

# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

04037805

SS:

## SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

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

DEPT-01 RECORDERS 417.00  
195000 MON 0193 12/19/93 1545400  
17033 : JJ # 04-037805  
COOK COUNTY RECORDER

THE UNDERSIGNED LIEN CLAIMANT, WINSTROM MANUFACTURING, INC. ("Winstrom"), of 70 North Street, Park Forest, Cook County, Illinois 60466 by Ronald S. Feldman, its duly authorized agent, hereby files a claim for Mechanics' Lien against COMMERCIAL WINDOW SALES, INC. (hereinafter referred to as "Contractor") and Chicago Title and Trust Company as Trustee under its Trust No. 1089673 (hereinafter referred to as "Owner"), and the funds due or to become due to the Contractor and all other persons having or claiming an interest in the below described real estate, and states as follows:

1. On or prior to November 1993, Owner owned the following described land in the County of Cook, State of Illinois, to wit:

See Exhibit 1 attached hereto

commonly known as The Congress Hotel, 520 South Michigan Avenue, Chicago, Illinois, and having permanent index number 17-15-111-012, and together with all improvements (hereinafter referred to as the "Premises");-

2. In or about November, 1993, Jack Turner and/or Joseph Flemming of the Congress Hotel, who were knowingly permitted by the owner of the beneficial interest in the above named Trust (*i.e.*, Owner) to do so, entered into a contract on behalf of Owner and with Contractor pursuant to which Contractor was to provide labor, materials and equipment for the construction of repairs, alterations and improvements related to window replacement to and for the benefit of the Premises;

3. On November 18, 1993, Contractor made an agreement with Winstrom to furnish and supply labor, materials and equipment to the Premises in the amount of \$23,261.78 for said improvement;

4. Between November 18, 1993 and September 15, 1994, Contractor and Winstrom entered into agreements for Winstrom to furnish extra and additional materials to and for the Premises in the amount of \$263,214.61, making the total contract amount \$286,476.39;

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5. On and prior to September 20, 1994, Winstrom had delivered material to the Premises to the value of \$177,504.55, which upon information and belief, has been or will be incorporated into the improvements upon the Premises, and had Winstrom partially produced specially fabricated material which is only useable for the Premises and which is to be incorporated into the Premises to the value of \$108,971.84;

6. On information and belief, the materials and supplies for said work and in the improvement of the aforementioned Premises performed and supplied by Winstrom was done with the knowledge and consent of the owner of the beneficial interest in the above named Trust holding record title to the Premises (i.e., Owner);

7. Contractor is entitled to credits on account thereof in the amount of \$135,520.84, leaving due, unpaid and owing to Winstrom, after allowing all credits, the sum of \$150,955.55, plus \$19,000 for material specially ordered for the Premises and which is only useable for the Premises for which, with interest, Winstrom claims a lien on the premises and improvements, and to monies or other considerations due or to become due from Owner under said contract between Contractor and Owner in the total amount of \$169,955.55; and

8. Notice has been duly given to Owner, and persons otherwise interested in the above described real estate, as to the status of the undersigned as subcontractor as provided by The Mechanics Lien Act, 770 ILCS 60/5 and 60/24 (1992).

WINSTROM MANUFACTURING, INC

By



Ronald S. Feldman  
Its President

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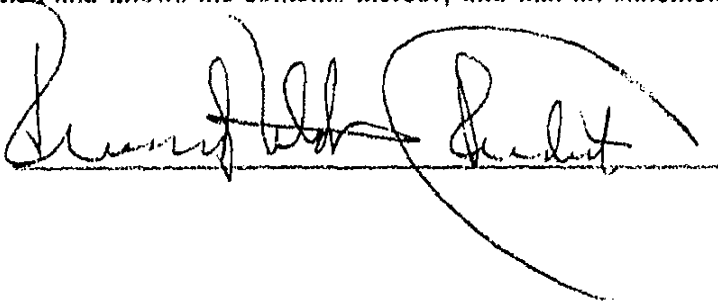
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STATE OF ILLINOIS )  
                                  )     SS:  
COUNTY OF COOK    )

The affiant, RONALD S. FELDMAN, being first duly sworn, on oath deposes and says that he is the President of WINSTROM MANUFACTURING, INC, the lien claimant, that he has read the foregoing notice and claim for lien and knows the contents thereof, and that all statements therein contained are true.



SUBSCRIBED AND SWORN  
to before me this 9 day of  
December, 1994.

