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(Rev. 2/09/04)
CCG 0066

Lis Pendens Notice



IN THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS

Doc#: 1235244049 Fee: \$48.00
Karen A. Yarbrough RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 12/17/2012 02:52 PM Pg: 1 of 6

Chicago Regional Council of Carpenters
Plaintiff

Property of Cook County Clerk's Office

v.
New Plan of Arlington Heights LLC
Gregg Appliances, Inc

No. 12-CH-41343

Defendant
Capitol Construction Management, LLC
Capitol Construction Services, Inc.
Capitol Construction Solutions, Inc.
M.E.Z.A. Drywall Inc.
Arlington LLC
Column Financial Inc.
LaSalle Bank NA n/k/a Bank of America
Unknown Owners

LIS PENDENS NOTICE

I, the undersigned, do hereby certify that the above entitled cause was filed in the Circuit Court of Cook County on the

14th day of November, 2012 and is now pending in the Court and that the

property affected by the cause is described as follows:

See attached A for case full caption and legal description for HH Gregg Store at 35 W. Rand Rd., Arlington Heights, Illinois.

in Cook County, Illinois.

Atty. No.: 47319

Name: Robert T. Oleszkiewicz

Atty. for: Plaintiffs

Address: 111 E. Wacker Dr., Suite 2600

City/State/Zip: Chicago, IL 60601

Telephone: (312) 251-9700

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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D. Legal Description

PARCEL 1:

THAT PART OF LOT 2 IN HARDEE'S RAND ROAD SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 18, LYING SOUTHWESTERLY OF THE CENTERLINE OF RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NO. 86297345, AND A 0.019 ACRE PARCEL SOUTH OF SAID LOT 2, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID LOT 2; THENCE SOUTH 42 DEGREES 02 MINUTES 44 SECONDS WEST 568.13 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 47 MINUTES 42 SECONDS WEST 28.95 FEET ALONG THE SOUTH LINE OF SAID LOT 2, TO A POINT 96.40 FEET, AS MEASURED ALONG SAID SOUTH LINE, EAST OF A CORNER OF SAID LOT 2; THENCE NORTH 47 DEGREES 49 MINUTES 39 SECONDS WEST 186.71 FEET TO A SOUTH LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS WEST 27.62 FEET ALONG THE LAST DESCRIBED SOUTH LINE TO A POINT 373.47 FEET, AS MEASURED ON SAID SOUTH LINE, EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 17, AFORESAID; THENCE NORTH 47 DEGREES 57 MINUTES 53 SECONDS WEST 194.53 FEET; THENCE NORTH 17 DEGREES 32 MINUTES 09 SECONDS WEST 157.43 FEET TO A WESTERLY LINE OF SAID LOT 2; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST 10.81 FEET TO A SOUTHWESTERLY LINE OF SAID LOT 2; THENCE NORTH 47 DEGREES 59 MINUTES 25 SECONDS WEST, ALONG SAID SOUTHWESTERLY LINE, 325 FEET TO A NORTHWEST LINE OF LOT 2; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST, ALONG SAID NORTHWEST LINE, 550.00 FEET TO THE SOUTH LINE OF RAND ROAD (SAID SOUTH LINE ALSO BEING THE NORTHEASTERLY LINE OF SAID LOT 2); THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST ALONG SAID SOUTH LINE, 246.30 FEET; THENCE SOUTH 42 DEGREES 00 MINUTES 35 SECONDS WEST, 230 FEET; THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST 175 FEET; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST 230 FEET TO THE SOUTH LINE OF RAND ROAD; THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST, 478.67 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A PERPETUAL NON-EXCLUSIVE EASEMENT ESTABLISHED PURSUANT TO A GRANT OF EASEMENT DATED JULY 10, 1990 AND RECORDED JULY 26, 1990 AS DOCUMENT 90359319 OVER, ACROSS AND UPON THE FOLLOWING DESCRIBED PROPERTY FOR USE AND MAINTENANCE OF A STORM WATER RETENTION POND FOR THE BENEFIT OF PARCEL 1:

