

MECHANIC'S LIEN:  
CLAIM

UNOFFICIAL COPY

0030232609

5278/0094 49 001 Page 1 of 4

2003-02-19 10:29:22

Cook County Recorder 18.00

STATE OF ILLINOIS }

COUNTY OF Cook }



0030232609

SCURTO CEMENT CONSTRUCTION, LTD.

**CLAIMANT**

-VS-

Church Street Plaza, LLC  
Borders, Inc.  
LaSalle Bank, NA  
WEIS BUILDERS, INC.

**DEFENDANT(S)**

The claimant, **SCURTO CEMENT CONSTRUCTION, LTD.** of Elgin, IL 60123-1146, County of **DuPage**, hereby files a claim for lien against **WEIS BUILDERS, INC.**, contractor of 3701 Algonquin Road Suite 710, Rolling Meadows, State of IL and **Church Street Plaza, LLC** Chicago, IL 60606 **Borders, Inc.** Chicago, IL 60604 {hereinafter referred to as "owner(s)"} and **LaSalle Bank, NA** Chicago, IL 60603 {hereinafter referred to as "lender(s)"} and states:

That on or about **05/23/2002**, the owner owned the following described land in the County of **Cook**, State of Illinois to wit:

Street Address: **Borders, Inc. 1700 Maple Street Evanston, IL:**

A/K/A: **SEE ATTACHED LEGAL DESCRIPTION**

A/K/A: **TAX # 11-18-117-002; 11-18-117-003**

and **WEIS BUILDERS, INC.** was the owner's contractor for the improvement thereof. That on or about **05/23/2002**, said contractor made a subcontract with the claimant to provide **labor and material for installation of concrete foundations, slabs and sitework** for and in said improvement, and that on or about **11/05/2002** the claimant completed thereunder all that was required to be done by said contract.



Box 10

# UNOFFICIAL COPY

The following amounts are due on said contract:

|          |              |
|----------|--------------|
| Contract | \$178,000.00 |
| Extras   | \$20,395.00  |
| Credits  | \$0.00       |
| Payments | \$159,945.00 |

Total Balance Due ..... \$38,450.00

leaving due, unpaid and owing to the claimant after allowing all credits, the sum of **Thirty-Eight Thousand Four Hundred Fifty-and no Tenths (\$38,450.00) Dollars**, for which, with interest, the Claimant claims a lien on said land and improvements, and on the moneys or other considerations due or to become due from the owner under said contract against said contractor and owner(s).

**SCURTO CEMENT CONSTRUCTION, LTD.**

BY: \_\_\_\_\_  
President

Prepared By:  
**SCURTO CEMENT CONSTRUCTION, LTD.**  
1675 Todd Farm Drive  
Elgin, IL 60123-1146

VERIFICATION

State of Illinois

County of DuPage

The affiant, Greg Scurto, being first duly sworn, on oath deposes and says that the affiant is President of the claimant; that the affiant has read the foregoing claim for lien and knows the contents thereof; and that all the statements therein contained are true.

\_\_\_\_\_  
President

Subscribed and sworn to  
before me this **January 28, 2003**.

\_\_\_\_\_  
Notary Public's Signature

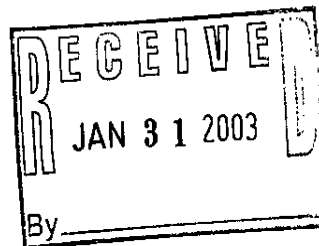
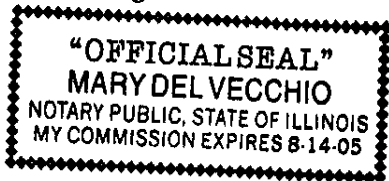


EXHIBIT A

PARCEL 1

LOT 1 IN CHURCH MAPLE SECOND RESUBDIVISION, BEING A RESUBDIVISION OF PART OF CHURCH MAPLE RESUBDIVISION RECORDED JUNE 2, 1999 AS DOCUMENT NO. 99528041 AND ALSO PART OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687, BEING IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 22, 2001 AS DOCUMENT 0010548879, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF THAT PART OF PARCEL 1 FALLING WITHIN LOT 1 IN FINAL PLAT OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687 IN COOK COUNTY, ILLINOIS AS DESCRIBED IN THE MINI-ANCHOR PARCEL EASEMENT AGREEMENT DATED OCTOBER 12, 2000, RECORDED OCTOBER 27, 2000 AS DOCUMENT 00847577 BY AND BETWEEN THE CITY OF EVANSTON AND CHURCH STREET PLAZA, LLC AN ILLINOIS LIMITED LIABILITY COMPANY OVER THE FOLLOWING DESCRIBED LAND:

LOT 2 IN FINAL PLAT OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687, BEING A RESUBDIVISION OF LOT 2 IN CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 27 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18 TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY, ILLINOIS, DEFINED AS THE "CITY PROPERTY".

