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Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/29/2005 03:32 PM Pg: 1 of 2

SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN
ON LEASEHOLD IMPROVEMENT

STATE OF ILLINOIS)
COUNTY OF Cook) ss:

Claimant, Paragon Aquatech, Ltd. of 300 E. Industrial Lane, Wheeling, County of Cook, State of ILLINOIS, hereby files a notice and claim for lien against Pickus Construction, 1220 Grand Ave., Waukegan, IL 60154, contractor, and New York Life Ins. Co., 51 Madison Ave., New York, NY 10010 and Emanuel Lubin, Lawrence Rivkin & Sidney Midgon, Trustees Beneson March 1985 Trust, 708 Third Ave., 28th Fl., New York, NY 10017 and Rush Ontario, LLC, 250 E. Wisconsin Ave., Milwaukee, WI 53202 (Lessee), and Ontario City Centre Ltd. Liability Co., c/o Hiffman Shaffer Assoc., Inc., 180 N. Wacker, Ste. 500, Chicago, IL 60606 (Lessee) and Marcus Corp., 100 E. Wisconsin Ave., Ste.1950, Milwaukee, WI 53202 (Owner's Agent) (hereinafter referred to as "owners"), and states:

That on April 15, 2003 the owners owned the following described land in the County of Cook, State of Illinois, to wit:

PIN 17-10-112-010 and 006, The S 1/2 of the S 40 ft. of the NW 1/4 of Block 35 in Kinzie's Addition to Chicago in Sec. 10, T 39 N, R 14, E of the Third Principal Meridian, Cook County, IL

Address of premises: 630 N. Rush St., Chicago, IL 60611.

And Pickus Construction was the owner's contractor for the improvement thereof.

That on April 15, 2003 said contractor made a subcontract with claimant to furnish stainless steel swimming pool and installation and related materials and/or labor for and in said improvement, and that on July 21, 2005 the claimant completed thereunder delivery of materials and/or furnishing of labor to the value of One Hundred Sixty Four Thousand, and 00/100 (\$164,000.00) dollars.

That said owner, or the agent, architect or superintendent of owner: (a) cannot, upon reasonable diligence, be found in said county, or (b) does not reside in said county.

That said contractor is entitled to credits on account thereof as follows:

\$128,890.67
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leaving due, unpaid and owing to the claimant, after allowing all credits, the sum of Thirty Five Thousand, One Hundred Nine and 33/100 (\$35,109.33) dollars, for which, with interest, 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 contractor and owner.

Paragon Aquatech, Ltd.

BY: _____
ALLAN R. POPPER
Attorney and agent for
Paragon Aquatech, Ltd.

STATE OF ILLINOIS)
COUNTY OF COOK) St:

Affiant, ALLAN R. POPPER, being first duly sworn, on oath deposes and says that he is the attorney and agent of Paragon Aquatech, Ltd., the claimant; that he has read the foregoing notice and claim for lien and knows the contents thereof, and that all statements therein contained are true.

ALLAN R. POPPER
Attorney and agent for
Paragon Aquatech, Ltd.

Subscribed and sworn to before me this 29th day of August, 2005.

Susan C. Fabish

SUSAN C. FABISH, Notary Public

Prepared by: ALLAN R. POPPER
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