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### After recording return to:

Dan Fleck RG Construction Services, Inc. 936 Larch Avenue Elmhurst, Illinois 60126



Doc# 1728429110 Fee ≇32.00

₹HSP FEE:\$9.00 RPRF FEE: \$1.00

KAREH A.YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/11/2017 04:18 PM PG: 1 OF 4

(For Recorder's Use Only)

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### SUBCONTRACTOR'S CLAIM FOR LIE

- The Claimant, RG CONSTRUCTION SERVICES, INC. ("RG"), located at 936 1. Larch Avenue, Elmhurst, Illinois 60126, hereby serves its Notice of Intent to Lie on the Real Estate (as hereinafter described), and against the interests of SMASHotels Chicago, LLC, 250 Parkway Drive, No. 120, Lincolnshire, Illinois 60069 ("Owner"), Marriott International, Inc., 12400 Fernwood Road, Bethesda, Maryland 20817 ("Franchisor"), Associated Bank, N.A., 525 West Monroe Street, 24th Floor, Chicago, Illinois 60661 ("Lender"), and any other person claiming an interest in the Real Estate and on the monies or other consideration due or to become due from Owner to Pepper Construction Co., 643 North Orleans Street, Chicago, Illinois 60654 ("Contractor").
- On and prior to April 27, 2016, and continuing to the present, Owner owned the real estate and improvements thereon at the Property commonly known as 224-228 East Ontario Street, Chicago, Illinois 60601, title to which is held by Owner with Permanent Index Nos. 17-10-203-015, 17-10-203-016 and 17-10-203-017, and described in Exhibit A attached hereto ("the Real Estate").

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- 3. On or prior to April 27, 2016, Owner entered into a contract with Contractor for the improvement to the Real Estate and in turn Contractor entered into a subcontract agreement with RG.
- 4. On April 27, 2016, RG entered into a written form Subcontract with Contractor under which RG agreed to provide the labor, material, equipment and supervision necessary to complete installation of all EIFS and Air Vapor Barrier Package Award work Drywall, Framing, Fireproofing and Insulation for the building to be constructed upon the Real Estate, for the sum of \$1,109,600.00 (the "Subcontract"). Thereafter, Contractor directed RG to perform additional work pursuant to change orders, extra work orders and RG's proposals.
- 5. The Subcontract was entered into by Contractor and RG, and the work was performed by RC with the knowledge and consent of the Owner. Alternatively, Owner authorized or knowingly permitted Contractor to enter into agreements such as the Subcontract with RG, to improve the Real Estate. Alternatively, Owner authorized or knowingly permitted RG's work under the Subcontract relating to the Project.
- 6. At the special instance and request of Contractor and at the direction and with the consent of the Owner, Contractor is said multiple change orders and directed extra work be furnished having a value of at least \$118,876.15.
- 7. RG completed all of the work it was required and requested to perform and last performed work at the Project on June 30, 2017.
- 8. All prior lien waivers are revoked to the extent they are inconsistent with this notice and/or for which RG has not received payment.
  - 9. The sum of \$157,030.15 is now due on RG's Subcontract calculated as follows:

Office

Original Contract Amount \$ 1,109,600.00 Change Orders/Extra Work \$ 118,876.15 Revised Contract Amount \$ 1,228,476.15

Less previous Paid to Date  $\frac{\$(1,071.446.00)}{\$(1,071.446.00)}$ 

Total Due (Amount of Lien) \$ 157,030.15

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10. As of the date hereof, after applying all credits and payments, there remains due, unpaid, and owing to RG the principal amount of \$157,030.15, for which with interest at the statutory rate of 10% per annum since July 30, 2017 pursuant to 770 ILCS 60/1, RG claims a lien on the Building located upon the Real Estate and related improvements thereon and on any monies or other consideration due or to become due from the Owner to Contractor.

R.G. CONSTRUCTION SERVICES, INC.

By:

Brian Garcea

Its: Chief/Financial Officer

10/6/17

Dated:

VERIFICATION

STATE OF ILLINOIS

) SS

**COUNTY OF COOK** 

Brian Garcea, being first duly sworn on oath, deposes and states, that he is the Chief Financial Officer of R.G. Construction Services, inc., that he is authorized to sign this Verification to the foregoing Subcontractor's Claim for Lien, that he has read the foregoing and the contents contained therein are true.

Subscribed and Sworn to before me this 1641 day of October, 2017.

Notary Public

OFFICIAL SEAL
DONALD H. SANTAMOUR
Notary Public - State of Illinois
My Commission Expires 04/25/2021

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#### EXHIBIT "A"

### LEGAL DESCRIPTION

#### PARCEL 1:

THE WEST 20 FEET OF LOT 14 IN THE SUBDIVISION OF THE WEST 394 FEET (EXCEPT THE EAST 14 FEET OF THE NORTH 80 FEET THEREOF) IN BLOCK 32 IN KINZIE'S ADDITION TO CHICAGO IN THE NORTH ½ OF SECTION 10, TOWNSHIP 39 NORTH, PALIGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE EAST 5 FEET OF LOT 14, ALL OF LOT 15 AND THE WEST 10 FEET OF LOT 16 IN THE SUBDIVISION OF THE WEST 394 FEET (EXCEPT THE EAST 14 FEET OF THE NORTH 80 FEET THEREOF) O'S BLOCK 32 IN KINZIE'S ADDITION TO CHICAGO IN SECTION 10, TOWNSHIP 39 NGRTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILL'INDIS. -Ounty Clark's Office

224-228 East Ontario Street ADDRESS:

Chicago, IL

PINS: 17-10-203-015-0000

17-10-203-016-0000

17-10-203-017-0000

Exhibit A: