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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

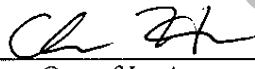
DATE: 04/10/2019 03:42 PM PG: 1 OF 4

## 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 real estate commonly known as 1320 N. Astor, Unit #3, Chicago, Illinois 60611 and more fully described in *Exhibit A* ("Property"), 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 \$69,500.20, in addition to outstanding legal fees and expenses in the amount of \$60,621.59, all of which is due and owing from the legal and/or beneficial owner of the Property. Therefore, as of April 5, 2019, the amount of this lien, equaling the combined total outstanding balance owed to Phoenix by the legal and/or beneficial owner of the Property 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 \$130,121.79.

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

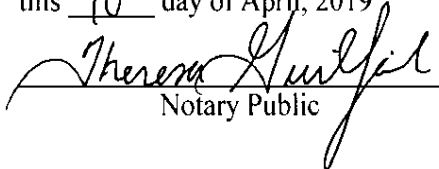
By:   
One of Its Attorneys

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



UP

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## EXHIBIT A

### Legal Description

#### 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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EXHIBIT B

[ATTACHED]

Property of Cook County Clerk's Office

**COOK COUNTY  
RECORDER OF DEEDS**

**COOK COUNTY  
RECORDER OF DEEDS**

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Order (Rev. 02/24/05) CCG N002

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

1320 N. ASTOR CONDOMINIUM ASSOCIATION  
 v. Plaintiff  
 ALAN SCHOELSON Defendant  
 v. Counterplaintiff  
 1320 N. ASTOR ST. CONDO ASSOCIATION, et al  
 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 Powers/NOH portion of Report #7); the Custodian's Motion for Instructions regarding November 19, 2018 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~~ <sup>revised</sup> in respect to the Seth Powers/NOH report and Alan Schoelson'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 charges 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 more or less to the date of the application (1/25/19) subject to adjudication of the Custodian's petition for approval of fees and expenses not already approved by the Court;

Attorney No.: 42120  
 Name: M. Bayan / M. Bay Saltzman  
 Atty. for: Custodian  
 Address: 221 N. La Salle 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 of Judge's No. 2008.

**ENTERED**  
 JUDGE SANJAY TAILOR-1870  
 APR 05 2019  
 DOROTHY BROWN  
 CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 DEPUTY CLERK