**UNOFFICIAL C** 

Doc#: 0829408517 Fee: \$30.00

Eugene "Gene" Moore RHSP Fee:\$10.00

Date: 10/20/2008 02:57 PM Pg: 1 of 3

Cook County Recorder of Deeds

STATE OF ILLINOIS )

) SS:

COUNTY OF COOK )

**NOTICE & CLAIM** OF MECHANIC'S LIEN

NICHOLAS EXCAVATING, INC.

VS.

O.S. LEMONT DEVELOPMENT COMPANY, Li C CHARTER ONE KANK, NA

The Claimant, NICHOLAS FXCAVATING, INC., of the City of Bridgeview, County of Cook, State of Illinois, hereby files a NOTICE AND CLAIM FOR LIEN against O.S. LEMONT DEVELOPMENT COMPANY, LLC of the City of Springfield, State of Illinois, hereinafter referred to as "OWNER" and CHARTER ONE BANK, NA of the City of Cleveland, State of Ohio, and states:

That on or about March 12, 2008 the OWNER owned the following described land in the County of Cook, State of Illinois, to wit:

#### SEE ATTACHED LEGAL DESCRIPTION

PERMANENT REAL ESTATE INDEX NUMBERS 22-32-200-048, 22-32-200-029, 22-32-200-008, 22-32-200-034

Commonly known as LEMONT SQUARE VILLAGE 1237 S. STATE STREET, LEMONT, ILLINOIS

That on or about March 12, 2008, said OWNER entered into a contract with the claimant to provide labor and material necessary for the excavation, hauling and grading work for and in said improvement, and that on June 27, 2008 the claimant completed all work required by it according to said contract. Said OWNER breached the contract with CLAIMANT, by refusing to make payments in accordance with said contract.

That the amount of **FORTY-FOUR THOUSAND EIGHT HUNDRED FIFTY-ONE** AND 74/100THS DOLLARS (\$44,851.74) is due on said contract, unpaid and owing to the CLAIMANT for which, with interest, the CLAIMANT claims a lien on said land and improvements, and on the monies or other considerations due or to become due from the OWNER under said contract.

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To the extent permitted by law, all waivers of lien heretofore given by claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice.

NICHOLAS EXCAVATING, INC.

By:

Mak W. h. /\_
Authorized Agent

**VERIFICATION** 

STATE OF ILLINOIS

SS:

COUNTY OF COOK

The Affiant, MARK NICHOLAS, being first duly sworn, on oath deposes and says that he is the President of the CLAIMANT; that he has read the foregoin; NOTICE AND CLAIM FOR LIEN and knows the contents thereof; and that all the statements therein contained are inve.

Mark NICHOLAS, President
NICHOLAS EXCAVATING, INC.

Subscribed and sworn to before me this 30<sup>TH</sup> day of September, 2008.

NOTARY/PUBLIK

OFFICIAL SEAL JAMES J. PINK

Notary Public - State of illinois My Commission Expires Jun 16, 2012

THIS INSTRUMENT PREPARED BY:

James J. Pink, Attorney At Law 2153 W. 107th Place Chicago, IL 60643 (630) 664-8070

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#### PARCEL 1: (22-32-200-034)

THE WEST 165 FEET OF THE WEST ½ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THE FOLLOWING DESCRIBEDLAND, CONVEYED TO THE COUNTY OF COOK, BY DEED DATED OCTOBER 23, 2003 AND RECORDED DECEMBER 13, 2004 AS DOCUMENT NUMBER 0434839063:

THE SOUTH 17 FEET OF THE NORTH 50 FEET OF THE WEST 165 FEET OF THE WEST ½ OF THE NOP THEAST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNT Y, ILLINOIS

#### PARCEL 2: (22-32-200-248)

LOT 2 IN COMMUNITY BANK OF LEMONT SUBDIVISION OF LOT 1 IN THE PLAT OF CONSOLIDATION OF PART OF LOT 3 IN COUNTY CLERK'S DIVISION OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 3: (22-32-200-008)

THE SOUTH ½ OF THE NORTH ½ OF THE SOUTH WEST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 37 NOP, TH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILL, NO 5.

## PARCEL 4: (22-32-200-029)

THE SOUTH 100 FEET OF THE WEST 225 FEET OF THE NORTH ½ OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS