



Doc# 1909945093 Fee \$84.00

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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 04/09/2019 02:41 PM PG: 1 OF 8

(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

LINN-MATHES, INC.)
)
Petitioner,)
v.)
)
LANCE CONSTRUCTION SUPPLIES,)
INC., BRACING SYSTEMS, INC.,)
NORTHFIELD BLOCK COMPANY, and)
S AND D MASONRY, INC.)
)
Respondents.)

Case No. 2019 CH 03211

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

WHEREAS, Lance Construction Supplies, Inc. ("Claimant") whose address is 4225 West Ogden Avenue, Chicago, Illinois, on July 9, 2018 recorded a Notice and Claim for Lien in the amount of \$22,645.72 ("Claim") with the Cook County Recorder of Deeds as Document Number 1819049234, against the property commonly known as 1640 West Division Street, Chicago, Illinois Property Identification Numbers 17-06-235-068-0000, 17-06-235-069-0000, 17-06-235-070-0000, 17-06-235-136-0000, 17-06-235-139-0000 and 17-06-235-145-0000 and as further described in the attached Exhibit A (the "Property"), owned by CP West Division, LLC of 225 West Hubbard Street, Floor 4, Chicago, Illinois ("Owner"); and

WHEREAS, Linn-Mathes, Inc. ("Principal"), whose address is 309 South Green Street, Chicago, Illinois, 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 Continental Casualty Company ("Surety"), whose address is 151 N. Franklin, 17th floor, Chicago, Illinois to act as surety on this surety bond; and

NOW, THEREFORE, Principal and Surety hereby bind themselves to Claimant under the conditions prescribed by 770 ILCS 60/38.1, inclusive, in the penal sum of \$39,630.01 (175% of Claim amount), to pay the Claimant the amount which a court of competent jurisdiction may

UNOFFICIAL COPY

hereafter adjudge to have been secured by the Claim, including attorneys' 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.

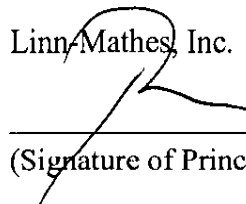
The Principal and Surety submit to the jurisdiction of the court in the above entitled proceeding for the purpose of entry of a judgment against them pursuant to the conditions of 770 ILCS 60/38.1 or if there is no proceeding pending as of the date of this surety bond, the Principal and Surety agree to submit to the jurisdiction of the court in 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 judgement ("Judgement") against the Principal and Surety for the amount found due to the Claimant in said decree.

The 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 adjustment 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 Amcaez, Illinois on the 11th day of March of 2019.

Linn Mathes, Inc.



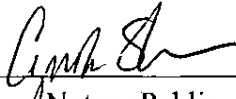
(Signature of Principal)

CONTINENTAL CASUALTY COMPANY

By: Cinzia Giannoni-Dedic
Cinzia Giannoni-Dedic, Attorney in Fact

UNOFFICIAL COPY

I, the undersigned, a notary public of this County and State aforesaid, certify that on the 11 day of March, 2019, before me personally appeared Robert J Mathes, authorized agent of the Principal, and Cinzia Giannoni-Dedic 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 purposes therein mentioned.



Notary Public



COOK COUNTY
RECORDER OF DEEDS

Property of Cook County Clerk's Office

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

UNOFFICIAL COPY

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

Daniel E Panek, Andrea Warning, Hannah Niziolek, Cinzia Giannoni-Dedic, Katherine Pincus, Barbara A Foy, Kim Pettis, Kyle R Smith, Individually

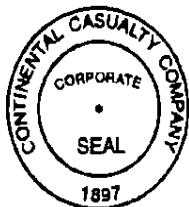
of Lisle, IL, their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 13th day of February, 2018.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Paul T. Bruflat

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 13th day of February, 2018, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.



