

UNOFFICIAL COPY

RETURN TO CENTEX HOMES ENTERPRISES, INC.  
887 E. Wilmette Rd., Suite C  
Palatine, IL 60067

85 276 396

BOX 393 - JH

STIPULATION OF WAIVER OF MECHANIC'S LIENS

14 00

THIS STIPULATION executed this 16 day of September, 19 85 by and

between CENTEX HOMES ENT., INC. a Nevada corporation having an office and place of business at 887 E. Wilmette Rd., Suite C, Palatine, Illinois 60067, (hereinafter called the Owner), and Arthur Weiler, Inc.

having an office and place of business at 1280 Wincanton Dr., Deerfield, IL (hereinafter called Contractor):

WITNESSETH:

WHEREAS, on the 16 day of September, 19 85, the parties have entered into an Agreement with respect to the Landscaping work to be performed by the Contractor in connection with the construction of certain Residential building ( ) on the property described as follows: The Hamptons, Elk Grove Village, IL

SEE ATTACHED EXHIBIT A

PROPERTY RECORDS  
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and

WHEREAS, no portion of the said work has been commenced to the date of the within instrument; and

WHEREAS, the said Agreement provides in part as follows:

The Contractor hereby waives and releases all liens or rights of lien and rights of notice of lien now existing or that may hereafter arise in any manner related to the Project, the land upon which the same is or will be situated, and upon any money or moneys due or to become due the Contractor from any person or persons. It is further agreed that no lien or claim for lien may be filed or maintained by anyone whatsoever and the Contractor shall, whenever requested by the (Builder) Owner in writing, furnish a waiver in form and substance satisfactory to the (Builder) Owner from the Contractor and from every person, firm and corporation furnishing to the Contractor in connection with the Work, any labor, materials, equipment, tools, plant facilities, services, or anything else for which a right of lien might exist, except for the provisions of this Article

NOW THEREFORE, in consideration of the premises and the execution of the aforesaid Agreement by each of the parties hereto, Owner and Contractor hereby stipulate and agree that the legal effect of the Agreement between them is that no lien or claim may be filed or maintained by anyone and to give statutory notice to this effect as contemplated by Section 21 of Chapter 82 of Illinois Revised

Statutes, this Instrument shall be filed in the Office of the Recorder of Deeds of Cook County, Illinois

IN WITNESS WHEREOF, the parties hereto have executed this Instrument the day and year first above written.

ATTEST

James R. Duerr  
Assistant Secretary James Duerr

Assistant Secretary  
(Title)

CENTEX HOMES ENT., INC., ILLINOIS DIV.  
OWNER (Builder)

By Gary A. Doles  
Vice President Gary A. Doles  
CONTRACTOR Art Weiler, Inc.

By Arthur Weiler  
(Title)

This Instrument Prepared by  
RAYMOND SMERKE  
454 Republic National Bank Tower  
Dallas Texas 75201

85 276 396

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STIPULATION OF WAIVER OF MECHANIC'S LIENS

STATE OF ILLINOIS

COUNTY OF COOK

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Gary A. Doles, personally known to me to be the Vice President of Centex Homes Ent., Illinois Div. a Nevada corporation and James Duerr

personally known to me to be the Assistant Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that as such Vice President and Asst. Secy. they signed and delivered the said instrument of writing as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth, and caused the corporation seal to thereunto attached.

Given under my hand and notarial seal this 16th day of September, 1985

My Commission Expires:

11/09/88

Thelma E. Shipp
Notary Public

STATE OF IL
COUNTY OF COOK

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Art Weiler, personally known to me to be the President of Arthur Weiler, Inc.

a(n) IL corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President and they signed and delivered the said instrument of writing as their free and voluntary act of said corporation, for the uses and purposes therein set forth, and caused the corporate seal to be thereunto attached.

Given under my hand and notarial seal this 16th day of September, 1985

My Commission Expires:

11/09/88

Thelma E. Shipp
Notary Public

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## EXHIBIT "A"

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### HAMPTON FARMS - WINSTON GROVE SECTION 24

#### Sub-Parcel 'A':

The West 1/2 of the North East 1/4 of Section 26, Township 41 North, Range 10 East of the Third Principal Meridian, except the South 82 1/2 feet thereof and excepting therefrom the following described tract: beginning at the Northeast corner of said West 1/2; thence South on the quarter quarter section line, 114.18 feet; thence West on a line parallel with the North line of said Section 26, 173.77 feet more or less to a point 8.31 chains East of the West line of said West 1/2 of the Northeast 1/4; thence North 114.18 feet to the North line of said section and thence East to the place of beginning also the East 1/2 of the Northeast 1/4 of Section 26, Township 41 North, Range 10 East of the Third Principal Meridian except the South 82 1/2 feet thereof, in Cook County, Illinois.

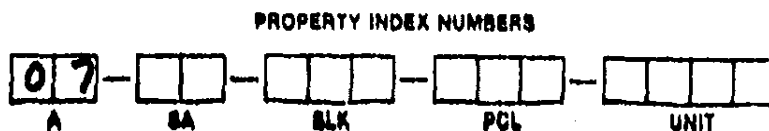
ALSO

#### Sub-Parcel 'B':

The West 1/2 of the Northwest 1/4 (except the South 82 1/2 feet thereof, and except the North 1280.0 feet, as measured on the East and West line thereof, and except that part thereof lying North of the North line of the Metropolitan Sanitary District Easement created by Grant of Easement recorded December 21, 1973 as document 22578350) of Section 25, Township 41 North, Range 10 East of the Third Principal Meridian also the West 50 links of the East 1/2 of the Northwest 1/4 (except the South 82 1/2 feet thereof, and except the North 1280.0 feet, as measured on the East and West lines thereof, and except that part that part thereof lying North of the North line of the Metropolitan Sanitary District Easement created by Grant of Easement recorded December 21, 1973 as document 22578350) of Section 25, Township 41 North, Range 10 East of the Third Principal Meridian, all in Cook County, Illinois

#### Parcel 8 (Remainder of Property) - Section 25

That part of the Northeast 1/4 of Section 26, Township 41 North, Range 10 East of the Third Principal Meridian.



aw

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ENCLOSURE

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Property of Cook County Clerk's Office

PROPERTY INDEX NUMBER

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