



Doc#: 0932156029 Fee: \$33.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/17/2009 12:42 PM Pg: 1 of 7

AFFIDAVIT TO FORFEIT MECHANIC'S LIEN

WOJCIECH POPKO, owner of the property located at 1144 Tower Road, Winnetka, Illinois 60093 and CHRISTIAN BREMMER, as Mr. Popko's attorney, being first duly sworn, state as follows:

1. On July 21, 2009 Ruffolo, Inc., an Illinois corporation of Indian Creek, Illinois, filed a Subcontractor's Claim for Lien, Document # 0920250024, in the amount of \$2,800 against the property located at 1144 Tower Road, Winnetka, Illinois 60093. (See Exhibit A)
2. On August 11, 2009 and pursuant to 770 ILCS 60/34, we sent a written demand to Ruffolo, Inc. by certified mail, return receipt requested. (See Exhibit B)
3. This demand was received by Ruffolo, Inc. on August 17, 2009, as evidenced by the attached green card. (See Exhibit C)
4. As of October 1, 2009 a lawsuit had not been filed against WOJCIECH POPKO or the property.
5. Therefore, Ruffolo, Inc.'s lien is forfeited.
6. On October 1, 2009, and pursuant to 770 ILCS 60/35, we sent written demand to Ruffolo, Inc. by certified mail, return receipt requested. (See Exhibit D)
7. This demand was received by Ruffolo, Inc. on October 5, 2009, as evidenced by the attached green card. (See Exhibit E)
8. Ruffolo, Inc. has failed to comply with that demand.

VERIFICATION BY CERTIFICATION

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109), the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certify as aforesaid that they verily believe the same to be true.

Dated: November 5, 2009

WOJCIECH POPKO

CHRISTIAN BREMMER, ESQ.

SEE NEXT PAGE

LEGAL DESCRIPTION:

UNOFFICIAL COPY

LOT 5 (EXCEPT THE EAST 10 FEET THEREOF)

AND THE EAST 15 FEET OF LOT 6 IN BLOCK 3
 IN COUNTY CLERK'S DIVISION OF THE ~~SOUTHWEST~~^{SOUTHWEST} ~~SOUTHWEST~~ $\frac{1}{4}$ OF
 SECTION 17, TOWNSHIP 41 NORTH, RANGE 13
 EAST OF THE THIRD PRINCIPAL MERIDIAN,
 IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 1144 TOWER RD WINNETKA IL
 60093

PIN 05-17-300-010-0000

Property of Cook County Clerk's Office

UNOFFICIAL COPY



0920250024

ORIGINAL CONTRACTOR'S
MECHANICS LIEN CLAIM

Doc#: 0920250024 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/21/2009 10:20 AM Pg: 1 of 4

STATE OF ILLINOIS }
 } SS.
COUNTY OF COOK }

The Lien claimant RUFFALO, INC. an Illinois Corporation, of Indian Creek, County of Lake,

State of Illinois, hereby claim for lien as follows:

Wherefore the Property Owners (identified below) owned
The Subject Property (identified below) on the date of the
Contract: October 13, 2008;

Wherefore, on or about the Date of the Contract, the Lien
Claimant made a written contract in which the Lien
Claimant undertook to make the following Improvements
to the Subject Property:

Provide foundation landscaping for residence; grade and sod all lawn areas; provide good soil for planting and mulch for all planting beds.

Wherefore, the Lien Claimant's agreement is with the following:

Name: Wojciech Popko

Contact Person: Wojciech Popko

Address: 2808 N. 75th Court, Elmwood Park, IL 60707

Who on information and belief was acting as the Property Owner .

Wherefore, the Lien Claimant last performed work on the Subject Property on the date of Last Substantial Work, which was March 23, 2009:

Wherefore, the Lien Claimant ceased work on the project as the Owner failed to make payments as required by the Lien Claimant and as shown on the Proposal attached to and incorporated into the agreement.

UNOFFICIAL COPY

EXHIBIT

B

CHITOWN LAW LLC
chicago's counselors at law

Christian Bremmer, Esq.
Attorney & Senior Counsel
312 | 602 | 3400 direct
312 | 285 | 5147 mobile
c.bremmer@chitownlaw.com

Via Regular & Certified Mail
Return Receipt Requested

August 11, 2009

Ruffolo Inc.
Attn.: John Popiolek
242 W Highway 45
Indian Creek, IL 60061

Donald S. Lavin, Ltd.
Attn.: Donald S. Lavin
95 Revere Dr., Suite J
Northbrook, IL 60062

Re: *Mechanic's Lien - WOJCIECH POPKO*
1144 Tower Road, Winnetka, IL 60093

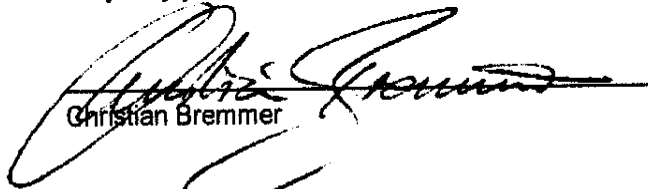
Dear Messrs. Popiolek and Lavin,

This law firm represents Mr. Wojciech Popko. We are in receipt of your Claim for Lien against the above-referenced property recorded **07/21/2009** as document number **0920250024**, a true copy of which is attached hereto.

