

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)



ORIGINAL CONTRACTOR'S CLAIM FOR MECHANICS LIEN [PRIVATE CONSTRUCTION]

Doc# 1811022034 Fee \$32.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 04/20/2018 01:19 PM PG: 1 OF 4

THE UNDERSIGNED LIEN CLAIMANT, **Summit Design + Build, LLC**, with offices located at 1032 W. Fulton Market, Suite 300, Chicago, Illinois 60607, ("Claimant"), hereby files a claim for Mechanics Lien against XS Tennis Village LLC of 7211 S. Paxton, Chicago, IL ("Owner"); XS Tennis & Education Foundation of 7211 S. Paxton, Chicago, IL ("Tenant"); Lenders: Chicago Housing Authority of 60 E. Van Buren Street, Chicago, Illinois; Urban Partnership Bank of 7936 South Cottage Grove Avenue, Chicago, Illinois; PNC CDE 58 LP of 300 Fifth Avenue, Pittsburgh, PA; Urban Development Fund XXXVIII LLC of 216 W. Ohio Street, Chicago, Illinois; NCIF New Markets Capital Fund XXI CDE LLC of 135 S. LaSalle Street, Chicago, Illinois; Chicago Community Loan Fund of 29 E. Madison Street, Chicago, Illinois (collectively "Lenders"), and all other persons or entities having or claiming and interest in the below described real estate, and in support thereof states as follows:

1. On or about March 11, 2015, Owner owned the following described real estate in the County of Cook, State of Illinois, to wit: 5334-5336 S. State Street, Chicago, Illinois and legally described as follows: see legal description attached hereto as **Exhibit A**, which real estate has the following permanent index numbers: 20-09-412-061-0000, 20-09-412-062-0000, 20-09-413-059-0000, 20-09-413-060-0000, 20-09-413-061-0000, 20-09-413-062-0000, 20-09-422-056-0000, 20-09-422-057-0000, 20-09-422-087-0000, 20-09-422-091-0000, 20-09-422-092-0000, 20-09-422-095-0000, 20-09-422-096-0000, 20-09-422-097-0000, 20-09-422-098-0000, 20-09-422-099-0000, 20-09-423-088-0000, 20-09-423-089-0000, 20-09-423-090-0000 and which is hereinafter together with all improvements referred to as the "Premises."

2. On or about March 11, 2015, Lien Claimant made a written contract with Owner, or one authorized or knowingly permitted by Owner, to make such contract to construct tennis and fitness buildings and parking on said Premises. Lien Claimant was to be paid the cost of the work plus 3% overhead and profit, plus 4% for general conditions, plus 1.25% for insurance, not to exceed an initial Guaranteed Maximum Price \$8,870,000.00 and with the Guaranteed Maximum Price to be adjusted at some point in the future by written agreement.

R

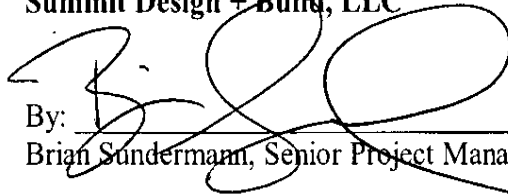
UNOFFICIAL COPY

3. At the special instance and request of Owner, Lien Claimant furnished extra and additional material, equipment and labor for the Premises in the net amount of \$2,746,592.36¹, with the net amount of \$2,513,806.00 confirmed by written change order and the net amount of \$232,786.36 ordered and directed by Owner, but which the Owner has not confirmed by a written change order.

4. On February 1, 2018, Lien Claimant substantially completed construction, design and construction services having a value of \$11,332,812.19, which reflects a credit to the Owner of \$283,780.17 for work Contractor did not perform as a result of Owner preventing Contractor's performance.

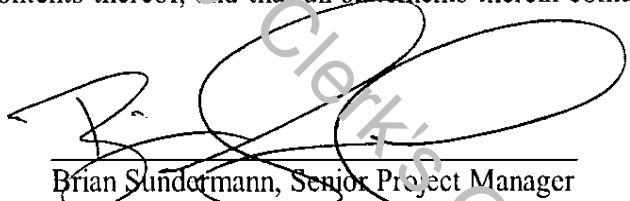
5. Owner is also entitled to credits on account of payments in the amount of \$9,900,013.53, leaving due unpaid and owing to Lien Claimant, after allowing all credits, the balance of \$1,432,798.67, for which, with interest, Lien Claimant claims a Mechanics Lien on said Premises.

Summit Design + Build, LLC

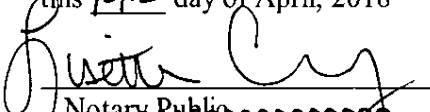
By: 
Brian Sundermann, Senior Project Manager

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The Affiant, Brian Sundermann, being first duly sworn, on oath deposes and says that he is a Senior Project Manager for the Claimant; that he has read the foregoing claim for lien and that he has personal knowledge of the contents thereof; and that all statements therein contained are true and accurate.


Brian Sundermann, Senior Project Manager

Subscribed and sworn to before me
this 19th day of April, 2018


Notary Public
OFFICIAL SEAL
LISETTE CRUZ
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/11/2019

This document prepared by and mail to:
Jennifer A. Nielsen
Lyman & Nielsen, LLC
900 Oakmont Lane
Westmont, IL 60559
Tel: 630/575-0020

¹ The Guaranteed Maximum Price was amended and adjusted by written Change Order.

