



Recording requested by: Leon Modrowski
When recorded, mail to:

Name: **Leon Modrowski**
Leon Modrowski Real Estate Services
Address: 19989 S. LaGrange Road, #110
City: Frankfort
State/Zip: Illinois 60423

Doc#: 0818947200 Fee: \$38.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/07/2008 02:52 PM Pg: 1 of 2

Space above reserved for use

COMMERCIAL REAL ESTATE BROKER LIEN CLAIM

State of Illinois }
County of Will }

I, Leon Modrowski, Illinois Real Estate Broker, License No: 475.0108265, hereafter referred to as agent/manager, being duly sworn states, as follows:

In accordance with a written agreement dated July 1, 2007, I was appointed as the agent to rent and manage the below referenced properties by Mr. Frank Pigatto, hereafter referred to as owner/agent. Said written agreement was for the period July 1, 2007 through June 30, 2008.

- Agent/manager was empowered "...to make concessions, including rental concessions, as inducements to prospective tenants to occupy the property." Furthermore, agent/manager was entitled to make expenditures "...necessary to protect the property from damage, to prevent injury to persons or loss of life, or to maintain services to tenants." Agent was required to "manage the property in full compliance with all laws and regulations of any federal, state, county, or municipal authority having jurisdiction over the property (emphasis added)."
- At all times, agent/manager was fully compliant with the written management agreement and received no notice of any deficiency from the owner.
- From time to time there were issues specific to compliance with law. For example, on or about March 5, 2008, Mr. Frank Pigatto, the owner or owner's agent, requested the agent/manager ignore a recently enacted ordinance by the Village of Oak Lawn, IL regarding the inspection of units prior to rental.
- On or about April 5, 2008, Mr. John Pigatto, the owner or the owner agent's brother, wrongfully terminated the management agreement. Specifically, Mr. John Pigatto requested the agent/manager (1) ignore issues of safety, e.g. a deteriorating electric stove that was a fire hazard; and (2) withhold marketing inducements, which were committed to residents and approved by the owner or owner's agent. Mr. John Pigatto demanded that agent/manager either comply with his instructions to controvert issues of safety and/or marketing or he would terminate the services of the agent/manager. Mr. Frank Pigatto, the owner/agent, concurred in the decision of Mr. John Pigatto's to terminate the services of the agent/manager.
- The termination of the agent/manager's services was improper, contrary to agreement and a result of the oral instructions of the agent/owner to violate law; controvert marketing commitments; and ignore damaged equipment that was a safety concern to resident tenants. Said termination was in retaliation for whistle blowing activities by the agent/manager in reporting unsafe property deficiencies and ownership's failure to comply with the aforementioned Oak Lawn Village Ordinance mandating rental inspections. As such, said termination had no impact on the written management agreement dated July 1, 2007.

Rental and management services were performed on the following described real properties located in Cook County, State of Illinois, and commonly known as:

- 10200 S. Pulaski Road, Oak Lawn, IL 60453, PIN: 24-10-419-041-0000.
- 10216 S. Pulaski Road, Oak Lawn, IL 60453, PIN: 24-10-419-042-0000.
- 10232 S. Pulaski Road, Oak Lawn, IL 60453, PIN: 24-10-419-043-0000.

and legally described as: Lots 1 to 6 and the 1/2 vacated alley lying west and adjoining to said lots 1 to 6 in block 5 in Chas. Wadsworth Subdivision of the east 661.05 feet of the south 120 acres of the southeast 1/4 of Section 10 Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, IL.
PIN 24-10-419-041-0000.

Lots 7 to 11 and the 1/2 vacated alley lying west and adjoining to said lots 7 to 11 in block 5 in Chas. Wadsworth Subdivision of the east 661.05 feet of the south 120 acres of the southeast 1/4 of Section 10 Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, IL.
PIN 24-10-419-042-0000.

Legal description continued on page 2.

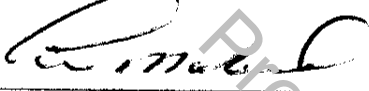
UNOFFICIAL COPY

Lots 12 to 18 and the 1/2 vacated alley lying west and adjoining to said lots 12 to 18 in block 5 in Chas. Wadsworth Subdivision of the east 661.05 feet of the south 120 acres of the southeast 1/4 of Section 10 Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, IL.
PIN: 24-10-419-043-0000.

Said property is owned by: TAQ Properties, LLC, Mr. Frank Pigatto, President; Paul J. Skryd, Registered Agent:

Total compensation to the agent/manager consisted of four (4) percent of gross revenue of which there remains unpaid approximately seven thousand two hundred and no/100's (\$7,200.00), representing unpaid revenues for April 2008, May 2008, and June 2008, plus costs of certified mailings, recordation charges of \$100.00, for a grand total of \$7,300.00. Foreclosure costs to be added at a later date, should the owner fail to pay said lien as required by statute.

I, hereby under the *Commercial Real Estate Broker Lien Act*, 770 ILCS 15, claim a lien against the above-described property in the amount of money, stated above, which remains unpaid to me.



Signature of Person Claiming Lien

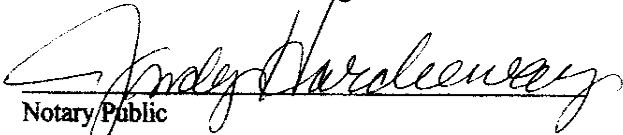
LEON MODROWSKI

Name of Person Claiming Lien

Address:

19989 S. LaGrange Road, #110
Frankfort, IL 60423

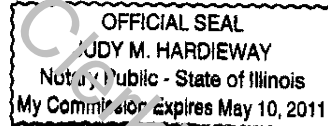
On July 7, 2008 Leon Modrowski came before me personally and, under oath, stated that he/she is the person described in the above document and that he signed the above document in my presence.



Notary Public

Notary Public,
In and for the County of Cook, State of Illinois

My commission expires: May 19, 2011



CERTIFICATE OF MAILING

I, Leon Modrowski, certify that on this date, July, 2008, I have mailed a copy of this Claim of Lien by USPS certified mail, return receipt requested, in accordance with the statutory requirement outlined in the *Commercial Real Estate Broker Lien Act*, to the following:

Name: Frank Pigatto, President
TAQ Properties, LLC
Address: 106 Calendar Court, #92
LaGrange, IL 60525

Frank Pigatto, President
TAQ Properties, LLC
C/O Mark Bulza, CAPPS Management
8530 W 95th Street, Lower Level
Hickory Hills, IL 60457

Paul Skryd,
Registered Agent
TAQ Properties, LLC
8933 W. Cermak Road
North Riverside, IL 60456

Date: July, 2008

Signature of Person Mailing Claim of Lien

LEON MODROWSKI

Name of Person Mailing Claim of Lien