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

Peter J. Bedard, Esq. Stein, Ray & Harris LLP 222 West Adams Street Suite 1800 Chicago, Illinois 60606 (312) 641-3700 Doc#: 0616316060 Fee: \$18.50 Eugene "Gene" Moore RHSP Fee: \$10.00 Cook County Recorder of Deeds Date: 06/12/2006 11:19 AM Pg: 1 of 4

ORIGINAL CONTRACTOR'S CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)	
)	SS
COUNTY OF COOK)	

The Claimant, Daniel P. Coffey & Associates, Ltd. ("Coffey"), with an address at 233 South Wacker Drive, Suite 5750, Chicago, Illinois 60606, hereby files its Original Contractor's Claim for Mechanics Lien and claims a mechanic's lien on the Real Estate (as hereinafter described) on all funds held in connection with the improvements constructed on the Real Estate and against the interest of National Boulevard Bank of Chicago, as Trustee u/t/a dated December 1, 1965, known as Trust No. 1945, a/k/a First Bank N.A., as Trustee u/t/a dated December 1, 1965, known as Trust No. 1945 ("Owner"), Citibank, FSB, as lender, and Video Superstore Muster Limited Partnership, a Delaware limited partnership, d/b/a Blockbuster Video, and North Avenue Gateway Project, LLC, an Illinois limited liability company ("North Avenue Gateway"), a joint venture between North & Kennedy LLC and Penny Beitler Gateway, LLC, in the Real Estate and any other person or entity claiming an interest in the Real Estate (as hereinafter described).

Coffey states as follows:

1. Since September 1, 2004, and subsequently, Owner has held fee simple title to the real estate (including all land and improvements thereon) ("Real Estate") in Cook County, Illinois, commonly known as 1631 N. Bosworth Avenue, Chicago, Illinois / 1520-1524 W. North Avenue, Chicago, Illinois and legally described as follows:

PARCEL 4:

THAT PART OF LOTS 55 THROUGH 66, BOTH INCLUSIVE, WHICH LIES WESTERLY OF A LINE DRAWN FROM A POINT ON THE WEST LINE OF LOT 55, SAID POINT BEING 294.96 FEET NORTH OF THE SOUTHWEST 1 CORNER OF LOT 66, TO A POINT ON THE SOUTH LINE OF LOT 66, 119.73 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 66, IN BLOCK 2 IN CHICAGO DISTILLERY COMPANY'S SUBDIVISION OF BLOCK 19 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTION 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN:

14-32-313-047-0000; 14-32-313-035-0000; 14-32-313-036-0000; 14-32-313-037-0000;

14-32-313-049-0000

Address:

1631 N. Bosworth Ave., Chicago, IL / 1520-1524 W. North Ave., Chicago, IL

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PIN: 14-32-313-047-0000

CKA: 1631 N. BOSWORTH AVENUE, CHICAGO, IL 60622

PARCEL 5:

LOTS 67 THROUGH 70 AND THE WEST 20.00 FEET OF LOT 71 IN BLOCK 2 IN CHICAGO DISTILLERY COMPANY'S SUBDIVISION OF BLOCK 19 IN SHEFFIELD'S ADDITION TO CHICAGO, BEING THE WEST ½ OF THE SOUTHWEST ¼OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO,

ALL THAT PART OF THE ORIGINAL EAST AND WEST 20 FOOT VACATED ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 66 AND SOUTH LINE PRODUCED LAST TO THE EAST LINE OF THE WEST 20 FEET OF SAID LOT 71 EXTENDED NOTIFY, LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 67 THROUGH 71, BOTH INCLUSIVE, AND LYING WEST OF AND ADJOINING THE EAST LINE OF THE WEST 20 FEET OF SAID LOT 71 EXTENDED NORTH, IN BLOCK 2 OF CHICAGO DISTILLERY COMPANY'S SUBDIVISIONS, AFOREMENTIONED, IN COOK COUNTY, ILLINOIS.

PIN: 14-32-313-035-0000

14-32-313-036-0000 14-32-313-037-0000 14-32-313-049-0000

CKA: 1520-1524 W. NORTH AVENUE, CHICAGO, IL 60622

- 2. Coffey entered into a contract on or about September 1, 2004 with North Avenue Gateway (the "Agreement") under which Coffey agreed to provide architectural services, including, but not limited to, schematic design, sesign development, development of construction documents and construction contract administration, for the construction of an auto dealership facility containing grade level retail and colow grade parking on the Real Estate as requested by North Avenue Gateway in exchange for payment by North Avenue Gateway to Coffey for a negotiated fee.
- 3. The Agreement was entered into by North Avenue Gateway and the work was performed with the knowledge and consent of Owner. Alternatively, Owner authorized North Avenue Gateway to enter into agreements for the improvements of the Real Estate. Alternatively, Owner knowingly permitted North Avenue Gateway to enter into agreements for the improvement of the Real Estate.
 - 4. Coffey continues to perform work under the Agreement.
- 5. To date, Coffey has received \$11,000.00 from North Avenue Gateway for work performed on the Real Estate.

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- As of the date hereof, there is due, owing and unpaid to Coffey, after allowing all credits, the principal balance of Nine Hundred Seventy-Two Thousand Two Hundred Forty-Six Dollars and Sixty Cents (\$972,246.60), which principal amount bears interest from time to time on the principal amount outstanding at the interest rate of 10% per annum as provided by the Illinois Mechanics Lien Act, at the per diem rate of \$266.37. Coffey claims a lien on the Real Estate (including all land and improvements thereon) in the principal amount of \$972,246.60 plus interest at the rate stated above from the date the amounts first became due.
- 7. Coffey contends that neither apportionment nor allocation of Coffey's claim is required. To the extent that apportionment or allocation among the Parcels in the Real Estate is deamed to be required, Coffey states that the amount claimed as to each Parcel is as follows:
 - With respect to Parcel 4, Coffey allocates or apportions 58% or \$563,903.02 of the principal amount of its total claim.
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 By: //Danie. ₿. With respect to Parcel 5, Coffey allocates or apportions 42% or \$408,243.58 of the principal amount of its total claim.

Dated: June q, 2006

DANIEL P. COFFEY & ASSQCIATES, LTD.

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STATE OF ILLINOIS 1 SS. COUNTY OF COOK)

AFFIDAVIT

Daniel P. Coffey, being first duly sworn, deposes and states that he is the Principal of Daniel P. Coffey & Associates, Ltd., that he is duly authorized to make this affidavit on its behalt 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.

SUBSCRIBED AND SWORN to before me County Clork's Office this 94 day of June, 2006

Notary Public

OFFICIAL SEAL PATRICIA M TELL NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:03/02/08

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