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CLAIM FOR MECHANICS LIEN- Amendment No. 2

Doc#: 0705944071 Fee: \$31.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/28/2007 04:16 PM Pg: 1 of 17

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

The lien claimant, Pepper Construction Company ("Lien Claimant"), of Chicago, County of Cook, State of Illinois, hereby files this Claim for Mechanics Lien - Amendment No. 2 on February 28, 2007, amending its Claim for Mechanics Lien recorded with the Cook County Recorder of Deeds as document number 0620541148, and its Claim for Mechanics Lien - Amendment No. 1 recorded with the Cook County Recorder of Deeds as document number 0630417116, against Palmolive Tower Condominiums, L.L.C. ("Owner"), of Chicago, County of Cook, State of Illinois, the persons listed on Exhibit A and all persons who own residential units or a share of common elements of the Palmolive Building Landmark Residences, a Condominium, and the real property, and all appurtenances, fixtures and improvements thereto, defined in the Condominium Declaration, First Amendment or Second Amendment (defined below) recorded in Cook County, of the following described premises ("Premises"):

Commonly known as the Palmolive Building Landmark Residences, a Condominium, located at the Palmolive Building, 159 East Walton Place and 919 N. Michigan, Chicago, IL, 60611, including all residential units and common elements as delineated, defined and legally described in the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Palmolive Building Landmark Residences, a Condominium, recorded as Document Number 0533510002 ("Condominium Declaration"); the First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Palmolive Building Landmark Residences, a Condominium, recorded as Document Number 0605531046 ("First Amendment"); and the Second Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Palmolive Building Landmark Residences, a Condominium, recorded as Document Number 0608327004 ("Second Amendment"), located in the north half of lots 23 to 31, both inclusive, taken as a tract in Allmendinger's Lake Shore Drive addition to Chicago, a subdivision of part of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois, and legally described in the Condominium Declaration, First Amendment and Second Amendment (see Exhibit A thereto), which are attached as

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Exhibits B, C and D to the Claim for Mechanics Lien recorded with the Cook County Record of Deeds as document number 0620541148 and incorporated in full herein, and whose associated plats are recorded with the Recorder of Deeds and are incorporated herein as though set forth in full, which Premises hold one or more of the Property Identification Number(s): 17-03-213-005-0000, 17-03-213-017-0000, or units thereof.

On November 15, 2004, the Lien Claimant made a written contract with the Owner, on a cost of the work plus a fee with a guaranteed maximum price basis, to furnish construction labor, materials, equipment and services for the construction of the interior build out of the residential units and common areas of the Palmolive Building Landmark Residences at the Premises.

The Lien Claimant's work is on-going as of the date of this Claim for Mechanics Lien – Amendment No. 2. The Lien Claimant has performed work on certain portions of the premises as set forth in Exhibit E hereto. The aggregate value of the work performed as of February 15, 2007, less payments made by the Owner to Lien Claimant to date is \$24,368,363.31, including \$3,617,929.00 of unpaid retainage that will become due, unpaid base contract and approved change order work requested as follows:

\$1,059,712.00 in Payment Application No. 27;

\$691,719.00 in Payment Application No. 28;

\$528,514.00 in Payment Application No. 29;

\$8,643,154.63 in unresolved subcontractor Change Order Requests; \$2,857,245.68 in Subcontractor impact costs; and \$6,970,089.00 in Lien Claimant's impact costs, as identified in Exhibit E.

The balance due and owing to the Lien Claimant is the sum of \$24,368,363.31 for work performed through February 15, 2007, and for which amount, plus interest, fees and costs, the Lien Claimant hereby claims a Mechanics Lien on said Premises, land, and all appurtenances, fixtures and improvements thereto, including the individual residential units according to the apportionment as shown on Exhibit E. The Lien Claimant and Owner have been given notice of subcontractor liens that have not yet been incorporated in full into the amount claimed by Lien Claimant herein and Lien Claimant expressly reserves the right to include those portions of subcontractor liens or claims that Lien Claimant may deem to be properly due from Owner. The Lien Claimant reserves its right to record additional amendments to its Claim for Mechanics Lien.

