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NOTICE AND CLAIM FOR
MECHANICS LIEN

PREPARED BY AND MAIL TO:

Sara L. Spitler
Goldstine, Skrodzki, Russian,
Nemec and Hoff, Ltd.
835 McClintock Drive
Burr Ridge, IL 60527

Common Address:

750 North Martingale Road
Schaumburg, Illinois 60173



Doc#: 0908629024 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 03/27/2009 12:07 PM Pg: 1 of 4

(For Recorder's Use Only)

NOTICE AND CLAIM FOR MECHANICS LIEN

The Claimant, WILLIAM T. CONNELLY, INC. D/B/A CONNELLY ELECTRIC CO., an Illinois corporation ("Claimant"), of Addison, Illinois 60101, hereby files its notice and claim for lien against POWER CONSTRUCTION COMPANY, L.L.C., an Illinois limited liability company, of Schaumburg, Illinois ("General Contractor"), KF SCHAUMBURG L.L.C., an Illinois limited liability company, of Chicago, Illinois, and KIMCO SELECT CHICAGO 694, L.L.C., a Delaware limited liability company, of New Hyde Park, New York ("Owners"), and BANK OF AMERICA, N.A., as successor in interest to LASALLE BANK, N.A. ("Lender") of Charlotte, North Carolina, and states:

1. On or before August 27, 2008, and subsequently, Owners owned the following described land (the "Premises") commonly known as the Streets of Woodfield – Annex Site in the County of Cook, State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION

P.I.N.: 07-13-400-004-0000

COMMON ADDRESS: 750 North Martingale Road, Schaumburg, Illinois 60173

2. On or about August 27, 2008, Claimant entered into a contract with General Contractor, who was authorized or knowingly permitted by Owners to contract with the Claimant, to furnish all labor, materials, supplies, and equipment necessary to complete all electrical work (collectively, the "Work") for and in said improvement of the Premises, for the sum of Ninety Three Thousand and No/100 Dollars (\$93,000.00).

3. Pursuant to certain modifications and change orders, the Claimant has, to date, furnished materials and performed labor for and upon the Premises for electrical work to the value of One Hundred Fifty Four Thousand Eight Hundred Sixty and No/100 Dollars (\$154,860.00).

4. Claimant did so provide the Work under the subcontract and extras in improvement of the Premises and substantially completed all such Work on December 17, 2008.

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5. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing all credits, the principal sum of One Hundred Fifty Four Thousand Eight Hundred Sixty and No/100 Dollars (\$154,860.00), for which, with interest at the statutory rate of ten percent (10%) per annum, the Claimant claims a lien on said Premises and improvements and on the money or other consideration due or to become due from the Owner under said contract and all change orders and requests for extras.

Dated: March 20th, 2009

WILLIAM T. CONNELLY, INC. d/b/a
CONNELLY ELECTRIC CO.

By: *Kevin P. Connelly*
Kevin P. Connelly
Vice-President/Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF DuPAGE)

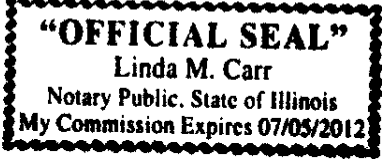
SUBCONTRACTOR'S AFFIDAVIT

Kevin P. Connelly, being first duly sworn on oath, states that he is the Vice-President of Claimant, WILLIAM T. CONNELLY, INC. D/B/A CONNELLY ELECTRIC CO., an Illinois corporation, that he has read the foregoing Notice and Claim for Mechanics Lien and knows the contents thereof, and that all the statements contained therein are true.

Subscribed and Sworn to before
this 20th day of March, 2009

Kevin P. Connelly
Kevin P. Connelly

Linda M. Carr
Notary Public



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SERVICE LIST

A copy of this Notice and Claim for Lien has been sent to the following persons by Certified Mail, Return Receipt Requested, Restricted Delivery:

Power Construction Company, L.L.C.
c/o William A. Rudnick, Registered Agent
203 N. LaSalle Street, Suite 1800
Chicago, Illinois 60601

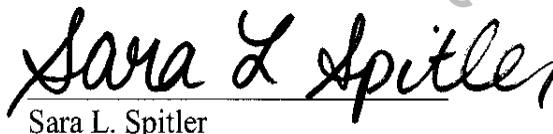
KF Schaumburg, L.L.C.
c/o Laurance H. Freed, Registered Agent
33 S. State Street, Suite 400
Chicago, Illinois 60603

Kimco Select Chicago 694, L.L.C.
c/o CT Corporation, Registered Agent
208 S. LaSalle Street, Suite 814
Chicago, Illinois 60604

Bank of America, N.A.
100 North Tryon Street
Charlotte, NC 28202

CERTIFICATE OF SERVICE

I, Sara L. Spitler, an attorney, certify that I served a true and correct copy of this Notice and Claim for Mechanics Lien by Certified Mail, Return Receipt Requested, to the above listed parties by depositing the same in the U.S. Mail at Burr Ridge, Illinois, on the 27th day of March, 2009.



Sara L. Spitler

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PARCEL 1:

THAT PART OF THE WEST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF WOODFIELD ROAD AS INDICATED PER DOCUMENT 20944554 WITH THE EAST LINE OF SAID WEST ¼ OF THE SOUTHEAST ¼; THENCE SOUTH 0 DEGREES 33 MINUTES 31.5 SECONDS WEST ALONG SAID EAST LINE 700 FEET; THENCE NORTH 89 DEGREES 26 MINUTES 28.5 SECONDS WEST 150 FEET ALONG A LINE DRAWN PERPENDICULARLY TO SAID EAST LINE; THENCE NORTH 0 DEGREES 33 MINUTES 31.5 SECONDS EAST 694.283 FEET ALONG A LINE PARALLEL WITH SAID EAST LINE TO A POINT IN SAID SOUTH LINE OF WOODFIELD ROAD, THENCE EASTERLY 445.846 FEET ALONG SAID SOUTH LINE OF WOODFIELD ROAD BEING THE ARC OF A CIRCLE OF 1859.86 FEET RADIUS CONVEX TO THE NORTH WHOSE CHORD BEARS NORTH 89 DEGREES 45 MINUTES 1 SECOND EAST TO A POINT OF TANGENCY, THENCE SOUTH 83 DEGREES 22 MINUTES 56 SECONDS EAST 5.294 FEET ALONG SAID SOUTH LINE OF WOODFIELD ROAD TO HEREIN DESIGNATED POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

BASEMENT FOR THE BENEFIT OF PARCEL 1 CREATED BY AGREEMENT RECORDED JULY 1, 1971 AS DOCUMENT 21532098 MADE BY LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1971 AND KNOWN AS TRUST NUMBER 42050 TO LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 25, 1964 AND KNOWN AS TRUST NUMBER 33071 OVER THE WEST 20 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A STRIP OF LAND 40 FEET WIDE IN THE WEST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTH LINE OF WOODFIELD ROAD PER DOCUMENT 20944554 AND NORTH OF A LINE DRAWN PERPENDICULARLY TO THE EAST LINE OF SAID WEST ¼ OF THE SOUTHEAST ¼, SAID LINE BEING 700 FEET (AS MEASURED ALONG SAID EAST LINE); THE CENTER LINE OF SAID STRIP OF LAND BEING A LINE 450 FEET (MEASURED PERPENDICULARLY) WEST OF AND PARALLEL WITH SAID EAST LINE, (EXCEPT THE SOUTH 105.89 FEET THEREOF), IN COOK COUNTY, ILLINOIS.