

# UNOFFICIAL COPY

THIS DOCUMENT PREPARED  
BY AND AFTER RECORDING  
MAIL TO:

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Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
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**SUBCONTRACTOR'S NOTICE OF CLAIM  
AND CLAIM FOR MECHANICS LIEN**  
[770 ILCS 60/1 *et seq.*]

**1.00. OVERVIEW.**

This Subcontractor's Notice of Claim and Claim for Mechanics Lien (hereinafter "Lien") is given pursuant to 770 ILCS 60/1 *et seq.*, as amended, relating to a lien on property for materials and labor furnished by a subcontractor, and on sums due the original contractor from the property owner, and on the interests of those described herein including the owner and mortgagees.

**2.00. PARTIES.**

1. The name and address of the subcontractor are:

Bluewater Capital Development, Inc.  
Attn: Roi Kiferbaum, President  
1165 N. Clark Street, #402  
Chicago, Illinois 60610  
(hereinafter "Subcontractor")

2. The name and address of the original contractor are:

SMH Development, LLC  
Attn: Seth M. Harris, Member-Manager  
1137 W. Webster Street  
Chicago, Illinois 60614  
(hereinafter "Contractor")

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- The name and address of the owner of the property in section 3.00 are:

Sheffield Wellington, LLC  
 c/o Seth M. Harris, Member-Manager  
 1137 W. Webster Street  
 Chicago, Illinois 60614  
 (hereinafter "Owner")

- The name and addresses of the mortgagees of the property in section 3.00 are:

North Shore Community Bank & Trust Co.  
 Attn. Jeff M. Galus  
 7800 N. Lincoln Avenue  
 Skokie, Illinois 60077

Streight Property Partners, L.P.  
 c/o John D. Gaber  
 Williams, Williams, Rattner & Plunkett, P.C.  
 380 North Woodward Avenue  
 Suite 300  
 Birmingham, Michigan 48009

(hereinafter, collectively "Mortgagees")

### 3.00. THE PROPERTY.

- The street address of the property is:

2954-58 North Sheffield &  
 1001-1013 West Wellington  
 Chicago, Illinois 60657

- The legal description of the property is:

Lots 1 and 2 in Sickel and Kagebein's Subdivision of the North ½ of Block 1 in the Subdivision of Outlot 6 in Canal Trustees' Subdivision of the East ½ of Section 29, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.  
 PIN: 14-29-216-030-0000  
 (hereinafter "Property")

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## 4.00. THE CONTRACT.

1. On December 16, 2008, Subcontractor entered into a written subcontract with Contractor to furnish labor and materials for the Property.

2. The amount of the subcontract was \$218,050.00, together with interest at the lawful rate on the unpaid balance.

3. The labor, materials, apparatus, fixtures, and machinery to be provided by Subcontractor were:

Drywall materials

Insulation materials

Framing materials

Temporary heat (forced heater and fuel)

Concrete materials

Labor for:

1<sup>st</sup> floor – insulate and frame ceiling

2<sup>nd</sup> floor – insulate and drywall ceilings and walls

Remove debris

Install electrical covers on switch and outlet boxes

Frame main entry landing for concrete installation

Frame opening between elevator shaft and adjacent floor

Install 4" of concrete with wire mesh (approx. 400 sq. ft.)

4. Subcontractor did furnish and deliver to Contractor, at the place of the Property, and which were used therein, the labor and materials described in section 4.03.

5. The furnishing of the labor and materials described in section 4.03 was substantially completed by Subcontractor on January 4, 2009, at which time work was discontinued because of non-payment, all in accordance with the contract; and the work completed and materials delivered as of that date had a value of \$131,755.00.

## 5.00. AMOUNT DUE.

1. Contractor paid Subcontractor the sum of \$30,000 on account of the contract.

2. After all credits, deductions, and setoffs, there is now due and owing to Subcontractor for the subcontract described in section 4.00 a balance in the sum of \$101,755.00, representing the balancing owing as of January 4, 2009.

2. Although Subcontractor has made demand against Contractor for the balance, said amount remains unpaid.

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## 6.00. CLAIM FOR MECHANICS LIEN.

1. Pursuant to Illinois Mechanics Lien Act, 770 ILCS 60/1 *et seq.*, the Subcontractor hereby claims a lien upon the Property (including all land and improvements thereon) described in section 3.00 and also claims a lien upon the sums due from the Owner to the Contractor described in section 2.00 for the amount stated in section 5.00, together with interest as provided by statute, and upon the interests of Contractor, Owner, and Mortgagees identified herein.

Jamie L. Ross  
Jamie L. Ross,  
Subcontractor's Attorney and  
Authorized Agent

## 7.00. SUBCONTRACTOR'S AFFIDAVIT.

STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

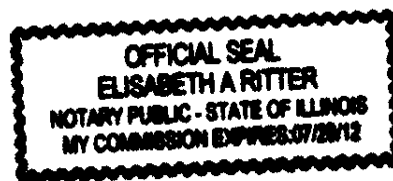
Roi Kiferbaum, being first duly sworn on oath, deposes and says that he is President of Bluewater Capital Development, Inc., the Subcontractor; that he is duly authorized to make this affidavit in its behalf; that he has read the above and foregoing Lien, knows the contents thereof, and the statements therein contained are true; and that there is due and owing to Subcontractor a balance for labor and materials delivered to the Property in the sum of \$101,755.00.

Bluewater Capital Development, Inc.

By: Roi Kiferbaum  
Roi Kiferbaum  
Its President

Subscribed and Sworn to before me  
this 3 day of April, 2009.

[Signature]  
Notary Public



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## 10.00. PROOF OF SERVICE.

1. I certify that on April 3, 2009, I mailed a copy of this Lien to the following persons:


The Contractor at the street address shown in section 2.02.

The Owner at the address shown in section 2.03.

The Mortgagees at the addresses shown in section 2.04.

The Property at the address shown in section 3.01.

2. Each copy of this Lien was mailed to the persons in section 10.01 by registered or certified mail, return receipt requested, with delivery limited to addressee only.

  
\_\_\_\_\_  
Jamie L. Ross

This instrument was prepared by:  
Jamie L. Ross of  
Kalcheim Haber, LLP  
Attorneys for Subcontractor  
134 North LaSalle Street  
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Chicago, Illinois 60602  
Phone: 312-236-9445