PEPPER CONSTRUCTION COMPANY

By: 

Kenneth A. Egidi, President and
Chief Operating Officer

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This document was prepared by and should be returned after recording to:

Charles B. Lewis

Jeffrey L. Hamera

DUANE MORRIS LLP

227 West Monroe St.

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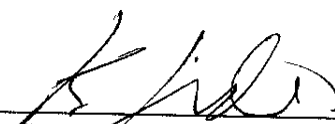
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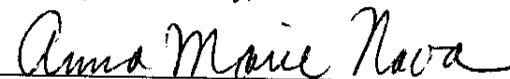
STATE OF ILLINOIS)
) ss.
 COUNTY OF COOK)

This affiant, Kenneth A. Egidi, being first duly sworn on oath, deposes and states, that he is President and Chief Operating Officer of Pepper Construction Company, the Lien Claimant, has read the above and foregoing Claim for Mechanics Lien – Amendment No. 2, has knowledge of the contents thereof, and that the same is true.



 Affiant, Kenneth A. Egidi, President and
 Chief Operating Officer
 PEPPER CONSTRUCTION COMPANY

Subscribed and sworn to before me this
 28th day of February, 2007.



 Notary Public



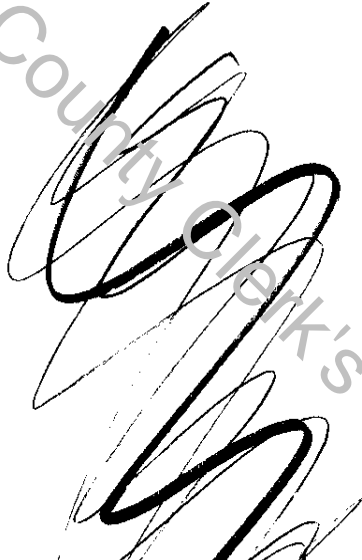
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EXHIBIT A

Property of Cook County Clerk's Office

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and flourishes, is written over the diagonal watermark text.

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NO.	GRANTEE	UNIT	LENDER
1	Almeida, Richard J. & Jill F.	20B	The Private Bank Mortgage Co., LLC, 640 N. LaSalle St., Suite 557, Chicago, IL 60610
2	Boysen, Rowena	16D	Draper & Kramer Mortgage, 100 W. 22nd St., Suite 101, Lombard, IL 60148
3	O'Connell, Cormac	6E, 9A, 15A	
4	Federsen, Myrna	15E	Draper & Kramer Mortgage, 100 W. 22nd St., Suite 101, Lombard, IL 60148
5	Rozran, Jack L. & Dawn F.	19A	
6	Simon, Marcy, Trustee of the Marcy Simon Trust d/d 9/19/99	19B	American Home Mortgage, 538 Broadhollow Rd., Melville, NY 11747
7	Stevenson, John & Chase	20A	
8	Stewart, S. Jay & Judith D.	21A	
9	Travers, Suzanne	16E	
10	Willmot, Peter S.	17A, 17C	The Northern Trust Co., 50 S. LaSalle St., Chicago, IL 60675
11	Frank S. Perry, as Trustee of the Frank S. Perry Trust	13A	
12	Barry, Robert & Marcella	7A	
13	Speh, Larry	8A	
14	Connellan	6C	
15	Glickman, Ross B. /Suzanne A.	11A	Cole Taylor Bank, 111 W. Washington Blvd., Chicago, IL 60602; Lakeside Bank, 55 W. Wacker Drive, Chicago, IL 60601; Lakeside Bank, 55 W. Wacker Dr., Chicago, IL 60601

