



# UNOFFICIAL COPY

CAPTION

A parcel of land, situated and lying in the County of Cook and the County of DuPage, State of Ill. described as follows:

Beg at the intersects of the S ln of Sec 36-41-11 E etc in CCI with the Ely ln of the strip of land convyd to Chicago & North Western Ry Co by dd recd 11/10/54 as doc 16058353; the NEly alg the Ely ln of afd strip of land convyd to Chgo and North Western Ry Co. to the ctr ln of Higgins Road; the SEly alg the ctr ln of Higgins Rd to a ptc whc is 400 ft SEly, frn the NW cor. of the N 445.03 ft of the W 1/2 of the NE 1/4. of sd Sec 36 lyg S of ctr ln of Higgins Road (ex the W 25 ft throf); the S 445.03 ft on a ln parl with the W ln of W 1/2 of NE 1/4 of sd Sec 36, the NWly on a ln parl with ctr ln of Higgins Rd 400 ft to a ln whc is 25 ft E of and parl to the W ln of NE 1/4 of sd Sec 36; the S alg afd parl ln to a point 435.6 E of the S ln of NE 1/4 of sd Sec 36; the E alg the N 1/4 of S 435.6 ft of afd NE 1/4 to the E ln of W 1/2 of afd NE 1/4; the S alg E ln of sd W 1/2 to the E & W cen ln of sd ln of sd Sec 36; the E alg the E & W cen ln of sd Sec 36 to the E ln of sd Sec 36 (which is also the W ln of Sec 31-41-12 E etc. in CCI);

The N alg the W ln of Sec 31-41-12 E etc. in CCI to the N ln of S 1/2 of NW 1/4 of sd Sec 31; the E alg sd N ln to the W ln of NE 1/4 of sd Sec 31; the N alg sd W ln to the N ln of sd Sec 31; the E alg sd N ln, 125 ft; the S alg a ln 115 ft E of and parl to the W ln of NE 1/4 of sd Sec 31 to a ln 430 ft N of and parl to the S ln of NW 1/4 of NE 1/4 of sd Sec 31; the E alg sd ln 75 ft; the S alg a ln 200 ft E of and parl to the W ln of NE 1/4 of

# UNOFFICIAL COPY

-2-

the E. alg sd N ln to the E ln of W 1/2 of SW 1/4 of NE 1/4 of sd Sec 31; the S alg sd E ln to the cen ln of Higgins Rd; the SEly alg the cen ln of Higgins Rd to the E ln of SW 1/4 of NE 1/4 of sd Sec 31; the S alg sd E ln to the S ln of Higgins Rd; the SEly alg the S ln of Higgins Rd to the E ln of sd Sec 31, (which is also the W ln of Sec 32-41-12 E etc in CCI);

Thence continuing SEly alg the S ln of Higgins Rd to a pt 17' W of the N & S ctr ln of Sec 32-41-12 E etc in CCI (the S par) with sd Sec center ln 938 ft; the S 39 degs 13 mins W with reference to sd Sec ctr ln 1485 ft; the S 0 degs 5 mins 15 secs E with reference to sd sec ctr ln 945.7 ft; the S 0 degs 16 mins 30 secs E with ref to sd sec ctr ln 1943.2 ft to an intersectn with a fence ln extendd W; th. 89 degs 43 mins 30 secs E with ref to sd sec ctr ln and alg the afd fence ln to the E sec ln of Sec 3-40-12 E etc in CCI (which is also the W ln of Sec 4-40-12 E etc in CCI);

Thence N alg the W ln of sd Sec 4 to the NW cor. of SW 1/4 of sd Sec 4; the E on the E and W ctr. ln of sd Sec 4 to the W ln of the E 1360.92 ft of NW 1/4 of sd Sec 4; the N alg sd W ln to the N ln of sd Sec 4; the

E on sd N ln to the W ln of the E o W of the Minn. St. Paul &ault St Marie RR; the SEly alg the W ln of sd row to the S ln of sd Sec 4, (which is also the N ln of Sec 9-40-12 E etc in CCI);

