

# UNOFFICIAL COPY

State of Illinois )  
 ) SS  
County of Cook )



Doc#: 0534334125 Fee: \$20.50  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 12/09/2005 03:13 PM Pg: 1 of 6

## GENERAL CONTRACTOR'S CLAIM FOR MECHANICS LIEN

Lien Claimant and general contractor, Pickus Construction and Equipment Company, Inc., located at 1220 Grand Avenue, Waukegan, IL 60079, hereby files a General Contractor's Claim for Mechanics Lien in accordance with the Illinois Mechanics Lien Act, as set forth in 770 ILCS 60/1 et seq., against Laurence A Tisch, Emanuel Lubin and Lawrence Rivkin, as trustee under the provisions of a trust agreement dated 3/14/1985 known as The Benson March 1985 Trust (Owner), with a principal place of business in New York, New York; Ontario City Center Limited Liability Company (Master Lessee), a Delaware limited liability company with a place of business in Chicago, Illinois; Rush Ontario, LLC (Sub Lessee); Mutual Life Insurance Company of New York (Lender); Marcus Hotels, Inc. (Lender); and LaSalle National Bank, NA (Lender), and states as follows:

1. On or about March 18, 2002, Owner owned the property located at 630 North Rush Street, Chicago, IL (Cook County), having the following permanent real estate index numbers, (PIN) 17-10-112-009-0000 and 17-10-112-010-0000, and more fully described in Exhibit A, attached hereto and incorporated herein by reference, and hereinafter, together with all improvements referred to as the "Premises"; and,

2. On or about March 18, 2002, Lien Claimant entered into a written contract ("Contract") with the Sub Lessee who was knowingly permitted by the Master Lessee and Owner, to furnish labor and material for general construction of the property commonly known Baymont Inn & Suites, located at 630 North Rush Street, Chicago, IL for the base contract amount \$22,152,110.00; and,

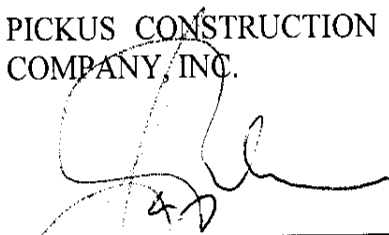
3. On or before August 18, 2005, Lien Claimant performed its last date of work on the Premises as required to be done by the Contract, including extras and additional material and extra and additional labor, to the value of \$2,844,115.71, for a total contract amount, including extras, of \$24,996,225.71; and,

4. There is now due the Lien Claimant, after allowing to the Owner all credits, deductions, and set-offs in the amount of \$23,101,794.72, the sum of \$1,894,430.99, plus interest, for which, Lien Claimant now claims a mechanics lien on the Premises and all improvements on it, and against all persons interested.

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5. To the extent permitted by law, all waivers of lien heretofore given by claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice and lien claim.

PICKUS CONSTRUCTION AND EQUIPMENT  
COMPANY, INC.



James Pickus

Geoff A. Bryce  
Yasir S. Aleemuddin  
BryceDowney, LLC  
200 N. LaSalle Street, Suite 2700  
Chicago, IL 60601  
T: (312) 377-1501  
F: (312) 377-1502

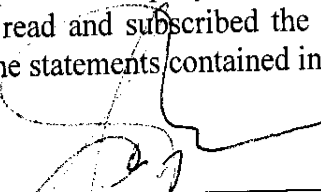
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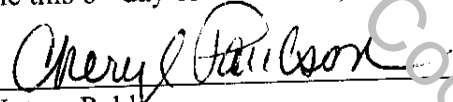
## Verification

State of Illinois            )  
   ) SS  
 County of Cook            )

The Affiant, James Pickus, being duly sworn on oath, state that I am the President for Pickus Construction and Equipment Company, Inc., the claimant named in the previous claim of lien; that I have read and subscribed the previous claim of lien and know the contents and believe that the statements contained in it are true.

  
 \_\_\_\_\_  
 James Pickus

Sworn to and subscribed before  
 me this 8<sup>th</sup> day of December, 2005

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



This document was prepared by  
 and after recording mail to:

Geoff A. Bryce  
 Yasir S. Aleemuddin  
 BryceDowney, LLC  
 200 N. LaSalle Street, Suite 2700  
 Chicago, IL 60601  
 T: (312) 377-1501  
 F: (312) 377-1502

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## PROOF OF SERVICE VIA MAIL

To: RUSH ONTARIO, LLC  
Attn: CT Corporation, as Registered Agent  
208 North LaSalle Street, Suite 814  
Chicago, IL 60604

cc: Rush Ontario, LLC  
Attn: President  
100 East Wisconsin Avenue  
Milwaukee, WI 53202

THE MARCUS CORPORATION  
c/o FIFIELD CORPORATION  
Attn: Charles R. Barcus  
20 North Wacker Drive, Suite 3299  
Chicago, IL 60606

CONTINENTAL ELECTRICAL  
CONSTRUCTION CO., LLC  
Attn: David L. Witz  
5900 West Howard Street  
Skokie, IL 60077

K-2 ARCHITECTS  
Attn: President  
329 West 18<sup>th</sup> Street, Suite 501  
Chicago, IL 60616

BECKER ELECTRICAL  
CONSTRUCTION, INC.  
Attn: Michael L. Roach  
516 North Milwaukee Ave.  
Libertyville, IL 60048

The Benson March 1985 Trust  
Attn: Emanuel Lubin, Trustee  
708 Third Avenue  
28<sup>th</sup> Floor  
New York, New York 10017

Ontario City Center LLC  
c/o Hiffman Shafer Associates, Inc.  
Attn: Melissa Lipnick  
180 N. Wacker Drive  
Chicago, IL 60606

Mutual Life Insurance Co. of New York  
Attn: Mortgage Loan Administration  
Glenpointe Center West  
500 Frank W. Burr Blvd.  
Teaneck, New Jersey 07666

LaSalle National Bank, NA  
Attn: Legal Department  
135 South LaSalle Street  
Chicago, IL 60603

The undersigned being first duly sworn, hereby states that she served the within GENERAL CONTRACTOR'S CLAIM FOR LIEN, via certified mail, return receipt requested, limited to addressee only, upon the abovementioned parties by placing copies of the same in the U.S. Mail on ~~September~~ <sup>December</sup> 9, 2005, with proper postage prepaid.

Yasir Aleemuddin  
Name: Yasir Aleemuddin

Subscribed and sworn to before me  
This <sup>9<sup>th</sup></sup> ~~8<sup>th</sup>~~ day of December, 2005

Kolette K Stim  
Notary Public



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Geoffrey A. Bryce, Esq.  
Jeanne M. Hoffmann, Esq.  
Yasir S. Aleemuddin, Esq.  
BryceDowney, LLC  
200 North LaSalle, Suite 2700  
Chicago, IL 60601  
T: (312) 377-1501  
F: (312) 377-1502

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## EXHIBIT A

Common Address: Baymont Inn and Suites  
630 North Rush Street  
Chicago, Illinois

Permanent Index Number (PIN): 17-10-112-009-0000; 7-10-112-010-0000

Legal Description:

THE SOUTH ½ AND THE SOUTH 40 FEET OF THE NORTHWEST ¼  
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.

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