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Doc#: 0835029083 Fee: \$33.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/15/2008 04:16 PM Pg: 1 of 7

FOR RECORDER'S USE ONLY

SUB CONTRACTOR'S NOTICE AND CLAIM FOR MECHANIC'S LIEN

TO: VIA CERTIFIED MAIL R/R
Smithfield Construction Group, Inc.
c/o Lawrence M. Gritton, Registered
Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
Smithfield Properties XL, L.L.C.
c/o Lawrence M. Gritton, Registered
Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
Citigroup Global Markets Realty Corp.
c/o United States Corporation Co., Registered
Agent
33 N. LaSalle Street
Chicago, IL 60602

VIA CERTIFIED MAIL R/R
American National Bank and Trust
Company of Chicago n/k/a
Chase Bank
10 S. Dearborn Street
Chicago, IL 60670-0002
Attn: Commercial Lending

VIA CERTIFIED MAIL R/R
Advance Mechanical Systems, Inc.
c/o Steven M. Harris, Registered Agent
640 N. LaSalle Street, Suite 590
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
The Joffrey Ballet
c/o SCN&R Registered Agent, Inc.,
Registered Agent
8800 Sears Tower
Chicago, IL 60606

VIA CERTIFIED MAIL R/R
LaSalle Bank, N.A.
135 S. LaSalle Street
Chicago, IL 60603
Attn: Commercial Lending

VIA CERTIFIED MAIL R/R
Smithfield Properties XLIV, LLC
c/o Lawrence M. Gritton, Registered
Agent
400 W. Huron Street
Chicago, IL 60610

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THE CLAIMANT, **Johnson Controls, Inc.**, subcontractor, claims a lien against the real estate, more fully described below, and against the interest of the following entities in the real estate: **Smithfield Properties XL, L.L.C.**, interested party, **Smithfield Properties XLIV, LLC**, interested party, **Citigroup Global Markets Realty Corp.**, mortgagee, **The Joffrey Ballet**, owner, **LaSalle Bank, N.A.**, mortgagee, **American National Bank and Trust Company of Chicago n/k/a Chase Bank**, mortgagee, (collectively "Owner"), **Smithfield Construction Group, Inc.**, contractor, **Advance Mechanical Systems, Inc.**, subcontractor, and any other person claiming an interest in the real estate, more fully described below, stating as follows:

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

PARCEL: See attached Exhibit A

P.I.N.s: 17-10-305-007-8001; 17-10-305-007-8002

which property is commonly known as The Joffrey Ballet, 8 and 10 East Randolph Street, Chicago, Illinois.

2. On information and belief, said Owner contracted with **Smithfield Construction Group, Inc.** for certain improvements to said premises.

3. On information and belief, and subsequent hereto, **Smithfield Construction Group, Inc.** entered into a subcontract with **Advance Mechanical Systems, Inc.**

4. Subsequent thereto, **Advance Mechanical Systems, Inc.**, entered into a subcontract with Claimant to furnish and install system controls at said premises.

5. The Claimant completed its work under its subcontract on September 15, 2008, which entailed the furnishing of said labor and materials.

6. There is due, unpaid and owing to the Claimant, after allowing all credits, the

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principal sum of **Seventy-Eight Thousand Two Hundred Twenty-Nine and 00/100 Dollars (\$78,229.00)** which principal amount bears interest at the statutory rate of ten percent (10%) per annum. Claimant claims a lien on the real estate and against the interest of the Owner, and other parties named above, in the real estate described (including all land and improvements thereon) and on the monies or other consideration due or to become due from the Owner under said

contract against said contractor, in the amount of **Seventy-Eight Thousand Two Hundred Twenty-Nine and 00/100 Dollars (\$78,229.00)** plus interest.

Johnson Controls, Inc., a Wisconsin corporation,

By: 

One of its attorneys

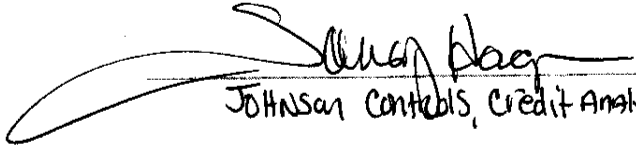
**This notice was prepared by and
after recording should be return to:**

James T. Rohlring
Mark B. Grzymala
ROHLFING & OBERHOLTZER
211 West Wacker Dr., Ste. 1200
Chicago, Illinois 60606
(312) 923-7100


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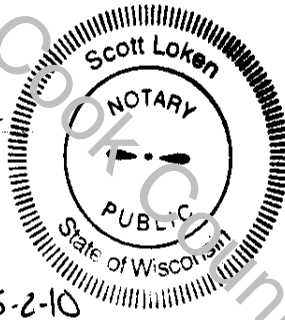
VERIFICATION

The undersigned, Sandy Hagemann, being first duly sworn, on oath deposes and states that he is an authorized representative of **Johnson Controls, Inc.** that he has read the above and foregoing subcontractor's notice and claim for mechanic's lien and that to the best of his knowledge and belief the statements therein are true and correct.


Johnson Controls, Credit Analyst

SUBSCRIBED AND SWORN to
before me this 12 day
of December, 2008.