FOR THE FOLLOWING PURPOSES:

(a) FOR THE CONSTRUCTION, INSTALLATION, USE, INSPECTION, MAINTENANCE, REPAIR, REPLACEMENT AND OPERATION OF THE MINI-ANCHOR IMPROVMENTS IN THE AIR SPACE ABOVE THE "CITY PROPERTY".

(b) FOR THE CONSTRUCTION, INSTALLATION, INSPECTION, REPAIR, REPLACEMENT AND OPERATION OF PEDESTRIAN AND VEHICULAR ACCESS WAYS AND PARKING AREAS AND LOADING DOCKS UPON THE "CITY PROPERTY".

(c) FOR THE USE OF PEDESTRIAN AND VEHICULAR ACCESS WAYS AND PARKING AREAS AND LOADING DOCKS LOCATED FROM TIME TO TIME ON THE "CITY PROPERTY".

CONTINUED ON NEXT PAGE

(d) FOR USE OF THE "CITY PROPERTY" FOR THE CONSTRUCTION, USE, INSPECTION, MAINTENANCE, REPAIR AND REPLACEMENT OF FOOTINGS, FOUNDATIONS AND COLUMNS SUPPORTING THE MINI ANCHOR IMPROVEMENTS CONSTRUCTED WITHIN THE AIR SPACE PARCEL.

(e) FOR ENTRY UPON, ABOVE AND BELOW AND FOR INGRESS AND EGRESS THROUGH THE "CITY PROPERTY" WITH MEN, MATERIALS AND EQUIPEMENT TO THE EXTENT RESONABLY NECESSARY IN THE PERFORMANCE OF THE CONSTRUCTION, INSTALLATION, MAINTENANCE, INSPECTION, TESTING, REPAIR AND REPLACEMENT OF THE MINI-ANCHOR IMPROVEMENTS WITHIN THE AIR SPACE PARCEL. THE FOOTINGS, FOUNDATIONS AND COLUMNS LOCATED WITHIN THE "CITY PROPERTY" WHICH PROVIDE STRUCTURAL SUPPORT FOR THE MINI-ANCHOR IMPROVEMENTS, THE PEDESTRIAN AND VEHICULAR ACCESS WAYS LOCATED UPON THE "CITY PROPERTY" AND THE PARKING AREAS LOCATED UPON THE "CITY PROPERTY".

(f) FOR THE CONSTRUCTION, INSTALLATION, USE, MAINTENANCE, REPAIR, REPLACEMENT AND RELOCATION OF PAVING, PAVERS, CURBS, GUTTERS, LIGHTING, STORM WATER CATCH BASIN FACILITIES, UNDERGROUND PIPES AND OTHER SIMILAR OR RELATED FACILITIES NECESSARY FOR DRAINAGE OF STORM WATER AS NECESSARY TO EFFECTUATE THE INTENT OF THE AFOREMENTIONED EASEMENTS.

PARCEL 3:

AN EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 2 AS CREATED BY THE EASEMENT AND OPERATING AGREEMENT DATED AUGUST 20, 2001 AND RECORDED AUGUST 23, 2001 AS DOCUMENT 0010778595 MADE BY OPTIMA MAPLE EVANSTON LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP AND CHURCH STREET PLAZA, LLC FOR THE PURPOSE OF INGRESS, EGRESS, STRUCTURAL SUPPORT, USE OF PIPES, COMMON WALLS, FLOORS AND CEILINGS, EXIT STAIRCASE, ENCROACHMENTS AND CONSTRUCTION OVER THOSE PORTIONS OF THE "SUPPORT PARCEL" AND THE "RESIDENTIAL PARCEL" AS DEFINED IN SAID INSTRUMENT.

Tax ID: 11-18-117-002  
11-18-117-003

Address: 951 Church Street, Evanston, Illinois