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PREPARED BY, RECORDING
REQUESTED BY AND RETURN TO:

NAME: Bradley D. Birgé
COMPANY: Birgé & Forte, LLC
ADDRESS: 79 West Monroe Street
Suite 1020
Chicago, Illinois 60603

Doc# 1735606107 Fee \$34.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/22/2017 04:57 PM PG: 1 OF 6

CONTRACTORS NOTICE AND CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS.

The undersigned claimant, **MR DW Decorating, Inc.** by Roberto Aceves, vice-president, of the City of Chicago, County of Cook, and State of Illinois (the "Claimant"), hereby claims a Contractor's mechanics lien pursuant to the Illinois Mechanics Lien Act, 770 ILCS 60/1, *et seq.* against **Wheeling Assisted Living, LLC, Wheeling Assisted Living, LLC, f/k/a Wheeling Memory Care, LLC, and The LaSalle Group, Inc.** under foreign assumed name **LaSalle Equity Group, Inc., and Lasalle Wheeling Management LLC** ("Owners"), **Wheeling Assisted Living, LLC d/b/a The Whitley of Wheeling** ("Tenant") **Texas Capital Bank N.A.** ("Lender"), **Lake Superior Contracting, L.P.,** ("General Contractor/Debtor"), **Norman Mechanical, Inc., Foundation Building Materials, LLC, Mitchell Acoustical Construction, Inc., D & M Welding, Inc., and Shir Hadash Reconstructionist Synagogue -- Congregation Shir Hadash** ("Other Claimants") regarding the property commonly known as 156 West Dundee Road, Wheeling, County of Cook and State of Illinois, and states as follows:

1. The Owners now hold title to that certain real property commonly known as 156 West Dundee Road, Wheeling, Cook County, Illinois, (the "Property") which is legally described as:
2. Permanent Real Estate Index Number ("P.I.N."): 03-02-316-033-0000, 03-02-316-034-0000 and 03-02-316-020-0000
3. Legal Description: See Attached "Exhibit A."
4. On or about August 30, 2017 Claimant was retained by **Lake Superior Contracting, L.P.** pursuant to a written agreement to pay to purchase drywall materials and labor for construction work at the Property, commonly known as 156 West Dundee Road, Wheeling, Illinois, (the "Contract") Claimant agreed to provide, furnish, deliver or and install drywall, tape, mud and other materials necessary supplies (the "Goods and Work") for the building under construction,

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in consideration of the offer of **Lake Superior Contracting, L.P.** to pay timely for the Goods and Work performed, **Lake Superior Contracting, L.P.**, as the Owner's representative, for construction on the Property and which **Lake Superior Contracting, L.P.** obligated itself to pay Seven Hundred, Sixty Thousand Dollars and Zero cents (\$760,000.00) of which no funds have been received. **Lake Superior Contracting, L.P.** is entitl to Six Hundred and Fifty-six Thousand, Two Hundred and Forty-three Dollars and Zero Cents (\$656,243.00) in credit for unfinished work is due leaving a balance due to Claimant in the amount of One Hundred, Three Thousand, Seven Hundred, Fifty-seven Dollars and Zero Cents (\$103,757.00) to be paid by **Lake Superior Contracting, L.P.** and the Owner(s.)

5. On and prior to September 30, 2017, Claimant performed one hundred percent (100%) of supplying all of the drywall materials, supplies and labor that it was allowed to perform under the terms of and in accordance with the specifications of the Contract in that the Claimant performed by installing those Goods and Work for incorporation into the Property requested by its authorized agent which drywall materials or supplies and labor were necessary to perform Claimant's duties to improve the Property.
6. All of the drywall materials, supplies or equipment and labor furnished and delivered by Claimant were delivered to and used to improve the Property, and the last of such deliveries was furnished, delivered and performed, as contemplated under the Contract and completed on September 30, 2017.
7. There is now justly due and owing the Claimant after allowing to **Lake Superior Contracting, L.P.** and the Owner(s) credit of Six Hundred and Fifty-six Thousand, Two Hundred and Forty-three Dollars and Zero Cents (\$656,243.00) for unfinished work, and zero dollars (\$0.00) for deductions for payments and offsets as no payments were received, the amount due of One Hundred, Three Thousand, Seven Hundred, Fifty-seven Dollars and Zero Cents (\$103,757.00) plus interest at the rate specified in the Illinois Mechanics Lien Act.
8. Claimant now claims a lien on the above-described Property, and on all of the improvements thereon, against the Owner(s) and all persons interested therein for the outstanding amount currently due and owing of One hundred, three thousand, seven hundred, fifty-seven dollars and zero cents (\$103,757.00), plus interest at the rate specified in the Illinois Mechanics Lien Act as well as court costs and attorneys' fees.

