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3289

Doc#: 0912810043 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/08/2009 02:28 PM Pg: 1 of 8

FOR RECORDER'S USE ONLY

SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANIC'S LIEN

TO: VIA CERTIFIED MAIL R/R
SoNo West LLC
c/o Lawrence M. Gritton, Registered Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
MB Financial Bank, N.A.
attn: Commercial Lending
800 W. Madison Street
Chicago, IL 60607

VIA CERTIFIED MAIL R/R
Smithfield Construction Group, Inc.
c/o Lawrence M. Gritton, Registered Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
SoNo West Condominium Association
c/o Lawrence M. Gritton, Registered
Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
Furniture L.L.C.
c/o Lawrence M. Gritton, Registered Agent
400 W. Huron Street
Chicago, IL 60610

VIA CERTIFIED MAIL R/R
U.S. Bank, N.A.
attn: Commercial Lending
209 S. LaSalle Street
Chicago, IL 60604

VIA CERTIFIED MAIL R/R
Mortgage Electronic Registration Systems,
Inc.
c/o C T Corporation System, Registered
Agent
208 S. LaSalle Street, Suite 814
Chicago, IL 60604

THE CLAIMANT, **Otis Elevator Company Midwest Region**, subcontractor, claims a lien against the real estate, more fully described below, and against the interest of the following entities in the real estate: **SoNo West LLC**, owner, **SoNo West Condominium Association**,

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individually and on behalf of each and every unit owner, owner, **Furniture L.L.C.**, owner, **MB Financial Bank, N.A.**, mortgagee, **U.S. Bank, N.A.**, mortgagee, **Mortgage Electronic Registration Systems, Inc.**, mortgagee, (collectively "Owner"), **Smithfield Construction Group, Inc.**, contractor, and any other person claiming an interest in the real estate, more fully described below, stating as follows:

1. At all times relevant hereto and continuing to the present, **Owner** owned the following described land in the County of Cook, State of Illinois, to wit:

PARCEL: See Attached Exhibit 1.

P.I.N.s: 17-05-214-010-0000; 17-05-214-011-0000; 17-05-214-012-0000.

which property is commonly known as SoNo West Condominium, 860 West Blackhawk, Chicago, Illinois 60642.

2. On information and belief, said Owner contracted with **Smithfield Construction Group, Inc.** for certain improvements to said premises.

3. Subsequent thereto, **Smithfield Construction Group, Inc.** entered into a subcontract with Claimant to furnish and install three elevators for use at said premises.

4. The Claimant completed its work under its subcontract on February 5, 2009, which entailed the furnishing of said labor and materials.

5. There is due, unpaid and owing to the Claimant, after allowing all credits, the principal sum of **One Hundred Three Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$103,873.00)** which principal amount bears interest at the statutory rate of ten percent (10%) per annum. Claimant claims a lien on the real estate and against the interest of the Owner, and other parties named above, in the real estate (including all land and improvements thereon) and on the monies or other consideration due or to become due from the Owner under

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said contract against said contractor, in the amount of **One Hundred Three Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$103,873.00)** plus interest.

6. In the event Claimant is required to allocate or apportion its claim of \$103,873.00, Claimant claims a lien against each individual unit in the real estate in an amount equal to **One Hundred Three Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$103,873.00)** multiplied by the unit's percentage ownership interest in the common elements, as defined in Exhibit D to the Sixth Amendment to the Declaration of Condominium Ownership for SoNo West Condominium, a Condominium, recorded with the Cook County Recorder of Deeds as Document number 0911745082 on April 27, 2009 a copy of which is attached hereto as Exhibit 2, against the interest of the individual unit owners, and other parties named above, in said real estate (including all land and improvements thereon) and on the monies or other consideration due or to become due from the Owner under said contract against said contractor, in the amount of **One Hundred Three Thousand Eight Hundred Seventy-Three and 00/100 Dollars (\$103,873.00)** plus interest.

7. Without acknowledging that this statutory provision applies in this situation, Section 1692g(a) of the Fair Debt Collection Practices Act requires that the following information be given to you:

- a. The amount of the debt: \$103,873.00 plus interest and attorneys' fees.
- b. The name of the creditor to whom the debt is owed: **Otis Elevator Company Midwest Region.**
- c. Unless you, within thirty (30) days after receipt of this notice, dispute the validity of the debt, or any portion thereof, the debt will be assumed to be valid.

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d. You notify my office in writing within that thirty (30) day period that the debt, or any portion thereof, is disputed, my office will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you.

e. Upon your written request within the thirty (30) day period, my office will provide you with the name and address of the original creditor, if different from the current creditor.

Otis Elevator Company Midwest Region, a New Jersey corporation,

By: 

One of its attorneys

PLEASE NOTE THAT THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

This notice was prepared by:

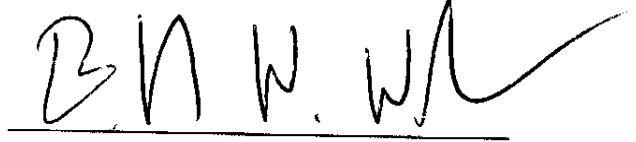
James T. Rohlfing
Mark B. Grzymala
ROHLFING & OBERHOLTZER
211 West Wacker Dr., Ste. 1200
Chicago, Illinois 60606
(312) 923-7100

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VERIFICATION

Bill W. Walker

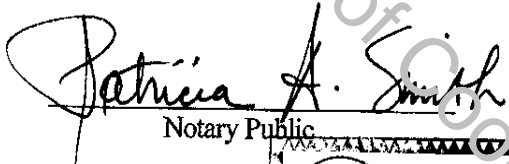
The undersigned, **General Manager**, being first duly sworn, on oath deposes and states that he is an authorized representative of **Otis Elevator Company Midwest Region**, that he has read the above and foregoing subcontractor's notice and claim for mechanic's lien and that to the best of his knowledge and belief the statements therein are true and correct.



