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NOTICE AND CLAIM FOR MECHANICS' LIEN

STATE OF ILLINOIS

COUNTY OF COOK



Doc#: 0422919004
Eugene "Gene" Moore Fee: \$18.50
Cook County Recorder of Deeds
Date: 08/16/2004 09:00 AM Pg: 1 of 4

SS

IN THE OFFICE OF THE
RECORDER OF DEEDS
OF COOK COUNTY

Northwest Building Materials &
Supply Company

Claimant,

v.

Heth Drywall, RAS Builders,
Chicago Title and Trust Company
as Trustee under Trust No. 43403,
dated 06/09/1961, Bank One; and
UNKNOWN OWNERS,
TRUSTEES & LIEN
CLAIMANTS;

Defendants.

"NOTICE TO OWNER"

**Do not pay the contractor for this work or material
Unless you have received from the Contractor a
Waiver of lien by, or other satisfactory evidence of
Payment to, the Subcontractor or Materialman.**

NOTICE & CLAIM FOR LIEN IN AMOUNT OF \$2,668.12

The claimant Northwest Building Materials & Supply Company, doing business at 31 W. 524 Diehl Road, Naperville, IL 60563, County of DuPage, State of Illinois, being a supplier of materials for the construction project on the real estate described below, hereby files a Notice and Claim for Lien against Heth Drywall, being the Subcontractor located at 401 Carlton Court,

This document prepared by and return to:

Permanent Index Number(s):

02-36-202-014-0000

Hal A. Emalfarb
Emalfarb, Swan & Bain
440 Central Avenue
Highland Park, IL 60035
(847) 432-6900

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Oswego, IL 60543, RAS Builders, being the General Contractor for said construction project located at 9747 West Foster Ave, Schiller Park, IL 60176, Bank One, being the Lessee located at 1 Bank One Plaza, Chicago, IL 60670 and Chicago Title and Trust Company as Trustee under Trust No. 43403, dated 06/09/1961 and said last named person is the Owner for the construction project being constructed on the real estate commonly known as Bank One, 2641 Kirchoff, in the City of Rolling Meadows, County of Cook, State of Illinois.

That, on or about May 6, 2004 said Chicago Title and Trust Company as Trustee under Trust No. 43403, dated 06/09/1961 was the Owner of record of the following described land in the County of Cook, State of Illinois, to wit:

See Exhibit "A" attached hereto and make a part hereof.

and RAS Builders was authorized and knowingly permitted by the Owner or Owner's agent to construct the improvement thereof.

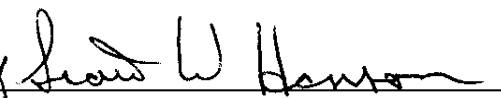
That on or about May 6, 2004, said Heth Drywall made a verbal contract with Claimant, Northwest Building Materials & Supply Company, to supply materials for and in said improvement, and that, on or about June 2, 2004, the Claimant Northwest Building Materials & Supply Company, completed thereunder all required to be done by said contract.

That the Claimant alleges upon information and belief that a sworn statement has been submitted to the Owner, or its agent, by RAS Builders, being the above-described General Contractor, and that said sworn statement is in writing and contains the names of persons furnishing materials and labor for and in said improvement, and that the Claimant's name and correct amount due Claimant for the material described above has been included in this sworn statement.

That neither said Owner, nor his agent, architect, or superintendent can, upon reasonable diligence, be found in said County so as to serve upon either of them personally a notice hereof in accordance with the statute in such cases made and provided.

That said Heth Drywall is entitled to credits on account in the amount of \$0.00, after allowing all lawful credits, the sum of \$2,668.12, for which, with interest at 10% per annum (as provided for by 770 ILCS 60/1), and costs and reasonable attorneys fees (as provided for by 770 ILCS 60/17), the Claimant claims a lien on said land and improvements, and on the monies or other considerations due or to become due from the Owner under said contract against said Heth Drywall and Owner.