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16	Bynoe, Peter & Linda Walker Bynoe	14A	The Northern Trust Company of IL, 50 S. LaSalle St., Chicago, IL 60675
17	Kehoe, Thomas G.	15A	City Mortgage Inc., 1000 Technology Drive, Ofalon, MO 63368
18	Willmott, Peter	17A	The Northern Trust Company of IL, 50 S. LaSalle St., Chicago, IL 60675
19	Ines Morroni Sardo, Trustee of the Ines Morroni Sardo Trust d/t/d 12/17/04; Philip C. Sardo, Trustee of the Philip C. Sardo d/t/d 12/17/04	19A/12F	
20	Rozran, Jack L. & Dawn F.	19A	Charles Schwab Bank, 188 Far Oaks Dr., Atherton, CA 94027
21	McGrath, Michael & Kristina	22A	Oak Brook Bank, 1400 16th St., Oak Brook, IL 60523
22	Moore, Wayne & Helen	23A	
23	ATG Trust Company as Trustee of Trust Agreement #10261 dated 7/25/06	25A	
24	Rubenstein, Marc A.	26A	
25	Flynn, Brian J.	27A	
26	Landis, Gregory J., Trustee of Gregory J. Landis Trust	28A	
27	Fuldner, Henry and Blazer, Judith E.; Judith E. Blazer, Trustee of the Judith E. Blazer Living Trust d/t/d/ 10/21/96	31A	
28	Vaughn, Vincent, The VAN 2005 Trust d/t/d 8/8/05	35A	Bank of America, 231 S. LaSalle St., Chicago, IL 60604
29	Connaughton, James F. and Louise Feeney	7B	Harris NA, 3800 Golf Road, Rolling Meadows, IL 60008
30	Daw, James E.	8B, 14F	First Franklin, 2150 N. First St.,

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			#100, San Jose, CA 95131
31	Wallack, Lewis	10B	The Private Bank & Trust Co., 149 E. Walton, 2nd Fl, Chicago, IL 60611
32	Coombs, Mark E. and Cynthia Price	11B	Amro Mtg. Group Inc., 135 S. LaSalle St., Chicago, IL 60604
33	Prochnow, Douglas L.	12B	Bank United FSB, 7815 N.W 148th St., Miami Lakes, FL 33016
34	Crotera, Maria	13B	First Franklin, Division of National City Bank of IN, 2150 North First St., #100, San Jose, CA 95131; Prairie Bank & Trust Co., 7661 S. Harlem Ave., Bridgeview, IL 60455
35	Hawkins, James B. & Mary Pat	14B	
36	Booth, Laurence & Patricia	15B	
37	Pappas, Nicholas J. and Linda J. Bergdahl,	16B	American Brokers Conduit, f/k/a American Home Mortgage Co., 538 Broadhollow Rd., Melville, NY 11747
38	Loomis, Brian S.	7C	Chicago Financial Services, Inc., 201 Ceder Ave., St. Charles, IL 60174
39	Hourihane, Patrick D. & Kristina K.	8C	
40	Nyberg, Marla as Trustee of the Marla Nyberg Declaration of Trust	9C	
41	DP 159 E. Walton, LLC, R.A.: Charles Demirjian, 225 N. Water St., #300, Decatur, IL	10C	
42	Birkel, Martin P.	11C	Washington Mutual Bank, 311 S. Wacker Dr., Chicago, IL 60606
43	Lilie, Harold J. and Julie N.	12C	

