

10/1/96 No. 90859 Liens/verde

STATE OF ILLINOIS

COUNTY OF COOK

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

NOTICE AND CLAIM OF MECHANIC'S LIEN

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DEPT-01 RECORDING \$16.50
 T#7777 TRAN 0849 10/11/96 16:18:00
 #0550 ÷ RH *-96-781464
 COOK COUNTY RECORDER

EARTH, INC., an Illinois corporation

Claimant,

-vs-

VERDE LUZ CONSTRUCTION, INC., an Illinois corporation, Sub Contractor; RITE-WAY CONSTRUCTION SERVICES, INC., an Illinois corporation, General Contractor; ALERT CONSTRUCTION COMPANY, an Illinois corporation, General Contractor; CHICAGO TITLE & TRUST, an Illinois corporation U/T No. 1099363, Dated June 7, 1977, Owner; UNICOM THERMAL TECHNOLOGIES, INC., an Illinois corporation, Owner; NORTHWIND, Owner; FIRST NATIONAL BANK OF CHICAGO, Mortgagee; CONTINENTAL BANK, N.A., Mortgagee, n/k/a Bank of America Illinois; R.M. CHIN & ASSOCIATES, INC., an Illinois corporation, Construction Manager; Unknown Others and Non-Record Claimants.

NOTICE TO OWNER DO NOT PAY THE CONTRACTOR

FOR THIS WORK OR MATERIAL DELIVERED UNLESS YOU HAVE RECEIVED FROM CONTRACTOR A WAIVER OF LIEN BY, OR OTHER SATISFACTORY EVIDENCE OF PAYMENT TO SUBCONTRACTOR OR MATERIAL MAN."

Amount Claimed: \$62,796.30

EARTH, INC., NOTICE AND CLAIM OF MECHANIC'S LIEN

The Claimant, EARTH, INC., located at 810 Arlington Heights Road, Itasca, IL 60143; Sub-sub Contractor for the construction project of the real estate described below, hereby files a Notice and Claim for Lien against VERDE LUZ CONSTRUCTION, INC., an Illinois corporation, Sub Contractor; RITE-WAY CONSTRUCTION

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SERVICES, INC., an Illinois corporation, General Contractor; ALERT CONSTRUCTION COMPANY, an Illinois corporation, General Contractor; CHICAGO TITLE & TRUST, an Illinois corporation U/T No. 1099363, Dated June 7, 1977, Owner; UNICOM THERMAL TECHNOLOGIES, INC., an Illinois corporation, Owner; NORTHWIND, Owner; FIRST NATIONAL BANK OF CHICAGO, Mortgagee; CONTINENTAL BANK, N.A., Mortgagee, n/k/a Bank of America Illinois; R.M. CHIN & ASSOCIATES, INC., an Illinois corporation, Construction Manager;. That CHICAGO TITLE & TRUST, an Illinois corporation U/T No. 1099363, Dated June 7, 1977, Owner; UNICOM THERMAL TECHNOLOGIES, INC., an Illinois corporation, Owner; NORTHWIND, Owner; are the Owners for the construction project being constructed on real estate as legally described hereafter.

That on or about the 19th day of April 1996, CHICAGO TITLE & TRUST, an Illinois corporation U/T No. 1099363, Dated June 7, 1977, Owner; UNICOM THERMAL TECHNOLOGIES, INC., an Illinois corporation, Owner; NORTHWIND, Owner; are the owners in fee simple of the following described land in Cook County, Illinois, and Claimant, EARTH, INC., was the Owners' Sub-Sub-contractor for the improvement thereof to wit:

and commonly known as 300 West Congress or 400 South Franklin, Chicago, Illinois, P.I.N. 17-16-237-001, 17-16-237-002; 17-16-237-003, 17-16-237-0004 and 17-16-237-005,

PARCEL 1:

THE SOUTHERLY 1/2 OF LOT 48, ALL OF LOTS 49, 50, 53, AND 54, THE STRIP FORMERLY ALLEY, BETWEEN LOT 50 AND LOTS 53 AND 54, AND THE WEST 1/2 OF THE STRIP, FORMERLY ALLEY, BETWEEN LOT 50 AND LOTS 51 AND 52, ALL IN RUSSELL'S SUBDIVISION OF BLOCK 90 IN SCHOOL SECTION ADDITION TO CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE EAST 1/2 OF THAT PART OF SAID VACATED ALLEY LYING NORTH OF THE SOUTH LINE, EXTENDED WESTWARD, OF LOT 52 AFORESAID, AND SOUTH OF THE NORTH LINE, EXTENDED EASTWARD, OF SAID LOT 50, ALL IN SAID RUSSELL'S SUBDIVISION OF BLOCK 90 IN SCHOOL SECTION ADDITION TO CHICAGO.

