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Doc#: 0428616180
Eugene "Gene" Moore Fee: \$19.50
Cook County Recorder of Deeds
Date: 10/12/2004 02:18 PM Pg: 1 of 5

THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE
RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 750
Chicago, Illinois 60603
(312) 658-1100



SUBCONTRACTOR'S AMENDED NOTICE & AMENDED CLAIM FOR MECHANICS LIEN TO REFLECT PARTIAL PAYMENT

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

To: See Attached Service List

The Claimant, Paniagua Group, Inc. ("Claimant"), an Illinois corporation, with an office at 1305 Remington Road, Suite O, Schaumburg, Illinois 60173, hereby files its Subcontractor's Amended Notice and Amended Claim for Mechanics Lien to Reflect Partial Payment amending Subcontractor's Notice and Claim for Mechanics Lien served July 21, 2004 and recorded July 26, 2004 with the Cook County Recorder of Deeds as Document No. 0420819122 ("Subcontractor's Original Claim") on the Real Estate (as hereinafter described) and against the interest(s) of J and A L.L.C., a limited liability company ("Owner"), and against any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner including, without limitation, Midway Moving and Storage, Inc. ("Midway") and Bovis Lend Lease, Inc. ("Prime Contractor").

Claimant states as follows:

1. Since August 16, 2002, Owner owned, interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as 4100 West Ferdinand Street, Chicago, Illinois and legally described as follows ("Real Estate"):

LOT 2 IN THE FIRST ADDITION TO THE NORTHWESTERN CENTER INDUSTRIAL DISTRICT, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

2. Prime Contractor, as general contractor, entered into a prime construction contract with Midway as designee or as agent of Owner or another agent of Owner or with one authorized or knowingly permitted to contract to improve the Real Estate, under which Prime Contractor would perform general construction services for improvements of the Real Estate for Midway Training Area erected on the Real Estate.

3. On October 15, 2003, Claimant entered into a Subcontract with Prime Contractor under which Claimant agreed to provide labor, materials and equipment to complete certain carpentry, drywall and acoustical ceilings portion of Prime Contractor's work on the Real Estate in exchange for payment of an original price of One Hundred Thirty Thousand Dollars (\$130,000) subject to increase for alternates and additional or changed work (the "Subcontract").

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4. At the special instance and request of the Prime Contractor, Claimant furnished extra and additional materials and extra and additional labor for improvement of the Real Estate to the extent and value of One Hundred Nine Thousand Four Hundred Twenty-One Dollars (\$109,421) for a resulting adjusted subcontract price of Two Hundred Thirty-Nine Thousand Four Hundred Twenty-One Dollars (\$239,421).

5. The Subcontract was entered into and the work was performed by Claimant with the knowledge and consent of Owner, and agent of Owner and Prime Contractor. Alternatively, Midway had authority to enter into contracts to improve the Real Estate.

6. Claimant substantially completed Claimant's Work under the Subcontract on April 22, 2004.

7. As of the date hereof, after allowing all credits, including a partial payment of \$56,929.22 received after recording Subcontractor's Original Claim, there is due, unpaid and owing to Claimant, the principal sum of Forty Two Thousand One Hundred Eighty Five and 33/100 Dollars (\$42,185.33) for which, with interest, Claimant claims a lien against the Real Estate and on the funds due to the Prime Contractor.

8. Claimant revokes any waiver of rights given for which payment has not been received.

DO NOT PAY PRIME CONTRACTOR FOR WORK OR MATERIAL DELIVERED UNLESS YOU HAVE RECEIVED SATISFACTORY EVIDENCE OF PAYMENT TO PANIAGUA GROUP, INC.

Dated: September 29, 2004

PANIAGUA GROUP, INC.,

By: 

Raul Alvarez, Vice President

THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark
Suite 750
Chicago, Illinois 60603

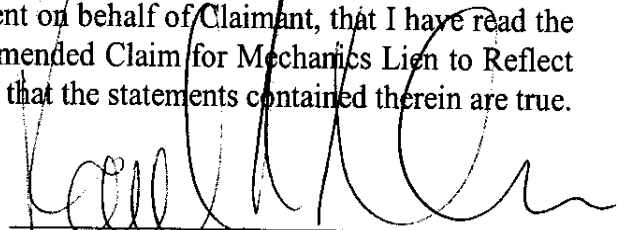
PIN Number: 16-10-202-002

Address: 4100 West Ferdinand Street, Chicago, Illinois

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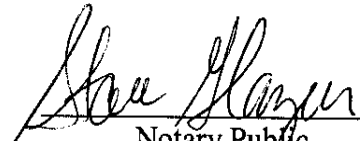
STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

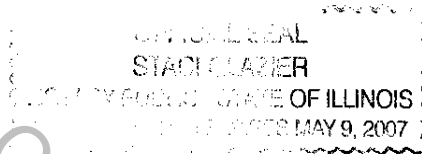
I, Raul Alvarez, being first duly sworn on oath, depose and state that I am President of Claimant, am authorized as agent to execute this Subcontractor's Amended Notice and Amended Claim for Mechanics Lien to Reflect Partial Payment on behalf of Claimant, that I have read the foregoing Subcontractor's Amended Notice and Amended Claim for Mechanics Lien to Reflect Partial Payment and know the contents thereof, and that the statements contained therein are true.



Raul Alvarez, Vice President

SUBSCRIBED AND SWORN TO
before me this 20 day of September, 2004.


Notary Public



THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING SHOULD BE RETURNED TO:

John S. Mrowiec
Conway & Mrowiec
20 South Clark
Suite 750
Chicago, Illinois 60603
(312) 658-1100

PIN Number: 16-10-202-002

Address: 4100 West Ferdinand Street, Chicago, Illinois

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AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Jennifer L. McComb, being first duly sworn on oath depose and state that on October 11, 2004, I caused to be served the attached Subcontractor's Amended Notice and Amended Claim for Mechanics Lien to Reflect Partial Payment by sending a duplicate original thereof to each of the persons and entities listed below by certified mail, return receipt requested:

J and A L.L.C.
Attn: Jerry I. Siegel, Manager
2727 W. Chicago Avenue
Chicago, IL 60622

Midway Moving & Storage, Inc.
2727 W. Chicago Avenue
Chicago, IL 60622
Attn: Jerry Siegel, President and Registered Agent

Bovis Lend Lease, Inc.
Attn: Registered Agent
CT Corporation System
208 S. LaSalle Street
Suite 814
Chicago, IL 60604-1101
Sullivan/Goulette Ltd.
750 North Franklin
Suite 203
Chicago, IL 60610
Attn: Mark J. Sullivan, President

J and A L.L.C.
Attn: Registered Agent, John J. George
20 South Clark Street
Suite 400
Chicago, IL 60603
Bovis Lend Lease, Inc.
One North Wacker Drive
Suite 850
Chicago, IL 60606
Attn: Mr. John C. Morley, Senior Vice President
Midwest Bank & Trust Company
1606 N. Harlem Avenue
Elmwood Park, IL 60707
Attn: Non-Residential Real Estate Lending

Jennifer L. McComb
Jennifer L. McComb

Subscribed and Sworn to
before me this 11 day of
October, 2004.

[Signature]



PIN Number: 16-10-202-002

Address: 4100 West Ferdinand Street, Chicago, Illinois

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(312) 658-1100

Property of Cook County Clerk's Office

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