



Doc#: 0521515077
Eugene "Gene" Moore Fee: \$18.50
Cook County Recorder of Deeds
Date: 08/03/2005 10:41 AM Pg: 1 of 3

NOTICE AND CLAIM FOR LIEN

The undersigned Claimant, **ACTIVE GLASS CO INC, 1530 Landmeier Road P O Box 1446, Elk Grove Village, IL 60007**, makes the following statement and claims a Mechanic's Lien under the law entitled "An Act to Revise the Laws in Relation to Mechanic's Lien," approved May 18, 1903 and all amendments thereto, and states:

- 1) The real property known and described as follows is now owned by:

RUSH ONTARIO LLC
Attn: Facilities
250 East Wisconsin Avenue
Milwaukee, WI 53202

RUSH ONTARIO LLC
Attn: Facilities
630 North Rush Street
Chicago, IL 60611

Legal description:

**Baymont Inn & Suites, 630 North Rush Street
City of Chicago, County of Cook, State of Illinois
Parcel #17-10-112-010 See attached Legal Description Exhibit "A"**

- 2) On or before **August 30, 2004**, the owner(s) and/or lessee(s) then contracted with **PICKUS CONSTRUCTION & EQUIPMENT** as an original contractor for the construction / improvement on the above-described premises. On or before **August 30, 2004**, **ACTIVE GLASS CO INC** provided materials and/or labor at the request of **PICKUS CONSTRUCTION & EQUIPMENT COMPANY INC**, 1220 Grand Avenue PO Box 710, Waukegan, IL 60079, a general contractor on this project, for a total value of **\$273,127.00**, which is the fair, usual, customary, and reasonable value of such materials and/or labor. Claimant has furnished such materials and/or labor (**glass, glazing and aluminum**) to the extent required by contract, all of which were furnished and delivered to and used in and about the improvement of the premises and of the building and other improvements thereon. The last of said materials and/or labor were furnished on or about **May 13, 2005**.
- 3) There is now justly due and owing to the Claimant for the furnishing, delivery, or performance of such materials and/or labor aforesaid by Claimant the sum of **\$163,118.70**, which is still due and unpaid. Notice has been given to the owner and contract in the manner provided by law not less than 10 days prior hereto.

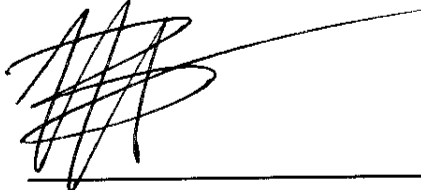
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MP.

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NOTICE AND CLAIM FOR LIEN -- *Continued*

- 4) Claimant now claims a Lien upon the above-described premises and all improvements thereon against all persons interested and also claims a Lien upon the monies or other consideration due from the aforesaid owner to the original contractor for the amount of **\$163,118.70**, together with interest as provided by statute.
- 5) Notice has been duly given to the owner, and persons otherwise interested in the above-described real estate, as to the status of the undersigned Claimant as provided by Section 24 of Chapter 82 of the Illinois Revised Statutes.

ACTIVE GLASS CO INC



July 20, 2005 By:

Michael C. Brown, Esq.
Attorney / Authorized Agent

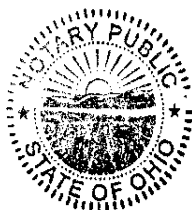
STATE OF OHIO
COUNTY OF CUYAHOGA

I, Michael C. Brown, the undersigned, being duly sworn, state that I have read the foregoing instrument and know the contents are true, in substance and in fact.



Michael C. Brown, Esq.

Subscribed and sworn to before me this **20 July, 2005**.



HEATHER WARD
Notary Public, State of Ohio, Summit County
My Commission Expires Nov. 6, 2008



Notary Public

655079

PLEASE RETURN THIS INSTRUMENT TO THE PREPARER:
Michael C. Brown, Esq., 23230 Chagrin Blvd 940, Cleveland, OH 44122, 216/464-6700

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EXHIBIT A

The South $\frac{1}{2}$ and the South 40 feet of the Northwest $\frac{1}{4}$ of Block 35 in Kinzie's addition to Chicago in Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN Number: 17-10-112-010

Commonly Known as: 630 N. Rush Street
Chicago, IL