

UNOFFICIAL COPY

SUBCONTRACTOR'S CLAIM FOR LIEN



Doc#: 0711718094 Fee: \$21.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 04/27/2007 04:21 PM Pg: 1 of 7

STATE OF ILLINOIS) COUNTY OF COOK) SS

IN THE OFFICE OF THE RECORDER OF DEEDS COOK COUNTY, ILLINOIS

The undersigned lien claimant, INTERNATIONAL MARBLE & GRANITE SUPPLY, INC. ("International Marble"), located at 2950 West Grand Avenue, Chicago, Cook County, Illinois, hereby files notice and claim for lien against the following:

(i) Atlas 21 Construction Corporation, located at 1016 West Madison Street, #1C, Illinois 60607 ("Contractor");

(ii) Casablanca Lofts, LLC c/o Michael A. Wier, located at 1736 South Michigan Avenue, Chicago, Illinois 60616, and also at 1990 South Ridge Road, Green Bay, Wisconsin, 54304 ("Owner");

(iii) Casablanca on Michigan Condominium Association (or the association name adopted pursuant to Section 8(b)(iii) of the Casablanca on Michigan Condominium Declaration of Condominium dated 11/16/2005), located at 1736 South Michigan Avenue, Chicago, Illinois 60616;

Andrea M. Wier, located at 1736 South Michigan Avenue, #2A, [formerly or a/k/a: 98 East 18th Street], Chicago, Illinois 60616;

Joyce Tarbet, located at 1736 South Michigan Avenue, #2C, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

Steven C. Hettrich and Stephanie A. Hettrich, located at 1736 South Michigan Avenue, #2D, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

Nicole Lee Wier, located at 1736 South Michigan Avenue, #2E, [formerly or a/k/a: 98 East 18th Street], Chicago, Illinois 60616;

Thomas R. Pagels and Kim K. Pagels, located at 1736 South Michigan Avenue, #3C, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

Jason A. Howard and Alexis M. Reed, located at 1736 South Michigan Avenue, #3D, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

Craig L. Richey, located at 1736 South Michigan Avenue, #3F, Chicago, Illinois 60616;

Leslie Park-Lichtenstein and Tzvi Lichenstein or Immel Brett, located at 1736 South Michigan Avenue, #4B, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

UNOFFICIAL COPY

Michael A. Wier and Roberta Wier, located at 1736 South Michigan Avenue, #4C, [formerly or a/k/a: 70 East 18th Street], Chicago, Illinois 60616;

Jeffrey Mueller, Nawal Ragheb-Mueller, 1736 South Michigan Avenue, #4B, Chicago, Illinois 60616;

collectively, those listed in item (iii) are "Unit Owners";

(iv) and all others claiming an interest in the below described real property.

The undersigned states:

On or about and prior to April 1, 2005, Owner owned the following described land in the County of Cook, State of Illinois, to wit:

UNIT NUMBERS 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F, 4A, 4B, 4C, 4D, 4E, and 4F IN THE CASABLANCA ON MICHIGAN CONDOMINIUM AS DELINEATED ON THE SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOTS 2 AND 3, LYING BELOW A HORIZONTAL PLANE OF +81.06, CITY OF CHICAGO DATUM, IN S.N. DEXTER'S SUBDIVISION OF BLOCK 4 IN ASSESSOR'S DIVISION OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART THEREOF LYING ABOVE A HORIZONTAL PLANE OF +11.95 CITY OF CHICAGO DATUM, AND LYING BELOW A HORIZONTAL PLANE OF +27.65 CITY OF CHICAGO DATUM, DESCRIBED AS FOLLOWS : BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 98.42 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 2 AND 3, A DISTANCE OF 20.06 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 20.05 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 20.06 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 53.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 18.16 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 5.12 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 4.70 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 5.37 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 4.76 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 6.65 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 13.25 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 3.84 FEET TO A POINT IN THE WEST LINE OF SAID LOTS 2 AND 3, SAID POINT BEING 11.13 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 11.13 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 150.05 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 5.98 FEET; THENCE EAST PARALLEL WITH THE NORTH

UNOFFICIAL COPY

LINE OF SAID LOT 3, A DISTANCE OF 14.74 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 1.26 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 7.41 FEET TO A POINT IN THE EAST LINE OF SAID LOTS 2 AND 3, SAID POINT BEING 44.76 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG THE EAST LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 44.76 FEET TO THE POINT OF BEGINNING), ALL IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED AS DOCUMENT NO. 0533334073 IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, AS AMENDED FROM TIME TO TIME.

