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#90384

NOTICE AND CLAIM FOR MECHANIC'S LIEN

STATE OF ILLINOIS     )  
                                  )     SS.  
COUNTY OF COOK        )

IN THE OFFICE OF THE  
RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS

ALLEN/ALL STONE SERVICES, INC., a  
Joint Venture,

Claimant,

vs.

NOTICE & CLAIM FOR LIEN

LA SALLE NATIONAL BANK as Trustee,  
under Trust Agreement dated  
November 7, 1983 and known as  
Trust No. 107291, CHASE MANHATTAN  
BANK, a national banking association,  
R. A. MORELY COMPANY, INC., an Illinois  
corporation, HIGGINS-MANNHEIM  
PROPERTIES, INC., an Illinois  
Limited Partnership, HAWTHORN REALTY  
GROUP, INC., BROWN AND KERR  
INCORPORATED, RIGGIO CAULKING  
COMPANY, LTD., and UNKNOWN OWNERS and  
UNKNOWN LIEN CLAIMANTS,

IN THE AMOUNT OF:

\$216,686.00

Defendants.

The Claimant, ALLEN/ALL STONE SERVICES, INC., a Joint Venture,  
of 145 East North Avenue, Villa Park, Illinois 60181, County of  
COOK, State of Illinois, being the tile and marble contractor for  
the construction project on the real estate described below, hereby  
files its Notice and Claim for Lien against LA SALLE NATIONAL BANK  
as Trustee, under Trust Agreement dated November 7, 1983 and known  
as Trust No. 107291, located at 135 South LaSalle Street, Chicago,

Permanent Index No.: 09-33-311-048  
Permanent Index No.: 09-33-311-049

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Illinois 60690, as owner of record of the real estate described below, (sometimes referred to as the Trustee), CHASE MANHATTAN BANK, a national banking association, having its principal place of business located at One Chase Manhattan Plaza, New York, New York 10081, being a lender for the project, R. A. MORELY COMPANY, INC., an Illinois corporation, located at 3223 Arnold Lane, Northbrook, Illinois, as general contractor for the project, HIGGINS-MANNHEIM PROPERTIES, INC., an Illinois Limited Partnership, located at 3 East Huron, Chicago, Illinois 60611, as owner and holder of the beneficial interest of the real estate herein, HAWTHORN REALTY GROUP, INC., located at 10275 West Higgins Road, Rosemont, Illinois 60016, as agent for Higgins-Manheim Properties, Inc., BROWN AND KERR INCORPORATED, RIGGIO CAULKING COMPANY, LTD., all being holders of an interest of record in the real estate described below, the nature and extent of which is unknown to Plaintiff, and said Trustee is the Owner of record for the construction project being constructed on the real estate commonly known as 10255 West Higgins Road, Rosemont, Illinois.

That, on November 9, 1988, LA SALLE NATIONAL BANK as Trustee, under Trust Agreement dated November 7, 1983 and known as Trust No. 107291 (the Trustee) was the Owner of record of the following described land in the County of COOK, State of Illinois, to-wit:

SEE THE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTION

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65-117-1000

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That on information and belief Claimant states that on November 9, 1988, HIGGINS-MANNHEIM PROPERTIES, INC. ("Higgins-Mannheim"), an Illinois Limited Partnership, was the owner and holder of the beneficial interest of said Trust and was the equitable owner of said described parcel of real estate and HAWTHORN REALTY GROUP, INC. ("Hawthorn") was the duly authorized agent for Higgins-Mannheim Properties, Inc. and the Trustee.

That on or about June 10, 1988, HAWTHORN REALTY GROUP, INC. as duly authorized agent for HIGGINS-MANNHEIM PROPERTIES, INC. and the Trustee entered into a written contract with R. A. MORELY COMPANY, INC., an Illinois corporation ("Morely") as general contractor, for the construction of a commercial office building upon the afore-described real estate.

That on November 9, 1988, R. A. MORELY COMPANY, INC., as general contractor, entered into a written contract with Claimant, by the terms of which contract Claimant was to provide certain materials and labor for the installation of the granite and related work for and upon the project in accordance with the plans and specifications made a part of said contract and that, on or about January 20, 1990 the Claimant, ALLEN/ALL STONE SERVICES, INC., a Joint Venture, performed its last work on the project pursuant to said contract.

