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IN THE OFFICE OF THE
RECORDER OF DEEDS FOR
COOK COUNTY, ILLINOIS



Doc# 2325134067 Fee \$48.00

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 09/08/2023 03:52 PM PG: 1 OF 7

CLAIM FOR MECHANICS LIEN

THE UNDERSIGNED CLAIMANT, Heidelberg Materials Midwest Agg, Inc. (f/k/a Hanson Aggregates Midwest, Inc.), an affiliate and subsidiary of Heidelberg Materials US, Inc. (f/k/a Lehigh Hanson, Inc.) ("Claimant"), a Kentucky corporation whose principal office is located at 300 East John Carpenter Freeway, Suite 1645, Irving TX 75062, hereby records a Claim for Mechanics Lien against Wind Creek IL LLC, with its principal address located at 1200 Shermer Road, Northbrook, Illinois ("Owner"), O'Neil-Bowa, LLC, a joint venture between W.E. O'Neil Construction Co. and The Bowa Group Inc., with an office located at 1245 W. Washington Blvd., Chicago IL ("Joint Venture"), W.E. O'Neil Construction Co. with an office located at 1245 W. Washington Blvd., Chicago, IL ("W.E. O'Neil"), The Bowa Group Inc. with an office located at 7050 S. Stony Island, Chicago, IL ("Bowa"), Dynamic Wrecking & Excavation Inc. with an office located at 16260 Louis Ave., Unit 1247, South Holland, IL ("Dynamic"), The Potomac Group, Inc. with an office located at 8707 Skokie Blvd, Suite 305, Skokie, IL ("Potomac"), and, all other persons or entities having or claiming an interest in the below described real estate, and in support thereof states as follows:

1. Upon information and belief, through a deed recorded on April 26, 2022, Owner became the record property owner of the following described real estate and improvements in Cook County, Illinois, commonly known as 17218-17220 S. Halsted Street, East Hazel Crest, Illinois 60429, 900 W. 174th Street, East Hazel Crest, Illinois 60429, 17400 Halsted Street, Homewood, Illinois 60430, and 920 W. 175th Street, Homewood, Illinois 60430:

See legal description attached hereto as Exhibit A

and having the following Permanent Index Numbers: 29-29-404-009-0000, 29-29-404-010-0000, 29-29-404-011-0000, 29-29-404-013-0000, 29-29-409-013-0000, 29-29-409-025-0000, 29-29-411-026-0000, 29-29-411-027-0000 (referred to herein as the "Property").

2. Upon information and belief, Owner either (a) on its own, or, (b) by and through an agent or someone knowingly authorized by Owner to enter into agreements related to the improvement of the Property, entered into a construction contract ("General Contract") with the Joint Venture, or, alternatively, with either W.E. O'Neil or Bowa individually (collectively

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“General Contractor”) for General Contractor to furnish labor, material and equipment to construct a casino on the Property (the “Project”).

3. After the General Contract was entered into, the General Contractor entered into a first-tier subcontract with either Potomac or Dynamic, to furnish and provide certain labor, material and equipment to perform excavation and site improvement work for the construction of the Project, including without limitation, the removal and dumping of certain onsite soils and materials and the replacement with aggregate materials installed on the Project site (the “First Tier Subcontract”).

4. If General Contractor entered into a subcontract with Potomac, then Potomac entered into a second-tier subcontract with Dynamic for Dynamic to furnish and provide certain of the labor, material and equipment to perform excavation and site improvement work for the construction of the Project, including without limitation, the removal and dumping of certain onsite soils and materials and the installation of aggregate materials on the Project site (the “Second Tier Subcontract”).

5. Subsequent to the formation of the Second Tier Subcontract, and pursuant to an approved credit application between Dynamic and Claimant which allows Dynamic to order materials and other services from Claimant on credit, Dynamic purchased aggregate and related materials, as well as dumping services for materials removed from the Project site, via purchase orders from Claimant between February 1, 2023 and May 12, 2023 as part of the construction of the Project.

6. Claimant furnished the aggregate and related materials and provided the dumping services ordered by Dynamic as part of the construction of the Project. The aggregate and related materials were delivered to and used in the improvement of the Property as part of the construction of the Project. The dumping services were provided as part of the site excavation and improvement services included in the construction of the Project.

7. Claimant substantially completed its furnishing of materials and services on May 12, 2023. Claimant is owed Two Hundred Seventy-Seven Thousand Three Hundred Eighteen Dollars and Seventy-Five Cents (\$277,318.75), which amount reflects the price and value of the materials and services furnished by Claimant to improve the Property. All of Claimant’s materials and services have been incorporated into or used in the construction and improvement of the Property, thereby improving that Property.

8. Accordingly, Claimant claims a mechanics lien on and against the Property and all improvements located thereon, and on the monies or other considerations (a) due or to become due to General Contractor from the Owner, (b) due or to become due to Potomac or Dynamic from General Contractor, and (c) due or to become due to Dynamic from Potomac, in the amount of Two Hundred Seventy-Seven Thousand Three Hundred Eighteen Dollars and Seventy-Five Cents (\$277,318.75) plus statutory interest under Illinois Mechanics Lien Act 770 ILCS 60/1 *et. al.*

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9. 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.

Heidelberg Materials Midwest Agg, Inc.

By: Blake Hall

Print Name: Blake Hall

Print Title: Senior Portfolio Risk Manager

Property of Cook County Clerk's Office

VERIFICATION

STATE OF TEXAS)

) SS

COUNTY OF DALLAS)

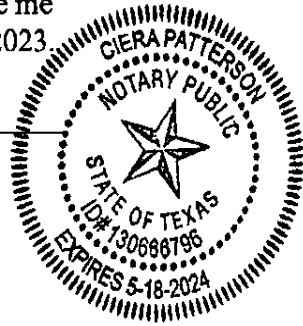
The affiant, Blake Hall, being duly sworn, on oath deposes and says that he is the Senior Portfolio Risk Manager of Claimant, that he has read the foregoing Claim for Mechanics Lien, and that the matters alleged therein are true and correct in substance and fact to his best knowledge and belief, except such matters and things as are set forth herein on information and belief, and that as to such matters and things he believes them to be true.

Blake Hall

Blake Hall, Senior Portfolio Risk Manager

Subscribed and sworn to before me this 6 day of September, 2023.

Ciera Patterson
Notary Public



Prepared by and return to:
Ryan A. Hiss
Laurie & Brennan LLP
2 N. Riverside Plaza, Suite 1750
Chicago, IL 60606
(312) 445-8768

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EXHIBIT A – PROPERTY LEGAL DESCRIPTION

Property of Cook County Clerk's Office

COOK COUNTY CLERK OFFICE
RECORDING DIVISION
118 N. CLARK ST. ROOM 120
CHICAGO, IL 60602-1387

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EXHIBIT "A"
TO
SPECIAL WARRANTY DEED

LEGAL DESCRIPTION

PARCEL 1:

LOT 3, 4 5 AND THE EAST 74.24 FEET OF LOT 2 (AS MEASURED ALONG THE SOUTHERLY LINE THEREOF) IN EAST HAZEL CREST COMMERCIAL, BEING A SUBDIVISION OF THE SOUTH 28 ACRES OF THE NORTH 38 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29 TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 200 OF HOMEWOOD COURT SUBDIVISION, BEING A SUBDIVISION AND RESUBDIVISION OF PART, OF THE SOUTH 20 ACRES OF THE NORTH 58 ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER 0934519091 IN COOK COUNTY, ILLINOIS,

EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 200: THENCE SOUTH 89 DEGREES, 11 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 200 A DISTANCE OF 210.82 FEET, TO A BEND; THENCE NORTH 75 DEGREES 13 MINUTES 51 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF LOT 200 A DISTANCE OF 76.61 FEET; THENCE NORTH 84 DEGREES 18 MINUTES 50 SECONDS EAST 285.90 FEET, TO THE EAST LINE OF SAID LOT 200; THENCE SOUTH 0 DEGREES 28 MINUTES 51 SECONDS EAST ALONG SAID EAST LINE OF LOT 200 A DISTANCE OF 44.88 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF A LINE 1963.94 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, WITH A LINE 83.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, AS MEASURED ON THE NORTH LINE THEREOF, (SAID POINT OF BEGINNING BEING ALSO THE POINT OF INTERSECTION OF A WEST LINE OF THE NORTHERN ILLINOIS STATE TOLL HIGHWAY PARCEL NO. T-FA*-18.01 WITH THE SOUTH LINE OF THE NORTHERN ILLINOIS STATE TOLL HIGHWAY PARCEL NO. T-1W-502); THENCE (THE FOLLOWING THREE (3) COURSES BEING ON TWO (2) WEST LINES AND ON A NORTH LINE OF THE NORTHERN ILLINOIS STATE TOLLWAY PARCEL NO. T-1-A*-18.1) SOUTH 00 DEGREE, 00 MINUTE, 00 SECOND EAST, A DISTANCE OF 4.62 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTE, 00 SECOND EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 00 DEGREE, 00 MINUTE, 00 SECOND WEST, A DISTANCE OF 425.38 FEET; THENCE NORTH 90 DEGREES, 00 MINUTE, 00 SECOND WEST ON A LINE PERPENDICULAR TO THE LAST DESCRIBED

