



Doc#: 0703322025 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/02/2007 10:19 AM Pg: 1 of 5

**SUBCONTRACTOR'S NOTICE
AND CLAIM FOR LIEN**

STATE OF ILLINOIS)
COUNTY OF COOK)

The Claimant, CONCRETE BY WAGNER, INC., of Lockport, County of Will and State of Illinois, hereby files a Notice and Claim for Lien against MONARCH DESIGN & CONSTRUCTION, LLC, Contractor, of St. Charles, County of Kane, State of Illinois, SCHAUMBURG INVESTORS, LLC, Owner, an Illinois Limited Liability Company, of San Jose, County of Santa Clara, State of California, INSYPHONY PRIVATE CAPITAL LLC, a Delaware Limited Liability Company, Mortgage Holder, of Phoenix, County of Maricopa, State of Arizona, M&I MARSHALL & HUSLEY BANK, Mortgage Holder, of Phoenix, County of Maricopa, State of Arizona, and states:

That on or about November 21, 2005, the Owner owned the following described land in the County of Cook, State of Illinois, to wit:

SEE LEGAL ATTACHED AS EXHIBIT A

P.I.N. #: 07-14-200-080-0000

a/k/a: Courtyards of Woodfield - 800 Woodfield Road, Schaumburg, Illinois
(hereinafter referred to as the "Premises").

The Owner continues to own the Premises.

That on information and belief, on or before November 21, 2005, Owner entered into a written contract with MONARCH DESIGN & CONSTRUCTION, LLC, for general contracting work for construction upon the Premises.

That on November 21, 2005, MONARCH DESIGN & CONSTRUCTION, LLC, entered into a written subcontract with the Claimant to layout, furnish, and install with all necessary labor, materials to complete all Building Concrete Work for and in said improvement upon the Premises, and on October 25, 2006, Claimant completed all required by contract and subsequent change orders.

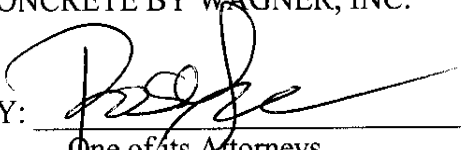
That upon completion of said contract, MONARCH DESIGN & CONSTRUCTION, LLC, became indebted to the Claimant for an initial contract amount of \$270,000.00 in addition to extras in the amount of \$15,011.00 for a total contract price of \$285,011.00.

That said MONARCH DESIGN & CONSTRUCTION, LLC is entitled to credits on account

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thereof as follows, to wit: \$256,509.90 leaving due unpaid and owing to the Claimant, after completion of the contract, after allowing all credits, the balance of TWENTY EIGHT THOUSAND FIVE HUNDRED ONE DOLLARS AND 10/100THS (\$28,501.10) for which, with interest, the Claimant claims a lien on said Premises and improvements and on the monies or other considerations due or to become due from the Owner under said contract against MONARCH DESIGN & CONSTRUCTION, LLC.

CONCRETE BY WAGNER, INC.

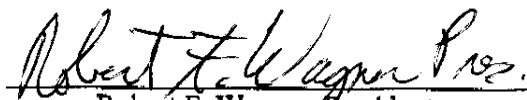
BY: 
One of its Attorneys

Property of Cook County Clerk's Office

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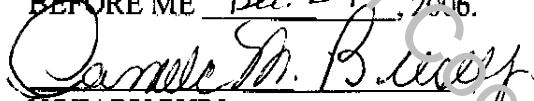
STATE OF ILLINOIS)
COUNTY OF COOK)

The Affiant, Robert F. Wagner, being first duly sworn on oath, deposes and states that he is the President of Concrete by Wagner, Inc., that he has read the foregoing claim for lien (Courtyards of Woodfield) and knows the contents thereof; and that all statements therein contained are true.

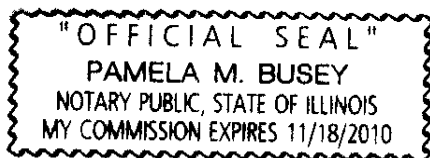


Robert F. Wagner, President

SUBSCRIBED AND SWORN TO
BEFORE ME Dec. 27, 2006.



NOTARY PUBLIC



THIS INSTRUMENT WAS PREPARED BY:
Loftus & Loftus, Ltd., Roscanne Loftus
646 Busse Highway
Park Ridge, IL 60068
(847) 318-8800
ARDC #: 6216454

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SERVICE LIST

MONARCH DESIGN & CONSTRUCTION, LLC
Attn: Casey A. Panichi
2325 Dean St., Suite 900
St. Charles, IL 60175

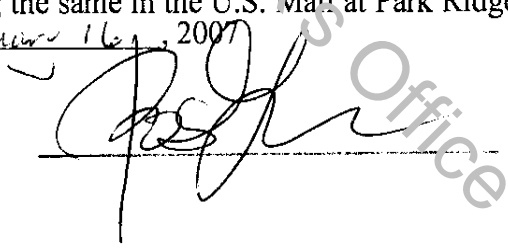
SCHAUMBURG INVESTORS LLC
Attn: Roger Carlson – Reg. Agent
2805 Butterfield Rd. – Suite 150
Oak Brook, IL 60523