Our client has paid all of his obligations to RUFFOLO, Inc. in full. We must also regard your attempt to collect the amount you are seeking as fraudulent and in bad faith, since the last performed work was in November of 2008. No work was performed thereafter. Furthermore, our client had to hire another company to complete the work you started and could not finish at substantial additional costs.

Pursuant to 770 ILCS 60/34, we demand that you commence an action to enforce the lien in the Circuit Court of Cook County, Illinois within 30 days of your receipt of this letter. If you choose to do so, we will vigorously defend the same and will seek all appropriate relief and remedies afforded to us by the law.

Very truly yours,


Christian Bremmer

CC: Wojciech Popko

CB:mlr

REML-WP20090811-001

CHITOWN LAW, L.L.C.
2847 N. Pulaski Rd.
Suite CS,
Chicago, IL 60641

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312 | 602 | 3400 **main**

www.chitownlaw.com

866 | 506 | 2251 **fax**

Real Estate
Bankruptcy
Family Law
Immigration
Criminal Law
Personal Injury
Estate Planning
Consumer Protection

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SENDER - COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: RUFFOLO INC JOHN PETIOLEK 242 N. HIGHWAY 45 INDIAN CREEK TN 37061	B. Received by (Printed Name)	C. Date of Delivery 8/17
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No		
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

2. Article Number
 (Transfer from service label)

S Form 3811, Fe **7008 0500 0000 0527 5478** 102565-02-44-1540

PROPERTY OF COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY

EXHIBIT

D

CHITOWN LAW LLC
chicago's counselors at law

Christian Bremmer, Esq.
Attorney & Senior Counsel
312 | 214 | 7138 direct
312 | 285 | 5147 mobile
c.bremmer@chitownlaw.com

Via Regular & Certified Mail
Return Receipt Requested

October 1, 2008

Ruffin Inc.
Attn.: John Popiolek
242 W. Highway 45
Indian Creek, IL 60061

Donald S. Lavin, Ltd.
Attn.: Donald S. Lavin
95 Revere Dr., Suite J
Northbrook, IL 60062

Re: Mechanic's Lien – WOJCIECH POPKO
1144 Tower Road, Winnetka, IL 60093

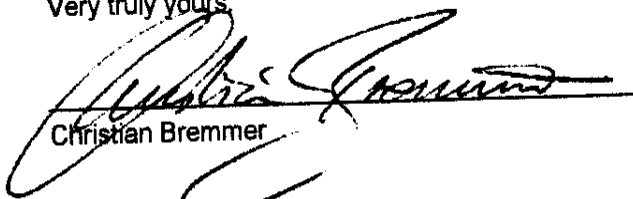
Dear Messrs. Popiolek and Lavin,

This law firm represents Mr. Wojciech Popko. On August 11, 2009 and pursuant to **770 ILCS 60/34**, we made written request and demanded that you commence an action to enforce your Claim for Lien recorded **07/21/2009** as document number **0920250024** in the Circuit Court of Cook County, Illinois within 30 days of your receipt of that request.

It appears that you have not complied with our request within that timeframe, and therefore, pursuant to that same statute, you have forfeited that lien.

We now request, pursuant to **770 ILCS 60/35**, that you acknowledge release of the aforementioned lien, in writing and within 10 days from receipt of this letter and record, or cause to be recorded, with the Recorder of Deeds where the lien was filed, its release.

Very truly yours,



Christian Bremmer

CC: Wojciech Popko

CB:mlr

REML-WP20090811-002

Three First National Plaza
70 West Madison Street
Suite 1400
Chicago, IL 60602

312 | 214 | 6138 main
866 | 506 | 2251 fax

www.chitownlaw.com

Real Estate
Family Law
Immigration
Criminal Law
Personal Injury
Estate Planning
Consumer Protection

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EXHIBIT
E

7008 1830 0004 2920 6770

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

VERNON HILLS IL 60061 OFFICIAL USE

Postage	\$ 0.44	0181
Certified Fee	\$2.80	10 Postmark Here
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	10/03/2009

Sent To: **BUFFALO, INC. JOHN POPIOLEK**
 Street, Apt. No. or PO Box No.: **242 W. Highway 45**
 City, State, ZIP+4: **Indian Creek, IL 60061**

PS Form 3811, August 2004

7008 1830 0004 2920 6770

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

NORTH BLOOMINGDALE IL 60062 OFFICIAL USE

Postage	\$ 0.44	0181
Certified Fee	\$2.80	10 Postmark Here
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	10/03/2009

Sent To: **DONALD S. LAVIN, LTD.**
 Street, Apt. No. or PO Box No.: **95 REVERE DR. SUITE J**
 City, State, ZIP+4: **NORTH BLOOMINGDALE, IL 60062**

PS Form 3811, August 2004

7008 1830 0004 2920 6770

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Buffalo, Inc.
ATTN: JOHN POPIOLEK
242 W. Highway 45
Indian Creek, IL 60061

2. Article Number
 (Transfer from service label)

3. Service Type

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Print name)
K. TOMASZEK

C. Date of Delivery
10/3

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

PS Form 3811, February 2004

7008 1830 0004 2920 6770

102595-02-M-1540

Domestic Return Receipt

UNOFFICIAL COPY



Property of Cook County Clerk's Office