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	Manson		
44	Henkel, Michael C. & Frances C.	13C	
45	Aizenstein, Neal	15C	Citi Mortgage Inc., 1000 Technology Dr., Ofalon, MO 63368
46	Nayer, Rajeev & Ritu	16C	Harris N.A., 3800 Golf Road, #300, Rolling Meadows, IL 60008
47	Georges, Christos & Maria	8D	Amro Mtg. Group, Inc., 135 LaSalle St., Chicago, IL 60604
48	Grunberg, Ted and Mr. Alexander DiMauro	11D	PHH Homes Loan, LLC, 3000 Leadenhall Rd., 3rd Fl., Mt. Laurel, NJ 08054
49	Ballas II, Peter G. as Trustee of the Peter G. Bassas II Revocable Trust d/t/d 5/23/03	12D	UBS Mortgage LLC, 7601 France Ave., #300, Edina, MN; Wells Fargo Bank, NA, 1000 Blue Gentian Rd, Eagan, MN 55121
50	Johnstone, Michael B. & Lisa A.	15D	Park National Bank, 2958 Milwaukee Ave., Chicago, IL 60618
51	Elsman	6F	
52	Earhart, Barrie, Trustee of the Barrie M. Earhart Revocable Trust dated 2/24/2003	7E	
53	Glaros, Willis H. & Maria	8E	American Broker; Conduit, f/k/a American Home Mortgage Co., 538 Broadhollow Rd., Melville, NY 11747; HLB Mortgage, 801 Adlai Stevenson Drive, Springfield, IL 62703
54	NABS Investments, LLC, R.A. Barbara A. Weiner, 513 Central Ave., 5th Fl, Highland Park, IL 60035	9E	Amro Mtg. Group Inc., 135 LaSalle St., Chicago, IL 60604
55	Ross, Richard & Maria	11E	Wells Fargo Bank NA, P.O. Box 69952701, Portland, OR 97228

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56	Weaver, Richard G. & Amy J.	12E	Washington Mutual Bank, 311 S. Wacker Drive, Chicago, IL 60606; Wells Fargo Bank, NA, 1000 Blue Gentian Road, Eagan, MN 55121
57	Rosen, Brian	13E	Washington Mutual Bank, 311 S. Wacker Drive, Chicago, IL 60606; Citibank, 1000 Technology Drive, Ofallon, MO 63368
58	Miller, Susan H.	14E	National City Mortgage, 2423 Valhalla Ct., Beavercreek, OH 45385
59	Scheiwiler, Robert T.	8F	Chicago Bancorp Inc, 10 S. LaSalle, Fl. 15, Chicago, IL 60603
60	Big Beaver & Crooks Ltd. LLC	9F	The Private Bank, 149 E. Walton, 2nd Fl, Chicago, IL 60611
61	Barret, Marilyn E.	13F	Countrywide Home Loans, 4500 Park Granada, Calabasas, CA 91302
62	Daw, James E.	14F	Newcastle Home Loan, LLC, 2349 N. Elston Ave., Chicago, IL 60614
63	Calkins III, Russell W. & Catherine B.	15F	The Northern Trust of IL, 50 S. LaSalle St., Chicago, IL 60675
64	Jones, Herbert A. & Kimberly M.	7G	
65	Power, Robin & Michele	8G	
66	Georgis, Mary Lou	9G	JPMorgan Chase Bank, 439 Cassandra Dowgwillo, 439 W. Schick Rd., #200, Bloomingdale, IL 60108
67	Makam, Satyaprakash N. & Padmini S.	6A	First Midwest Bank, 50 W. Jefferson St., Joliet, IL 60432
68	Lecoque, Jay	6D	
69	Shimer, Robert J.	10D	
70	Mazer	6G	

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Exhibit E
Palmolive Building Residential Units Build-Out
APPORTIONING CALCULATIONS

Outstanding Value Attributable to Work Completed on Specific Units through February 15, 2007

