchange for payment of the original stipulated Contract Sum of Three Hundred Forty-Eight Thousand Four Hundred Six Dollars (\$348,406) subject to increase for additional or changed work, delays or differing site conditions or encountering of hazardous substances (the "Contract").

3. At the special instance and request of Owner, Leopardo furnished extra and additional materials and extra and additional labor for the improvement of the Real Estate to the extent and value of Three Hundred Eighty-Three Thousand Seven Hundred Twenty-Eight Dollars (\$383,728) for a final adjusted Contract Sum of Seven Hundred Thirty-Two Thousand One Hundred Thirty-Four Dollars (\$732,134).

4. The Contract was entered into by Owner and the work was performed by Leopardo with the knowledge and consent of Owner or Owner's agent.

5. Leopardo substantially completed Leopardo's Work under the Contract on November 11, 2008.

6. As of the date hereof, after allowing all credits, there is presently due, unpaid and owing to Leopardo, the principal sum of Four Hundred Ninety Thousand Three Hundred Fifteen and 35/100 Dollars (\$490,315.35) ("Principal Amount Owing") for which, with interest, Leopardo claims a mechanics lien against the Real Estate.

7. The foregoing extra and additional labor and material to the original Contract Sum, the adjusted Contract Sum and the Principal Amount Owing do not include Proposed Change Order No. 9 in the amount of \$15,211 which Owner and Leopardo agreed would be performed by Leopardo and paid by Owner after payment of the Principal Amount Owing.

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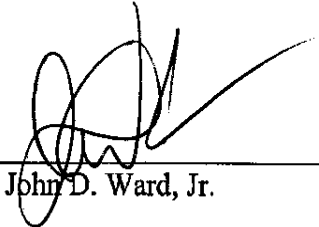
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8. Leopardo hereby revokes any waiver of rights given in advance of payment for which Leopardo has not received payment.

Dated: February 25, 2009

LEOPARDO COMPANIES, INC.

By:   
John D. Ward, Jr.

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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## EXHIBIT A TO ORIGINAL CONTRACTOR'S CLAIM OF MECHANICS LIEN - LEGAL DESCRIPTION

Parcel 1: Lots 4, 6, 8, 10, 12, 13, 14, 15, 18 and 21 in Glen Town Center, a resubdivision of Lot 3 in GNAS mixed use retail center, in the West 1/2 of Section 27, Township 42 North, Range 12, East of the third principal meridian, according to the plat thereof recorded as document number 0020733381, in Cook County, Illinois.

Also

Unit B in the Glen Town Center- Retail A Condominium, as delineated on a survey of the following described tract of land:

Lot 2 in Glen Town Center, a resubdivision of Lot 3 in GNAS mixed use retail center, in the West 1/2 of Section 27, Township 42 North, Range 12, East of the third principal meridian, according to the plat thereof recorded as document 0020733381, which survey is attached as exhibit "B" to the Declaration of Condominium recorded as document number 0432244002; together with its undivided percentage interest in the common elements in Cook County Illinois.

Parcel 2: Easements for the benefit of Parcel 1 for parking, access, utility, and construction, as set forth in Declaration of Easements, Covenants, Conditions and Restrictions recorded July 2, 2002, as Document 0020733382 by the Village of Glenview and OliverMcMillan Glenview, LLC.

Parcel 3: Blanket Pedestrian Easement for the benefit of Parcel 1 and other property over and across Lot 1 in GNAS mixed use subdivision, as contained in plat recorded September 27, 2001 as Document 0010905146.

Parcel 4: Vehicular ingress and egress easement for the benefit of Parcel 1 over and across part of Lot 4 in GNAS mixed use subdivision, as contained in plat recorded September 27, 2001 as Document 0010905146.

Parcel 5: Easements for ingress and egress, structural support, use of facilities, residential building roof access, encroachments, common walls, ceilings and floors, utilities, HVAC equipment and facilities and mechanical rooms, over and across Lots 20 and 22 in Glen Town Center aforesaid, for the benefit of Lot 21 and part of Lot 12, in Parcel 1, as contained in Declaration of Covenants, Conditions, Restrictions and Easements dated as of November 22, 2004 by OliverMcMillan Glenview, LLC with respect to Glentown Center, Building D, Glenview, Illinois, recorded December 2, 2004, as Document 0433702308.

PIN Numbers: 04-27-103-015; 04-27-103-017; 04-27-103-019; 04-27-103-021; 04-27-103-023; 04-27-103-024; 04-27-103-025; 04-27-103-026; 04-27-103-029; 04-27-103-031; 04-27-103-032; 04-27-103-033; 04-27-103-042-1002

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Parcel 6: Easements for ingress and egress, structural support, use of facilities, residential building roof access, encroachments, common walls, ceilings and floors, utilities, HVAC equipment and facilities and mechanical rooms, over and across Lots 17 and 19 in Glen Town Center aforesaid, for the benefit of Lot 18, and part of Lot 15, in Parcel 1, as contained in Declaration of Covenants, Conditions, Restrictions and Easements dated as of November 22, 2004 by OliverMcMillan Glenview, LLC with respect to Glentown Center, Building E, Glenview, Illinois, recorded December 2, 2004, as Document 0433702309.

PIN Numbers: 04-27-103-015; 04-27-103-017; 04-27-103-019; 04-27-103-021; 04-27-103-023; 04-27-103-024; 04-27-103-025; 04-27-103-026; 04-27-103-029; 04-27-103-031; 04-27-103-032; 04-27-103-033; 04-27-103-042-1002

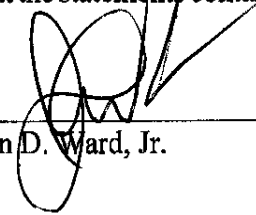
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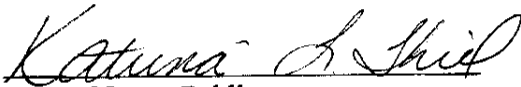
STATE OF ILLINOIS       )  
  ) ss.  
COUNTY OF COOK        )

### AFFIDAVIT

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

  
\_\_\_\_\_  
John D. Ward, Jr.

SUBSCRIBED AND SWORN TO  
before me this 5 day of February, 2009.

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



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

John S. Mrowiec  
Conway & Mrowiec  
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