Barbara L. Gary  
Notary Public



This instrument prepared by and mail to:

John H. Anderson  
Jerome F. Buch  
SEYFARTH, SHAW, FAIRWEATHER & GERALDSON  
55 East Monroe Street  
Suite 4200  
Chicago, Illinois 60603  
(312) 346-8000

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## EXHIBIT 1

### 5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

#### PARCEL 1:

SUB-LOTS 1, 2, 3, 4 AND 5 IN THE SUBDIVISION OF SUB-LOTS 1 AND 2 IN LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THE NORTH 20 FEET OF SAID SUB-LOTS 1, 4 AND 5), IN COOK COUNTY, ILLINOIS.

ALSO,

#### PARCEL 2:

LOTS 3, 4, 5, 7, 8 AND 9 IN ORRINGTON LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO,

#### PARCEL 3:

THE SOUTH 20 FEET OF LOT 4 AND ALL OF LOT 5 (EXCEPT THE WEST 8 FEET THEREOF TAKEN AND USED FOR ALLEY AND EXCEPT THE SOUTH 41 FEET OF SAID LOT 5), ALSO THE NORTH 50 FEET OF LOT 8 (EXCEPT THE WEST 8 FEET THEREOF TAKEN AND USED FOR ALLEY), IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

#### PARCEL 4:

THE NORTH 25 3/12THS FEET OF THE SOUTH 56 3/12THS FEET OF THE EAST 132 FEET OF LOT 9 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

#### PARCEL 5:

A TRACT OF PARCEL OF LAND DESCRIBED AS 'PRIVATE ALLEY FOR USE OF THE PROPERTY' AS SHOWN ON THE PLAT OF ORRINGTON LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF ORIGINAL LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, RECORDED APRIL 25, 1855 IN BOOK 85 OF MAPS, PAGE 112, AS DOCUMENT 58647, LYING SOUTH OF AND ADJOINING THE WEST 12 FEET OF LOT 1 OF SAID SUBDIVISION WEST OF LOTS 2, 3, 4 AND PART OF LOT 5, NORTH OF PART OF LOT 5, AND OF LOTS 7, 8 AND 9; AND SOUTH OF AND ADJOINING LOT 6 IN SAID LUNT'S SUBDIVISION (EXCEPT THE NORTH 1/2 OF THAT PART OF SAID ALLEY LYING SOUTH OF AND ADJOINING THE WEST 17 FEET OF LOT 6 IN LUNT'S SUBDIVISION AFORESAID), IN COOK COUNTY, ILLINOIS.

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ALSO,

PARCEL 6:

THE SOUTH 41 FEET OF LOT 5 (EXCEPT THE WEST 8 FEET THEREOF TAKEN OR USED FOR ALLEY), IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 7:

THE RIGHTS AND EASEMENTS AS TO THE NORTH 20 FEET OF SUB-LOTS 1, 4 AND 5 IN THE SUBDIVISION OF LOTS 1 AND 2 IN LUNT'S SUBDIVISION FOR THE BENEFIT OF PARCELS 1 TO 6 INCLUSIVE AND OTHER PROPERTY, RESERVED IN THAT CERTAIN QUIT CLAIM DEED DATED JULY 16, 1952 FROM THE CENTRAL HOTEL COMPANY AND OTHERS TO THE CITY OF CHICAGO, WHICH DEED WAS RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 15466793, IN BOOK 48584 ON PAGE 265, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN THE JUDGMENT ORDER ENTERED JULY 10, 1952 IN CASE 49CS321 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 8:

LEASEHOLD ESTATE CREATED IN AND BY THAT CERTAIN INDENTURE OF LEASE MADE BY WILLIAM FITZGERALD TO PERRY D. CREAGER, DATED APRIL 15, 1892 AND RECORDED APRIL 29, 1892 IN BOOK 3919, PAGE 7, AS DOCUMENT NUMBER 1654010 AND AS AMENDED BY AMENDMENT DATED JULY 16, 1952 AND RECORDED SEPTEMBER 22, 1952 AS DOCUMENT 15441648 AND AMENDMENT DATED OCTOBER 28, 1952 AND RECORDED ON NOVEMBER 28, 1952 AS DOCUMENT 15495042 AND AMENDMENT TO LEASE DATED JUNE, 1981 AND RECORDED JULY 6, 1981 AS DOCUMENT 25927158 AND ASSIGNMENT AND ASSUMPTION OF LEASE DATED MARCH 26, 1987 AND RECORDED MARCH 27, 1987 AS DOCUMENT 87162454, DEMISING AND LEASING FOR A TERM OF 99 YEARS COMMENCING MAY 15, 1892 AND ENDING APRIL 30, 1991, THE LAND DESCRIBED AS FOLLOWS:

