



Doc# 2315034010 Fee \$45.00

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 05/30/2023 10:23 AM PG: 1 OF 4

CONTRACTOR'S NOTICE AND CLAIM FOR LIEN

41 North Contractors, LLC, of the Village of Lisle, County of DuPage, State of Illinois (hereinafter "Claimant"), hereby files a claim for lien against the Real Estate, as hereinafter described, and against the interest of the following entities in the Real Estate: Fabio Viviani Enterprises, LLC ("Owner's Agent"), 26 Easton Way, Hainesport, NJ 08036; Fabio Viviani Enterprises, LLC, c/o Registered Agent, Fabio Viviani, 6 Jennifer Court, Barrington, IL 60010; DEKA USA Property Two LP ("Owner"), 7 Penn Plaza, Ste. 210, New York, NY 10001; DEKA USA Property Two LP, c/o Deka Real Estate Inc., 1330 Avenue of the Americas, New York, NY 10019; DEKA USA Property Two LP, c/o Registered Agent, Illinois Corporation Service Company, 801 Adlai Stevenson Dr., Springfield, IL 62703; Sperry Van Ness, LLC, 940 W. Adams St., Ste. 200, Chicago, IL 60607; Sperry Van Ness, LLC, c/o Registered Agent, David B.H. Williams, 221 N. LaSalle St., Ste. 3700, Chicago, IL 60601; Bayerische Landesbank, Brienner StraBe 18, 80333 Munich, Germany; Bayerische Landesbank, c/o Registered Agent, Corporation Service Company, 1180 Avenue of the Americas, Ste. 210, New York, NY 10036; CIBC Bancorp USA, Inc., c/o Registered Agent, Illinois Corporation Service Company, 801 Adlai Stevenson Dr., Springfield, IL 62703; John R. Morreale, Inc. c/o Registered Agent, E. Paul Lanphier, 568 Spring Road, Ste. B., Elmhurst, IL 60126; Thor Equities, LLC, 25 W. 39th Street, 11th Flr., New York, NY 10018; Thor Equities, LLC, c/o Registered Agent, United Corporate Services, Inc., 901 S. 2nd Street, Ste. 201, Springfield, IL 62704; Thor 905 W Fulton Owner LLC, 25 W. 39th Street, 11th Flr., New York, NY 10018; Thor 905 W Fulton Owner LLC c/o Registered Agent, United Corporate Services, Inc., 901 S. 2nd Street, Ste. 201, Springfield, IL 62704 and any other person or entity claiming an interest in the Real Estate by, through, or under the Owner(s).

That on or about June 29, 2022 and subsequently thereafter, DEKA USA Property Two LP owned the following described Real Estate in the County of Cook, State of Illinois (the "Real Estate"):

<u>Common Address</u>	<u>PIN</u>	<u>Legal Description</u>
905 W. Fulton Market	17-08-424-004-0000	See Attached.
Chicago, IL 60607	17-08-424-010-0000	See Attached.
	17-08-424-011-0000	See Attached.
	17-08-424-019-0000	See Attached.
	17-08-424-020-0000	See Attached.

Claimant entered into a contract (hereinafter "Contract") with Owner and/or Owner's Agent to make improvements upon the Real Estate, under which Claimant agreed to serve as the General Contractor for the construction of a restaurant/dessert shop and other improvements commonly known as JARS Sweets & Things (the "Project") for the original Contract amount of \$239,890.78.

Claimant performed additional work outside the scope of the Contract in the amount of \$39,890.78.

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The following amounts are due under the Contract:

Original contract amount	\$ 239,890.78
Change orders/extras (approved)	\$ 39,354.00
Change orders/extras (pending)	\$ 0
Credits	\$ 0
Work Not Yet Performed	\$ 0
Payments to date	<u>\$ 59,646.48</u>
Total balance due:	\$ 219,598.29

All of the labor, materials, supplies, equipment, tools and services furnished by Claimant for the Project were furnished with the knowledge, authorization and consent of Owner, or Owner authorized or knowingly permitted said labor, materials, supplies, equipment, tools and services to be provided, or in the alternative said labor, materials, supplies, equipment, tools and services were furnished with the knowledge, authorization and consent of Owner's Agent, or Owner's Agent authorized and knowingly permitted said labor materials, supplies, equipment, tools and services to be provided, all with the knowledge and consent of the Owner.

Claimant last furnished labor or materials to the Real Estate on January 31, 2023.

There is due unpaid and owing to Claimant, after allowing all credits and other allowances, the principal sum of \$219,598.29, which principal amount bears interest at the statutory rate of 10% per annum. Claimant claims a lien on the Real Estate, including all land and improvements thereon, and against all persons and entities interested in the Real Estate, including against all beneficial interests, if any, in the amount of \$219,598.29.

To the extent permitted by law, all waivers of lien heretofore given by Claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by Claimant on part, but not all of the amounts claimed due hereunder shall not operate to invalidate this instrument.

