

UNOFFICIAL COPY

PARCEL 2:

LOT 2 IN EVERGREEN PARK KEDZIE AVENUE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 11, 2004 AS DOCUMENT NUMBER 0422439086, IN COOK COUNTY, ILLINOIS

PARCEL 3:

LOT 3 IN EVERGREEN PARK KEDZIE AVENUE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 11, 2004 AS DOCUMENT NUMBER 0422439086, IN COOK COUNTY, ILLINOIS

PARCEL 4:

LOT 4 IN EVERGREEN PARK KEDZIE AVENUE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 11, 2004 AS DOCUMENT NUMBER 0422439086, IN COOK COUNTY, ILLINOIS

PIN: 24-02-200-011-0000

2. Beginning on or about August 26, 2004, TMK conveyed the Real Estate in subdivided portions to First American Bank (Parcel 1), JTJ (Parcel 2), and Aldi, Inc. (Parcel 4). TMK retained title to Parcel 3.

3. Capitol entered into a contract on August 19, 2004 (the "Agreement") with TMK under which Capitol agreed to perform site work, including, but not limited to, demolition of existing structures, mass and finish grading, site utility work, site concrete, asphalt paving, parking lot striping and signage, landscaping, landscape irrigation and wood fencing, at the Property, in the amount of \$1,120,194.50, subject to additions and deductions as provided in the Agreement.

4. At the special insistence and request of TMK, Capitol, as of the date hereof, furnished extra and additional materials and extra and additional labor in the amount of \$268,753.10.

5. As of this date, Capitol continues to perform work at the Property under the Agreement.

UNOFFICIAL COPY

6. As of the date hereof, there is due, owing and unpaid to Capitol, after allowing all credits, the principal balance of One Hundred Sixty-Three Thousand Four Hundred Seventy-One Dollars and Thirty-Six Cents (\$163,471.36) for which Capitol claims a lien on the Real Estate (including all land and improvements thereon) plus interest at the rate of 10% from the date the amount first became due. Capitol specifically reserves its right to amend this Claim to adjust the principal amount claimed to reflect amounts that subsequently become due and owing whether under the terms of the base contract or for extra and additional materials and extra and additional labor furnished at the special insistence and request of TMK.

7. Capitol contends that neither apportionment nor allocation of Capitol's claim is required. To the extent that apportionment or allocation among the Parcels in the Real Estate is deemed to be required, Capitol states that the amount claimed as to each Parcel is as follows:

A. With respect to Parcel 1, Capitol allocates or apportions \$14,303.65, of the principal amount of its total claim.

B. With respect to Parcel 2, Capitol allocates or apportions \$50,763.04, of the principal amount of its total claim.

C. With respect to Parcel 3, Capitol allocates or apportions \$36,308.13, of the principal amount of its total claim.

D. With respect to Parcel 4, Capitol allocates or apportions \$62,096.54, of the principal amount of its total claim.

Dated: June 8, 2005

**CAPITOL CONSTRUCTION SERVICES,
L.P.**

By: 

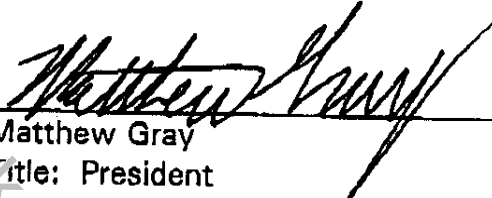
Matthew Gray
President

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

AFFIDAVIT

Matthew Gray, being first duly sworn, deposes and states that he is the President of Capitol Construction Services, L.P., that he is duly authorized to make this affidavit on its behalf; that he has read the foregoing Original Contractor's Claim for Mechanic's Lien, knows the contents thereof, and that the statements contained therein are true.

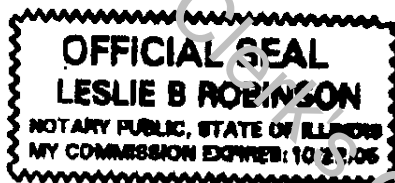


Matthew Gray
Title: President

Subscribed and sworn to before me
this 8th day of June, 2005



Notary Public



THIS DOCUMENT HAS BEEN PREPARED BY AND
AFTER RECORDING SHOULD BE RETURNED TO:

Peter J. Bedard
Stein, Ray & Harris LLP
222 West Adams Street
Suite 1800
Chicago, Illinois 60606