

# UNOFFICIAL COPY

THIS INSTRUMENT WAS  
PREPARED BY AND  
AFTER RECORDING  
SHOULD BE RETURNED TO:

Sophia Moraitis  
S. Moraitis & Associates  
333 Harrison Street  
Oak Park, Illinois 60304  
Ph: (312) 733-9803  
Cell: (312) 342-5730  
smoraitis@sma-law.com



Doc# 1630019118 Fee \$38.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/26/2016 01:12 PM PG: 1 OF 10

## SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF LAKE )

The claimant, KAS Electric Corporation ("KAS"), with an office at 27578 N. Owens Road, Mundelein, Illinois 60060, hereby files its Subcontractor's Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Hotel Mannheim Chicago, LLC ("Owner") and against the interest of any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner including Midway Enterprises Inc. ("Prime Contractor"), Hotel Mannheim EB-5 Lender, LLC ("Lender"), and Pacific Capital Management, LLC ("Owner's Manager"), US Pacific Management, Inc., U.S. Asia Group, Inc., Superhost Enterprises, Inc. and Superhost Hospitality, Inc. ("collectively, "Owner's Agents"), and NORR Inc. ("Architect").

KAS states:

1. Since on or about August 27, 2012, Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as 6810 Mannheim Road, Rosemont, Illinois 60018 and legally described as follows ("Real Estate"):

See attached

2. On or about February 27, 2015, KAS entered into a subcontract ("Fire Alarm Subcontract") with Prime Contractor. Pursuant to the Fire Alarm Subcontract, KAS agreed to provide electrical services, specifically, fire alarm work, for a Hyatt Place hotel located at the Real Estate for the original Fire Alarm Subcontract amount of \$247,000.00, subject to additions

PIN Numbers: 09-32-203-005-0000; 09-32-206-017-0000; 09-32-212-015-0000

Address: 6810 Mannheim Road, Rosemont, Illinois 60018

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and deletions. At the special instance and request of Prime Contractor, KAS furnished extra and additional materials and extra and additional labor in the amount of \$13,900.00 that increased the Fire Alarm Subcontract.

3. The extent and value of KAS' work under the Fire Alarm Subcontract was ultimately \$260,900.00 ("Adjusted Fire Alarm Subcontract Amount").

4. KAS and Prime Contractor entered into the Fire Alarm Subcontract, and KAS performed its work thereunder with the knowledge and consent of Prime Contractor and Owner. Alternatively, Owner authorized or knowingly permitted Prime Contractor to enter into contracts to improve the Real Estate. Alternatively, Owner knowingly permitted Prime Contractor or KAS or both to perform work to improve the Real Estate.

5. KAS completed its work under the Fire Alarm Subcontract on August 5, 2016.

6. KAS received payments totaling \$234,650.00. As of the date hereof, after allowing all credits, there is due, unpaid and owing to KAS, the principal sum of Twenty Six Thousand Two Hundred Fifty Dollars and 00/100 (\$26,250.00) for which, with interest, KAS claims a lien against the Real Estate.

7. KAS hereby revokes any waiver of lien given in advance of payment for which payment was not made.

Dated: October 25, 2016

KAS Electric Corporation

By: \_\_\_\_\_

Kyle Soudan

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BY AND AFTER RECORDING  
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S. Moraitis & Associates  
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Oak Park, Illinois 60304  
Ph: (312) 733-9803  
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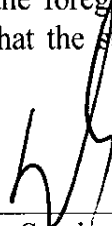
Address: 6810 Mannheim Road, Rosemont, Illinois 60018

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## AFFIDAVIT

STATE OF ILLINOIS        )  
   ) ss.  
 COUNTY OF LAKE         )

I, Kyle Soudan, being first duly sworn on oath, depose and state that I am an officer of KAS Electric Corporation, I am authorized as agent to execute this Subcontractor's Claim for Mechanics Lien on behalf of KAS, that I have read the foregoing Subcontractor's Claim for Mechanics Lien and know the contents thereof, and that the statements contained therein are true.

