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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 04/10/2019 03:41 PM PG: 1 OF 7

EQUITABLE RECEIVER'S LIEN


MICHAEL KENNELLY and PHOENIX RISING MANAGEMENT, LLC ("Phoenix"), as Custodian of the 1320 N. Astor Condominium Association ("Association"), hereby attaches its Equitable Receiver's Lien against the undivided interest in the common elements of the five condominium units located at 1320 N. Astor, Chicago, Illinois 60611 and more fully described in *Exhibit A*, attached hereto.

The aforesaid lien arises, and was approved by court Order dated April 5, 2019, effective *nunc pro tunc* as of January 25, 2019, in *Board of Managers of 1320 N. Astor Condo Association v. Shoelson*, No. 2009 CH 01522 (consolidated with 2013 M1 705355 and 2017 M1 717484) in the Circuit Court of Cook County, Illinois, a true and correct copy of which is attached hereto as *Exhibit B*. As of April 5, 2019, Phoenix has issued charges and incurred expenses totaling \$41,777.00, of which \$13,801.20 has been received by Phoenix from the receiver in *Northbrook Bank & Trust Company v. Groh, et al.*, Nos. 2018 CH 01717 and 02041, in the Circuit Court of Cook County, Illinois. In addition, the amount of outstanding legal fees and expenses payable by the Association is \$9,699.30, all of which is due and owing from the Association and remains unpaid. Therefore, as of April 5, 2019, the amount of this lien, equaling the combined total outstanding balance owed to Phoenix by the Association for work as Custodian of the Association, and subject in part to adjudication of future petitions for approval of the Custodian's fees and expenses, is \$37,675.10.

[signature page follows]

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MICHAEL KENNELLY and PHOENIX RISING MANAGEMENT, LLC, as Custodian of 1320 N. Astor Condominium Association

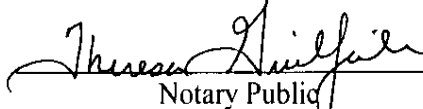
By: 
One of Its Attorneys

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

The undersigned, being first duly sworn on oath, deposes and says he is the attorney for MICHAEL KENNELLY and PHOENIX RISING MANAGEMENT, LLC, as Custodian of 1320 N. Astor Condominium Association, the above-named Lienor that he has read the foregoing Equitable Receiver's Lien and knows the contents thereof, and that all statements therein contained are true to the best of his knowledge.


One of Its Attorneys

SUBSCRIBED and SWORN to before me
this 10 day of April, 2019


Notary Public



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EXHIBIT A

Legal Description

Unit G:

PARCEL 1: UNIT G IN THE 1320 NORTH ASTOR E.R.T.A. CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1, 2, AND 3 IN BLOCK 4 IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2: AN EXCLUSIVE RIGHT TO USE "P-1" AS A LIMITED COMMON ELEMENT AS SHOWN ON EXHIBIT "A" AND CONTAINED IN THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 1320 N. Astor Street, Unit #G, Chicago, Illinois 60610.
Permanent Index Number: 17-03-106-030-1001

Unit 1:

UNIT 1 IN THE 1320 NORTH ASTOR E.R.T.A. CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1, 2, AND 3 IN BLOCK 4 IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176, TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 1320 N. Astor Street, Unit #1, Chicago, Illinois 60610.
Permanent Index Number: 17-03-106-030-1002

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Unit 2:

UNIT 2 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN 1320 NORTH ASTOR E.R.T.A. CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 27353176 AND FURTHER DEFINED AS THAT PART OF LOTS 1, 2, AND 3 IN BLOCK 4 IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF LOT 1 AFORESAID, THENCE RUNNING SOUTHEASTERLY ALONG THE EAST LINE OF LOT 1 63.16 FEET, MORE OR LESS TO A POINT OF INTERSECTION WITH A LINE 62.40 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF LOTS 1 AND 3 FOR THE PLACE OF BEGINNING; THENCE RUNNING WESTERLY ALONG SAID LINE 62.40 FEET SOUTH OF AND PARALLEL TO SAID NORTH LINE, AND NORTH LINE EXTENDED WEST, TO THE WEST LINE OF THE EAST 9.00 FEET OF THE VACATED ALLEY LYING WEST OF AND ADJOINING LOT 3 AFORESAID; THENCE RUNNING SOUTHERLY ALONG SAID WEST LINE TO A POINT OF INTERSECTION WITH A LINE 82.87 FEET SOUTH OF AND PARALLEL TO THE AFORESAID NORTH LINE OF LOT 3 EXTENDED WEST; THENCE EASTERLY ALONG SAID LINE 82.87 FEET SOUTHERLY OF SAID NORTH LINE OF LOT 3 TO A POINT ON THE EAST LINE OF LOT 2 AFORESAID; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF LOTS 1 AND 2 TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS.

