

# UNOFFICIAL COPY



Doc#: 0824216018 Fee: \$31.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 08/29/2008 09:53 AM Pg: 1 of 5

This Instrument was prepared by and  
after Recording should be returned to:

MIHAELA RAICU  
Three First National Plaza  
70 W. Madison Street, Suite 1400  
Chicago, Illinois 60602  
(312) 224-8900

For Recorder

## CONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

The Claimants, Pavel Smelyansky and Procon Builders, Inc., an Illinois corporation located at 2446 W. Ohio Street, Chicago, IL 60612 (hereinafter "Contractor"), being a contractor to provide all the labor necessary for entire construction of the building located at 2117 W. Gladys Street, Chicago, Illinois (hereinafter "Project") on the real estate described below (hereinafter "Property"), hereby files this Contractor's Notice and Claim for Mechanics Lien and claims a Mechanics Lien on the Real Estate (as hereinafter described) and on all funds held in connection with the improvements constructed on the Real Estate and against Oleksander Baran, located at 2428 W. Walton, Apt. 2F, Chicago, IL 60622 owner of the Real Estate (hereinafter "Owner"), MB Financial Bank, located at 936 North Western Ave., Chicago, IL 60622 (Bank), and any person or entity claiming an interest in the Real Estate (as hereinafter described) by, through or under Owner.

Contractor hereby states as follows:

1. At all times relevant hereto and continuing to the present, Owner owned fee simple title to the Real Estate (including all land and improvements thereon) in Cook County, Illinois, commonly known as 2117 W. Gladys Street, Chicago, Illinois, and legally described as follows:

See Exhibit A

PERMANENT TAX NUMBER(S): 17-18-123-039-0000

2. On information and belief, Contractor entered into an agreement to act as Owner's General Contractor for the Project and for the improvements at the Property on or about November 29, 2006.
3. Claimant made an agreement with Owner, under which Claimant agreed to provide all necessary labor, material, supervision, supplies, equipment and work to erect a building according to the architectural specifications provided for the original amount of \$ 1,389,000.

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4. On information and belief, Contractor became Owner's General Contractor for the Project and for the improvements at the Property, and started supplying materials and forwarding costs to the completion of the project.
5. Owner permitted Contractor to perform its work for the Project at the Property, including any additional work, without protest prior to and during the performance of the work.
6. On or about July 30, 2008, Contractor continued its work, including the additional work, at the Project and had supplied part of the requested labor, supplies and materials to Owner.
7. To date, despite due demand for payment, no payments have been made to Subcontractor since, and there is no reasonable basis for the failure to pay Subcontractor.
8. There is currently due, unpaid and owed to Contractor therefore after allowing all credits, and adding all of the extra costs incurred by the Contractor, the sum of TWO HUNDRED THIRTEEN THOUSAND SIX HUNDRED TWENTY NINE and 87/100 Dollars (\$213,629.87) plus interest at a rate of TEN PERCENT (10%) per annum plus fees due to the subcontractors for work completed at the above address in the amount of \$103,500. Contractor hereby claims a lien on the Property against the interest of the Owner and other parties named above, in the Real Estate, including all land and improvements thereon, and on the monies or other considerations due or to become due to Contractor from Owner, in the total amount of TWO HUNDRED THIRTEEN THOUSAND SIX HUNDRED TWENTY NINE and 87/100 Dollars (\$317,129.87).

Dated this 27<sup>th</sup> Day of August, 2008.

PAVEL SMELYANSKY

By: 

Its Attorney and Agent

PROCON BUILDERS, INC.

By: 

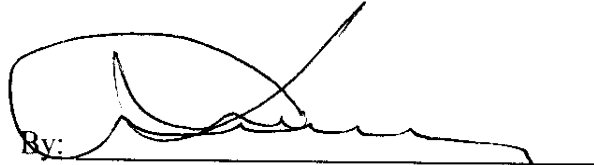
Its Attorney and Agent

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## AFFIDAVIT

STATE OF ILLINOIS     )  
                                   )  
 COUNTY OF COOK        )     SS.

PAVEL SMELYANSKY, being first duly sworn, deposes and states that he is the attorney and agent for PAVEL SMELYANSKY and PROCON BUILDERS, Inc., that he is duly authorized to make this Affidavit on behalf of CONTRACTOR and that he has read the foregoing **Contractor's Notice and Claim for Mechanic's Lien** and knows the contents thereof, and that the statements contained therein are true.

By:   
 Attorney and Authorized Agent

Subscribed and sworn to before me  
 this 27th day of AUGUST, 2008.

  
 Notary Public



Seal

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## CERTIFICATION OF SERVICE

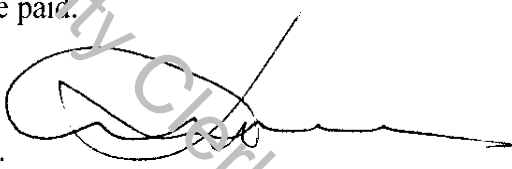
STATE OF ILLINOIS        )  
   )  
 COUNTY OF COOK         )        SS.

The affiant PAVEL SMELYANSKY being first duly sworn on oath, deposes and states that he is the Attorney and Authorized Agent of PAVEL SMELYANSKY and PROCON BUILDERS, Inc., the claimants; that on August 27, by 5:00 o'clock, he served the within **Contractor's Notice and Claim for Mechanic's Lien** by sending a duplicate original thereof to the following individuals or entities at their respective address(es):

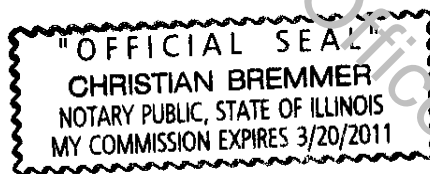
MB FINANCIAL BANK  
 MARY COLB  
 936 North Western Ave  
 Chicago, IL 60622

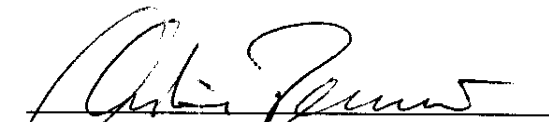
OLEXANDER BARAN  
 2428 W. Walton, Apt. 2F  
 Chicago, IL 60622

by regular and certified mail, and proper postage paid.

By:   
 \_\_\_\_\_  
 Attorney and Authorized Agent of  
 Pawel Smelyanskiy and Procon Builders

Subscribed and sworn to before me  
 this 27th day of August, 2008.



  
 \_\_\_\_\_  
 Notary Public

Seal

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*EXHIBIT H*

ORDER NO.: 1301 - 004374738  
ESCROW NO.: 1301 - 004374738

1

**STREET ADDRESS:** 2117 WEST GLADYS AVENUE  
**CITY:** CHICAGO                      **ZIP CODE:** 60612  
**TAX NUMBER:** 17-18-123-039-0000

**COUNTY:** COOK

Property of Cook County Clerk's Office

**LEGAL DESCRIPTION:**

LOT 39 IN BLOCK 3 IN R. J. HAMILTON'S SUBDIVISION OF THE WEST 1/2 OF THE EAST 1/2 EXCEPT THE WEST 2.5/100 CHAINS OF THE NORTHWEST (1/4) OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.