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**SUBCONTRACTOR'S
CLAIM FOR
MECHANICS LIEN**



Doc#: 1512113026 **Fee:** \$32.00
RHSP Fee:\$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/01/2015 10:01 AM Pg: 1 of 4

STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)

The claimant, S and D Masonry, Inc. ("Claimant"), an Illinois corporation with an address of 305 Industrial Lane, Wheeling, Illinois 60090, hereby files its Subcontractor's Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest of any person claiming an interest in the Real Estate (as hereinafter described), including, but not limited to, the following entities:

- A. Wal-Mart Real Estate Business Trust ("Current Owner"), a statutory trust with a registered agent of The Corporation Trust Company located at Corporation Trust Center 1209 Orange St. Wilmington, DE 19801;
- B. Gendell Partners 75th/Ashland, LLC ("Original Owner"), an Illinois company with an address of 3201 Old Glenview Rd., Suite 300, Wilmette, IL 60091;
- C. Terraco, Inc., and Illinois corporation with an address of 3201 Old Orchard Rd., Suite 300, Wilmette, IL 60091;
- D. North Shore Community Bank and Trust Company and Wintrust Bank with offices located at 7800 Lincoln Ave., Skokie, IL 60077 (collectively, the "Lenders"); and,
- E. Ujamaa Construction, Inc. ("Contractor"), with offices located at 7744 S. Stony Island Ave, Chicago, IL 60649.

Claimant states as follows:

1. Since on or about July 15, 2014 and subsequently, Original Owner owned legal title to the Real Estate (including all land and improvements thereon) in Cook County, Illinois, commonly known as 7535 S. Ashland Ave., Chicago, IL, and also referred to as 7501 S. Laflin St., Chicago, IL (the "Real Estate"), and legally described as follows:

See Exhibit A, Legal Description, attached hereto.

PINs: 20-29-300-002-0000
20-29-300-003-0000

2. On or before July 15, 2014, Contractor entered a contract with Original Owner, Owner's agent, or one knowingly permitted by the Original Owner, to serve as the general contractor for the improvement of the Real Estate for the project known as Wal-Mart Store #3110 (the "Project").

3. On or about July 15, 2014, Claimant entered a written subcontract ("Subcontract") with Contractor to furnish labor and materials for masonry work on the Project,

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pursuant to Contractor's contract with Original Owner, for the original Subcontract sum of \$805,000.00.

4. At the special instance and request of Contractor, Claimant performed changed, extra and/or additional work on the Real Estate for the total amount of \$256,687.00. The total adjusted Subcontract sum was \$1,061,687.00.

5. On or about January 30, 2015, Claimant substantially completed the work for which Claimant claims a lien to the value of \$1,061,687.00.

6. All labor and materials furnished and installed by Claimant were provided with the authorization, knowledge and/or consent of Contractor, Original Owner and Current Owner.

7. As of the date hereof, there is due, unpaid, and owing to Claimant, after allowing all credits, the principal sum of \$290,000.00, which principal amount bears interest at the statutory rate of 10 percent per annum.

8. Upon information and belief, Original Owner conveyed the Real Estate to Current Owner on or about February 12, 2015.

9. Claimant claims a lien on the Real Estate and against all ownership, leasehold or other interests in the Real Estate (including all land and improvements thereon), and a lien against any funds due or to become due to Contractor in the amount of \$290,000.00 plus statutory interest and attorney's fees.

10. Notice has been duly given to the Original Owner, Current Owner, Original Owner's Architect, Chicago Title, and Lenders pursuant to the Illinois Mechanics Lien Act, 770 ILCS 60/5, 60/22 and 60/24.

Dated: April __, 2015

S and D Masonry, Inc.

By: _____

Print: _____

Its: _____

[Handwritten Signature]
Don Stoltner
V.P.

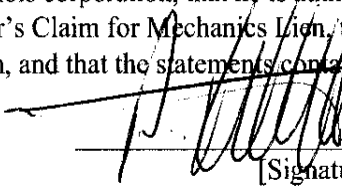
This document prepared by
and after recording
should be returned to:
Michael W. Kelly
One South Dearborn
Suite 2100
Chicago, IL 60603

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VERIFICATION

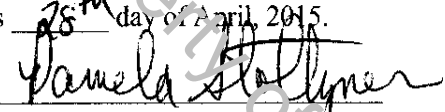
STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)

Don Stoltzner, being first duly sworn on oath, states that he is Vice President of Claimant, S and D Masonry, Inc. ("Claimant"), an Illinois corporation, that he is authorized to sign this verification to the foregoing Subcontractor's Claim for Mechanics Lien, that he has read the Subcontractor's Claim for Mechanics Lien, and that the statements contained therein are true.



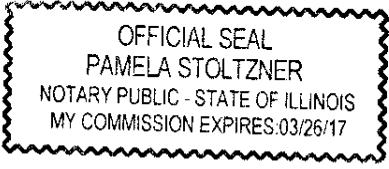
[Signature]

Subscribed and sworn to before me
this 25th day of April, 2015.



Notary Public

My commission expires 3/26, 2017.



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EXHIBIT A – LEGAL DESCRIPTION

PARCEL 1:

ALL OF BLOCK 19 (EXCEPT THAT PART TAKEN FOR ASHLAND AVENUE, AS WIDENED) IN JONES SUBDIVISION IN THE WEST ½ OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTH 33 FEET OF VACATED 75TH STREET LYING NORTH AND ADJOINING BLOCK 19 IN JONES SUBDIVISION AFORESAID, LYING EAST OF THE EAST LINE OF ASHLAND AVENUE AS WIDENED AND WEST OF THE WEST LINE OF LAFLIN STREET EXTENDED NORTH, AND THE NORTH/SOUTH 18 FOOT VACATED ALLEY IN AFORESAID BLOCK LYING WEST OF AND ADJOINING LTS 25 THROUGH 48, INCLUSIVE, AS VACATED PURSUANT TO ORDINANCE RECORDED JANUARY 28, 2015 AS DOCUMENT NUMBER 1502829080.

PIN(s): 20-29-300-002-0000
20-29-300-003-0000

Common addresses: 7535 S. Ashland Ave., Chicago, IL, also referred to as 7501 S. Laflin St., Chicago, IL.