

# UNOFFICIAL COPY



0836639011

**SUBCONTRACTOR'S NOTICE AND  
CLAIM FOR MECHANICS LIEN  
PURSUANT TO 770 ILCS 60/24 and 60/25**

Doc#: 0836639011 Fee: \$32.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 12/31/2008 09:16 AM Pg: 1 of 6

STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF C O O K     )

**To: Via Certified Mail, Return Receipt Requested, Limited to Addressee Only**

See Attached Service List

The claimant, Environmental Systems Design, Inc. ("Claimant"), with an address at 175 West Jackson Blvd., Suite 1400, Chicago, Illinois 60604, hereby serves and 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 1118 North State, LLC, as owner and lessor ("Owner"), Cedar Hotel, LLC, as lessee ("Lessee"), M Development, L.L.C. as developer ("Developer"), Morgans Hotel Group Co. ("Morgan"), and Solomon, Cordwell, Buenz & Associates, Inc. ("Architect") and against the interest of any person claiming an interest in the Real Estate (as hereinafter described) by, through or under Owner and Lessee.

Claimant states as follows:

1. On or about March 2, 2007, and subsequent thereto, Owner owned fee simple title to the real estate, including all land and improvements thereon (the "Real Estate"), in Cook County, Illinois, commonly known as 1118 North State Street, Chicago, Illinois and legally described as follows:

SEE ATTACHED

The Permanent Real Estate Tax Number is: 17-04-414-011-0000.

2. On information and belief, On or about June 1, 2007, and subsequent, the Lessee was Owner's lessee pursuant to a ground lease for the Real Estate. Pursuant to the Lease, Lessee intended to demolish the existing building located on the Real Estate and construct a hotel on the Real Estate ("Hotel").

3. On information and belief, on or before March 21, 1974, Cedar State Hotel Co., and Melvin's Inc. entered a lease for the Real Estate.

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4. On information and belief, on or before December 22, 1998, Inn-Town Hotel, Inc. and Kenman, Ltd., entered a lease for the Real Estate.

5. On information and belief, some time prior to June 25, 2007, Lessee, with the knowledge and/or consent of the Owner, entered into an agreement with Developer and/or Morgan to design and construct the Hotel.

6. On information and belief, some time prior to June 25, 2007, Developer and Architect entered into an agreement pursuant to which Architect was to provide architectural/engineering design services for the development of the Hotel.

7. On or about June 25, 2007, Architect made a written contract with Claimant under which Claimant agreed to provide Mechanical, Engineering, Plumbing and Fire Protection (MEP/FP) Consulting Engineering Services for the development of the Hotel on the Real Estate. (the "Contract").

8. The Contract was entered into by Architect and the work was performed by Claimant with the knowledge and consent of Owner, Lessee, Developer and Morgan. Alternatively, the Owner, Lessee, Developer and Morgan specifically authorized Architect and/or Architect's agents to enter into contracts for improvement of the Real Estate. Alternatively, the Owner, Lessee, Developer and Morgan knowingly permitted Architect to enter into contracts for improvement of the Real Estate.

9. Throughout the course of performing the Contract, at the special insistence of the Architect, Claimant provided extra and additional work totaling Forty Seven Thousand Nine Hundred and 00/100 Dollars (\$47,900.00).

10. On October 3, 2008, Claimant last performed work required to be performed under the Contract.

11. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing credits for payments by Architect, the balance of One Hundred Fifty Four Thousand Three Hundred Six and 28/100 Dollars (\$154,306.28) for which, with interest, Claimant claims a lien on the Real Estate, the leasehold interest of Lessee in the Real Estate and on the monies or other consideration due or to become due from Owner to Lessee under the contract and/or lease between Owner and Lessee, under the contract between Lessee and Developer and/or Morgan and under the contract between the Developer and the Architect.

Wherefore, Claimant possessing the right by Illinois Statute to a Mechanic's Lien on and against the Real Estate herebefore described, files its Subcontractor's Claim for Mechanics Lien in the Office of the Recorder of Deeds of Cook County.

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To the extent allowed by law, any and all waivers of lien previously provided by Claimant, if any, in order to induce payment not yet received are hereby revoked. Do not pay the Architect for this work or material directly. Claimant's acceptance of part, but not all, of the amount claimed due and owing shall not invalidate this Notice.

Dated: December 30, 2008

Environmental Systems Design, Inc.

By *George G. Vrechek*  
George G. Vrechek  
Its Vice President

STATE OF ILLINOIS )  
                                  ) SS.  
COUNTY OF COOK )

I, George G. Vrechek, being first duly sworn on oath, depose and state that I am Vice President of Claimant, Environmental Systems Design, Inc., that I am authorized to execute this Subcontractor's Notice and Claim for Mechanics Lien on behalf of Claimant, that I have read the foregoing Subcontractor's Notice and Claim for Mechanics Lien and know the contents thereof, and that the statements contained therein are true.

*George G. Vrechek*  
George G. Vrechek

Subscribed and Sworn to before me this 30th day of December, 2008.

*Rose Marie Quilty*  
Notary Public



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

Timothy R. Rabel  
QUERREY & HARROW, LTD.  
175 West Jackson Boulevard, #1600  
Chicago, IL 60604  
(312) 540-7000

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Legal Description:

LOTS 1, 2, 3 AND 4 IN EWING'S ADDITION TO CHICAGO, A SUBDIVISION IN BLOCK 17 OF BUSHNELL'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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## AFFIDAVIT

STATE OF ILLINOIS )  
  ) SS.  
COUNTY OF COOK )

I, KAREN MCNALLY, a non-attorney, being first duly sworn on oath, depose and state that on December 30, 2008, I served the attached Subcontractor's Notice and Claim For Mechanics Lien on behalf of Claimant by sending a duplicate original thereof to each of the persons and entities listed below by certified mail, return receipt requested, limited to addressee only:

1118 North State, LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Mark A. Hunt

Cedar Hotel, LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Mark A. Hunt

Cedar Hotel Holdings, LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Mark A. Hunt

M 1118 State LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Mark A. Hunt

Solomon, Cordwell, Buenz & Associates, Inc.  
625 North Michigan Ave., #800  
Chicago, Illinois 60611  
Attention: John C. Lahey

M Development, LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Mark A. Hunt

Anglo Irish Bank Corporation PLC  
71 S. Wacker, Suite 1840  
Chicago, Illinois 60606  
Attention: Paul Doyle

Pinnacle Investment Group, LLC  
1055 W. Bryn Mawr, #F-290  
Chicago, Illinois 60650  
Attention: Robert Rothstein

Morgans Hotel Group Co.  
The Corporation Trust Company  
Corporation Trust Center 1209 Orange Street  
Wilmington, Delaware 19801  
Attention: Scott Lascala

Morgans Hotel Group Co.  
475 Tenth Avenue, 11<sup>th</sup>  
New York, New York 10018  
Attention: Brian Baker

Department of Housing  
City of Chicago  
33 North LaSalle Street, 2d Floor  
Chicago, Illinois 60602  
Attention: Ellen Sahli

Department of Finance  
City of Chicago  
33 North LaSalle Street, 6th Floor  
Chicago, IL 60602  
Attention: Steve Lux

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Department of Law  
City of Chicago  
Finance and Economic Development Division  
121 North LaSalle Street, Room 600  
Chicago, Illinois 60602  
Attention: Edward J. Wong, Jr.

M Development, LLC  
412 N. Paulina St.  
Chicago, Illinois 60622  
Attention: Christopher Oakley

Mark A. Hunt  
412 N. Paulina St.  
Chicago, Illinois 60622

Morgans Group LLC  
The Corporation Trust Company  
Corporation Trust Center 1209 Orange Street  
Wilmington, Delaware 19801  
Attention: Scott Lascala

Inn-Town Hotel, Inc  
4849 West Irving Park Road  
Chicago, Illinois 60641  
Attention: Olive Marshall

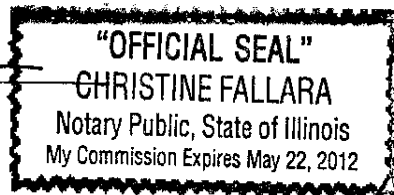
Kenman, Ltd.  
150 North Michigan Avenue, #300  
Chicago, Illinois  
Attention: Kenneth Lewis, Sr.

Property of Cook County Clerk's Office

*Karen McFally*

SUBSCRIBED AND SWORN to  
before me this 30<sup>th</sup> day of  
December, 2008.

*Christine Fallara*  
Notary Public



Document #: 1383133