



File No. 38296

Doc#: 0908234084 Fee: \$31.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 03/23/2009 03:28 PM Pg: 1 of 5

**SUBCONTRACTOR'S AMENDED NOTICE AND CLAIM
FOR MECHANIC'S LIEN**

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

To: See attached service list.

The claimant, ATMI Dynacore, LLC, with an address of 551 South Independence Boulevard, Lockport, Illinois 60441 ("Claimant"), hereby files its Subcontractor's Notice and Claim for Mechanic's Lien on the Real Estate (as hereinafter described) and on all other funds held in connection with the improvements constructed on the Real Estate and against Dellisart-Chicago B, LLC, located at 1230 West Washington Street, Chicago, Illinois 60607 ("Owner"), Walsh Construction Company, an Illinois corporation with offices at 929 West Adams, Chicago, Illinois ("Walsh"), Sakura Bank, Ltd., Chicago and Capital Source Finance, LLC with offices in Chevy Chase, Maryland and against the interest of any other person claiming an interest in the Real Estate (as hereinafter described) by and through the Owner.

Claimant states as follows:

1. On or about January 02, 2007, and subsequently, the Owner owned Fee Simple title to the Real Estate, including all land and improvements thereon of the Real Estate (hereinafter, the "Real Estate") in Cook County, State of Illinois commonly known as 127 West Huron, Chicago, Illinois and legally described as follows:

See attached, Exhibit A.

The permanent real estate index numbers are:

- 17-09-218-018-0000
- 17-09-218-019-0000
- 17-09-218-020-0000

2. On information and belief, Owner entered into an agreement with Walsh to construct a project referred to as the Staybridge Suites for improvements of the Real Estate.

3. On or about April 06, 2007, Walsh entered into a subcontract with Claimant under which Claimant agreed to furnish all labor and materials to complete all the hollow core precast concrete planking related to the work on the Real Estate in exchange for an original contract sum \$800,000. Said subcontract work was the work Walsh was to perform pursuant to its contract with the Owner.

4. The subcontract was entered into by Walsh, and the work was performed by Claimant with the knowledge and consent of the Owner. Alternatively, the Owner specifically authorized Walsh and/or its agents to enter into contracts for improvement of the Real Estate. Alternatively, the Owner knowingly permitted Walsh to enter into contracts for improvements of the Real Estate.

[Handwritten signature]
REC'D

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5. On June 20, 2008, Claimant stopped work on the project because of non-payment of the outstanding invoices.

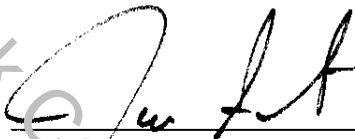
6. As of the date hereof, there is due, unpaid and owing to the Claimant the balance of \$263,413.14 for which, with interest, Claimant claims a lien on the Real Estate and on the monies or other consideration due or to become due from the Owner to Walsh under the contract between Owner and Walsh.

7. This Subcontractor's Notice and Claim for Mechanic's Lien is intended to supplement and amend the Claimant's Subcontractor's Notice and Claim for Mechanic's Lien recorded September 18, 2008 with the Cook County Recorder of Deeds under Document No. 0826218037.

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

ATMI Dynacore, LLC

By:



James Armbruster, CEO Business Development

2-10-09

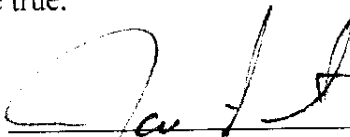
Property of Cook County Clerk's Office

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AFFIDAVIT


STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

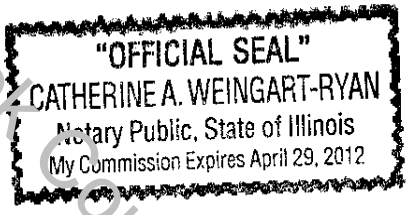
The Affiant, James Armbruster, being first duly sworn on oath, depose and state that I am the CEO of Business Development of ATMI Dynacore, LLC, an Illinois limited liability corporation, that I am authorized to execute this Notice and Claim for Mechanics Lien on behalf of Claimant; that I have read the foregoing Notice and Claim for Lien and know the contents thereof, and statements contained therein are true.

By: 
James Armbruster, CEO Business Development

2-10-09

Subscribed and sworn to before me
this 10th day of February, 2009.


NOTARY PUBLIC



Property of Cook County Clerk's Office

UNOFFICIAL COPY**LEGAL DESCRIPTION OF REAL ESTATE**

Parcel 1:

A tract of land bounded by a line described as follows: Beginning on the North line of Sub-lot 1 in Assessor's Division of Lots 4, 5, 6, 7, 10 and 11 in Block 27 in Wolcott's Addition to Chicago, in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, said line being also the South line of present Huron Street at a point 25 feet East of the Northwest corner of said sub-lot; thence West along the North line of said sub-lot extended being also the South line of said Huron Street to a point 14 feet East of Original West line of Lot 9 in Block 27 aforesaid (as said lot appears on plat of Wolcott's Addition recorded August 15, 1836 in Book "H", Page 94) said point being also the East line of present LaSalle Street, as widened pursuant to Condemnation Suit Case 13227 County Court of Cook County, Illinois; thence South along the East line of LaSalle Street as so widened to a point on the South line of said Lot 9, being also the center line of an 18 foot alley, thence East along the South line of Lot 9 extended, being also the center line of said alley to a point 15 feet East of the Southwest corner of said Sub-lot 1; thence North to the place of beginning, in Cook County, Illinois.

Parcel 2:

Lot 1, (except the West 25 feet in Assessor's Division of Lots 4, 5, 6, 7, 10 and 11 in Block 27 in Wolcott's Addition to Chicago in the East ½ of the Northeast ¼ of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat recorded on October 6, 1869 in Book 170, Page 179, as Document 28064; also Lots 12 and 13 in Block 27 in Wolcott's Addition to Chicago in the East ½ of the Northeast ¼ of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Common Address: Southeast corner of LaSalle Street and Huron Street, Chicago, Illinois

PIN: 17-09-218-018
17-09-218-019
17-09-218-020



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CERTIFICATE OF SERVICE

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Catherine Weingart-Ryan, a non-attorney, being first duly sworn on oath, depose and state that on March 20, 2009, I served the attached Amended Notice and Claim of Mechanic's Lien on behalf of Claimant by sending a duplicate original thereof to each of the persons and entities listed on the attached service list by certified mail, return receipt requested, limited to addressee only to:

Dellisart Chicago P, LLC
Registered Agent,
Dennis Carlan
191 North Wacker Drive, Suite 3700
Chicago, IL 60606

Walsh Construction Company
Registered Agent,
Matthew M Walsh
929 West Adams
Chicago, IL 60607

Capital Source Finance, LLC
Registered Agent,
Tawana Center
208 South LaSalle Street, Suite 814
Chicago, IL 60604

William Haney
Sumitomo Mitsui Bank/(Sakura Bank, Ltd.)
277 Park Avenue
New York, NY 10172

By: Cath Weingart-Ryan
Catherine Weingart-Ryan

Subscribed and sworn to before me
this 20th day of March, 2009.

[Signature]
NOTARY **MONIQUE LISA TRAUTMANN**
Notary Public, State of Illinois
March 5, 2012

THIS INSTRUMENT WAS PREPARED BY an MAIL TO:
Scott B. Krider
Querrey & Harrow, Ltd.
175 West Jackson Boulevard, Suite 1600
Chicago, Illinois 60604
(312) 540-7000
Document #: 1391458