

UNOFFICIAL COPY

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



Doc#: 1230513042 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 10/31/2012 01:49 PM Pg: 1 of 5

**PARTIAL SATISFACTION AND PARTIAL RELEASE OF
SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN
TO REFLECT PARTIAL PAYMENT OF \$154,607.78**

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

Pursuant to and in compliance with the Illinois statute relating to mechanics liens, and for good and valuable consideration, receipt whereof is hereby acknowledged, the undersigned, MTS Titan Electric, LLC, a Delaware limited liability company, d/b/a Titan Electric Contracting, LLC ("Titan"), does hereby acknowledge partial satisfaction and partial release of Titan's Subcontractor's Notice and Claim for Mechanics Lien in the original principal amount of Three Hundred Eighty-Eight Thousand Six Hundred Fifteen and 63/100 Dollars (\$388,615.63) recorded with the Cook County Recorder of Deeds on October 23, 2012 as Document No. 1229731071 against the interest(s) of Wal-Mart Real Estate Business Trust, a Delaware statutory trust ("Owner"), Novak Construction Company ("Contractor") and any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner or Contractor and on funds owing from Owner to Contractor, to reflect partial payment to or on behalf of Titan in the amount of One Hundred Fifty-Four Thousand Six Hundred Seven and 78/100 Dollars (\$154,607.78), **leaving a mechanics lien claim in the unsatisfied principal amount of Two Hundred Thirty-Four Thousand Seven and 85/100 Dollars (\$234,007.85)** plus accrued and accruing interest on the following described property:

See Legal Description attached as Exhibit A.

PIN Numbers: 15-24-300-001; 15-24-300-005

Address: 1300 Des Plaines Avenue, Forest Park, Illinois

UNOFFICIAL COPY

The Real Estate PIN Numbers are 15-24-300-001 and 15-24-300-005

which claim for lien was filed in the office Cook County Recorder of Deeds on October 23, 2012 as Document No. 1229731071.

Address of the property is: 1300 Des Plaines Avenue, Forest Park, Illinois.

IN WITNESS WHEREOF, the undersigned has signed this instrument this 30 day of October, 2012.

MTS TITAN ELECTRIC, LLC, d/b/a TITAN ELECTRIC CONTRACTING, LLC

By: Jane Klass
Jane Klass, Chief Financial Officer

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

PIN Numbers: 15-24-300-001; 15-24-300-005

Address: 1300 Des Plaines Avenue, Forest Park, Illinois

UNOFFICIAL COPY

EXHIBIT A TO PARTIAL SATISFACTION AND PARTIAL RELEASE OF SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN LEGAL DESCRIPTION

Parcel 1:

That part of the Northwest 1/4 of Section 24, Township 39 North, Range 12 East of the Third Principal Meridian, described as commencing at the Southeast corner of said 1/4; thence North 00°03'05" East along the East line of said 1/4, 1,344.43 feet to a point 1,319.20 feet South of the North line of said 1/4, thence South 89°56'50" West 461.15 feet to point of beginning; thence continuing South 89°56'50" West, 1,007.90 feet, to the Easterly line of the highway leading from Harlem to Kellog's Tavern so called; thence North 07°48'00" East along said Easterly line, 572.25 feet; thence North 89°56'50" East, 593.74 feet; thence South 30°42'22" East, 658.97 feet to the point of beginning, all in Cook County, Illinois.

Parcel 2:

That part of the Northwest 1/4 of Section 24, Township 39 North, Range 12 East of the Third Principal Meridian, described as commencing at the Southeast corner of said Northwest 1/4; thence North 00°03'05" East, 1,344.43 feet along the East line of said 1/4 to a point 1,319.20 feet South of the North line of said 1/4; thence South 89°56'50" West (1,469.05 feet) to the Easterly line of the highway leading from Harlem to Kellog's Tavern so called; thence North 07°48'00" East 572.25 feet along said Easterly line to the point of beginning; thence continuing Northeasterly 274.20 feet along the prolongation of the last described course, thence North 89°56'50" East, 545.73 feet; thence South 00°03'05" East 271.66 feet; thence South 89°56'50" West, 582.95 feet to the point of beginning, all in Cook County, Illinois.

