

# UNOFFICIAL COPY



Doc#: 1121518038 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/03/2011 03:02 PM Pg: 1 of 2

This instrument was prepared by  
and after recording return to:

Michael T. Franz  
Sanchez Daniels & Hoffman LLP  
333 West Wacker Drive  
Suite 500  
Chicago, Illinois 60606

## NOTICE OF LIEN FOR UNPAID COMMON CHARGES

To: The Recording Officer of Cook County, Illinois; Bank of New York Mellon Corporation;  
and whom else it may concern:

Please take notice that the Touhy Avenue Condominium Association, an Illinois not-for-profit corporation, the undersigned Lienor, has and claims a lien for unpaid common elements charges pursuant to 765 Illinois Compiled Statutes 605/9, and pursuant to Article VI, Section 7 of the Bylaws of the Association, as follows:

1. The name of the lienor is the Touhy Avenue Condominium Association, acting on behalf of all unit owners of the Touhy Avenue, a condominium association pursuant to a Declaration of Condominium, called the declaration and recorded on May 20, 2004.
2. The name of the owner of the real property described below, against whose interest the lienor claims a lien, is Bank of New York Mellon Corporation.
3. The property subject to the lien claimed is Permanent Tax Number 11-51-202-032-1001, commonly known as Unit 1723-1 in the Touhy Avenue Condominium Association, 1723 W. Touhy Avenue, Chicago, Illinois, a condominium as delineated on Plat of Survey of the following described parcel of real estate:  

Lot 5 and the East 400 Feet of Lot 6 in Block 10 in Rogers Park, a Subdivision of the Northeast  $\frac{1}{4}$  and that part of the Northwest  $\frac{1}{4}$  lying East of Ridge Road of Section 31, and the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 32 and all of Section 30, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.
4. As provided in the declaration, the owner of the unit is liable for a proportionate share of the common expenses of the condominium.
5. The purchaser of a condominium unit at a judicial foreclosure sale, other than a mortgagee, who takes possession of a condominium unit pursuant to a court order or a purchaser who acquires title from a mortgagee shall have the duty to pay the proportionate share, if any, of the common expenses for the unit which would have become due in the absence of any

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assessment acceleration during the 6 months immediately preceding institution of an action to enforce the collection of assessments, and which remain unpaid by the owner during whose possession the assessments accrued. If the outstanding assessments are paid at any time during any action to enforce the collection of assessments, the purchaser shall have no obligation to pay any assessments which accrued before he or she acquired title. 765 ILCS 605/9(g)(4).

- 6. Pursuant to 765 ILCS 605/9(g)(4), the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately preceding institution of an action to enforce the collection of assessments.

Date: August 3, 2011

Touhy Avenue Condominium Association,

By Michael T. Franz  
 One of Its Attorneys

STATE OF ILLINOIS        )  
   ) ss  
 COUNTY OF COOK         )

The undersigned, a notary public in and for said County, in the State aforesaid, do hereby certify that Michael T. Franz, is personally known to me to be an attorney for the Touhy Avenue Condominium Association, an Illinois not-for-profit corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such member of the Board of Directors, he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 3<sup>rd</sup> day of August, 2011



Hollis Talarico  
 Notary Public  
 Commission expires: