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Doc# 1920616010 Fee \$46.00

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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 07/25/2019 10:10 AM PG: 1 OF 5

**SUBCONTRACTOR'S
NOTICE AND CLAIM FOR
LIEN PURSUANT TO
ILLINOIS COMPILED
STATUTES, CHAPTER 770,
SECTION 60/24**

**TO: SEE ATTACHED
SERVICE LIST**

The Claimant, **NELSON
INSULATION COMPANY, an**

Amount Claimed: \$114,657.00

Illinois corporation, of Lake Zurich, County of Lake, State of Illinois, hereby files this Notice and Claim for Lien against **GEMS AMERICAS, INC.** ("Owner"); **GEMCHI (IL), LLC** ("Owner"); **GEMS CHICAGO, INC. d/b/a GEMS WORLD ACADEMY CHICAGO** ("Tenant"); **POWER CONSTRUCTION COMPANY, LLC** ("General Contractor"); **CECCHIN PLUMBING & HEATING, INC.** ("Subcontractor") and **ALL UNKNOWN OWNERS AND NON-RECORD CLAIMANTS**, and any person or entity claiming an interest in the Property (as hereinafter defined) by, through, or under Owner, Tenant, General Contractor, and Subcontractor, and states:

That at all relevant times, the Owner owned the following described Land in the City of Chicago, County of Cook, State of Illinois, and legally described as follows:

PARCEL 1: LOT 22 (EXCEPT THE EAST 2.00 FEET THEREOF) TOGETHER WITH THE EAST 41.60 FEET OF LOT 15 (AS MEASURED PERPENDICULARLY TO THE EAST LINE OF LOT 15, SAID EAST LINE BEING ALSO THE WEST LINE OF SAID LOT 22), ALL IN LAKESHORE EAST SUBDIVISION, BEING A SUBDIVISION OF PART OF THE LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, SAID ADDITION BEING IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LAKESHORE EAST SUBDIVISION RECORDED MARCH 4, 2003 AS DOCUMENT 0030301045, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE WESTERLY 125.00 FEET OF LOT 5, AS MEASURED PERPENDICULARLY TO THE WEST LINE OF LOT 5, IN LAKESHORE EAST SUBDIVISION, BEING A SUBDIVISION OF PART OF THE LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, SAID ADDITION BEING IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT OF SAID LAKESHORE EAST SUBDIVISION RECORDED MARCH 4, 2003 AS DOCUMENT 0030301045, IN COOK COUNTY, ILLINOIS.

Commonly known as: GEMS World Academy – Phase 2, 355 East Wacker Drive,
Chicago, Illinois 60601

PIN No.: 17-10-318-081-0000, 17-10-318-083-0000 and
Part of 17-10-318-071-0000, Volume 510

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hereinafter referred to as the "Property".

Upon information and belief, on or before November, 2018, GEMS AMERICA, INC. and/or GEMCHI (IL), LLC, as Owner, authorized or knowingly permitted GEMS CHICAGO, INC. d/b/a GEMS WORLD ACADEMY CHICAGO, as Tenant, to enter into a certain construction agreement (the "General Contract") with POWER CONSTRUCTION COMPANY, LLC, as General Contractor, whereby General Contractor agreed to provide certain labor, material and work at the Property (the "Project"), the exact terms and conditions of said General Contract are unknown to Claimant, the same being in the exclusive knowledge and possession of the parties thereto.

Upon information and belief, in or before November, 2018, General Contractor, being then engaged in the construction of said Project and for the purpose of carrying out and performing the terms of its General Contract with the Owner and/or Tenant, engaged the services of CECCHIN PLUMBING & HEATING, INC., as Subcontractor, whereby Subcontractor agreed to provide certain labor, material and work at the Project, the exact terms and conditions of said engagement are unknown to Claimant, the same being in the exclusive knowledge and possession of the parties thereto.

That on or about November 1, 2018, Subcontractor, being then engaged in the construction of said Project and for the purpose of carrying out and performing the terms of its engagement with the General Contractor, entered into a purchase order with Claimant, whereby Claimant was to furnish certain labor, equipment and materials to install the insulation and firestop system at the Project for the sum of *One Hundred Ninety-One Thousand Four Hundred Forty-Eight Dollars (\$191,448.00)*.

Pursuant to the special instance and request of the Owner and/or Tenant and/or General Contractor and/or Subcontractor, Claimant was engaged to provide certain extra labor, materials, tools and equipment to the Project in the amount of *One Thousand Four Hundred Ninety-Eight 96/100 Dollars (\$1,498.96)*, thereby resulting in an adjusted contract price of *One Hundred Ninety-Two Thousand Nine Hundred Forty-Six 96/100 Dollars (\$192,946.96)*.