Northwest Building Materials & Supply Company

By: 

Its: Vice President

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STATE OF ILLINOIS

SS

COUNTY OF
DuPage

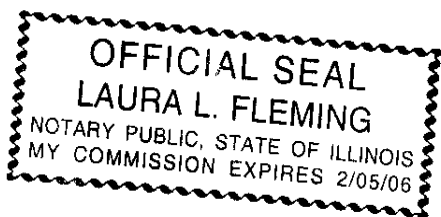
VERIFICATION

The Affiant, Mr. Scott Hanson, being first duly sworn on oath, deposes and says that he is vice-president and authorized agent of the Claimant; that he has read the foregoing Notice and Claim for Lien, knows the contents thereof, and states that all the statements therein contained are true, to the best of his/her information and belief.

Scott W Hanson

Subscribed and Sworn
to before me this 3rd day
of August, 2004.

Laura L Fleming
Notary Public





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Exhibit "A"

A Division of Chicago Title Insurance Company
400 S JEFFERSON, CHICAGO, IL 60607

TRACT INDEX SEARCH

Order No.: 1404 S9601751 ss

Additional Tax Numbers:

Legal Description:

THE EAST 1/2 (AS MEASURED ON THE NORTH AND SOUTH LINES) OF THE FOLLOWING DESCRIBED TRACT OF LAND; THE NORTHERLY 158 FEET, AS MEASURED AT RIGHT ANGLES TO THE SOUTHERLY LINE OF KIRCHOFF ROAD, OF THAT PART OF THE SOUTHWEST 1/4 OF THE NORTH EAST 1/4 OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH WEST CORNER OF SAID NORTHEAST 1/4, BEING A POINT 3.76 FEET WEST OF POINT USED IN SURVEY MADE IN 1929, (SAID POINT BEING ALSO THE NORTHEAST CORNER OF LOT D-D IN ROLLING MEADOWS UNIT NO. 10, BEING A SUBDIVISION OF LOT "U" IN ROLLING MEADOW UNIT NO. 9, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 36 AFORESAID); THENCE RUNNING EAST ON ON THE SOUTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 250.57 FEET, TO AN IRON PIPE AS ESTABLISHED BY SAID 1929 SURVEY FOR THE EAST LINE OF PROPERTY, (SAID IRON PIPE BEING 182.60 FEET, AS MEASURED ALONG SAID SOUTH LINE, WEST OF THE SOUTHWEST CORNER, AS MONUMENTED, OF ROLLING MEADOWS UNIT NO. 19, RECORDED JULY 24, 1959 AS DOCUMENT NO. 1709019); THENCE NORTH ALONG THE EAST LINE OF PROPERTY AS ESTABLISHED BY SAID 1929 SURVEY TO AN IRON PIPE AS PLACE IN SAID 1929 SURVEY, ON THE SOUTHERLY LINE OF ROAD LEADING TO PLUM GROVE, NOW CALLED KIRCHOFF ROAD, (SAID EAST LINE OF PROPERTY BEING A LINE PARALLEL WITH THE WEST LINE OF SAID ROLLING MEADOWS UNIT NO. 19 A MONUMENTED); THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHERLY LINE OF SAID ROAD, A DISTANCE OF 257.62 FEET, MORE OR LESS, TO THE WEST LINE OF SAID NORTHWEST LINE OF NORTHEAST 1/4, SAID POINT BEING 6.26 FEET NORTHWEST; Y OF WESTERLY LINE OF THE NORTHEAST 1/4 AS USED IN SAID 1929 SURVEY, SAID POINT BEING ALSO A POINT 173.66 FEET, AS MEASURED ALONG THE SOUTHERLY LINE OF SAID ROAD, EASTERLY OF THE NORTHEAST CORNER OF LOT "U" IN ROLLING MEADOWS UNIT NO. 8, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 36 AFORESAID); THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST 1/4 TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.