Location	Percentage of Ownership <small>* "Appportioned Area" derived by Room 8 to 27 (owner) / total</small>	Total Appportioned Claim For Condominium Unit <small>7074L</small>	\$3,617,829.00 <small>Unit's Share from Pay App 1, 2008</small>	\$1,059,712.00 <small>Through December 15, 2006</small>	\$691,719.00 <small>Through January 15, 2007</small>	\$528,514.00 <small>Through February 15, 2007</small>	\$8,643,154.63 <small>Claim Subcontractor Change Requests</small>	\$2,857,245.68 <small>Subcontractor Impact Costs</small>	\$6,970,089.00 <small>POC Original Contracte Impact Costs</small>	Total Appportioned Claim For Condominium Unit <small>TOTAL</small>
Unit 14 B	0.652372 %	\$161,861.21	\$3,617,829.00	\$1,059,712.00	\$691,719.00	\$528,514.00	\$8,643,154.63	\$2,857,245.68	\$6,970,089.00	\$24,368,363.31
Unit 14 C/D	1.595124 %	\$260,624.11	\$57,658.09	\$0.00	\$28.17	\$0.00	\$88,299.25	\$17,144.65	\$45,470.88	\$61,861.21
Unit 14 E	0.392423 %	\$80,441.59	\$14,197.58	\$0.00	\$1,002.07	\$0.00	\$33,738.71	\$2,618.45	\$111,042.15	\$260,624.11
Unit 14 F	0.905779 %	\$125,671.53	\$23,152.51	\$0.00	\$0.00	\$0.00	\$33,115.54	\$7,393.98	\$27,362.21	\$80,441.59
Unit 15 A	0.999178 %	\$119,791.68	\$36,148.56	\$0.00	\$0.00	\$0.00	\$13,998.98	\$5,643.62	\$89,643.62	\$125,671.53
Unit 15 B	0.660495 %	\$80,098.99	\$23,896.24	\$0.00	\$761.57	\$0.00	\$9,404.09	\$0.00	\$46,037.09	\$80,098.99
Unit 15 C	1.022924 %	\$130,758.72	\$37,008.65	\$0.00	\$394.56	\$0.00	\$22,066.81	\$0.00	\$71,298.69	\$130,758.72
Unit 15 D	0.934270 %	\$60,042.47	\$19,329.50	\$0.00	\$394.56	\$0.00	\$3,099.31	\$0.00	\$27,700.65	\$60,042.47
Unit 15 E	0.997422 %	\$47,064.31	\$14,378.44	\$0.00	\$2,081.08	\$0.00	\$43,635.74	\$0.00	\$56,860.38	\$47,064.31
Unit 15 F	0.815777 %	\$132,819.30	\$29,514.23	\$0.00	\$0.00	\$0.00	\$33,811.70	\$2,884.77	\$1,670.35	\$132,819.30
Unit 16 A	1.189766 %	\$166,056.17	\$43,044.88	\$0.00	\$4,570.51	\$0.00	\$6,411.74	\$10,258.88	\$82,927.73	\$166,056.17
Unit 16 B	0.679241 %	\$78,329.93	\$24,574.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$47,543.72	\$78,329.93
Unit 16 C	1.051980 %	\$161,870.28	\$38,059.90	\$0.00	\$3,849.62	\$0.00	\$0.00	\$10,258.88	\$47,543.72	\$161,870.28
Unit 16 D	0.549579 %	\$89,234.78	\$19,883.39	\$0.00	\$0.00	\$0.00	\$6,561.88	\$0.00	\$7,323.97	\$89,234.78
Unit 16 E	0.959499 %	\$140,089.83	\$34,713.98	\$0.00	\$2,074.35	\$0.00	\$6,561.88	\$0.00	\$6,877.91	\$140,089.83
Unit 17 A/C	2.487323 %	\$287,887.66	\$89,989.57	\$0.00	\$2,074.35	\$1,298.86	\$36,423.40	\$0.00	\$66,877.91	\$287,887.66
Unit 17 B	1.635303 %	\$99,926.03	\$59,164.10	\$0.00	\$127,666.31	\$238,165.40	\$22,922.28	\$73,955.69	\$112,914.99	\$99,926.03
Unit 18 A	1.619994 %	\$421,649.17	\$48,979.38	\$0.00	\$61,758.62	\$20,492.59	\$22,865.41	\$104,492.36	\$113,982.08	\$421,649.17