## UNOFFICIAL COPY

-3-

The continuing SEly. alg the Wly ln r o w of  
 the Minn, St. Paul and Sault St Marie RR to a pat  
 whc is 456 ft NWly of the pat of intersectn of the Wly  
 ln of sd r o w & the S ln of the NW 1/4 of NE 1/4  
 of sd Sec 9; the SEly alg the Wly ln of the ppty convyd  
 to Wisc Central Ry Co by dd dtd 6/23/28 and recd 5/15/30.  
 doc 10660227 to the S ln of the NW 1/4 of NE 1/4  
 of sd Sec 9, the W alg sd S ln to the N & S ctr ln of sd  
 sec 9; the S alg sd N & S ctr ln to the E & W ctr ln  
 of sd Sec 9; the W alg the sd E & W ctr ln to the E ln  
 of the W 1/2 of SW 1/4 of sd Sec 9; thence S along sd E ln  
 to the S ln of sd sec 9 (which is also the N ln of Sec  
 16-40-12 E etc in CCI);

Thence S along the E ln of the W 1/2 of NW 1/4 of sd Sec  
 16 to the E & W ctr ln of sd Sec 16; thence S along the E ln  
 of the W 1/2 of the SW 1/4 of sd Sec 16 to the ctr ln  
 of Irving Park Blvd.; thence NWly along sd ctr ln to the  
 W ln of sd Sec 16 (which is also the E ln of Sec 17-40-12  
 E etc in CCI); thence continuing NWly along the ctr ln  
 of Irving Park Blvd. 670.58 ft to the W ln of E 1/2 of  
 E 1/2 of SE 1/4 of sd Sec 17; the N alg sd W ln to the  
 S ln of N 1/2 of sd Sec 17; the W alg S ln of N 1/2 of  
 sd Sec 17 to the W ln of sd Sec 17 (which is also the

## UNOFFICIAL COPY

-4-

E ln of Sec 18-40-12 E etc in CCI);

Thence W alg the S ln of NE 1/4 of sd Sec 18 to the SW cor of sd NE 1/4; the NWly alg the ctr ln of Irving Park Blvd to the Ely ln of the strip of land convyd to Chicago & North Western Ry Co by dd recd 11-10-1934 as doc 16068353 in CCI; the NWly alg the Ely ln of sd strip of land convyd to Chicago & North Western Ry Co, to the W ln of sd Sec 18 (which is also the E ln of Sec 13-40-11 E etc. in DuPage Co., Ill.);

The continuing NWly & Nly (thru Secs 13, 12 and 1-40-11 E etc in DuPage County, Ill) alg the Ely ln of the strip of land convyd to Chicago and North Western Rly Co by dd recdd 11/18/54 as doc 737483 in DuPage Co, Ill to the put of beg (exceptg thra the right flwy descrbd parcel:

- 1) The S 6 rods and 5 ft of E 9 rods and 1 ft of SW 1/4 of SE 1/4 of Sec 5-40-12 E etc in CCI.
- 2) N 115.594 ft of S 296.170 ft of E 147.076 ft of SE 1/4 of NE 1/4 of Sec 18-40-12 E etc. in CCI.
- 3) N 33 ft of S 120.576 ft of E 164.076 ft of SE 1/4 of NE 1/4 of Sec 18-40-12 E etc. in CCI.
- 4) S 147.576 ft of E 147.076 ft of SE 1/4 of NE 1/4 of Sec 18-40-12 E etc. in CCI.

# UNOFFICIAL COPY

That part of the Southeast quarter of the Southeast quarter of Section 12, Township 40 North, Range 11, East of the Third Principal Meridian, commencing on the South line of said Section 642.16 feet West of the Southeast corner of Section 12; thence North parallel with the East line of said Section 12 a distance of 275.0 feet for a place of beginning; thence continuing North a distance of 593.35 feet measured; thence Easterly parallel with the South line of Section 12, 289.95 feet to a point on the center line of Lawrence Avenue; thence Southeasterly along the center line of Lawrence Avenue a distance of 230.0 feet measured (277.2 feet recorded); thence Southwesterly along the center line of Mc. Prospect Road a distance of 603.85 feet measured; thence Westerly 275.0 feet measured, parallel to the South line of said Section 12 to the place of beginning, in DuPage County, Illinois.