UNOFFICIAL COPY

PROPERTY DESCRIPTION:**PARCEL 1:**

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 42 INCLUSIVE IN BLOCK 1, AND LOTS 13 THROUGH 42 INCLUSIVE IN BLOCK 2 OF SCHMUTZ'S SUBDIVISION OF LOTS 11 TO 20 OF TURNER'S SUBDIVISION OF THE EAST PART OF THE NORTHEAST QUARTER OF AFORESAID SECTION 9, RECORDED OCTOBER 10, 1872 AS DOCUMENT 61166;

LOTS 1 THROUGH 12 INCLUSIVE IN A.M. LEWIS' SUBDIVISION OF LOT 21 AND THE NORTH HALF OF LOT 22 IN TURNER'S SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 9, RECORDED MAY 15, 1886 AS DOCUMENT 717780;

LOTS 1, 2, 5 AND 6 IN BLOCK 1 AND LOTS 1, 2, 5 AND 6 IN BLOCK 2 IN LEWIS SUBDIVISION OF THE SOUTH HALF OF LOT 22 AND LOT 13 IN TURNER'S SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 9, RECORDED AUGUST 21, 1872 AS DOCUMENT 511084;

LOTS 3 THROUGH 16 INCLUSIVE IN BLOCK 1 AND LOTS 4, 5, 8, 9, 12, 13, AND 16 IN BLOCK 2 IN PETER SHIMP'S SUBDIVISION OF THE NORTH 4 ACRES OFF THE NORTH SIDE OF THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 9, RECORDED JULY 23, 1854 AS DOCUMENT 21021;

LOTS 1, 4, 5, 8, 9, 12, 13, AND 16 IN BLOCK 3 AND LOTS 1 THROUGH 16 INCLUSIVE IN BLOCK 4 IN PETER SHIMP'S SECOND SUBDIVISION OF THE 4 ACRES IN THE NORTHEAST PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 9, RECORDED SEPTEMBER 30, 1859 AS DOCUMENT 23656;

LOTS 1 THROUGH 18 INCLUSIVE IN BLOCK 1, LOTS 1 THROUGH 5 INCLUSIVE AND LOTS 14 THROUGH 18 INCLUSIVE IN BLOCK 2, AND THAT PART OF LOTS 6, 7, AND 13 IN BLOCK 2 LYING NORTHEASTLY OF WEST 54TH STREET AS DEDICATED BY DOCUMENT 18249291, ALL IN NICHOL'S AND MCCULLOUGH'S SUBDIVISION OF THE 4 ACRES SOUTH OF AND ADJOINING THE NORTH 8 ACRES OF THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 9 RECORDED APRIL 22, 1868 AS DOCUMENT 166504;

THAT PART OF WEST 53RD STREET LYING EAST OF SOUTH FEDERAL STREET AND WEST OF SOUTH STATE STREET VACATED AUGUST 16, 1961 BY DOCUMENT 18249290; THAT PART OF SOUTH DEARBORN STREET LYING SOUTH OF THE NORTH LINE OF LOTS 13 AND 14 IN BLOCK 1 AND LOTS 13 AND 14 IN BLOCK 2 OF SCHMUTZ'S SUBDIVISION AFORESAID AND NORTH OF THE SOUTH LINE OF NICHOL'S AND MCCULLOUGH'S SUBDIVISION AFORESAID VACATED AUGUST 17, 1886 BY DOCUMENT 744939 AND AUGUST 16, 1961 BY DOCUMENT 18249290;



UNOFFICIAL COPY

PARTS OF VARIOUS PUBLIC ALLEYS LYING EAST OF SOUTH FEDERAL STREET, WEST OF SOUTH STATE STREET, SOUTH OF THE NORTH LINE OF LOTS 13 AND 14 IN BLOCK 1 AND LOTS 13 AND 14 IN BLOCK 2 OF SCHMUTZ'S SUBDIVISION AFORESAID AND NORTH OF THE SOUTH LINE OF NICHOL'S AND MCCULLOUGH'S SUBDIVISION AFORESAID VACATED BY DOCUMENTS 660624, 788121 AND 18249290; AND

A 3 FOOT STRIP OF LAND BEING PART OF A PUBLIC ALLEY VACATED BY DOCUMENT 791591 AND DESCRIBED AS FOLLOWS: LYING EAST OF THE EAST LINE OF SOUTH FEDERAL STREET, SOUTH OF THE SOUTH LINE OF WEST 53RD STREET VACATED BY DOCUMENT 18249290, NORTH OF THE NORTH LINE OF AN 8 FOOT ALLEY VACATED BY DOCUMENT 18249290, WEST OF THE WEST LINES OF LOTS 4, 5, 8, 9, 12, 13 AND 16 IN BLOCK 2 OF PETER SHIMP5#32S SUBDIVISION RECORDED JULY 23, 1854 AS DOCUMENT 21021, WEST OF THE WEST LINES OF LOTS 1, 4, 5, 8, 9, 12, 13 AND 16 IN BLOCK 3 OF PETER SHIMP5#32S SECOND SUBDIVISION RECORDED SEPTEMBER 30, 1859 AS DOCUMENT 23656, AND WEST OF THE WEST LINE OF AN ALLEY VACATED JANUARY 7, 1887 BY DOCUMENT 788121, ALL IN COOK COUNTY, ILLINOIS.

LESS AND EXCEPT:

LOTS 35, 38, 39 AND 42 IN BLOCK 1 IN SCHMUTZ'S SUBDIVISION OF LOTS 11 TO 20 OF TURNER'S SUBDIVISION OF THE EAST PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 35, 38, 39 AND 42 IN BLOCK 1 IN SCHMUTZ'S SUBDIVISION OF LOTS 11 TO 20 OF TURNER'S SUBDIVISION OF THE EAST PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.