



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#: 0818947201 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 rese

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 state, 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 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 and manager were 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 property located in Cook County, State of Illinois, and commonly known as: 8530 West 95th Street, Hickory Hills, IL 60457
8536 West 95th Street, Hickory Hills, IL 60457

and legally described as: Lot 2 in resubdivision of the south 346.86 feet (except the east 156 feet thereof) of lot C in Coey's Western Subdivision second addition, a subdivision of part of the southwest ¼ of Section 2 Township 37 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois. PIN: 23-02-303-033-0000.

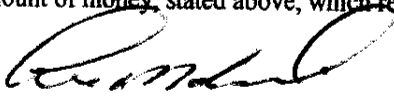
Lot 3 in resubdivision of the south 346.86 feet (except the east 156 feet thereof) of lot C in Coey's Western Subdivision second addition, a subdivision of part of the southwest ¼ of Section 2 Township 37 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois. PIN: 23-02-303-034-0000.

UNOFFICIAL COPY

Said property is in trust. Mr. Frank Pigatto is an authorized agent, empowered to receive notices on behalf of the owner, as has indicated such by executing the contract with the Leon Modrowski, the Commercial Real Estate Broker and agent/manager.

Total compensation to the agent/manager consisted of four (4) percent of gross revenue of which there remains unpaid approximately thirty-six hundred and no/100's (\$3,600.00), representing unpaid revenues for April 2008, May 2008, and June 2008, plus certified mailing costs and recordation fees of \$100.00, for a grand total of \$3,700.00. **Foreclosure costs to be added at a later date, should the owner or agent fail to satisfy this lien.**

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

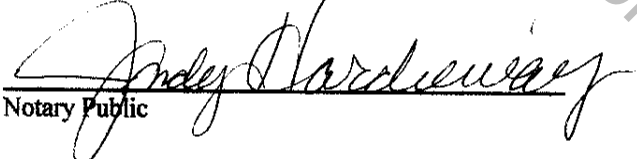
LEON MODROWSKI

Name of Person Claiming Lien

Address:

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

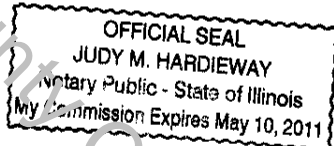
On July 7, 2008 Leon Modrowski came before me personally and, under oath, stated that he/she is the person described in the above document and that he signed the above document in my presence.



Notary Public

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

My commission expires: May 10, 2011



CERTIFICATE OF MAILING

I, Leon Modrowski, certify that on this date, July 7, 2008, I have mailed a copy of this Claim of Lien by UPS 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 Agent, CAPPS Management	Frank Pigatto, Agent, CAPPS Management	John Pigatto CAPPS Management
Address: C/O Mark Bulza, CAPPS Management 8530 W. 95 th Street, Lower Level Hickory Hills, IL 60457	106 Calendar Court, #92 LaGrange, IL 60525	8530 W. 95th Street, Lower Level LaGrange, IL 60525

Date: July 7, 2008

Signature of Person Mailing Claim of Lien

Leon Modrowski

Name of Person Mailing Claim of Lien