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STATE OF ILLINOIS)
)SS
COUNTY OF COOK)



Doc# 1631219064 Fee \$32.00
RHSP FEE:\$9.00 RPRF FEE: \$1.00
KAREN A. YARBROUGH
COOK COUNTY RECORDER OF DEEDS
DATE: 11/07/2016 12:06 PM PG: 1 OF 4

ORIGINAL CONTRACTOR'S CLAIM FOR MECHANICS LIEN

The following claim is made pursuant to the Illinois Mechanics Lien Act, 770 ILCS 60/1 *et seq.*, and is not intended to adversely reflect on the character, credit or capacity of any party named herein.

The undersigned claimant, Midway Enterprises, Inc., of 280 N. Rand Road, Suite C, Lake Zurich, IL 60047 (hereinafter, "Claimant"), hereby files its original contractor's claim for Mechanics Lien upon and against the following Real Estate, pursuant to 770 ILCS 60/1, *et seq.* as amended from time to time, bearing the commonly known street address 6810 N. Mannheim Road, Rosemont, IL 60018 and possessing the Permanent Real Estate Tax Identification Numbers of:

- 09-32-203-005-0000
- 09-32-206-017-0000
- 09-32-212-015-0000

and possessing the Legal Descriptions listed in Exhibit A to this Mechanics Lien (hereinafter referred to as, the "Property"), and against the interests of Hotel Mannheim Chicago, LLC ("Owner"); NORR Architect Planners ("Architect"); Hotel Mannheim EB 5 Lender LLC ("Mortgagee"); Pacific Capital Management, LLC ("General Partner"); US Pacific Management, Inc., US Asia Group, Inc., Superhost Enterprises and Superhost Hospitality, LLC, International Bank of Chicago, and any other person or entity claiming an interest in the Property described above by, through, or under the Owner.

Claimant states as follows:

1. On September 10, 2014, Hotel Mannheim Chicago, LLC was the Owner of the Property.
2. On September 10, 2014, Claimant entered into a written contract with Hotel Mannheim Chicago, LLC, under which Claimant agreed to furnish and provide lienable construction services to Owner including but not limited to the general contracting, materials, and labor for the construction of a hotel on the Property (the "Project") for the original contract price of \$9,338,330 (the "Contract").

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3. From the date of the Contract through to the execution of this Lien, Owner, its agents, and/or representatives requested changes and additions of work to Claimant's scope of work on under the Contract. These changes and additions resulted in the Claimant performing extra lienable work on the Project under the Contract. These changes and additional work were authorized and/or knowingly permitted by the Owner.

4. The adjusted total Contract Price for work to be performed by Claimant pursuant to the Contract is \$15,615,054.14.

5. The Contract was entered into, materials delivered, and construction work performed at the direction of the Owners, their agents and/or representatives. All work on the Property was performed at the Owner's request and/or with the Owner's knowledge and consent. All work performed by Claimant pursuant to the Contract on the Property was accepted by Owner and benefited the Property and the Owner.

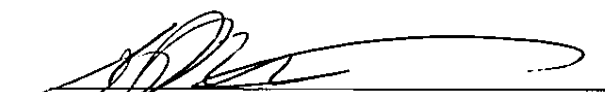
6. As of the date hereof, Claimant has completed work to be performed under the Contract on the Property to a value of \$15,614,054.14.

7. Claimant last performed work pursuant to the Contract on September 27, 2016.

8. As of the date hereof, there is due, unpaid, and owing to the Claimant, after allowing all credits and payments, the principal sum of \$1,027,798.02 which principal amount bears interest at the statutory rate of ten (10) percent per annum. The amount owed to Claimant is calculated as follows:

Original Contract Cost	\$9,338,330.00
Extras/Change Orders	\$6,275,724.14
Total Contract Cost	\$15,614,054.14
<u>Total Amount Paid To-Date</u>	<u>\$14,587,256.12</u>
Amount Owed and Claimed Herein	\$1,027,798.02

Claimant hereby claims a first priority lien on the Property, including all land and improvements thereon, in the amount of \$1,027,798.02, plus statutory and contractual interest.



 Midway Enterprises, Inc.

AFFIDAVIT

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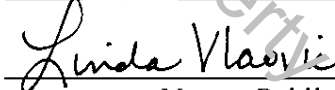
STATE OF ILLINOIS)
) ss.
COUNTY OF Cook)

The affiant, Steven J. Potokar, being first duly sworn on oath, deposes and says that he is the President of Midway Enterprises, Inc., the lien claimant, that he has read the foregoing notice and claim for lien and knows the contents thereof, and that all the statements contained therein are true.



Affiant

Subscribed and sworn to before me this
31 day of October, 2016.



Notary Public



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EXHIBIT A LEGAL DESCRIPTION

PARCEL 1:

THE SOUTH QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART TAKEN FOR MANNHEIM ROAD AND THAT PART CONVEYED TO THE ILLINOIS STATE TOLL HIGHWAY COMMISSION BY DEED RECORDED AS DOCUMENT NO. 16738863), (AND EXCEPT THAT PART TAKEN IN CASE NO. 64L21589), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WESTERLY OF THE WEST LINE OF MANHEIM ROAD AND NORTH OF THE NORTH LINE OF THE ILLINOIS TOLL HIGHWAY FROM A POINT DRAWN IN THE EAST LINE OF SAID SOUTHEAST QUARTER, 315.2 FEET SOUTH OF THE EAST QUARTER CORNER OF SAID SECTION 32 TO A POINT IN THE NORTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, 844.84 FEET MEASURED ON THE SAID NORTH LINE EAST OF THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 (EXCEPT THAT PART TAKEN IN CASE NO. 64L21263), IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 1 TO 4, BOTH INCLUSIVE, IN BLOCK 2 IN OLIVER SALINGER AND COMPANY'S FIRST ADDITION TO GLEN ACRES, BEING A SUBDIVISION OF THE NORTH THREE QUARTERS OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE SOUTH HALF OF MORSE AVENUE, VACATED BY DOCUMENT 26239728, LYING NORTH OF AND ADJOINING LOTS 3 AND 4 IN BLOCK 2 IN OLIVER SALINGER AND COMPANY'S FIRST ADDITION TO GLEN ACRES, BEING A SUBDIVISION OF THE NORTH THREE QUARTERS OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.