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STATE OF ILLINOIS)
COUNTY OF COOK)

NOTICE OF CLAIM AND LIEN OF SUBCONTRACTOR

(Revised)



Doc#: 1304445070 Fee: \$35.00 Karen A. Yarbrough RHSP Fee: \$10.00 Cook County Recorder of Deeds
Date: 02/13/2013 02:27 PM Pg: 1 of 7

TO OWNER:

BURBANK 79TH LLC, an Illinois Limited liability company, 141 W. Jackson Blvd, 35th Floor Chicago, Illinois 60604

ATTENTION: THOMAS MORABITO, Manager

BURBANK 79^{Tel} LLC, an Illinois Limited liability company, 600 W. Jackson #720 Chicago, Illinois 60661-5033 ATTENTION: Thomas Megabito, manager

TO LEASE TENANT:

WALGREEN CO., an Illinois corporation.
104 Wilmot Road, MS 1420
Deerfield, Illinois 60015
ATTENTION: ROBERT M. SILVERMAN, Regional Vice President

TO LENDER:

NORTH SHORE COMMUNITY BANK & TRUST COMPANY, an Illinois banking corporation, 7800 Lincoln Avenue Skokie, Illinois 60077 ATTENTION: BARTLETT JOHNSON, Managing Director

CONTRACTOR:

C.E. GLEESON CONSTRUCTORS, INC.
984 Livernois Road
Troy, Michigan 48083
ATTENTION: JUSTIN SNYDER, Vice President/Secretary

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YOU ARE HEREBY NOTIFIED, that the undersigned, ILLIANA REMEDIAL ACTION, INC., an Indiana for-profit corporation having its principal place of business at 6550 Osborn Avenue, Hammond, Indiana 46320, was employed by C.E. Gleeson Constructors, Inc. (hereinafter "Contractor"), under a subcontract, revisions, change orders and additions thereto to supply labor, materials, and equipment to perform work for the benefit of your property, and pursuant thereto did provide labor, materials, equipment and supervision as a subcontractor performing the excavation, earthwork, and partial site utilities work, including, but not limited to, construction activities and installations for the Walgreen Store #15080 (herein "Project"), and other work and materials for improvements, machinery, and fixtures to be provided by the Contractor under its contract with you, the Owner and/or Tenant, for the Project and for the property, and your interests therein, located at the Southeast corner of Central Avenue and 79th Street, in Burbank, Cook County, Illinois 60459, which property is further described in Exhibit A attached hereto and incorporated herein by reference thereto.

Permanent Tax Identification Numbers (PIN):

19-33-100-00/-0000; 19-33-100-002-0000; 19-33-100-003-0000; 19-33-100-064-0000; 19-33-100-005-0000; 19-33-100-018-0000; 19-33-100-025-0000; and, 19-33-100-026-0000.

Commonly known as: Southeast corner of Central Avenue and 79th Street, Bucbark, Illinois 60459

That there is due the undersigned for its labor, materials and equipment, provided as a subcontractor on this Project, the sum of Seven.v-Three Thousand Six Hundred Eleven and 10/100 Dollars (\$73,611.10), plus unterest on said sum at the statutory rate of ten percent (10%) per annum and costs (including autorney fees) pursuant to 770 ILCS 60/17, as the amount hereby claimed as due to the undersigned after all credits and as otherwise apportioned to your property, for which the undersigned claims a lien against any interest of the Contractor and any interest of the Owner and Tenant in the above described property, as to the real estate heretofore described, any improvements and fixtures located thereon, any leasehold interests therein, and as to any money and/or other consideration due or to become due from the Owner, Tenant and/or other persons to said Contractor under the contracts for construction of the Project. Said amount the is summarized as follows:

Balance of Original Base Subcontract (including retention) \$207,545.00
Additional Work – Subcontract Revisions 1 through 8
Total Subcontract Amount (excluding interest) \$267,751.00
LESS Payments Received (194,139.90)

TOTAL LIEN CLAIM (excluding interest) \$ 73.611.10

The work was completed and the last of the labor, materials or equipment were delivered to the Project on or after October 16, 2012, and within four (4) months of the recording of this Notice of Claim of Lien of Subcontractor.

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Dated at Hammond, Indiana on this 13th day of February, 2013.

ILLIANA REMEDIAL ACTION, INC.

