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Doc#: 1102444061 Fee: \$48.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/24/2011 04:02 PM Pg: 1 of 7

SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN

FOR PROPERTY COMMONLY KNOWN AS

161 W. Kinzie, Chicago, IL 60654

By

KULTUK FLOORING USA, INC., an Illinois corporation

Property of Cook County Clerk's Office

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SUBCONTRACTOR'S NOTICE AND CLAIM FOR LIEN

State of Illinois)
) SS
County of Cook)

The Claimant, **KULTUR FLOORING USA, INC., an Illinois corporation** (hereinafter referred to as "Claimant"), with an address of 7777 N. Caldwell, Niles, Illinois 60714, hereby files this notice and claim for Mechanics Lien in accordance with the Mechanics Lien Act of the State of Illinois, as set forth in 770 ILCS 60/1 et seq., against **161 West Kinzie JV, LLC, a Delaware limited liability company**, whose address is c/o LG Chicago Investment LP, 8000 I H-10 West, Suite 1200, San Antonio, Texas 78230 (hereinafter referred to as "Owner"), the owner of the real estate property commonly known as 161 West Kinzie, Chicago, IL, 60654, more fully described in *Exhibit A*, attached hereto, and hereinafter, together with all improvements (hereinafter referred to as "Property"), and said Owner having owned the Property at time that the Claimant has performed work on the Property; and against **James McHugh Construction Company, an Illinois corporation** (hereinafter referred to as "General Contractor"), whose address is c/o James P. McHugh, 1737 S. Michigan Ave., Chicago, IL 60616, the general contractor of the Property at the time that the Claimant performed work on the Property, and against the Subcontractor, **Estate Hardwood Floors Corp., a Canada corporation**, transacting business in Illinois, the subcontractor of the Property at the time that Claimant performed the work on the Property; and states as follows:

1. On or about **February 15, 2010**, and thereafter, the Owner was the legal title holder and owner of the Property (including all land and improvements thereon) in Cook County, State of Illinois, legally described as follows:

Legal Description:	See attached <i>Exhibit A</i>
Permanent Real Estate Index Number:	17-09-404-001, 17-09-404-002, 17-09-404-003, 17-09-404-011, 17-09-404-016
Address of Real Estate:	161 W. Kinzie, Chicago, IL 60654

2. On information and belief, Owner entered into a contract with the General Contractor, whereby General Contractor was to provide general contracting services, labor, materials and equipment for the construction and improvement of the Property.
3. On information and belief, Subcontractor and General Contractor entered into a contract, whereby Subcontractor was to provide, labor, materials and equipment for the construction and improvement of the Property.

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4. Claimant entered into an agreement with Subcontractor, whereby Claimant was to furnish services of hardwood floor installations and repairs, for the Property, with the Subcontractor having authority and knowingly permitted by Owner, or one knowingly permitted by Owner and/or General Contractor to enter into such Agreement.
5. The Subcontractor has agreed to compensate Claimant the total amount of **\$424,458.88** for the services of hardwood floor installations and repairs performed on the Property.
6. To date, the Subcontractor made payments in the amount of **\$250,318.00** (Two Hundred Fifty Thousand Three Hundred Eighteen Dollars and Zero Cents) to Claimant for the work of hardwood floor installations and repairs performed by Claimant on the Property
7. On or about October 1, 2010, Claimant timely and fully completed the work on the Property pursuant to the Agreement, for which Claimant claims a lien.
8. After taking into account all credits and payments, as of the date hereof, there is due and owing to Claimant, pursuant to the Agreement and change work orders, the amount of **One Hundred Seventy-Four Thousand One Hundred Forty Dollars and Eighty-Eight Cents (\$174,140.88)** additionally due is the accruing interest at the statutory rate of ten (10%) percent per annum. Claimant hereby claims a lien against the Property (including all land and improvements thereon) described in Exhibit A.

Dated: January 14, 2011

Kulur Flooring USA, Inc.

By: 

Mihai Baban, President

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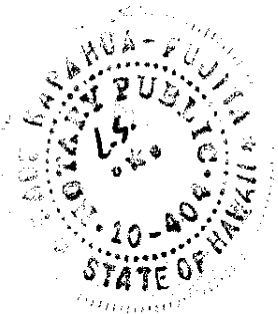
VERIFICATION

State of Illinois)
) SS
 County of Cook)

Mihai Baban, being first duly sworn on oath, states that he is the President of KULTUR FLOORING USA, INC., an Illinois corporation, that he is authorized to sign this verification to the foregoing original contractor's claim for mechanics lien, that he has read the original's claim for mechanics lien, and that the statements contained therein are true.



Mihai Baban,
 President of Kultur Flooring USA, Inc.



Subscribed and sworn to before me
 This 19 day of January, 2011.

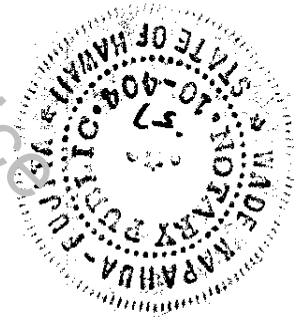
Wade Kapuhua-Fujita
 Notary Public

My commission expires: 12/5/2014

NOTARY PUBLIC CERTIFICATION
 Wade Kapuhua-Fujita First Judicial Circuit
 Doc. Description: contractor verification

No. of Pages: 6 Date of Doc. 1/19/11
Wade Kapuhua-Fujita 1/19/11
 Notary Signature Date

This document was prepared by and return to:
 Law Offices of Ioana Salajanu
 101 N. Wacker Dr., Suite 101
 Chicago, IL 60606



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LEGAL DESCRIPTION

EXHIBIT A

Parcel 1:

