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STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)



Doc#: 0826816048 Fee: \$35.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 09/24/2008 02:50 PM Pg: 1 of 9

SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

FOR RECORDER'S USE ONLY

Deeke Construction Services, Inc.

("Claimant"),

Schick Partners, LLC, Clybourn Investment Group, LLC, David Fround, Kristin Philbin, Gaylor Development Corporation, George Washington Savings Bank, Mortgage Electronic Registration Systems, Inc., as nominee for Countrywide Bank, FSB, Morry Sochat d/b/a MDS Mortgage, and Unknown Owners and Non-Record Claimants.

Claimant DEEKE CONSTRUCTION SERVICES INC., an Illinois corporation, located at 1012 West Diversey Parkway, Chicago, Illinois 60614 ("Claimant"), being a subcontractor to provide trim and framing and other carpentry work for a condominium construction project located at 1264 North Schick Court, Chicago, Illinois 60610 (a/k/a the 1264 N. Schick Condominiums, as provided in the Declaration of Condominium recorded May 23, 2008 as document number 0814416038) (the "Project") on the real estate described below (the "Property"), hereby files a Notice and Claim for Mechanics Lien against the Property and on all funds held in connection with the improvements constructed on the Property, and against Schick Partners, LLC and Clybourn Investment Group, LLC, of 1320 North Wood Street, Chicago, Illinois 60622 (the "Unit 1 and Unit 3 Owners"), David Fround and Kristin Philbin, of 1264 North Schick Court, Unit 2, Chicago, Illinois, 60610 (the "Unit 2 Owners"), Gaylor Development Corporation, 1320 North Wood Street, Chicago, Illinois 60622 (the "Contractor"), George Washington Savings Bank, of 10240 South Cicero Avenue, Oak Lawn, Illinois 60453 and Morry Sochat d/b/a MDS Mortgage, of 2042 West Churchill, Chicago, Illinois 60647 (collectively the "Unit 1 and Unit 3 Mortgagees"), Mortgage Electronic Registration Systems, Inc., of PO Box 2026, Flint, Michigan 48501-2026, as nominee for Countrywide Bank, FSB, of 1199 North Fairfax Street, Suite 500, Alexandria, Virginia 22314 (the "Unit 2 Mortgagee"), and Mongoose Capital, Inc., of 576 Sacramento Street, Fifth Floor, San Francisco, California 94111 and Unknown Owners and Non-Record Claimants and against the interest of any person claiming an interest in the Property by, through, or under the Owners, stating as follows:

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1. At all times relevant hereto and continuing to the present, Owners owned the following described land in the County of Cook, State of Illinois, to wit:

Legal Description: SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTIONS (the Underlying Parcel, Unit 1 and Unit 3 Owners' Property and the Unit 2 Owners' Property as defined in Exhibit A is hereinafter collectively referred to as the "Property").

P.I.N.s: **17-04-122-089-0000** (also referenced as 17-04-130-089-0000 on that certain Quit Claim Deed dated April 7, 2006 and recorded as document number 0610435228); and

17-04-122-090-0000 (also referenced as 17-04-130-090-0000 on that certain Quit Claim Deed dated April 7, 2006 and recorded as document number 0610435228)

Common Address: **1264 North Schick Court, Chicago, Illinois 60610**
(a/k/a the 1264 N. Schick Condominiums, as provided in the Declaration of Condominium recorded May 23, 2008 as document number 0814416038).

2. Sometime prior to June 2006 Contractor entered into an agreement to act as the General Contractor for the Project and for the improvements at the Property.
3. On or about June 2006, Contractor entered into a subcontract (the "Subcontract") with Claimant for Claimant to furnish carpentry work, framing and trim and other carpentry material for the Project and to install and otherwise provide labor to install said framing and trim and complete said carpentry work for the Project in exchange for payment of \$53,620 and Claimant began its work on the Project on or about June 2006.
4. Pursuant to the Subcontract, Claimant's work consisted of carpentry work such as trim and framing work for the Project, including providing labor and

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- material for said work.
5. On information and belief, Contractor entered into the Subcontract with the full knowledge, consent, and authorization of the Unit 1 and Unit 3 Owners (who, at that time (June 2006) owned the entirety of the Property). The Contract knowingly permitted Contractor to enter into the Subcontract with Claimant.
 6. At the direction of Contractor, Claimant furnished additional and extra material and labor for the Project in addition to the work set forth in the Subcontract (collectively the "Additional Work"), including the furnishing of materials and labor for additional work, material outside the scope of or otherwise not included in the Subcontract such as installing windows, exterior decking, wire shelving, roofing, and cabinets for the Project. Claimant provided the Additional Work at the request of Contractor and Owners and with the full knowledge, consent, and authorization of Contractor and Owners. The value of the Additional Work was \$64,350.00.
 7. The Owners permitted Claimant to perform and complete its work for the Project at the Property, including the Additional Work, without protest prior to or during the performance of the work, including the Additional Work.
 8. The Claimant substantially completed its work, including its Additional Work at the Project on September 15, 2008.
 9. Subsequent to the formation of the Subcontract between Claimant and Contractor, on or about May 23, 2008 the Unit 1 and Unit 3 Owners conveyed title of a certain unit (Unit 2) of the Property to the Unit 2 Owners as legally described on Exhibit A attached hereto.
 10. Unit 1 and Unit 3 Owners are the owner of record for the remaining units/portions at/of the Property as legally described on Exhibit A attached hereto.
 11. To date, despite due demand for payment, Claimant remains unpaid for its work at the Project and there is no reasonable basis for the failure to pay Claimant.
 12. In the event it is necessary to apportion the amount of work performed per

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unit at the Property, the value of the work under the Subcontract and the Additional Work for the Property is apportioned as set forth in Exhibit B attached hereto.

