

UNOFFICIAL COPY

SUBCONTRACTOR'S NOTICE  
AND LIEN CLAIM ON  
PRIVATE PROPERTY  
STATE OF ILLINOIS

SS  
COUNTY OF COOK

MC CANN INDUSTRIES, INC.

-VS-

POTER CONSTRUCTION &  
DEVELOPMENT COMPANY, SIX  
CORNERS, L.L.C., CHICAGO KLEE  
DEVELOPMENT, L.L.C, FIFTH THIRD  
BANK



Doc#: 0804409032 Fee: \$20.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 02/13/2008 11:31 AM Pg: 1 of 6

The Claimant, **MC CANN INDUSTRIES, INC.**, 543 S. Rohlwing Road, Addison, IL 60101, County of DuPage, State of Illinois, hereby gives a Notice for Subcontractor's Lien and claims a lien against **POTER CONSTRUCTION & DEVELOPMENT COMPANY**, 4701 N. Sheridan Road, Chicago, IL 60640 ("General Contractor"), and **SIX CORNERS, L.L.C.**, 5440 N. Cumberland Ave., Suite 301, Chicago, IL 60656 and **CHICAGO KLEE DEVELOPMENT, L.L.C.**, 4006 N. Milwaukee Avenue, Suite 200, Chicago, IL 60641 (collectively referred to as "Owners") and **FIFTH THIRD BANK**, 2701 Algonquin Road, Rolling Meadows, IL 60005 ("Lender").

That on September 11, 2007, said last named persons were the Owners and Lender of the following described land in the County of **Cook**, State of Illinois, to-wit:

LEGAL DESCRIPTION:

See attached legal description

Common street address: 4001-4021 N. Milwaukee Avenue, Chicago, IL 60641  
Permanent Tax Numbers: 13-16-431-008; 13-16-431-009; 13-16-431-010; 13-16-431-011; 13-16-431-021;  
13-16-431-022; 13-16-431-028

That on September 11, 2007, said General Contractor hired Claimant to provide caulk, Tremproof, Sika 670, Sikagard 550W and various construction material. Claimant's last date it supplied material for use on said property was October 31, 2007. After all just credits and set offs, there is a balance due Claimant in the sum of TEN THOUSAND FOUR HUNDRED FORTY-SIX AND 89/100THS DOLLARS (\$10,446.89) for which, plus interest, the Claimant claims a lien on said land and improvements.

MC CANN INDUSTRIES, INC.

BY:

  
Michael T. Nigro,  
Attorney and Authorized Agent

This instrument was prepared by:  
MICHAEL T. NIGRO  
NIGRO & WESTFALL, P.C.  
1793 Bloomingdale Road  
Glendale Hts., IL 60139  
(630) 682-9872

**UNOFFICIAL COPY****LEGAL DESCRIPTION****Condominium Parcel 1**

(Upper Limit 34.18 C. C. D. No Lower Limit)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3, being a subdivision of that part East of Milwaukee Avenue of Lot 12 (except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying below the horizontal plane having an elevation of 34.18 feet Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Beginning at the intersection of a point 4.00 feet South of the North line of Lot 14 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 and on the East line of said Lot 14, thence South 00°00'00" West, 110.03 feet along said East line and along Lots 13, 12 and part of Lot 11 in said E. C. Dickinson's Milwaukee Avenue Subdivision to a point 9.00 feet South of the Northeast corner of Lot 11 aforesaid; thence North 89°56'32" West, 65.84 feet; thence South 40°41'07" West, 26.03 feet; thence South 24°36'31" East, 33.03 feet; thence North 40°41'07" East, 4.99 feet; thence South 89°29'18" East, 65.81 feet, along the South line of a vacated 16 foot wide alley to the Northeast corner of Lot 3 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3; thence South 00°00'00" West, 153.04 feet along East line of Lots 1, 2 and 3 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 to the South corner of said Lot 1; thence North 49°17'16" West, 280.10 feet along the Southwesterly line of Lots 1 to 8 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 to the Northwest corner of said Lot 8; thence North 40°41'07" East, 125.00 feet along the Northwesterly line of said Lot 8 to the Northeast corner aforesaid; thence North 20°06'52" East, 16.94 feet; thence North 00°00'00" West, 17.30 feet along the West line of said Lot 14; thence South 89°29'18" East, 41.17 feet along a line 4.00 feet South of the North line of said Lot 14; thence South 00°00'00" West, 48.54 feet; thence South 89°29'18" East, 22.00 feet; thence North 00°00'00" East, 48.54 feet to a line 4.00 feet South of the North line of said Lot 14; thence South 89°29'18" East, 61.83 feet to the point of beginning, in Cook County, Illinois.