That part of Lot 2, 3, and 8 and all of Lots 4, 5, 6, and 7 in resubdivision of Lot 5 in Block 4 in the original town (now City) of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian; and that part of Lot 6 in Block 4 in said Original town of Chicago; together with all that part of the vacated alley bounded and described as follows:

Beginning at the Northwest corner of Lot 6 in Block 4 in said Original Town of Chicago; Thence South along the West line of said Lot 6 to the Easterly extension of the North line of the South 19.00 feet of Lot 2 in said resubdivision of Lot 5; Thence West along the last described line to the East line of said Lot 2; Thence South along the East line of said Lot 2 in said resubdivision to a point 8.00 feet North of the Southeast corner of said Lot 2; Thence Southwesterly along a straight line drawn to a point 1.00 foot South of the north line and 9.00 feet West of the East line of said Lot 3; thence West along a line parallel with the North line of said Lot 3 to the West line thereof; Thence South along the West line of Lots 3, 4, 5, 6, 7 and 8 in said resubdivision, a distance of 108.00 feet; thence South easterly along a straight line, a distance of 88.40 feet to a point on the Northerly line of Carroll Avenue and so called extended across said vacated alley; thence Easterly along the Northerly line of said Avenue, and the extension thereof across said vacated alley to the West line of the East 26.00 feet of the West ½ of Lot 6 in Block 4 in said original Town of Chicago; Thence North along the last described line to the North line of said Lot 6; thence West along the North line of said Lot 6 to the point of beginning, in Cook County, Illinois.

Parcel 2:

The South 19.00 feet of Lot 2 and the North 1.00 foot of Lot 3 of the Resubdivision of Lot 5 in Block 4 in Original Town of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, excepting and excluding however a triangular shaped piece of land in Southeast corner thereof, which measures 9.00 feet on the Southerly side and 9.00 feet on the Easterly side, in Cook County, Illinois.

Parcel 3:

Sublot 1 and the North 2.00 feet of Sublot 2 of Lot 5 in Block 4 in Original town of Chicago in the Southeast ¼ of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 4:

That part of Lot 8 in the resubdivision of Lot 5 and that part of Lot 6 in Block 4 in the Original Town of Chicago; together with that part of the 10-foot vacated alley in Section 9, Township 39 North, Range 14; East of the Third Principal Meridian, bounded and described as follows:

Beginning at a point on the West line of said Lot 8, a distance of 108.00 feet South of the intersection of the West line of Lots 3 to 8, inclusive in the resubdivision of Lot 5 aforesaid, with the South line of the North 1.00 foot of Lot 3 aforesaid; Thence Southeasterly, a distance of 88.40 feet to a point on the Northerly line of Carroll Avenue; Thence westerly along the Northerly line of Carroll Avenue to the West line of said Lot 8; thence North along the West line of said Lot 8 to the point of beginning, in Cook County, Illinois.

Parcel 5:

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Lot 3, and the East 6 feet of Lot 4 (except that part of said Lots taken and used for West Carroll Avenue) in the subdivision of Lot 6 all in Block 4 in the Canal Trustees Subdivision of Lots in the Original Town of Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 6:

That part of the following described property lying above a horizontal plane 22.6 feet above Chicago City Datum and described as follows:

Those parts of Lot 3 and the East 6 feet of Lot 4 in the Subdivision of Lot 6 in Block 4 in the Canal Trustees subdivision of Lots in the Original Town of Chicago, lying South of the North line of West Carroll Avenue in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 7:

That part of the vacated North-South 10 foot public alley vacated by ordinance approved July 19, 2007 by the City Council of the City of Chicago, lying west of the west line of lot 4 in Canal Trustees Subdivision of Lots in Original Town of Chicago in the Southeast 1/4 of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, IL, and lying east of the east line of lots 1 and 2 in the subdivision of Lot 5 in Block 4 in Original Town of Chicago aforesaid lying south of a line drawn from the Northeast corner of Lot 1 in Subdivision of Lot 5 in Block 4 in the Original Town of Chicago aforesaid to the Northwest corner of Lot 4 in Canal Trustees Subdivision of Lots in Original Town of Chicago in the Southeast 1/4 of Section 9 aforesaid and lying North of the North line of the vacated North-South 10 foot alley vacated by ordinance approved July 29, 1930 by the City Council of the City Chicago and the quit claim deed of conveyance of said North-South 10 foot alley recorded October 22, 1930 in the Office of the Recorder of Deeds of Cook County, IL as document number 10774448, said North line of the vacated North-South 10 foot alley being described as the Easterly extension of the North line of the South 19 feet of Lot 2 in Subdivision of Lot 5 in Block 4 in Original Town of Chicago aforesaid, in Cook County, IL.

Common Address(es): 161 W. Kinzie
Chicago, Illinois

PINs: 17-09-404-001
17-09-404-002
17-09-404-003
17-09-404-011
17-09-404-016

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SERVICE LIST

TO OWNER:

161 WEST KINZIE JV, LLC
c/o LG Chicago Investment LP
8000 IH-10 West, Suite 1200,
San Antonio, Texas 78230

TO GENERAL CONTRACTOR:

Mr. Ben Johnston
James McHugh Construction Co.
1737 S. Michigan Ave.
Chicago, IL 60616

TO SUBCONTRACTOR:

Ms. Wendy C. Stone and Joseph Kember
Estate Hardwood Floors Corp
2 Innovation Drive, P.O. Box 490
Renfrew, ON K7V 4B1 Canada

TO LENDER:

Mr. Vince Laughlin
MB FINANCIAL BANK, NA
6111 North River Road
Rosemont, IL 60018