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Doc#: 1414108003 fee: \$60.00
Date: 05/21/2014 03:30 AM Pg: 1 of 7
Cook County Recorder of Deeds
*RHSP:\$9.00 RPRF:\$1.00 FEES Applied

Property of Cook County Clerk's Office

Mail to:

Chicago Title

101 N. Virginia Street, Suite 190

Crystal Lake, IL 60014

8778777



COVER SHEET

For the purpose of affixing Recording Information

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SUBCONTRACTOR AND SUPPLIER AFFIDAVIT, RELEASE AND WAIVER OF LIEN

This Affidavit, Release and Waiver of Lien ("Release") is executed by and on behalf of the Sheet Metal Workers Local 265 Welfare Fund, Sheet Metal Workers Local 265 Pension Fund, Sheet Metal Workers Local 265 Educational Fund, Sheet Metal Workers Local 265 Industry Fund, Sheet Metal Workers Local 265 Supplemental Retirement Plan, Sheet Metal Workers Local 265 Savings Fund (collectively referred to as "Funds") and the "Sheet Metal Workers Local Union No. 265" (referred to as the "Union"), with their principal place of business at 205 Alexandra Way, Carol Stream, IL 60188, in connection with a project commonly known and described as Willow Creek Care Center ("the Project"), located at 67 E. Algonquin Road, South Barrington, IL 60010.

The Funds' participants were employed by Michael A. Prate, Inc. ("Prate") to provide labor and services to the Project. Pursuant to a collective bargaining agreement with the Union, Prate was obligated to submit contributions and dues on behalf of its employees to the Funds and Union. This Release is executed by the Funds and Union to acknowledge payment from Pepper Construction Company in the amount of \$7,883.43 ("Payment") which constitutes payment in full for all fringe benefit contributions due to the Funds and work assessment dues due to the Union for labor and services provided by the Funds' participants for the months of March and April 2013. In consideration of such Payment, the Funds forever waive, relinquish, release, discharge and quitclaim all liens, claims, charges and rights to make claims against the Project, an owner or other entity or person having any interest in the Project ("Owner"), any sources or funds existing with respect to the Project ("Project Funds") and/or any payment or performance bonds issued in connection with the Project ("Bonds") based on the Funds' participants' Work in connection with the Project.

****recorded August 29, 2013 as Document #1224139122**
The Funds represent and warrant that no other person or entity has any right to assert the Funds' claims for benefit contributions due for the labor and services that the Funds' participants supplied on the Project for March and April 2013.

The Funds acknowledge and agree that the payment from Pepper Construction Company is adequate and bargained-for consideration to support the obligations, representation, covenants and warranties expressed in this Release.

The Funds represent and warrant that the Payment was made in full satisfaction of all obligations owed by Prate to the Funds and Union for March and April 2013 on behalf of Prate's employees which arise from the labor and services that the Funds' participants provided in connection with the Project for March and April 2013. The Funds, on behalf of Prate's employees, hereby release Prate, Pepper Construction Company, the Project Owner, and/or related Bonds from any and all claims or demands arising from the work performed by the Funds' participants on this Project.

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The Funds represent and warrant that no security interest has been given or executed by the Funds for or in connection with any equipment, material, appliances, machinery, fixtures or furnishings placed upon or installed at the Project. The undersigned agent of the Funds represents that he has the authority to execute the Release on behalf of and as the binding act of the Funds.

SHEET METAL WORKERS LOCAL 265 WELFARE FUND, SHEET METAL WORKERS LOCAL 265 PENSION FUND, SHEET METAL WORKERS LOCAL 265 EDUCATIONAL FUND, SHEET METAL WORKERS LOCAL 265 INDUSTRY FUND, SHEET METAL WORKERS LOCAL 265 SUPPLEMENTAL RETIREMENT PLAN, SHEET METAL WORKERS LOCAL 265 SAVINGS FUND

By: Scott P. Wille
Scott P. Wille
Administrative Manager

STATE OF ILLINOIS)
) SS
COUNTY OF DuPage)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Scott P. Wille, the Administrative Manager of the Sheet Metal Workers Local 265 Welfare Fund, Sheet Metal Workers Local 265 Pension Fund, Sheet Metal Workers Local 265 Educational Fund, Sheet Metal Workers Local 265 Industry Fund, Sheet Metal Workers Local 265 Supplemental Retirement Plan, Sheet Metal Workers Local 265 Savings Fund (collectively referred to as "Funds"), and acknowledged the execution of the above and foregoing Subcontractor Affidavit, Release and Waiver of Lien on behalf of said Funds for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this 5th day of May 2014.