The above-described property is more commonly known as 1736 South Michigan Avenue, Chicago, Illinois, and has a permanent index number of 17-22-301-062-1001 through 17-22-301-062-1017, inclusive. Such above-described property is hereinafter referred to as the "Property." Contractor was Owner's general contractor for the improvement of the Property.

Prior to development and subdivision of the Casablanca on Michigan Condominium, records reveal the address of the property was known as 70 E. 18th Street, Chicago, Illinois 60616, and had a permanent index number of 17-22-301-044-0000.

On information and belief, prior to April 1, 2005, Owner, or someone authorized or knowingly permitted by the Owner to do so, entered into a contract with Contractor wherein Contractor was to provide labor, materials, equipment, and supplies for the construction of and repairs, alterations, and improvements to and for the benefit of the Property.

On or about April 1, 2005, Contractor entered into a contract with International Marble to furnish and install labor, materials, equipment and supplies necessary to install certain marble and granite tiles and slabs, flooring, and plumbing materials under the Contractor's contract with Owner, or one knowingly permitted by the Owner to contract for construction on the Property. On January 27, 2007, International Marble fully and satisfactorily completed all work under its contract with Contractor. Pursuant to the contract with Contractor, Contractor was obligated to pay International Marble \$490,906.02, including all change orders, required to be performed by International Marble.

During performance of the contract, the property was developed and subdivided into condominiums now known as the Casablanca on Michigan Condominium. Portions of the property, at various times and according to various records, were known by five other common addresses prior to development of the condominiums, including 70 East 18th Street, 98 East 18th Street, 105 East 18th Street, 1732 South Michigan Avenue, and 1734 South Michigan Avenue, Chicago, Illinois. Where mortgage and governmental records provided a prior address, such address is located in brackets in the list of owners in item (ii) above. Beginning on or about November 23, 2005, Owner transferred ownership to portions of the Property to Unit Owners.

Contractor is entitled to \$359,480.06 in credits, leaving due, unpaid and owing to International Marble, after allowing for all credits, the sum of \$131,419.96, for which, with interest and attorneys' fees International Marble claims as a lien on the Property and all improvements thereon and on the money, bonds, warrants and other considerations due or to become due from the Owner, Contractor,

UNOFFICIAL COPY

and/or the Unit Owners under said contract between Contractor and Owner. All of the labor, materials, equipment and work performed by International Marble were performed and furnished with the knowledge and consent of the Owner, and Owner knowingly permitted Contractor to enter into contracts for the improvement of the Property, including the contract between International Marble and Contractor. Contractor's prime contract with Owner and Contractor's subcontract with International were for the improvement of the Property.

The Unit Owners' percentage ownership of common elements with respect to each of the Units set forth in the above legal description and the lienable amount of each is as follows:

Unit No.	Percentage of Ownership <u>Interest</u>	Lienable <u>Amount</u>
Unit 2A	2.37%	\$ 3,114.65
Unit 2B	3.90%	\$ 5,125.38
Unit 2C	5.09%	\$ 6,689.28
Unit 2D	3.79%	\$ 4,980.82
Unit 2E	2.97%	\$ 3,903.17
Unit 3A	8.85%	\$ 11,683.23
Unit 3B	4.82%	\$ 6,334.44
Unit 3C	6.51%	\$ 8,555.44
Unit 3D	5.39%	\$ 7,083.54
Unit 3E	7.88%	\$ 10,355.89
Unit 3F	6.76%	\$ 8,883.99
Unit 4A	9.36%	\$ 12,300.91
Unit 4B	6.75%	\$ 8,876.35
Unit 4C	8.29%	\$ 10,894.71
Unit 4D	5.57%	\$ 7,320.09
Unit 4E	5.84%	\$ 7,674.93
Unit 4F	<u>5.82%</u>	<u>\$ 7,648.64</u>
TOTAL	<u>100.00%</u>	<u>\$131,419.96</u>

Notice has been duly given to Owner and Unit Owners, and persons otherwise interested in the above described real estate, as to the status of the undersigned as subcontractor as provided by the Illinois Mechanics Lien Act 770 ILCS 60/5 and 60/24 (1992).

