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NOTICE AND CLAIM FOR MECHANICS' LIEN

Doc#: 0425739102
Eugene "Gene" Moore Fee: \$19.50
Cook County Recorder of Deeds
Date: 09/13/2004 03:06 PM Pg: 1 of 5

STATE OF ILLINOIS)
)
)
COUNTY OF COOK)
IN THE OFFICE OF)
THE RECORDER OF DEEDS)
OF COOK COUNTY) SS.
)
NORMAN MECHANICAL, INC.)
Claimant)
)
v.)
)
3434 North Ashland Avenue L.L.C.;)
Gary DeStefano d/b/a De Stefano)
Development; LaSalle Bank, N.A.,)
and Unknown owners and non-record)
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 \$1,618.67

The claimant, NORMAN MECHANICAL, doing business at 3850 Industrial Avenue, Rolling Meadows, IL 60008, being a Plumbing Subcontractor for the construction project on the real estate described below, hereby files a Notice and Claim for Lien against Gary DeStefano d/b/a DeStefano Development, being the General Contractor for said construction project doing business at 1119 Judson Evanston, IL 60202, LaSalle Bank N.A. being mortgagee located at 135 South LaSalle Street, Chicago, Illinois 60603, and 3434 North Ashland Avenue, L.L.C., hereinafter referred to as "Owner" located at c/o Robert S. McCarty, registered agent, 233 S. Wacker Drive, Suite 9750 Chicago, IL, 60606 and said last named entity is the Owner for the construction project being constructed on the real estate commonly known as, 3426-3428 North Ashland Avenue, Unit 4S Chicago, Illinois.

That, on or about August 2, 2004 said Owner was the Owner of record of the following described land in the County of Cook, State of Illinois, to wit:

Return to:
EMALFARB, SWAN & BAIN
440 Central Ave.
Highland Park, IL 60035
847 432-6900

PIN#'s 14-19-417-031-0000

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See Attached Exhibit "A"

and Gary DeStefano d/b/a DeStefano Development was authorized and knowingly permitted by the Owner to construct the improvement thereof.

That on or about August 20, 2001, said Gary DeStefano d/b/a DeStefano Development made a contract with Claimant, NORMAN MECHANICAL, INC., who provided plumbing related labor and materials for and in said improvement, and that, on or about June 10, 2004 the Claimant, NORMAN MECHANICAL, INC., completed thereunder all required to be done by said contract.

That said Gary DeStefano d/b/a DeStefano Development is entitled to credits in the amount of \$124,353.32 on account leaving due, unpaid and owing to the Claimant, after allowing all lawful credits, the sum of \$1,618.67 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 General Contractor and Owner. The claimant has served notice of this Mechanic's Lien Claim as a subcontractor but reserves the right to claim a lien as a prime contractor based upon Gary DeStefano's ownership of 3434 North Ashland L.L.C., and the fact that 3434 North Ashland L.L.C. was involuntarily dissolved by the Secretary of State on April 30, 2003.

NORMAN MECHANICAL, INC.

By: 

Its Attorney

Peter G. Swan
EMALFARB, SWAN & BAIN
440 Central Ave.
Highland Park, Illinois 60035
(847) 432-6900

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STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

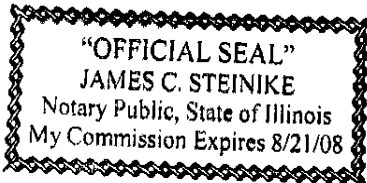
VERIFICATION

The Affiant, Martin Nixon, being first duly sworn on oath, deposes and says that he is 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 information and belief.

Martin Nixon

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

James C. Steinike
Notary Public



Property of Cook County Clerk's Office

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PROOF OF SERVICE BY MAIL

I, Samantha Williams, a non-attorney on oath, state that on this 3rd day of September, 2004 I served this Notice and Claim for Mechanics' Lien by mailing a copy of said Notice by certified mail, return receipt requested, limited to addressee only, to:

Gary DeStanfo
d/b/a DeStefano Development
1119 Judson
Evanston, IL 60202

Certified # 9171082133393036321939

3434 North Ashland Avenue, LLC
C/O Robert S. McCarty
Registered Agent
233 S. Wacker Drive
Suite 9750
Chicago, IL 60606

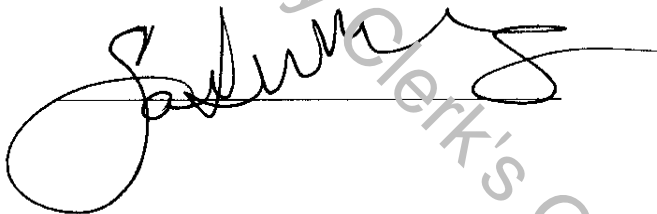
Certified # 9171082133393036321946

LaSalle Bank, N.A.
135 South LaSalle Street
Chicago, IL 60603

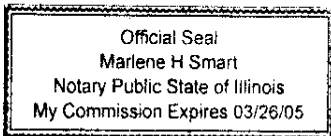
Certified # 9171082133393036321953

postage prepaid, by depositing same in the U.S. Mail Box before the hour of 5:30 p.m.

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



Marlene H Smart
Notary Public



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Exhibit "A"

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LEGAL DESCRIPTION

UNIT 4S 3426-3428 N. Ashland Avenue Condominium

City of Chicago, Tax I.D. #14-19-417-031-0000

PARCEL 1:

UNIT 4S IN THE 3426-3428 N. ASHLAND AVENUE CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

PART OF THE EAST $\frac{1}{2}$ OF BLOCK 7 IN L. TURNER'S SUBDIVISION OF THE NORTHEAST $\frac{1}{4}$ OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, IL;

WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM RECORDED AUGUST 26, 2002 AS DOCUMENT NO. 0020937699, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2:

AN EXCLUSIVE USE OF PARKING PURPOSES IN AND TO PARKING SPACE NO.PS-4S, A LIMITED COMMON ELEMENT, AS SET FORTH AND DEFINED IN SAID DECLARATION OF CONDOMINIUM AND SURVEY ATTACHED HERETO, IN COOK COUNTY, ILLINOIS.

Cook County Clerk's Office