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0836631019

Doc#: 0836631019 Fee: \$32.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/31/2008 11:22 AM Pg: 1 of 6

SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

FOR ADDRESS 100 W. HIGGINS RD.  
SOUTH BARRINGTON, IL

PIN or LEGAL ATTACHED

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## SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS )  
  ) ss.  
COUNTY OF COOK )

The claimant, Architectural Cast Stone, Inc., an Illinois corporation, with an address at 2775 Norton Creek Drive, West Chicago, Illinois, hereby files its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and on all funds held in connection with the improvements constructed on the Real Estate and against WM. M. Butendorf Masonry a sub contractor to International Contractors, Inc., an Illinois corporation of 977 S. Route 83, Elmhurst, Illinois 60126, as general contractor, and against the Circuit City store front located and erected on the Real Estate under the contract between Circuit City Stores Incorporated and Arboretum of South Barrington, LLC., a Delaware limited liability company and against the interest of any person claiming an interest in the Real Estate (as herinafter described) by, through or under Owner.

Claimant States as Follows:

1. On or about August 23, 2007, Owner owned fee simple title to the real estate including all and improvements thereon the Circuit City store front located, in Cook County, Illinois, commonly known as 100 W. Higgins Road, South Barrington, Illinois and legally described as follows:

THAT PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 33. TOWNSHIP 42 NORTH. RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CONRER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE SOUTH 00 DEGREES 02 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 780 49 FEET TO THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE NO 72 (HIGGINS ROAD) AS MONUMENTED AND OCCUPIED; THENCE NORTH 69 DEGREES 18 MINUTES 19 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE. A DISTANCE OF 2766 41 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUT NO. 59 ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 11194096. THENCE NORTH 00 DEGREES 11 MINUTES 17 SECONDS WEST ALONG SAID EAST RIGHT OF WAY LINE OF ILLINOIS NO. 59 A DISTANCE OF 1096.63 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 50.00 FEET AN ARC DISTANCE OF 80.49 FEET TO A POINT OF COMPOUND CURVATURE. THE CHORD OF SAID ARC HAVING A LENGTH OF 72.08 FEET AND A BEARING OF SOUTH 46 DEGREES 18 MINUTES 23 SECONDS EAST; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 467.00 FEET AN ARC DISTANCE OF 68.92 FEET TO A POINT OF REVERSE CURVATURE. THE CHORD OF SAID ARC HAVING A LENGH OF 68.86 FEET AND A BEARING OF NORTH 83 DEGREES 20 MINUTES 49 SECONDS EAST; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 798.00 FEET AN ARC DISTANCE OF 365.16 FEET TO A POINT OF REVERSE CURVATURE, THE CHORD OF SAID ARC HAVING A LENGTH OF 361.98 FEET AND A BEARING OF SOUTH 87 DEGREES 46 MINUTES 18 SECONDS EAST; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 552.00 FEET AN ARC DISTANCE OF 125.61 FEET TO A POINT OF REVERSE CURVATURE, THE CHORD OF SAID ARC HAVING A LENGTH OF 125.34 FEET AND A BEARING OF SOUTH 81 DEGREES 10 MINUTES 53 SECONDS EAST; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 198.00 FEET AN ARC DISTANCE OF 66.38 FEET TO A POINT OF REVERSE CURVATURE. THE

CHORD OF SAID ARC HAVING A LENGTH OF 66.07 FEET AND A BEARING OF SOUTH 78 DEGREES 05 MINUTES 46 SECONDS EAST; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 35.16 FEET TO A POINT OF REVERSE CURVATURE, THE CORD OF SAID HAVING A LENGTH OF 33 18 FEET AND A BEARING OF NORTH 77 DEGREES 55 MINUTES 47 SECONDS EAST. THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 196.00 FEET AN ARC DISTANCE OF 39.98 FEET TO A POINT OF REVERSE CURVATURE, THE CHORD OF SAID ARCH HAVING A LENGTRH OF 39.91 FEET

