

# UNOFFICIAL COPY

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

OFFICE ENVIRONMENTS, INC.,

Plaintiff,

v.

TISHMAN CONSTRUCTION CORPORATION  
OF ILLINOIS a/k/a TISHMAN CONSTRUCTION  
COMPANY OF ILLINOIS; WDF-3 WOOD OAK  
PARK OWNER, LLC; IG COMMERCIAL INC.;  
AT MECHANICAL, LLC; PNC BANK N.A.;  
AMERICAN CUSTOM METAL CORPORATION;  
CHRISTOPHER GLASS & ALUMINUM, INC.;  
EDWARD HEALTH VENTURES; A. EPSTEIN  
AND SONS INTERNATIONAL INC.; LAKE  
STREET INVESTORS, LLC; SERTUS CAPITAL  
PARTNERS, LLC; VILLAGE OF OAK PARK,  
UNKNOWN UNNECESSARY PARTIES;  
UNKNOWN OWNERS AND NON-RECORD  
CLAIMANTS,

Defendants. *Act*

~~RECORDED~~ **CORRECTED ORDER SUBSTITUTING BOND  
FOR PROPERTY SUBJECT TO LIEN CLAIM**

This matter coming to be heard on Tishman's Petition to Substitute Bond for Property Subject to 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:

1. The eligible surety bond identifying Tishman Construction Corporation of Illinois as principal and Fidelity and Deposit Company of Maryland as Surety, in favor of Lien Claimant Office Environments, Inc. in the amount of \$1,327,673.73, attached hereto, is affirmed as valid and is hereby substituted for the property securing the lien claim.
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 lien claim recorded February

Case No. 2017-CH-16297



Doc# 1811529644 Fee \$37.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 04/25/2018 03:26 PM PG: 1 OF 9

CCRD REVIEWER *Act*

*9 pas*

# UNOFFICIAL COPY

10, 2017 and bearing Document No. 1704147000 filed by Office Environments, Inc. in the amount of \$758,670.70 is now secured by the bond and is no longer a lien on the land described as:

Common Address: 150 Forest Avenue, Oak Park, Illinois

PIN: 16-07-121-009, 017, 018, 019, 020, 040

Legal Description: LOTS, 5, 6 AND 7 IN THE PHILANDER SMITH SUBDIVISION OF LOTS 8 AND 9 OF KETTLESTRING'S SUBDIVISION OF LANDS IN THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; ALSO THE VACATED EAST-WEST ALLEY LYING NORTH OF AND ADJOINING LOT 8, LOT 9 AND LOT 10 IN PHILANDER SMITH SUBDIVISION OF LOTS 8 AND 9 KETTLESTRING'S SUBDIVISION OF LANDS IN THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND THE NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING LOTS 5 AND 7 IN AFORESAID PHILANDER SMITH SUBDIVISION, VACATED BY ORDINANCE RECORDED OCTOBER 24, 1975 AS DOCUMENTS 23269638; ALSO

THE SOUTH 3.76 FEET OF LOT 3 AND ALL OF LOT 4 IN E. C. COOK'S SUBDIVISION OF LOT 7 IN KETTLESTRING'S SUBDIVISION OF LANDS IN THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS; ALSO

LOTS 8, 9 AND 10 IN PHILANDER SMITH'S SUBDIVISION OF LOTS 8 AND 9 IN KETTLESTRING'S SUBDIVISION IN THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 39

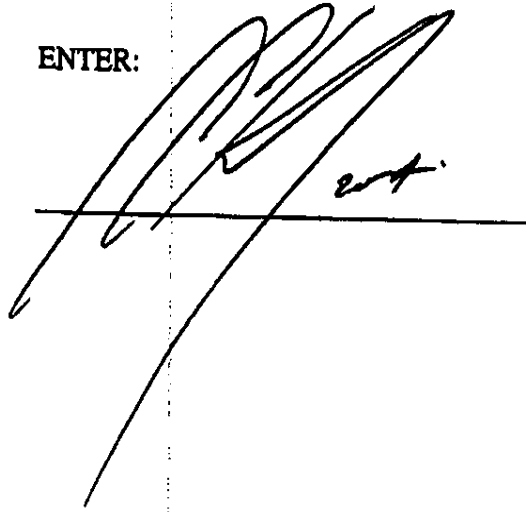


Property of Cook County Office

# UNOFFICIAL COPY

NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS.

ENTER:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be the name of the judge.

