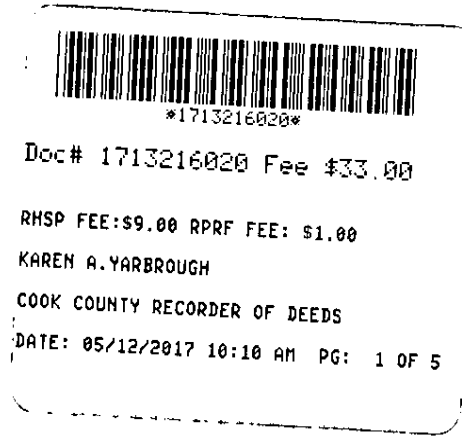


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STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )



## CLAIM FOR MECHANICS LIEN

The following claim is given pursuant to the Illinois Mechanic's 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 Escarpita Construction Company, Inc. ("Claimant"), an Illinois corporation, with a principal address at 627 N. Albany, Suite 111, Chicago, Illinois 60612, claims a mechanics lien upon the following Real Estate pursuant to 770 ILCS 60/1, *et seq.*, as amended from time to time:

2701 W. 68<sup>th</sup> Street, Chicago, Illinois 60629, with PIN: 19-24-406-003-0000 and the following legal description set forth in attached Exhibit A.

("Real Estate").

Claimant's Claim for Mechanics Lien on the Real Estate as described herein is against the interest(s) of any and all persons and/or entities of any kind having and/or claiming any kind of interest(s) in the Real Estate described herein at and/or about any and all relevant times referenced herein, including but not limited to the Owners, Owners' Agents, architect(s), superintendent(s) having charge of the improvements described herein, lenders, mortgagees, incumbancers or any other individual or entity otherwise having and/or claiming any interest of any kind in the Real Estate as described herein, and/or as agent of any of the parties and/or entities referenced herein, whether by, through and/or under any Owner(s) or otherwise.

Claimant entered into a Subcontract Agreement ("Subcontract") with Clune Construction Company, L.P. ("Contractor"), as amended from time to time, to provide certain labor, services, material, fixtures, apparatus, machinery and improvements for, among other things, demolition, excavation, landscaping, carpentry, electrical, plumbing, fixtures, and other work for the benefit

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of the Real Property in furtherance of the construction project located on the Real Estate ("Project").

At the time Claimant entered into the Subcontract with Contractor, Contractor held itself out as the general contractor on the Project with a direct contract with the Project owner, such owner or owners being Holy Cross Hospital and Sinai Health System ("Owner"). Claimant performed its Subcontract for the improvement of the Real Estate with the knowledge and/or consent of Contractor, Owner and/or all other owners of the Project. Claimant did provide its services pursuant to its agreement with the Contractor, and Claimant last performed its services on January 13, 2017.

The instant Claim for Mechanics Lien shall not be construed to be an admission of any fact or waiver of any right, defense or remedy that Claimant has as either an original contractor or subcontractor under Illinois law.

As of the date hereof, there is due, unpaid, and owing to the Claimant, after allowing all credits, the principal sum of \$90,534.00. Under 770 ILCS 60/1, *et seq.*, this principal sum will bear interest at the statutory rate of ten (10) percent per annum. To date, despite demand for payment, Claimant remains unpaid for the balance of said work in the principal sum of \$90,534.00, exclusive of interest, collection costs and attorneys' fees to the full extent permitted by Illinois Mechanics Lien Act and/or as otherwise provided by controlling law, and there is no reasonable basis for the failure to pay Claimant.

Claimant does hereby claim a lien on the Real Estate, including all land and improvements thereon, and on any monies due and/or to become due to Claimant for the furnishing of lienable professional services on the Project in the amount of the principal sum of \$90,534.00, plus interest, collection costs and attorneys' fees to the full extent permitted by the Illinois Mechanics Lien Act and/or as otherwise provided by controlling law.