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AND A BEARING OF NORTH 50 DEGREES 11 MINUTES 41 SECONDS EAST THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 232.00 FEET AN ARC DISTANCE OF 125.75 FEET TO A POINT OF COMPOUND CURVATURE THE CORD OF SAID ARC HAVING A LENGTH OF 124.21 FEET AND A BEARING OF NORTH 40 DEGREES 30 MINUTES 36 SECONDS EAST; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 754.00 FEET AN ARC DISTANCE OF 60.64 FEET TO A POINT OF NON-TANGENCY HEREINAFTER REFERRED TO AS POINT "A", THE CHORD OF SAID ARCH HAVING A LENGTH OF 60.62 FEET AND A BEARING OF NORTH 22 DEGREES 40 MINUTES 42 SECONDS EAST; THENCE SOUTH 51 DEGREES 22 MINUTES 16 SECONDS EAST ALONG A LINE HERINAFTER REFERRED TO AS LINE "A", A DISTANCE OF 287.96 FEET, THENCE SOUTH 37 DEGREES 31 MINUTES 37 SECONDS WEST, 211.19 FEET TO A POINT OF CURVATURE: THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 233.00 FEET AN ARC DISTANCE OF 43.15 FEET TO A POINT ON A NON-TANGENT CURVE, THE CHORD OF SAID ARC HAVING A LENGTH OF 43.08 FEET AND A BEARING OF SOUTH 42 DEGREES 49 MINUTES 55 SECONDS WEST; THENCE SOUTHERLY ALONG A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 90.00 FEET AN ARC DISTANCE OF 40.31 FEET, THE CHORD OF SAID ARC HAVING A LENGTH OF 39.98 FEET AND A BEARING OF SOUTH 04 DEGREES 39 MINUTES 01 SECOND EAST; THENCE SOUTH 69 DEGREES 18 MINUTES 19 SECONDS EAST, 220.11 FEET; THENCE NORTH 20 DEGREES 41 MINUTES 41 SECONDS EAST, 27.00 FEET; THENCE SOUTH 69 DEGREES 18 MINUTES 19 SECONDS EAST, 191.54 FEET; THENCE NORTH 20 DEGREES 41 MINUTES 41 SECONDS EAST, 105.23 FEET; THENCE NORTH 38 DEGREES 37 MINUTES 44 SECONDS EAST, 30.67 FEET TO THE SOUTHEASTERLY EXTENSION OF AFORESAID LINE "A"; THENCE SOUTH 51 DEGREES 22 MINUTES 16 SECONDS EAST ALONG THE SOUTHEASTERLY EXTENSION OF SAID LINE "A", 128.74 FEET TO A POINT ON SAID SOUTHEASTERLY EXTENSION OF LINE "A" THAT IS 795.95 FEET SOUTHEASTERLY OF, MEASURED ALONG SAID LINE "A" AND ITS' SOUTHEASTERLY EXTENSION, AFORESAID POINT "A"; THENCE NORTH 38 DEGREES 37 SOUTHEASTERLY EXTENSION, AFORESAID POINT "A"; THENCE NORTH 38 DEGREES 37 MINUTES 44 SECONDS EAST, A DISTANCE OF 83.15 FEET TO THE WEST LINE OF THE EAST 16.35 CHAINS OF THE AFORESAID NORTHEAST QUARTER OF SECTION 33; THENCE NORTH 00 DEGREES 04 MINUTES 45 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 476.54 FEET; THENCE SOUTH OF 00 DEGREES 04 MINUTES 45 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 422.20 FEET; THENCE SOUTH 45 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 524.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 45 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 916.39 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**The Permanent Real Estate Tax Number is:** 01-33-200-007-0000; 01-33-200-012-0000; 01-33-200-013-0000; 01-33-200-014-0000; 01-33-200-015-0000; 01-33-200-017-0000