  
 \_\_\_\_\_  
 Kyle Soudan

SUBSCRIBED AND SWORN TO  
 before me this 25 day of October 2016.

  
 \_\_\_\_\_  
 Notary Public



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 SHOULD BE RETURNED TO:

Sophia Moraitis  
 S. Moraitis & Associates  
 333 Harrison Street  
 Oak Park, Illinois 60304  
 Ph: (312) 733-9803  
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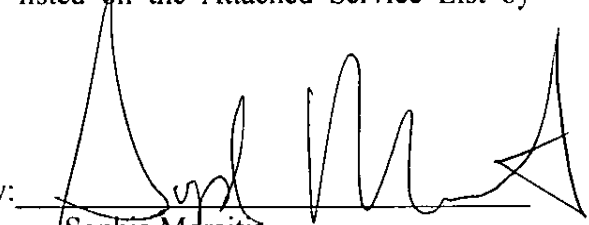
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## AFFIDAVIT OF SERVICE

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

I, Sophia Moraitis, being first duly sworn, on oath, depose and state that on October 26, 2016, I caused to be served the attached Subcontractors Claim for Mechanics Lien by sending a duplicate original thereof to each person and entity listed on the Attached Service List by certified mail, return receipt requested.

By:   
\_\_\_\_\_  
Sophia Moraitis  
S. Moraitis & Associates  
333 Harrison Street  
Oak Park, Illinois 60304  
Ph: (312) 733-9803  
Cell: (312) 342-5730  
smoraitis@sma-law.com

SUBSCRIBED AND SWORN TO  
before me this 25<sup>th</sup> day of October 2016.

  
\_\_\_\_\_  
Notary Public



PIN Numbers:            09-32-203-005-0000; 09-32-206-017-0000; 09-32-212-015-0000

Address:                   6810 Mannheim Road, Rosemont, Illinois 60018

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****SERVICE LIST****Owner:**

Hotel Mannheim Chicago, LLC  
 c/o Eric Chang, Agent  
 1132 Waukegan Road  
 Suite 202  
 Glenview, Illinois 60025

and

c/o Eric Chang, Member  
 916 W. 21<sup>st</sup> Street  
 Chicago, Illinois 60608

**Owner's Manager:**

Pacific Capital Management, LLC  
 c/o Eric Chang, Agent  
 1132 Waukegan Road  
 Suite 202  
 Glenview, Illinois 60025

**Owner's Agent(s):**

US Pacific Management, Inc.  
 c/o Honghai Wang, Agent  
 916 W. 21<sup>st</sup> Street  
 Chicago, Illinois 60608

U.S. Asia Group, Inc.  
 c/o Eric Chang, Agent  
 1132 Waukegan Road  
 Suite 202  
 Glenview, Illinois 60025

Superhost Enterprise, Inc. and  
 Superhost Hospitality, Inc.  
 c/o Ash Lakhany, Agent  
 8615 US Highway 24 West  
 Fort Wayne, Indiana 46804

**Prime Contractor:**

Midway Enterprises, Inc.  
 c/o Steven Potokar, President Agent  
 280 North Rand Road  
 Suite C  
 Lake Zurich, Illinois 60047

**Lender:**

Hotel Mannheim EB-5 Lender LLC  
 299 Broadway  
 Suite 1120  
 New York, New York 10007

and

c/o The First State Registered  
 Agent Company  
 1925 Lovering Avenue  
 Wilmington, DE 19806

**Architect:**

NORR Inc.  
 c/o Illinois Corporation Service C  
 807 Adlai Stevenson Drive  
 Springfield, Illinois 62703