13. The total value of the work under the Subcontract and the Additional Work was \$117,970.00, and Claimant has received \$67,617.00 in total payments and otherwise has credited this amount against the total amount of \$117,970.00 due to it.
14. There is due and owing to Claimant, after allowing all credits of \$67,617.00, the sum of **Fifty Thousand Three Hundred Fifty Three Dollars and 00/100 cents (\$50,353.00)**, which bears statutory interest at the rate of ten (10%) percent per annum. Claimant hereby claims a lien on the Property against the interest of the Owners, and other parties named above, in the Property, including all land and improvements thereon, and on the monies or other consideration due or to become due to Owners and from Owners under said contract for said Contractor, in the amount of **Fifty Thousand Three Hundred Fifty Three Dollars and 00/100 cents (\$50,353.00)** plus interest.

Date: September 19, 2008

DEEKE CONSTRUCTION SERVICES, INC.
an Illinois corporation

By:  PRESIDENT
Michael Deeke, President

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STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)

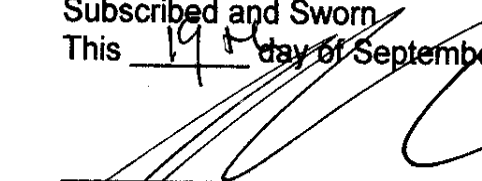
VERIFICATION

The affiant, Michael Deeke, being first duly sworn, on oath deposes and says that he is the President of Deeke Construction Services, Inc., 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.

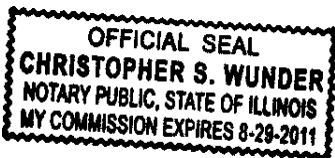


Michael Deeke

Subscribed and Sworn
This 19th day of September, 2008



Notary Public



**Document Prepared by &
After Recording Should be Returned to:**

Chris S. Wunder, Esq.
Kaplan Papadakis & Gournis, P.C.
180 North LaSalle Street
Suite 2108
Chicago, Illinois 60601

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SERVICE LIST

VIA RESTRICTED CERTIFIED MAIL-R/R

Schick Partners, LLC
c/o Eric Feldman, Registered Agent
1455 N. Paulina St.
Chicago, Illinois 60622

VIA RESTRICTED CERTIFIED MAIL-R/R

Clybourn Investment Group, LLC
c/o Eric Feldman, Registered Agent
1455 N. Paulina St.
Chicago, Illinois 60622

VIA RESTRICTED CERTIFIED MAIL-R/R

David Fround
1264 North Schick Court, Unit 2
Chicago, Illinois 60610

VIA RESTRICTED CERTIFIED MAIL-R/R

Kristin Philbin
1264 North Schick Court, Unit 2
Chicago, Illinois 60610

VIA RESTRICTED CERTIFIED MAIL-R/R

Gaylor Development Corporation
1320 North Wood Street
Chicago, Illinois 60622

VIA RESTRICTED CERTIFIED MAIL-R/R

George Washington Savings Bank
10240 South Cicero Avenue
Oak Lawn, Illinois 60453

VIA RESTRICTED CERTIFIED MAIL-R/R

Morry Sochat d/b/a/ MDS Mortgage
2042 West Churchill
Chicago, Illinois 60647

VIA RESTRICTED CERTIFIED MAIL-R/R

Mortgage Electronic Registration Systems, Inc.
P.O. Box 2026
Flint, Michigan 48501-2026

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VIA RESTRICTED CERTIFIED MAIL-R/R

Countrywide Bank, FSB
1199 North Fairfax Street
Suite #500
Alexandria, Virginia 22314

VIA RESTRICTED CERTIFIED MAIL-R/R

Mongoose Capital, Inc.
c/o Nicholas Levenstein, Registered Agent
2500 N. Lakeview #701
Chicago, Illinois 60614

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EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

UNDERLYING PARCEL

LOT 4 AND THE NORTHEASTERLY 6.51 FEET OF LOT 5 BEING A SUBDIVISION OF LOT 22 IN BUTTERFIELD'S ADDITION TO CHICAGO IN THE WEST ½ OF THE NORTHWEST ¼ AND THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

UNIT 1 AND UNIT 3 OWNERS' PROPERTY

UNITS 1 AND 3 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN 1264 NORTH SCHICK PLACE CONDOMINIUM, AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0814416038, IN THE WEST ½ OF THE NORTHWEST ¼ AND THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNIT 2 OWNERS' PROPERTY

UNITS 2 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN 1264 NORTH SCHICK PLACE CONDOMINIUM, AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0814416038, IN THE WEST ½ OF THE NORTHWEST ¼ AND THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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EXHIBIT B**APPORTIONMENT OF VALUE OF WORK PERFORMED UNDER
SUBCONTRACT AND ADDITIONAL WORK PER UNIT AT PROPERTY**

Unit	Amount	Owners
1	\$ 15,784.33	Unit 1 and Unit 3 Owners
2	\$ 15,784.33	Unit 2 Owners
3	\$ 18,784.34	Unit 1 and Unit 3 Owners

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