## **UNOFFICIAL COPY**

Ø 1541, 827, 1037

Doc#: 0904803032 Fee: \$30.00 Eugene "Gene" Moore RHSP Fee: \$10.00 Cook County Recorder of Deeds
Date: 02/17/2009 11:52 AM Pg: 1 of 4

#### After recording please return to:

Thomas Pozdol ARRP Trucking and Paving Company 615 North Ogden Avenue Chicago, IL 60622

STATE OF ILLINOIS )
S.S.
COUNTY OF COOK)

(For Recorder's Use Only)

### SUBCONTRACTOR'S NOTICE AND CLA'M FOR LIEN

The Claimant, ARRP TRUCKING AND PAVING COMPANY, 615 North Ogden, Chicago, IL 60622, hereby files its notice and claim for lien against Rand River LLC 7001 West Higgins Road, Chicago, Illinois 60056 ("Owner/Contractor"), Chicago Title Land Trust Company, as Trustee under Trust No. 1113542 dated September 22, 2004, 171 North Clark Street, Chicago, Illinois 60601 ("Record Owner") and First Chicago Bank & Trust, 1145 North Arlington Heights Road, Ilase a Illinois 60143 ("Lender") and any persons claiming to have an interest in the Real Estate described below.

#### Claimant states as follows:

- 1. On and prior to February 24, 2007, Record Owner owned fee title to the land and improvements thereon in the County of Cook. State of Illinois and legally described in Exhibit A attached hereto and made a part hereof.
- 2. The Real Estate is commonly known as 1552-1584 Rand Road, Des Plaines, Illinois 60010 and the permanent index numbers for the Real Estate are: 09-16-104-001-0000, 09-16-104-002-0000, 09-16-104-003-0000, 09-16-104-0000, 09-16-104-012-0000, 09-16-104-013-0000 and 09-16-104-014-0000.
- 3. On or prior to February 24, 2007, the Record Owner, or a party knowingly permitted by or authorized by the Record Owner to contract for the improvement of the Real Estate, entered into a contract with the Owner/Contractor, for the improvement to the Real Estate.

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- 4. On or about February 24, 2007, the Owner/Contractor made a written subcontract agreement with the Claimant to perform asphalt paving work upon the Real Estate including the construction of a parking lot area including aggregate base, binder and asphalt surface and all related items at the agreed price of \$89,500.00 pursuant to the written Contract Between Owner/General Contractor and Sub-Contractor. At the special instance and request of Owner/Contractor, Claimant performed extra and additional work including the supply of additional aggregate and asphalt in the total amount of \$23,353.00.
- 5. On November 10, 2008, Claimant completed all work required to be done by said subcontract including the extra and additional work.
- To the extent permitted by law, any and all waivers of lien heretofore given by claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice.
- 7. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing all credits, the sum of Thirty-nine Thousand Four Hundred Twenty-three Dollars (\$39,423.00) which amount, the sum of Thirty-nine Thousand Four Hundred Twenty-three Dollars (\$39,423.00) with interest at the statutory rate also of 10% per annum, the Claimant claims a lien on the Real Estate and improvements thereon and on any monies or other consideration due or to become due from the Record Owner to the Owner/Contractor, under the Record Owner's contract with the Owner/Contractor.

ARRP TRUCKING AND PAVING COMPANY

By Thomas J. Pozdol, President

**VERIFICATION** 

STATE OF ILLINOIS ) S.S.

COUNTY OF COOK)

This affiant being first duly sworn on oath, deposes and states, that he is the P esteent of ARRP Trucking & Paving Company, that he is authorized to sign this Verification to the foregoing. Subcontractor's Notice and Claim for Lien, that he has read the foregoing and the contents contained therein are true.

SUBSERIBED and SWORN to before me this 5th day of February 2009.

NOTARY PUBLIC

OFFICIAL SEAL

JACQUELINE HALL

NOTARY PUBLIC, STATE OF ILLINOIS

MY COMMISSION EXPIRES 3-15-2012

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#### PROOF OF SERVICE OF NOTICE AND CLAIM OF LIEN

Christine Frigo, being first duly sworn on oath states that she served the above and foregoing Subcontractor's Notice and Claim for Lien on the following at the addresses shown below, by placing the same in the United States mail, with postage prepaid, for certified delivery, limited to addressee on February 5, 2009 to:

First Chicago Bank & Trust Attn: Randy Lehne 1145 North Arlington Heights Road Itasca, Illinois 60143 Certified Mail N > 7002 3150 0006 0621 3141

Chicago Title Land Trust Company
Attention: Elizabeth Cordova, AVP & Land
Trust Officer or successor
171 North Clark Street
Chicago, Illinois 60601
Certified Mail No. 7002 3150 0006 0621 3158

Rand River, L.L.C. Attention: Daniel R. Pomarelli, Manager 7001 West Higgins Road Chicago, IL 60056 Certified Mail No. 7002 3150 0006 0621 3165

Christine Frigo

SUBSCRIBED and SWORN to before me this 5th day of February, 2009.

Notary Public

OFFICIAL SEAL
TERESA MARIE BROWN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5-12-2012

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### EXHIBIT A

### **LEGAL DESCRIPTION:**

LOTS 6, 7, 8, 10, 11 AND 12 (EXCEPT THE SOUTHWESTERLY 17.00 FEET OFLOTS 10, 11 AND 12) IN BLOCK 3 IN RIVER RAND SUBDIVISION OF LOTS 1 TO 8 IN BLOCK 18 (OR BENNETT BLOCK) AND LOTS 1 TO 13 IN BLOCK 19 (OR RAND BLOCK) IN PARK ADDITION TO DES PLAINES, A SUBDIVISION OF LOTS 17 TO 20 IN HODGE'S SUBDIVISION OF SECTIONS 16 AND 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THICP PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS:

P.I.N.:

584 Rand N

09-16-104-001-000,
09-16-104-012-0000;
09-16-104-014-0000

09-16-104-014-0000