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THIS INSTRUMENT WAS
PREPARED BY AND
AFTER RECORDING
SHOULD BE RETURNED TO:

Sophia Moraitis
S. Moraitis & Associates
333 Harrison Street
Oak Park, Illinois 60304
Ph: (312) 733-9803
Cell: (312) 342-5730
smoraitis@sma-law.com



Doc# 1633644030 Fee \$37.00
RHSP FEE:\$9.00 RPRF FEE: \$1.00
KAREN A. YARBROUGH
COOK COUNTY RECORDER OF DEEDS
DATE: 12/01/2016 12:43 PM PG: 1 OF 9

SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)

) ss.

COUNTY OF COOK)

The claimant, Classic Air Inc. ("Classic Air"), with an office at 1576 Von Braun Trail, Elk Grove Village, Illinois 60007, hereby files its Subcontractor's Claim for Mechanics Lien on the Real Estate (as hereinafter described) and against the interest(s) of Hotel Mannheim Chicago, LLC ("Owner") and against the interest of any person claiming an interest in the Real Estate (as hereinafter described), by, through or under Owner including Midway Enterprises, Inc. ("Prime Contractor"), Hotel Mannheim EB-5 Lender, LLC ("Lender"), and Pacific Capital Management, LLC ("Owner's Manager"), US Pacific Management, Inc., U.S. Asia Group, Inc., Superhost Enterprises, Inc. and Superhost Hospitality, Inc. ("collectively, "Owner's Agents"), and NORR Inc. ("Architect").

Classic Air states:

1. Since on or about August 27, 2012, Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as 6810 Mannheim Road, Rosemont, Illinois 60018 and legally described as follows ("Real Estate"):

See attached.

2. On or about January 27, 2015, Classic Air entered into a subcontract ("Subcontract") with Prime Contractor. Pursuant to the Subcontract, Classic Air agreed to provide HVAC services for a Hyatt Place hotel located at the Real Estate for an original Subcontract amount of \$1,128,800.00, subject to additions and deletions. At the special instance

PIN Numbers: 09-32-203-005-0000; 09-32-206-017-0000; 09-32-212-015-0000

Address: 6810 Mannheim Road, Rosemont, Illinois 60018

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and request of Prime Contractor and/or Owner, Classic Air furnished extra and additional materials and extra and additional labor in the amount of \$1,075,282.48 that increased the Subcontract.

3. The extent and value of Classic Air's work under the Subcontract was ultimately \$2,204,082.48 ("Adjusted Subcontract Amount").

4. Classic Air and Prime Contractor entered into the Subcontract, and Classic Air performed its work thereunder with the knowledge and consent of Prime Contractor and Owner. Alternatively, Owner authorized or knowingly permitted Prime Contractor to enter into contracts to improve the Real Estate. Alternatively, Owner knowingly permitted Prime Contractor or Classic Air or both to perform work to improve the Real Estate.

5. Classic Air's last day of work under the Subcontract was September 16, 2016.

6. Classic Air received payments totaling \$1,985,100.16. As of the date hereof, after allowing all credits, there is due, unpaid and owing to Classic Air, the principal sum of Two Hundred Eighteen Thousand Nine Hundred Eighty Two Dollars and 32/100 (\$218,982.32) for which, with interest, Classic Air claims a lien against the Real Estate.

7. Classic Air hereby revokes any waiver of lien given in advance of payment for which payment was not made.

Dated: November 25, 2016

Classic Air Inc.

By: 

Dan Markowski

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AFFIDAVIT

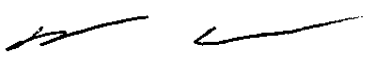
STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Dan Markowski, being first duly sworn on oath, depose and state: I am an officer of Classic Air Inc., I am authorized as agent to execute this Subcontractor's Claim for Mechanics Lien on behalf of Classic Air Inc., I have read the foregoing Subcontractor's Claim for Mechanics Lien and know the contents thereof, and the statements contained therein are true.



Dan Markowski

SUBSCRIBED AND SWORN TO
before me this 21 day of November 2016.