Unit 18 B	1.353796 %	\$215,690.48	\$64,397.76	\$0.00	\$96,482.46	\$8,203.66	\$6,519.10	\$5,469.69	\$94,360.78	\$215,690.48
Unit 19 A	1.779982 %	\$158,578.70	\$43,191.83	\$199.60	\$0.00	\$0.00	\$6,628.89	\$3,783.76	\$83,210.84	\$158,578.70
Unit 20 A	1.799827 %	\$356,359.35	\$64,397.76	\$0.00	\$299.65	\$0.00	\$27,284.32	\$2,458.68	\$124,084.94	\$356,359.35
Unit 21 A	1.193827 %	\$181,907.33	\$43,191.83	\$0.00	\$0.00	\$0.00	\$1,546.53	\$3,783.76	\$83,210.84	\$181,907.33
Unit 21 B	2.058032 %	\$332,215.17	\$74,458.15	\$0.00	\$1,690.51	\$26,746.82	\$51,105.49	\$4,139.18	\$83,210.84	\$332,215.17
Unit 22 A	0.932316 %	\$664,274.65	\$73,158.21	\$0.00	\$1,940.97	\$26,746.82	\$113,239.69	\$59,977.34	\$64,983.29	\$664,274.65
Unit 23 A	2.022102 %	\$825,543.53	\$73,158.21	\$0.00	\$15,374.93	\$0.00	\$35,893.75	\$91,454.34	\$140,942.30	\$825,543.53
Unit 24 A	2.022102 %	\$653,118.43	\$73,158.21	\$0.00	\$4,930.87	\$2,703.07	\$319,853.38	\$97,519.41	\$140,942.30	\$653,118.43
Unit 25 A	2.022102 %	\$408,793.66	\$73,158.21	\$0.00	\$0.00	\$0.00	\$185,262.25	\$38,871.83	\$140,942.30	\$408,793.66
Unit 26 A	2.022102 %	\$418,298.13	\$73,158.21	\$0.00	\$0.00	\$0.00	\$168,034.62	\$38,091.35	\$140,942.30	\$418,298.13
Unit 27 A	0.000000 %	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unit 28 A	2.022102 %	\$638,380.28	\$73,158.21	\$0.00	\$0.00	\$0.00	\$276,272.42	\$147,582.33	\$140,942.30	\$638,380.28
Unit 29 A	2.022102 %	\$751,635.35	\$73,158.21	\$0.00	\$33,422.65	\$22,615.97	\$272,544.05	\$190,923.83	\$140,942.30	\$751,635.35
Unit 30 A	2.022102 %	\$677,246.59	\$73,158.21	\$0.00	\$4,438.44	\$18,228.35	\$335,724.45	\$122,457.53	\$140,942.30	\$677,246.59
Unit 31 A	2.022102 %	\$559,038.30	\$73,158.21	\$0.00	\$4,873.32	\$16,450.70	\$245,686.61	\$77,417.67	\$140,942.30	\$559,038.30
Unit 32 A	2.022102 %	\$657,020.48	\$73,158.21	\$0.00	\$14,973.32	\$43,981.73	\$233,838.71	\$138,415.17	\$140,942.30	\$657,020.48
Unit 33 A	1.964928 %	\$880,027.32	\$70,727.89	\$0.00	\$6,458.48	\$10,914.77	\$271,502.12	\$106,483.09	\$136,260.20	\$880,027.32
Unit 34 A	2.023039 %	\$862,876.08	\$71,921.12	\$0.00	\$17,354.05	\$24,099.51	\$210,871.77	\$123,741.16	\$141,007.63	\$862,876.08
Unit 35 A	1.688418 %	\$253,281.93	\$61,085.75	\$0.00	\$943.84	\$0.00	\$50,296.32	\$21,482.83	\$117,664.21	\$253,281.93
Unit 36 A	1.736221 %	\$197,131.80	\$42,815.23	\$0.00	\$0.00	\$0.00	\$3,028.11	\$2,583.00	\$121,016.13	\$197,131.80
Unit 37 A	1.253816 %	\$132,776.12	\$45,362.16	\$0.00	\$0.00	\$0.00	\$21.89	\$0.00	\$87,392.07	\$132,776.12
TOTALS:	100.000000 %	\$24,368,363.31	\$3,617,829.00	\$1,059,712.00	\$691,719.00	\$528,514.00	\$8,643,154.63	\$2,857,245.68	\$6,970,089.00	\$24,368,363.31