

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)



SUBCONTRACTOR'S CLAIM FOR LIEN

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

1. The undersigned lien claimant, International Marble & Granite Supply, Inc. of 2950 West Grand Avenue, Chicago, Illinois 60622 ("IMG"), hereby records a claim for Mechanics Lien against One North Dearborn Trust, Inc. of One North Dearborn Street, Chicago, Illinois ("Owner") and all other persons having or claiming an interest in the below described real estate, and states as follows.

2. IMG was a subcontractor of Pepper Construction, Inc. ("Pepper"), a contractor, on a project commonly known as the Sears on State Project, located at 1 North Dearborn Street, Chicago, Illinois (the "Project"). Pepper was the general contractor, who was constructing the Project for the Owner. Upon information and belief, Pepper was authorized by Owner to construct the Project and was acting as the Owner's agent or authorized or knowingly permitted by the Owner to enter into the contract with IMG.

3. IMG entered into a written agreement with Pepper dated September 19, 2000, a copy of which is attached hereto as Exhibit A (the "Subcontract"). Pursuant to the Subcontract, IMG agreed to furnish and install stone work for the building being erected for the sum of \$701,700.00.

4. IMG performed work to the value of \$691,903.50 under the Subcontract. However, Pepper has wrongfully failed and refused to pay the amount due to IMG under the Subcontract.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

5. Pepper is entitled to credits on account of the above in the sum of \$254,448.00. Interest and other amounts will continue to become due to IMG in the future and IMG reserves the right to add such amounts to its lien claim.

6. On or about September 19, 2000, and continuing thereafter, Pepper was the agent of the Owner, or an entity authorized or knowingly permitted by the Owner to enter into contracts with respect to, the real estate (including all land and improvements thereon) (the "Real Estate") in Cook County, Illinois commonly known as 1 North Dearborn Street, Chicago, Illinois and legally described as follows:

See Exhibit B

7. On or about September 19, 2000, and counting thereafter, Owner held legal title to the Real Estate described in Exhibit A.

8. Pepper, as agent of Owner, or an entity authorized or knowingly permitted by Owner, entered into a subcontract with IMG to furnish and install stone work. The work performed by Pepper and IMG was performed and furnished with the full knowledge and consent of Owner. Owner authorized or knowingly permitted Pepper and IMG to enter into contracts for the improvement of the Real Estate, including the Subcontract.

9. IMG has performed work to the value of \$691,903.50 under the Subcontract. Its last day of work on the project was May 15, 2001.

10. As of August 8, 2001, there is due to IMG, after allowing all credits, the principal amount of \$437,455.50 for which, with interest, IMG claims a lien (a) against the Real Estate and (b) against the monies or other consideration due or to become due from Owner to Pepper under any contract, agreement or otherwise between Owner and Pepper. IMG reserves the right to add amounts to its lien claim that will become due from Pepper in the future. IMG also reserves the

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

right to recover amounts from Pepper that are not included in the amounts described in this Notice of Claim for Mechanics Lien.

Dated: August 10th, 2001

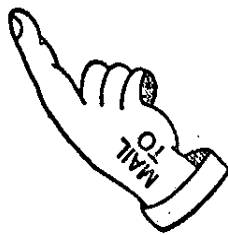
INTERNATIONAL MARBLE & GRANITE
SUPPLY, INC.

By: Peter Hlepas
Mr. Peter Hlepas

Its: President

*This instrument was prepared
by and after recording
SHOULD BE RETURNED TO:*

Law Offices of Richard M. Craig
30 North LaSalle Street, Suite 3900
Chicago, Illinois 60602
(312) 345-0901
Atty. No. 37809



Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

Mr. Peter Hlepas, being first duly sworn upon oath, states that he is the President of International Marble & Granite Supply, Inc., the Lien Claimant; that he has read the above and foregoing lien claim; that he has knowledge of the contents thereof, and that the same is true.

Peter Hlepas
Mr. Peter Hlepas
President, International Marble & Granite Supply, Inc.

SUBSCRIBED and SWORN to
before me this 10th day
of August, 2001.

