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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)



Doc#: 1130044074 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 10/27/2011 03:35 PM Pg: 1 of 4

NOTICE OF LIEN

Board of Managers of Marina Towers Condominium Association, Claimant v.
Miatcheslav Derbenev, unknown owners and non-record claimants.

Notice is hereby given that:

1. The Board of Managers of Marina Towers Condominium Association claims a lien against Unit 4430 of Marina Towers Condominium for unpaid Assessments, late fees, attorneys' fees and other fees authorized under the Condominium Property Act and levied by Marina Towers Condominium Association against Unit 4430. The Unit is located at the address commonly known as 300 North State Street, Chicago, Cook County Illinois 60654 (sometimes referred to as the "Property"). The legal description for Unit 4430 is attached to this Notice as Exhibit "A."
2. The Declaration of Condominium Ownership for the Marina Towers Condominium Association ("Declaration") was recorded with the Recorder of Deeds of Cook County, Illinois on December 15, 1977 as document number 24238692.
3. The person(s) with an ownership interest in Unit 4430 at Marina Towers Condominium Association are Miatcheslav Derbenev, unknown owners and non-record claimants.
4. The condominium assessments, late charges for late paid condominium assessments and costs were unpaid and became delinquent in May, 2011 and have been continuously delinquent during the period between May 2011 and October 2011.
5. As a result, pursuant to Section 9(g) of the Condominium Property Act, Claimant has had a lien continuously on said property since May, 2011.
6. The amount Claimant demands for assessments and late charges authorized under the Condominium Property Act in connection with Unit 4430 is \$4,364.515 as of October 25, 2011. No part of it has been paid.
7. Claimant has a lien right to the aforesaid amount pursuant to Section 10 of said Declaration, which provides in part that:

If any Unit owner shall fail or refuse to make any such payment of the common expenses when due, the amount thereof together with interest thereon at the rate of 8% per annum, or such greater percentage as may then be permitted under the law of the State of Illinois, after said common expenses become due and payable, shall constitute a lien on the interest of such Unit Owner in the Property as provided in the Act, provided,

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however, that such lien shall be subordinate to the lien of a *prior recorded first mortgage* on the interest of such Unit Owner, owned or held by a bank, insurance company or institutional investor...." (*emphasis supplied*).

8. Claimant also has a lien right to the aforesaid amount pursuant to Section 9(g) of the Illinois Condominium Property Act.

9. That Section 9(g) of the Condominium Property Act also provides:

(g) Lien.

(1) If any unit owner shall fail or refuse to make any payment of the common expenses or the amount of any unpaid fine when due, the amount thereof together with any interest, late charges, reasonable attorney fees incurred enforcing the covenants of the condominium instruments, rules and regulations of the board of managers, or any applicable statute or ordinance, and costs of collections shall constitute a lien on the interest of the unit owner in the property prior to all other liens and encumbrances, recorded or unrecorded, except only....(b) encumbrances on the interest of the unit owner *recorded prior* to the date of such failure or refusal which by law would be a lien thereon prior to subsequently recorded encumbrances. (*emphasis supplied*).

10. There is now due and remaining unpaid pursuant to this Notice of Lien after deducting all just credits, and offsets, the sum of \$4,361.51 as of October 25, 2011. In that amount, Claimant claims a lien upon Unit 4430.

11. The address of Claimant is 300 North State Street, Chicago, Illinois 60654.

MARINA TOWERS CONDOMINIUM ASSOCIATION

By: *David Gantt*
David Gantt

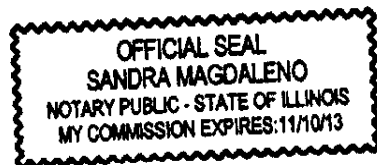
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned being a duly authorized agent of the Defendant Marina Towers Condominium Association certifies that the statements set forth in this Notice of Lien are true and correct.

By: *David Gantt*
David Gantt

Subscribed and Sworn to before me
this 27th day of October, 2011.

Sandra Magdalena
Notary Public

Prepared By / Return To:
Daniel B. Meyer
Edward C. Eberspacher IV
O'Hagan Spencer LLC
One East Wacker Drive, Suite 3400
Chicago, Illinois 60601



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Property of Cook County Clerk's Office

- i) Legal description and address of mortgaged premises:

PARCEL 1:

UNIT NUMBER 4430 IN MARMA TOWERS CONDOMINIUM AS DELIANEATED ON SURVEY OF THE FOLLOWING DESCRIBED PARCELS OF REAL ESTATE:

LOT 1 AND LOT 2 OF HARPER'S RESUBDIVISION OF PART OF BLOCK 1 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A PART OF BLOCK 1 IN KINZIE'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE NORTH FRACTION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH PARTS OF CERTAIN VACATED STREETS AND ALLEYS LYING WITHIN AND ADJOINING SAID BLOCKS, SITUATED IN THE CITY OF CHICAGO, WHICH SURVEY



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IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 24238692, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 15, 1977 AS DOCUMENT 24238692 AND AS CREATED BY DEED FROM MARINA CITY CORPORATION, A CORPORATION OF ILLINOIS, TO MARY CYKES DATED FEBRUARY 10, 1978 AND RECORDED MARCH 9, 1978 AS DOCUMENT 24345224 FOR INGRESS AND EGRESS, IN COOK COUNTY, ILLINOIS

PARCEL 3:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED DECEMBER 15, 1977 AS DOCUMENT 24238691 AND AS CREATED BY DEED FROM MARINA CITY CORPORATION, A CORPORATION OF ILLINOIS TO MARY CYKES DATED FEBRUARY 10, 1978 AND RECORDED MARCH 9, 1978 AS DOCUMENT 24345224 FOR INGRESS, AND EGRESS, IN COOK COUNTY, ILLINOIS.

P.I.N.: 17-09-410-014-1763

Commonly known as: 300 N. State Street, Unit 4430, Chicago, IL 60610