

# UNOFFICIAL COPY



DOCUMENT PREPARED BY

AND RETURN TO:

Contractors Lien Services of Illinois, Inc.  
6225 N. Milwaukee Ave.  
Chicago, IL 60646  
773-594-9090  
773-594-9094 fax  
getpaid@paydaylien.com

Doc#: 0908550022 Fee: \$36.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/26/2009 02:09 PM Pg: 1 of 10

## SUBCONTRACTOR'S CLAIM OF LIEN (MECHANICS)

State of Illinois

SS. County of **Cook**

The claimant, **Ace Construction Corporation**  
hereby files its lien as a subcontractor against the real property described in Exhibit A and against the  
interest of **1701 N. Dayton LLC**  
(hereinafter Owner) in that real property.

On **2/27/2009** owner owned fee simple title to the certain land described in Exhibit A attached  
hereto, including all land and improvements thereon, in the county of **Cook**, State of Illinois.

Permanent Index Numbers: **14 32 426 066 1005**  
**14 32 426 066 1001**  
**14 32 426 066 1002**  
**14 32 426 066 1003**  
**14 32 426 066 1004**  
**14 32 426 066 1005**

Commonly known as: **1701 N. Dayton Ave., Chicago, IL 60614**

Owner of Record: **1701 N. Dayton LLC**  
**1137 W. Webster**  
**Chicago, IL 60614**

On **11/4/2008** claimant made **an oral contract** with **SMH Development** the original contractor

(hereinafter Original Contractor) to furnish all labor and materials, equipment and services necessary for,

**Labor and Materials:**

**Concrete work for footings and walls on foundation.**

for and in said improvement, and that on **2/27/2009** the claimant completed all required by said  
contract for and in said improvement.

Thursday, March 26, 2009

This Is An Attempt To Collect A Debt

Page 1 of 2

Lien ID: 3557-4897

Title company please be informed that this lien incurs 10% interest from date of filing  
and must be calculated at time of closing pursuant to 770ILCS 60/1(a) of the Illinois Lien Act.

10 pgs

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That at the special instance and request of owner(s) or original contractor, the claimant furnished extra and additional materials and extra and additional labor on said premises the value of which is and which was completed on **2/27/2009**.

The original subcontract amount was for **\$70,000.00** in addition extra work was done at a cost of **\$0.00**. After allowing for all credits in favor of the owner **\$25,273.00** is due and owing on which interest is accruing at the rate of 10% per year to be recalculated at the time of the settlement of claim.

The claimant claims a lien on said land and improvements and on the monies or other consideration, due to or to become due from owner under the original contract to the original contractor.

Date: 3/26/2009

Signed by: Stuart F. Boncher V.P.  
As Agent for Client

### VERIFICATION

I declare that I am authorized to file this SUBCONTRACTOR'S CLAIM OF LIEN (MECHANICS) on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the law of the State of Illinois that the foregoing is true and correct. Executed at Contractor's Lien Services, Inc. on 3/26/2009.

Signed by: Stuart F. Boncher V.P.  
As Agent for Client

Subscribed and sworn to before me on this 26 day of March, 2009.

Anna Michells  
Notary Public



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0835857067 Page 1 of 15

**WHEN RECORDED MAIL TO:**

InBank  
 Attn: Loan Department  
 15533 S. Cicero Avenue  
 Oak Forest, IL 60452

**FOR RECORDER'S USE ONLY****This Mortgage prepared by:**

Robert Romero, Vice President (2954713-9001)  
 InBank  
 15533 S. Cicero Avenue  
 Oak Forest, IL 60452

**MORTGAGE**

**MAXIMUM LIEN.** At no time shall the principal amount of indebtedness secured by the Mortgage, not including sums advanced to protect the security of the Mortgage, exceed \$819,104.96.

**THIS MORTGAGE** dated October 27, 2008, is made and executed between 1701 N. Dayton, LLC, whose address is 1137 W. Webster, Chicago, IL 60614 (referred to below as "Grantor") and InBank, whose address is 1854 W. Division Street, Chicago, IL 60622 (referred to below as "Lender").

**GRANT OF MORTGAGE.** For valuable consideration, Grantor mortgages, warrants, and conveys to Lender all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Cook County, State of Illinois:

Lot 69 and the South 1/2 of Lot 70 in Block 70 in Block 6 in Sheffields Addition to Chicago at Section 32, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

The Real Property or its address is commonly known as 1701 N. Dayton, Chicago, IL 60614. The Real Property tax identification number is 14-32-426-066-1001; 1002; 1003; 1004; 1005.

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

**FUTURE ADVANCES.** In addition to the Note, this Mortgage secures all future advances made by Lender to Borrower whether or not the advances are made pursuant to a commitment. Specifically, without limitation, this Mortgage secures, in addition to the amounts specified in the Note, all future amounts Lender in its discretion may loan to Borrower, together with all interest thereon.

