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**SUBCONTRACTOR'S NOTICE
AND CLAIM FOR LIEN
PURSUANT TO ILLINOIS
COMPILED STATUTES,
CHAPTER 770, SECTION 60/24**



Doc#: 1502319035 Fee: \$35.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 01/23/2015 10:07 AM Pg: 1 of 7

**TO: SEE ATTACHED
SERVICE LIST**

The Claimant, **ABBEY
PAVING CO., INC.**, an Illinois
corporation, of Aurora, County of
DuPage, State of Illinois, hereby files

Amount Claimed: \$75,939.88

Notice and Claim for Lien against **CSD TOUHY, LLC**, an Illinois limited liability company ("Previous Owner"); **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware Statutory Trust ("Current Owner"); **GA JOHNSON & SON**, an Illinois corporation, ("General Contractor"); and any person or entity claiming an interest in the Property (as hereinafter defined) by, through, or under Previous Owner, Current Owner and General Contractor, and states:

That from in or before March, 2013, through October 15, 2013, the Previous Owner owned the following described land in the Village of Skokie, County of Cook, State of Illinois and legally described as follows:

SEE ATTACHED EXHIBIT A

Commonly known as: 3626 Touhy Avenue, Skokie, Illinois 60076
PIN No.: 10-26-318-020-0000; 10-26-318-029-0000; 10-26-318-032-0000;
10-26-318-033-0000; 10-26-318-034-0000; 10-26-318-035-0000;
10-26-402-025-0000; 10-26-402-032-0000; 10-26-402-034-0000;
10-26-402-035-0000; and 10-26-402-055-0000

hereinafter referred to as the "Property".

That on or about October 15, 2013, Previous Owner conveyed all right, title and interest in and to the Property to the Current Owner pursuant to a Special Warranty Deed recorded on October 17, 2013, in the Cook County Recorder of Deeds as Document No. 1329039037.

That on or before March, 2013, CSD TOUHY, LLC, as the Previous Owner, based upon information and belief, entered into a certain Construction Agreement (the "General Contract") with GA JOHNSON & SON, as General Contractor, whereby General Contractor agreed to provide certain labor, material and work at the Property (the "Project"), the exact terms and conditions of said General Contract are unknown to Claimant, the same being in the exclusive knowledge and possession of the parties thereto.

That on or about May 14, 2013, General Contractor, being then engaged in the construction of said Project and for the purpose of carrying out and performing the terms of its General Contract with the Previous Owner, engaged the services of Claimant, whereby Claimant was to furnish certain labor, equipment and materials to perform the off-site concrete and paving as well as the on-site paving and traffic control per the bono drawings and IDOT plans and specifications (the "Work") for the sum of *One Million Forty Thousand Dollars (\$1,040,000.00)*.

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Pursuant to the special instance and request of the Previous Owner and/or Current Owner and/or General Contractor, Claimant provided certain extra and additional work (the "Extra Work") in the amount of *Ninety-Two Thousand Nine Hundred Three and 53/100 Dollars (\$92,903.53)* thereby resulting in an adjusted contract price of *One Million One Hundred Thirty-Two Thousand Nine Hundred Three and 53/100 Dollars (\$1,132,903.53)*.

Pursuant thereto, Claimant furnished and delivered the Work, including the Extra Work to the Previous Owner, Current Owner and General Contractor to complete the Project in the total amount of *One Million One Hundred Thirty-Two Thousand Nine Hundred Three and 53/100 Dollars (\$1,132,903.53)*, all of which was used in the above Project.


The last day Claimant supplied work, labor and materials to the Project was October 3, 2014, at which time Claimant completed all of the Work required to be performed pursuant to the Subcontract Agreement with the General Contractor, including the Extra Work.

That as of the date hereof, Previous Owner, Current Owner and General Contractor are entitled to credits and payments in the amount of *One Million Fifty-Six Thousand Nine Hundred Sixty-Three and 65/100 (\$1,056,963.65)*, leaving due and owing to Claimant the sum of *Seventy-Five Thousand Nine Hundred Thirty-Nine and 88/100 Dollars (\$75,939.88)*, for which, with interest, the Claimant claims a lien on said Property, Project and improvements thereon and on the monies, bonds and/or warrants or other considerations due or to become due from the Previous Owner and/or Current Owner to the General Contractor under said General Contract and from the General Contractor, pursuant to the Subcontract Agreement with Claimant, as well as court costs and legal fees pursuant to *Illinois Compiled Statutes, Chapter 770, Section 60/17*.