Mary E. Morrison
Notary Public

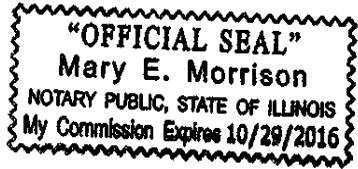
Mary E. Morrison
(Printed Signature)

County of Residence: DuPage

My Commission Expires:

10-29-2016

E:\265\Prate, Michael A., Inc\release of mechanics lien [willow creek] 05-05-14.cms



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EXHIBIT A - Page 1 of 1

P.L.N.J 01-24-300-010-0000; 01-25-100-026-0000; 01-25-100-027-0000; 01-25-100-028-0000; 01-25-100-031-0000; 01-25-100-034-0000; 01-25-100-035-0000; 01-25-100-037-0000; 01-25-100-038-0000; 01-25-100-040-0000; 01-25-100-042-0000; 01-25-100-044-0000; 01-25-100-045-0000; 01-25-100-046-0000; 01-25-100-047-0000; 01-25-100-048-0000; 01-25-100-049-0000; 01-25-100-050-0000; 01-25-100-051-0000; 01-25-100-052-0000; 01-25-100-053-0000; 01-25-100-055-0000; 01-25-100-056-0000; 01-25-100-057-0000; 01-25-100-058-0000

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Parcel 1:

That part of the South 1/2 of the South West 1/4 of Section 24 and that part of the North West 1/4 of Section 25, Township 42 North, Range 9 East of the Third Principal Meridian which lies Southerly of the center line of Algonquin Road, excepting therefrom that part thereof bounded by a line described as follows: Beginning at a point on the West line of the North West 1/4 of said Section 25, 19.70 chains (1300.20 feet) South of the North West corner thereof; thence North 72 degrees 15 minutes East 24.01 chains (1584.66 feet); thence South parallel with the West line of said North West 1/4 to the South line thereof; thence West along the South line of said North West 1/4 to the South West corner; thence North along the West line of said Quarter Section to the point of beginning and also excepting therefrom that part thereof bounded by a line described as follows: Beginning at the intersection of the center line of Algonquin Road with the West line of the South West 1/4 of said Section 24; thence Southeasterly along the center line of said road 920.0 feet; thence Southwesterly at right angles to the center line of Algonquin Road 450.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid, 345.95 feet; thence South parallel with the West line of the North West 1/4 of Section 25, aforesaid 650.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25 aforesaid 450.0 feet to a point on the West line of said North West 1/4; thence North along the West line of the North West 1/4 of said Section 25 and the West line of the South West 1/4 of said Section 24 to the point of beginning and excepting therefrom all that part thereof heretofore dedicated, taken or used for public roads, in Cook County, Illinois.

Parcel 2:

That part of the South 1/2 of the South West 1/4 of Section 24 and that part of the North West 1/4 of Section 25 both in Township 42 North, Range 9 East of the Third Principal Meridian, which lies Southerly of the center line of Algonquin Road bounded by a line described as follows:

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Beginning at the intersection of the center line of Algonquin Road with the West line of the South West 1/4 of said Section 24; thence Southeasterly along the center line of said Road 925.0 feet; thence Southwesterly at right angles to the center line of Algonquin Road 450.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid 345.95 feet; thence South parallel with the West line of the North West 1/4 of Section 25, aforesaid 97.33 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid 450.0 feet to a point on the West line of said North West 1/4; thence North along the West line of the North West 1/4 of said Section 25 and the West line of the South West 1/4 of said Section 24 to the point of beginning, excepting therefrom all that part thereof heretofore dedicated, taken or used for public roads, in Cook County, Illinois.

Parcel 3:

That part of the South 1/2 of the South West 1/4 of Section 24 and that part of the North West 1/4 of Section 25 both in Township 42 North, Range 9, East of the Third Principal Meridian which lies Southealy of the center line of Algonquin Road bounded by a line described as follows:

Beginning at the intersection of the center line of Algonquin Road with the West line of the South West 1/4 of said Section 24; thence Southeasterly along the center line of said road 925.0 feet; thence Southwesterly at right angles to the center line of Algonquin Road 450.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid 345.95 feet; thence South parallel with the West line of the North West 1/4 of Section 25, aforesaid 650.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid 450.0 feet to a point on the West line of said North West 1/4; thence North along the West line of the North West 1/4 of said Section 25 and the West line of the South West 1/4 of said Section 24 to the point of beginning, excepting therefrom all that part thereof heretofore dedicated, taken or used for public roads, also excepting therefrom the South 425.94 feet thereof as measured on the West line also excepting therefrom the North 772.97 feet thereof as measured on the West line, all in Cook County, Illinois.

Parcel 4:

That part of the North West 1/4 of Section 25, Township 42 North, Range 9 East of the Third Principal Meridian, described as follows: Commencing at the South West corner of said North West 1/4; thence North 0 degrees 04 minutes 40 seconds East along the West line of said North West 1/4, 11.37 chains, 750.42 feet; thence North 89 degrees 55 minutes 42 seconds East, 1238.82 feet; thence North 0 degrees 04 minutes 40 seconds East along a line parallel with the Westerly line of said North West 1/4 for a distance of 177.55 feet to the point of beginning; thence continuing North 0 degrees 04 minutes 40 seconds West, 774.59 feet; thence North 71 degrees 55 minutes 19 seconds East, 282.09 feet; thence South 0 degrees 08 minutes 48 seconds, East 861.79 feet; thence South 87 degrees 55 minutes 42 seconds West, 269.11 feet to the point of beginning, in Cook County, Illinois.