'A': LOT 6 (EXCEPT THE WEST 17 FEET THEREOF) IN LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO (EXCEPTING THEREFROM THE NORTH 20 FEET THEREOF),

ALSO,

'B': THE RIGHTS AND EASEMENTS AS TO THE NORTH 20 FEET OF SUB-LOT 6 (EXCEPT THE WEST 17 FEET THEREOF) IN LUNT'S SUBDIVISION FOR THE BENEFIT OF PARCEL (A) HEREBIN, AND OTHER PROPERTY, AS RESERVED IN THAT CERTAIN QUIT CLAIM DEED DATED JULY 16, 1952, FROM THE CENTRAL HOTEL COMPANY AND OTHERS TO THE CITY OF CHICAGO, WHICH DEED WAS RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, AS DOCUMENT 15466793, IN BOOK 48584 ON PAGE 265, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN THE JUDGMENT ORDER ENTERED ON JULY 10, 1952 IN CASE NUMBER 49CS321, IN CIRCUIT COURT OF COOK COUNTY, ILLINOIS.

ALSO,



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PARCEL 9:

THE SOUTH 28 FEET OF LOT 8 AND THE NORTH 24 FEET OF LOT 9 (EXCEPT THE WEST 8 FEET THEREOF TAKEN OR USED FOR ALLEY), ALL IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO AFORESAID, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 10:

THE WEST 17 FEET FRONT AND REAR OF SUB-LOT 6 (EXCEPTING THEREFROM THE NORTH 20 FEET THEREOF) IN LUNT'S SUBDIVISION OF LOT 1 AND THE NORTH 3/4 OF LOT 4 IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THE LAND KNOWN AS NUMBER 13 EAST CONGRESS STREET IN CHICAGO, OTHERWISE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF THE 16 FOOT ALLEY RUNNING NORTH AND SOUTH AS SHOWN ON THE PLAT OF SAID SUBDIVISION RECORDED ON APRIL 25, 1855, WHERE THE SOUTH LINE OF CONGRESS STREET (FORMERLY TYLER STREET) INTERSECTS WITH THE SAME, RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID CONGRESS STREET, 17 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID 16 FOOT ALLEY, 100 FEET TO THE NORTH LINE OF THE 20 FOOT ALLEY SHOWN ON SAID PLAT AND DESIGNATED 'PRIVATE ALLEY FOR THE USE OF PROPERTY'; THENCE WEST ALONG THE NORTH LINE OF SAID ALLEY, 17 FEET TO A POINT WHERE THE SAME INTERSECTS WITH THE 16 FOOT ALLEY ABOVE MENTIONED; THENCE NORTH ALONG THE EAST LINE OF SAID 16 FOOT ALLEY, 100 FEET TO THE POINT OF BEGINNING AND THE NORTH 1/2 OF THAT PART OF SAID PRIVATE ALLEY LYING SOUTH OF AND ADJOINING THE WEST 17 FEET OF SAID LOT 6, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 11:

THE SOUTH 50 FEET OF LOT 9 (EXCEPT THE WEST 8 FEET TAKEN FOR PUBLIC ALLEY AND EXCEPT THE NORTH 19 FEET OF THE EAST 132 FEET OF THE SAID SOUTH 50 FEET OF SAID LOT 9), IN BLOCK 12 IN FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO,

PARCEL 12:

THE RIGHTS AND EASEMENTS AS TO THE NORTH 20 FEET OF THE WEST 17 FEET FRONT AND REAR OF SUB-LOT 6 IN LUNT'S SUBDIVISION FOR THE BENEFIT OF PARCEL 10 AFORESAID AND OTHER PROPERTY, RESERVED IN THE CERTAIN QUIT CLAIM DEED DATED JULY 16, 1952 FROM THE CENTRAL HOTEL COMPANY AND OTHERS TO THE CITY OF CHICAGO, WHICH DEED WAS RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 15466793, IN BOOK 48584, PAGE 265, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN THE JUDGMENT ORDER ENTERED ON JULY 10, 1952 IN CASE 49C5321, IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, ALL IN COOK COUNTY, ILLINOIS.

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ALSO,

PARCEL 13:

THAT PART OF LOT 9 LYING NORTH OF THE NORTH LINE OF THE SOUTH 50.0 FEET, LYING SOUTH OF THE SOUTH LINE OF THE NORTH 24.0 FEET, LYING EAST OF THE EAST LINE OF THE WEST 8.0 FEET AND LYING WEST OF THE WEST LINE OF THE EAST 132.0 FEET THEREOF, IN BLOCK 12 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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