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Exhibit A

## Legal Description

## PARCEL 1:

THE SOUTH 1/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART TAKEN FOR MANNHEIM ROAD AND THAT PART CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY COMMISSION BY DEED RECORDED AS DOCUMENT NO. 16738863), (AND EXCEPT THAT PART TAKEN IN CASE NO. 64L21589), IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WESTERLY OF THE WEST LINE OF MANNHEIM ROAD AND NORTH OF THE NORTH LINE OF THE ILLINOIS TOLL HIGHWAY DRAWN FROM A POINT IN THE EAST LINE OF SAID SOUTH EAST 1/4, 315.2 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION 32 TO A POINT IN THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTH EAST 1/4, 844.84 FEET MEASURED ON THE SAID NORTH LINE EAST OF THE NORTH WEST CORNER OF SAID EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 32, (EXCEPT THAT PART TAKEN IN CASE NO. 64L21263), IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

LOTS 1 TO 4 BOTH INCLUSIVE, IN BLOCK 2 IN OLIVER SALINGER AND COMPANY'S FIRST ADDITION TO GLEN ACRES, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## PARCEL 4:

THAT PART OF THE SOUTH 1/2 OF MORSE AVENUE, VACATED BY DOCUMENT 26239728, LYING NORTH OF AND ADJOINING LOTS 3 AND 4 IN BLOCK 2 IN OLIVER SALINGER AND COMPANY'S FIRST ADDITION TO GLEN ACRES, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 6810 Mannheim Road, Rosemont, Illinois **60018**

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## Permitted Exceptions

~~1. TAXES FOR THE YEAR 2012; TAXES ARE NOT YET DUE OR PAYABLE.~~

2. EXISTING UNRECORDED LEASES TO THE FOLLOWING PARTIES:

O'HARE ACCOMODATIONS  
 REGENCY GIFT SHOP  
 CLEAR CHANNEL  
 HEARTLAND COMMUNICATIONS  
 FINANCIAL CONSULTING  
 WESTWOOD ONE  
 VERIZON

AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES, AS DISCLOSED BY ALTA STATEMENT DATED MARCH 31, 2005.

3. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES AND LYING WITHIN MORSE AVENUE AS SHOWN ON PLAT OF SURVEY MADE BY GREMLEY AND BIEDERMANN, INC., NUMBER 2004-01133-001, DATED JUNE 11, 2004 AND LAST REVISED MARCH 30, 2005.

4. RESTRICTIONS AND CONDITIONS CONTAINED IN PLAT OF SAID SUBDIVISION RECORDED AUGUST 22, 1940 AS DOCUMENT 12534397 RELATING TO THE USE, SIZE, CONSTRUCTION, OCCUPATION AND LOCATION OF BUILDINGS TO BE ERECTED ON PREMISES; RELATING TO THE PITCH OF ROOFS, TO THE ERECTION OF AUXILIARY BUILDINGS, TO THE PAINTING OF EXTERIOR WALLS AND FENCES, PROVIDING FOR THE KIND OF MATERIALS TO BE USED IN THE FOUNDATIONS, CHIMNEYS, WALLS AND ROOFS OF BUILDINGS TO BE ERECTED ON SAID PREMISES, PROHIBITING THE ERECTION OF OUTHOUSE TOILETS AND PROVIDING FOR THE INSTALLATION OF SEPTIC TANKS AND GREASE TRAPS AND TO THE LOCATION THEREOF; PROVIDING FOR THE DRILLING OF WELLS AND THE LOCATION THEREOF AND PROVIDING THAT WELLS AND WASTE DISPOSAL SYSTEMS SHALL BE LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THE STATE DEPARTMENT OF PUBLIC HEALTH AND AS AMENDED AND MODIFIED BY AGREEMENT DATED MARCH 24, 1941 AS DOCUMENT 12649232 SETTING FORTH THAT NO BUILDING SHALL BE LOCATED OR ERECTED ON ANY LOT OR BUILDING PLOT NEARER THAN 47 FEET FROM THE FRONT LOT LINE.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION  
 (AFFECTS PARCEL 3)