PARCEL 2A: (ARLINGTON GROVE PORTION)

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 18, LYING SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF LOT 2 IN HARDEE'S SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18, LYING SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NUMBER 86297345, SAID POINT BEING ON A LINE 900 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18 A DISTANCE OF 90.69 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 18; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST

EXHIBIT

tabbles

A

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ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 120 FEET FOR A POINT OF BEGINNING; THENCE NORTH 03 DEGREES, 44 MINUTES, 40 SECONDS WEST 142 FEET; THENCE NORTH 02 DEGREES, 08 MINUTES, 16 SECONDS EAST 127.88 FEET; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST 48 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE SOUTH 47 DEGREES, 57 MINUTES, 42 SECONDS EAST ALONG THE WEST LINE OF LOT 2 FOR A DISTANCE OF 183.80 FEET TO A BEND POINT OF SAID LOT 2; THENCE SOUTH 42 DEGREES, 02 MINUTES, 18 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 245.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS; AND

PARCEL 2B: (SOUTHEAST PORTION)

THAT PART OF LOT 2 IN HARDEE'S RAND ROAD SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 18 LYING SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NUMBER 86297345, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 2, SAID POINT BEING ON A LINE 900 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18, 90.69 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 18; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 354.43 FEET; THENCE SOUTH 31 DEGREES, 32 MINUTES, 09 SECONDS EAST 157.43 FEET; THENCE SOUTH 47 DEGREES, 57 MINUTES, 53 SECONDS EAST 194.53 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES, 46 MINUTES, 28 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 375.47 FEET TO A BEND POINT ON THE SOUTHERLY LINE OF SAID LOT 2, SAID POINT BEING ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE SOUTH 89 DEGREES, 40 MINUTES, 58 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 90.69 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3

LOT 1 IN THE ANNEX OF ARLINGTON PHASE II BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
(EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED DATED DECEMBER 13, 1999 AND RECORDED JANUARY 25, 2000 AS DOCUMENT 00062458 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PART OF LOT 1 IN THE ANNEX OF ARLINGTON HEIGHTS PHASE II, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1999 AS DOCUMENT 99569378, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 1; THENCE SOUTH 47 DEGREES 57 MINUTES 52 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, BEING ALSO THE SOUTHWESTERLY LINE OF RAND ROAD PER DOCUMENT NUMBER 12592035, 428.04 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 01 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF ARLINGTON HEIGHTS ROAD, 20.19 FEET TO AN INTERSECTION WITH A LINE 15.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 47 DEGREES 57 MINUTES 52 SECONDS WEST ALONG SAID LAST DESCRIBED LINE, 441.56 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 1; THENCE NORTH 42 DEGREES 03 MINUTES 40 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, 15.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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PARCEL B:

THAT PART OF LOT 1 IN THE ANNEX OF ARLINGTON HEIGHTS PHASE II, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1999 AS DOCUMENT 99569378, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 01 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF ARLINGTON HEIGHTS ROAD, 20.19 FEET TO AN INTERSECTION WITH A LINE 15.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 47 DEGREES 57 MINUTES 52 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 13.46 FEET TO A POINT OF BEGINNING AT THE INTERSECTION OF SAID LAST DESCRIBED PARALLEL LINE WITH A LINE 10.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1; THENCE CONTINUING NORTH 47 DEGREES 57 MINUTES 52 SECONDS WEST PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1, 40.00 FEET; THENCE SOUTH 23 DEGREES 58 MINUTES 12 SECONDS EAST, 73.09 FEET TO A POINT ON A LINE 10.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1, SAID POINT BEING 40.00 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID LOT 1, 40.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

AN EASEMENT FOR THE BENEFIT OF PARCEL 1 AND 3 AS CREATED BY EASEMENT AGREEMENT DATED APRIL 1, 1999 AND RECORDED APRIL 5, 1999 AS DOCUMENT 99322489 FROM COSMOPOLITAN BANK AND TRUST COMPANY, AS SUCCESSOR TRUSTEE FIRST BANK OF OAK PARK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 19, 1973 AND KNOWN AS TRUST NUMBER 10025 TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 AND KNOWN AS TRUST NUMBER 118561-01 AND ARLINGTON, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY FOR THE PURPOSE OF PARKING AND FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:

