

# UNOFFICIAL COPY

IN THE CIRCUIT COURT OF  
COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT –  
CHANCERY DIVISION  
MORTGAGE  
FORECLOSURE/MECHANICS  
LIEN SECTION

PIERINI IRON WORKS, INC., an )  
Illinois corporation, )

Plaintiff, )

v. )

MC ASB 312 CARPENTER, LLC, a )  
Delaware corporation; LG )  
CONSTRUCTION GROUP LLC )  
d/b/a LG CONSTRUCTION )  
and/or LG CONSTRUCTION )  
GROUP, an Illinois limited liability )  
company; OWS ENT., INC. d/b/a )  
ORNOFF'S WELDING SERVICE, )  
INC., an Illinois corporation; and )  
UNKNOWN OWNERS and NON- )  
RECORD CLAIMANTS, )

Defendants. )

Case No. 2017 CH 06578



Doc# 1725729069 Fee \$48.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/14/2017 12:25 PM PG: 1 OF 6

## ORDER SUBSTITUTING A BOND FOR PROPERTY SUBJECT TO A LIEN CLAIM

This matter coming on to be heard on a Petition to Substitute a Bond for Property Subject to a Lien Claim pursuant to 770 ILCS 60/38.1, the court finding that the proposed bond is in fact an eligible surety bond.

IT IS HEREBY ORDERED that

- (1) the eligible surety bond with LG Construction Group LLC as principal and Chubb Surety Co., as surety in favor of Pierini Iron Works, Inc., lien claimant, in the amount of \$888,088.25 attached hereto is hereby substituted for the property securing the lien claim under Sections 1, 9, 21, 27, and 28 of the Mechanics Lien Act (the "Act");
- (2) the lien claimant's right to recover on the bond is hereby substituted for the lien claimant's causes of action that could be asserted by the lien claimant under Section 9, 27, or 28 of the Illinois Mechanics Lien Act
- (3) a certified copy of this order and the bond attached hereto may be recorded with the Recorder of Deeds of Cook County, Illinois to confirm that the mechanics lien claim dated

# UNOFFICIAL COPY

February 2, 2017 and recorded February 3, 2017 as document no. 1703447113 in Cook County, Illinois, filed by Pierini Iron Works, Inc., lien claimant, against ASB 312 Carpenter, LLC, LG Construction LLC; LG Development Group LLC; LG Construction Group LLC and OWS ENT, Inc. d/b/a Ormoff Welding Service, in the amount of \$507,479.00 is now secured by this bond and is no longer a lien on the land legally described as 312 N. Carpenter Street, Chicago, IL 60607, Lots 1, 4, 5, 8, 9, 12, 13 and 16 in Carpenter's Subdivision of Block 13 in Carpenter's Addition to Chicago, in the Southeast ¼ of Section 8, Township 39 North, Range 14 East of the Third Principal Meridian in the County of Cook in the State of Illinois, PIN# 17-08-410-015 and 17-08-410-016.

Entered 2/13, 2017

  
\_\_\_\_\_  
Judge

**Drafted by Counsel for Petitioner, LG Construction Group LLC**

Aaron H. Stanton ([astanton@burkelaw.com](mailto:astanton@burkelaw.com))  
Eric Vanderploeg ([evanderploeg@burkelaw.com](mailto:evanderploeg@burkelaw.com))  
Burke, Warren, MacKay & Serritella P.C. (#41704)  
330 N. Wabash Avenue, Suite 2100  
Chicago, Illinois 60611  
(312) 840-7000 / (312) 840-7900 (fax)

2498476

Judge Anthony C. Kyrakopoulos  
SEP 13 2017

Circuit Court 2027

Cook County Clerk's Office

# UNOFFICIAL COPY

(The above space for Recorder's use only)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT – CHANCERY DIVISION  
MORTGAGE FORECLOSURE/MECHANICS LIEN SECTION

Property of Cook County Clerk's Office

)  
)  
) No. 1703447113  
)  
) Bond No. K09516530  
)

**SURETY BOND IN LIEU OF MECHANIC LIEN CLAIM PURSUANT TO 770 ILCS 60/38.1**

WHEREAS, Pierini Iron Works, Inc. (name of lien claimant) ("Claimant") whose address is Chicago, IL 60638, on March 07, 20 16 recorded a Notice and Claim for Lien ("Claim") with the Cook County Recorder of Deeds as Document Number 1703447113 against the following described property ("Property") owned by MC ASB 312 Carpenter LLC (name(s) of owner(s))

(INSERT LEGAL DESCRIPTION;

Common address 312 North Carpenter Street, City of Chicago, Illinois 60607  
Permanent tax number 17-08-410-015; 17-08-410-016 and

WHEREAS, LG Development Group, LLC d/b/a LG Construction LLC, or in the Alternative LG Construction Group, LLC (name of principal) ("Principal"), whose address is 2234 W. North Ave, Chicago, IL 60647 (address of principal), desires to give a bond for releasing the Claim from the Property pursuant to 770 ILCS 60/38.1: and

WHEREAS, Principal has arranged for Westchester Fire Insurance Company ("Surety"), whose address is 525 W. Monroe, Ste. 700, Chicago, IL 60661 to act as surety on this surety bond.

