

# UNOFFICIAL COPY



0502145163

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

Doc#: 0502145163  
Eugene "Gene" Moore Fee: \$26.50  
Cook County Recorder of Deeds  
Date: 01/21/2005 03:27 PM Pg: 1 of 12

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

## SUBCONTRACTOR'S NOTICE & CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF COOK        )

To: See Attached Service List

The Claimant, Tiffany Decorating Company ("Tiffany"), an Illinois corporation with an office at 1325 N. Wells Street, Chicago, Illinois 60610, hereby files its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Orland, L.P. ("Owner") and any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner, including but not limited to the interest of tenant H&M Hennes & Mauritz L.P. d/b/a H&M d/b/a Hennes & Mauritz L.P. ("Tenant"), and on any funds due to the prime contractor Intech/Charter, A Joint Venture ("Prime Contractor").

Tiffany states as follows:

1. Since April 25, 2003, Owner has been record owner of interest(s) in fee simple and, possibly otherwise, in the Real Estate commonly known as the Orland Square Mall, 288 Orland Square, Orland Park, Illinois 60462 and legally described as follows ("Real Estate"):

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

PIN Number:           27-10-301-007-0000  
Address:               288 Orland Square, Orland Park, Illinois 60462

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2. The Tenant is the tenant of a leasehold in the Real Estate now commonly known as the H&M Store.

3. Tiffany, pursuant to a subcontract agreement dated as of October 4, 2004 ("Tiffany Subcontract"), was a subcontractor to Prime Contractor, on a project to build tenant improvements to the H&M Store Orland Square (the "Project"). Under the Tiffany Subcontract, Tiffany agreed to provide labor, materials and equipment for painting and wallcovering work for the Project in exchange for an original subcontract price of \$21,000, subject to increase for additional or changed work.

4. At Prime Contractor's special instance and request, and with the knowledge and permission of Owner or Owner's agent, or any or all of them, Tiffany performed extra and changed work to the extent and value of \$32,579.

5. The Prime Contractor's contract ("Prime Contract") was entered into by Tenant, and the work was performed by Prime Contractor and Tiffany with the knowledge and consent of Owner and Owner's agent. Alternatively, Owner or Owner's agent knowingly permitted Tenant to enter into contracts to improve the Real Estate. Alternatively, Owner or Owner's agent knowingly permitted Prime Contractor and Tiffany to perform Work to improve the Real Estate.

6. Tiffany last performed Tiffany's work under the Subcontract on November 2, 2004.

7. As of the date hereof, after allowing all credits, there is due, unpaid and owing to Tiffany, the principal sum of Fifty Three Thousand Five Hundred Seventy-Nine Dollars (\$53,579) for which, with interest, Tiffany claims a lien against the Real Estate and on funds due to the Prime Contractor.

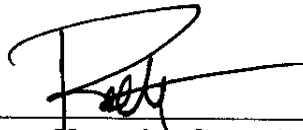
8. Tiffany revokes any waiver of rights for which Tiffany has not received payment.

PIN Number: 27-10-301-007-0000  
Address: 288 Orland Square, Orland Park, Illinois 60462

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Dated: January 21, 2005

TIFFINY DECORATING COMPANY

By:   
Bruce Yasutake, Controller

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

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

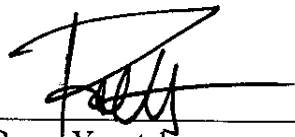
Property of Cook County Clerk's Office

PIN Number: 27-10-301-007-0000  
Address: 288 Orland Square, Orland Park, Illinois 60462

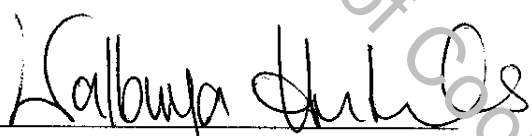
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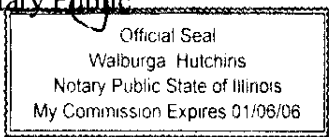
STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF C O O K        )

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

  
\_\_\_\_\_  
Bruce Yasutake

SUBSCRIBED AND SWORN TO  
before me this 21st day of January, 2005.

