



Doc#: 0832229066 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 11/17/2008 04:23 PM Pg: 1 of 6

**SUBCONTRACTOR'S
NOTICE AND CLAIM
FOR LIEN**

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The CLAIMANT, CEMENT MASONS' LOCAL UNION 502 FRINGE BENEFIT FUNDS of the City of Bellwood, County of Cook, State of Illinois (the "Funds"), hereby files Notice and Claim for Lien against MILLENNIUM CONCRETE CONSTRUCTION, LLC a domestic corporation (SUBCONTRACTOR), of the City of Chicago, County of Cook, State of Illinois, EVANS CONSTRUCTION SERVICES (110 WEST SUPERIOR PROJECT), LLC of the City of Chicago, County of Cook, State of Illinois and/or EVANS CONSTRUCTION CO. of the City of Springfield, County of Sangamon, State of Illinois (CONTRACTOR) of the City of Chicago, County of Cook, and 110 WEST SUPERIOR, LLC (OWNER), of the City of Chicago, County of Cook, State of Illinois, and states:

1) Since an uncertain date prior to January 1, 2008, the OWNER owned the following described land in the County of Cook, State of Illinois: [see attached legal description], **Permanent Real Estate Index Numbers:** 17-09-204-022-0000 and 17-09-204-023-0000 **Address of Premises:** 110 West Superior, LLC, Chicago, Illinois.

2) On an uncertain date on or prior to January 1, 2008, on information and belief, OWNER made a contract with CONTRACTOR for improvement of the premises and CONTRACTOR thereafter made a subcontract with SUBCONTRACTOR for the Cement Masonry portion of that work; at the time of making of the subcontract, SUBCONTRACTOR was bound by collective bargaining agreements to pay wages at the prevailing rate of wages to its employees performing covered work and to contribute to the Funds fringe benefits as and for a component of the wages of those employees, all as and for labor in connection with the work for and in said improvement of the premises;

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and on or about November 1, 2008 the employees and through them the **Funds**, as their assignee by operation of law and representative, completed the furnishing of such labor, and

3) There is, on information and belief, unpaid and owing to the **Funds**, from **SUBCONTRACTOR**, the sum of One Hundred Thousand and No/100 Dollars (\$100,000.00)* (consisting of the amounts due pursuant to applicable labor agreements for unpaid net wages, delinquent fringe benefit contributions, and 10% liquidated damages) for which, with interest at the rate of 10% per annum**, the **Funds** claim a lien on said land and improvements and on the monies or other considerations due or to become due from the **OWNER** and/or **CONTRACTOR** under said contract against said **SUBCONTRACTOR, CONTRACTOR** and **OWNER**.

*Subject to revision on completion of audit of **SUBCONTRACTOR**'s books and records.

**Plus attorneys' fees and costs as due under applicable agreements as a component of bargained-for employee wages.

CEMENT MASONS' LOCAL UNION 502
FRINGE BENEFIT FUNDS,

By: 

Donald D. Schwartz, Attorney and Agent

Donald D. Schwartz
ARNOLD AND KADJAN
19 W. Jackson Boulevard
Chicago, IL 60604
(312) 236-0415

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PROOF OF SERVICE

The undersigned, duly sworn, on oath states that a copy of the attached SUBCONTRACTOR's Notice and Claim for Lien was served upon:

MILLENNIUM CONCRETE CONSTRUCTION, LLC
c/o Herbert Molitsky
455 E. Illinois Street, Ste. 260
Chicago, IL 60610

EVANS CONSTRUCTION SERVICES (110 WEST SUPERIOR PROJECT), LLC
Michael Bonn
300 S. Wacker Dr., Ste. 1000
Chicago, IL 60606

EVANS CONSTRUCTION CO.
Donald H. Evans
1900 E. Washington
Springfield, IL 62703

110 WEST SUPERIOR, LLC
111 E. Wacker Dr., Ste. 2800
Chicago, IL 60601

MB FINANCIAL BANK
2 South LaSalle St.
Chicago, IL 60603

NATIONAL CITY BANK
One North Franklin
Chicago, IL 60606

RR (SUPERIOR) INC.
4 International Dr., Ste. 230
Rye Brook, NY 10573-7015

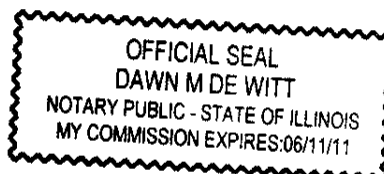
by placing same in an envelope, properly addressed as set out above, by mailing by U.S. Mail certified, return receipt requested, and depositing it in the mail box located at Jackson and State Streets, Chicago, IL 60604 on November 17, 2008 at or before 5:00 p.m.

Donald Schwartz

SUBSCRIBED AND SWORN TO before me this 17th day of November, 2008.

Dawn M DeWitt

NOTARY PUBLIC



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LEGAL DESCRIPTION

Permanent Real Estate Index Number: 17-09-204-022-0000 and 17-09-204-023-0000

Address of Premises: 110 West Superior, Chicago, IL

Legal Description

See Attached Property Insight, LLC

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PROPERTY INSIGHT, LLC.

A California Limited Liability Company
400 S JEFFERSON, CHICAGO, IL 60607

TRACT INDEX SEARCH

Order No.: 1404 S9647253 SS

Additional Tax Numbers:

Legal Description:

LOTS 12 TO 15 BOTH INCLUSIVE, AND THE SOUTH 1/2 OF THE VACATED 18 FOOT ALLEY LYING NORTH OF AND ADJOINING LOTS 12 TO 15 AND SOUTH OF AND ADJOINING LOTS 16 AND 17, IN OGDEN AND OTHER'S SUBDIVISION OF BLOCK 25 IN WOLCOTT'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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