

UNOFFICIAL COPY

MECHANIC'S LIEN:
CLAIM



STATE OF ILLINOIS }
 }
COUNTY OF Cook }

Doc#: 0703256059 Fee: \$18.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 02/01/2007 10:31 AM Pg: 1 of 4

SCURTO CEMENT CONSTRUCTION, LTD.

CLAIMANT

-VS-

Wal-Mart Stores, Inc.
Wal-Mart Real Estate Business Trust
Brickyard Bank
BROADWAY CONSOLIDATED COMPANIES, INC.

DEFENDANT(S)

The claimant, **SCURTO CEMENT CONSTRUCTION, LTD.** of Elgin, IL 60123-1146, County of Kane, hereby files a claim for lien against **BROADWAY CONSOLIDATED COMPANIES, INC.**, contractor of 400 N. Noble Suite 102, Chicago, State of IL and **Wal-Mart Stores, Inc.** Chicago, IL 60604-1101 **Wal-Mart Real Estate Business Trust** Bentonville, AK 72716-0550 {hereinafter referred to as "owner(s)"} and **Brickyard Bank** Lincolnwood, IL 60712-3621 {hereinafter referred to as "lender(s)"} and states:

That on or about 08/02/2005, the owner owned the following described land in the County of Cook, State of Illinois to wit:

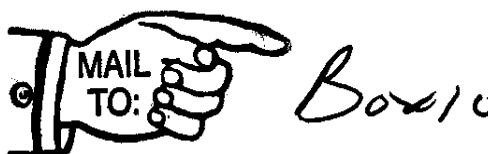
Street Address: **Wal-Mart Store No.# 5402 4650 W. North Avenue Chicago, IL 60639:**

A/K/A: **SEE ATTACHED LEGAL DESCRIPTION**

A/K/A: **TAX # 13-34-313-025 through 13-34-313-037; 13-34-314-001; 13-34-314-002; 13-34-314-005; 13-34-316-006 through 13-34-316-010; 13-34-316-019 through 13-34-316-024**

and **BROADWAY CONSOLIDATED COMPANIES, INC.** was the owner's contractor for the improvement thereof. That on or about 08/02/2005, said contractor made a subcontract with the claimant to provide **labor and material for concrete work** for and in said improvement, and that on or about 10/26/2006 the claimant completed thereunder all that was required to be done by said contract.

m\ngc.ln
jr/sb //



070119374

HP

UNOFFICIAL COPY

The following amounts are due on said contract:

Contract	\$1,489,729.13
Extras/Change Orders	\$149,857.42
Credits	\$0.00
Payments	\$1,340,755.20

Total Balance Due \$298,831.35

leaving due, unpaid and owing to the claimant after allowing all credits, the sum of **Two Hundred Ninety-Eight Thousand Eight Hundred Thirty-One and Thirty Five Hundredths (\$298,831.35) Dollars**, for which, with interest, the Claimant claims a lien on said land, beneficial interests, if any, and improvements, and on the moneys or other considerations due or to become due from the owner under said contract.

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.

SCURTO CEMENT CONSTRUCTION, LTD.

BY: *Teresa A. Brown, Jr V.P.*
Vice President

Prepared By:
SCURTO CEMENT CONSTRUCTION, LTD.
1675 Todd Farm Drive
Elgin, IL 60123-1146

VERIFICATION

State of Illinois

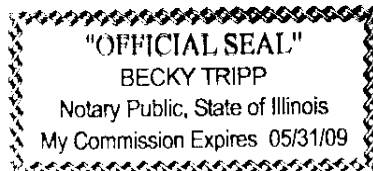
County of Kane

The affiant, Teresa A. Brown, being first duly sworn, on oath deposes and says that the affiant is Vice President of the claimant; that the affiant has read the foregoing claim for lien and knows the contents thereof; and that all the statements therein contained are true.

Teresa A. Brown
Vice President

Subscribed and sworn to
before me this **January 18, 2007**.

Becky Tripp
Notary Public's Signature



UNOFFICIAL COPY**EXHIBIT A****LEGAL DESCRIPTION****PARCEL 1:**

BLOCKS 15 AND 16 (EXCEPT THE WEST 5.00 FEET DEDICATED BY PLAT RECORDED MARCH 12, 1957 AS DOCUMENT NO. 16847421 FOR NORTH KILPATRICK AVENUE AND EXCEPT THE EAST 76.00 FEET THEREOF AND EXCEPT THAT PART FALLING IN WEST GRAND AVENUE AND EXCEPT THAT PART FALLING IN WEST NORTH AVENUE), IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT 5 ACRES IN THE SOUTHEAST CORNER AND RAILROAD RIGHT OF THE WAY), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 30 TO 42, BOTH INCLUSIVE, IN BLOCK 14 IN THE SUBDIVISION OF BLOCKS 13 AND 14 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT 5 ACRES IN THE SOUTHEAST CORNER AND RAILROAD RIGHT OF THE WAY), IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 1 TO 5, BOTH INCLUSIVE, IN G. H. O'BRIEN'S SUBDIVISION OF THE NORTH 191.00 FEET OF BLOCK 17 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT 5 ACRES IN THE SOUTHEAST CORNER AND RAILROAD RIGHT OF THE WAY), IN COOK COUNTY, ILLINOIS.

PARCEL 4:

LOTS 31 TO 40, BOTH INCLUSIVE, IN THE SUBDIVISION OF BLOCK 17 (EXCEPT THE NORTH 191.00 FEET) IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT 5 ACRES IN THE SOUTHEAST CORNER AND RAILROAD RIGHT OF THE WAY), IN COOK COUNTY, ILLINOIS.

PARCEL 5 (VACATED STREETS AND ALLEYS, AS VACATED BY ORDINANCE RECORDED APRIL 7, 1995 AS DOCUMENT NO. 95235198):

(PARCEL 5A):

VACATED WABANSIA AVENUE, LYING (1) NORTH OF LOTS 1 TO 5, BOTH INCLUSIVE, IN J. H. O'BRIEN'S SUBDIVISION OF THE NORTH 191 FEET OF BLOCK 17 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, AND LYING (2) SOUTH OF LOT 30 IN BLOCK 14 IN THE SUBDIVISION OF BLOCK 13 AND 14 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY.

UNOFFICIAL COPY

(PARCEL 5B):

VACATED NORTH KILPATRICK AVENUE LYING (1) WEST OF BLOCKS 15 AND 16 (TOGETHER WITH THE WEST 5 FEET OF SAID BLOCKS 15 AND 16 PREVIOUSLY DEDICATED BY PLAT RECORDED MARCH 12, 1957 AS DOCUMENT NO. 16847421) IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING (2) SOUTH OF THE NORTHEASTERLY LOT LINE OF LOT 42, EXTENDED SOUTHEASTERLY, IN BLOCK 14 IN THE SUBDIVISION OF BLOCKS 13 AND 14 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; AND LYING (3) NORTH OF THE SOUTH LINE OF LOT 31, EXTENDED EASTERLY, IN THE SUBDIVISION OF BLOCK 17 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 34, IN COOK COUNTY, ILLINOIS.

(PARCEL 5C):

THE VACATED EAST-WEST ALLEY LYING (1) SOUTH OF LOTS 1 TO 5, BOTH INCLUSIVE, IN J. H. O'BRIEN'S SUBDIVISION OF THE NORTH 191 FEET OF BLOCK 17 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN; AND LYING (2) NORTH OF LOT 40 IN THE SUBDIVISION OF BLOCK 17 IN W. & R. O'BRIEN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.