NOTICE TO THE PREVIOUS OWNER AND CURRENT OWNER: DO NOT PAY THE GENERAL CONTRACTOR FOR THIS WORK OR MATERIAL UNLESS YOU HAVE RECEIVED FROM THE CLAIMANT A WAIVER OF LIEN, OR OTHER SATISFACTORY EVIDENCE OF PAYMENT TO THE CLAIMANT.

DATED: December 29, 2014

ABBEY PAVING CO., INC., Claimant,

By: 
James J. Karras, Its duly authorized agent
and attorney-in-fact

*This document has been prepared
by and after recording should
be returned to:*

*James J. Karras, Esquire
KELLY & KARRAS, LTD.
1010 Jorie Boulevard, Suite 100
Oak Brook, Illinois 60523
(630) 575-0202*

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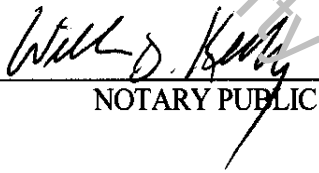
VERIFICATION

JAMES J. KARRAS, being first duly sworn on oath, states that he is the duly authorized agent and attorney-in-fact of Claimant, **ABBEY PAVING CO., INC.**, an Illinois corporation, that he is authorized to sign this Verification of the foregoing **Subcontractor's Notice and Claim for Lien** Pursuant to Illinois Compiled Statutes, Chapter 770, Section 60/24, that he has read the above and foregoing Subcontractor's Notice and Claim for Lien, and that the statements set forth therein are true and correct to the best of his knowledge and belief.

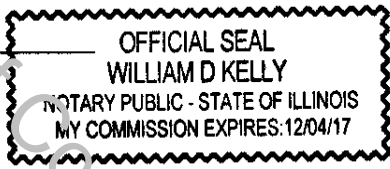


JAMES J. KARRAS

SUBSCRIBED AND SWORN to before me
this 29th day of December, 2014



NOTARY PUBLIC



Property of Cook County Clerk's Office

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CERTIFICATE OF SERVICE

I, **JAMES J. KARRAS**, an attorney, hereby certify and state that I served the attached Subcontractor's Notice and Claim for Lien on:

CSD TOUHY, LLC
c/o Peter Eisenberg, Registered Agent
980 N. Michigan Avenue, #1280
Chicago, IL 60611

WAL-MART REAL ESTATE BUSINESS TRUST
c/o The Corporation Trust Company, Registered Agent
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

WAL-MART REAL ESTATE BUSINESS TRUST
Attention: Claims Department
2001 SE 10th Street
Bentonville, AR 72716

GA JOHNSON & SON
c/o George D. Maurides, Registered Agent
33 N. LaSalle Street, Suite 1910
Chicago, IL 60602

GA JOHNSON & SON
c/o Jack Galbraith, President
828 Foster Street
Evanston, IL 60101

by depositing a copy thereof in the U.S. mail at 1010 Jorie Boulevard, Suite 100, Oak Brook, Illinois 60523, to every person named above via certified mail, return receipt requested, delivery limited to the addressee only on the 29th day of December, 2014, before 5:00 p.m. with proper postage prepaid.



