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2001-08-14 16:43:37

Cook County Recorder 15.00



0010749043

STATE OF TEXAS)
) SS
COUNTY OF WILLIAMSON)

**ORIGINAL CONTRACTOR'S
NOTICE AND CLAIM FOR
MECHANICS LIEN**

Embrace Construction Group, Inc., a Texas Corporation [Verify], 8050 Airport Road, Georgetown, Texas 78628, (the "Claimant") hereby files and gives notice of its Original Contractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interests of the following people and entities and against the interests of any other person or entity claiming an interest in the Real Estate:

Niles Donut, LLC
7039 W. Dempster
Niles, IL 60714
(the "Owner")

Certified Mail #7001 0360 0003 5754 4667
Restrictive Delivery to Addressee Only
Return Receipt Requested

Niles Donut, LLC
c/o Paul A. Kolpa (Agent)
6767 N. Milwaukee Avenue
Niles, IL 60174
(Agent of Owner)

Certified Mail #7001 0360 0003 5754 4674
Restrictive Delivery Addressee Only
Return Receipt Requested

Devon Bank
6445 N. Western Avenue
Chicago, IL 60645
(Mortgagee)

Certified Mail #7001 0360 0003 5754 4681
Restrictive Delivery to Addressee Only
Return Receipt Requested

Abdul Rahman Panjwani
1614 Dunhill Court
Northbrook, IL 60061
(agent of Owner / unknown interest)

Certified Mail #7001 0360 0003 5754 4698
Restrictive Delivery to Addressee Only
Return Receipt Requested

Salma Panjwani
1614 Dunhill Court
Northbrook, IL 60062
(unknown interest)

Certified Mail #7001 0360 0003 5754 4704
Restrictive Delivery Addressee Only
Return Receipt Requested

Box 195

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Allied Domecq QSR
c/o Donald Miller
PMB #401
2413 W. Algonquin Rd.
Algonquin, IL 60102-9776
(franchisor)

Certified Mail #7001 0360 0003 5754 4711
Restricted Delivery Addressee Only
Return Receipt Requested

Ira Marcus, Esq.
Marcus, Perres, Campanale &
Wigoda
19 S. LaSalle, Suite 1500
Chicago IL 60603
(attorney for Owner and Panjwani)

Certified Mail #7001 0360 0003 5754 4728
Restricted Deliver to Addressee Only
Return Receipt Requested

In support of its Notice and Claim for Mechanics Lien, Claimant states:

1. On or before October 4, 2000 [Did we start work before this date?] and thereafter, Owner owned fee simple title to the Real Estate (including all land and improvements thereon) commonly known as 7039-7057 West Dempster Street in Niles, Illinois in the County of Cook (the "Real Estate"). The Real Estate is legally described as follows:

LOT 6 (EXCEPT THE EAST 31.70 FEET THEREOF; AND EXCEPT THE NORTH 4 FEET THEREOF) AND LOT 7 (EXCEPT THE NORTH 4 FEET THEREOF) IN CHESTERFIELD NILES RESUBDIVISION UNIT 1 OF PART OF FIRST ADDITION TO DEMPSTER-WAUKEGAN ROAD SUBDIVISION IN THE NORTHWEST ¼ OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT OF SAID CHESTERFIELD NILES RESUBDIVISION UNIT 1 REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON NOVEMBER 15, 1960, AS DOCUMENT NUMBER 1952199.

The Real Estate's permanent real estate tax numbers are:

10-19-125-114-000
10-19-125-115-000

2. On October 4, 2000, Claimant and Owner entered into a contract under which Claimant agreed to provide all necessary labor, material, and work in connection with a project referred to as the Dunkin Donuts/Baskin Robbins/Togo's, PC# 300943 on the Real Estate for the original contract amount of \$969,500 (the "Contract"). [Must confirm party with whom we entered into contract. Contract says Niles Donut, Inc., not Niles Donut, LLC.]

3. The Contract was entered into between the Owner and Claimant, through the Owner's authorized agent, Abdul Rahman "Ray" Panjwani, and for the benefit of the Owner.

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4. Claimant performed additional work in the amount of \$82,249 at the request of Owner or its authorized agent Ray Panjwani and with the knowledge, consent, and permission of Owner.

5. Claimant substantially completed its performance under the Contract on June 20, 2001 and last performed work on the Project on June 22, 2001.

6. As of the date hereof, there is due, unpaid, and owing to Claimant, after allowing for all credits, the principal sum of \$235,078.70, which principal amount bears interest at the statutory rate of 10 percent per annum. Claimant claims a lien on the Real Estate (including all land and improvement thereon) in the amount of \$235,078.70 plus interest.

Dated: August 13, 2001

This Document Has Been
Prepared By and After
Recording Should be
Returned To:

Mark L. Durbin
Wildman, Harrold, Allen & Dixon
225 West Wacker Dr., Suite 2800
Chicago, Illinois 60606
312-201-2000

PIN: 10-19-125-114-000; 10-19-125-115-000

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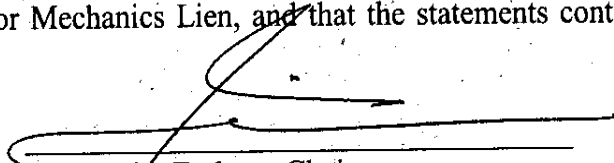
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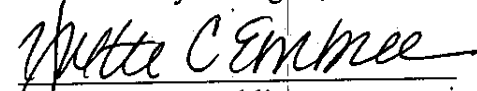
VERIFICATION

STATE OF TEXAS)
) SS
COUNTY OF WILLIAMSON)

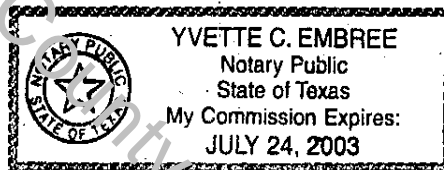
Jim Embree, being first duly sworn on oath, states that he is the Chairman of Embree Construction Group, Inc., the Claimant, that he is authorized to sign this verification to the foregoing Original Contractor's Notice and Claim for Mechanics Lien, that he has read the Original Contractor's Notice and Claim for Mechanics Lien, and that the statements contained therein are true


Jim Embree, Chairman
Embree Construction Group, Inc.

Subscribed and sworn to before me
This 13th day of August, 2001.


Notary Public

My Commission expires 7-24-03



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