



Doc#: 0903003099 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 01/30/2009 04:33 PM Pg: 1 of 3

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

John S. Mrowiec
Conway & Mrowiec
20 South Clark Street
Suite 1000
Chicago, Illinois 60603
(312) 658-1100

**ORIGINAL CONTRACTOR'S CLAIM FOR
MECHANICS LIEN ON PROVINCE LEASEHOLD**

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

The Claimant, Leopardo Companies, Inc. ("Leopardo"), an Illinois corporation with an office at 5200 Prairie Stone Parkway, Hoffman Estates, Illinois 60192, hereby files its Original Contractor's Claim for Mechanics Lien on the Province Leasehold (as hereinafter described) of Caza One, LLC ("Tenant"), and against the interest of any person claiming an interest in the Province Leasehold, by, through or under Tenant **but not against the interest of the Public Building Commission ("PBC") or Chicago Transit Authority ("CTA") in any real estate or improvements;**

Leopardo states as follows:

1. Since April 2, 2003, PBC has owned record interests in fee simple and possibly otherwise in the real estate and improvements commonly known as 567 West Lake Street, 159 North Jefferson Street, 161 North Jefferson Street and possibly other street addresses, legally described as:

Lots 2, 3 and 6 of the North 41.3 Feet of Lot 7 in Block 27 in Original Town of Chicago in Section 9, Township 39 North, Range 14 East of the Third Principal Meridian, the North 41.3 Feet of Lot 7 in Block 27 being also known as Lot 9 in the Subdivision of Lots 7 and 10 in Block 27 aforesaid, in Cook County, Illinois

(the "Site"). The Real Estate PIN Numbers of the Site are 17-09-323-001 and 17-09-323-002.

2. Under a Lease Agreement dated as of March 31, 2003 and recorded April 30, 2003,

PIN Numbers: 17-09-323-001 and 17-09-323-002

Address: Province Restaurant Leasehold, 161 North Jefferson Street, Chicago, Illinois

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PBC, as lessor, granted a leasehold to CTA, as Site Tenant, to the Site for a term of over twenty years (the "PBC-CTA Lease"). Under the PBC-CTA Lease, CTA has the right to operate the Site.

3. Since prior to June 27, 2008, Tenant held certain interest(s) under that certain lease between the CTA, as lessor, and Tenant, as lessee, relating to an approximately 4200 square foot portion of retail space with a street address of 161 North Jefferson Street, Chicago, Illinois to be used for a restaurant at the Site (the "Province Leasehold").

4. As of June 27, 2008, Leopardo entered into a written contract with Tenant under which Leopardo agreed to perform construction services as general contractor for construction of a Restaurant on and in the Province Leasehold in exchange for payment of the cost of the work plus fee for an original guaranteed maximum price of One Million Two Hundred Sixty-Two Thousand Two Hundred Sixty-Eight Dollars (\$1,262,268) subject to increase for additional or changed work, delays or differing site conditions (the "Contract").

5. At the special instance and request of Tenant, Leopardo furnished extra and additional materials and extra and additional labor for the improvement of the Real Estate to the extent and value of the net amount of One Hundred Sixty-Two Thousand Three Hundred Forty-Two Dollars (\$162,342) resulting in a final adjusted Contract Price of One Million Four Hundred Twenty-Four Thousand Six Hundred Ten Dollars (\$1,424,610).

6. The Contract was entered into by Tenant and the work was performed by Leopardo with the knowledge and consent of Tenant and CTA.

7. Leopardo substantially completed Leopardo's Work under the Contract on October 1, 2008.

8. As of the date hereof, after allowing all credits, there is presently due, unpaid and owing to Leopardo, the principal sum of One Hundred Eighty-Six Thousand Two Hundred One and 80/100 Dollars (\$186,201.80) for which, with interest, Leopardo claims a mechanics lien against the Province Leasehold but not against the CTA's other interests in the Site, or PBC-CTA Leasehold or against the interests of PBC.

9. Leopardo hereby revokes any waiver of rights given in advance of payment for which payment was not received by Leopardo.

Dated: January 30, 2009

LEOPARDO COMPANIES, INC.

By: 

Christopher L. Novak, Vice President

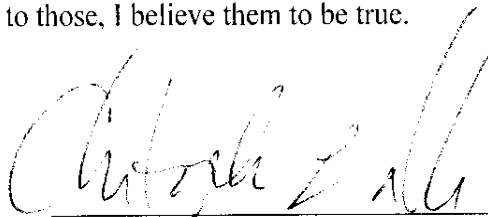
PIN Numbers: 17-09-323-001 and 17-09-323-002

Address: Province Restaurant Leasehold, 161 North Jefferson Street, Chicago, Illinois

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

I, Christopher L. Novak, being first duly sworn on oath, depose and state that I am a Vice President of Claimant, am authorized as agent to execute this Original Contractor's Claim for Mechanics Lien on behalf of Claimant, I have read the foregoing Original Contractor's Claim for Mechanics Lien and know the contents thereof and the statements contained therein are true except to those stated on information and belief, and as to those, I believe them to be true.

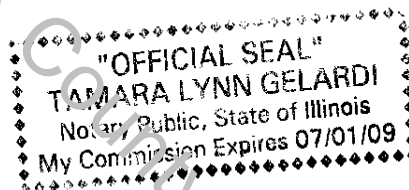


Christopher L. Novak

SUBSCRIBED AND SWORN TO
before me this 21 day of January, 2009



Notary Public



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AND AFTER RECORDING SHOULD BE RETURNED TO:

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