[Survey in 3341646]

6) That part of NW 1/4 of NW 1/4 of Sec 16-40-2 Etc, described as follows: Commencing at NW corner of Sec 16; thence E 1/4 N 1/4 of sd Sec 16 for a dist of 107.75 ft; thence S 1/4 E 1/4 N 1/4 forms an angle of 91 degs 19 mins to the right with a prolongation of last described course for a dist of 399.5 ft; thence Ely 1/4 N 1/4 forms an angle of 90 degs 03 mins to the left with a prolongation of the last described course for a dist of 10.0 ft for the p.o.b. which is on the Ely row in of

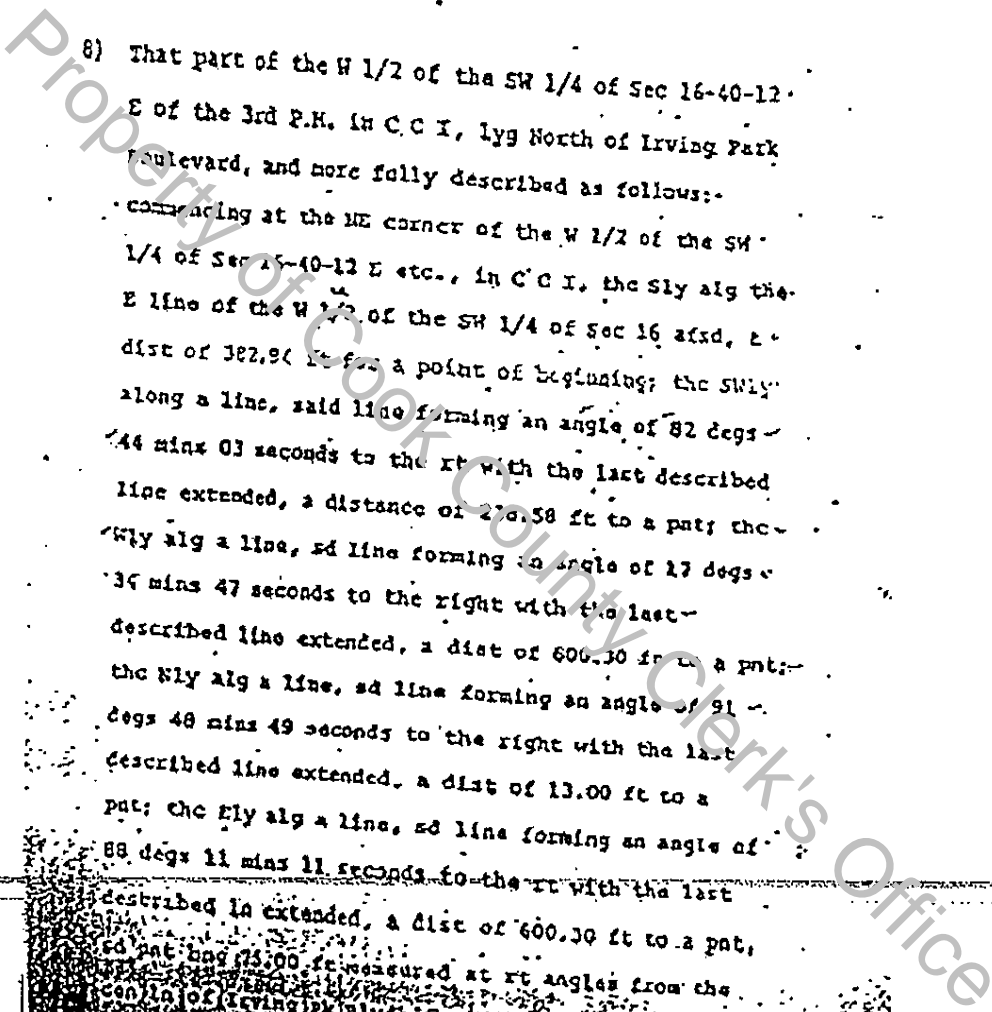


# UNOFFICIAL COPY

ft measured at rt angles from the center line of Irving Park Boulevard; thc NEly along a line, sd ln forming an angle of 17 degs 34 mins 47 seconds to the left with the last described line extended, a dist of 238.59 ft to the pt of beginning, W.C.C.

8) That part of the W 1/2 of the SW 1/4 of Sec 16-40-12 E of the 3rd P.M. in C.C.I., 1/2 North of Irving Park Boulevard, and more fully described as follows:- commencing at the NE corner of the W 1/2 of the SW 1/4 of Sec 16-40-12 E etc., in C.C.I., the Sly alg the E line of the W 1/2 of the SW 1/4 of Sec 16 afd, a dist of 182.90 ft to a point of beginning; the SWly along a line, said line forming an angle of 82 degs 44 mins 03 seconds to the rt with the last described line extended, a distance of 270.58 ft to a pt; thc Nly alg a line, sd line forming an angle of 17 degs 34 mins 47 seconds to the right with the last described line extended, a dist of 600.30 ft to a pt; thc Nly alg a line, sd line forming an angle of 91 degs 48 mins 49 seconds to the right with the last described line extended, a dist of 13.00 ft to a pt; thc Ely alg a line, sd line forming an angle of 88 degs 11 mins 11 seconds to the rt with the last

