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SUBCONTRACTORS NOTICE & CLAIM FOR MECHANICS LIEN



Doc#: 1003557229 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 02/04/2010 03:19 PM Pg: 1 of 4

STATE OF ILLINOIS }
 } SS
COUNTY OF COOK }

IN THE OFFICE OF THE
RECORDER OF DEEDS
OF COOK COUNTY

M. RANDAZZO LANDSCAPING, INC.
CLAIMANT

-VS-

AIRUPS ENTERPRISES, LLC
MB FINANCIAL BANK, N.A.
SPURIA CONSTRUCTION, INC.
UNKNOWN OWNERS
NON-RECORD CLAIMANTS
DEFENDANT

The claimant, M. RANDAZZO LANDSCAPING, INC., an Illinois Corporation ("Claimant"), hereinafter referred to as ("M. Randazzo"), with an address of P.O. Box 1079, Park Ridge, Illinois 60068, hereby files its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and on all funds held in connection with the improvements constructed on the Real Estate, and against Airups Enterprises, LLC ("Owner") c/o Don O. Spagnolo 2500 W. Higgins Rd., Suite 100, Hoffman Estates, Illinois 60169, and MB Financial Bank, N.A. ("Lender") 801 W. Madison, Chicago, Illinois 60607, and Spuria Construction, Inc. ("General Contractor") 1312 Castle Drive, Park Ridge, Illinois 60068, Unknown Owners, Non-Record Claimants, and against the interest of any person claiming an interest in the Real Estate (as hereinafter described) by, through or under Owner.

Claimant states as follows:

1. On or about September 16, 2008, Owner owned title to the real estate (including all land and improvements thereon) (the "Real Estate") in Cook County, Illinois, commonly known as 1318 Castle Drive, Park Ridge, Illinois 60068, and legally described as follows:

LOT 1 IN CASTLE RESUBDIVISION OF LOTS 44 AND 45 IN GLEN OAK ESTATES UNIT 2, A SUBDIVISION OF PART OF LOT 2 OF JOHN BATTCHER ESTATES DIVISION IN THE NORTHWEST ¼ OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED NOVEMBER 13, 2006 AS DOCUMENT 0631717068 IN COOK COUNTY, ILLINOIS.

PERMANENT REAL ESTATE INDEX NO: 12-02-106-025

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2. That to the best of Claimants knowledge and belief Spuria Construction, Inc. ("Spuria") was Owner's General Contractor for the improvements at the premises.

3. That "Spuria" entered into an oral Contract with M. Randazzo Landscaping, Inc., ("Randazzo") whereby Claimant agreed to furnish Landscaping and Sprinkler System Installation (related materials, apparatus, and labor) to "Spuria" in exchange for payment in the Original Contract amount of Thirteen Thousand, Eight Hundred and Eighty-Five Dollars & 00/100, (\$13,885.00).

4. That the Contract was entered into between "Spuria" and Claimant with the full knowledge and consent of Owner. Alternatively, the Owner specifically authorized "Spuria" to enter into Contracts for, and in said improvement of the Real Estate. Alternatively the Owner did knowingly permit "Spuria" to enter into Contracts, for and in said improvement of the Real Estate.

5. At the special instance and request of "Spuria" and with the full knowledge and express consent or acquiescence of Owner, Claimant furnished extra and additional materials and extra and additional labor on the Real Estate to the value of \$1,100.00. Claimant completed providing the additional materials and labor at various times.

6. That on October 28, 2009, Claimant completed and delivered substantially all work and materials required to be performed under the Contract.

7. That "Spuria" is entitled to credits for payments in the amount of \$5,000.00.

8. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing credits for payments by "Spuria" the balance of Nine Thousand, Nine-Hundred and Eighty-Five Dollars & 00/100, (\$9,985.00), for which with interest at the statutory rate of 10% per annum, Claimant claims a lien on the Real Estate and on the monies or other considerations due, or to become due from the Owner to Spuria Construction, Inc.

Dated: January 9, 2010

M. RANDAZZO LANDSCAPING, INC.

By: _____

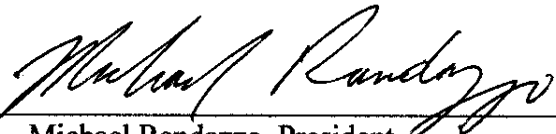
Michael Randazzo
Michael Randazzo, President

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VERIFICATION

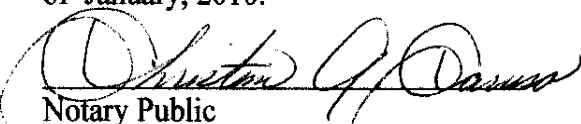
State of Illinois }
 } SS.
County of Cook }

I, Michael Randazzo, being first duly sworn on oath, depose and state that I am President for Claimant, M. Randazzo Landscaping, Inc., an Illinois corporation, that I am authorized to execute this Subcontractor's Notice and Claim of Mechanics Lien on behalf of Claimant, that I have read the foregoing Subcontractor's Notice and Claim for Mechanics Lien and know the contents thereof, and the statements contained therein are true.



Michael Randazzo, President

Subscribed and Sworn to
before me this 9th day
of January, 2010.



Notary Public



My Commission Expires: 2-27-2010

**THIS INSTRUMENT WAS PREPARED BY AND
AFTER RECORDING SHOULD BE RETURNED TO:**

Mr. Michael Randazzo
M. Randazzo Landscaping, Inc.
P.O. Box 1079
Park Ridge, Illinois 60068

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SERVICE LIST

Airups Enterprises, LLC
c/o Don O' Spagnolo
2500 W. Higgins Rd.
Suite 100
Hoffman Estates, Illinois 60169
CERTIFIED MAIL, RETURN RECEIPT, R/D

Spuria Construction, Inc.
Attention: Mr. Nino Spuria
1312 Castle Drive
Park Ridge, Illinois 60068
CERTIFIED MAIL, RETURN RECEIPT, R/D

MB Financial Bank, N.A.
Construction Mortgage Lending
Any Agent
6111 N. River Rd.
Rosemont, Illinois 60018
CERTIFIED MAIL, RETURN RECEIPT, R/D