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2409907017

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Doc# 2409907017 Fee \$46.00

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KAREN A. YARBROUGH

COOK COUNTY CLERK'S OFFICE

DATE: 4/8/2024 12:32 PM

PAGE: 1 OF 5

NAME: Bradley D. Birgé
COMPANY: Bradley Daniel Birgé, P.C.
ADDRESS: 77 West Washington Street
Suite 1705 Chicago, Illinois 60603
Bradleybirge@gmail.com
(312) 593-4062

MECHANICS LIEN CLAIM

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned claimant, **Mosaic Construction LLC d/b/a Cannabis Facility Construction**, of the Village of Northbrook, County of Cook, State of Illinois (the "Claimant"), by Andy Poticha, Manager, 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 **Oak Forest Leaf, LLC** ("Owner"), **Island Thyme, LLC** ("Tenant" or "Debtor"), **Onyx Architectural Services, Inc.** ("Architect"), **Columbia Sheet Metal Works, Inc.** ("Claimant"), any Unknown Owners and Non-Record Claimants, regarding the property commonly known as 5940 West 159th Street, Village of Oak Forest, County of Cook, State of Illinois, 60452 (the "Property") and states as follows:

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:

Permanent Real Estate Index Number (P.I.N.): 28-17-401-025-0000

Legal Description:

THAT PART OF THE WEST ½ OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 13 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER ½ OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID WEST ½ OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, 555.16 FEET; THENCE WEST 197.35 FEET; THENCE SOUTHEASTER 1/4, 552.81 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE EASTERLY ALONG

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SAID SOUTH LINE, 197.16 FEET TO THE POINT OF BEGINNING (EXCEPTING THAT PART TAKEN FOR 159TH STREET AND ALSO EXCEPTING THE NORTH 130 FEET THEREOF, HAVING BEEN CONVEYED BY DEED RECORDED AS DOCUMENT NUMBER 92161243), ALL IN SECTION 17, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

On or about April 18, 2023, **Oak Forest Leaf, LLC** by and through its authorized agent, knowingly permitting **Island Thyme, LLC** by and through its duly authorized agent, Raymond P. Cantelo to enter into a contract (the "Contract") with Claimant to perform construction management services (the "Services") in consideration of the offer **Island Thyme, LLC** to pay Claimant Seven hundred, eighty thousand, nine hundred and seventy-five dollars and forty-two cents (**\$780,975.42**) to perform the Services at the Property located at 5940 West 159th Street, Oak Forest, Illinois, 60452 (the "Contracted Work"), and during the course of the Contracted Work, **Island Thyme, LLC** by and through its duly authorized agent, Raymond P. Cantelo offered to purchase additional work and/or services from Claimant (the "Extras") which included additions and deductions in the amount of Five hundred and twenty-three thousand, one hundred, seventy-seven dollars and fifteen cents (**\$523,177.15**) for the extra construction services, with labor being performed and material being delivered for incorporation into the Property (the "Extra Work") which said Extra Work was not originally contemplated by the parties when the Contracted Work was agreed to be performed, and for which the Extra Work was not due to the fault of Claimant, nor was the extra work to be performed gratuitously, but rather due to **Island Thyme, LLC's** duly authorized agent, Raymond P. Cantelo who made such specific requests, for a total consideration for the Contracted Work and the Extra Work in the amount of One million, three hundred and four thousand, one hundred, fifty-two dollars and fifty-seven cents (**\$1,304,152.57**).

On December 9, 2023, Claimant performed one hundred percent (100%) of all Contracted Work and Extra Work under the terms of and in accordance with the specifications of the Contract and the Extras in that the Claimant performed those services on the Property which were necessary to complete the improvement of the Property. All of the construction services furnished, performed and delivered by Claimant were to improve the Property, and the last of such services were furnished, performed and delivered, as contemplated under the Contract and the Extras on December 9, 2023. There is now justly due and owing the Claimant by **Island Thyme, LLC**, the knowingly permitted agent, servant or employee of the Owner, and also owed by **Oak Forest Leaf, LLC**, after all credits, deductions, payments and offsets paid, in the amount of One million, fifty-two thousand, two hundred, eighteen dollars and sixteen cents (**\$1,052,218.16**) which leaves a balance due and owing to Claimant in the amount of Two hundred, Fifty-one thousand, nine hundred, thirty-four dollars and forty-one cents (**\$251,934.41**) plus interest at the rate specified in the Illinois Mechanics Lien Act since December 9, 2023.

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Claimant now claims a lien on the above-described Property, and on all of the improvements thereon, against **Oak Forest Leaf, LLC, Island Thyme, LLC, Columbia Sheet Metal Works, Inc.** and any Unknown Owners and Non-Record Claimants and all persons interested therein for the outstanding amount currently due of **\$251,934.41**, 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.

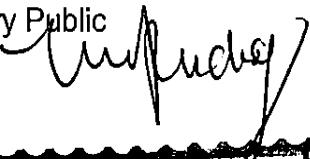

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

CERTIFICATION

The Affiant, Andy Poticha, Manager for **Mosaic Construction LLC d/b/a Cannabis Facility Construction**, of the County of Cook, State of Illinois, being first duly sworn, on oath deposes and states he is one of the principals of **Mosaic Construction LLC d/b/a Cannabis Facility Construction**, that the affiant has read the foregoing Contractor'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.

Subscribed and Sworn to Before me this
4th Day of April, 2024

By: 
Andy Poticha, Manager for
Mosaic Construction LLC d/b/a Cannabis Facility Construction

Notary Public



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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 or about 211 South Clark Street, Chicago, Illinois 60604 by 5:00 p.m. on April 8, 2024 with proper postage prepaid. Under penalties as provided by law pursuant to 735 ILCS 5/1-109 I, **Bradley D. Birgé**, an attorney, certifies that the statements set forth in this Proof of Service are true and correct.

Date: April 8, 2024

Signed: 
Bradley D. Birgé, an attorney for
 Mosaic Construction LLC d/b/a
 Cannabis Facility Construction

SERVICE LIST

Oak Forest Leaf, LLC
 SAS Corporate Services, Inc.
 9501 West 144th Place, Suite 205
 Orland Park, Illinois 60462-2563
 Attention: Adam Berger

Oak Forest Leaf, LLC
 142 Augusta Drive
 Palos Heights, Illinois 60463
 Attention: Laurance Garetto, Manager

Island Thyme, LLC
 3520 South Morgan Street, Suite 222-24
 Chicago, Illinois 60609
 Attention: Erica Kirkwood

Island Thyme, LLC
 142 Augusta Drive
 Palos Heights, Illinois 60463
 Attention: Laurance Garetto, Manager

Oak Forest Leaf, LLC
 13916 Greenwood Avenue
 Blue Island, Illinois 60406
 Attention: Raymond Cantelo, Manager

Oak Forest Leaf, LLC
 142 Augusta Drive
 Palos Heights, Illinois 60463
 Attention: Michael Philippi, Manager

Island Thyme, LLC
 3520 South Morgan St. Ste. 222-24
 Chicago, Illinois 60609
 Attention: Cornelius Griggs

Island Thyme, LLC
 13916 Greenwood Avenue
 Blue Island, Illinois 60406
 Attention: Raymond Cantelo, Manager

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Onyx Architectural Services, Inc.
9033 South Constance Street
Chicago, IL 60617
Attention: Victor E Simpkins

Onyx Architectural Services, Inc.
750 North Franklen
Chicago, Illinois 60654
Attention: Gary L. Matthews

Island Thyme – Be. Oak Forest Dispensary
5940 West 159 Street
Oak Forest, Illinois 60452

Columbia Sheet Metal Works, Inc.
560 Green Bay Road, Suite 100
Winnetka, Illinois 60093-2260

Attention: Raymond Cantelo

Attention: Michael J. Melander

Columbia Sheet Metal Works, Inc.
5491 Northwest Highway
Chicago, Illinois 60630

Attention: David J. Swanson

Property of Cook County Clerk's Office