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STATE OF ILLINOIS)
)
) SS.
COUNTY OF COOK)

CERTIFICATION

The Affiant, *Roberto* ~~Manfred~~ *Vice* **Aceves**, President of **MR DW Decorating, Inc.**, of the City of Chicago, County of Cook, and State of Illinois, being first duly sworn, on oath deposes and states he is one of the principals of **MR DW Decorating, Inc.**, that the Affiant has read the foregoing Contractor's Claim for Mechanics Lien and knows the contents thereof; and that the statements therein contained are true to the best of Affiant's knowledge.

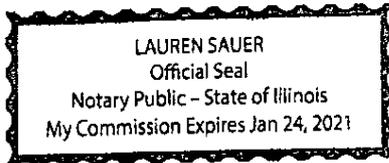
Subscribed and Sworn to Before me this:

22nd Day of December, 2017

By: *Roberto Aceves*
Roberto Aceves, vice-president of
MR DW Decorating, Inc.

Notary Public

Lauren Sauer

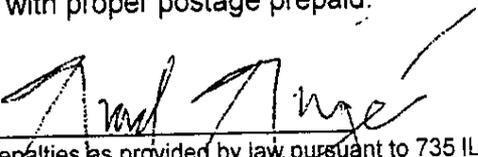


Property of Cook County Clerk's Office

UNOFFICIAL COPY**Service List:****PROOF OF SERVICE BY MAIL**

I, Bradley Daniel Birgé, on ~~December 22, 2017~~, certify that I served this Claim for Mechanics Lien by mailing a copy by certified mail, return receipt request and restricted delivery to the below-named individuals at the addresses listed below by depositing same in the U.S. mail at U.S. Postal Service office at the southwest corner of Clinton and Lake Streets, Chicago, Illinois ~~60661~~ by 5:00 p.m. on December 22, 2017 with proper postage prepaid.

60604


 Under penalties as provided by law, pursuant to 735 ILCS 5/1-109 I, **Bradley Daniel Birgé**, an attorney of record, certify that the statements set forth in this Notice of filing and Proof of service are true and correct.

Date: December 22, 2017

Wheeling Assisted Living LLC
 Illinois Corporation Service Corp.
 801 Adlai Stevenson Drive
 Springfield, Illinois 62703
 Attention: Brenda K. Brandtley

Wheeling Assisted Living, LLC
 f/a/a Wheeling Memory Care, LLC
 Illinois Corporation Service, Corp.
 801 Adlai Stevenson Drive
 Springfield, Illinois 62703
 Attention: Brenda K. Brandtley

The LaSalle Group, Inc. *under*
 f/a/n LaSalle Equity Group, Inc.
 Illinois Corporation Service, Corp.
 801 Adlai Stevenson Drive
 Springfield, Illinois 62703
 Attention: Brenda K. Brandtley

Wheeling Assisted Living, LLC d/b/a
 The Whitley of Wheeling
 Illinois Corporation Service, Corp.
 801 Adlai Stevenson Drive
 Springfield, Illinois 62703
 Attention: Brenda K. Brandtley

Texas Capital Bank N.A.
 2000 McKinney Avenue, Suite 700
 Dallas, Texas 75201
 Attention: Russell Hartsfield

Lake Superior Contracting, L.P.
 Illinois Corporation Service, Corp.
 801 Adlai Stevenson Drive
 Springfield, Illinois 62703
 Attention: Josh Barbee

Norman Mechanical, Inc.
 3850 Industrial Avenue
 Rolling Meadows, Illinois 60008
 Attention: Martin Paphaall

Foundation Building Materials, LLC
 Cogency Global Inc.
 600 South Second Street, Suite 404
 Springfield, Illinois 62704
 Attention: Ruben D. Mendoza

Mitchell Acoustical Construction, Inc.
 2440 Bridgewater Drive
 Woodstock, Illinois 60098
 Attention: Kevin M. Lochen

D & M Welding, Inc.
 8314 South 77th Avenue
 Bridgeview, Illinois 60455
 Attention: David P. Bakker