INSYMPHONY PRIVATE CAPITAL LLC
Attn: Blair J. Portugal, Manager
2525 E. Camelback Road – Suite 1050
Phoenix, AZ 85016

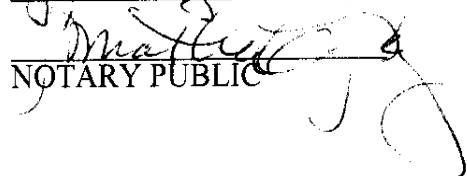
M&I MARSHALL & ILSLEY BANK
Attn: Jennifer Gorski – Vice President
1 E. Camelback Rd.
Phoenix, AZ 85012

PROOF OF SERVICE

I, Roseanne Loftus, being first duly sworn, deposes and says that I served this Notice upon the above mentioned parties and those on the attached service list by placing copies of the same in an envelope addressed to each party, *Certified Mail Return Receipt Requested, Restricted Delivery*, with prepaid postage, and depositing the same in the U.S. Mail at Park Ridge, Illinois, 60068, before the hour of 5:00 p.m. on January 16, 2007



SUBSCRIBED AND SWORN
to before me this 16th day of
January, 2007.


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EXHIBIT "A"

Permanent Real Estate Index Number(s):

07 - 14 - 200 - 080 - 0000

Legal Description:

PARCEL 1:

LOT 2 IN WOODFIELD AND PLUM GROVE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:

A NON-EXCLUSIVE PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT OF STORMWATER DRAINAGE EASEMENT DATED DECEMBER 22, 2000 FROM BIT HOLDINGS THIRTY-SIX, INC., A MARYLAND CORPORATION TO LEVY PLUM GROVE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY FOR THE PURPOSE OF CONSTRUCTING THE DRAINAGE FACILITIES INTENDED TO TRANSPORT SURFACE AND SUBSURFACE STORMWATER FROM THE BUILDINGS AND OTHER IMPROVEMENTS LOCATED FROM TIME TO TIME ON THE LEVY PROPERTY THROUGH THE EASEMENT PREMISES AS MAY BE REASONABLY NECESSARY FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND OPERATING SUCH DRAINAGE FACILITIES AND EXERCISING THE RIGHTS AND PERFORMING THE OBLIGATIONS OF LEVY IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT AND TO ENTER IN A REASONABLE MANNER UPON SUCH PORTIONS OF THE BIT PROPERTY OUTSIDE OF THE EASEMENT PREMISES AS MAY BE NECESSARY AND APPROVED BY BIT FOR THE SOLE PURPOSE OF ACCESSING THE EASEMENT PREMISES IN ORDER TO CONSTRUCT THE DRAINAGE FACILITIES AND TO EXERCISE THE RIGHTS AND PERFORM THE OBLIGATIONS OF LEVY IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT OVER THE FOLLOWING DESCRIBED LAND: THAT PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHERN MOST NORTHEAST CORNER OF LOT 1 IN WOODFIELD & PLUM GROVE SUBDIVISIONS, ACCORDING TO THE PLAT THEREOF RECORDED WITH THE COOK COUNTY RECORDER OF DEEDS ON DECEMBER 27, 2000 AS DOCUMENT NUMBER 0001013181 THENCE SOUTH 03 DEGREES 56 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1, 481.00 FEET TO A BEND POINT IN SAID EAST LINE; THENCE NORTH 86 DEGREES 03 MINUTES 42 SECONDS EAST ALONG A LINE OF SAID LOT 1, 10.00 FEET; THENCE NORTH 03 DEGREES 56 MINUTES 18 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID LOT 1, 481.00 FEET A LINE 760.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 86 DEGREES 03 MINUTES 42 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT FOR PARCEL 1 AS CREATED BY ACCESS EASEMENT AGREEMENT DATED DECEMBER 22, 2000 AND RECORDED DECEMBER 27, 2000 AS DOCUMENT 0001013186 BETWEEN LEVY PLUM GROVE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY AND BIT HOLDINGS THIRTY-SIX, INC., A MARYLAND CORPORATION FOR THE PURPOSE OF EGRESS AND INGRESS IN, OVER, UPON AND ACROSS PAVED ROADWAY AREAS OF BIT PARCEL AS DESCRIBED IN SAID AGREEMENT.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY PARKING EASEMENT AGREEMENT DATED DECEMBER 22, 2000 AND RECORDED DECEMBER 27, 2000 AS DOCUMENT 0001013188 BETWEEN LEVY PLUM GROVE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY AND AMERICAN ACADEMY OF DERMATOLOGY, A MINNESOTA NOT FOR PROFIT CORPORATION FOR THE PURPOSE OF USE OF THE AAD PROPERTY PARKING AREA FOR THE PARKING OF MOTOR VEHICLES BY LEVY AND EMPLOYEES, AGENTS, TENANTS AND INVITEES OF THE LEVY PROPERTY AND FOR INGRESS AND EGRESS FOR MOTOR VEHICLES AND PEDESTRIANS TO AND FROM THE LEVY PROPERTY FROM AND TO THE AAD PROPERTY PARKING AREA IN ORDER TO USE THE AAD PROPERTY PARKING AREA OVER THE LAND AS SHOWN ON EXHIBIT C.