NOW, THEREFORE, Principal and Surety hereby bind themselves to the Claimant under the conditions prescribed by 770 ILCS 60/38.1, inclusive, in the penal sum of \$ 888,088.00 (175% of Claim amount), to pay the Claimant the amount which a court of competent jurisdiction may hereafter adjudge to have been secured by the Claim,

# UNOFFICIAL COPY

including attorney's fees (if awarded) and interest, but in no event shall the liability of the Principal and Surety on this bond exceed the aforesaid penal sum of this surety bond.

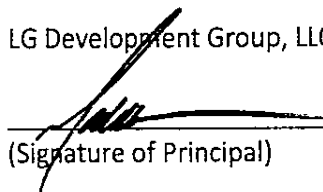
The Principal and Surety submit to the jurisdiction of the court in the above entitled proceeding for the purpose of entry of a judgment against them pursuant to the conditions of 770 ILCS 60/38.1 or if there is no proceeding pending as of the date of this surety bond, the Principal and Surety agree to submit to the jurisdiction of the court in a future proceedings to enforce the Claim provided that the Principal and Surety are properly named as parties defendant as prescribed by 770 ILCS 60/38.1 and timely served with notice of the complaint or counterclaim of the Claimant in said future proceeding.

Any final and not further appealable decree of lien foreclosure entered in favor of the Claimant based on the Claim covered by this surety bond constitutes a monetary judgment ("Judgment") against the Principal and Surety for the amount found due to the Claimant in said decree.

This bond shall remain in full force and effect until the first of the following occurs: (1) the Judgment is fully satisfied, (2) the entry of a final and not further appealable adjudication that the Claim is invalid or void, (3) the Claim or this bond has been released by the Claimant, or (4) the time to enforce the Claim has expired without the Claimant having taken the required action to enforce the Claim.

IN TESTIMONY WHEREOF, the Principal and Surety have executed this bond at Chicago, Illinois, on the 22 day of June of 20 17.

LG Development Group, LLC d/b/a LG Construction LLC or in the Alternative LG Construction Group, LLC

  
\_\_\_\_\_  
(Signature of Principal)

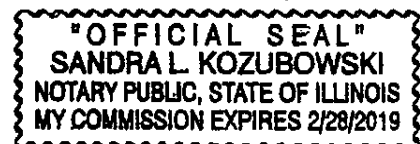
Westchester Fire Insurance Company

By: Mayra Baltierrez  
Mayra Baltierrez, Attorney in Fact

State of Illinois )  
 ) SS:  
County of Cook )

I, the undersigned, a notary public of this County and State aforesaid, certify that on the 22 day of June, 20 17, before me personally appeared \_\_\_\_\_, authorized agent of the Principal, and Mayra Baltierrez, attorney in fact for the Surety, and acknowledged that they signed the foregoing instrument as their free and voluntary act and as the free and voluntary act of the Principal and Surety for the uses purposes therein mentioned.

  
Notary Public



# UNOFFICIAL COPY

## Power of Attorney

### WESTCHESTER FIRE INSURANCE COMPANY

Know all men by these presents: That WESTCHESTER FIRE INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments
- (4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested

Does hereby nominate, constitute and appoint Andrew Marks, Colleen Sleyko, Dan Carlson, Joan M Taylor, Joseph A Gaskill, Joseph A Gaskill IV, Logan Powell, Mayra A Baltierrez, all of the City of CHICAGO, Illinois, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Seventy Five million dollars & zero cents (\$75,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said WESTCHESTER FIRE INSURANCE COMPANY this 18 day of January 2017.

WESTCHESTER FIRE INSURANCE COMPANY



*Stephen M Haney*  
Stephen M Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA ss.

On this 18 day of January, AD. 2017 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the WESTCHESTER FIRE INSURANCE COMPANY to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
KAREN E. BRANDT, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires Sept. 26, 2018

*Karen E Brandt*  
Notary Public

I, the undersigned Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this \_\_\_\_\_ day of \_\_\_\_\_



*William L. Kelly*  
William L. Kelly, Assistant Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER October 24, 2018.



# UNOFFICIAL COPY

**EXHIBIT A**  
**LEGAL DESCRIPTION**

LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN CARPENTER'S SUBDIVISION OF BLOCK 13 IN CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE COUNTY OF COOK IN THE STATE OF ILLINOIS,

PERMANENT INDEX NUMBER: 17-08-410-015 AND 17-08-410-016

ADDRESS OF PROPERTY: 312 N. CARPENTER STREET, CHICAGO, IL 60607

Property of Cook County Clerk's Office