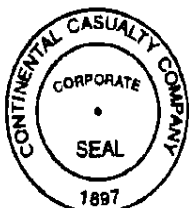
My Commission Expires June 23, 2021

J. Mohr

J. Mohr Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 11th day of March, 2019.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

D. Johnson

D. Johnson Assistant Secretary

UNOFFICIAL COPY

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF CONTINENTAL CASUALTY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company at a meeting held on May 12, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of Continental Casualty Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company. “

ADOPTED BY THE BOARD OF DIRECTORS OF NATIONAL FIRE INSURANCE COMPANY OF HARTFORD:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of National Fire Insurance Company of Hartford.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company. “

ADOPTED BY THE BOARD OF DIRECTORS OF AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of American Casualty Company of Reading, Pennsylvania.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company. “

UNOFFICIAL COPY

Common Address: 1640 West Division Street
Chicago, Illinois 60622

PARCEL 1:

LOTS 31 AND 32 IN FISH'S SUBDIVISION OF LOTS 1 AND 2 IN ASSESSOR'S DIVISION OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 35 IN J. E. THOMPSON'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF LOT 36 IN J. E. THOMPSON'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 36; THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT, 3.00 FEET TO THE WEST LINE OF THE EAST 3 FEET OF SAID LOT 36 AND POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 53 MINUTES 09 SECONDS WEST ALONG AFORESAID SOUTH LINE, 12.68 FEET TO THE EAST EXTERIOR WALL OF AN EXISTING MULTI STORY BUILDING; THENCE ALONG THE EAST EXTERIOR WALL OF SAID BUILDING, MORE OR LESS, THE FOLLOWING 3 COURSES: 1.) NORTH 00 DEGREES 08 MINUTES 46 SECONDS WEST, 62.95 FEET, 2.) SOUTH 89 DEGREES 51 MINUTES 14 SECONDS WEST, 6.38 FEET AND 3.) NORTH 00 DEGREES 12 MINUTES 00 SECONDS EAST, 37.06 FEET TO THE NORTH LINE OF SAID LOT 36; THENCE NORTH 89 DEGREES 53 MINUTES 09 SECONDS EAST ALONG SAID NORTH LINE, 18.87 FEET TO THE WEST LINE OF THE EAST 3 FEET OF SAID LOT 36; THENCE SOUTH 00 DEGREES 07 MINUTES 22 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF LOTS 27, 30, 31, 33. AND 34 IN J.E. THOMPSON'S ADDITION TO CHICAGO IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE

UNOFFICIAL COPY

14 EAST OF THE THIRD PRINCIPAL MERIDIAN; AND PART OF VACATED MAUTENE COURT AND VACATED ALLEY AS VACATED BY AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICAGO RECORDED JANUARY 8, 1957 AS DOCUMENT 16796912, AND THAT PART OF THE EAST-WEST SOUTH EASTERLY-NORTHWESTERLY AND NORTHEASTERLY-SOUTH WESTERLY VACATED PUBLIC ALLEY, LYING SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF LOTS 27 AND 30; LYING SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY OF THE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY LINE OF LOT 31; LYING SOUTH OF THE SOUTH LINE OF LOT 24; LYING NORTH AND NORTHEASTERLY OF THE NORTH AND NORTHEASTERLY LINE OF LOT 35 ALL IN J. E. THOMPSON'S ADDITION TO CHICAGO IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING NORTHWESTERLY OF THE NORTH WESTERLY LINE OF LOT 31 AND NORTHWESTERLY AND NORTH OF THE NORTHWESTERLY AND NORTH LINES OF LOT 32 IN J. P. FISH'S SUBDIVISION OF LOTS 1 AND 2 IN ASSESSOR'S DIVISION IN THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING EAST OF THE NORTHWARDLY EXTENSION OF THE WEST LINE OF LOT 35 IN J.E. THOMPSON'S ADDITION AFOREMENTIONED AND LYING WEST OF THE NORTHWARDLY EXTENSION OF THE EAST LINE OF LOT 32 IN J. P. FISH'S SUBDIVISION AFOREMENTIONED, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 33; THENCE NORTH 89 DEGREES 53 MINUTES 09 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 33 AND EASTERLY EXTENSION THEREOF; 38.24 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 09 MINUTES 05 SECONDS WEST. 51.49 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 43 SECONDS EAST. 93.69 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 50 SECONDS WEST, 4.75 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 09 SECONDS EAST. 17.74 FEET; THENCE NORTH 41 DEGREES 35 MINUTES 23 SECONDS EAST. 8.18 FEET TO A POINT 1.01 FEET. MEASURED AT RIGHT ANGLES, SOUTHWEST OF THE NORTH EAST LINE OF AFORESAID LOT 27; THENCE SOUTH 48 DEGREES 30 MINUTES 09 SECONDS EAST PARALLEL WITH SAID NORTHEAST LINE. 72.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 27; THENCE NORTH 41 DEGREES 35 MINUTES 23 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE. 1.01 FEET TO THE EAST CORNER OF SAID LOT 27; THENCE SOUTH 48 DEGREES 30 MINUTES 09 SECONDS EAST. 1.16 FEET TO A POINT ON

UNOFFICIAL COPY

THE NORTHERLY EXTENT ION OF THE EAST LINE OF LOT 32 IN J. P. FISH'S SUBDIVISION; THENCE SOUTH 00 DEGREES 09 MINUTES 29 SECONDS EAST ALONG SAID EXTENT ION. 24.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 32; THENCE SOUTH 89 DEGREES 53 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 32, A DISTANCE OF 9.81 FEET; THENCE SOUTH 41 DEGREES 35 MINUTES 23 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF LOTS 31 AND 32 OF SAID J. P. FISH'S SUBDIVISION. 57.93 FEET TO THE EAST CORNER OF LOT 35 IN SAID J. E. THOMPSON'S ADDITION; THENCE NORTH 48 DEGREES 25 MINUTES 54 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID LOT 35, A DISTANCE OF 65.03 FEET TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE SOUTH 89 DEGREES 53 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 35 A DISTANCE OF 13.06 FEET TO THE NORTHWEST CORNER OF SAID LOT 35; THENCE NORTH 00 DEGREES 07 MINUTES 22 SECONDS WEST, 10.00 FEET TO THE SOUTH LINE OF LOT 34 OF SAID J.E. THOMPSON'S ADDITION; THENCE SOUTH 89 DEGREES 53 MINUTES 09 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 34 AND WESTERLY EXTENSION THEREOF, 62.25 FEET TO THE POINT OF BEGINNING. IN COOK COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF LOTS 12, 13 AND 16 IN J.E. THOMPSON'S ADDITION TO CHICAGO IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION, 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 33 IN SAID J.E. THOMPSON'S ADDITION; THENCE NORTH 00 DEGREES 09 MINUTES 29 SECONDS WEST ALONG THE WEST LINE OF LOTS 28, 29, 32, AND 33 OF J.E. THOMPSON'S ADDITION, 171.78 FEET; THENCE NORTH 41 DEGREES 44 MINUTES 25 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF LOTS 12, 13, 16, 17, 20, 21, 24, 25, AND 28 OF J.E. THOMPSON'S ADDITION; 163.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 41 DEGREES 44 MINUTES 25 SECONDS EAST ALONG THE SAID NORTHWESTERLY LINE. 44.56 FEET; THENCE NORTH 86 DEGREES 37 MINUTES 08 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 11.34 FEET; THENCE SOUTH 48 DEGREES 30 MINUTES 09 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 12, A DISTANCE OF 48.77 FEET; THENCE SOUTH 42 DEGREES 18 MINUTES 28 SECONDS WEST, 52.81 FEET; THE NORTH 48 DEGREES 15 MINUTES 35 SECONDS WEST, 56.25 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.