

# UNOFFICIAL COPY

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

IES SERVICE, LLC )  
)  
Plaintiff, )  
)  
v. )  
)  
KMJ BARBEQUE, INC. D/B/A JOY TERIYAKI )  
TERIYAKI, JIN KYU KWAK, AMCAP )  
HOFFMAN, LLC, LIFE INSURANCE )  
COMPANY OF THE SOUTHWEST, AND )  
UNKNOWN INTERESTED PARTIES, AND )  
OWNERS AND NON-RECORD CLAIMANTS )  
)  
Defendants. )

Case No. 2023CH02582



Doc# 2335410029 Fee \$89.00

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 12/20/2023 03:04 PM PG: 1 OF 6

### AGREED ORDER

This matter coming before the Court on Defendant's, KMJ Barbeque, Inc., Petition to Substitute Bond pursuant to 770 ILCS 60/38.1, and the Court being fully advised in the premises, IT IS HEREBY ORDERED that:

1. Defendant, KMJ Barbeque, Inc.'s Petition to Substitute Bond is granted.
2. The property commonly known as 1145 Roselle Road, Hoffman Estates, IL 60169 is discharged as security for Plaintiff's mechanics lien filed by Plaintiff with the Cook County Recorder of Deeds as Document No. 2232041147 and is hereby substituted by Liberty Mutual Surety Bond No. 404260002.
3. Plaintiff maintains the right to recover on the bond for causes of action that have or could be asserted by the Plaintiff under Section 9, 27 or 28 of the Illinois Mechanics Lien Act.
4. Defendants, AMCAP Hoffman, LLC and Life Insurance Company of the Southwest are dismissed as defendants to this action.

Todd R. Brand  
T BRAND LAW LLC  
444 N Michigan Ave, Ste. 1200  
Chicago, IL 60611  
(312) 535-9221  
tbrand@brandlawchicago.com  
Attorney No. 62379

ENTERED:

Judge Lewis M. Nixon

**ENTERED**  
Judge Lewis Nixon-1840  
**OCT 12 2023**  
IRIS Y. MARTINEZ  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL  
DEPUTY CLERK

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I hereby certify that the document to which this certification is affixed is a true copy.

Date **IRIS Y. MARTINEZ DEC 20 2023**

**IRIS Y. MARTINEZ**  
Clerk of the Circuit Court  
of Cook County, IL





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## COOK COUNTY CLERK'S OFFICE

**Karen A. Yarbrough, Cook County Clerk**

69 W. Washington, Chicago, IL 60602

Phone: 312.603.5640 Website: [www.cookcountyclerk.com](http://www.cookcountyclerk.com)

December 20, 2023

### PIN Legal

**PIN: 07-15-200-045-0000**

**Unit/Apt (Condo Only):**

Section No	Township	Range	Lot	Sub Block	Outlot
15	41	10	1		

**Legal Text**

HOFFMAN PLAZA RESUBDIVISION NO. 1 BEING A RESUBDIVISION OF LOT 7 AND PART OF LOT 14 IN BLOCK 1 IN HOFFMAN ESTATES #1 SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14-41-10, LYING NORTH OF HIGGINS ROAD, TOGETHER WITH THAT PART OF THE NORTHEAST 1/4 OF

Property of Cook County Clerk's Office

**UNOFFICIAL COPY**Bond No. 404260002

- RELEASE OF LIEN BOND**  
 **RELEASE OF MECHANICS LIEN BOND**

**KNOWN ALL MEN BY THESE PRESENTS**, that we, K M J Barbeque, Inc., as Principal, and Liberty Mutual Insurance Company, a Massachusetts corporation duly authorized to transact business in the State of Illinois, as Surety, hereby bind themselves to IES Service, LLC, as Claimant, under the conditions prescribed by 770 ILCS 60/38.1, inclusive, in the penal sum of Eighty-Nine Thousand Two Hundred Fifty Dollars (\$89,250.00)(175% of the 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 event shall the liability of the Principal and Surety on this bond exceed the aforesaid penal sum of this surety bond.

**WHEREAS**, Claimant has recorded a mechanics lien and claimed an amount due of Fifty-One Thousand Dollars (\$51,000.00)(the "Claim"), upon premises more fully described in said mechanics lien (the "Property"), and,

**WHEREAS**, the Principal desires to substitute this bond in lieu of the mechanics lien in accordance with the provisions of 770 ILCS 60/38.1.

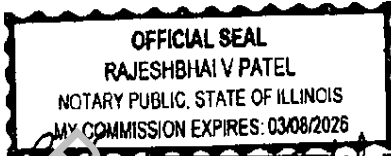
**NOW THEREFORE**, the Principal and Surety submit to the jurisdiction of the court in the county where the Property is located for the purpose of entry of a judgment against them pursuant to 770 ILCS 60/38.1.

Any final and not further appealable decree of lien foreclosure entered in favor of Claimant based on the Claim covered by this surety bond constitutes a monetary judgement ("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 is expired without the Claimant having taken the required action to enforce the Claim.

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IN WITNESS WHEREOF, the Principal and Surety have executed this instrument under seal this 27<sup>th</sup> day of September, 2023.



K M J Barbeque, Inc., Principal  
JIN KYU KWAK

ATTEST:

Rajeshbhai V. Patel

J. Kwak

Liberty Mutual Insurance Company

ATTEST:

Patrick J Conlon

Patrick J Conlon

By:

John Conlon  
Attorney-in-fact



Liberty Mutual Insurance  
27201 Bella Vista Pkwy #110  
Wauernville, IL 60555

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This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.



Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Certificate No: **8207481-285019**

## POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Martin J. Conlon, Patrick J. Conlon, Stephen P. Conlon

all of the city of Arlington Heights state of IL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, the Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 14th day of March, 2022.



Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

State of PENNSYLVANIA  
County of MONTGOMERY ss

On this 14th day of March, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal  
Teresa Pastella, Notary Public  
Montgomery County  
My commission expires March 20, 2027  
Commission number 1126044  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

### ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

### ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29 day of September 2023.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.