



Doc# 2120319039 Fee \$46.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/22/2021 03:53 PM PG: 1 OF 5

PREPARED BY, RECORDING  
REQUESTED BY AND RETURN TO:

NAME: Bradley D. Birgé  
COMPANY: Bradley Daniel Birgé, P.C.  
ADDRESS: 79 West Monroe Street  
Chicago, Illinois 60603

**SUBCONTRACTOR'S MECHANICS  
LIEN NOTICE AND CLAIM**

STATE OF ILLINOIS )  
) SS.  
COUNTY OF COOK )

The undersigned claimant, **BM International Builders, Inc.**, by Volodymyr Barabakh, president, of the City of Chicago, County of Cook, State of Illinois (the "Claimant"), hereby claims a Contractor's mechanics lien pursuant to the Mechanics Lien Act of the State of Illinois, 770 ILCS 60/1, *et seq.* against **The Oasis of Bucktown, LLC** ("Owner"), **First Midwest Bank, Amalgamated Bank of Chicago, Old National Bank, Ella Bernshtam** ("Lenders"), **I & M Construction I Corp.** (General Contract/Debtor), **The City of Chicago** and any Unknown Owners and Non-Record Claimants, regarding the property commonly known as 1700, 1702, 1704, 1706, 1710, 1712, and 1714 North Western Avenue, County of Cook, State of Illinois, and states as follows:

1. The Owner now holds title either in fee simple or in the form of a leasehold or other financial facility, mortgage, covenant, common access easement or otherwise to the Property described as follows:

**Commonly Known Address:** 1700, 1702, 1704, 1706, 1710, 1712, and 1714 North Western Avenue, Chicago, Illinois 60647;

**Permanent Real Estate Index Number (P.I.N.):** 13-36-424-045-0000, 13-36-424-046-0000, 13-36-424-047-0000 and 13-36-424-048-0000 and 13-36-424-044-0000, 13-36-424-042-0000, 13-36-424-043-0000

**Legal Description:**

PARCEL 1:

LOT 20 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT

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PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 19 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOT 22 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.

PARCEL 4:

LOT 23 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.

PARCEL 5:

LOT 24 AND 25 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.

PARCEL 6:

LOT 21 IN OSWALD AND JAEGER'S SUBDIVISION OF BLOCK 5 IN JOHNSTON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT

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PART LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL WITH EAST LINE OF SAID SECTION 36 CONVEYED TO THE CITY OF CHICAGO), IN COOK COUNTY, ILLINOIS.


2. On or about September 26, 2019, **Anthony Staggs** as the authorized representative of **I & M Construction I Corp.** the duly authorized agent of **The Oasis of Bucktown, LLC** executed a written contract dated September 26, 2019, in which Claimant was retained by **I & M Construction I Corp.** and knowingly permitted by the Owner, to perform work on the Property to provide masonry labor, materials and related services including application of masonry sealer (the "Contracted Work") at the Property located at 1700, 1702, 1704, 1706, 1710, 1712, and 1714 North Western Avenue, Chicago, Illinois 60647 in consideration of the promise of **Anthony Staggs** as the authorized representative of **I & M Construction I Corp.** the duly authorized agent of **The Oasis of Bucktown, LLC** to pay the sum of one million, one hundred and one thousand-six hundred dollars and zero cents (\$1,101,600.00), during the course of the construction project, an authorized representative of **I & M Construction I Corp.**, **Damien Irwin** or another authorized agent, requested Claimant provide additional masonry services or materials not originally contemplated in the September 26, 2019 contract, due to no fault of **BM International Builders, Inc.**, nor performed gratuitously on Claimant's part, but in consideration of the offer of **The Oasis of Bucktown, LLC** to pay an additional thirty-five thousand, nine hundred-fifty dollars and zero cents (\$35,950.00) which after giving credit to **I & M Construction I Corp.** the duly authorized agent of **The Oasis of Bucktown, LLC** for payments received, work excused and/or work left incomplete in the amount of \$1,024,550.00, there is a balance due and owing of **One hundred-thirteen thousand dollars and zero cents (\$113,000.00)**.
3. On or about April 2, 2021, Claimant performed one hundred percent (100%) of all Contracted Work and extras it was allowed to complete under the terms of and in accordance with the specifications of the written contract in that the Claimant performed those services on the Property which were necessary to complete the described work to improve the Property.
4. All of the labor furnished and delivered by Claimant was to improve the Property, and the last of such services was furnished, delivered and performed, as contemplated under the Contract, along with any extra work, on April 2, 2021.
5. There is now justly due and owing the Claimant after allowing to **I & M Construction I Corp.** and the Owners all credits, deductions, payments and offsets, the amount of **One hundred-thirteen thousand dollars and zero cents (\$113,000.00)** plus interest at the rate specified in the Illinois Mechanics Lien Act since April 2, 2021.
6. Claimant now claims a lien on the above-described Property, and on all of the improvements thereon, against the **I & M Construction I Corp.**, Owner and all persons interested therein for the outstanding amount currently due of **One hundred-thirteen thousand dollars and zero cents (\$113,000.00)**, after deductions of all payments and credits, plus interest at the rate specified in the Illinois Mechanics Lien Act as well as court costs and attorneys' fees.