described ln extended, a dist of 600.30 ft to a pt, sd pt bng 13.00 ft measured at rt angles from the center line of Irving Park Blvd; thc NEly alg a line, sd line forming an angle of 17 degs 34 mins 47 seconds to the left with the last described line extended, a dist of 238.59





# UNOFFICIAL COPY

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, CHANCERY DIVISION

CLUNE CONSTRUCTION COMPANY, L.P.,	)	
Plaintiff,	)	
	)	Case No.: 14 CH 2841
v.	)	
	)	Calendar 52
CASSIDY BROTHERS, INC.,	)	
Defendant.	)	

### ORDER GRANTING CLUNE'S MOTION FOR DEFAULT JUDGMENT AGAINST CASSIDY BROTHERS, INC.

This matter coming before the Court for presentment of the Motion for Default Judgment and Judgment Under 770 ILCS 60/9 Against Cassidy Brothers, Inc. filed by Clune Construction Company, L.P. ("Clune") all parties having been given due notice and the Court in the premises, the COURT FINDS:

- a) On August 3, 2014, Clune properly served Cassidy Brothers, Inc. ("Cassidy") with Clune's Complaint for Declaratory Judgment Invalidating Mechanics Liens.
- b) Cassidy is in default because it has not filed an Appearance, Answer or other Responsive Pleading, as required by 735 ILCS 5/1301(d);
- c) On December 23, 2013, Cassidy recorded the four (4) mechanics liens at issue in this litigation.
- d) Cassidy has not commenced an action or filed a counterclaim to foreclose its mechanics liens, within two (2) years, as required by 770 ILCS 60/9.

**IT IS HEREBY ORDERED:**

- 1. Clune's Motion for Default Judgment is GRANTED;
- 2. Clune's Motion for Judgment Under 770 ILCS 60/9 is GRANTED;
- 3. Clune's Mechanics Liens at issue in this litigation are null, void and unenforceable; and
- 4. This is a final judgment that disposes of all claims by and against all parties.

Order drafted by:  
 Adam L Gill  
 Duane Morris LLP  
 190 S. LaSalle, St., #3700  
 Chicago, Illinois 60606  
 (312) 499-6700  
 Attorney ID No. 38820

*Judge Anthony C. Kyriakopoulos*

DEC 01 2016  
 Circuit Court 2027

ENTER:

