UNOFFICIAL COPY

SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN



Doc#: 0833603086 Fee: \$32.00 Eugene "Gene" Moore RHSP Fee:\$10.00

Cook County Recorder of Deeds
Date: 12/01/2008 04:30 PM Pg: 1 of 6

STATE OF ILLINOIS)
SS
COUNTY OF COOK)

The CLAIMANT, CEMENT MASONS' LOCAL UNION 803 FRINGE BENEFIT FUNDS of the City of Villa Part, County of DuPage, State of Illinois (the "Funds"), hereby files Notice and Claim for Lien against MILLENTIUM CONCRETE CONSTRUCTION, LLC a domestic corporation (SUBCONTRACTOR), of the City of Chicago, County of Cook, State of Illinois, EVANS CONSTRUCTION SERVICES (10 EAST DELAWARE PROJECT), LLC of the City of Chicago, County of Cook, State of Illinois and/or EVANS CONSTRUCTION CO. (CONTRACTOR) of the City of Springfield, County of Sangamon, State of Illinois, and Ten East Delaware, LLC (OWNER), of the City of Chicago, County of Cook, State of Illinois, and states:

- 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**: 17-03-209-005-0000 and 17-03-209-008, 009, 610, 021, 024 **Address of Premises**: 10 East Delaware, Chicago, Illinois.
- 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;

0833603086 Page: 2 of 6

UNOFFICIAL COPY

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 Three Thousand, One Hundred and Two and 50/100 Dollars (\$3,152.50)* (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.

CEMENT MASONS' LOCAL UNION 803 FRINGE BENEFIT FUNDS,

Donald D. Schwartz At maey

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

^{*}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.

0833603086 Page: 3 of 6

UNOFFICIAL COP

STATE OF ILLINOIS))SS COUNTY OF COOK)

The affiant, DONADD. SCHWART, being first duly sworn, on oath deposes and says that he is the attorney and agent for the CLAIMANT; that he has read the foregoing Subcontractor's Notice and Claim for Lien and knows the contents thereof; and that all the statements therein contained are true and correct to the best of his knowledge, information and belief.

SUBSCRIBED AND SWOPN TO before me this 157

-00/CO1/

Cortson

0833603086 Page: 4 of 6

UNOFFICIAL CO

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 (10 EAST DELAWARE PROJECT), LLC Mic nael Bonn 300 S. Wacker Dr., Ste. 1000 Chicago J 60606

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

TEN EAST DELAWARE, L. 321 N. Clark St., Ste. 2500 Chicago, IL 60610

ISTAR FM LOANS, LLC 1114 Avenue of the Americas 39th Floor New York, NY 10036-7703

-OUNTY CLOPT'S FREMONT INVESTMENT & LOAN (COMPANY) CT Corporation System 208 S. LaSalle St, Ste. 814 Chicago, IL 60604

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 2008 at or before 5:00 p.m.

SUBSCRIBED AND SWORN TO before me this 257 day of 2008.

Notary Public

OFFICIAL SEAL DAWN M DE WITT NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:06/11/11

0833603086 Page: 5 of 6

UNOFFICIAL COPY

LEGAL DESCRIPTION

Permanent Real Estate Index Number: 17-03-209-005-0000 and 17-03-209-008, 009, 010, 021, 024

Legal Description:

Of Columnia Clark's Office Address of Premises: 10 East Delaware, Chicago, IL

0833603086 Page: 6 of 6



TRACT INDEX SEARCH

Additional Tax Numbers:

Order No.: 1404 S9647256 SS

Legal Description:

THAT PART OF THE SOUTH 1/2 OF THE WEST THIRD OF BLOCK 12 IN THE CANAL TRUSTEES' SUBDIVISION OF 7 HE SOUTH FRACTIONAL 1/4 OF SECTION 3, AND THAT PART OF LOT 6 IN THE SUPERIOR COURT PARTITION OF THE EAST 2/3 OF BLOCK 12 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN 30 UNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 12 AFORESAID; THENCE NORTH 0 DEGREES 15 MINUTES 31 SECONDS EAST, ALGING THE WEST LINE OF SAID BLOCK 12, A DISTANCE OF 88.67 FEET TO A POINT, SAID POINT BEING 127.41 FEET (AS MEASURED ALONG SAID WEST LINE) SOUTH 0F THE NORTHWEST CORNER OF BLOCK 12 AFORESAID; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 102.45 FEET TO A POINT, SAID POINT EING 88.82 FEET (AS MEASURED PERPENDICULARLY) NORTH OF THE SOUTH LINE OF BLOCK 12 AFORESAID; THENCE NORTH 72 DEGREES 42 MINUTES 44 SECONDS EAST, ALONG A LINE HEREINAFTER REFERFED TO AS "LINE A", 36.95 FEET TO THE MOST EASTERLY NORTHEAST CORNER OF LOT 6 AFORESAID; THENCE SOUTH 0 DEGREES 19 MINUTES 51 SECONDS WEST, ALONG THE EAST LINE OF LOT 6 AFORESAID, 99.85 FEET TO ITS SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS WEST, ALONG THE SOUTH LINE OF BLOCK 12, AFORESAID TO THE HEREINABOVE DESIGNATE POINT OF BEGINNING. IN COOK COUNTY, ILLINOIS.