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SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN

Doc#: 0809455000 Fee: \$30.50 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds

Date: 04/03/2008 09:51 AM Pg: 1 of 4

State of Illinois)
) ss.
County of Cook
)

The claimant, Skyrise Ornamental Iron Works, Inc., an Illinois corporation, of 523 Pond Gate Drive, Barrington Hills, Illinois, County of Cook, State of Illinois, (hereinafter referred to as "Claimant") hereby files notice and claim for lien against Total Window Corporation, of 600 Waukegan Road, Northbrook, Illinois 60062 (hereinafter referred to as "Contractor"), and 400 N. Orleans, LLC., a limited liability company, of 600 Waukegan Road, Northbrook, Illinois 60062 (hereinafter referred to collectively as "Owners"), and states:

That on Januar, 15, 2008 and prior thereto, the owners owned the following described land in the County of Cook, State of Illinois, to wit:

PARCEL 1:

LOT 15 (EXCEPT THE WEST 18 FEE TO AND ALL OF LOT 16 IN BLOCK 2 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 1/4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 15 (EXCEPT THE WEST 18 FEET) AND ALL OF LOT 16 IN BLOCK 2 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN THE WEST ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS AS CREATED BY GRANT OF EASEMENT MADE BY AND BETWEEN THE CITY OF CHICAGO AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST NUMBER 105163 RECORDED SEPTEMBER 18, 1990 AS DOCUMENT 90454674 FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE PROPOSED STRUCTURE (A TWELVESTORY OFFICE BUILDING) WITHIN THE AIR SPACE BOUNDARIES DESCRIPED AS FOLLOWS:

THAT PART OF WEST 18.00 FEET OF LOT 15 LYING ABOVE AN INCLINE PLANE REGINNING AT ELEVATION +25.73 FEET CHICAGO CITY DATUM, MEARURED ALONG THE SOUTH LINE OF LOT 15; THENCE NORTH, ALONG SAID INCLINE PLANE, (OF UNIFORM SLOPE) TO ELEVATION OF +28.52 FEET CHICAGO CITY DATUM, MEASURED ALONG THE NORTH LINE OF LOT 15; AND LYING BELOW A HORIZONTAL PLANE AT ELEVATION +198.52 FEET CHICAGO CITY DATUM, ALL IN BLOCK 2 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN THE WEST ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Number(s): 17-09-256-005-0000

Address of Premises: 400 N. Orleans, Chicago, Illinois

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That on or about June 29, 2006 and subsequent thereto, said Contractor made a subcontract with the Claimant to furnish and install on the subject premises, storefront and curtain wall as shown on shop drawings, provide caulking, unload, distribute and install window and door units, and provide shims and fasteners as required, with material and labor equal to a value of \$276,990.00 for and in said improvement and that on January 15, 2008 the Claimant completed there under all required by said contract to be done with the exception and credit for two storefront entrances. That also on June 29, 2006 and thereafter, at the special instance and request of said Contractor, the Claimant thereafter furnished extra and additional materials, extra and additional labor and extra hours and work due equal to a value of \$19,083.00 [work orders #3070-3074; change order dated 3/23/07 and accepted 3/30/07; credit for deletion of caulking].

That or July 26, 2007, Claimant filed a Sub-Contractor's Notice and Claim for Lien in the amount of \$100,973.00 and recorded same with the Cook County Recorder of Deeds as document 0720749000. Ther, at the special instance and request of Contractor [as evidenced by the Waiver of Lien To Date and Memorandum of Understanding attached heretol, Claimant signed and executed a Satisfaction and Release of Mechanic's Lien [document 0720749000]; however, said Contractor, after allowing for all credits and payments, leaving due, unpaid and owing to the Claimant the sum of \$21,397.00 for which, with interest the Claimant claims a lien on said land and improvements, against said Contractor and Owners, and on the monies or other considerations due or to become due from the Owners under said contract. 204 Col

State of Illinois)) ss. County of Cook)

The affiant, Brian Holt, being duly sworn, on oath decoses and says that he is the President of Skyrise Ornamental Iron Works, Inc., an Illinois corporation, 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.

Skyrise Ornamental Iron Works, Inc.

Brian Holt/President

Subscribed and sworn to me before this 2nd day of April, 2008.