Parcel 3:

Exclusive, irrevocable and perpetual easement for the benefit of Parcel 1 for vehicular ingress and egress as created by Parking and Access Easement Agreement dated December 22, 1993 and recorded February 18, 1994 as Document Number 94163298 over, upon and across the following described parcel of land:

A tract of land in the Northwest 1/4 of Section 24, Township 39 North, Range 12 East of the Third Principal Meridian, described as commencing on the Easterly line of Des Plaines Avenue, 430.48 feet Southerly from the intersection of said Easterly line of Des Plaines Avenue and the South line of Roosevelt Road; thence North 89°50'16" East, 20.04 feet to a place of beginning; thence North 14°26'25" East, 47.79 feet; thence South 89°59'16" East, 481.23 feet; thence South 35°14'22" East, 56.67 feet; thence North 89°59'16" West, 525.85 feet to the place of beginning, all in Cook County, Illinois.

Parcel 4:

Non-exclusive, irrevocable and perpetual easement for the benefit of Parcel 1 for ingress and egress across the Ring Road (as hereinafter described) as created by Parking and Access Easement Agreement dated December 22, 1993 and recorded February 18, 1994 as Document Number 94163298 over, upon and across the following described parcel of land:

A tract of land in the Northwest 1/4 of Section 24, Township 39 North, Range 12 East of the Third Principal Meridian, described as commencing on the Easterly line of Des Plaines Avenue, 430.48 feet Southerly from the intersection of said Easterly line of Des Plaines Avenue and the South line of Roosevelt Road; thence South 89°59'16" East, 20.04 feet; thence North 14°26'25" East, 47.79 feet; thence South 89°59'16" East, 567.46 feet; thence North 1°26'30" West, 44.90 feet; thence North 89°59'16" West, 555.82 feet; thence North 64°35'07" West,

PIN Numbers: 15-24-300-001; 15-24-300-005

Address: 1300 Des Plaines Avenue, Forest Park, Illinois

UNOFFICIAL COPY

31.17 feet to the Easterly line of Des Plaines Avenue; thence South $7^{\circ}48'00''$ West, 103.24 feet along said Easterly line of Des Plaines Avenue to the place of beginning, all in Cook County, Illinois.

Save and Except:

That part of the Northwest 1/4 of Section 24, Township 39 North, Range 12 East of the Third Principal Meridian, described as commencing at the Southwest corner of the Wal-Mart Property; thence North $07^{\circ}48'00''$ East, 846.46 feet along the East line of Des Plaines Avenue also being the West line of the Wal-Mart Site; thence South $89^{\circ}59'16''$ East, 19.18 feet; thence South $07^{\circ}48'00''$ West, 677.68 feet; thence North $82^{\circ}12'00''$ West 9.00 feet; thence South $07^{\circ}48'00''$ West, 116.00 feet to the South line of the Wal-Mart Site, also being the North line of the Jewish Cemetery; thence South $89^{\circ}16'00''$ West, 10.10 feet along last said South line to the place of beginning, all in Cook County, Illinois.

PIN Numbers: 15-24-300-001; 15-24-300-005

Address: 1300 Des Plaines Avenue, Forest Park, Illinois

UNOFFICIAL COPY

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)


AFFIDAVIT

I, Jane Klass, being first duly sworn on oath, depose and state that I am Chief Financial Officer of Claimant, am authorized as agent to execute this Partial Satisfaction and Partial Release of Subcontractor's Notice and Claim for Mechanics Lien to Reflect Partial Payment of \$154,607.78 on behalf of Claimant, that I have read the foregoing Partial Satisfaction and Partial Release of Subcontractor's Notice and Claim for Mechanics Lien to Reflect Partial Payment of \$154,607.78 and know the contents thereof, and that the statements contained therein are true.



Jane Klass

SUBSCRIBED AND SWORN TO
before me this 30 day of October, 2012.



Notary Public



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

PIN Numbers: 15-24-300-001; 15-24-300-005

Address: 1300 Des Plaines Avenue, Forest Park, Illinois