

# UNOFFICIAL COPY

Form 334 L  
12-85  
WL 1

## WAIVER OF RIGHTS TO FILE MECHANIC'S LIENS

89405511

THIS AGREEMENT, made This 25th day of August, 1989, between ILLINOIS BELL TELEPHONE COMPANY, an Illinois Corporation ("LESSEE") and Berglund Maintenance Company ("CONTRACTOR") and Lake Shore National Bank, as Trustee ("LESSOR" and "OWNER");

### WITNESSETH

WHEREAS, LESSEE and Contractor have entered into a certain agreement dated the 24th day of August, 1989, (hereinafter called the "Contract") providing for remodeling work by the CONTRACTOR at LESSEE'S Building located on property described as:

### LEGAL DESCRIPTION

See Attachment "A"

See 1683

PN # - 17-09-100-011

commonly known as Union-Erie Garage, which property is the subject of a certain lease dated June 14, 1964, between the LESSEE and LESSOR-OWNER, and

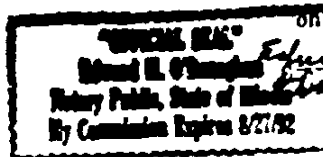
WHEREAS, the Contract prohibits the filing of any liens against the above described property for any work, labor or materials furnished and requires the Contractor to execute a Waiver of all rights conferred under the statutes of the State of Illinois with respect to mechanic's liens.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Contractor, Contractor does now hereby fully and completely waive and release, for Contractor and Contractor's heirs, successors and assignees, and for all Contractor's subcontractors and their respective subcontractors, any and all claims of, or right to mechanic's liens under the provisions of a certain liens act of the State of Illinois entitled, "An Act to Revise the Law in Relation to Mechanic's Lien" approved May 18, 1903, and in force July 1, 1903, as amended from time to time thereafter, against, or with respect to the above described premises, or any portion thereof, or any improvements thereon, or with respect to the estate or interest of any person whatsoever in the said premises or improvements, or any portion thereof, or with respect to any material, fixtures, apparatus and machinery to be furnished to the said premises or with respect to any monies or other considerations which may be due at any time hereafter to Contractor, which claim of lien might be asserted by reason of the doing, making or finishing heretofore or at any time hereafter, by Contractor or Contractor's heirs, successors, assignees, materialmen, subcontractors or sub-subcontractors, of any labor, services, material, fixtures, apparatus, machinery, improvements, repairs or alterations in connection with the above described premises or the improvements therein.

It is expressly agreed that the effect of this Waiver shall not be impaired, affected or diminished by any provision of the Contract relating to the production from time to time, of written waivers of liens, or by any other provision(s) contained therein apparently inconsistent with this Waiver.

IN WITNESS WHEREOF, the parties hereto have caused this Waiver to be executed on the day and year specified above.

ILLINOIS BELL TELEPHONE COMPANY  
on its behalf as Lessee and as agent for



WITNESS:

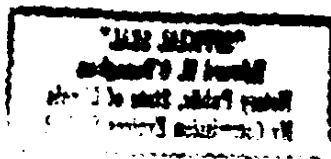
Janet Coeyer

BY J. E. Welton  
Vice President-Human Resources  
and Support Services  
Contractor  
BY Rodney Mruk, Senior Vice President

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Attachment "A"

PARCEL A: THAT PART OF BLOCK 69 IN RUSSELL MATHER AND ROBERT'S ADD. TO CHGO. IN SEC. 9, TOWNSHIP 39 N., RANGE 14 E. OF THE THIRD P.M. TOGETHER WITH THAT PART OF VACATED N. AND S. ALLEY IN SAID BLOCK AND ALSO THAT PART OF VACATED W. ERIE ST. LYING N. OF SAID BLOCK BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE W. LINE OF SAID BLOCK 69, 67.50 FT. N. OF MEASURED AT RIGHT ANGLES TO THE N. LINE OF W. OHIO ST. AS ORIGINALLY LOCATED AND ESTABLISHED; THENCE E. ALONG A LINE PARALLEL WITH THE N. LINE OF SAID W. OHIO ST. A DISTANCE OF 264.7 (SURVEY SHOWS 263.5) FT. MORE OR LESS, TO A POINT 25 FT. S.W. OF AND MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF THE CHGO. & N.W. RAILWAY CO'S. I.C.C. SPUR TRACK NO. 44 AS NOW LOCATED AND ESTAB., THENCE N.W. ALONG A LINE PARALLEL WITH CENTER LINE OF SAID SPUR TRACK, A DIST. OF 327.9 (SURVEY SHOWS 328.6) FT. MORE OR LESS TO THE SOUTHERLY LINE OF W. ERIE ST. ACCORDING TO THE ORDINANCE PASSED OCT. 10, 1870 BY THE COMMON COUNCIL OF THE CITY OF CHGO., THENCE S.W. ALONG THE SOUTHERLY LINE OF SAID W. ERIE ST. A DIST. OF 63.4 (SURVEY SHOWS 57.85) FT., MORE OR LESS TO THE W. LINE OF SAID BLOCK, THEN S. ALONG THE W. LINE OF SAID BLOCK A DISTANCE OF 252.5 FT. MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL B: THE E. FIFTEEN (15) FT. OF THAT PART OF VACATED N. UNION AVENUE LYING BETWEEN THE S. LINE OF W. ERIE ST. EXTENDED W. AND A LINE PARALLEL WITH SAID LINE AS VACATED BY ORDINANCE OF JULY 24, 1963 AS DOCUMENT 18862606.

PARCEL C: EASEMENT FOR ROAD COMMON WITH CHICAGO AND N.W. RAILWAY CO., A WISCONSIN CORPORATION, ITS SUCCESSORS AND ASSIGNS, CREATED BY INSTRUMENT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY ON DEC. 19, 1962, AS DOCUMENT NO. 18678579, OVER THE FOLLOWING DESCRIBED PARCEL OF LAND: A STRIP OF LAND TWENTY (20) FT. IN WIDTH IN BLOCK SIXTY-NINE (69) IN RUSSELL MATHER AND ROBERT'S ADDITION TO CHICAGO, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE N. LINE OF W. OHIO ST., AS ORIGINALLY LOCATED AND ESTABLISHED, (25) FT. S.W. OF AND MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF THE CHICAGO AND N.W. RAILWAY CO. SPUR TRACK I.C.C. NO. 44 AS NOW LOCATED AND ESTABLISHED; THENCE N.W. ALONG A LINE PARALLEL WITH THE CENTER LINE OF SAID SPUR TRACK TO A POINT SIXTY-SEVEN AND FIFTY ONE-HUNDREDTHS (67.50) FT. N. OF, MEASURED AT RIGHT ANGLES TO THE N. LINE OF SAID ST.; THENCE W. ALONG A LINE PARALLEL WITH THE N. LINE OF SAID ST. TO A POINT FORTY-FIVE (45) FT. S.W. OF AND MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF SAID SPUR TRACK; THENCE S.E. ALONG A LINE PARALLEL WITH THE CENTER LINE OF SAID SPUR TRACK TO THE N. LINE OF SAID ST.; THENCE E. ALONG THE N. LINE OF SAID ST. TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHTS OF THE PUBLIC AND THE COUNTY OF COOK, STATE OF ILL. IN AND TO EXISTING PUBLIC STS. AND HIGHWAYS.

COOK COUNTY

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**PREPARED BY AND RETURN TO  
H. E. SEIBERT  
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CHICAGO, ILLINOIS 60606  
ATTN: ANN EDWARDS**