Claimant contends that apportionment of the aforementioned principal sum of \$90,534.00, exclusive of interest and attorneys' fees as permitted by law, is not required as to the Real Estate as more specifically defined on Exhibit A. In the alternative, to any extent apportionment of the aforesaid amount is required, Claimant apportions said amount of \$90,534.00 by square footage per lot/parcel of the Real Estate.

To the extent permitted by law, all waivers of lien heretofore given, if any, by the undersigned Claimant, in order to induce payment not received, are hereby revoked. Claimant's acceptance of any payment(s) by any owner(s), agent(s) of any owner(s), or other contractors and/or any other party(ies), of some but not all of the amount claimed due hereunder shall not operate to invalidate this notice.

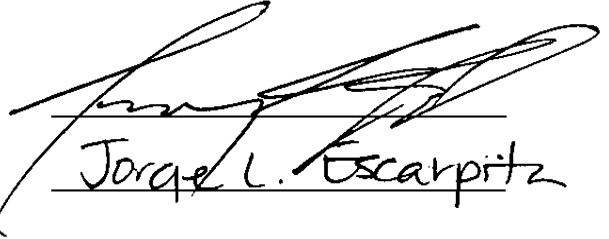
Dated this 9<sup>th</sup> day of May, 2017.

*Please refer to the next page for formal execution by Claimant*

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**Escarpita Construction Company, Inc.**

Signed:

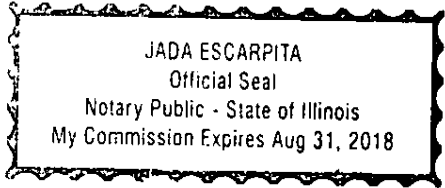


By:

Jorge L. Escarpita

SUBSCRIBED and SWORN to before me this 9<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
Notary Public



Property of Cook County Clerk's Office

This document was prepared by and may be returned after filing to Erica Del Aguila of Watt, Tieder, Hoffar & Fitzgerald, L.L.P., 10 S. Wacker, Suite 2935, Chicago, Illinois 60606.

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## SERVICE LIST

Illinois Corporation Service Company, Registered Agent  
CLUNE CONSTRUCTION COMPANY, L.P.  
801 Adlai Stevenson Drive  
Springfield, IL 62703

Steve Blentlinger, Project Manager  
CLUNE CONSTRUCTION COMPANY, L.P.  
10 S. Riverside Plaza, Suite 2200  
Chicago, IL 60606

Karen Teitelbaum, Registered Agent  
HOLY CROSS HOSPITAL  
1500 S. California, F104A  
Chicago, IL 60608

Karen Teitelbaum, Registered Agent  
SINAI HEALTH SYSTEM  
1500 S. California, F104A  
Chicago, IL 60608

Maynerd Steinberg, Registered Agent  
THE LEVY COMPANY  
111 S. Wacker Drive, 44<sup>th</sup> Floor  
Chicago, IL 60606

Margaret Zalot, Registered Agent  
THE SISTERS OF SAINT CASIMIR OF CHICAGO  
2601 W. Marquette Road  
Chicago, IL 60629

Crystal Maher, Senior Counsel  
CITY OF CHICAGO DEPARTMENT OF LAW  
121 N. LaSalle Street, Room 600  
Chicago, IL 60602

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## EXHIBIT A

**Parcel 1:**

BLOCKS 5 AND 6 (EXCEPT THE EAST 150 FEET OF BLOCK 6 AND EXCEPT THE WEST 35 FEET OF THE EAST 185 FEET OF THE SOUTH 180 FEET OF BLOCK 6) IN HIRSH AND YOUNGS SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRICIPAL MERIDIAN, AND ALSO THAT PART OF VACATED WEST 68TH STREET LYING EASTERLY OF THE EAST LINE OF SOUTH CALIFORNIA AVENUE AND WESTERLY OF THE WEST LINE OF SOUTH WASHTENAW AVENUE (EXCEPT THE EAST 150 FEET OF THE SOUTH ONE HALF THEREOF, LYING NORTH OF AND ADJOINING BLOCK 6) IN HIRSH AND YOUNG'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.