2. International Contractors, Inc., was hired by Circuit City Incorporated act as a General Contractor to provide improvements on the real estate store front under lease agreement with the owner Arboretum of South Barrington, LLC.
3. On or about May 5, 2008, WM. M. Butendorf Masonry, as sub-contractor to International Contractors, Inc., as general contractor, made a written subcontract with Claimant under which Claimant agreed to provide all necessary material and apparatus for all necessary masonry for construction of a Circuit City Incorporated store front on the real estate in exchange for payment in the original contract sum of \$10,890.17.
4. The Subcontract was entered into by WM. M Butendorf Masonry a sub-contractor of International Contractors, Inc., general contractor with the knowledge and consent of Circuit City Incorporated under lease agreement with the owner Arboretum of South Barrington, LLC. Alternatively, the owner specifically authorized Circuit City Incorporated through lease agreement to authorize General and/or General's agents to enter into contracts for improvements of the Real Estate. Alternatively, knowingly permitted General and/or General's agents to enter into contracts for the improvement of the Real Estate.
5. At the special instance and request of WM. M. Butendorf Masonry a sub-contractor of International Contractors, Inc., general contractor and with the full knowledge and expressed consent or acquiescence of Circuit City Incorporated under lease agreement with Arboretum of South Barrington,

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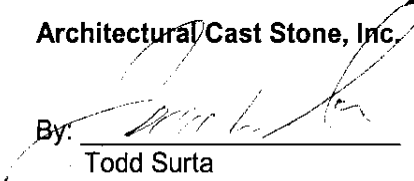
LLC., Claimant furnished extra and additional materials on the Real Estate to the value of \$235.38. Claimant completed providing the additional materials at various times.

- 6. On September 4, 2008. Claimant completed substantially all work required to be performed under this Subcontract,
- 7. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing credits for payments by General, the balance of Eleven Thousand One Hundred Forty Three 79/100 (\$11,143.79) for which, with interest, Claimant claims a lien on the Real Estate on the monies or other consideration due or to become due from Arboretum of South Barrington, LLC., to Lessee Circuit City Incorporated to International Contractors, Inc., under the contract between Circuit City Incorporated and International Contractors, Inc.

Dated: December 31, 2008

Dated at West Chicago, Illinois, this 31st day of December, 2008.

**Architectural Cast Stone, Inc.**

By:   
 Todd Surta  
 President

Subscribed and Sworn to before me  
This 31st day of December, 2008.

  
 \_\_\_\_\_  
 Notary Public



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**THIS INSTRUMENT WAS PREPARED BY AND  
AFTER RECORDING SHOULD BE RETURNED TO:**

**Architectural Cast Stone, Inc.**

**Lisa R. Kral**

**2775 Norton Creek Drive**

**West Chicago, IL 60185**

**Telephone: (630) 377-4800**

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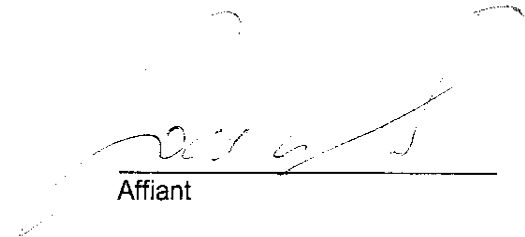
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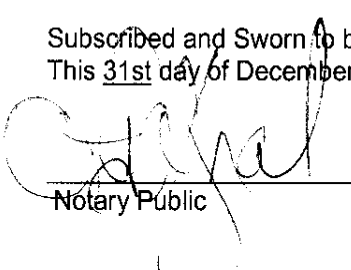
STATE OF ILLINOIS )  
  ) ss.  
COUNTY OF COOK )

The affiant, Todd Surta, being first duly sworn on oath, deposes and says that he is the President of Architectural Cast Stone Incorporated, the lien 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.

SIGNED this 31<sup>st</sup> day of December, 2008.

  
\_\_\_\_\_  
Affiant

Subscribed and Sworn to before me  
This 31st day of December, 2008.

  
\_\_\_\_\_  
Notary Public