Parcel 5:

That part of the North West 1/4 of Section 25, Township 42 North, Range 9 East of the Third Principal Meridian, described as follows: Commencing at the South West corner of said North West 1/4; thence North 0 degrees 04 minutes 40 seconds East along the West line of said North West 1/4, 11.37 chains, 750.42 feet to the point of beginning; continuing thence North 0 degrees 04 minutes 40 seconds East along the West line of said North West 1/4, 8.33 chains 549.78 feet; thence Northeasterly along a line that makes an angle of 72 degrees 00 minutes to the right with the prolongation of the last described line a distance of 1302.57 feet; thence South parallel with the West line of said North West 1/4 952.30 feet; thence West at right angles to the West line of said North West 1/4 18.77 chains 1238.82 feet to the point of beginning (excepting the South 177.55 feet thereof) in Cook County, Illinois.

Parcel 6:

The South 425.94 feet of that part of the South 1/2 of the South West 1/4 of Section 24 and that part of the North West 1/4 of Section 25, both in Township 42 North, Range 9 East of the Third Principal Meridian: Beginning at the intersection of the center line of Algonquin Road with the West line of the South West 1/4 of said Section 24; thence Southeasterly along the center line of said road, 925.0 feet; thence Southwesterly at right angles to the center line of Algonquin Road, 450.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid 345.95 feet; thence South parallel with the West line of the North West 1/4 of Section 25, aforesaid, 650.0 feet; thence West parallel with the North line of the North West 1/4 of Section 25, aforesaid, 450.0 feet to a point on the West line of said North West 1/4; thence North along the West line of the North West 1/4 of said Section 25 and the West line of the South West 1/4 of

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said Section 24 to the place of beginning, and excepting therefrom all that part thereof heretofore dedicated, taken or used for public roads, in Cook County, Illinois.

Parcel 7:

That part of the Northwest 1/4 of Section 25, Township 42 North, Range 9, East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said 1/4 Section thence North on section line 5.33 chains thence East 18.77 chains thence South 5.33 chains to the South line of said 1/4 Section thence West 18.77 chains to the place of beginning, in Cook County, Illinois.

Parcel 8:

That part of the Northwest 1/4 of Section 25, Township 42 North, Range 9 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said 1/4 Section, thence North on Section line 1300.20 feet thence North 72 degrees East 1504.69 feet; thence South 1782 feet to the South line of said Northwest 1/4 thence West 1511.40 feet to the point of beginning (excepting that part described as follows: Commencing at the Southwest corner of said Northwest 1/4, thence North along the West line of said Northwest 1/4 750.42 feet to the point of beginning continuing thence North along the West line of said Northwest 1/4, 549.78 feet thence Northeasterly along a line that makes an angle of 72 degrees to the right with the prolongation of the last described line a distance of 1302.57 feet; thence South parallel with the West line of said Northwest 1/4 952.30 feet; thence West at right angles to the West line of said Northwest 1/4, 1238.82 feet to the point of beginning and also excepting therefrom that part described as follows: Commencing at the Southwest corner of said 1/4 section; thence North on the Section line 351.78 feet thence East 1238.82 feet thence South 351.78 feet to the South line of said 1/4 section thence West 1238.82 feet to the point of beginning, and also excepting that part described as follows: Commencing at the South West corner of said North West 1/4; thence North 0 degrees 04 minutes 40 seconds East along the West line of said North West 1/4, 11.37 chains, 750.42 feet; thence North 89 degrees 55 minutes 42 seconds East, 1238.82 feet; thence North 0 degrees 04 minutes 40 seconds East along a line parallel with the Westerly line of said North West 1/4 for a distance of 177.55 feet to the point of beginning; thence continuing North 0 degrees 04 minutes 40 seconds West, 774.59 feet; thence North 71 degrees 55 minutes 19 seconds East, 282.09 feet; thence South 0 degrees 04 minutes 48 seconds, East 861.79 feet; thence South 89 degrees 55 minutes 42 seconds West, 269.11 feet to the point of beginning) all in Cook County, Illinois.

Parcel 9:

The South 177.55 feet of that part of the Northwest 1/4 of Section 25, Township 42 North, Range 9 East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said Northwest 1/4; thence North 00 degrees 04 minutes 40 seconds East along the West line of said Northwest 1/4, 11.37 chains, (750.42 feet) to the point of beginning; continuing thence North 00 degrees 04 minutes 40 seconds East along the West line of said Northwest 1/4, 8.33 chains, (549.78 feet); thence Northeasterly along a line that makes an angle of 72 degrees 00 minutes to the right with the prolongation of the last described line a distance of 1302.57 feet; thence South parallel with the West line of said Northwest 1/4, 952.30 feet; thence West at right angles to the West line of said Northwest 1/4, 18.77 chains, (1238.82 feet) to the point of beginning, in Cook County, Illinois.