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Doc#: 0909345142 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 04/03/2009 04:41 PM Pg: 1 of 4

NOTICE AND CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)
COUNTY OF COOK)

Claimant: Kelly Formwork, Inc., files its Claim for Lien against the following:

Owners: 1021 N. Wood, Inc., an Illinois Corporation not currently in good standing and/or Ruslan Ustyaniich, individually.

Contractor or Owners' agent: RU Development, Inc., a dissolved Illinois corporation and/or Ruslik Sadyraka, individually (Claimant asserts it had a contract with the Owners. In the alternative, Claimant asserts that Claimant had a contract with **RU Development, Inc., a dissolved Illinois corporation and/or Ruslik Sadyraka, individually**, which had a contract with the Owners).

Mortgagee/Lender:

MB Financial Bank, N.A. (mortgage recorded 10.29.2007; mortgage recorded 7.25.2008)

The Premises

On and before June 3, 2008, the Owner 1021 N. Wood, Inc., owned the following described real estate:

LOT 27 IN BLOCK 12 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

P.I.N.: 17-06-417-009-0000
a/k/a: 1021 N. Wood, Chicago, IL

This land and all improvements upon it are referred to as "the premises." Before Claimant completed its provision of labor and materials at and for the premises, 1021 N. Wood, Inc., fell out of good standing, but Ruslan Ustyaniich continued to do business as 1021 N. Wood, Inc., with Claimant, for Claimant's completion of Claimant's contract for the provision of labor and materials at and for the premises. Owners continue to own the premises to date.

Description of the Contract, amounts owed, and the lien amount.

This document was prepared by:
Stephen Burriesci
Law Office of Stephen Burriesci
200 W. Adams, Suite 1005
Chicago, IL 60606
Tel: 312.726.5151 x224. Fax: 312.726.0884

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Owner 1021 N. Wood, Inc., entered into a written contract with Claimant on June 3, 2008, for Claimant to provide improvements as **concrete contractor**, for the new construction of a multi-unit building upon the premises. The contract was for Claimant to provide, concrete related labor and materials, including, inter alia, footings and walls, framing and concrete work for step wall, basement slab, removal and replacement of sidewalk, in the amount of **\$25,392**.

Pursuant to the contract, Claimant provided its labor and materials upon the premises, and substantially completed its contract to the amount of **\$20,082**, which included provision of the following: footings and walls, framing and concrete work for step wall, basement slab, removal and replacement of sidewalk. Claimant last provided labor and materials on **March 9, 2009**. Claimant ceased work due to non-payment of labor and materials rendered (such non-payment was violation of the contract), despite numerous requests for same.

Claimant asserts that it is an original contractor. In the alternative, on or before June 3, 2008, Contractor had a contract with Owner 1021 N. Wood, Inc., for Contractor's provision of construction labor and materials for new construction upon the premises, and on June 3, 2008, Contractor entered into the above contract with Claimant; Contractor contracted with Claimant with the knowledge and approval and direction of the Owners. Before Claimant completed its provision of labor and materials at and for the premises, RU Development, Inc., became involuntarily dissolved, but Ruslik Sadyraka continued to do business as RU Development, Inc., with Owners and with Claimant, for Claimant's continuing provision of labor and materials at and for the premises.

Owners (or Contractor, in the alternative) is/are entitled to credits as follows: **\$0**. Leaving due unpaid and owing to the Claimant the balance of **twenty thousand eighty two dollars (\$20,082)**, for which, with interest, Claimant claims a lien on the premises and all monies due or to become due from the Owners and/or Contractor. Claimant also seeks its attorney fees and costs of service and recording.

Claimant

BY: 

One of Claimant's Attorneys

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Service List

Ruslan Ustyanych
Individually and for 1021 N. Wood, Inc.
2218 W. Chicago Ave.#1F
Chicago, IL 60622

Ruslan Ustyanych
Individually and for 1021 N. Wood, Inc.
2651 W. Superior St.
Chicago, IL 60612

Ruslan Ustyanych
Individually and for 1021 N. Wood, Inc.
1021 N. Wood
Chicago, IL 60622

Mykhaylo V. Volochiy
Phoenix Builders & Construction, Inc.
803 N. Campbell, Unit B
Chicago, IL 60622-5457

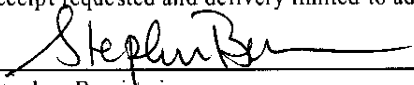
RU Development, Inc.
Ruslik Sadyraka
2651 W. Superior St.
Chicago, IL 60612

Arlene Nash
MB Financial Bank, N.A.
6111 N. River Road
Rosemont, IL 60018

PROOF OF SERVICE

STATE OF ILLINOIS)
COUNTY OF COOK)

Under penalties of perjury and as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, I swear under oath and under penalties of perjury that that on **March 26, 2009**, I served this notice by sending a true copy to all persons and entities named on this service list and addressed to them as stated above by certified mail with return receipt requested and delivery limited to addressee only.



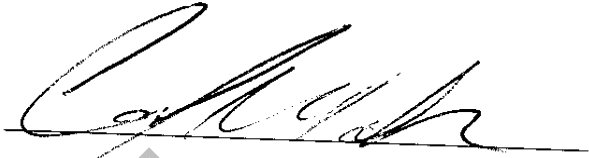
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STATE OF ILLINOIS)
COUNTY OF COOK)

The Affiant, *Coleman McDonagh*, being first duly sworn on oath, deposes and states that he is the president and owner for Claimant, that he has read the foregoing claim for lien and knows the contents thereof; and that all statements therein contained are true.

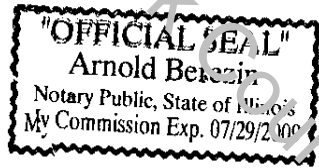


APR - 3 2009

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF March 2009.



NOTARY PUBLIC



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