Commonly known as: 1320 N. Astor Street, Unit #2, Chicago, Illinois 60610.
Permanent Index Number: 17-03-106-030-1003

Unit 3:

UNIT 3 IN THE 1320 NORTH ASTOR E.R.T.A. CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1, 2, AND 3 IN BLOCK 4 IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 1320 N. Astor Street, Unit #3, Chicago, Illinois 60610.
Permanent Index Number: 17-03-106-030-1004

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Unit 4:

PARCEL 1: UNIT 4 IN THE 1320 NORTH ASTOR E.R.T.A. CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1, 2, AND 3 IN BLOCK 4 IN H.O. STONE'S SUBDIVISION OF ASTOR'S ADDITION TO CHICAGO IN SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2: AN EXCLUSIVE RIGHT TO USE "P-2" AS A LIMITED COMMON ELEMENT AS SHOWN ON EXHIBIT "A" AND CONTAINED IN THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 27353176 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly known as: 1320 N. Astor Street, Unit #4, Chicago, Illinois 60610.
Permanent Index Number: 17-03-106-030-1005

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EXHIBIT B

[ATTACHED]

**COOK COUNTY
RECORDER OF DEEDS**

Property of Cook County Clerk's Office

**COOK COUNTY
RECORDER OF DEEDS**

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(Rev. 02/24/05) CCG N002

Order

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, CHANCERY DIVISION

1320 N. ASTOR CONDOMINIUM ASSOCIATION
 v.
 ALAN SHOELSON
 ALAN SHOELSON
 v.
 1320 N. ASTOR ST. CONDO ASSOCIATION, et al

Plaintiff.
 Defendant.
 Counterplaintiff
 Counterdefendants

No. 2009 CH 11522 consolidated
 with 2013 MI 705355 and
 2017 MI 717484

ORDER

THIS CAUSE comes to be heard on request for approval of Custodian Report #8 (and the Pomeroy/NOH portion of Report #7) & the Custodian's Motion for Instructions regarding November 19, 2008 Order in 17 CH 11531; the Custodian's application for common law receiver's lien; and Katalina Groh's Motion for Reconsideration of January 25, 2019 possession order in 2017 MI 717484; the parties having appeared through counsel; and the Court having heard argument and been otherwise advised in the premises.

IT IS HEREBY ORDERED that:

1. Custodian Report #8 and 7 are approved in respect to the Seth Pomeroy/NOH report and Alan Shoelson's objections thereto are overruled for reasons stated from the bench;
2. Custodian Report #8 is otherwise approved subject to further petition by the Custodian for approval of fees and expenses in respect to changes stated in Report #8;
3. Custodian's motion for instructions is denied for reasons stated from the bench;
4. Custodian's application for common law receiver's lien for Custodian's fees and expenses (including attorney's fees) to date exclusive of amounts previously paid with the proceeds from settlement of the Association's lawsuit against the Broderick insurance agency is granted minus pro tunc to the date of the application (1/25/19) subject to adjudication of the Custodian's petition for approval of fees and costs not already approved by the Court;

Attorney No.: 42420
 Name: M. Brown/MS Bar Saltzman
 Atty. for: Custodian
 Address: 271 N. LaSalle St.
 City/State/Zip: Chicago IL 60601
 Telephone: 312.372.2211

5. Katalina Groh's Motion for Reconsideration is continued to May 6, 2019 at 9:30 a.m.

6. The Association shall file its response to the Counterclaim in 2017 MI 71748 by May 2, 2019.
 Dated: _____

7. This matter is continued for further status on May 6, 2019 at 9:30 a.m. without further notice in continuation Judge's No 2008.

ENTERED
 JUDGE SANJAY TAILOR-1670
 APR 05 2019
 DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 DEPUTY CLERK