That said Contractor, R. A. MORELY COMPANY, INC. is entitled to credits on account in the amount of \$17,000.00 leaving due, unpaid and owing to the Claimant, after allowing all lawful



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credits, the sum of \$216,686.00, for which with interest, costs and attorneys fees, the Claimant claims a lien on said land and improvements, and on the monies or other considerations due or to become due from the Owner under said contract, in accordance with the provisions of the Illinois Mechanics Lien Act, Illinois Revised Statutes, Chapter 82, Sections 1-39 (1987).

ALLEN/ALL STONE SERVICES, INC., a Joint  
Venture, Claimant

By:   
One of Its Attorneys

John E. Partelow, Esq.  
William J. Holloway, Esq.  
HINSHAW, CULBERTSON, MOELMANN,  
HOBAN & FULLER  
222 North LaSalle Street  
Suite 300  
Chicago, Illinois 60601  
(312) 704-3000

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STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK       )     SS.

## VERIFICATION

The Affiant, JAMES J. ALLEN, being first duly sworn on oath, deposes and states that he is the duly authorized agent of the Claimant, Allen/All Stone Services, Inc., a Joint Venture, that he has read the foregoing Notice and Claim for Lien, knows the contents thereof, and states that all the statements therein contained are true, to the best of his knowledge, information and belief.

*James J. Allen*  
\_\_\_\_\_  
JAMES J. ALLEN

SUBSCRIBED AND SWORN TO  
before me this 5<sup>th</sup> day  
of April, 1990.

*Beth Bromenschenkel*  
\_\_\_\_\_  
NOTARY PUBLIC

NOTARIAL SEAL  
BETH BROMENSCHENKEL  
Notary Public, State of Illinois  
My Commission Expires July 14, 1992

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## EXHIBIT "A" FULL LEGAL DESCRIPTION

### PARCEL 4:

THAT PART OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AN PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4, WITH A LINE 449.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4 (THE WEST LINE OF SAID SOUTH WEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION), THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 869.69 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD IN CASE NO. 65L8179, IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE NORTH 72 DEGREES 34 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE AND ALONG THE SOUTHERLY LINE OF LAND CONDEMNED FOR THE WIDENING OF HIGGINS ROAD IN SAID CASE NO. 65L7109 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, 18.61 FEET TO THE EAST LINE OF LAND CONDEMNED FOR HIGGINS ROAD IN SAID CASE NUMBER 65L7109; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SAID LAST DESCRIBED EAST LINE, 6.29 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF HIGGINS ROAD, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AN PARALLEL WITH THE CENTER LINE OF SAID HIGGINS ROAD; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE, 36.19 FEET; THENCE SOUTH 39 DEGREES 39 MINUTES 24 SECONDS WEST, 27.09 FEET TO AN INTERSECTION WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AN PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 837.28 FEET TO AN INTERSECTION WITH A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4; THENCE SOUTH 87 DEGREES 39 MINUTES 06 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 35.03 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

### PARCEL 5:

THAT PART OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4 (THE WEST LINE OF SAID SOUTH WEST 1/4 HAVING AN ASSUMED BEARING

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OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 154.55 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 272.71 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 219.46 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, 191.06 FEET; THENCE SOUTH 45 DEGREES, 00 MINUTES 00 SECONDS WEST, 57.78 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 48.14 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 6.00 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 41.25 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS WEST, 48.79 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 89.21 FEET; TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

## PARCEL 6:

THAT PART OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4 (THE WEST LINE OF SAID SOUTH WEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 427.26 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 251.92 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 32.53 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 53.70 FEET; THENCE SOUTH 72 DEGREES 34 MINUTES 18 SECONDS EAST, 149.63 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 230.11 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 219.46 FEET; TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

## PARCEL 7:

THAT PART OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4 (THE WEST LINE OF SAID SOUTH WEST 1/4 HAVING AN ASSUMED BEARING

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OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 154.53 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 89.21 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.79 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 41.25 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.14 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, 57.78 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 141.06 FEET; TO A POINT 447.18 FEET NORTH AND 704.15 FEET EAST OF THE SOUTH WEST CORNER OF THE SOUTH WEST 1/4 OF SAID SECTION 33, AS MEASURED ALONG THE WEST LINE OF SAID SOUTH WEST 1/4 AND ALONG A LINE AT RIGHT ANGLES THERETO; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 260.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE MINNEAPOLIS ST. PAUL AND SAULT STE. MARIE RAILROAD (FORMERLY THE CHICAGO AND WISCONSIN RAILROAD); THENCE SOUTH 14 DEGREES, 51 MINUTES, 36 SECONDS EAST ALONG SAID LAST DESCRIBED WESTERLY LINE, 365.99 FEET TO AN INTERSECTION WITH A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4; THENCE SOUTH 87 DEGREES, 39 MINUTES, 06 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 573.81 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 9:

THAT PART OF THE SOUTH WEST 1/4 OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH WEST 1/4 WITH A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4 (THE WEST LINE OF SAID SOUTH WEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 154.55 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 89.21 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.79 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 41.25 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 8.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, 48.14 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST, 57.78 FEET; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 141.06 FEET TO A POINT FOR A PLACE OF BEGINNING, SAID POINT BEING 447.18 FEET NORTH AND 704.15 FEET EAST OF THE SOUTH WEST CORNER OF THE SOUTH WEST 1/4 OF SAID SECTION 33, AS MEASURED ALONG THE WEST LINE OF SAID SOUTH WEST 1/4 AND ALONG A LINE AT RIGHT ANGLES THERETO; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST, 280.11 FEET; THENCE NORTH 72

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DEGREES, 34 MINUTES, 18 SECONDS WEST, 149.63 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 53.70 FEET; THENCE SOUTH 45 DEGREES, 00 MINUTES, 00 SECONDS WEST, 32.53 FEET; TO A POINT ON A LINE 484.69 FEET, AS MEASURED AT RIGHT ANGLES, EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH WEST 1/4, SAID POINT BEING 679.18 FEET, AS MEASURED ALONG SAID PARALLEL LINE, NORTH OF THE AFOREDESCRIBED POINT OF COMMENCEMENT; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 158.10 FEET; THENCE NORTH 39 DEGREES, 39 MINUTES, 24 SECONDS EAST, 27.09 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF HIGGINS ROAD, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AN PARALLEL WITH THE CENTER LINE OF SAID ROAD; THENCE SOUTH 72 DEGREES, 34 MINUTES, 18 SECONDS EAST ALONG SAID LAST DESCRIBED SOUTHERLY LINE, 382.55 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT STE. MARIE RAILROAD (FORMERLY THE CHICAGO AND WISCONSIN RAILROAD); THENCE SOUTH 14 DEGREES, 51 MINUTES, 36 SECONDS EAST ALONG SAID LAST DESCRIBED WESTERLY LINE, 378.97 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 260.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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## PROOF OF SERVICE BY CERTIFIED MAIL

I, BERNICE MARTIN, a non-attorney on oath, state that on this 5th day of April, 1990, I served this Notice and Claim for Mechanics Lien by mailing a copy of said Notice by U.S. Certified Mail, return receipt requested, limited to addressee only, to:

LA SALLE NATIONAL BANK as Trustee,  
under Trust Agreement dated 11/7/83  
and known as Trust No. 107291  
135 South LaSalle Street  
Chicago, Illinois 60690

CHASE MANHATTAN BANK  
One Chase Manhattan Plaza  
New York, New York 10081

B. A. MORELY COMPANY, INC.  
3225 Arnold Lane  
Northbrook, Illinois

HIGGINS-MANNHEIM PROPERTIES, INC.  
8 East Huron/10275 West Higgins Road  
Chicago, Illinois 60611/Rosemont, Illinois 60018

HAWTHORN REALTY GROUP, INC.  
10275 West Higgins Road  
Suite 200  
Rosemont, Illinois 60018

RIGGIO CAULKING COMPANY, LTD. \$2579 + G \*-90-154090  
c/o Stanley P. Sklar  
DONALD A. HITZEL, JR.  
COOK COUNTY RECORDER

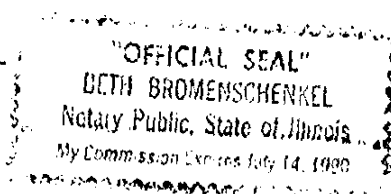
PRETZEL AND STOUFFER, CHTD.  
One South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606-4673

BROWN AND KERR, INC.  
1020 South Plant  
Wheeling, Illinois

postage prepaid, by depositing same in the U.S. Mail Box located in Chicago, Illinois before the hour of 5:00 p.m.

SUBSCRIBED AND SWORN TO  
before me this 5th day  
of April, 1990.

Beth Bromenschenkel  
NOTARY PUBLIC



Bernice Martin

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Return to:

John E. Partelow  
Hinshaw, Culbertson  
222 N. LaSalle St. Ste 300  
Chicago, Ill. 60601  
(312) 768-3000

COOK COUNTY CLERK'S OFFICE