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Lasalle Wheeling Management, LLC
Corporation Service, Corp.
801 Adlai Stevenson Drive
Springfield, Illinois 62703

Attention: Brenda K. Brandtley

SAS Architects & Planners, LLC
650 Dundee Road, Suite 475
Northbrook, Illinois 60062
Attention: Mark M. Anderson

Wheeling Assisted Living, LLC d/b/a
The Whitley at Wheeling
Illinois Corporation Service, Corp.
801 Adlai Stevenson Drive
Springfield, Illinois 62703

Attention: Brenda K. Brandtley

Please Mail to :
Birgé & Forte, LLC
79 West Monroe Street, Suite 1020
Chicago, IL 60603
(312) 327-3373

Shir Hadash Reconstructionist ~~Shir~~
Synagogue -- Congregation Shir ~~Hadash~~
Hadash
200 West Dundee Road
Wheeling, Illinois 60090
Attention: Sanford Schleicher

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LEGAL DESCRIPTION

FOR APN/PARCEL ID(s): 03-02-316-034, 03-02-316-033 and 03-02-316-020

PARCEL 1:

THAT PART OF LOT 2 IN CHRYSLER REALTY CORPORATION'S RESUBDIVISION OF LOT 4 IN WHEELING HEIGHTS, BEING A SUBDIVISION OF THE EAST 50.01 ACRES OF THE SKINNER FARM, IN THE SOUTHWEST QUARTER OF SECTION 2 TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 2, 1972 AS DOCUMENT NUMBER 22070178, AND THAT PART OF LOT 79 IN HOLLAND'S RESUBDIVISION, RECORDED SEPTEMBER 16, 1955 AS DOCUMENT 11621040, IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 29 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 224.44 FEET; THENCE NORTH 61 DEGREES 53 MINUTES 23 SECONDS EAST 214.02 FEET; THENCE NORTH 88 DEGREES 16 MINUTES 35 SECONDS EAST 259.05 FEET TO A POINT ON THE EAST LINE OF SAID LOT 79; THENCE SOUTH 48 DEGREES 15 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 79; THENCE SOUTH 48 DEGREES 15 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 79 A DISTANCE OF 268.18 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 68.41 FEET ALONG THE ARC OF A TANGENT CIRCLE TO THE RIGHT (ALSO BEING THE EAST LINE OF SAID LOT 79) HAVING A RADIUS OF 254.94 FEET AND WHOSE CHORD BEARS SOUTH 40 DEGREES 33 MINUTES 59 SECONDS EAST 68.20 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DEEDED TO THE STATE OF ILLINOIS DECEMBER 06, 2010 AS DOCUMENT NUMBER 1034046041; THENCE SOUTH 01 DEGREES 43 MINUTES 31 SECONDS EAST ALONG THE WEST LINE OF LAST DESCRIBED PARCEL 61.77 FEET TO A POINT ON THE NORTH OF LAST DESCRIBED PARCEL; THENCE SOUTH 88 DEGREES 16 MINUTES 36 SECONDS ALONG THE NORTH LINE OF SAID PARCEL; THENCE SOUTH 88 DEGREES 16 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL 45.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL; THENCE SOUTH 01 DEGREES 43 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID PARCEL 20.00 FEET TO THE NORTH LINE OF DUNDEE ROAD; THENCE SOUTH 88 DEGREES 16 MINUTES 36 SECONDS WEST 651.86 FEET, TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY ACCESS EASEMENT AND CONSTRUCTION AND MAINTENANCE AGREEMENT FOR THE COMMUNITY GARDEN FROM SHIR HADASH RECONSTRUCTIONIST SYNAGOGUE-CONGREGATION SHIR HADASH TO WHEELING MEMORY CARE, LLC DATED DECEMBER 11, 2014 AND RECORDED JANUARY 9, 2015 AS DOCUMENT NO. 1500922025 FOR USE AND ENJOYMENT OF THE COMMUNITY GARDEN, TOGETHER WITH INGRESS AND EGRESS OVER THE LAND CONTAINED IN EXHIBIT F OF SAID AGREEMENT.

PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY CROSS ACCESS AND ENTRY DRIVEWAY EASEMENT AND MAINTENANCE AND SHARED PARKING AGREEMENT DATED DECEMBER 11, 2014 AND RECORDED JANUARY 9, 2015 AS DOCUMENT NO. 1500922024.