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COURSE, A DISTANCE OF 617.08 FEET TO A POINT ON A LINE 667.08 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE NORTH 00 DEGREE, 00 MINUTE, 00 SECOND EAST ON THE LAST DESCRIBED LINE, A DISTANCE OF 320.00 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTE, 00 SECOND EAST, A DISTANCE OF 24.00 FEET TO A POINT ON A LINE 643.08 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE NORTH 00 DEGREE, 00 MINUTE, 00 SECOND EAST ON THE LAST DESCRIBED LINE, A DISTANCE OF 172.96 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHERN ILLINOIS TOLL HIGHWAY PARCEL NO. T-I-A-501.2); THENCE NORTH 89 DEGREES, 41 MINUTES, 20 SECONDS EAST ON THE LAST DESCRIBED LINE, A DISTANCE OF 1.35 FEET TO THE MOST WESTERLY CORNER OF THE NORTHERN STATE TOLL HIGHWAY PARCEL NO. T-I-A'-502; THENCE (THE FOLLOWING TWO (2) COURSES BEING ON THE SOUTHWESTERLY AND SOUTH LINE OF SAID PARCEL NO. T-I-A'- 502) SOUTH 74 DEGREES, 44 MINUTES, 59 SECONDS EAST, A DISTANCE OF 246.02 FEET; THENCE NORTH 89 DEGREES, 41 MINUTES, 20 SECONDS EAST, A DISTANCE OF 321.38 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE EAST 25.00 FEET THEREOF, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 4

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN,, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1 IN M-R BANK SUBDIVISION AS RECORDED, THENCE NORTH 00 DEGREES 19 MINUTES 02 SECONDS EAST 99.55 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID LOT 1 EXTENDED NORTH TO A POINT ON THE NORTH LINE OF LOT 1 IN MATTESON RICHTON BANK SUBDIVISION, AS RECORDED, EXTENDED WESTERLY; THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST ALONG SAID LINE AS EXTENDED 203.91 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID LOT 1 IN MATTESON RICHTON BANK SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1 IN MATTESON RICHTON BANK SUBDIVISION A DISTANCE OF 99.55 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF LOT 1 IN M-R BANK SUBDIVISION, AFORESAID; THENCE NORTH 89 DEGREES 40 MINUTES 58 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 1 IN M-R BANK SUBDIVISION 203.91 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers:

29-29-404-009-0000
(Affects Lot 3 in Parcel 1)

29-29-411-026-0000
(Affects part of Parcel 2)

29-29-404-010-0000
(Affects Lot 4 in Parcel 1)

29-29-411-027-0000
(Affects part of Parcel 2)

~~29-29-303~~⁴⁰⁴-011-0000
(Affects Lot 5 in Parcel 1)

29-29-404-013-0000
(Affects part of Lot 2 in Parcel 1)

29-29-409-013-0000
(Affects Parcel 3)

29-29-409-025-0000
(Affects Parcel 4)

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EXHIBIT "A"
TO
SPECIAL WARRANTY DEED

LEGAL DESCRIPTION
(CONTINUED)

Addresses:

1721E -17220 S. Halsted Street, East Hazel Crest, Illinois 60429
900 W. 174th Street, East Hazel Crest, Illinois 60429

17400 Halsted Street, Homewood, Illinois 60430
920 W. 175th Street, Homewood, Illinois 60430

COOK COUNTY CLERK OFFICE
RECORDING DIVISION
118 N. CLARK ST. ROOM 120
CHICAGO, IL 60602-1387

Property of Cook County Clerk's Office