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5. GRANT OF EASEMENT FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 29, 1958 AND KNOWN AS TRUST NUMBER 40186 TO CENTRAL TELEPHONE COMPANY OF ILLINOIS DATED MAY 21, 1970 AND RECORDED JUNE 3, 1970 AS DOCUMENT 21173574 TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH RIGHT OF ACCESS TO SAME AND RIGHT FROM TIME TO TIME TO REMOVE TREES, BUSHES, ETC., AS MAY BE REASONABLY REQUIRED INCIDENT TO THE GRANT GIVEN IN, OVER, UNDER, ACROSS, ALONG AND UPON THE LAND. (AFFECTS PARCEL 3)

6. GRANT OF EASEMENT FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 29, 1958 AND KNOWN AS TRUST NUMBER 40186 TO THE COMMONWEALTH EDISON COMPANY DATED MAY 21, 1970 AND RECORDED MAY 26, 1970 AS DOCUMENT 21167375 TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME POLES, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY TOGETHER WITH RIGHT OF ACCESS TO SAME AND RIGHT TO REMOVE TREES, ETC., REQUIRED INCIDENT TO SAID GRANT GIVEN ON, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY DESCRIBED AS FOLLOWS:

STRIPS OF LAND 10 FEET WIDE AS SHOWN ON SHADED AREA MARKED 'EXHIBIT A' OVER LOT 2 IN BLOCK 2 IN OLIVER SALINGER AND CO'S 1ST ADDITION TO GLEN ACRES A SUBDIVISION IN THE NORTH 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(AFFECTS LOT 2 OF PARCEL 3)

7. VIOLATION OF COVENANTS AND RESTRICTIONS CONTAINED IN DOCUMENTS 12534397 AND 12649232 AS TO THE MAINTENANCE OF AN ELECTRICAL POWER PLANT ON LOT 2 OF PARCEL 3.

(AFFECTS LOT 2 OF PARCEL 3)

8. VIOLATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DOCUMENT 12649233 BY MAINTAINING A PARKING LOT ON PARCEL C WITHOUT OBTAINING THE PERMISSION OF THE NEIGHBORHOOD COMMITTEE AS REFERRED TO IN DOCUMENT 12649233.

(AFFECTS PARCEL 3)

9. UNRECORDED EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AS DISCLOSED BY THE ELECTRIC SERVICE STATION AGREEMENT MADE BY AND BETWEEN COMMONWEALTH EDISON COMPANY AND O'HARE INN AND HENRICI REST AS EVIDENCED IN THE UTILITY LETTER DATED JANUARY 13, 1998 BY ROBERT D. SLAVIK, DPM-FIELD AGENT FOR THE COMMONWEALTH EDISON COMPANY.



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10. UNRECORDED EASEMENT IN FAVOR OF NORTHERN ILLINOIS GAS COMPANY AS EVIDENCED IN THE UTILITY LETTER DATED JANUARY 28, 1998 BY EDWARD G. O'ROURKE, GENERAL REAL ESTATE AGENT, NORTHERN ILLINOIS GAS COMPANY.

11. RIGHTS OF THE PUBLIC IN AND TO THE CONCRETE PATH LOCATED ALONG THE SOUTHEASTERLY TIP OF PARCEL 2 AND ONTO THE LAND SOUTH AND ADJOINING BY AN UNDISCLOSED AMOUNT AS DEPICTED ON SURVEY MADE BY GREMLEY & BIEDERMANN, INC., DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

12. UNRECORDED EASEMENTS IN FAVOR OF PUBLIC AND, OR QUASI-PUBLIC UTILITY COMPANIES OVER THAT PART OF THE LAND MARKED WITH MANHOLES, BASINS, POLES, VALVES AND VAULTS, TRANSFORMER PAD, HYDRANTS, ARIEL WIRES, AS DISCLOSED BY THE PLAT OF SURVEY MADE BY GREMLEY & BIEDERMANN DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

13. ENCROACHMENT OF THE PARKING SPACES OVER AND ONTO THE EASEMENTS NOTED HEREIN AT EXCEPTION REFERENCE LETTER T AND U AND ENCROACHMENT OF THE CONCRETE CURBS OVER AND ONTO THE EASEMENTS NOTED HEREIN AT EXCEPTION REFERENCE LETTER T AND U AS DISCLOSED BY THE PLAT OF SURVEY MADE BY GREMLEY & BIEDERMANN, DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

