

UNOFFICIAL COPY



Doc#: 0932945080 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 11/25/2009 01:53 PM Pg: 1 of 6

Property of Cook County Clerk's Office

SUBCONTRACTOR'S NOTICE OF AND CLAIM FOR MECHANICS LIEN

DOCUMENT PREPARED BY:

J. Matthew Pfeiffer, Esq.
FUCHS & ROSELLI, LTD.
440 West Randolph Street, Suite 500
Chicago, Illinois 60606
(312) 651-2400
Cook Co. Atty. No. 18573

AFTER RECORDING, RETURN TO:

J. Matthew Pfeiffer, Esq.
FUCHS & ROSELLI, LTD.
440 West Randolph Street, Suite 500
Chicago, Illinois 60606
(312) 651-2400
Cook Co. Atty. No. 18573

PLEASE RECORD COVER SHEET

UNOFFICIAL COPY

STATE OF MD)

) SS:

COUNTY OF Kent)

**SUBCONTRACTOR'S
NOTICE OF AND CLAIM
FOR MECHANICS LIEN****TO: See attached Service List**

The lien claimant, Kerkstra Precast, Inc., a Michigan corporation registered to do business in Illinois ("CLAIMANT"), with offices at 3373 Busch Drive SW, Grandville, Michigan 49418, hereby files this *Subcontractor's Notice of and Claim for Mechanics Lien* against Roselle-Wise, L.L.C., an Illinois limited liability company with offices identified in the attached Service List ("OWNER"); Centrum Properties, Inc., with offices identified in the attached Service List ("CONTRACTOR"); LaSalle Bank N.A., now known as Bank of America N.A.; Camburas & Theodore, Ltd.; Manhard Consulting, Ltd.; Northern Industrial Steel, Inc.; and all other persons or entities having or claiming an interest in the below described real estate; and, in support of such lien, states as follows:

1. Since prior to November 17, 2008, and at all times relevant hereto, OWNER held fee simple title to, or had an interest in, the following described real property situated in the County of Cook, State of Illinois, to wit:

Legal Description: See Exhibit 1 attached hereto and incorporated herein by reference

P.I.N.: 07-27-302-003-0000

Common Address: 1180 S. Roselle Road
Schaumburg, Illinois

such real property referred to hereinafter as the "SUBJECT PROPERTY."

2. On or about November 17, 2008, and at all other times relevant hereto, CONTRACTOR was OWNER'S general contractor or had authority to enter into contracts on OWNER'S behalf for the improvement of the SUBJECT PROPERTY.

3. On or about November 17, 2008, CONTRACTOR entered into a contract with CLAIMANT, whereby CLAIMANT was to provide labor, materials, and services consisting of or related to the furnishing and installation of precast concrete products for the improvement of the SUBJECT PROPERTY for the benefit of OWNER in the original contract amount of Two Hundred Twenty-Four Thousand and 00/100 Dollars (\$224,000.00); and, pursuant to which, CLAIMANT has arranged for and has provided the required labor, materials, and services as well as extra labor,

UNOFFICIAL COPY

materials, and services for the improvement of the SUBJECT PROPERTY.

4. CONTRACTOR and OWNER authorized CLAIMANT to perform or provide the aforesaid labor, materials, and services as well as the extra labor, materials, and services for the improvement of the SUBJECT PROPERTY for the benefit of OWNER.

5. The aforesaid contract between CONTRACTOR and CLAIMANT was entered into by CONTRACTOR and the labor, materials, and services were furnished by CLAIMANT with the full knowledge and consent of OWNER. Alternatively, OWNER authorized or knowingly permitted CONTRACTOR to enter into such contract to improve the SUBJECT PROPERTY. Alternatively, OWNER knowingly permitted CLAIMANT to provide labor, materials, and services to improve the SUBJECT PROPERTY.

6. As to the labor, materials, and services furnished by CLAIMANT, CLAIMANT'S last date of work on the project for the improvement of the SUBJECT PROPERTY was October 8, 2009. The value of all of CLAIMANT'S labor, material, and services furnished for the improvement of the SUBJECT PROPERTY is One Hundred Twenty Two Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$122,939.00).

7. After allowing all credits due OWNER, there remains due, unpaid, and owing to CLAIMANT for its labor, materials, and services provided for the improvement of the SUBJECT PROPERTY, including any extras, the sum of One Hundred Twenty Two Thousand Nine Hundred Thirty Nine and 00/100 Dollars (\$122,939.00), for which, together with attorneys' fees and interest at the statutory rate provided under the Illinois Mechanics Lien Act, 770 ILCS 60/1 et seq., CLAIMANT claims a lien upon the SUBJECT PROPERTY and improvements thereon and on the monies or other consideration due or to become due under the contract between CLAIMANT and CONTRACTOR for the benefit of OWNER.

KERKSTRA PRECAST, INC.

By: *HS. J*

Print Name: HENRY J. HOFFMAN

Title: VP & CFO

UNOFFICIAL COPY

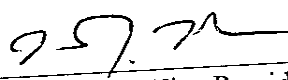
STATE OF MI)

) SS:

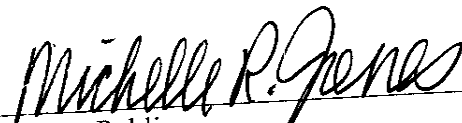
COUNTY OF Kent)

SUBCONTRACTOR'S AFFIDAVIT AND VERIFICATION

The affiant, Henry Hofman, being first duly sworn on oath deposes and says that he is the Vice President and Chief Financial Officer of Kerkstra Precast, Inc., authorized to sign this *Subcontractor's Affidavit and Verification*, and that he has read the foregoing *Subcontractor's Notice of and Claim for Mechanics Lien*, and knows the contents thereof, and that all statements therein contained are true and accurate.


Henry Hofman, Vice President and
Chief Financial Officer,
KERKSTRA PRECAST, INC.

Subscribed and sworn to
before me this 24th day
of November, 2009.


Notary Public

DOCUMENT PREPARED BY:

J. Matthew Pfeiffer, Esq.
FUCHS & ROSELLI, LTD.
440 West Randolph Street, Suite 500
Chicago, Illinois 60606
(312) 651-2400
Cook Co. Atty. No. 18573

AFTER RECORDING, RETURN TO:

J. Matthew Pfeiffer, Esq.
FUCHS & ROSELLI, LTD.
440 West Randolph Street, Suite 500
Chicago, Illinois 60606
(312) 651-2400
Cook Co. Atty. No. 18573

UNOFFICIAL COPY**SERVICE LIST****General Contractor:**

Centrum Properties, Inc.
 Attn: Mary B. Koberstein, Registered Agent
 225 W. Hubbard St., 4th Floor
 Chicago, IL 60610

Centrum Properties, Inc.
 Attn: Laurence Askin, President
 225 W. Hubbard St., 4th Floor
 Chicago, IL 60610

Centrum Properties, Inc.
 Attn: Mitchell Rausch, Director of Construction
 225 W. Hubbard St., 4th Floor
 Chicago, IL 60610

Centrum Properties, Inc.
 Attn: Mr. Scott Novack
 Mr. Paul Ozaki
 225 W. Hubbard St., 4th Floor
 Chicago, IL 60610

Owner/Developer:

Roselle-Wise, L.L.C.
 Attn: Stephanie Bengtsson, Registered Agent
 225 W. Hubbard St., 4th Floor
 Chicago, IL 60610

Lender:

LaSalle Bank NA n/k/a Bank of America, NA
 135 S. LaSalle St.
 Chicago, IL 60603

LaSalle Bank NA n/k/a Bank of America, NA
 c/o CT Corporation System, Registered Agent
 208 S. LaSalle Street, Suite 814
 Chicago, IL 60604

Other Recorded Interests:

Cariburas & Theodore, Ltd.
 Attn: Peter T. Theodore, Registered Agent
 2454 Dempster St.
 Des Plaines, IL 60016

Manhard Consulting, Ltd.
 Attn: Scott A. Sandroff, Registered Agent
 910 Woodlands Pkwy.
 Vernon Hills, IL 60061

Northern Industrial Steel, Inc.
 Attn: Edmund M. Tobin, Registered Agent
 3 First National Plaza, Suite 2150
 Chicago, IL 60602

UNOFFICIAL COPY

Legal Description:

THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 27; THENCE NORTHERLY 243 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 27; THENCE WESTERLY 260 FEET ALONG A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE SOUTHERLY AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 27, A DISTANCE OF 243 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION; THENCE EASTERLY 260 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE FOLLOWING PROPERTY: THE EAST 50 FEET OF THE SOUTH 243 FEET (AS MEASURED ALONG THE SOUTH LINE THEREOF) AND THE SOUTH 50 FEET OF THE WEST 210 FEET OF THE EAST 260 FEET (BOTH AS MEASURED ALONG THE SOUTH LINE THEREOF) OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS (EXCEPTING THEREFROM THAT PART CONVEYED TO THE PEOPLE OF THE COUNTY OF COOK FOR THE USE OF THE DEPARTMENT OF HIGHWAYS BY WARRANTY DEED RECORDED APRIL 23, 1981 AS DOCUMENT 25848065).

LESS AND EXCECT FROM THE ABOVE DESCRIBED PROPERTY THAT PORTION CONVEYED TO THE PEOPLE OF THE COUNTY OF COOK, STATE OF ILLINOIS, FOR THE USE AND BENEFIT OF THE DEPARTMENT OF HIGHWAYS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF A LINE 50 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 27 AND A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27; THENCE WESTERLY 20 FEET ALONG SAID LINE 50 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 27 TO A POINT; THENCE NORTHEASTERLY 29.09 FEET TO A POINT WHICH IS 20 FEET NORTHERLY OF SAID POINT OF BEGINNING AND 50 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 20 FEET ALONG SAID LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27 TO THE POINT OF BEGINNING.