JAMES J. KARRAS

UNOFFICIAL COPYEXHIBIT ALEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF CHASE AVENUE AND THE WEST LINE OF THE PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 0805641010; THENCE SOUTH 00 DEGREES 35 MINUTES 33 SECONDS WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 12.00 FEET TO A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE CENTER LINE OF CHASE AVENUE AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 06 MINUTES 12 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 806.75 FEET; THENCE NORTH 89 DEGREES 01 MINUTES 39 SECONDS EAST, A DISTANCE OF 305.00 FEET TO THE WESTERLY LINE OF THE PARCEL DESCRIBED IN DEED RECORDED AS DOCUMENT 00943189; THENCE SOUTHEASTERLY 72.58 FEET, ALONG SAID WESTERLY LINE, BEING AN ARC OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 209.70 FEET, A CHORD BEARING SOUTH 48 DEGREES 28 MINUTES 34 SECONDS EAST AND A CHORD DISTANCE OF 72.22 FEET TO THE SOUTHERLY LINE OF SAID PARCEL; THENCE NORTH 89 DEGREES 03 MINUTES 04 SECONDS EAST, A DISTANCE OF 37.98 FEET TO A LINE 35.00 FEET WEST OF AND PARALLEL WITH THE CENTER LINE OF ST. LOUIS AVENUE; THENCE SOUTH 00 DEGREES 38 MINUTES 31 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 25.00 FEET; THENCE SOUTH 89 DEGREES 03 MINUTES 04 SECONDS WEST, A DISTANCE OF 20.73 FEET; THENCE SOUTHEASTERLY 48.95 FEET, ALONG THE ARC OF A NONTANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 209.70 FEET, A CHORD BEARING SOUTH 23 DEGREES 40 MINUTES 36 SECONDS EAST AND A CHORD DISTANCE OF 48.84 FEET; THENCE SOUTH 16 DEGREES 59 MINUTES 22 SECONDS EAST, A DISTANCE OF 2.03 FEET TO A LINE 35.00 FEET WEST OF AND PARALLEL WITH SAID CENTER LINE OF ST. LOUIS AVENUE; THENCE SOUTH 00 DEGREES 38 MINUTES 31 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 66.03 FEET TO THE EAST LINE OF THE PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 0801550037 AND 88263703; THENCE NORTH 16 DEGREES 59 MINUTES 22 SECONDS WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 64.96 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID WESTERLY LINE, 56.36 FEET ALONG THE ARC OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 189.70 FEET, A CHORD BEARING NORTH 25 DEGREES 30 MINUTES 01 SECONDS WEST AND A CHORD DISTANCE OF 56.15 FEET TO THE NORTH LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 88263703; THENCE SOUTH 89 DEGREES 03 MINUTES 04 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 104.20 FEET TO THE WESTERLY LINE OF SAID PARCEL; THENCE SOUTH 00 DEGREES 42 MINUTES 47 SECONDS WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 55.50 FEET TO A NORTH LINE OF THE PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 0734056137; THENCE SOUTH 89 DEGREES 03 MINUTES 04 SECONDS WEST, ALONG

