

MECHANIC'S LIEN:
CLAIM

STATE OF ILLINOIS }
 }
COUNTY OF Cook }

TONYAN BROS. INC.

CLAIMANT

-VS-

GER Wilmette, LLC
North Shore Community Bank & Trust Company
Country Life Insurance Company
Midwest Construction Partners Incorporated
SUB-SURFACE CONSTRUCTION CO, INC.

DEFENDANT(S)

The claimant, **TONYAN BROS. INC.** of Ringwood, IL 60072 County of **McHenry**, hereby files a claim for lien against **SUB-SURFACE CONSTRUCTION CO, INC.**, of 145 W. Route 120 Round Lake Park, State of IL; a subcontractor to **Midwest Construction Partners Incorporated** contractor of 3201 Old Glenview Road, Suite 301 Wilmette, IL 60091, and **GER Wilmette, LLC** Wilmette, IL 60091 {hereinafter referred to as "owner (s)"} and **North Shore Community Bank & Trust Company Chicago, IL 60646 Country Life Insurance Company Horsham, PA 19044** {hereinafter referred to as "lender (s)"} and states:

That on or about **06/08/2012**, the owner owned the following described land in the County of **Cook**, State of Illinois to wit:

Street Address: **3201 Old Glenview Road Wilmette, IL 60091:**

A/K/A: **Lots 1 and 2 in GER Wilmette Subdivision being part of the Southeast 1/4 of Section 31, Township 42 North, Range 13 a/k/a/ See Attached Exhibit "A" for Legal Description**

A/K/A: **Tax # 05-31-420-014; 05-31-420-015**

and **SUB-SURFACE CONSTRUCTION CO, INC.** was a subcontractor to **Midwest Construction Partners Incorporated** owner's contractor for the improvement thereof. That on or about **06/08/2012**, said subcontractor made a contract with the claimant to provide **labor and material for trucking service, aggregate sales and dump fees** for and in said improvement, and that on or about **07/09/2012** the claimant completed thereunder all that was required to be done by said contract.

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The following amounts are due on said contract:

Contract	\$2,904.11
Extras/Change Orders	\$0.00
Credits	\$0.00
Payments	\$0.00

Total Balance Due \$2,904.11

leaving due, unpaid and owing to the claimant after allowing all credits, the sum of **Two Thousand Nine Hundred Four and Eleven Hundredths (\$2,904.11) Dollars**, for which, with interest, the Claimant claims a lien on said land, beneficial interests, if any, recorded or unrecorded leasehold interest, if any, and improvements, and on the moneys or other considerations due or to become due from said contractor and/or owner under said contract.

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.

IN WITNESS WHEREOF, the undersigned has signed this instrument on **October 5, 2012**.

TONYAN BROS. INC.

BY: 
Frank P. Zebell President

Prepared By:
TONYAN BROS. INC.
5101 N. Route 31
Ringwood, IL 60072
Frank P. Zebell

VERIFICATION

State of Illinois

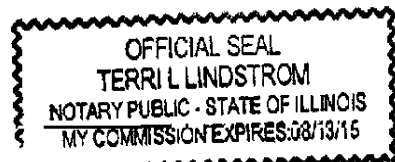
County of **McHenry**

The affiant, Frank P. Zebell, being first duly sworn, on oath deposes and says that the affiant is President of the claimant; that the affiant has read the foregoing claim for lien and knows the contents thereof; and that all the statements therein contained are true.


Frank P. Zebell President

Subscribed and sworn to
before me this **October 5, 2012**


Notary Public's Signature



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Exhibit "A"

LEGAL DESCRIPTION:

PARCEL 1:

LOT 1 (EXCEPT THAT PART TAKEN FOR EDENS EXPRESSWAY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH ON THE EAST LINE THEREOF 110 FEET; THENCE SOUTHWESTERLY TO THE SOUTH LINE OF LOT 1, AFORESAID, 40 FEET WEST OF THE POINT OF BEGINNING; THENCE EAST ALONG THE SAID SOUTH LINE OF LOT 1, 40 FEET TO THE POINT OF BEGINNING) IN EDENS EXECUTIVE CENTER SUBDIVISION OF PART OF LOT 12 IN COUNTY CLERK'S DIVISION OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY WARRANTY DEED FROM ELIZABETH JOHN DATED JANUARY 30, 1965 AND RECORDED FEBRUARY 8, 1965 AS DOCUMENT 19377020 TO CONSTRUCT A SEWER ON THE WEST 15 FEET OF THAT PART OF LOT 12 OF COUNTY CLERK'S DIVISION OF SECTION 31, TOWNSHIP 42 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTH OF A LINE 566.74 FEET NORTH OF (AS MEASURED ON THE WEST LINE OF LOT 12) AND PARALLEL TO THE SOUTH LINE OF SAID LOT 12 (EXCEPT THEREFROM THAT PART LYING NORTHEAST OF THE CENTER LINE OF GLENVIEW ROAD) IN COOK COUNTY, ILLINOIS