INTERNATIONAL MARBLE & GRANITE SUPPLY, INC.

By: _____

Fidgely J. Jackson
One of its Attorneys

Prepared by and return to:

Bill Toliopoulos, Esq.

DLA Piper US LLP

203 North LaSalle Street, Suite 1900

Chicago, Illinois 60601

UNOFFICIAL COPY

STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS

The affiant, PETER HLEPAS, being first duly sworn, deposes and states that he is the President of INTERNATIONAL MARBLE & GRANITE SUPPLY, INC., the Claimant; that he has read the foregoing notice and claim for lien and knows the contents thereof, and that all the statements therein contained are true.



 PETER HLEPAS

Subscribed and sworn to before me
 this 27th day of April, 2007.



UNOFFICIAL COPY

CERTIFICATE OF SERVICE

I, Ridgely J. Jackson, first duly sworn, depose and say that on April 27, 2007, I served the within Notice upon the parties set forth below by placing copies of the same in an envelope addressed to each party, CERTIFIED MAIL, RECEIPT REQUESTED, RESTRICTED DELIVERY and FIRST CLASS MAIL, as follows:

Atlas 21 Construction Corporation
c/o Van Tomaras, Registered Agent
1016 West Madison Street, #1C
Chicago, Illinois 60607

Casablanca on Michigan Condominium Association
(or association name adopted pursuant to Section 8(b)(iii)
of the Casablanca on Michigan Condominium
Declaration of Condominium dated 11/16/2005)
1736 South Michigan Avenue
Chicago, Illinois 60616
Attention: Board of Managers
Michael A. Wier, Manager (or Current Manager)

Casablanca Lofts, LLC
c/o Michael A. Wier
1736 South Michigan Avenue
Chicago, Illinois 60616

Casablanca Lofts, LLC
c/o Michael A. Wier
1990 South Ridge Road
Green Bay, WI 54304

Andrea M. Wier
1736 South Michigan Avenue, #2A
[formerly or a/k/a: 98 East 18th Street]
Chicago, IL 60616

Joyce Tarbet
1736 South Michigan Avenue, #2C
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

Steven C. Hettrich and Stephanie A. Hettrich
1736 South Michigan Avenue, #2D
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

UNOFFICIAL COPY

Nicole Lee Wier
1736 South Michigan Avenue, #2E
[formerly or a/k/a: 98 East 18th Street]
Chicago, IL 60616

Thomas R. Pagels and Kim K. Pagels
1736 South Michigan Avenue, #3C
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

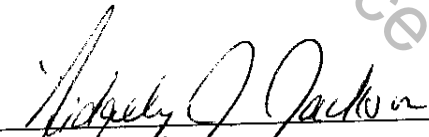
Jason A. Howard and Alexis M. Reed
1736 South Michigan Avenue, #3D
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

Craig L. Richey
1736 South Michigan Avenue, #3F
Chicago, IL 60616

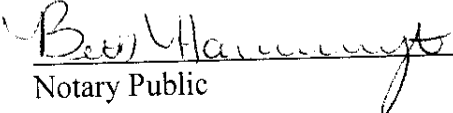
Leslie Park-Lichtenstein and Tzvi Lichenstein or Immel Brett
1736 South Michigan Avenue, #4B
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

Michael A. Wier and Roberta Wier
1736 South Michigan Avenue, #4C
[formerly or a/k/a: 70 East 18th Street]
Chicago, IL 60616

Jeffrey Mueller
Nawal Ragheb-Mueller
1736 South Michigan Avenue, #4B
Chicago, IL 60616


Ridgely J. Jackson

Subscribed and sworn to before me
this 27th day of April, 2007.


Notary Public