41 NORTH CONTRACTORS, LLC

By: _____

Ty Macko, Manager

Prepared by and Return to:


Brian J. Armstrong, Esq.
 Luetkehans, Brady, Garner & Armstrong, LLC
 105 E. Irving Park Road
 Itasca, IL 60143
 Email: bj@lbgalaw.com
 Main: (630) 773-8500
 Direct: (630) 760-4604

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STATE OF ILLINOIS)
) SS
COUNTY OF DuPAGE)

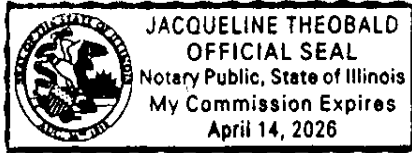
The affiant, Ty Macko, being first duly sworn, on oath deposes and says that he is Claimant's Manager; that he has read the foregoing Claim for Lien and knows the contents thereof, and that all the statements therein contained are true and accurate.

41 NORTH CONTRACTORS, LLC

By: 
Ty Macko, Manager

SUBSCRIBED and SWORN to before me
this 30 day of May, 2023.


NOTARY PUBLIC



Property of Cook County Clerk's Office

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LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE SOUTH 3/4 OF LOTS 1 AND 2, IN BLOCK 21 IN CARPENTER'S ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AFORESAID SOUTH 3/4 OF LOTS 1 AND 2; THENCE WEST ALONG THE NORTH LINE OF AFORESAID SOUTH 3/4, A DISTANCE OF 100.81 FEET TO A POINT IN THE WEST LINE OF AFORESAID LOT 2; THENCE SOUTH 0 DEGREES 04 MINUTES 30 SECONDS WEST IN THE WEST LINE OF AFORESAID LOT 2, A DISTANCE OF 25.94 FEET TO A POINT IN THE NORTH FACE OF A ONE STORY BRICK BUILDING; THENCE NORTH 89 DEGREES 33 MINUTES EAST ALONG THE NORTH WALL OF AFORESAID ONE STORY BRICK BUILDING, A DISTANCE OF 30.47 FEET, THENCE DUE SOUTH ALONG THE EAST FACE OF AFORESAID BRICK BUILDING, A DISTANCE OF 4.21 FEET TO THE NORTH FACE OF A BRICK BUILDING; THENCE NORTH 89 DEGREES 48 MINUTES EAST ALONG THE NORTH FACE OF A 3 STORY BRICK BUILDING, A DISTANCE OF 70.33 FEET TO A POINT IN THE EAST LINE OF AFORESAID LOT 1; THENCE NORTH 0 DEGREES 6 MINUTES EAST IN THE EAST LINE OF LOT 1, A DISTANCE OF 29.67 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 AND 2 (EXCEPT THE SOUTH 3/4 OF SAID LOTS) IN BLOCK 21 IN CARPENTERS ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 7 AND 8 IN BLOCK 21 IN CARPENTER'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THE SOUTH 3/4 OF LOTS 1 AND 2 IN BLOCK 21 IN CARPENTER'S ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT THE NORTHEAST CORNER OF AFORESAID SOUTH 3/4 OF LOTS 1 AND 2; THENCE DUE WEST ALONG THE NORTH LINE OF AFORESAID SOUTH 3/4, A DISTANCE OF 100.81 FEET TO A POINT IN THE WEST LINE OF AFORESAID LOT 2; THENCE SOUTH 0 DEGREES 04 MINUTES 30 SECONDS WEST IN THE WEST LINE OF AFORESAID LOT 2, A DISTANCE OF 25.94 FEET TO A POINT IN THE NORTH FACE OF A ONE STORY BRICK BUILDING; THENCE NORTH 89 DEGREES 33 MINUTES EAST ALONG THE NORTH WALL OF AFORESAID 1 STORY BRICK BUILDING, A DISTANCE OF 30.47 FEET; THENCE DUE SOUTH ALONG THE EAST FACE OF AFORESAID BRICK BUILDING A DISTANCE OF 4.21 FEET TO THE NORTH FACE OF A BRICK BUILDING; THENCE NORTH 89 DEGREES 48 MINUTES EAST ALONG THE NORTH FACE OF A 3 STORY BRICK BUILDING, A DISTANCE OF 70.33 FEET TO A POINT IN THE EAST LINE OF AFORESAID LOT 1; THENCE NORTH 0 DEGREES 6 MINUTES EAST IN THE EAST LINE OF LOT 1, A DISTANCE OF 29.67 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCELS 1, 2, 3, AND 4, TAKEN AS A TRACT, ARE ALSO KNOWN AS:

LOTS 1, 2, 7, AND 8 IN BLOCK 21 OF CARPENTER'S ADDITION TO CHICAGO, IN THE SOUTHEASTQUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 905 W. Fulton Market, Chicago, IL 60607

PINS: 17-08-424-004-0000;17-08-424-010-0000; 17-08-424-011-0000; 17-08-424-019-0000;17-08-424-020-0000