Diana Mokrzycki
NOTARY PUBLIC



Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office



PEPPER CONSTRUCTION COMPANY

411 Lake Zurich Road, Barrington IL 60010-3141
847 381-2760 Fax: 847 3046510

SUBCONTRACT AGREEMENT

Date: September 6, 2000

No.: 100004400

0010737954 Page 5 of 6

To: International Marble and Granite Supply
2950 West Grand Avenue
Chicago, IL 60622
Attn: Mr. Thomas Gilkos
Phone: 773/252-2550 Fax: 773/252-3873

Perform Work at: Sears on State
or Ship to: 1 North Dearborn
Chicago, IL 60603
Attn: Ron Butz
Phone: 312/332-9118 Fax: 312/332-9122

Contract Dollar Value: \$ 701,700.00	Job No. 10000 Trade Item 0440 Vendor #	Phase No. AAA Cost Code No. 044000	MINIMUM INSURANCE(See Article 10) Two Million
Subject to retainage of 10 %			

Furnish all labor, material, equipment, supervision and insurance as required to provide and fully complete all STONE work for the above referenced project in strict accordance with the Contract Documents as further described herein. This work is to be performed for the lump sum price, including all applicable taxes of SEVEN HUNDRED ONE THOUSAND SEVEN HUNDRED AND 00/100 Dollars (\$ 701,700.00).

This Subcontract Agreement must be signed and received in addition to submitting an acceptable Certificate of Insurance prior to working on site. This information must be submitted before any payouts or accounting functions may proceed.

YOU MUST HAVE A COPY OF YOUR UP TO DATE INSURANCE CERTIFICATE ON FILE WITH PEPPER'S SUPERINTENDENT AT THE JOB SITE BEFORE YOU CAN START WORK. PLEASE SEE ARTICLE 10 FOR FURTHER INSTRUCTIONS AND FOR SPECIAL GENERAL LIABILITY INSURANCE REQUIREMENTS FOR THIS PROJECT.

SUBMIT BILLS BY THE 15th OF EACH MONTH. (SEE ARTICLE 44, BILLING PROCEDURES)

Contract Documents applicable to this Subcontract Agreement (Articles 1 through 45 inclusive) are as follows:

- Exhibit A, "Contract Documents Listing."
- Exhibit B, Project Schedule as prepared by Pepper
- Exhibit C, "Unit Prices"
- Exhibit D, "Alternate Prices"
- Exhibit E, "MBE/WBE Requirements"
- Exhibit E1, "T.I.F. Compliance Affidavit"
- Exhibit E2, "Provisions Concerning Prevailing Wages"
- Exhibit E3, "MBE/WBE Commitment"
- Exhibit E4, "Chicago Residency Ordinance"
- Exhibit E5, "MBE/WBE Utilization Report"
- Exhibit F, "Equal Employment Opportunity"
- Exhibit G, "Confidentiality"
- Exhibit H1, "Waiver of Lien To Date"
- Exhibit H2, "Final Waiver of Lien"
- Exhibit J1, "Building Contractor Rules & Regulations"
- Exhibit J2, "Construction Rules & Regulations"
- Exhibit K, "Pre-Construction Conference Summary Booklet"
- Subcontractor Safety Handbook

RECEIVED

SEP 19 2000

PEPPER CONSTRUCTION CO.

Subcontractor agrees that the subject matter of this subcontract is confidential in nature and that Subcontractor will not provide any third party with any information contained herein without the prior written consent of Pepper Construction Company.

TERMS AND CONDITIONS ACCEPTED:

International Marble and Granite Supply
By: Thomas Gilkos
Printed: THOMAS GILKOS
Title: Project Manager
Date: 9-18-00

Pepper Construction Company
Curt Burns
Curt Burns
Title: Project Manager
Date: 9-19-00

Division Manager (if over \$500,000)

SUBCONTRACTOR COPY EXHIBIT A

UNOFFICIAL COPY

Property of Cook County Clerk's Office

17	09	464	003		510	76029
AREA	SUB-AREA	BLOCK	PARCEL	UNIT	WARRANT	CODE

OFFICE OF THE CLERK OF COOK COUNTY, ILLINOIS
 PERMANENT REAL ESTATE INDEX NUMBER AND LEGAL DESCRIPTION

VOLUME 510
 TAX CODE 76029
 AREA SUB-AREA BLOCK PARCEL UNIT
 17- 09- 464- 003

ORIG TOWN OF CHGO
 ASSRS DIV 1 TO

9	C	3	14	LOT	SUB-LOT	LOT	LOCK
						6	58
				14&15)			

1997 DIVISION
 Block _____ Parcel _____

DIVISION
 Year 1991
 Block _____ Parcel _____

DIVISION
 Year 1971
 Block CODE CHANGE

UNOFFICIAL COPY

Property of Cook County Clerk's Office