Notary Public



THIS INSTRUMENT WAS PREPARED
BY AND AFTER RECORDING
SHOULD BE RETURNED TO:

Sophia Moraitis
S. Moraitis & Associates
333 Harrison Street
Oak Park, Illinois 60304
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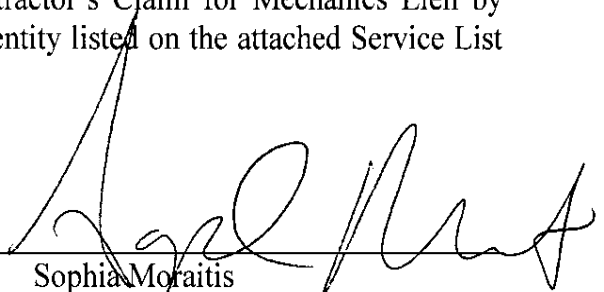
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AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Sophia Moraitis, being first duly sworn, on oath, depose and state that on ~~November~~ ^{December} 1, 2016, I caused to be served the attached Subcontractor's Claim for Mechanics Lien by sending a duplicate original thereof to each person and entity listed on the attached Service List by certified mail, return receipt requested.

By: 
Sophia Moraitis
S. Moraitis & Associates
333 Harrison Street
Oak Park, Illinois 60304
Ph: (312) 733-9803
Cell: (312) 342-5730
smoraitis@sma-law.com

SUBSCRIBED AND SWORN TO
before me this 1 day of ~~November~~ ^{December} 2016.


Notary Public



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Address: 6810 Mannheim Road, Rosemont, Illinois 60018

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SERVICE LIST

Owner:

Hotel Mannheim Chicago, LLC
 c/o Eric Chang, Agent
 1132 Waukegan Road
 Suite 202
 Glenview, Illinois 60025

and

c/o Eric Chang, Member
 916 W. 21st Street
 Chicago, Illinois 60608

Owner's Manager:

Pacific Capital Management, LLC
 c/o Eric Chang, Agent
 1132 Waukegan Road
 Suite 202
 Glenview, Illinois 60025

Owner's Agent(s):

US Pacific Management, Inc.
 c/o Honghai Wang, Agent
 916 W. 21st Street
 Chicago, Illinois 60608

U.S. Asia Group, Inc.
 c/o Eric Chang, Agent
 1132 Waukegan Road
 Suite 202
 Glenview, Illinois 60025

Superhost Enterprise, Inc. and
 Superhost Hospitality, Inc.
 c/o Ash Lakhany, Agent
 8615 US Highway 24 West
 Fort Wayne, Indiana 46804

Prime Contractor:

Midway Enterprises, Inc.
 c/o Steven Potokar, President Agent
 280 North Rand Road
 Suite C
 Lake Zurich, Illinois 60047

Lender:

Hotel Mannheim EB-5 Lender LLC
 299 Broadway
 Suite 1120
 New York, New York 10007

and

c/o The First State Registered
 Agent Company
 1925 Lovering Avenue
 Wilmington, DE 19806

Architect:

NORR Inc.
 c/o Illinois Corporation Service C
 891 Adlai Stevenson Drive
 Springfield, Illinois 62703

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Exhibit A

Legal Description

PARCEL 1:

THE SOUTH 1/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 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 1/2 OF THE SOUTH EAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WESTERLY OF THE WEST LINE OF MANNHEIM ROAD AND NORTH OF THE NORTH LINE OF THE ILLINOIS TOLL HIGHWAY DRAWN FROM A POINT IN THE EAST LINE OF SAID SOUTH EAST 1/4, 315.2 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION 32 TO A POINT IN THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTH EAST 1/4, 844.84 FEET MEASURED ON THE SAID NORTH LINE EAST OF THE NORTH WEST CORNER OF SAID EAST 1/2 OF THE SOUTH EAST 1/4 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 3/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 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 1/2 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 3/4 OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 6810 Mannheim Road, Rosemont, Illinois **60018**

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Permitted Exceptions

1. ~~TAXES FOR THE YEAR 2012; TAXES ARE NOT YET DUE OR PAYABLE.~~

2. EXISTING UNRECORDED LEASES TO THE FOLLOWING PARTIES:

O'HARE ACCOMODATIONS

REGENCY GIFT SHOP

CLEAR CHANNEL

HEARTLAND COMMUNICATIONS

FINANCIAL CONSULTING

WESTWOOD ONE

VERIZON

AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES, AS DISCLOSED BY ALTA STATEMENT DATED MARCH 31, 2005.

3. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES AND LYING WITHIN MORSE AVENUE AS SHOWN ON PLAT OF SURVEY MADE BY GREMLEY AND BIEDERMANN, INC., NUMBER 2004-01133-001, DATED JUNE 11, 2004 AND LAST REVISED MARCH 30, 2005.

4. RESTRICTIONS AND CONDITIONS CONTAINED IN PLAT OF SAID SUBDIVISION RECORDED AUGUST 22, 1940 AS DOCUMENT 12534397 RELATING TO THE USE, SIZE, CONSTRUCTION, OCCUPATION AND LOCATION OF BUILDINGS TO BE ERECTED ON PREMISES; RELATING TO THE PITCH OF ROOFS, TO THE ERECTION OF AUXILIARY BUILDINGS, TO THE PAINTING OF EXTERIOR WALLS AND FENCES, PROVIDING FOR THE KIND OF MATERIALS TO BE USED IN THE FOUNDATIONS, CHIMNEYS, WALLS AND ROOFS OF BUILDINGS TO BE ERECTED ON SAID PREMISES, PROHIBITING THE ERECTION OF OUTHOUSE TOILETS AND PROVIDING FOR THE INSTALLATION OF SEPTIC TANKS AND GREASE TRAPS AND TO THE LOCATION THEREOF; PROVIDING FOR THE DRILLING OF WELLS AND THE LOCATION THEREOF AND PROVIDING THAT WELLS AND WASTE DISPOSAL SYSTEMS SHALL BE LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THE STATE DEPARTMENT OF PUBLIC HEALTH AND AS AMENDED AND MODIFIED BY AGREEMENT DATED MARCH 24, 1941 AS DOCUMENT 12649232 SETTING FORTH THAT NO BUILDING SHALL BE LOCATED OR ERECTED ON ANY LOT OR BUILDING PLOT NEARER THAN 47 FEET FROM THE FRONT LOT LINE.

NOTE: SAID INSTRUMENT CONTAINS NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION
(AFFECTS PARCEL 3)

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5. GRANT OF EASEMENT FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 29, 1958 AND KNOWN AS TRUST NUMBER 40186 TO CENTRAL TELEPHONE COMPANY OF ILLINOIS DATED MAY 21, 1970 AND RECORDED JUNE 3, 1970 AS DOCUMENT 21173574 TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH RIGHT OF ACCESS TO SAME AND RIGHT FROM TIME TO TIME TO REMOVE TREES, BUSHES, ETC., AS MAY BE REASONABLY REQUIRED INCIDENT TO THE GRANT GIVEN IN, OVER, UNDER, ACROSS, ALONG AND UPON THE LAND. (AFFECTS PARCEL 3)

6. GRANT OF EASEMENT FROM CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 29, 1958 AND KNOWN AS TRUST NUMBER 40186 TO THE COMMONWEALTH EDISON COMPANY DATED MAY 21, 1970 AND RECORDED MAY 26, 1970 AS DOCUMENT 21167375 TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME POLES, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY TOGETHER WITH RIGHT OF ACCESS TO SAME AND RIGHT TO REMOVE TREES, ETC., REQUIRED INCIDENT TO SAID GRANT GIVEN ON, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY DESCRIBED AS FOLLOWS:
STRIPS OF LAND 10 FEET WIDE AS SHOWN ON SHADED AREA MARKED 'EXHIBIT A' OVER LOT 2 IN BLOCK 2 IN OLIVER SALINGER AND CO'S 1ST ADDITION TO GLEN ACRES A SUBDIVISION IN THE NORTH 1/4 OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
(AFFECTS LOT 2 OF PARCEL 3)

7. VIOLATION OF COVENANTS AND RESTRICTIONS CONTAINED IN DOCUMENTS 12534397 AND 12649232 AS TO THE MAINTENANCE OF AN ELECTRICAL POWER PLANT ON LOT 2 OF PARCEL 3.
(AFFECTS LOT 2 OF PARCEL 3)

8. VIOLATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DOCUMENT 12649233 BY MAINTAINING A PARKING LOT ON PARCEL C WITHOUT OBTAINING THE PERMISSION OF THE NEIGHBORHOOD COMMITTEE AS REFERRED TO IN DOCUMENT 12649233.
(AFFECTS PARCEL 3)

9. UNRECORDED EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AS DISCLOSED BY THE ELECTRIC SERVICE STATION AGREEMENT MADE BY AND BETWEEN COMMONWEALTH EDISON COMPANY AND O'HARE INN AND HENRICI REST AS EVIDENCED IN THE UTILITY LETTER DATED JANUARY 13, 1998 BY ROBERT D. SLAVIK, DPM-FIELD AGENT FOR THE COMMONWEALTH EDISON COMPANY.

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10. UNRECORDED EASEMENT IN FAVOR OF NORTHERN ILLINOIS GAS COMPANY AS EVIDENCED IN THE UTILITY LETTER DATED JANUARY 28, 1998 BY EDWARD G. O'ROURKE, GENERAL REAL ESTATE AGENT, NORTHERN ILLINOIS GAS COMPANY.

11. RIGHTS OF THE PUBLIC IN AND TO THE CONCRETE PATH LOCATED ALONG THE SOUTHEASTERLY TIP OF PARCEL 2 AND ONTO THE LAND SOUTH AND ADJOINING BY AN UNDISCLOSED AMOUNT AS DEPICTED ON SURVEY MADE BY GREMLEY & BIEDERMANN, INC., DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

12. UNRECORDED EASEMENTS IN FAVOR OF PUBLIC AND, OR QUASI-PUBLIC UTILITY COMPANIES OVER THAT PART OF THE LAND MARKED WITH MANHOLES, BASINS, POLES, VALVES AND VAULTS, TRANSFORMER PAD, HYDRANTS, ARIEL WIRES, AS DISCLOSED BY THE PLAT OF SURVEY MADE BY GREMLEY & BIEDERMANN DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

13. ENCROACHMENT OF THE PARKING SPACES OVER AND ONTO THE EASEMENTS NOTED HEREIN AT EXCEPTION REFERENCE LETTER T AND U AND ENCROACHMENT OF THE CONCRETE CURBS OVER AND ONTO THE EASEMENTS NOTED HEREIN AT EXCEPTION REFERENCE LETTER T AND U AS DISCLOSED BY THE PLAT OF SURVEY MADE BY GREMLEY & BIEDERMANN, DATED JUNE 11, 2004 AS ORDER NUMBER 2004-01133-001

14. ENCROACHMENT OF THE GUARD RAIL LOCATED MAINLY ON THE LAND ONTO THE PROPERTY NORTH AND ADJOINING BY VARYING DISTANCES, AS SHOWN THE PLAT OF SURVEY MADE BY GREMLEY AND BIEDERMANN, INC., NUMBER 2004-01133-001, DATED JUNE 11, 2004 AND LAST REVISED MARCH 30, 2005.

15. EXISTING UNRECORDED SITE LEASE ENTERED INTO AUGUST 28, 2008 ("EFFECTIVE DATE") BY AND BETWEEN MEHP O'HARE OPERATING, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("LANDLORD") AND DENALI SPECTRUM OPERATIONS, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("TENANT"), DEMISING A PORTION OF THE LAND FOR A TERM OF FIVE (5) YEARS COMMENCING ON THE EFFECTIVE DATE ("COMMENCEMENT DATE"), AND TERMINATING AT MIDNIGHT ON THE LAST DAY OF THE INITIAL TERM ("INITIAL TERM"), AND THE RIGHTS OF ALL PARTIES CLAIMING BY THROUGH AND UNDER SAID LESSEE.

16. THE LEASE EXECUTED BY: MEHP O'HARE OWNERSHIP LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSOR, AND MEHP O'HARE OPERATING LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS LESSEE, DATED AS OF JUNE 28, 2004, A MEMORANDUM OF WHICH LEASE WAS RECORDED IN THE OFFICIAL RECORDS OF THE COOK COUNTY RECORDER OF DEEDS OFFICE APRIL 5, 2005 AS DOCUMENT 0509534036.