Pursuant thereto, Claimant furnished and delivered certain labor, materials, tools and equipment to the Owner, Tenant, General Contractor and Subcontractor at the Project in the total amount of *One Hundred Thirty-Seven Thousand Three Hundred Eighty-Nine and 96/100 (\$137,389.96)*, all of which was used in the above Project.

The last day Claimant supplied the work, labor and materials to the Project was May 10, 2019, at which time Claimant ceased work at the Project due to Subcontractor's failure to pay for amounts due and owing.

That as of the date hereof, Owner, Tenant, General Contractor and Subcontractor are entitled to credits and payments in the amount of *Twenty-Two Thousand Seven Hundred Thirty-Two and 96/100 (\$22,732.96)*, leaving due and owing to Claimant the sum of ***One Hundred Fourteen Thousand Six Hundred Fifty-Seven Dollars (\$114,657.00)***, for which, with interest, the Claimant claims a lien on said Property, Project and improvements thereon and on the monies, bonds and/or warrants or other considerations due or to become due from Owner and/or Tenant to the General

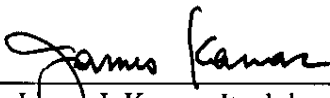
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Contractor under said General Contract and from the General Contractor to Subcontractor pursuant to its engagement with the Subcontractor, as well as court costs and legal fees pursuant to *Illinois Compiled Statutes*, Chapter 770, Section 60/17.

NOTICE TO THE OWNER, TENANT AND GENERAL CONTRACTOR: DO NOT PAY THE SUBCONTRACTOR FOR THIS WORK OR MATERIAL UNLESS YOU HAVE RECEIVED FROM THE CLAIMANT A WAIVER OF LIEN, OR OTHER SATISFACTORY EVIDENCE OF PAYMENT TO THE CLAIMANT.

DATED: July 9, 2019

NELSON INSULATION COMPANY, Claimant,

By: 
James J. Karras, Its duly authorized agent
and attorney-in-fact

This document has been prepared by and after recording should be returned to:

*James J. Karras, Esquire
KELLY & KARRAS, LTD.
1010 Jorie Boulevard, Suite 100
Oak Brook, Illinois 60523
(630) 575-0202*

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VERIFICATION

JAMES J. KARRAS, being first duly sworn on oath, states that he is the duly authorized agent and attorney-in-fact of Claimant, NELSON INSULATION COMPANY, an Illinois corporation, that he is authorized to sign this Verification of the foregoing **Subcontractor's Notice and Claim for Lien** Pursuant to Illinois Compiled Statutes, Chapter 770, Section 60/24, that he has read the above and foregoing Subcontractor's Notice and Claim for Lien, and that the statements set forth therein are true and correct to the best of his knowledge and belief.

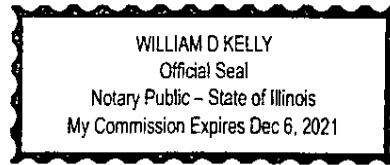


JAMES J. KARRAS

SUBSCRIBED AND SWORN to before me
this 9TH day of July, 2019.



NOTARY PUBLIC



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CERTIFICATE OF SERVICE

I, **JAMES J. KARRAS**, an attorney, hereby certify and state that I served the attached Subcontractor's Notice and Claim for Lien on:

GEMS AMERICAS, INC.
c/o Cogency Global, Inc.
850 New Burton Road, Suite 201
Dover, Delaware 19904

POWER CONSTRUCTION COMPANY, LLC
c/o Scott Kapp
444 West Lake Street, Suite 900
Chicago, Il 60606

GEMCHI (IL) LLC
c/o Illinois Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703

CECCHIN PLUMBING & HEATING, INC.
c/o David J. Bressler, Registered Agent
2300 Cabot Drive, Suite 505
Lisle, IL 60532

GEMS CHICAGO, INC. d/b/a GEMS
WORLD ACADEMY CHICAGO
c/o Cogency Global, Inc.
600 Second Street, Suite 404
Springfield, IL 62704

by depositing a copy thereof in the U.S. mail at 010 Jorie Boulevard, Suite 100, Oak Brook, Illinois 60523, to every person named above via certified mail, return receipt requested, delivery limited to the addressee only on the 1st day of July, 2019, before 5:00 p.m. with proper postage prepaid.



JAMES J. KARRAS