Judge Anthony C. Kyriakopoulos  
APR 10 2018  
Circuit Court 2027

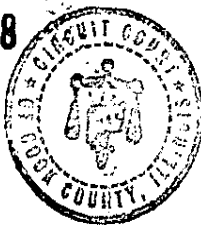


Property of Cook County Clerk's Office

# UNOFFICIAL COPY

Property of Cook County Clerk's Office

I hereby certify that the document to which this certification is affixed is a true copy.  
**DOROTHY BROWN** APR 25 2018  
Date *Dorothy Brown*  
Dorothy Brown  
Clerk of the Circuit Court  
of Cook County, IL



# UNOFFICIAL COPY



Doc# 1706819017 Fee \$44.00

RHSP FEE:\$9.00 RPRF FEE: 51.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/09/2017 11:12 AM PG: 1 OF 4

(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

Office Environments, Inc.

CLAIMANT

BOND NUMBER: 9233615

-VS-

No. 1704147000

WDF-3 Wood Oak Park Owner, LLC, Owner,  
Tishman Construction Corporation of Illinois  
a/k/a Tishman Construction Company of Illinois

DEDENDANT(S)

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

WHEREAS, Office Environments, Inc. (name of lien claimant) ("Claimant") whose address is 202 E. May St., Elmhurst, IL 60128, on February 10, 2017 recorded a Notice and Claim for lien ("Claim") with the Cook County Recorder of Deeds as Document Number 1704147000 against the following described property ("Property") owned by WDF-3 Wood Oak Park Owner, LLC (name(s) of owner(s))

(INSERT LEGAL DESCRIPTION; \*See attached Exhibit "A" for Legal Description

Common address 150 Forest Ave., Oak Park, Illinois  
Permanent tax number 16-07-121-009, 017, 018, 019, 020, 040; and

WHEREAS, Tishman Construction Corporation of Illinois (name of principal) ("Principal"), whose address is 120 South Wacker Drive, 6th Floor, Chicago, IL 60606 (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 Fidelity and Deposit Company of Maryland ("Surety"), whose address is 3910 Keswick Rd, Baltimore, MD 21211 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 \$ 1,327,673.73 (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, including attorney's fees (if awarded) and interest, but in no

JJA

# UNOFFICIAL COPY

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 1LCS 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") including interest and attorney's fees, limited as to the Principal and Surety to the full amount of the bond, 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 1st day of March of 2017

Tishman Construction Corporation of Illinois

[Signature]

(Signature of Principal)

Fidelity and Deposit Company of Maryland  
(Surety)

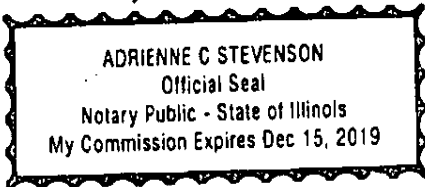
By: [Signature]

Attorney in Fact  
C.R. Hernandez

State of Illinois )  
) SS:  
County of COOK 1

I, the undersigned, a notary public of this County and State aforesaid, certify that on the 1ST day of March, 2017, before me personally appeared \_\_\_\_\_ authorized agent of the Principal, and C. R. Hernandez, 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.

[Signature]  
Adrienne C. Stevenson  
Notary Public



# UNOFFICIAL COPY

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **GERALD F. HALEY, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **C. R. HERNANDEZ, Katherine J. FOREIT, Adrienne C. STEVENSON, Amy B. WICKETT, John K. JOHNSON, Trinij GARCIA and Gabriel JACQUEZ**, all of Chicago, Illinois, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 2nd day of June, A.D. 2016.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By: *Eric D. Barnes*  
Secretary  
Eric D. Barnes

*Gerald F. Haley*  
Vice President  
Gerald F. Haley

State of Maryland  
County of Baltimore

On this 2nd day of June, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GERALD F. HALEY, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Maria D. Adamski*



Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2019

# UNOFFICIAL COPY

## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

### CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND; do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 14 day of March, 2017.



*Michael Bond*  
Michael Bond, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:**

Zurich American Insurance Co.  
Attn: Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056



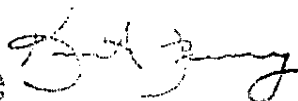
# UNOFFICIAL COPY

Property of Cook County Clerk's Office

I CERTIFY THAT THIS  
IS A TRUE AND CORRECT COPY

OF DOCUMENT # 1706819017

APR 25 18

  
RECORDER OF DEEDS COOK COUNTY