PARCEL 2:

THE SOUTHERLY 1/2 OF LOT 47, THE NORTHERLY 1/2 OF LOT 48, ALL OF LOTS 51 AND 52, AND ALL OF LOTS 75 TO 81, BOTH INCLUSIVE, ALL IN RUSSELL'S SUBDIVISION OF BLOCK 90 IN SCHOOL SECTION ADDITION TO CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;

ALSO

LOTS 1 TO 10, BOTH INCLUSIVE, IN WADSWORTH'S RESUBDIVISION OF LOTS 82, 83, 44, 45, 46 AND THE NORTH 1/2 OF LOT 47 IN RUSSELL'S SUBDIVISION OF BLOCK 90 AFORESAID;

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ALSO

ALL OF THE VACATED ALLEYS ADJOINING SAID LOTS AND PARTS OF LOTS IN SAID RUSSELL'S SUBDIVISION AND IN SAID WADSWORTH'S RESUBDIVISION, AND LYING NORTH OF THE NORTH LINE, AND SAID NORTH LINE EXTENDED EASTWARDLY, OF LOT 50 IN RUSSELL'S SUBDIVISION AFORESAID, ALL IN COOK COUNTY, ILLINOIS.

That on or about the 19th day of April, 1996, EARTH, INC., made a written contract with VERDE LUZ CONSTRUCTION, INC., whereby Claimant furnished time, labor, materials and services for excavation, trucking and grading to said improvement, and that on the 11th day of August 1996, Claimant, EARTH, INC., completed its obligations required by its contract to be done.

That the Claimant alleges upon information and belief that a sworn statement has been submitted to the Owners or their agents and that said sworn statements are in writing and contain the names of the persons furnishing material and labor for and in said improvement, and that the Claimant's name and the correct amount due Claimant for the work described above has not been properly included in this sworn statement.

That said Claimant, EARTH, INC., pursuant to a written contract for time and material of the original contract amount of \$24,700.00, plus all change orders in the amount of \$55,255.30, totalling \$79,955.30 and is entitled to \$17,159.00, credits leaving due, unpaid and owing to the Claimant the sum of \$62,796.30, for which, with interest, the Claimant claims a lien on said land and improvements, and on the monies or other consideration due or to become due from the Owners under said contract against General, the owners and all other parties of interest.

EARTH, INC.,

BY:


ERIC P. FERLEGER
Its Attorney and Agent

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ERIC P. FERLEGER, being first duly sworn on oath, deposes and states that he is the Attorney and agent of the Claimant; that he has read the foregoing Notice and Claim for Mechanic's Lien, knows the contents thereof and that the statements therein contained are true and that on the 10th day of October, 1996, he served this Notice and Claim for Mechanic's Lien by mailing copies thereof, certified and regular mail, return receipt requested, and depositing same in the U.S. Mail at 111 West Washington, Chicago, Illinois, Via Certified and Regular Mail to:

VERDE LUZ CONSTRUCTION, INC., an
Illinois corporation, Sub Contractor;
c/o R/A: John J. Chitkowski
1200 Jorie Blvd. Suite 329
Oak Brook, IL 60521

RITE-WAY CONSTRUCTION SERVICES, INC.,
an Illinois corporation, General Contractor;
c/o R/A: Emerson E. Blue
20 North Clark/Suite 2610
Chicago, IL 60602

ALERT CONSTRUCTION COMPANY, an
Illinois corporation, General Contractor;
c/o R/A: Matuszewich & Associates, C.P.
135 South LaSalle Street/Suite 1040
Chicago, IL 60602

CHICAGO TITLE & TRUST, an Illinois corporation
U/T No. 1099363, Dated June 7, 1977, Owner;
c/o R/A: Thomas J. Adams
171 North Clark Street/8th Floor
Chicago, IL 60601

UNICOM THERMAL TECHNOLOGIES, INC., an
Illinois corporation, Owner;
c/o R/A: David A. Scholz
One First National Plaza
Chicago, IL 60603

NORTHWIND, Owner;
30 West Monroe
Chicago, IL 60622

FIRST NATIONAL BANK OF CHICAGO, Mortgagee;
c/o: Terri Kelly
One First National Plaza
11th Floor
Chicago, IL 60670

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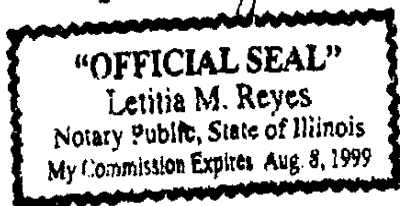
CONTINENTAL BANK, N.A., Mortgages;
n/k/a Bank of America Illinois
c/o agent William Udovich
231 South LaSalle Street
Chicago, IL 60697

R.M. CHIN & ASSOCIATES, INC., an Illinois
corporation, Construction Manager;
c/o R/A: Edward Y. Lau
30 North LaSalle Street/Suite 3400
Chicago, IL 60602


ERIC P. FERLEGER

Subscribed and Sworn to
before me this 10th day
of October, 1996.


Notary Public



THIS INSTRUMENT PREPARED BY:

ERIC P. FERLEGER
HELLER, SHAPIRO, FRISONE & FERLEGER
111 West Washington - Suite 1650
Chicago, IL 60602
312/236-3644

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