

UNOFFICIAL COPY



THIS DOCUMENT WAS PREPARED
BY AND AFTER RECORDING
SHOULD BE MAILED TO:

Doc#: 1521501011 Fee: \$46.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/03/2015 10:02 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 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 2nd 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.

S Y
P 5
S N
SC Y
INT AB

UNOFFICIAL COPY

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 5E 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 20th day of July, 2015.

Dacha, Inc., an Illinois corporation

By: 

Name: **Ronald P. Shipka, Jr.**
Title: **President**

UNOFFICIAL COPY

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

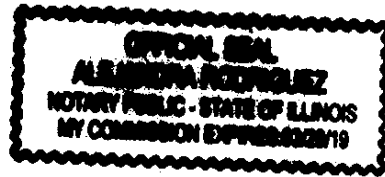


Ronald B Shipka, Jr.

Subscribed and sworn before me this
20th 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

Community Investment Corporation
c/o John Markowski
222 S. Riverside Plaza Suite 2200
Chicago, IL 60606

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

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

Demetris Kare
Law Office of Demetris Kare
134 N. LaSalle St., Suite 1840
Chicago, IL 60602
dkare@sbcglobal.net
Counsel for Unit Owner Group

Ravindra Harsor or Owner/Occupant
2144 W. Devon Ave. Unit 5E
Chicago, IL 60659

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

UNOFFICIAL COPY

EXHIBIT A

Legal Description of the Property

PARCEL 1:

UNIT NUMBER 2144-5E 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: 11-31-316-054-1015

PROPERTY ADDRESS: 2144 W. DEVON AVE. UNIT 5E, CHICAGO, IL 60659

UNOFFICIAL COPY**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%