Notary Public

This instrument was prepared by:

Mail to: $\rightarrow \rightarrow \rightarrow$

Raymond M. Sophie Attorney at Law 5111 N. Tamarack Drive Barrington, Illinois 60010 (847)-934-7166

OFFICIAL SEAL RAYMOND M SOPHIE **NOTARY PUBLIC - STATE OF ILLINOIS** MY COMMISSION EXPIRES:12/08/08

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STATE OF ILLINOIS SS UNOFF

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TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been employed by TOTAL WINDOW CORPORATION.

to furnish WINDOW INSTALLATION

for the premisea known as 400 N ORLEANS

of which 400 N ORLEANS LLC. is the owner.

THE undersigned, for and in consideration of FOURTY-SEVEN THOUSAND THREE HINDRED FIVE AND 09/100 (\$ 47.305.09) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, do (cs) hereby waive and release any and all lien or claim of or right to, lien, under the statutes of the State of Illinois, relating to mechanics' liens, with respect to and on said above-classified premises, and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the owner, on account of labor services, material, fixtures, apparatus or machinery furnished to this date by the undersigned for the above-described premises. INCLUDING EXTRAS*

services, material, fixtures, appara	tus or machinery, furnished to this date	by the undersigned for the	abovo- described premi	ses. INCLUDING EXT	RAS*	
DATE: <u>8/22/07</u>	COMPANY NA ADDRESS: <u>523</u>	COMPANY NAME: <u>SKYRISE ORNAMENT LE IRON WORKS, INC.</u> ADDRESS: <u>523 POND GATE DRIVE, BARRINGTON HILLS, IL 60010</u>				
SIGNATURE:	2	TITLE PRESIN	PENU			
*EXTRAS INCLUDE BUT ARE	NOT LIMITED TO CHANGE ORDER	RS, BOTH ORAL AND WI FRACTOR'S AFFIDAVII		ACT.		
STATE OF ILLINOIS SS	2					
COUNTY OF TO WHOM IT MAY CONCER THE undersigned, BR	IN: IAN J. HOLT being duly swe m, de o	ses and says that he is PRE	SID <u>(NT</u> of <u>SKYRISE</u>	ORNAMENTAL IR	ON WORKS, INC.	
who is the contractor for the WIN	DOW INSTALLATION work on the	wilding located at 400 N (DRIJEANS, CHICAG	Q.IL		
owned by 400 N ORLEANS, L.I	аC:	94				
correct and genuine and delivered names of all parties who have fur	act including extras is \$263,802.00 on a unconditionally and that there is no cla hished maturial or labor, or both, for sail tion thereof and the amount due or to be plans and specifications:	im either legal or equitable d work and all lagte is havin	to defeat the validity of	said waivers. That the racts for specific portion	following are the	
NAMES	WHAT FOR	CONTRACT PRICE	AMOUNT PAID	TRIS PAYMENT	BALANCE DUE	
SKYRISE ORNAMENTAL	WINDOW INSTALLATION	\$263,802.00	\$173,3167.00	\$47,305.00	\$21,397.00	
TOTAL LABOR AND MATER	IAL TO COMPLETE			<u>G</u>		
That there are no other contracts t	br said work outstanding, and that there nection with said work other than above	is nothing due or to become stated.	e due to any person for	material labor or other	work of any kind	
Signed this2	2ND day of Signa	ture:	JST_20 <u>07</u>	1/0		
Subscribed and sworn to before m	e this 22nel	day ^t of	regust	Me	120 97	
			_	PACT POR YOUR	ic -	
*EXTRAS INCLUDED BI	UT ARE NOT LIMITED TO C	HANGE ORDERS, B	OTH ORAL AND	WRITTEN TO TI	HE CONTRACT	

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MEMORANDUM OF UNDERSTANDING

To: Total Window Corporation

600 Waukegan Road

Northbrook, Illinois 60062

From: Skyrise Ornamental Iron Works, Inc.

523 Pond Gate Drive Barrington Hills, IL 60010

Date: August 14, 2007

Re: Mechanic's Lien Document Number 0720749000

Permanent Real Estate Index Number(s): 17-09-256-005-0000

Address of Premises: 400 N. Orleans, Chicago, Illinois

This memorandum of understanding acknowledges the agreement between Total Window Corporation ("TWC") and Skyrise Ornamental Iron Works, Inc., ("SOIWI") regarding the following:

- 1. TWC agrees to issue a check/payment to SOIWO in the amount of \$47,395.00 in exchange for a Satisfaction and Release of Mechanic : Cen filed on July 26, 2007 with the Cook County Recorder as Document Number 0720/09000.
- 2. TWC agrees to pay to SOIWO the remaining balance of \$21,397.00 within the next 90 days herein.

For Total Window Corporation

For Skyrise Ornamental Iron Works Iro