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## SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

Doc#: 1023849006 Fee: \$32.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/26/2010 10:43 AM Pg: 1 of 6

STATE OF ILLINOIS        )  
  )  
COUNTY OF COOK        )

**DEPINTO CARPENTRY, L.L.C.  
(CLAIMANT)**

-VS-

VIA CERTIFIED MAIL R/R  
Transwestern Columbia Centre III, L.L.C.  
c/o CT Corporation System  
(Registered Agent)  
208 So. LaSalle Street, Suite 814  
Chicago, IL 60604

VIA CERTIFIED MAIL R/R  
Transwestern Columbia Centre III, L.L.C.  
c/o The Corporation Trust Company  
(Registered Agent)  
1209 Orange Street  
Wilmington, DE 19801

VIA CERTIFIED MAIL R/R  
Aslan Realty Partners III, L.L.C.  
c/o Managing Partner  
150 N. Wacker Drive, Suite 800  
Chicago, IL 60606

VIA CERTIFIED MAIL R/R  
Aslan Realty Partners III, L.L.C.  
c/o The Corporation Trust Company  
1209 Orange Street  
Wilmington, DE 19801

VIA CERTIFIED MAIL R/R  
Wisconsin Construction Specialties, Inc.  
Attn: Mr. Steven P. Engibous,  
(Registered Agent)  
N6 W23673 Bluemound Road  
Waukesha, WI 53188

VIA CERTIFIED MAIL R/R  
Wells Fargo & Company  
c/o Corporation Service Company  
(Registered Agent)  
2711 Centerville Road  
Wilmington, DE 19808

VIA CERTIFIED MAIL R/R  
Wells Fargo & Company  
c/o Armored Davis Bancorp, Inc.  
Attn: Mr. Gary L. Smith  
(Registered Agent)  
1204 South Fourth Street  
Springfield, IL 62703

VIA CERTIFIED MAIL R/R  
Morton's of Chicago/Rosemont, Inc.  
Attn: C T Corporation System  
(Registered Agent)  
208 So. LaSalle Street, Suite 814  
Chicago, IL 60604

VIA CERTIFIED MAIL R/R  
Morton's of Chicago/ Rosemont, Inc.  
Attn: Mr. E. Nicholas Wagner  
(Corporation Secretary)  
325 N. LaSalle Street, Suite 500  
Chicago, IL 60654

**(DEFENDANTS)**

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YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT:

THE CLAIMANT, **DePinto Carpentry, L.L.C.**, (Subcontractor) of 27 S. Howard Avenue, Roselle, Illinois 60172, claims a Mechanics Lien against the real estate, more fully described below, and against the interest of the following entities in the real estate: **Wells Fargo Bank**, (Mortgagee); **Transwestern Columbia Centre III, L.L.C.**, (Owner); **Aslan Realty Partners III, L.L.C.**, (Owner); **Morton's of Chicago/Rosemont, Inc.**, (Leasee) (collectively "**Owner**"); **Wisconsin Construction Specialties, Inc.**, (Contractor); and any other persons 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:

PROPERTY: Commonly known as 9525 W. Bryn Mawr Avenue, Rosemont, Illinois 60018.

PIN: 12-10-100-051-0000

See attached Exhibit "A" for property legal description

2. On information and belief, **Morton's of Chicago/Rosemont, Inc.**, (a/k/a **Morton's, The Steakhouse**) contracted with **Wisconsin Construction Specialties, Inc.** for certain improvements to said property.

3. That Claimant, **DePinto Carpentry, L.L.C.**, entered into a Subcontract Agreement with **Wisconsin Construction Specialties, Inc.**, dated February 12, 2010, to furnish labor and material to install gypsum board (drywall), metal studs, insulation, caulking, acoustical ceilings, and labor (only) to install wood and metal doors, door frames, hardware, manufactured wood casework, fiberglass reinforced panels, millwork, toilet accessories, closet accessories, and access panels for use at said premises.

4. That Claimant, **DePinto Carpentry, L.L.C.**, completed its work under said Subcontract on May 4, 2010, which entailed the delivery of said material and labor.

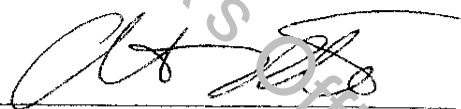
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5. That there is due, unpaid and owing to **DePinto Carpentry, L.L.C.**, after allowing all credits, the principal sum of \$9,112.52, (Nine Thousand, One Hundred Twelve and 52/100 Dollars) which principal amount bears interest at the statutory rate of ten percent (10%) per annum. **DePinto Carpentry, L.L.C.** 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 said Contract against said Contractor, in the amount of \$9,112.52, (Nine Thousand, One Hundred Twelve and 52/100 Dollars) plus interest.

**6. PURSUANT TO THE ILLINOIS MECHANICS LIEN ACT, DEPINTO CARPENTRY, L.L.C. WILL FILE ITS CONTRACTOR'S CLAIM FOR LIEN UNLESS THE AFORESAID SUM SHALL BE PAID WITHIN 10 (TEN) DAYS OF THIS NOTICE.**

7. To the extent permitted by law, all waivers of lien heretofore given by Claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by Claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice.

