THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING SHOULD BE RETURNED TO:

John S. Mrowiec Conway & Mrowiec 300 South Wacker Drive Suite 601 Chicago, Illinois 60606

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409/0086 90 001 Page 1 of 4 2001-03-07 12:40:50 Cook County Recorder 15.50



## SUBCONTRACTOR'S AMENDED CLAIM FOR MECHANICS LIEN

STATE OF NEW JERSEY
)
COUNTY OF SOMERSET
)
SS.

The claimant, Fiber Cpuz Systems, Inc. ("FOS"), 2 Railroad Avenue, Whitehouse Station, New Jersey 08889, files its Amended Subcontractor's Claim for Mechanics Lien amending FOS's initial Subcontractor's Claim for Mechanics Lien recorded as Document No. 0010169637 on March 2, 2001 and claims a mechanics lien against the interest(s) of Chicago Theatre Group, Inc., an Illinois not-for-profit corporation ("Owner"), in the Real Estate (as hereinafter described) as more fully stated below.

## FOS states as follows:

1. Since on or prior to January 29, 1999, and continuing thereafter, Owner owned interest(s) as a ground leasehold tenant and, possibly, otherwise, (including improvements thereon) (the "Real Estate") in Cook County, Illinois commonly known as 170 M. Dearborn Street, Chicago, Illinois and legally described as follows:

A PARCEL OF LAND IN BLOCK 35 IN THE ORIGINAL TOWN OF CHICAGO, SAIF PARCEL BEING COMPRISED OF LOT 1, THE EAST HALF OF THE EAST HALF OF LOT 2, THE EAST 19 FEPT OF THE WEST HALF OF THE EAST HALF OF LOT 2 (THE WEST 18 FEET THE REOF BEING THE PUBLIC ALLEY DEDICATED BY INSTRUMENT RECORDED AS DOCUMENT 19038448) ALL OF LOTS 7 AND 8, AND THAT PART OF WEST COUCH PLACE, 18.00 FEET WIDE, LYING NORTH OF AND ADJOINING SAID LOTS 7 AND 8, LYING EAST OF THE NORTHWARD EXTENSION OF THE WEST LINE OF SAID LOT 7, AND LYING WEST OF THE NORTHWARD EXTENSION OF THE EAST LINE OF SAID LOT 8:

PIN Nos:

17-09-436-010; 17-09-436-011; 17-09-437-006 and 17-09-439-009-8001

Address:

170 N. Dearborn, Chicago, IL 60640

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EXCEPTING THEREFROM THOSE PARTS OF SAID LOTS 7 AND 8 LYING SOUTH OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF LOT 3 IN BLOCK 35, WHICH POINT IS 79.40 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID LOT, AS MEASURED ALONG SAID EAST LINE; THENCE WEST, PERPENDICULAR TO SAID EAST LINE A DISTANCE OF 87.81 FEET; THENCE NORTH, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 5.00 FEET; THENCE WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 73.17 FEET TO A POINT ON THE WEST LINE OF AFOREMENTIONED LOT 7 WHICH IS 82.25 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID LOT, AS MEASURED ALONG SAID WEST LINE, ALL IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## EXCEPTING THEREFROM THE FOLLOWING:

ALL THAT PROPERTY AND SPACE ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 123.89 FEET, CHICAGO CITY DATUM, AND LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY OF THE FOLLOWING DESCRIBED PARCEL OF LAND, TO WIT:

LOT 1 AND THE EAST MCFLOT 2 IN BLOCK 35 IN THE ORIGINAL TOWN OF CHICAGO AND SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNT 1, LL INOIS.

The permanent real estate tax numbers for it e Real Estate are:

17-09-436-010; 17-09-436-011; 17-09-437-006; 17-09-437-009-8001

- 2. McHugh Construction International St., Inc. or another entity of similar designation ("McHugh") was the general contractor for construction of a theater and related improvements on the Real Estate (the "Project") under McHugh's contract with the Owner or with the Owner's agent or with an entity that the Owner authorized or knowingly permitted to enter into the general contact (the "Prime Contract"). The date of the Prime Contract is presently unknown to FOS.
- 3. McHugh entered into a subcontract (the "Subcontract") with Design Group Signage Corporation ("DGSC") under which DGSC agreed to provide mounted signage for the Project. The date of the Subcontract is presently unknown to FOS.
- 4. FOS entered into a sub-subcontract with DSGC (the "Sub-subcontract") by DSGC's acceptance of FOS's written quote dated May 5, 2000. Under the Sub-subcontract, FOS was to

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provide and did provide a ber materials and equipment for the Project, as more fully described in the Subcontract, for the original contract price of \$85,700, subject to adjustment for changed work.

- 5. FOS performed additional work in the amount of \$25,798.67 at the special insistence and request of DGSC.
- 6. Owner, an agent of Owner, or an entity authorized or knowingly permitted by Owner entered into the Prime Contract with McHugh. The work performed and equipment provided by McHugh, DGSC and FOS was performed and furnished with the knowledge and consent of Owner. Alternatively, Owner authorized or knowingly permitted McHugh to enter into contracts for the improvement of the Real Estate, including the Subcontract and sub-subcontracts.
- 7. FOS performed the last of FOS's extra work under the Sub-subcontract on November 7, 2000.
- 8. After allowing all credits, there is due FOS as of the date hereof, the principal amount of \$37,898.67.
- 9. FOS claims a lien against the Real Estate in the total principal amount of \$33,294 together with interest at the standard rate of ten percent (10%) per annum. FOS also reserves the right to recover from DGSC amounts due that either (i) are not included in the amounts described in, or (ii) are not liened in, this Claim for Mechanics Lien.

Dated: March 5, 2001

FIBER OPTIC SYSTEMS, INC.

By:

Cyr A Ryan, Fresident

THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING SHOULD BE RETURNED TO:
John S. Mrowiec
Conway & Mrowiec
300 South Wacker Drive
Suite 601
Chicago, Illinois 60606

PIN Nos:

(312) 692-1700

17-09-436-010; 17-09-436-011; 17-09-437-006 and 17-09-439-009-8001

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STATE OF NEW JERSEY	)
COUNTY OF SOMERSET	)SS )

I, Cyr A. Ryan, being first duly sworn, depose and state that I am the President of Fiber Optic Systems, Inc., I am duly authorized to make this Affidavit on its behalf, that I have read the foregoing Subcontractor's Amended Claim for Mechanics Lien, know the contents thereof, and that the statements contained therein are true.

By

Cyr A Ryan, President

SUBSCRIBED AND SWORN

To Before me this 6 day of march 2001

Notary Public

PHYLLIS E. HERZOG NOTARY PUBLIC OF NEW JERSEY My Commission Expires Feb. 18, 2002

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