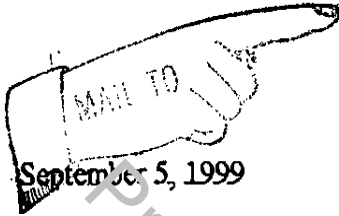


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Michael J. Mieling
5243 N. Ludlam
Chicago, IL 60630
773-794-0229

99849177

7530/0137 49 001 Page 1 of 3
1999-09-07 15:25:57
Cook County Recorder 25.50



September 5, 1999

Mr. Timothy McGinley
Ms. Kane M. Galey
5939 N. West Circle Ave.
Chicago, IL 60631

Re: Private Utility Pole
5945 N. West Circle
Chicago, IL 60631

Dear Mr. and Mrs. McGinley.

I am the owner of the property located at 5945 N. West Circle Avenue, Chicago, IL 60631. The purpose of this letter is to address the issue of your electric, phone and cable utility wires that cross over my property and your use of the private utility pole located on my property. Specifically, this letter will serve as my official demand that you remove the utility wires crossing over my property and detach them from my private utility pole.

As you will recall, we have had several conversations over the past month regarding your utility wires and the private utility pole. In those conversations, I informed you that as a part of the construction I am doing, I intended to remove the private utility pole. I also requested that you make arrangements with your utility providers to have your service re-routed in such a manner that your wiring would not cross over my property. When you informed me that you would incur costs to have some trees trimmed to effect this I even offered to contribute \$300.00 towards the cost of the tree trimming.

In our last conversation on this subject, you informed me that you would be moving shortly and placing your house for sale. When I asked you if this meant that you were not going to take any action to remove your utility wiring, you told me that you were not inclined to do anything.

I hereby re-iterate my position that your utility wires crossing over my property and their attachment to my private utility pole constitute an unauthorized trespass and

P. I. M. ! 13-06-305-0000

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encroachment onto my property. Further, the presence of the utility wires interferes with my planned construction of a garage and the quiet enjoyment of my property.


If you do not remove your utility wires and cease your unauthorized trespass and encroachment by October 5, 1999 I will be forced to take such action as I deem appropriate to protect my interests and mitigate any damages I may incur. This action will include instituting legal proceedings and, if legally permissible, cutting the utility wires myself at the point of encroachment.

In addition, I am going to record a copy of this letter with the Cook County Recorder of Deeds so that any prospective purchaser of your house will be put on notice of the encroachment.

I regret that we could not resolve this matter in a more amicable manner. Hopefully you will have your wiring re-routed and we can avoid escalation of the situation.

Should you have any questions, please contact me at your convenience. My daytime phone number at work is 847-295-3700.

Very truly yours,


Michael J. Mieling

via: hand delivery and mail

cc: Steven A. Grossman, Attorney

f:\data\word\mjml\wcircle\9909 utility pole

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MARTHA PAPA PAID COUNTY CLERK OF COOK COUNTY TREASURER

09/07/99 Receipt : 9513/3+

Employee : GARY Page : 1

P T N : 13-06-303-005-0000 Volume : 000323

Address : 5939 N WEST CR/CHICAGO,IL 606312451

Name : CAPPELLETTI RICHARD A

Mailing : 5939 N WEST CR/CHICAGO,IL 606312451

99849177

Legal Description :

Sub-Division Name : NORWOOD PARK EX 30 ACS

Legal : TOWN OF NORWOOD PARK BEING ALL OF SEC 6-40-13 EXCEPT 30 ACS OFF T
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AND PART OF SEC 7-40-13 THE PART SURDIVDED BEING THATG PART S W
OF THE CHICAGO & NORTHWESTERN R R REC DATE: 06/19/1874 DOC N
O: 00167/45

ST-TN-RG BLOCK PT LOT
06-40-13 0000011 0000016

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county collector disclaims all liability or responsibility for any error
or inaccuracy that may be contained herein.
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6/20/2011

PROPERTY OF COOK COUNTY CLERK'S OFFICE

to certify that the above is a true and correct copy of the original as filed in the office of the Clerk of Cook County, Illinois.

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