**Condominium Parcel 2**

(Upper limit 50.31 C. C. D. Lower Limit 34.18 C. C. D.)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 34.18 feet and below the horizontal plane of 50.31 feet in Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the South corner of Lot 1 in said E. C. Dickinson's Milwaukee Subdivision; thence North 49°17'16" West, 133.89 feet along the Southwesterly line of Lots 1, 2 and part Lot 3 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 to the point of beginning; thence North 40°42'44" East, 40.00 feet; thence South 49°17'16" East, 1.75 feet; thence North 40°42'44" East, 8.75 feet; thence North 49°17'16" West, 16.75 feet; thence South 40°42'44" West, 48.75 feet to the Southwesterly line of said Lot 3; thence South 49°17'16" East, 15.00 feet along the Southwesterly of Lot 3 in said E. C. Dickinson's Milwaukee Subdivision to the point of beginning, in Cook County, Illinois.

**Condominium Parcel 3**

(Upper limit 51.33 C. C. D. Lower Limit 34.18 C. C. D.)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 34.18 feet and below the horizontal plane of 50.31 feet in Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the South corner of Lot 1 in said E. C. Dickinson's Milwaukee Subdivision; thence North 49°17'16" West, 205.85 feet along the Southwesterly line of Lots 1 to 5 and part of Lot 6 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3; thence North 40°42'44" East, 25.95 feet to the point of beginning; thence North 49°17'16" West, 18.91 feet; thence North 40°42'44" East, 8.50 feet; thence South 49°17'16" East, 18.91 feet; thence South 40°42'44" West, 8.50 feet to the point of beginning, in Cook County, Illinois.

UNOFFICIAL COPY

07/25/15 00:00 Page: 5 of 8

**Condominium Parcel 4**

(Upper limit 50.31 C. C. D. Lower Limit 34.18 C. C. D.)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 34.18 feet and below the horizontal plane of 50.31 feet in Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the South corner of Lot 1 in said E. C. Dickinson's Milwaukee Subdivision; thence North 00°00'00" East, 141.79 feet along the East line of Lots 1, 2 and part of Lot 3 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 to the point of beginning; thence South 89°55'29" West, 26.00 feet; thence North 00°00'00" East, 11.52 feet to the South line of a vacated 16 foot wide alley; thence North 89°55'29" East, 26.00 feet along the South line aforesaid to the East line of said Lot 3; thence South 00°00'00" West, 11.25 feet along the East line of said Lot 3 to the point of beginning, in Cook County, Illinois.

**Condominium Parcel 5**

(Lower limit 34.18 C. C. D. No upper limit)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3, being a subdivision of that part East of Milwaukee Avenue of Lot 12 (except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 34.18 feet Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the intersection of a point 4.00 feet South of the North line of Lot 14 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 and on the East line of said Lot 14, thence North 89°29'18" West, 40.33 feet along a line 4.00 feet South of the North line of Lot 14 aforesaid to the point of beginning; thence continuing North 89°29'18" West, 21.50 feet along a line 4.00 feet South of the North line of said Lot 14; thence South 00°00'00" West, 14.00 feet; thence South 89°29'18" East, 21.50 feet; thence North 00°00'00" East, 14.00 feet to the point of beginning, in Cook County, Illinois.

**Condominium Parcel 5A**

Inclined plane (Lower limit 34.18 to 25.80 C. C. D. No upper limit)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3, being a subdivision of that part East of Milwaukee Avenue of Lot 12 (except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above a slanted plane defined by the hereinafter described points "A", "B" and "C" and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the intersection of a point 4.00 feet South of the North line of Lot 14 in said E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 and on the East line of said Lot 14, thence North 89°29'18" West, 61.83 feet along a line 4.00 feet South of the North line of Lot 14 aforesaid to the point of beginning being also point "A" which has an elevation of +34.18 feet above Chicago City Datum; thence continuing North 89°29'18" West, 22.00 feet along a line 4.00 feet South of the North line of said Lot 14 to point "B" which has an elevation of +34.18 feet above Chicago City Datum; thence South 00°00'00" West, 48.54 feet horizontally to point "C" which has an elevation of +25.80 feet above Chicago City Datum; thence South 89°29'18" East, 22.00 feet; thence North 00°00'00" East, 48.54 feet to the point of beginning, in Cook County, Illinois.

**Part of Condominium Parcel 6**

Lower limit 50.31 C. C. D. No upper limit)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 50.31 feet in Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Beginning at the South corner of Lot 1 in said E. C. Dickinson's Milwaukee Subdivision; thence North 49°17'16" West, 148.89 feet along the Southwesterly line of Lots 1 to 3 in said E. C. Dickinson's Milwaukee Subdivision; thence North 40°42'44" East, 62.23 feet; thence South 49°17'16" East, 45.43 feet; thence North 00°00'00" East, 38.72 feet to the South line of a vacated alley; thence South 89°29'18" East, 37.83 feet along the South line aforesaid to the East line of said Lot 3; thence South 00°00'00"

# UNOFFICIAL COPY

West, 153.04 feet along the East line of said Lots 1, 2 and 3 to point of beginning, in Cook County, Illinois.

