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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 08/03/2015 09:57 AM Pg: 1 of 5

Michael J. Delrahim, Esq.  
Brown, Udell, Pomerantz & Delrahim, LTD.  
1332 North Halsted Street, Suite 100  
Chicago, IL 60642

## NOTICE OF LIEN

**DACHA, INC.** ("**DACHA**" or "**Certificate Assignee**"), an Illinois corporation, with an address of 710 W. Oakdale Ave., Chicago, Illinois, pursuant to 65 ILCS 5/11-31-2(a) hereby files this Notice of Lien against the real estate more fully described in **Exhibit A** below (the "**Unit**" or "**Owner's Unit**"), as well as against any known and unknown owners, lienholders, mortgagees and any person or entity claiming an interest in the Unit, and against any known or unknown claimants of record, in the amount of the Unit Owner's percentage share of the common expenses, as set forth in **Exhibit B**, multiplied by the face amount of the Receiver's Certificate described below, plus interest as set forth in the Certificate and any costs of collection, and states:

WHEREAS, on February 20, 2009, the City of Chicago (the "**City**") filed a Complaint in the Circuit Court of Cook County, Illinois, Municipal Department – First District (the "**Court**"), known as Case Nos. 09-M1-400616, 09-M1-400617, 09-M1-400618 ("**Building Code Case**"), alleging building code violations affecting the property and buildings commonly known as the 2140-50 Devon Commons Condominiums (the "**Property**");

WHEREAS, on or about March 22, 2012, the City filed a *Petition for Appointment of a General Receiver* in the Building Code Case pursuant to 65 ILCS 5/11-31-2(a);

WHEREAS, on or about May 10, 2012, the Court entered an *Order Appointing A General Receiver* ("**Appointment Order**"), *inter alia*, appointing John Suzuki ("**Receiver**") a as general receiver with respect to the Property and authorizing Receiver to issue a receiver's certificate for approved fees, costs and expenses of or arising from the receivership.

WHEREAS, on February 25, 2013, Receiver submitted a second amended feasibility report estimating a cost of bringing the Property into compliance with the Building Codes based on bids prepared and submitted by DACHA.

WHEREAS, on May 6, 2013, the Court approved Receiver's second amended feasibility report and authorized Receiver to "may all necessary repairs to the property pursuant to the property pursuant to its 2<sup>nd</sup> Amended Feasibility Report up to \$670,391."

WHEREAS, pursuant to the Appointment Order and other orders authorizing, directing or ratifying expenses and work by Receiver and agents employed by Receiver, Receiver incurred certain fees, costs and expenses that were submitted to and approved by the Court, including fees and costs of DACHA.

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WHEREAS, the Court authorized Receiver to issue Receiver's Certificate No. [3] dated August 12, 2014 ("Certificate No. 3"), reflecting the approved costs and fees of DACHA;

WHEREAS, Section 65 ILCS 5/11-31-2(a) states, in pertinent part:

[S]uch notes or certificates, after their initial issuance and transfer by the receiver, shall be freely transferable and when sold or transferred by the receiver in return for a valuable consideration in money, material, labor or services, shall be a first lien upon the real estate and the rents and issues thereof, and shall be superior to all prior assignments of rents and all prior existing liens and encumbrances, except taxes; provided, that within 90 days of such sale or transfer for value by the receiver of such note or certificate, the holder thereof shall file notice of lien in the office of the recorder in the county in which the real estate is located ....

WHEREAS, on May 19, 2015, Certificate No. 3 was sold, transferred and assigned to DACHA for valuable consideration by Receiver, thereby making the lien evidenced by Certificate No. 3 a "first lien" that is "superior to all prior assignments of rent and all prior existing liens and encumbrances, except taxes;"

NOW THEREFORE, Pursuant to 65 ILCS 5/11-31-2(a), Certificate Holder claims a lien ("Claimant's Lien") in and to the Property to secure payment of the allocable portion of the Principal Balance (as defined in Certificate No. 3) against Owner's Unit.

**1. Identification and Description of the Real Estate Affected:**

Unit 4W at 2144 W. Devon Ave., Chicago, IL 60659. For description, see **Exhibit A**.

**2. Face Amount Of Receiver's Certificate, Together With Interest Payable Thereon:**

The initial Face Amount of the Receiver's Certificate No. 3, as of August 12, 2014, was FIFTY ONE THOUSAND NINE HUNDRED FORTY FIVE AND 36/100 (\$51,945.36). The Unit only bears a percentage share of this initial Face Amount, which is derived by multiplying this initial Face Amount by the percentage of ownership of the common elements allocated to the Unit, as set forth in **Exhibit B**.