Bill W. Walker
General Manager

Otis Elevator Company

SUBSCRIBED AND SWORN to
before me this 6th day
of May, 2009.


Notary Public

My commission expires

Property of County Clerk's Office

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EXHIBIT A

LEGAL DESCRIPTION OF THE TOTAL PARCEL

LOTS 16 TO 25, BOTH INCLUSIVE, (EXCEPT THE NORTH 14.00 FEET OF THE EAST 31.08 FEET OF LOT 16) ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 52, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

AND ALSO,

THE WEST 9.50 FEET (EXCEPT THE NORTH 14.00 FEET THEREOF) OF THE NORTH-SOUTH VACATED ALLEY IN BLOCK 44 LYING EAST OF THE EAST LINE OF LOTS 16 TO 25, BOTH INCLUSIVE, AND LYING WEST OF THE WEST LINE OF LOTS 26 TO 35, BOTH INCLUSIVE, ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 60 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

AND ALSO,

THE WEST 145.22 FEET OF THE SOUTH HALF OF THE EAST-WEST VACATED ALLEY IN BLOCK 44, LYING SOUTH OF THE SOUTH LINE OF LOTS 1 TO 15, BOTH INCLUSIVE, AND LYING NORTH OF THE NORTH LINE OF LOT 16 AND LOT 26 AND THE NORTH LINE OF LOT 16 PROLONGATED EASTERLY TO THE NORTHWEST CORNER OF LOT 25 ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN;

AND ALSO,

THE WEST 185.81 FEET OF THE VACATED NORTH 0.50 FEET OF WEST BLACKHAWK STREET SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 25 AND LOT 35 AND THE SOUTH LINE OF LOT 25 PROLONGATED EASTERLY TO THE SOUTHWEST CORNER OF LOT 35, ALL IN BLOCK 44 IN JOHN YALE'S RESUBDIVISION OF BLOCKS 38, 39, 40, 42, 43, 44, 45, 57, 58, 59, 60, 61 AND 72 IN ELSTON ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

INCLUDING, BUT NOT LIMITED TO, ALL CONDOMINIUM UNITS.

PINS: 17-05-214-010
17-05-214-011 (AFFECTS THE LAND AND OTHER PROPERTY)
17-05-214-012 (AFFECTS THE LAND AND OTHER PROPERTY)

ADDRESS: 860 WEST BLACKHAWK STREET
CHICAGO, ILLINOIS 60642



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| CONDOMINIUM UNITS | |
|--------------------------|---|
| Unit Number | Percentage Ownership of Condominium Building |
| 303 | 0.881081% |
| 306 | 1.007711% |
| 406 | 1.014376% |
| 501 | 0.954393% |
| 503 | 0.894410% |
| 505 | 1.161001% |
| 506 | 1.021041% |
| 601 | 0.961058% |
| 602 | 2.381984% |
| 605 | 1.170998% |
| 606 | 1.027705% |
| 701 | 1.057597% |
| 702 | 1.590877% |
| 703 | 1.490906% |
| 708 | 1.091021% |
| 803 | 1.500903% |
| 808 | 1.094353% |
| 905 | 1.014376% |
| 908 | 1.097685% |
| 1001 | 1.067694% |
| 1003 | 1.520897% |
| 1005 | 1.017708% |
| 1006 | 1.520897% |
| 1007 | 1.620869% |
| 1008 | 1.101018% |
| 1102 | 1.630866% |
| 1105 | 1.021041% |
| 1106 | 1.530894% |
| 1107 | 1.630866% |
| 1108 | 1.104350% |
| 1203 | 1.540892% |
| 1206 | 1.540892% |
| 1207 | 1.640863% |
| 1208 | 1.107682% |
| 1404 | 0.994382% |
| 1405 | 1.027705% |
| 1406 | 1.550889% |
| 1407 | 1.650860% |
| 1408 | 1.111015% |
| 1505 | 1.034370% |
| 1506 | 1.564218% |

Property Pool
County Clerk's Office

Blumberg No. 5208

EXHIBIT

2

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| | |
|------|-----------|
| 1507 | 1.664190% |
| 1508 | 1.117680% |
| 1602 | 1.677519% |
| 1603 | 1.577548% |
| 1605 | 1.041035% |
| 1606 | 1.577548% |
| 1607 | 1.677519% |
| 1703 | 1.590877% |
| 1706 | 1.590877% |
| 1806 | 1.620869% |
| 1908 | 1.144339% |
| 2005 | 1.084356% |
| 2006 | 1.647528% |
| 2105 | 1.091021% |
| 2107 | 1.744166% |
| 2108 | 1.157668% |
| 2201 | 1.131009% |
| 2204 | 1.064362% |
| 2205 | 1.097655% |
| 2306 | 1.687516% |
| 2307 | 1.770826% |
| 2308 | 1.170998% |
| 2406 | 1.700846% |
| 2408 | 1.177662% |
| 2502 | 1.797485% |
| 2503 | 1.714175% |
| 2507 | 1.797485% |
| 2606 | 1.727505% |
| 2607 | 1.810813% |
| 2706 | 1.740834% |
| 2707 | 1.824143% |
| 2807 | 1.837472% |

Total 100.000000%

County Clerk's Office