Also

Lower limit 51.33 C. C. D. No upper limit)

A parcel of land lying within E. C. Dickinson's Milwaukee Avenue Subdivision Number 3 except the North 33 feet thereof) of School Trustees Subdivision of Section 16, Township 40 North, Range 13 East of the Third Principal Meridian recorded May 12, 1911 under document # 4757929, lying above the horizontal plane having an elevation of 51.33 feet in Chicago City Datum and lying within its horizontal boundary projected vertically, bounded and described as follows: Commencing at the South corner of Lot 1 in said E. C. Dickinson's Milwaukee Subdivision; thence North  $49^{\circ}17'16''$  West, 148.89 feet along the Southwesterly line of Lots 1 to 3 in said E. C. Dickinson's Milwaukee Subdivision to the point of beginning; Thence continuing North  $49^{\circ}17'16''$  West, 151.21 feet along the Southwesterly line of Lots 1 to 8 in said E. C. Dickinson's Milwaukee Subdivision to the northwest corner of lot 8; thence North  $40^{\circ}41'07''$  East, 66.00 feet along the northerly line of lot 8; thence South  $49^{\circ}17'16''$  East 131.24 feet; thence South  $40^{\circ}42'44''$  West 66.00 feet to the point of beginning; in Cook County, Illinois.

Property of Cook County Clerk's Office

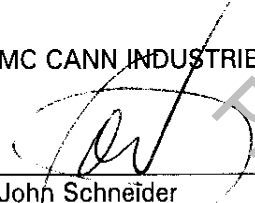
# UNOFFICIAL COPY

VERIFICATION

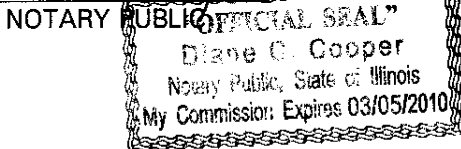
STATE OF ILLINOIS     )  
                                   )SS.  
 DU PAGE COUNTY     )

The Affiant, JOHN SCHNEIDER, being first duly sworn on oath deposes and says, that he is the Chief Financial Officer of McCann Industries, Inc.; that he has read the foregoing Subcontractor's Notice and Lien Claim on Private Property, knows the contents thereof, and that all the statements therein contained are true.

MC CANN INDUSTRIES, INC.

  
 \_\_\_\_\_  
 John Schneider  
 Chief Financial Officer

SUBSCRIBED AND SWORN TO  
 before me this 29<sup>th</sup> day  
 of January, 2008.

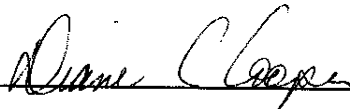


Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## AFFIDAVIT OF SERVICE

The undersigned being first duly sworn under oath, deposes and states that he/she served a copy of the foregoing Subcontractor's Notice and Lien Claim on Private Property on those parties listed above by depositing said Notice in the U.S. Mail, addressed accordingly, **certified mail**, restricted delivery\*, return receipt requested, all on this 29<sup>th</sup> day of January, 2008, before the hour of 6:00 p.m.

  
\_\_\_\_\_

Regular Mail

POTER CONSTRUCTION & DEVELOPMENT COMPANY

5440 n. Cumberland, #301

Chicago, IL 60641

("General Contractor")

\* CERTIFIED MAIL RETURN RECEIPT REQUESTED

**CHICAGO KLEE DEVELOPMENT, L.L.C.**

4006 N. Milwaukee Ave., Suite 200

Chicago, IL 60641

Marc Sussman, Manager

("Owner"),

\*CERTIFIED MAIL RETURN RECEIPT REQUESTED

**SIX CORNERS, L.L.C.**

5440 N. Cumberland Avenue, Suite 301

Chicago, IL 60656

Marc Sussman, Manager

("Owner")

CERTIFIED MAIL RETURN RECEIPT REQUESTED

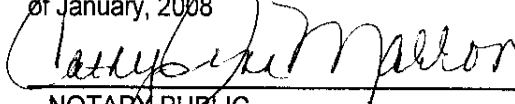
**FIFTH THIRD BANK**

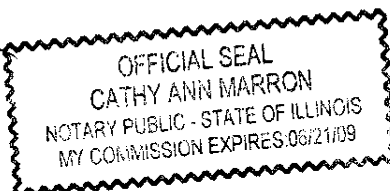
2701 Algonquin Road

Rolling Meadows, IL 60008

("Lender")

Subscribed and Sworn to  
before me this 29<sup>th</sup> day  
of January, 2008

  
\_\_\_\_\_  
NOTARY PUBLIC



cc: John Schneider, McCann