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SUBCONTRACTOR'S CLAIM FOR LIEN



0334949053

STATE of ILLINOIS COUNTY of COOK

Doc#: 0334949053
Eugene "Gene" Moore Fee: \$18.00
Cook County Recorder of Deeds
Date: 12/15/2003 11:26 AM Pg: 1 of 2

STATE OF ILLINOIS)
COUNTY OF COOK) SS

Ability Floors, Inc.,
Claimant

VS

Fitzpatrick Chicago Holdings, Inc.; Fitzpatrick Chicago Hotel, L.P.;
IIB Bank Limited; ICC Bank, P.C.; Heller Financial, Inc.; Clune Construction Co.
and all others owning or claiming an interest in the hereinafter-described land,
Defendants

NOTICE AND CLAIM FOR LIEN IN THE AMOUNT OF \$20,457.00

THE CLAIMANT, Ability Floors, Inc., of 144 West Commercial Street, Wood Dale, County of Du Page, State of Illinois, hereby files a notice and claim for lien against Clune Construction Co., contractor, of 10 South LaSalle Street, Chicago, Illinois, and against Fitzpatrick Chicago Holdings, Inc., of Chicago, Illinois; Fitzpatrick Chicago Hotel, L.P., of New York, New York; IIB Bank Limited; ICC Bank, P.C.; Heller Financial, Inc.; and against all others owning or claiming an interest in the hereinafter-described land, and states:

THAT, on 4th day of December, 2001, and at all other times relevant, Fitzpatrick Chicago Holdings, Inc., *et al.*, as afore-listed, or any of them, were the owners of the following-described land, to wit:

Lots 4, 5, and 6 in Henry Wischmeyer's Subdivision of Block 54 in Kinzie's Addition to Chicago in Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, being a resubdivision of the east 15 feet of Lot 11 and all of Lot 12 in Legg's Subdivision of said Block 54, together with Lots 1, 2, and 3 in Ogden and Lombard's Subdivision of the accretions lying east of and adjoining said Lot 12, in Cook County, Illinois;

and

Lots D, E, F, G, H, and I in Lill's Chicago Brewing Company's Subdivision in Block 54 in Kinzie's Addition to Chicago in Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PERMANENT INDEX NUMBERS: 17-10-200-020-0000; 17-10-200-021-0000; 17-10-200-063-0000

PROPERTY ADDRESS: 166 East Superior, Chicago, Illinois

THAT, on the 4th day of December, 2001, Claimant made a subcontract with said contractor, one duly authorized or knowingly permitted by the owner(s) to enter into such a contract, to provide labor and material to install flooring on the afore-described land for the sum of \$147,055.00, and, on the 23rd day of February, 2002, completed all work required to be done by said contract.

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THAT, at the special instance and request of said contractor, Claimant provided extra and additional labor and material to install flooring on the afore-described land of a value of \$12,429.00 and did complete the said extra work on the 23rd day of February, 2002.

THAT the Claimant has received payments pursuant to the afore-described contract as follows:

December 18, 2001:	\$2,102.50	April 30, 2002:	\$14,444.60
February 14, 2002:	\$12,937.50	May 31, 2002:	\$48,545.00
March 31, 2002:	\$23,144.40	July 5, 2002:	\$29,826.00

THAT neither the Owner nor any other party has made any further payment .

THAT neither the Owner nor any other party is entitled to any credit, leaving due, unpaid and owing to the Claimant on account thereof the balance of \$20,457.00 for which, with interest at the statutory rate and all other statutory and equitable remedies, the Claimant claims a lien on said land and improvements and, as against the creditors and assignees, and personal and legal representatives of the contractor, on the material, fixtures, apparatus or machinery furnished, and on the moneys or other considerations due or to become due from the owner under the original contract.

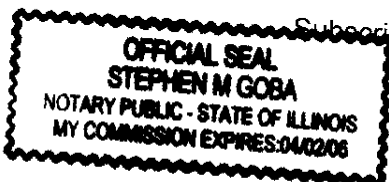
Howard Moist
Howard Moist, President of Claimant, Ability Floors, Inc.

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THE AFFIANT, Howard Moist, being first duly sworn, on oath deposes and says that he is President of the Claimant, that he has read the foregoing Subcontractor's Claim for Lien, knows the contents thereof, and that all the statements therein contained are true.

Howard Moist
Howard Moist, President of Claimant, Ability Floors, Inc.

Subscribed and sworn to before me this 12th day of December, 2003.



Stephen M Goba
Notary Public

Mail To:
Howard Moist
Ability Floors, Inc.
144 W. Commercial St.
Wood Dale, Illinois 60191

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