  
\_\_\_\_\_  
Notary Public



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

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

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## EXHIBIT A TO SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN LEGAL DESCRIPTION

(Page 1 of 4)

A tract of land in the South Half of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, described as follows: Commencing at the South Quarter Corner of said Section 10; thence due West 42.50 feet along the South line of said Section 10; thence due North 130.35 feet to a point of curve; thence Northerly on a curve convex to the East, having a radius of 407.57 feet, an arc distance of 177.84 feet, and a chord bearing of North 12°30' West to a point of tangent; thence North 25°00'02" West 7.13 feet to a point of curve; thence Northwesterly on a curve convex to the North, having a radius of 40 feet, an arc distance of 72.73 feet, and a chord bearing of North 27°05'10" West to a point on curve; thence Southwesterly on a curve convex to the South, having a radius of 505.17 feet, an arc distance of 201.81 feet, and a chord bearing of South 62°15'55" West to a point of compound curve; thence Westerly on a curve convex to the South, having a radius of 1025 feet, an arc distance of 443.45 feet, and a chord bearing of South 86°16'22" West to a point of tangent; thence North 01°30' West 275 feet to a point of curve; thence Westerly on a curve convex to the South, having a radius of 1548.80 feet, an arc distance of 219.95 feet, and a chord bearing of North 77°25'52" West to a point of reverse curve; thence Southwesterly on a curve convex to the Northwest, having a radius of 35 feet, an arc distance of 65.14 feet, and a chord bearing of South 53°19'07" West to a point of tangent; thence due South 143.19 feet; thence South 18°15'36" East 52.2 feet; thence due South 62 feet to the South line of said Section 10; thence due West 113.40 feet on last said line; thence due North 315.19 feet to a point of curve; thence Northwesterly on a curve convex to the Northeast, having a radius of 35 feet, an arc distance of 40.89 feet, and a chord bearing of North 33°28'06" West to a point of reverse curve; thence Northwesterly on a curve convex to the Southwest, having a radius of 1548.80 feet, an arc distance of 417.28 feet and a chord bearing of North 59°13'02" West to a point of compound curve; thence Northwesterly on a curve convex to the Southwest, having a radius

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## EXHIBIT A TO SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN LEGAL DESCRIPTION

(Page 2 of 4)

of 1127.04 feet, an arc distance of 232.67 feet, and a chord bearing  
 of North 36°41'31" West to a point of reverse curve; thence Westerly  
 on a curve convex to the North, having a radius of 35 feet, an arc  
 distance of 43.38 feet and a chord bearing of North 77°27'40" West  
 to a point of tangent; thence South 67°01'40" West 107.96 feet to a  
 point of curve; thence Westerly on a curve convex to the South having  
 a radius of 771.77 feet, an arc distance of 300.01 feet, and a chord  
 bearing of South 78°31'40" West to a point of tangent; thence North  
 89°58'20" West 200.01 feet; thence South 77°20'09" West 40.96 feet;  
 thence North 89°58'20" West 53.55 feet to the West line of said  
 Section 10, thence North 0°01'40" East 87 feet along last said line;  
 thence South 89°58'20" East 53.19 feet; thence South 77°18'12" East 41.04  
 feet; thence South 89°58'20" East 208.29 feet to a point of curve;  
 thence Easterly on a curve convex to the South, having a radius of  
 712.77 feet, an arc distance of 282.11 feet, and a chord bearing of North  
 73°11'40" East to a point of tangent; thence North 67°01'40" East 67.10  
 feet to a point of curve; thence Northerly on a curve convex to the  
 East, having a radius of 35 feet, an arc distance of 63.63 feet, and a  
 chord bearing of North 14°56'46" East to a point of reverse curve;  
 thence Northerly on a curve convex to the West, having a radius of  
 1962.16 feet, an arc distance of 498.86 feet, and a chord bearing  
 of North 29°51'09" West to a point of reverse curve; thence  
 Northwesternly on a curve convex to the Northeast, having a radius of  
 30 feet, an arc distance of 35.29 feet, and a chord bearing of North  
 55°16'12" West to a point of tangent; thence North 89°58'20" West  
 205.74 feet; thence South 78°01'15" West 40.47 feet; thence North  
 89°58'20" West 50.83 feet to the West line of said Section 10; thence  
 North 0°01'40" East 104 feet along last said line; thence South 89°58'20"  
 East 50.40 feet; thence South 77°59'08" East 40.93 feet; thence South  
 89°58'20" East 231.61 feet to a point of curve; thence Northeasterly  
 on a curve convex to the Southeast, having a radius of 30 feet, an arc  
 distance of 56.74 feet, and a chord bearing of North 35°59'05" East  
 to a point of reverse curve; thence Northerly on a curve convex to the  
 West, having a radius of 1962.16 feet, an arc distance of 121.08 feet,  
 and a chord bearing of North 16°16'46" West to a point of compound curve;  
 thence Northerly on a curve convex to the West, having a radius of 823.67  
 feet, an arc distance of 208.85 feet, and a chord bearing of North  
 7°14'11" West to a point of tangent; thence North 0°01'40" East 102.42  
 feet to a point of curve; thence Northwesternly on a curve convex to the

Property of Cook County Clerk's Office

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27-10-301-007-0000  
 288 Orland Square, Orland Park, Illinois 60462

**UNOFFICIAL COPY****EXHIBIT A TO SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN  
LEGAL DESCRIPTION  
(Page 3 of 4)**