THE NORTH 88 FEET OF THE SOUTH 738.33 FEET OF THE EAST 155.0 FEET (EXCEPT THAT PART THEREOF TAKEN FOR WIDENING OF ARLINGTON HEIGHTS ROAD) OF THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER OF RAND ROAD, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

A EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 3 AS CREATED BY EASEMENT AGREEMENT DATED MARCH 31, 1999 AND RECORDED APRIL 5, 1999 AS DOCUMENT 99322488 FROM AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 AND KNOWN AS TRUST NUMBER 118561-01 AND ARLINGTON, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY FOR THE PURPOSE OF PARKING AND FOR INGRESS AND EGRESS, OVER THE PROPERTY FULLY DESCRIBED THEREIN.

PARCEL 6:

A EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 3 AS CREATED BY EASEMENT AGREEMENT DATED JUNE 3, 1999 AND RECORDED JUNE 14, 1999 AS DOCUMENT 99569377 FROM AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 AND

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KNOWN AS TRUST NUMBER 118561-01 AND ARLINGTON, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY FOR THE PURPOSE OF UTILITY EASEMENTS OVER THE PROPERTY FULLY DESCRIBED THEREIN.

PARCEL 7:

EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 3 AS CREATED BY DECLARATION OF GRANT OF DRIVEWAY, UTILITY AND CROSS ACCESS EASEMENTS RECORDED JULY 7, 1994 AS DOCUMENT 94592544 MADE BY THE TRAVELERS INSURANCE COMPANY, A CORPORATION OF CONNECTICUT, TO THE OWNERS OF RECORD OF THOSE CERTAIN ADJOINING PARCELS AND THE TERMS, PROVISIONS AND CONDITIONS CONTAINED THEREIN, AS AMENDED BY FIRST AMENDMENT RECORDED APRIL 5, 1999 AS DOCUMENT 99322485.

Real Estate Tax Information:

03-17-302-055-0000 03-17-302-074-0000 03-17-302-075-0000
03-17-302-077-0000

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IN THE CIRCUIT COURT OF DUPAGE COUNTY, ILLINOIS COUNTY DEPARTMENT – CHANCERY DIVISION MECHANICS' LIEN SECTION

Chicago Regional Council of Carpenters, a Labor)
 Organization, on behalf of its members, Chicago)
 Regional Council of Carpenters Pension Fund,)
 Chicago Regional Council of Carpenters Health and)
 Welfare Fund, Chicago Regional Council of)
 Carpenters Apprentice Training Fund, Chicago)
 Regional Council of Carpenters Annuity Fund,)
 Chicago Regional Council of Carpenters Labor/)
 Management Promotion Fund, Chicago Regional)
 Council of Carpenters International Apprentice,)
 Safety, Labor Management Fund, Chicago Regional)
 Council of Carpenters Industry Advancement Fund,)
 Chicago Regional Council of Carpenters Chicagoland)
 Safety Fund, Chicago Regional Council of Carpenters)
 Retirement Savings Fund,)

Plaintiffs,)

vs.)

New Plan of Arlington Heights LLC)
 Gregg Appliances, Inc.)
 Capitol Construction Management, LLC)
 Capitol Construction Services, Inc.)
 Capitol Construction Solutions, Inc.)
 M.E.Z.A. Drywall Inc.)
 Arlington LLC)
 Column Financial Inc.)
 LaSalle Bank NA n/k/a Bank of America)
 Unknown Owners,)

Defendants.)

No. 12CH41343

COMPLAINT FOR FORECLOSURE OF MECHANICS' LIEN AND OTHER RELIEF NEW PLAN OF ARLINGTON HEIGHTS

NOW COME the Plaintiffs, CHICAGO REGIONAL COUNCIL OF CARPENTERS,
 et al., by and through their attorneys, Whitfield, McGann and Ketterman, complain of
 Defendant, NEW PLAN OF ARLINGTON HEIGHTS, as follows: