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Doc#: 0911433038 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/24/2009 09:56 AM Pg: 1 of 3

After recording, this instrument should be returned to:

Jennifer L. Johnson
Zanck, Coen, & Wright, P.C.
40 Brink St.
Crystal Lake IL 60014

4th Fl.
Get 838367D ccc

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

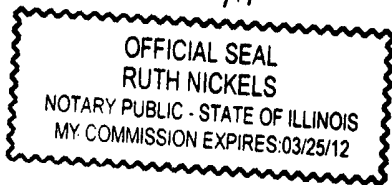
RELEASE OF MECHANICS LIEN CLAIM

Pursuant to and in compliance with the Illinois statute relating to mechanics liens, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, being the Vice President of Berger Excavating Contractors, Inc. does hereby acknowledge satisfaction or release of the claim for lien against Power Construction Co., LLC, an Illinois Limited Liability Corporation (Contractor), Kimco Select Chicago 694, LLC, a Foreign Limited Liability Corporation; KF Schaumburg, LLC, an Illinois Limited Liability Corporation; Champion Environmental Services, Inc., a Foreign Corporation; and Whole Foods Market Group, Inc., a Foreign Corporation (Owners), and LaSalle Bank National Association, n/k/a Bank of America Capital Corporation, a National Banking Association (Lender) for \$949,330.00 on the property commonly known as:

1733 East Woodfield Road, Schaumburg, Illinois, 60173
750 N. Martingale Road, Schaumburg, Illinois, 60173
P.I.N.: 07-13-400-004 Vol. No. 187

and more specifically described by the legal description shown on "Exhibit A" attached hereto and incorporated herein, which claim was recorded in the office of the Cook County Recorder as Document No. 0903319051.

IN WITNESS WHEREOF, the undersigned has executed this Release of Mechanics Lien Claim this 15th day of APRIL, 2009.



[Signature]
Berger Excavating Contractors, Inc.

By: Julie Berger-Chamberlin, Vice President

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHOULD BE FILED WITH THE RECORDER OF DEEDS OR TITLES IN WHOSE OFFICE THE CLAIM FOR LIEN WAS FILED.

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[Signature]

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STATE OF ILLINOIS)
)
COUNTY OF McHenry) ss.

I, RUTH NICKELS, a notary public in and for the County of McHenry, State of Illinois, do hereby certify that Julie Berger-Chamberlin, duly authorized agent of Berger Excavating Contractors, Inc., personally known to me to be the same person whose name is subscribed to the foregoing Release of Mechanics Lien Claim, appeared before me this day in person and acknowledged that he signed, sealed, and delivered the Release of Mechanics Lien Claim as his free and voluntary act and as the free and voluntary act of Berger Excavating Contractors, Inc. for the uses and purposes therein set forth.



GIVEN UNDER MY HAND AND NOTARIAL SEAL this 21 day of April, 2009.
Ruth Nickels
Notary Public

My commission expires 3/25 2012

THIS INSTRUMENT WAS PREPARED BY:

Jennifer L. Johnson
Zanck, Coen, & Wright, P.C.
40 Brink Street
Crystal Lake, IL 60014

PROCESSED BY COOK COUNTY CLERK'S OFFICE

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EXHIBIT A

PARCEL 1:

THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 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 DEDICATED PER DOCUMENT 20944554 WITH THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4; 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 450 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:

EASEMENT 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 1/2 OF THE SOUTHEAST 1/4 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 1/2 OF THE SOUTHEAST 1/4, 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.

TAX IDENTIFICATION NO: 07-13-400-004 VOL NO. 187