VERIFICATION

I, James L. Hough, the affiant herein, being first duly sworn on my oath and under the penalties for perjury, as provided for by the laws of the State of Illinois, hereby state and arfine upon my personal knowledge, that I am the president of Illiana Remedial Action, in ..., the lien claimant as stated above, and that I have read all of the representations and statements set forth above in this Notice of Claim and Lien of Subcontractor, and that all of such representations and statements are true and correct on this 13th day of February, 2013.

Action, Inc.

STATE OF INDIANA)

) SS:

COUNT OF LAKE

Before me, a Notary Public in the State of Jadiana, personally appeared James L. Hough, personally known to me to be the person who, being duly sworn by me on his oath and under the penalties for perjury, stated that the foregoing representations are true and correct, and thereupon executed the foregoing Notice of Claim and Lien of Subcontractor and Verification thereof, as his free and voluntary act as President of Illiana Remedial Action, Inc., on this 13th day of February, 2013

My Commission Expires:

November 15, 2017

Patrick A. Mysliwy, a Notary Lyblic and a resident of Lake County, Indiana.

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STATE OF INDIANA)
) SS:
COUNT OF LAKE)

CERTIFICATE OF SERVICE OF NOTICE OF CLAIM AND LIEN OF SUBCONTRACTOR

I, Rathel Rohrman, being first duly sworn under the penalties for perjury, hereby state that on the 13th day of February, 2013, I served the foregoing Notice of Claim and Lien of Subcontractor (Revised) by sending a duplicate original thereof by certified mail, with return receipt requested and delivery limited to addressee only, upon the persons and entities as follows:

TO OWNER:

BURBANK 79TH LLC, an Illinois Limited liability company, 600 W. Jackson #720 Chicago, Illinois 60661-5683 ATTENTION: Thomas Morabito, manager

TO LEASE TENANT:

WALGREEN CO., an Illinois corporation, 104 Wilmot Road, MS 1420 Deerfield, Illinois 60015 ATTENTION: ROBERT M. SILVERMAN, Regional Vice President

TO LENDER:

NORTH SHORE COMMUNITY BANK & TRUST COMPANY, an Illinois banking corporation, 7800 Lincoln Avenue Skokie, Illinois 60077 ATTENTION: BARTLETT JOHNSON, Managing Director

CONTRACTOR:

C.E. GLEESON CONSTRUCTORS, INC.
984 Livernois Road
Troy, Michigan 48083
ATTENTION: JUSTIN SNYDER, Vice President/Secretary

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Dated at Hammond, Indiana on this 13th day of February, 2013.

Rachel Rohrman

STATE OF INDIANA)
OF LAKE)

Defore me, a Notary Public in the State of Indiana and a Resident of Lake County, Indiana, personally appeared Rachel Rohrman, who, being duly sworn under the penalties for perjury, executed the foregoing Certificate of Service of Notice of Claim and Lien of Subcontractor as her free and voluntary act on this 13th day of February, 2013.

My Commission Expires:

November 15, 2017

Patrick A. Mysliwy, a Notary Public for the State of Indiana, and a Resident of Lake County, Indiana

THIS INSTRUMENT PREPARED BY: Patrick A. Mysliwy (Ill. ARDC No. 6182151)

MAISH & MYSLIWY, Attorneys at Law

P. O. Box 685

53 Musoich Court, Hammond, Indiana 46320

AFTER RECORDING, RETURN TO: MAISH & MYSLIWY, Attorneys at Law

P. O. Box 685

Hammond, Indiana 4632%

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EXHIBIT "A"

LEGAL DESCRIPTION (STORE #15080)

PARCEL A: LOT 5 IN ELMORES 79TH STREET CENTRAL AVENUE SUBDIVISION OF THE WEST 175 FEET OF THAT PART OF THE NORTHWEST 1/4 (EXCEPT THAT EAST 8.46 FEET OF THE NORTH 165.96 FEET OF SAID WEST 175 FEET) OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL B: LOT 6 IN ELMORE'S 79TH STREET AND CENTRAL AVENUE SUBDIVISION OF THE WEST 175 FEET OF THAT PART OF THE NORTHWEST 1/4 (EXCEPT THE EAST 8.46 FEET OF NORTH, 165.96 FEET OF SAID WEST 175 FEET) OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CENTER OF STATE CCAD, IN COOK COUNTY, ILLINOIS

