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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Doc#: 1328856015 Fee: \$32.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/15/2013 01:37 PM Pg: 1 of 4

IN THE OFFICE OF THE RECORDER OF DEEDS
OF COOK COUNTY, ILLINOIS

EARTH, INC.,)
)
 Claimant,)
)
 vs.)
)
 JELMJ, L.L.C., Owner; MB FINANCIAL BANK,)
 N.A., Mortgagee; VILLAGE OF WHEELING,)
 Development Agreement and Lien Claimant;)
 COLFIN BULLS FUNDING, L.L.C., Mortgagee.)

Amount Claimed:
\$211,660.48

NOTICE OF MECHANIC'S LIEN

The Claimant, EARTH, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, with its principal place of business at 810 N. Arlington Heights Road, Itasca, Illinois 60143, being a Subcontractor, but having made agreement with the Owner, JELMJ, L.L.C., and a General Contractor, LAKE-COOK DEVELOPMENT, INC., for certain labor, materials and services for the construction project of the real estate described below, hereby files a Notice and Claim for Lien against JELMJ, L.L.C., Owner, MB FINANCIAL BANK, N.A., Mortgagee; VILLAGE OF WHEELING, development party and lien claimant, and COLFIN BULLS FUNDING, L.L.C., Mortgagee, for the Property located at and commonly known as the southwest corner of Milwaukee and Lake-Cook Road, Wheeling, Illinois.

That JELMJ, L.L.C. is the Owner of the real estate legally described as follows:

Lot 2 in Wieland Subdivision, being a subdivision of part of Sections 2 and 3, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat recorded October 3, 1997 as Document 97734683, in Cook County, Illinois less and except the following:

Beginning at the Southwest corner of said Lot 2; thence North 08 degrees 38 minutes 45 seconds East 431.16 feet along the West line of said Lot 2; thence North 18 degrees 42 minutes 06 seconds East 548.70 feet along said West Line to the Northwest corner of said Lot 2; thence Easterly along the North line of said Lot 2, being also a curving line concave to the

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North 88 degrees 26 minutes 26 seconds East, and an arc length of 584.03 feet; thence North 02 degrees 17 minutes 14 seconds West 5.00 feet along said North line; thence North 87 degrees 37 minutes 42 seconds East 539.39 feet along said North line; thence South 88 degrees 58 minutes 58 seconds East 514.55 feet along said North line; thence South 00 degrees 00 minutes 00 seconds East 412.11 feet; thence North 90 degrees 00 minutes 00 seconds West 413.08 feet; thence South 00 degrees 00 minutes 00 seconds East 425.92 feet to the South line of said Lot 2; thence South 87 degrees 11 minutes 16 seconds West 1129.13 feet along said South line; thence South 02 degrees 48 minutes 44 seconds East 70.00 feet along said South line; thence South 87 degrees 11 minutes 16 seconds West 340.74 feet along said South line to the point of beginning.

and commonly known as the southwest corner of Milwaukee and Lake-Cook Road, Wheeling, Illinois.

PIN: 03-02-100-051-000

That on or about May 11, 2012, JELMJ, L.L.C., as the Owner, made an oral contract with LAKE-COOK DEVELOPMENT, INC., the General Contractor, and pursuant to its agreement, provided labors, materials and services relating to the delivery of stone, sand, black dirt and the removal and carving of dirt (for the Owners), for sums totaling \$528,439.41 at the southwest corner of Milwaukee and Lake-Cook Road, Wheeling, Illinois, and subsequently partially completed its obligations as required by its contract, on August 17, 2013.

That the claimant alleges upon information and belief that a sworn statement has been submitted to the Owner or its agent and that said sworn statements are in writing and contained the names of the persons furnishing material and labor for and in said improvement, and that the Claimant's name and the correct amount due Claimant for the work described above has not been properly included in this sworn statement.

That said EARTH, INC., after allowing all just credits, deductions, and set-offs, including all extras, there is now due and owing to EARTH, INC., for furnishing services, time and materials, provided services, labor, time and materials for and related services at the southwest corner of Milwaukee and Lake-Cook Road, Wheeling, Illinois, totaled \$528,439.41, less payments and credits of \$316,778.93, leaving an unpaid balance of \$211,660.48, including Earth, Inc.'s portion of the value of black dirt @ \$75,000 and sand for \$20,000, plus interest, attorney's fees and costs.

EARTH, INC.

By: 

Eric P. Ferleger, Agent for Earth, Inc.

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JELMJ, L.L.C.
Attn: Michael A. Durlacher
1835 Larkin
Elgin, IL 60123

COLFIN BULLS FUNDING, L.L.C.
2450 Broadway – 6th Floor
Santa Monica, CA 90404

MB FINANCIAL BANK, N.A.
6111 N. River Road
Rosemont, IL 60018

VILLAGE OF WHEELING
Attn: Legal Department
2 Community Blvd.
Wheeling, IL 60090

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