**DEPINTO CARPENTRY, L.L.C.**

By:   
Anthony DePinto, Authorized Agent

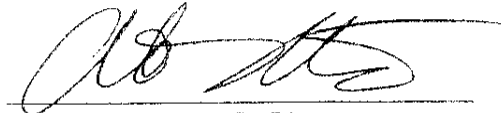
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State of Illinois

County of Cook

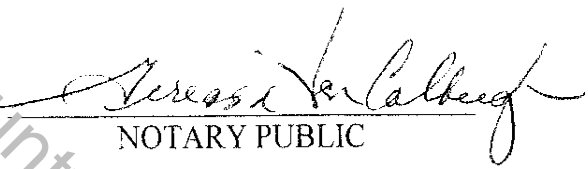
**AFFIDAVIT**

The Affiant, **Anthony DePinto**, being first duly sworn, on oath deposes and says that the Affiant is an authorized representative of **DePinto Carpentry, L.L.C.**, that the Affiant has read the foregoing Subcontractor's Notice for Mechanics Lien and knows the contents thereof; and that all the statements therein contained are true and correct.



**Anthony DePinto**

SUBSCRIBED AND SWORN to  
before me this 23<sup>rd</sup> day  
of July, 2010.



**NOTARY PUBLIC**



My commission expires 1/27/14.

This instrument prepared by:  
**THE LAW OFFICE OF WILLIAM A. SHELBY, P.C.**  
240 Lake Street - Suite 101A  
Addison, Illinois 60101  
(630) 317-7156

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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

THE WEST 558.33 FEET (MEASURED ALONG THE NORTH LINE) OF LOT 1 OF HENRY HACHMEISTER'S DIVISION OF PARTS OF SECTIONS 9 AND 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED APRIL 6, 1908 AS DOCUMENT NUMBER 4183101, EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 10; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 217 FEET FOR THE PLACE OF BEGINNING, THENCE CONTINUING SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 200 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF BRYN MAWR AVENUE, A DISTANCE OF 80 FEET; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 200 FEET; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF BRYN MAWR AVENUE, A DISTANCE OF 80 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

A PERPETUAL, NON-EXCLUSIVE EASEMENT IN, UNDER THE EASEMENT PARCEL (AS DESCRIBED IN EXHIBIT C) SOLELY FOR THE USE OF SANITARY SEWER AND FOR THE PURPOSE OF SERVICING AND MAINTAINING THE SANITARY SEWER AND EXTENSION IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPHS 2 AND 3 IN THE AGREEMENT AS CREATED, DEFINED AND LIMITED IN THAT CERTAIN EASEMENT AGREEMENT DATED MARCH 1, 1989 AND RECORDED JANUARY 24, 1990 AS DOCUMENT NUMBER 90037337.

#### PARCEL 3:

EASEMENT OVER PORTIONS OF THE VILLAGE OF ROSEMONT PROPERTY TO THE SOUTH OF PARCEL 1 AS MAY BE INCIDENTAL TO THE USE OF THE CERTAIN SKYBRIDGE CONNECTING THE 9 STORY BUILDING ON THE LAND WITH THE MULTI-LEVEL CONCRETE PARKING FACILITY ON THE LAND TO THE SOUTH AS CREATED, DEFINED AND LIMITED BY INSTRUMENT RECORDED JULY 25, 1990 AS DOCUMENT 90358728.

#### PARCEL 4:

ALL RIGHTS, INCLUDING THE USE OF 350 PARKING SPACES, AS GRANTED IN THE PARKING AGREEMENT MADE NOVEMBER 2, 1988 BY AND BETWEEN THE VILALGE OF ROSEMONT, A MUNICIPAL CORPORATION, AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED DECEMBER 12, 1986 AND KNOWN AS TRUST NUMBER 100841-01, A MEMORANDM OF WHICH WAS RECORDED DECEMBER 14, 1988 AS DOCUMENT 88576464, AS AMENDED BY FIRST AMENDMENT THERETO RECORDED JULY 25, 1990 AS DOCUMENT 90358728, AS AMENDED BY ADDENDUM THERETO RECORDED FEBRUARY 3, 1993 AS DOCUMENT 93087080.

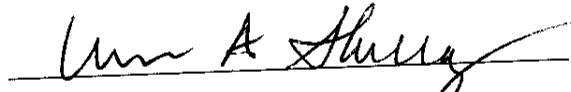
COMMONLY KNOWN AS: 9525 WEST BRYN MAWR AVENUE, ROSEMONT, ILLINOIS

P.I.N. #12-10-100-051-0000

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## PROOF OF SERVICE

William A. Shelby, an attorney, under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, certifies that he served the Subcontractor's Claim for Mechanics Lien, together with the documents referred to therein, upon the aforementioned parties, by placing a copy of the same in an envelope properly stamped with prepaid postage- by CERTIFIED MAIL RETURN RECEIPT REQUESTED, sealed, and addressed, and placing same with the U.S. Post Office in Addison, Illinois 60101 at or about the hour of 5:00 p.m. on July 23, 2010.

  
William A. Shelby - Attorney