Northeast, having a radius of 40 feet, an arc distance of 62.83 feet,  
 and a chord bearing of North 44°58'20" West to a point of tangent;  
 thence North 89°58'21" West 162 feet; thence South 77°20'09" West 40.96  
 feet; thence North 89°58'21" West 40.04 feet to the West line of said  
 Section 10; thence North 0°01'40" East 87 feet along last said line;  
 thence South 89°58'20" East 47.67 feet; thence South 77°18'11" East  
 41.04 feet; thence South 89°58'20" East 163.09 feet to a point of curve;  
 thence Northeasterly on a curve convex to the Southeast, having a  
 radius of 40 feet, an arc distance of 59.80 feet, and a chord bearing  
 of North 47°11'48" East to a point of reverse curve; thence Northeasterly  
 on a curve convex to the Northwest, having a radius of 240 feet, an  
 arc distance of 358.01 feet, and a chord bearing of North 47°11'42"  
 East to a point of tangent; thence South 89°58'30" East 36.12 feet  
 to a point of curve; thence Northeasterly on a curve convex to the  
 Southeast, having a radius of 40 feet, an arc distance of 62.85 feet,  
 and a chord bearing of North 45°01'56" East to a point of tangent;  
 thence North 0°00'20" West 223.04 feet; thence North 45° West 47.07 feet;  
 thence North 0°01'30" East 73.68 feet to the North line of the South  
 Half of Section 10; thence South 0°58'30" East 108.95 feet, along  
 last said line; thence South 0°00'20" West 330 feet; thence South  
 89°58'30" East 660 feet; thence North 0°00'20" East 165 feet; thence  
 South 89°57'50" East 784.98 feet, thence South 0°02'10" West 151.19  
 feet; thence South 58°28'59" East 28.66 feet to a point of curve;  
 thence Southerly on a curve convex to the East, having a radius of  
 577.17 feet, an arc distance of 423.09 feet, and a chord bearing of  
 South 39°29' East to a point of tangent; thence South 16°29' East  
 939.22 feet to a point of curve; thence Southerly on a curve convex to  
 the East, having a radius of 1330.73 feet, an arc distance of 582.4"  
 feet, and a chord bearing of South 8°15' East to a point of compound  
 curve; thence Southerly on a curve convex to the East, having a  
 radius of 505.17 feet, an arc distance of 283.30 feet, and a chord  
 bearing of South 16°02'56" West to a point of reverse curve; thence  
 Southerly on a curve convex to the West, having a radius of 30 feet,  
 an arc distance of 29.91 feet, and a chord bearing of South 3°33'27"

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## EXHIBIT A TO SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN LEGAL DESCRIPTION (Page 4 of 4)

West to a point of tangent; thence South 25° East 86.27 feet to a point of curve; thence Southerly on a curve convex to the East, having a radius of 494.57 feet, an arc distance of 215.80 feet, and a chord bearing of South 12°30' East, to a point of tangent, thence due South 28.27 feet; thence South 74°00'40" East 41.23 feet; thence South 62 feet to the South line of said Section 10; thence North 89°58'30" West 53.48 feet along last said line to the place of beginning, all in Cook County, Illinois.

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## AFFIDAVIT OF SERVICE

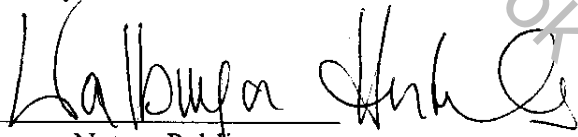
STATE OF ILLINOIS     )  
   ) ss.  
 COUNTY OF COOK        )

I, Mark R. Becker, being first duly sworn on oath depose and state that on January 21, 2005, I caused to be served the attached Subcontractor's Notice and Claim for Mechanics Lien by sending a duplicate original thereof to each of the persons and entities listed on the attached Service List to Subcontractor's Notice and Claim for Lien by certified mail, return receipt requested, and by overnight air courier.

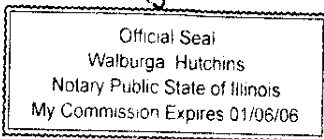


\_\_\_\_\_  
 Mark R. Becker

Subscribed and Sworn to  
 before me this 21st day of  
 January, 2005.