Notary Public



My commission expires: 5-2-10

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Exhibit A
Legal Description

TRACT A:

JOFFREY PARCEL 1-FIRST FLOOR

THAT PART OF LOTS 25 TO 31, INCLUSIVE, IN BLOCK 9 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +36.30 CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +15.09 CHICAGO CITY DATUM, AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 89° 02' 58" WEST ALONG THE SOUTH LINE OF SAID TRACT 24.13 FEET, THENCE NORTH 00° 39' 37" EAST 32.36 FEET; THENCE SOUTH 89° 30' 51" EAST 0.54 FEET; THENCE NORTH 00° 51' 55" EAST 10.05 FEET; THENCE SOUTH 89° 31' 40" EAST 9.75 FEET; THENCE SOUTH 01° 00' 43" WEST 6.44 FEET; THENCE SOUTH 89° 23' 42" EAST 13.42 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE SOUTH 00° 00' 36" EAST ALONG SAID EAST LINE 36.17 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

JOFFREY PARCEL 2-SECOND FLOOR

THAT PART OF LOTS 25 TO 31, INCLUSIVE, IN BLOCK 9 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +58.39 CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +36.30 CHICAGO CITY DATUM, AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 00° 00' 36" WEST ALONG THE EAST LINE OF SAID TRACT 18.09 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89° 59' 24" WEST 12.51 FEET; THENCE NORTH 00° 10' 21" EAST 17.75 FEET; THENCE NORTH 89° 59' 24" EAST 12.45 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE SOUTH 00° 00' 36" EAST ALONG SAID EAST LINE 17.95 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

JOFFREY PARCEL 3-THIRD-FOURTH FLOORS

THAT PART OF LOTS 25 TO 31, INCLUSIVE, IN BLOCK 9 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +102.32 CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN

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ELEVATION OF +58.39 CHICAGO CITY DATUM, AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY, (EXCEPT THAT PART DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 00° 00' 36" EAST ALONG THE EAST LINE OF SAID TRACT 18.97 FEET; THENCE SOUTH 89° 59' 24" WEST 23.71 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 00° 23' 58" WEST 20.43 FEET; THENCE NORTH 89° 36' 02" WEST 10.74 FEET; THENCE NORTH 00° 23' 58" EAST 20.43 FEET; THENCE SOUTH 89° 36' 02" EAST 10.74 FEET TO THE POINT OF BEGINNING,

ALSO EXCEPTING

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 00° 00' 36" WEST ALONG THE EAST LINE OF SAID TRACT 20.62 FEET; THENCE SOUTH 89° 59' 24" WEST 24.86 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89° 36' 02" WEST 10.74 FEET; THENCE NORTH 00° 23' 58" EAST 20.43 FEET; THENCE SOUTH 89° 36' 02" EAST 10.74 FEET; THENCE SOUTH 00° 23' 58" WEST 20.43 FEET TO THE POINT OF BEGINNING,

ALSO EXCEPTING

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 00° 00' 36" WEST ALONG THE EAST LINE OF SAID TRACT 20.62 FEET; THENCE SOUTH 89° 59' 24" WEST 43.52 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89° 36' 02" WEST 9.09 FEET; THENCE NORTH 00° 23' 58" EAST 20.43 FEET; THENCE SOUTH 89° 36' 02" EAST 9.09 FEET; THENCE SOUTH 00° 23' 58" WEST 20.43 FEET; TO THE POINT OF BEGINNING,

ALSO EXCEPTING

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 00° 00' 36" EAST ALONG THE EAST LINE OF SAID TRACT 26.71 FEET; THENCE SOUTH 89° 59' 24" WEST 42.65 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 00° 12' 02" WEST 10.51 FEET; THENCE NORTH 89° 47' 58" WEST 9.20 FEET; THENCE NORTH 00° 12' 02" EAST 10.51 FEET; THENCE SOUTH 89° 47' 58" EAST 9.20 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

JOFFREY PARCEL 4-FIFTH-SEVENTH FLOORS

THAT PART OF LOTS 25 TO 31, INCLUSIVE, IN BLOCK 9 IN FORT DEARBORN ADDITION TO CHICAGO IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +157.83 CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +102.32 CHICAGO CITY DATUM, AND LYING WITHIN ITS HORIZONTAL BOUNDARIES PROJECTED VERTICALLY, BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 00° 00' 36" EAST ALONG THE EAST LINE OF SAID TRACT 36.63 FEET; THENCE NORTH 89° 53' 24" WEST 23.84 FEET; THENCE NORTH 00° 23' 58" EAST 17.61 FEET; THENCE NORTH 89° 36' 02" WEST 10.74 FEET; THENCE SOUTH 00° 23' 58" EAST 20.43 FEET; THENCE NORTH 89° 30' 41" WEST 8.09 FEET; THENCE NORTH 00° 12' 02" EAST 10.51 FEET; THENCE NORTH 89° 47' 58" WEST 9.20 FEET; THENCE SOUTH 00°

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12' 02" WEST 8.54 FEET; THENCE NORTH 89° 30' 07" WEST 23.08 FEET; THENCE NORTH 00° 07' 18" EAST 38.60 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT; THENCE SOUTH 88° 49' 02" EAST ALONG SAID NORTH LINE 74.89 FEET TO THE POINT OF BEGINNING, IN COOK, COUNTY, ILLINOIS.

TRACT B:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF TRACT A AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE STATE RANDOLPH DEVELOPMENT, RECORDED OCTOBER 19, 2007 AS DOCUMENT NUMBER 0729260064 FOR SUPPORT, INGRESS AND EGRESS, MAINTENANCE, UTILITIES, ENCROACHMENTS, ELEVATORS AND FACILITIES, OVER THE LAND DESCRIBED THEREIN AND AS MORE PARTICULARLY DESCRIBED AND DEFINED THEREIN.

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