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STATE OF ILLINOIS )  
                                  )     SS.  
COUNTY OF COOK    )

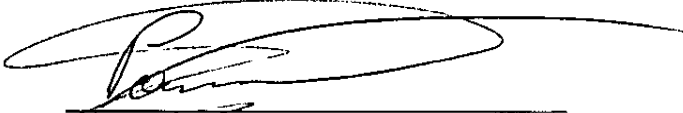
### CERTIFICATION

The Affiant, Volodymyr Barabakh, president of **BM International Builders, Inc.**, of the City of Chicago, County of Cook, State of Illinois, being first duly sworn, on oath deposes and states he is one of the principals of **BM International Builders, Inc.**, that the affiant has read the foregoing Subcontractor's Claim for Mechanics Lien and knows the contents thereof; and that the statements therein contained are true to the best of affiant's knowledge.

By:   
\_\_\_\_\_  
Volodymyr Barabakh, president of  
**BM International Builders, Inc.**

Subscribed and Sworn to Before me this

21<sup>st</sup> Day of July, 2021

  
\_\_\_\_\_  
Notary Public

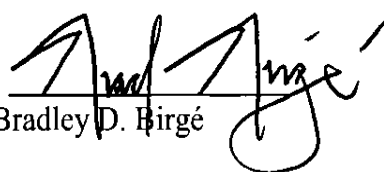


### CERTIFICATE OF SERVICE PROOF OF SERVICE BY MAIL

I, Bradley Daniel Birgé, certify that I served this Claim for Mechanics Lien by mailing a copy by certified mail, return receipt requested and restricted delivery to the below-named individuals at the addresses listed below by depositing same in the U.S. mail at the U.S. Postal Service at the United States Postal Service Office located at 211 South Clark Street, Chicago, Illinois 60604 by 5:00 p.m. on July ~~21~~ 22, 2021 with proper postage prepaid.

Under penalties as provided by law pursuant to 735 ILCS 5/1-109 I, Bradley D. Birgé, attorney, certifies that the statements set forth in this Proof of Service are true and correct.

Date: July 22, 2021

Signed:   
\_\_\_\_\_  
Bradley D. Birgé

# UNOFFICIAL COPY

The Oasis of Bucktown, LLC  
1700 North Western Avenue  
Chicago, Illinois 60622  
Attention: Gene Bernshtam

The Oasis of Bucktown, LLC  
7864 West Oak Leaf Avenue  
Elmwood Park, Illinois 60707  
Attention: Giuseppe Arato

The Oasis of Bucktown, LLC  
1103 North Western Avenue  
Chicago, Illinois 60622  
Attention: Yelena Bernshtam

The Oasis of Bucktown, LLC  
1103 North Western Avenue  
Chicago, Illinois 60622  
Attention: Gene Bernshtam

I & M Construction I Corp.  
19 South LaSalle Street, Suite 900  
Chicago, Illinois 60603  
Attention: Steven Melitz

I & M Construction I Corp.  
4523 North Milwaukee Avenue  
Chicago, Illinois 60630  
Attention: Alan McNea

Ella Bernshtam  
1000 Hoffman Lane  
Riverwoods, Illinois 60015

First Midwest Bank  
725 Waukegan Road  
Deerfield, Illinois 60015  
Attention: Brian Ruos

Amalgamated Bank of Chicago  
30 North LaSalle Street  
Chicago, Illinois 60602  
Attention: Robert M. Wrobel

Old National Bank  
One Main Street  
Evansville, Indiana 47708  
Attention: Michael Scudder

The City of Chicago  
121 North LaSalle Street, Room 107  
Chicago, Illinois 60602  
Attention: Ann M. Valencia

Abbasi Real Estate, LLC  
950 Lee Street, Suite 202  
Des Plaines, Illinois 60016  
Attention: Scott H. Greenberg, CPA

Abbasi Real Estate, LLC  
3057 North Troy Street, Unit 1  
Chicago, Illinois 606018  
Attention: Mohammed K. Abbasi

City of Chicago Department of Law  
121 North LaSalle Street, Suite 600  
Chicago, Illinois 60602  
Attention: Real Estate and Land Use  
Division

Law Offices of Sam V. P. Banks  
221 North LaSalle Street, 38<sup>th</sup> Floor  
Chicago, Illinois 60601  
Attention: Sara Barnes

Land Equities, LLC  
7864 West Oak Leaf Avenue  
Elmwood Park, Illinois 60707  
Attention: Giuseppe Arato