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SAID NORTH LINE, A DISTANCE OF 23.14 FEET TO A CORNER IN SAID PARCEL; THENCE NORTH 00 DEGREES 42 MINUTES 47 SECONDS EAST, ALONG A LINE IN SAID PARCEL, A DISTANCE OF 6.72 FEET TO A NORTH LINE OF SAID PARCEL; THENCE NORTH 89 DEGREES 34 MINUTES 55 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 26.85 FEET TO THE WEST LINE OF SAID PARCEL; THENCE SOUTH 00 DEGREES 42 MINUTES 47 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 67.36 FEET TO THE SOUTH LINE OF SAID PARCEL; THENCE NORTH 89 DEGREES 03 MINUTES 04 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 198.78 FEET TO A LINE 35.00 FEET WEST OF AND PARALLEL WITH SAID CENTER LINE OF ST. LOUIS AVENUE; THENCE SOUTH 00 DEGREES 38 MINUTES 31 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 42.13 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 222.74 FEET; THENCE SOUTHWESTERLY 53.41 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 34.00 FEET, A CHORD BEARING SOUTH 44 DEGREES 08 MINUTES 44 SECONDS WEST AND A CHORD DISTANCE OF 48.08 FEET; THENCE SOUTH 00 DEGREES 51 MINUTES 16 SECONDS EAST, A DISTANCE OF 85.50 FEET; THENCE SOUTHERLY 10.82 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 24.00 FEET, A CHORD BEARING SOUTH 13 DEGREES 46 MINUTES 31 SECONDS EAST AND A CHORD DISTANCE OF 10.73 FEET; THENCE SOUTHERLY 11.73 FEET, ALONG THE ARC OF A REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 26.00 FEET, A CHORD BEARING SOUTH 13 DEGREES 46 MINUTES 31 SECONDS EAST AND A CHORD DISTANCE OF 11.63 FEET; THENCE SOUTH 00 DEGREES 51 MINUTES 16 SECONDS EAST, A DISTANCE OF 79.26 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 438.00 FEET; THENCE NORTH 00 DEGREES 51 MINUTES 16 SECONDS WEST, A DISTANCE OF 84.93 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 141.13 FEET; THENCE SOUTHWESTERLY 29.85 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 19.00 FEET, A CHORD BEARING SOUTH 44 DEGREES 08 MINUTES 44 SECONDS WEST AND A CHORD DISTANCE OF 26.87 FEET; THENCE SOUTH 00 DEGREES 51 MINUTES 16 SECONDS EAST, A DISTANCE OF 45.00 FEET; THENCE SOUTHERLY 40.72 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 350.00 FEET, A CHORD BEARING SOUTH 02 DEGREES 28 MINUTES 42 SECONDS WEST AND A CHORD DISTANCE OF 40.69 FEET; THENCE SOUTH 00 DEGREES 51 MINUTES 16 SECONDS EAST, A DISTANCE OF 98.31 FEET TO A LINE 60.00 FEET NORTH OF AND PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 79.00 FEET; THENCE NORTH 00 DEGREES 51 MINUTES 16 SECONDS WEST, A DISTANCE OF 14.37 FEET; THENCE NORTHERLY 51.81 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING NORTH 13 DEGREES 59 MINUTES 13 SECONDS EAST AND A CHORD DISTANCE OF 51.23 FEET; THENCE NORTHERLY 103.61 FEET, ALONG THE ARC OF A REVERSE CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 200.00 FEET, A CHORD BEARING NORTH 13 DEGREES 59 MINUTES 13 SECONDS EAST AND A CHORD DISTANCE OF 102.46

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FEET; THENCE NORTH 00 DEGREES 51 MINUTES 16 SECONDS WEST, A DISTANCE OF 21.00 FEET; THENCE NORTHWESTERLY 29.85 FEET, ALONG THE ARC OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 19.00 FEET, A CHORD BEARING NORTH 45 DEGREES 51 MINUTES 16 SECONDS WEST AND A CHORD DISTANCE OF 26.87 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 116.00 FEET TO THE WEST LINE OF LOT 1 IN NATIONAL WAX SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 85119877; THENCE NORTH 00 DEGREES 36 MINUTES 20 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 14.85 FEET TO A SOUTHERLY LINE OF THE PARCEL DESCRIBED IN THE DEED RECORDED DOCUMENT 0806642006; THENCE NORTH 89 DEGREES 23 MINUTES 40 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 133.62 FEET TO AN EASTERLY LINE OF SAID PARCEL; THENCE SOUTH 00 DEGREES 35 MINUTES 33 SECONDS WEST, A DISTANCE OF 231.25 FEET TO A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE CENTER LINE OF TOUHY AVENUE; THENCE SOUTH 89 DEGREES 08 MINUTES 44 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 47.01 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 0806642006; THENCE NORTH 00 DEGREES 35 MINUTES 33 SECONDS EAST, ALONG SAID WESTERLY LINE AND ALONG THE WEST LINE OF THE PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT 0805641010, A DISTANCE OF 578.19 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS LOT 1 OF THE TOUHY MARKETPLACE SUBDIVISION RECORDED FEBRUARY 27, 2013 AS DOCUMENT 1305831055, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER AND EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS, SKOKIE, ILLINOIS.

Permanent Index Numbers: 10-26-318-020-0000; 10-26-318-023-0000; 10-26-318-032-0000;
 10-26-318-033-0000; 10-26-318-034-0000; 10-26-318-035-0000;
 10-26-402-025-0000; 10-26-402-032-0000; 10-26-402-034-0000;
 10-26-402-035-0000; and 10-26-402-055-0000

Property Address:

3626 Touhy Ave, Skokie, IL 60076