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SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

STATE of ILLINOIS COUNTY of COOK



STATE OF ILLINOIS)
COUNTY OF COOK) SS

Doc#: 0903654052 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/05/2009 01:56 PM Pg: 1 of 2

Elliot Construction Corp.,
Claimant

VS

Edward Smolyansky, Brown Building Co.,
and all other(s) owning or claiming an interest in the hereinafter-described real property,
Defendants

NOTICE AND CLAIM FOR LIEN IN THE AMOUNT OF \$53,153.50

THE CLAIMANT, Elliot Construction Corp., 21W171 Hill Avenue, Glen Ellyn, Illinois, hereby files a notice and claim for mechanics lien, as hereinafter more particularly stated, against Brown Building Co., contractor, 781 Industrial Drive, Elmhurst, Illinois, and against Edward Smolyansky and all other(s) owning or claiming an interest in the hereinafter-described real property and states:

THAT, at all relevant times, Edward Smolyansky and all other(s) owning or claiming an interest in the hereinafter-described real property, or any of them, was (were) the owner(s) of the following-described real property, to wit:

Lot 2 (except the east 7 feet thereof) in the subdivision of Lots 53 and 54 (except the east 92 feet of said Lot 54) in Bronson's Addition to Chicago, in the northeast quarter of Section 4, Township 39 North, Range 14, east of the Third Principal Meridian, in Cook County, Illinois.

Permanent Index Number: 17-04-221-012-0000

Property Address: 1219 North Wells Street, Chicago, Illinois

THAT, on August 14, 2006, Claimant entered into a subcontract with the said Brown Building Co. to provide labor and material to install concrete foundation, floors and walks for the afore-described real property of a value of and for the sum of **\$315,200.00**.

THAT, at the special instance and request of the said Brown Building Co., Claimant provided additional labor and material to install concrete foundation, floors and walks for the afore-described real property of a value of and for the sum of **\$116,912.00**.

THAT, on October 7, 2008, Claimant substantially completed all required of Claimant by the said subcontract, including the provision of additional labor and material as aforesaid.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE
USED FOR THAT PURPOSE**

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THAT the said Brown Building Co. was authorized or knowingly permitted by the owner(s) of the afore-described real property to enter into its subcontract with Claimant, including the provision of additional labor and material as aforesaid, pursuant to the said Brown Building Co.'s contract with the said owner(s), or one(s) authorized or knowingly permitted by the said owner(s) to enter into such a contract, to improve the afore-described real property.

THAT Claimant has received **\$378,958.50** pursuant to the said subcontract.


THAT Claimant herewith revokes waiver(s) of lien, if any, heretofore furnished by Claimant for the purpose of inducing payment

THAT neither Brown Building Co. nor any other party has made any further payment or is entitled to any credit, leaving due, unpaid and owing to Claimant the balance of **\$53,153.50**, for which, with interest at the statutory rate of 10% per annum, as specified in the Illinois Mechanics Lien Act, and all other applicable statutory and equitable remedies, Claimant claims a lien on the afore-described real property and improvements and, as against the creditors and assignees, and personal and legal representatives of the contractor, on the material, fixtures, apparatus or machinery furnished, and on the moneys or other considerations due or to become due from the said owner(s), or his (their) agent(s), under the original contract.

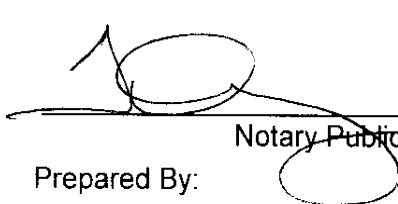

Edward L. Johnson, Agent of Claimant

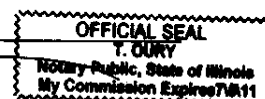
STATE OF ILLINOIS) SS
COUNTY OF DUPAGE)

THE AFFIANT, Edward L. Johnson, being first duly sworn, on oath deposes and says that he is an agent of Claimant, that he has read the foregoing Subcontractor's Notice and Claim for Mechanics Lien, knows the contents thereof, and that all statements therein contained are true.


Edward L. Johnson, Agent of Claimant

Subscribed and sworn to before me this 5th day of FEBRUARY, 2009.


Notary Public



Mail To:

Edward L. Johnson
Elliot Construction Corp.
21W171 Hill Avenue
Glen Ellyn, Illinois 60137

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