\_\_\_\_\_  
 Notary Public



PIN Number:           27-10-301-007-0000  
 Address:               288 Orland Square, Orland Park, Illinois 60462

# UNOFFICIAL COPY

## SERVICE LIST TO SUBCONTRACTOR'S NOTICE & CLAIM OF MECHANICS LIEN

(Page 1 of 3)

### OWNER

Orland, L.P.  
115 West Washington Street  
Indianapolis, Indiana 46204  
Attn: General Partner

Orland, L.P.  
c/o CT Corporation System - Registered Agent  
208 South LaSalle Street  
Chicago, Illinois 60604

Orland, L.P.  
c/o Simon Property Group (Delaware), Inc.  
115 West Washington Street  
Indianapolis, Indiana 46204  
Attn: Richard Sokolov President

Orland, L.P.  
c/o Simon Property Group (Delaware), Inc.  
CT Corporation System - Registered Agent  
208 South LaSalle Street, Suite 814  
Chicago, Illinois 60604

Orland, L.P.  
c/o Charles Mall Company Limited Partnership  
36 South Charles St.  
Baltimore, Maryland 21201  
Attn: General Partner

Orland, L.P.  
c/o Charles Mall Company Limited Partnership  
The Corporation Trust Incorporated - Registered Agent  
300 E Lombard St.  
Baltimore MD, 21202

### OWNER ctd.

Orland, L.P.  
c/o Orland/Hawthorn Partnership  
c/o Simon Property Group (Delaware), Inc.  
CT Corporation System - Registered Agent  
208 South LaSalle Street, Suite 814  
Chicago, Illinois 60604

Orland, L.P.  
c/o Orland/Hawthorn Partnership  
c/o Simon Property Group (Delaware), Inc.  
115 West Washington Street  
Indianapolis, Indiana 46204  
Attn: Richard Sokolov President

Orland, L.P.  
c/o Shopping Center Associates  
c/o Simon Property Group (Delaware), Inc.  
CT Corporation System - Registered Agent  
208 South LaSalle Street, Suite 814  
Chicago, Illinois 60604

Orland, L.P.  
c/o Shopping Center Associates  
c/o Simon Property Group (Delaware), Inc.  
115 West Washington Street  
Indianapolis, Indiana 46204  
Attn: Richard Sokolov President

Simon Property Group  
115 West Washington Street  
Indianapolis, Indiana 46204  
Attn: David Simon

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## SERVICE LIST TO SUBCONTRACTOR'S NOTICE & CLAIM OF MECHANICS LIEN

(Page 2 of 3)

**PRIME CONTRACTOR**

Intech/Charter, A Joint Venture  
3001 Market Street  
First Floor East, Suite 140  
Philadelphia, PA 19104  
Attn: John DeLuca

Charter Construction Company  
3550 Salt Creek Lane, Suite 110  
Arlington Heights, Illinois 60005  
Attn: Al Adami, Project Manager

Charter Construction Company  
3550 Salt Creek Lane, Suite 116  
Arlington Heights, Illinois 60005  
Attn: Link Smith, Registered Agent

Intech Construction, Inc.  
3001 Market Street  
1st Floor East, Suite 140  
Philadelphia, PA 19104  
Attn: Craig Sabatino, President

Intech Construction, Inc.  
Registered Office  
3001 Market St. 1st Floor East Suite 140  
Philadelphia, PA 19104  
Registered Agent

**TENANT**

H&M Store  
288 Orland Square  
Orland Park, IL 60462  
Attn: Store Manager or Dan Lopez

H&M Hennes & Mauritz L.P.  
47 West 34th Street, 3d Floor  
New York, NY 10001  
Attn: Legal Department

**TENANT Ctd.**

H&M Hennes & Mauritz, L.P.  
1328 Broadway, 3d Floor  
New York, NY 10001  
Attn: General Partner

Hennes & Mauritz  
22 N. State St.  
Chicago, Illinois 60602  
Attn: Oanh Khoung

H&M Hennes & Mauritz, L.P.  
c/o H&M Hennes & Mauritz USA B.V. (Inc.)  
Illinois Corporation Service C - Registered Agent  
801 Adlai Stevenson Drive  
Springfield, IL 62703

H&M Hennes & Mauritz, L.P.  
c/o H&M Hennes & Mauritz, USA B.V. (Inc.)  
3 S-18263 Djursholm, Sweden  
Attn: Stefan Persson Disavagen, President

**ARCHITECT**

Dal Pos Architects  
101 N. Clinton Street, Suite 300  
Syracuse, NY 13202  
Attn: John A. Bartolli, Partner

Dal Pos Architects  
101 N. Clinton Street, Suite 300  
Syracuse, NY 13202  
Attn: Taras Pawlin, Architect, H&M Store Orland  
Square

Dal Pos Architects  
CT Corp. Systems - Registered Agent  
208 S. LaSalle Suite 814  
Chicago, Illinois 60604

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**SERVICE LIST TO  
SUBCONTRACTOR'S NOTICE &  
CLAIM OF MECHANICS LIEN**

(Page 3 of 3)

**OWNER'S SUPERINTENDENT**

Orland Square Mall Superintendent  
288 Orland Square  
Orland Park, Illinois 60462  
Attn: Dan Cody, Mall Manager

Property of Cook County Clerk's Office

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