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 6225 N. Milwaukee Ave.  
 Chicago, IL 60646  
 773-594-9090  
 773-594-9094 fax  
 getpaid@paydaylien.com

**SUB CONTRACTOR'S NOTICE OF INTENTION TO FILE MECHANIC'S LIEN****TO THE OWNER REPUTED  
OWNER**

1701 N. Dayton LLC  
 1137 W. Webster  
 Chicago, IL 60614

**TO GENERAL OR PRIME OR  
CONTRACTOR**

SMH Development  
 1137 W. Webster  
 Chicago, IL 60614

**FROM BOND OR LIEN CLAIMANT**

Contractors Lien Services of Illinois, Inc.  
 6225 N. Milwaukee Ave.  
 Chicago, IL 60646  
 773-594-9090  
 773-594-9094 fax  
 getpaid@paydaylien.com

**TO: LENDER, SURETY OR  
BONDING COMPANY**

InBank  
 1854 W. Webster  
 Chicago, IL 60614

You are hereby notified that Claimant, **Ace Construction Corporation**  
 has been employed by **1701 N. Dayton LLC/SMH Development**  
 to furnish material and labor relating to

**Labor and Materials:**

for the premises known as the project, located at **1701 N. Dayton Ave., Chicago, IL 60614**  
 and that there was to become due the undersigned therefore the following sum \$ **70,000.00**  
 That said owner is entitled to credits on account thereof as follows \$ **44,727.00** leaving due, unpaid and  
 owing to the claimant after allowing all credits, the sum of \$ **25,273.00** plus interest of 10% on  
 the monies due \$ **186.95**, in addition to extra work done in the amount of \$ **0.00**,  
 filing fee in the amount of \$ **497.00**, release of liens fee of \$ , certified mailing fees of \$  
 and title search fees of \$ for a total amount \$ **25,273.00** due sub-total and owing.

Owner Of Record **1701 N. Dayton LLC**

Thursday, March 26, 2009

This Is An Attempt To Collect A Debt

Page 1 of 3

Lien ID: 3557-4897

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The undersigned claims a lien thereof against your interest in the above described property and also against the money due from you to the original contractor. Pursuant to the Illinois Mechanic's Lien Act the undersigned will file its subcontractor's claim for lien unless the aforesaid sum shall be paid within ten days of this Notice.

To the extent permitted by law, all waivers of lien heretofore given by Claimant 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.

Date: 3/26/2009

Contractors Lien Services of Illinois, Inc. Duly Authorized Agent

Signed by: Steven F. Boncher V.F.  
As Agent for Client

## NOTICE TO OWNER

**DO NOT PAY THE CONTRACTOR FOR THIS WORK OR MATERIAL DELIVERED UNLESS YOU HAVE RECEIVED FROM CONTRACTOR A WAIVER OF LIEN BY OTHER SATISFACTORY EVIDENCE OF PAYMENT TO THIS SUBCONTRACTOR.**

STATE OF Illinois

County of Cook

## AFFIDAVIT OF SERVICE BY MAIL

The undersigned, \_\_\_\_\_, being first duly sworn on oath, deposes and states that she or he served the foregoing NOTICE OF MECHANIC'S LIEN CLAIM OF SUBCONTRACTOR UNDER 770 ILCS 60/0.01 by sending a duplicate original thereof to each of the parties to whom the notice is addressed, at the address(es) set forth above, by Certified Mail, Return Receipt Requested, Restricted Delivery, by depositing true and corrected copies thereof at the United States Mail Depository at Contractors Lien Services of Illinois, Inc., on 3/26/2009 at or before 6:53:51 AM with proper postage thereon prepaid.

Unless we receive payment within 10 days from the date of this notice, a claim may be filed.

## VERIFICATION

I declare that I am authorized to file this CLAIM OF LIEN (MECHANICS) on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the law of the State of Illinois that the foregoing is true and correct. Executed at Contractors Lien Services of Illinois, Inc. on 3/26/2009 for Ace Construction Corporation.

Signed by: Steven F. Boncher V.F.  
As Agent for Client

Thursday, March 26, 2009

This Is An Attempt To Collect A Debt

Page 2 of 3

Lien ID: 3557-4897

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Subscribed and sworn to before me on this 26 day of March, 2009.

The undersigned, Steve Boucher, being first duly sworn on oath, deposes and states that he or she served the foregoing NOTICE OF MECHANIC'S LIEN CLAIM OF SUBCONTRACTOR UNDER 770 ILCS 60/0.01 by sending a duplicate original thereof to each of the parties to whom the notice is addressed, at the address(es) set forth above, by Certified Mail, Return Receipt Requested, Restricted Delivery, by depositing true and corrected copies thereof the United States Mail Depository at Contractors Lien Services of Illinois, Inc., on 3/26/2009 at or before 6:53:51 AM with proper postage thereon prepaid.

