

UNOFFICIAL COPY

Doc#: 1632747073 Fee: \$44.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/22/2016 10:36 AM Pg: 1 of 6

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

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

IN THE OFFICE OF THE)
RECORDER OF DEEDS OF)
COOK COUNTY)

M3 Construction Corporation,)
)
Claimant)
)
McAllister Property, LLC;)
McAllister Nursing & Rehab, LLC;)
FirstMerit Bank N.A.; Ability)
Insurance Company; and unknown)
trustees & lien claimants, Lenox Hill)
Construction, Inc.,)
)
Defendants.)

NOTICE & CLAIM FOR LIEN IN AMOUNT OF \$958,393.00

The Claimant, M3 Construction Corporation, doing business at 22001 HOWELL DR STE A, New Lenox, IL 60451, being in the business of providing construction management services as a constructor, for the construction project on the real estate described below, hereby files a Notice and Claim for Lien against McAllister Property, LLC, with its principal place of business located at 18300 S. Lavergne, Tinley Park, IL 60477 (hereinafter the "Owner"), McAllister Nursing & Rehab, LLC, Skokie, IL 60076 (hereinafter the "Lessee"), FirstMerit Bank N.A., 106 South Main St., Akron, OH 44308 and Ability Insurance Company, Chicago, IL 60603 (hereinafter the lender(s) and mortgage holder(s) hereinafter referred to as "Lender(s)"), Lenox Hill Construction, Inc. (hereinafter the "General Contractor") with its principal place of business located at 2081 Calistoga Drive, Suite 2N, New Lenox, IL 60451 for the construction project being constructed on the real estate commonly known as McAllister Nursing &

Prepared by and Return to: **Thomas Emalfarb**
EMALFARB, SWAN & BAIN
440 Central Avenue
Highland Park, IL 60035
847 432-6900

Permanent Index No.:
28-33-403-007-0000
28-33-403-008-0000
28-33-403-043-0000
28-33-403-044-0000
28-33-403-004-0000
28-33-403-005-0000

UNOFFICIAL COPY

Rehabilitation located at 18300 S. Lavergne Avenue/18200 South Cicero Ave., Country Club Hills, IL 60478.

That, on or about March 22, 2014, McAllister Property, LLC, was the Owner of record of the following described land in the County of Cook, State of Illinois, to wit:

**PLEASE SEE LEGAL DESCRIPTION
ATTACHED HERETO AS "EXHIBIT A"**

and Lenox Hill Construction, Inc., was authorized and knowingly permitted by the Owner or its agent to construct the improvement thereof. Further, on March 22, 2014, the Owner, McAllister Property, LLC, entered into a contract with Lenox Hill Construction, Inc., as Construction Manager as Contractor

That on or about February 10, 2016, M3 Construction Corporation made a contract with the M3 Construction Corporation to provide rough and finish carpentry, interior accessories, framing, for and in said improvement, and that on August 19, 2016, M3 Construction Corporation completed its contract with Lenox Hill Construction, Inc.

The following amounts are due on the contract:

Contract Amount	\$3,165,847.00
Extras/Changes Orders	\$2,210,440.00
Total Contract Value	\$5,376,287.00
Payments	(\$4,417,894.00)
<u>Total Balance Due</u>	<u>\$958,393.00</u>

That Lenox Hill Construction, Inc., Contractor, is entitled to \$-0- in credits on account, leaving due, unpaid and owing to M3 Construction Corporation after completion of the contract, the sum of \$958,393.00 for which, with interest at 10% per annum (as provided for by 770 ILCS 60/1), and costs and reasonable attorney's fees (as provided for by 770 ILCS 60/17), M3 Construction Corporation claims a lien on said land and improvements, and on the monies or other considerations due or to become due from the Owner under said contract between said General Contractor and Owner.

UNOFFICIAL COPY

NOTICE TO THE 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.

M3 Construction Corporation,

By:  _____

Its: PRESIDENT

Name: Henry Hill-Wisniewski

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

Thomas J. Emalfarb, Esq.
Emalfarb, Swan & Bain
440 Central Ave.
Highland Park, IL 60035
(847) 432-6900

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
)SS.
COUNTY OF COOK)

VERIFICATION

The Affiant, Henry Hill-Wisniewski, being first duly sworn on oath, deposes and says that he is the President of M3 Construction Corporation; that he has read the foregoing Notice and Claim for Lien, knows the contents thereof, and states that all the statements therein contained are true, to the best of his information and belief.