14. ENCROACHMENT OF THE GUARD RAIL LOCATED MAINLY ON THE LAND ONTO THE PROPERTY NORTH AND ADJOINING BY VARYING DISTANCES, AS SHOWN THE PLAT OF SURVEY MADE BY GREMLEY AND BIEDERMANN, INC., NUMBER 2004-01133-001, DATED JUNE 11, 2004 AND LAST REVISED MARCH 30, 2005.

15. EXISTING UNRECORDED SITE LEASE ENTERED INTO AUGUST 28, 2008 ("EFFECTIVE DATE") BY AND BETWEEN MEHP O'HARE OPERATING, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("LANDLORD") AND DENALI SPECTRUM OPERATIONS, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("TENANT"), DEMISING A PORTION OF THE LAND FOR A TERM OF FIVE (5) YEARS COMMENCING ON THE EFFECTIVE DATE ("COMMENCEMENT DATE"), AND TERMINATING AT MIDNIGHT ON THE LAST DAY OF THE INITIAL TERM ("INITIAL TERM"), AND THE RIGHTS OF ALL PARTIES CLAIMING BY THROUGH AND UNDER SAID LESSEE.

16. THE LEASE EXECUTED BY: MEHP O'HARE OWNERSHIP LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSOR, AND MEHP O'HARE OPERATING LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSEE, DATED AS OF JUNE 28, 2004, A MEMORANDUM OF WHICH LEASE WAS RECORDED IN THE OFFICIAL RECORDS OF THE COOK COUNTY RECORDER OF DEEDS OFFICE APRIL 5, 2005 AS DOCUMENT 0509534036.

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17. EXISTING UNRECORDED SHOPPING HOTEL LEASE DATED JANUARY 1, 1999 BY AND BETWEEN HWS/IRP MANNHEIM PROPERTIES, LLC., ("LANDLORD") AND O'HARE ACCOMODATIONS, INC., dba AIRPORT ACCOMMODATIONS ("TENANT"), AND THE RIGHTS OF ALL PARTIES CLAIMING BY THROUGH OR UNDER SAID LESSEE.

18. EXISTING UNRECORDED SHOPPING HOTEL LEASE DATED FEBRUARY 1, 1999 BY AND BETWEEN HWS/IRP MANNHEIM PROPERTIES, LLC, ("LANDLORD") AND REGENCY GIFT SHOPS, INC., ("TENANT"), AND THE RIGHTS OF ALL PARTIES CLAIMING BY THROUGH OR UNDER SAID LESSEE.

19. EASEMENT IN FAVOR OF CLEAR CHANNEL OUTDOOR, INC. FOR THE PURPOSE OF SIGN, AIR RIGHTS, ACCESS AND UTILITIES RECORDED/FILED MAY 23, 2011 AS DOCUMENT NO. 1114345004 AND THE TERMS AND PROVISIONS CONTAINED THEREIN.

~~20. PROCEEDING PENDING IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS AS CASE NUMBER 10B8624, IN RE THE ESTATE OF MEHP OHARE OPERATING LLC, ON A PETITION FILED MARCH 1, 2010 FOR CHAPTER 7 BANKRUPTCY.~~

~~21. PROCEEDING PENDING IN CIRCUIT COURT AS CASE NUMBER 10CH1028 FILED JANUARY 8, 2010 BY U.S. BANK NATIONAL ASSOCIATION AGAINST MEHP O'HARE OWNERSHIP LLC, ET AL. FOR FORECLOSURE OF MORTGAGE RECORDED AS DOCUMENT NUMBER 0509534035, NUMBER 0906431112, NUMBER 0918116051, NUMBER 0509534037, NUMBER 0906431113 & NUMBER 0918116052.~~

22. ACTS AND DEEDS OF GRANTEE.