Property of Cook County Clerk's Office

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## NOTICE OF SUPPLY OF LABOR OR MATERIALS – (770 ILCS 60/5)

**TO: OWNER OR  
REPUTED OWNER**

**1701 N. Dayton LLC  
1137 W. Webster  
Chicago, IL 60614**

1. The following is a general description of the labor, service, equipment or materials furnished or to be furnished by the undersigned:

**Labor and Materials:  
Concrete work for footings and walls on foundation.**

2. Estimated Price: **\$25,273.00**

**TO: ORIGINAL CONTRACTORS  
OR REPUTED CONTRACTOR**

**SMH Development  
1137 W. Webster  
Chicago, IL 60614**

3. The name of the person who furnished that labor, service, equipment or material is:

**Ace Construction Corporation  
Ace Construction Corporation**

**TO: LENDER, SURETY OR  
BONDING COMPANY**

**InBank  
1854 W. Webster  
Chicago, IL 60614  
Mortgage**

4. The name of the person who contracted for purchase of that labor, service, equipment or material is:

**SMH Development  
1701 N. Dayton LLC**

Date Work Started: **11/4/2008**

Date Work Ended: **2/27/2009**

### VERIFICATION

Thursday, March 26, 2009

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Page 1 of 2

Lien ID: 3557-4897

Title company please be informed that this lien incurs 10% interest from date of filing and must be calculated at time of closing pursuant to 770ILCS 60/1(a) of the Illinois Lien Act.

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I declare that I am authorized to file this NOTICE OF SUPPLY OF LABOR OR MATERIALS -- (770 ILCS 60/5) on behalf of the claimant. I have read the foregoing document and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct. Executed at Contractors Lien Services of Illinois, Inc. on 3/26/2009 for Ace Construction Corporation.

Signed by: Steven F. Boucher V.F.  
As Agent for Client

Executed at Contractors Lien Services of Illinois, Inc. on 3/26/2009.

## NOTICE TO OWNER

**THIS IS NOT A LIEN. THIS NOTICE IS NOT A REFLECTION ON THE REFLECTION ON THE INTEGRITY OF ANY CONTRACTOR OR SUBCONTRACTOR.** The contractor, subcontractor or supplier has agreed to furnish labor, services, equipment or material for the work of improvement on your property. If bills are not paid in full, the undersigned may assert a Mechanic's Lien against your property, leading to the loss, through court foreclosure proceedings, of your property, even though you have paid your contractor. You may wish to protect yourself against this consequence by (1) Requiring your contractor to furnish a signed release by the person or firm giving you this notice before making payment to your contractor, or (2) Any other method of device which is appropriate under 770 ILCS 60/5 (from Chapter 82, Paragraph 5).

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Page 2 of 2

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**NOTICE OF COMMENCEMENT****TO ALL LIEN CLAIMANTS AND SUBSEQUENT PURCHASERS**

Take notice that work is about to commence on an improvement to the property described in this instrument. A person having a construction lien may preserve the lien by providing a Preliminary Notice of Furnishing to the below named designee and the general or prime contractor, if any, and by timely recording a Claim of Lien, in accordance with the laws of this state.

A person having a construction lien arising by virtue of work performed, or for material supplied, on this improvement should refer to the name of the owner or lessee and the legal description appearing on, or with, this notice. A person subsequently acquiring an interest in the land described is not required to be named in a Claim of Lien.

A copy of this notice with an attached form for Preliminary Notice of Furnishing may be obtained upon making a written request by certified mail to the named owner or lessee; the designee; or the person with whom you have contracted.

**TO: OWNER OR REPUTED OWNER**

1701 N. Dayton LLC  
 1137 W. Webster  
 Chicago, IL 60614

**TO: ORIGINAL CONTRACTOR OR REPUTED CONTRACTOR**

SMH Development  
 1137 W. Webster  
 Chicago, IL 60614

**TO: CONSTRUCTION LENDER OR REPUTED CONSTRUCTION LENDER**

InBank  
 1854 W. Webster  
 Chicago, IL 60614

**WARNING TO OWNER**

STATE OF Illinois

County of Cook

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Page 1 of 2

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Steven F. Boucher, being duly sworn, verifies the truth and accuracy of the contents of this notice and says that he is the authorized agent of the contractor listed below and, because the contractor listed below has not filed, to our knowledge, this required form, has elected to execute this Notice of Commencement.

The person contracting for improvement to the following described real property is,

**1701 N. Dayton LLC**

for the project known as the project, located at **1701 N. Dayton Ave., Chicago, IL 60614**  
and the DESIGNEE of said contracting party. The real property to be improved is situated in the city of  
**Chicago** County of **Cook**, IL, and more fully described in Exhibit A, if attached.

The fee owner of said real property is

**1701 N. Dayton LLC**

and the general contractor of the project is **SMH Development**

with further legal parties claimant **Ace Construction Corporation** with the following work completed:

**Labor and Materials:**

**Concrete work for footings and walls on foundation.**

Remains **\$25,273.00** due and owing to our client which interest is accruing at the rate of 10% per year.

Dated: 3/26/2009

Signed by:



As Agent for Client