

# UNOFFICIAL COPY

## SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

Doc#: 2023807399 Fee: \$55.00  
Edward M. Moody  
Cook County Recorder of Deeds  
Date: 08/25/2020 02:48 PM Pg: 1 of 2

STATE OF ILLINOIS  
COUNTY OF COOK

Dunaway Brothers Inc.,  
d/b/a DBI Painting,  
Claimant

VS

ARC PTSCHIL001, LLC;  
24 Hour Fitness USA, Inc.;  
Axiom Construction Company, LLC;  
and all other(s) owning or claiming an interest in the hereinafter-described real property,  
Defendants

### NOTICE AND CLAIM FOR LIEN IN THE AMOUNT OF **\$202,178.63**

THE CLAIMANT, Dunaway Brothers Inc., d/b/a DBI Painting, 189 Poplar Place, Unit 1, North Aurora, Illinois, hereby files a notice and claim for mechanics lien, as hereinafter more particularly stated, against Axiom Construction Company, LLC, a contractor as defined in Section 1 of the Illinois Mechanics Lien Act, 1219 Wunsche Loop, Spring, Texas, and against ARC PTSCHIL001, LLC, and 24 Hour Fitness USA, Inc., and all other(s) owning or claiming an interest in the hereinafter-described real property and states:

THAT, at all relevant times, ARC PTSCHIL001, LLC, and 24 Hour Fitness USA, Inc., and all other(s) owning or claiming an interest in the hereinafter-described real property, or any of them, was (were) the owner(s) of, or owned an interest subject to a claim for lien pursuant to the Illinois Mechanics Lien Act in, the following-described real property, to-wit:

Lots 1, 2 and 4, except those parts of said Lots 1 and 2 taken for public right-of-way, in Prairie Town Center, being a subdivision of part of the northwest fractional quarter of Section 19, Township 41 North, Range 10 east of the Third Principal Meridian, in Cook County, Illinois.

Parcel Numbers:      07-19-105-010-0000                      07-19-105-011-0000                      07-19-105-012-0000  
                                 07-19-105-013-0000                      07-19-105-014-0000

Property Address:      141 North Barrington Road, Schaumburg, Illinois 60194

THAT, on September 5, 2019, Claimant entered into a subcontract with the said Axiom Construction Company, LLC, to install framing, drywall and acoustical ceiling tile for the afore-described real property of a value of and for the sum of **\$515,000.00**.

THAT, at the subsequent request of the said Axiom Construction Company, LLC, and further pursuant to the said subcontract, Claimant repaired walls and acoustical ceiling tile, performed carpentry, and performed additional installation of framing, drywall and acoustical ceiling tile for the afore-described real property of a value of and for the sum of **\$80,263.75**.

THAT, on March 19, 2020, Claimant substantially completed all required of Claimant pursuant to the said subcontract.

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## SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

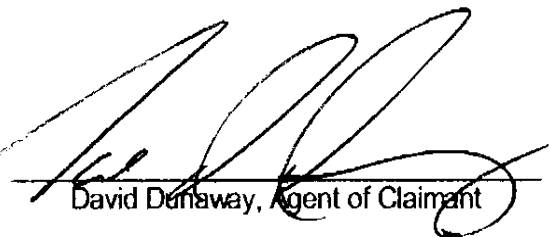
THAT Claimant has received **\$393,085.12** pursuant to the said subcontract.

THAT Claimant herewith revokes and rescinds waiver(s) of lien, if any, heretofore furnished.

THAT the said Axiom Construction Company, LLC, was authorized or knowingly permitted by the owner(s) of the afore-described real property to enter into its subcontract with Claimant pursuant to the said Axiom Construction Company, LLC's contract with the said owner(s), or one(s) authorized or knowingly permitted by the said owner(s) to enter into such a contract, to improve the afore-described real property.

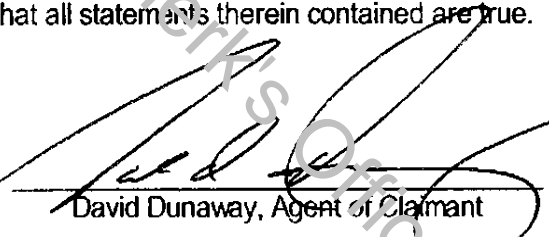
THAT neither Axiom Construction Company, LLC, nor any other party has made any further payment or is entitled to any credit, leaving due, unpaid and owing to Claimant the balance of **\$202,178.63**, for which, with interest at the statutory rate of 10% per annum, as specified in the Illinois Mechanics Lien Act, and all other applicable statutory and equitable remedies, Claimant claims a lien on the afore-described real property and improvements, including the interest of 24 Hour Fitness USA, Inc., therein, and on the material, fixtures, apparatus or machinery furnished, and on the moneys or other considerations due or to become due from the owner(s), or 24 Hour Fitness USA, Inc., or its (their) agent(s), under the original contract.

PROPER OF COOK COUNTY CLERK'S OFFICE

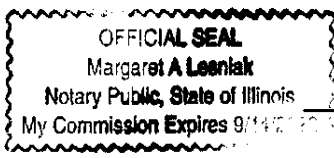
  
\_\_\_\_\_  
David Dunaway, Agent of Claimant

STATE OF ILLINOIS )  
                                  )  SS  
COUNTY OF KANE  )

THE AFFIANT, David Dunaway, being first duly sworn, on oath deposes and says that he is an agent of Claimant, that he has read the foregoing Subcontractor's Notice and Claim for Mechanics Lien, knows the contents thereof, and that all statements therein contained are true.

  
\_\_\_\_\_  
David Dunaway, Agent of Claimant

Subscribed and sworn to before me this 14<sup>th</sup> day of July, 2020.



  
\_\_\_\_\_  
Margaret A. Leoniak  
Notary Public

Mail To:

David Dunaway  
DBI Painting  
189 Poplar Place, Unit 1  
North Aurora, Illinois 60542

Prepared By:

Stephen M. Goba  
Illinois Document Preparation Co.  
601 South Ahrens Avenue  
Lombard, Illinois 60148