Per Certificate No. 3, the current Principal Balance on this initial Face Amount is increased by (1) interest, at the rate set forth in Certificate No. 3, and (2) any costs of collection of the Holder of the Certificate, including attorneys' fees and costs.

For a thirty (30) day payoff amount on Certificate No. 3 for this Unit, please contact the Certificate Holder in writing.

**3. Date of Transfer of Certificate No. 3: May 19, 2015.**

Dated this 20<sup>th</sup> day of July, 2015.

**Dacha, Inc., an Illinois corporation**

By: 

Name: Ronald B Shipka, Jr.

Title: President

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STATE OF ILLINOIS     )  
                                   )  
 COUNTY OF COOK        )     ss.

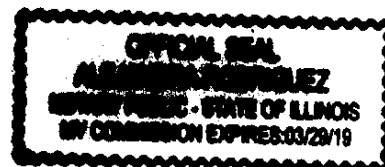
The affiant, Ronald B Shipka, Jr., being duly sworn on oath, deposes and says that he is a officer of Dacha, Inc., an Illinois corporation; that he has read the foregoing Notice of Lien and knows the contents thereof; and that all the statements therein contained are true.

Dated: July 20, 2015

  
 Ronald B Shipka, Jr.

Subscribed and sworn before me this  
20<sup>th</sup> day of July, 2015.

  
 Notary Public



## Certificate of Service

Upon receipt of the Recorded Copy, Certificate Holder shall send a copy thereof by first-class U.S. mail, postage prepaid, to following individuals and entities who may have an interest in the Unit or the Property. NOTE: This information is provided for convenience purposes only and shall not limit or prejudice Certificate Holder this list be inaccurate or incomplete:

Dacha, Inc.

c/o David A. Grossberg, Registered Agent  
 233 S Wacker Dr. Suite 6600  
 Chicago, IL 60606

Kevin Baldwin

Daley Mohan Groble  
 55 W. Monroe St., Suite 1600  
 Chicago, IL 60603

Demetris Kare

Law Office of Demetris Kare  
 134 N. LaSalle St., Suite 1840  
 Chicago, IL 60602  
[dkare@sbcglobal.net](mailto:dkare@sbcglobal.net)  
*Counsel for Unit Owner Group*

2140-50 Devon Commons Condominium  
 Association, Inc.  
 c/o Shlmo Osher, Registered Agent  
 3410 N. Lake Shore Dr.  
 Chicago, IL 60657

Wakensys Corporation

Mohamed Sirajudeen a/k/a Mohamed Siraj  
 6257 N. McCormick Blvd. #196  
 Chicago, IL 60659

MOHAMMAD SIDDIQI

c/o Rakesh Khanna  
 Weissberg and Associates Ltd.  
 401 S. LaSalle, #403  
 Chicago, IL 60605

Owner/Occupant

2144 W. Devon Ave. Unit 4W  
 Chicago, IL 60659

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## EXHIBIT A

### Legal Description of the Property

**PARCEL 1:**

UNIT NUMBER 2144-4W TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE 2140-2150 DEVON COMMONS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARTS OF LOTS 11 AND 12 IN BLOCK 4 OF DEVON WESTERN ADDITION TO ROGERS PARK SUBDIVISION OF LOTS 1 TO 24, INCLUSIVE, IN FABERS SUBDIVISION OF THE SOUTH 6 CHAINS OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0617110067 AND THE AMENDMENT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0623431049

PARCEL 2: NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS, EGRESS, USE AND ENJOYMENT AS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS FOR 2140-50 DEVON COMMONS RECORDED AS DOCUMENT NUMBER 0617110066 AS AMENDED BY DOCUMENT NO. 0635515079.

PROPERTY IDENTIFICATION NUMBER: 11-31-316-054-1014

PROPERTY ADDRESS: 2144 W. DEVON AVE. UNIT 4W, CHICAGO, IL 60659

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## EXHIBIT B

### Percentage of Ownership of

#### **2140-50 DEVON COMMONS CONDOMINIUM**

<u>Unit No.</u>	<u>% of Ownership</u>
2140-2E	4.19
2140-2W	4.20
2140-3E	4.21
2140-3W	4.22
2140-4E	4.21
2140-4W	4.22
2140-5E	4.20
2140-5W	4.24
2144-2E	4.11
2144-2W	4.09
2144-3E	4.13
2144-3W	4.15
2144-4E	4.15
2144-4W	4.12
2144-5E	4.16
2144-5W	4.24
2150-2E	4.12
2150-2W	4.17
2150-3E	4.10
2150-3W	4.17
2150-4E	4.13
2150-4W	4.20
2150-5E	4.11
2150-5W	<u>4.10</u>
	100%