PARCEL C-1: LOTS 1, 2, 2 AND 4 IN ELMORES 79TH ST AND CENTRAL AVENUE SUBDIVISION BEING A SUBDIVISION OF THE WEST 175 FEET OF THAT PART OF THE NORTHWEST 1/4 OF SECTION 33 TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY AND WESTERLY OF THE CENTRAL LINE OF STATE ROAD (EXCEPT THE FAST 8.46 FEET OF THE NORTH 165.96 FEET THEREOF) IN COOK COUNTY, ILLINOIS

PARCEL C-2: LOT 1 IN GEORGE C. DUFFY'S SUBDIVISION OF THE NORTH 183.50 FEET OF THE WEST 117 FEET OF THE EAST 307.46 FEET AND THE NORTH 165.96 FEET OF THE WEST 846 FEET OF THE EAST 315.92 FEET OF THE WEST 7.31 CHAINS OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF STATE FLOAD (EXCEPT THE NORTH 50 FEET TAKEN FOR STREET), IN COOK COUNTY, ILLINOIS.

PARCEL D-1: LOT 2 IN GEORGE C. DUFFY'S SUBDIVISION OF THE NORTH 183.50 FEET OF THE WEST 117.00 FEET OF THE EAST 307.46 FEET AND THE NORTH 165.96 FEET OF THE WEST 8.46 FEET OF THE EAST 315.92 FEET OF THE WEST 7.51 CHAINS OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF STATE ROAD, (EXCEPT THE NORTH 50.00 FEET TAKEN FOR STREET PURPOSES), ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1973 AS DOCUMENT 22529314, IN COOK COUNTY, ILLINOIS.

PARCEL D-2: THE NORTH 83.00 FEET OF THE WEST 117.00 FEET OF THE EAST 307.46 FEET, (EXCEPT THE NORTH 183.50 FEET THEREOF) OF THAT PART OF THE WEST 7.31 CHAINS OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN*, LYING NORTH OF STATE ROAD, IN COOK COUNTY, ILLINOIS.

PARCEL E-1: THAT PART OF THE NORTH-SOUTH 10 FOOT WIDE PUBLIC ALLEY IN ELMORES 79TH STREET AND CENTRAL AVENUE SUBDIVISION, LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 6 IN SAID SUBDIVISION, AND

Store #15080

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LYING SOUTH OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 5 IN SAID SUBDIVISION, AND LYING EAST OF THE EAST LINES OF LINES OF SAID LOTS 5 AND 6, AND LYING WEST OF THE EAST LINE OF SAID SUBDIVISION; SAID ELMORES 79TH STREET CENTRAL AVENUE SUBDIVISION BEING A SUBDIVISION OF THE WEST 175 FEET OF THAT PART OF THE NORTHWEST 1/4 (EXCEPT THAT EAST 8.46 FEET OF THE NORTH 165.96 FEET OF SAID WEST 175 FEET) OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT 9029643, IN COOK COUNTY, ILLINOIS.

THAT PART OF THE EAST-WEST 20 FOOT WIDE PUBLIC ALLEY IN ELMORES 797H STREET AND CENTRAL AVENUE SUBDIVISION, LYING NORTH OF THE NORTH LINE OF LOT 5 IN SAID SUBDIVISION AND THE EASTERLY EXTENSION OF SAID NORTH LINE, AND LYING SOUTH OF THE NORTH LINE OF SAID 20 FOOT WIDE PUBLIC ALLEY, AND LYING MEST OF THE EAST LINE OF SAID SUBDIVISION, AND LYING EAST OF A LINE DRAWN FROM THE NORTHWEST CORNER OF SAID LOT 5 TO THE SOUTHWEST CORNER OF LOT 4 IN SAID SUBDIVISION; SAID ELMORES 79TH STREET CENTRAL AVENUE SUBDIVISION BEING A SUBDIVISION OF THE WEST 175 FEET OF THAT PART OF THE NORTHWEST 1/4 (EXCEPT THAT EAST 8.46 FEET OF THE NORTH 165.96 FEET OF SAID WEST 175 FEET) OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT 9029643, IN COOK COUNTY, ILLINOIS.

Commonly known as: The southeast corner of Certical Avenue and 79th Street, Burbank, Illinois The Clerk's Office

COOK COUNTY PIN(S):

19-33-100-005-0000; 19-33-100-026-0000: 19-33-100-018-0000 19-33-100-001-0000; 19-33-100-002-0000: 19-33-100-003-0000 19-33-100-004-0000; 19-33-100-025-0000; 19-33-100-006-0000

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