Subscribed and Sworn to before me
this 14th day of November 2016.



Notary Public



Property Of Cook County Clerk's Office

UNOFFICIAL COPY

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL ONE:

THE EAST 604.52 FEET OF LOTS 2 AND 3 IN HOMEWOOD ESTATES (EXCEPT THE EAST TWENTY FEET THEREOF), BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (EXCEPT THE SOUTH 520 FEET OF THE EAST 520 FEET AND EXCEPT THE NORTH 165 FEET THEREOF) IN SECTION 33, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL TWO:

LOT 4 (EXCEPT THE EAST TWENTY FEET THEREOF) IN HOMEWOOD ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (EXCEPT THE SOUTH 520 FEET OF THE EAST 520 FEET AND EXCEPT THE NORTH 165 FEET THEREOF) IN SECTION 33, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL THREE:

LOT 10 IN HOMEWOOD ESTATES BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 (EXCEPT THE SOUTH 520 FEET OF THE EAST 520 FEET AND EXCEPT THE NORTH 165 FEET THEREOF) IN SECTION 33, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION OF LOT 10:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 10 A DISTANCE OF 1.59 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE A DISTANCE OF 90.014 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 10; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 90 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL FOUR:

LOT 11 IN HOMEWOOD ESTATES BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 (EXCEPT THE SOUTH 520 FEET OF THE EAST 520 FEET AND EXCEPT THE NORTH 165 FEET THEREOF) AND (EXCEPT THAT PART THEREOF TAKEN FOR STREET PURPOSES IN CASE 70211480), IN SECTION 33, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL FIVE:

THAT PART OF VACATED LAVERGNE AVENUE LYING WEST OF AND ADJOINING LOTS 4 AND 11 IN HOMEWOOD ESTATES, A SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 (EXCEPT THE SOUTH 520 FEET OF THE EAST 520 FEET AND EXCEPT THE NORTH 165 FEET THEREOF) OF SECTION 33, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

PROOF OF SERVICE BY MAIL

I, Matthew Alvarez, a non-attorney on oath, state that on this 4th day of November 2016, I served this Notice and Claim for Mechanics' Lien by mailing a copy of said Notice by certified mail, return receipt requested, limited to addressee only, to:

McAllister Property LLC
c/o Donna Atkin, Registered Agent
9100 Karloy
Skokie, IL 60076

McAllister Property, LLC
c/o Donna Atkin, Reg. Agent
9100 Karloy
Skokie, IL 60076

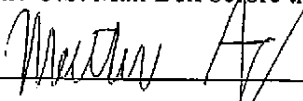
First Merit Bank NA
c/o Carl Langer, Executive Vice President,
Chief Legal Officer and Corporate Secretary
106 South Main Street
Akron, Ohio 44308

First Merit Bank NA
c/o Carl Langer,
Executive Vice President
Chief Legal Officer & Corp. Secretary
106 S. Main St.
Akron, OH 44308

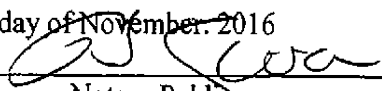
First Merit Bank N.A.
222 North LaSalle Street
12th Floor, CH1902
Chicago, IL 60601

Ability Insurance Company
222 South 15th St.
Suite 1202 South
Omaha, NE 68102

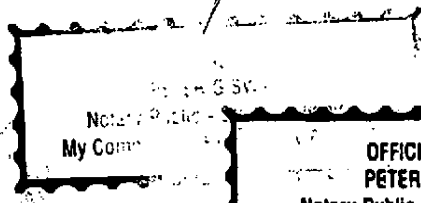
postage prepaid, by depositing same in the U.S. Mail Box before the hour of 5:30 p.m.

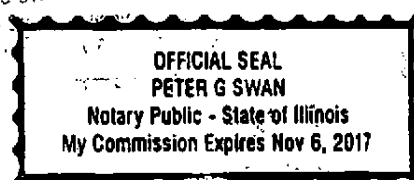


Subscribed and Sworn to before me this
4th day of November, 2016



Notary Public


Notary Public
My Comm


OFFICIAL SEAL
PETER G SWAN
Notary Public - State of Illinois
My Commission Expires Nov 6, 2017