

UNOFFICIAL COPY

NOTICE AND CLAIM
FOR MECHANIC LIEN

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

. DEPT-01 RECORDING \$15.50
. T#0004 TRAN 6130 03/24/97 10:03:00
. #5462 LF *-97-199984
. COOK COUNTY RECORDER

97199984

PHOENIX BUILDERS, LTD.)
)
 Claimant)
)
 v.)
)
 1ST NATIONAL BANK OF WHEATON,)
 D. FRAZ & ASSOCIATES, ASPEN)
 EXTERIOR COMPANY, INC.,)
 and unknown owners and)
 unknown lien claimants)
 Defendants)

"NOTICE TO OWNER:
Do not pay the Contractor for
this work or material
delivered unless you have
received from the Contractor
a waiver of lien by, or other
satisfactory evidence of
payment to the Contractor."

AMOUNT CLAIMED: \$113,505.00

The Claimant PHOENIX BUILDERS, LTD., located at 4170 Winnetka Ave., Rolling Meadows, Cook County, Illinois, being a remodelling subcontractor for the construction project on the real estate described below, hereby files a Notice and Claim for Lien against 1ST NATIONAL BANK OF WHEATON (hereafter OWNER); D. FRAZ & ASSOCIATES (hereafter CONTRACTOR); ASPEN EXTERIOR COMPANY, INC., and unknown owners and unknown lien claimants, for the construction project on the real estate commonly known as 7757 W. Devon, Chicago, in the County of Cook, State of Illinois, and states:

That on about April 24, 1996, 1ST NATIONAL BANK OF WHEATON was the OWNER of record of the following described real property in the County of Cook, State of Illinois, to-wit:

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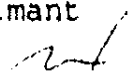
See legal description attached hereto as Exhibit "A"

Commonly known as: 7757 W. Devon, Chicago, Il.
P.I.N.: 12-01-105-073-0000

That on about April 24, 1996, CLAIMANT made an oral contract with CONTRACTOR, acting with the OWNER's knowledge and consent, by the terms of which contract CLAIMANT agreed to provide labor and material for construction of a one-story bank building on the subject property, and the CONTRACTOR agreed to pay CLAIMANT for said materials and labors the sum of \$87,666.00. During the course of CLAIMANT's performance on the contract, CONTRACTOR, acting with OWNER's knowledge and consent, requested CLAIMANT to perform additional work in order to construct a two-story bank building on the subject property. CONTRACTOR agreed to pay CLAIMANT the additional sum of \$69,418.00 for such extras. On December 20, 1996, the CLAIMANT last delivered material to the project.

That said CONTRACTOR is entitled to certain credits on account, leaving unpaid, due and owing to the CLAIMANT the sum of ONE HUNDRED THIRTEEN THOUSAND FIVE HUNDRED FIVE AND NO/100THS (\$113,505.00) DOLLARS, as and for the contract work performed, for which, with interest, the CLAIMANT claims a lien upon said land and improvements, and on the monies or other considerations due or to become due from the OWNER.

PHOENIX BUILDERS, LTD.
Claimant



One of Claimant's attorneys

97799984

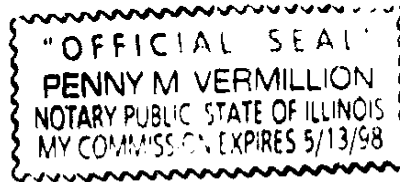
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VERIFICATION

I, David J. Axelrod, on oath state that I am the Claimant herein; that I have read the foregoing, know the contents thereof, and state that all the statements contained therein are true and correct, to the best of my knowledge and belief.

Subscribed and sworn
to before me on
14 March 1997

Notary Public

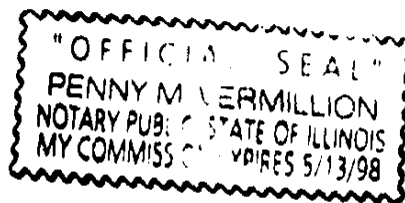


PROOF OF SERVICE BY MAIL

I, DAVID J. AXELROD, an attorney, on oath state that on March 14, 1997, I served this Notice and Claim for Lien by mailing a copy of said Notice by Certified Mail, Return Receipt Requested, to 1ST NATIONAL BANK OF WHEATON, 1151 Butterfield Rd., Wheaton, Il. 60187; D. FRAZ & ASSOCIATES, 321 Prospect, Wooddale, Il. 60191; ASPEN EXTERIOR COMPANY, INC., 1651 Rohlwing Rd., Rolling Meadows, Il. 60008; by depositing same in the U.S. Mail at Highland Park, Illinois, before 5:00 p.m.

Subscribed and sworn
to before me on
14 March 1997

Notary Public



Prepared by and Return to:
DAVID J. AXELROD & ASSOCIATES 34687
1921 St. Johns, Suite 230
Highland Park, Il. 60035
(847) 432-6300

MECHLN.CLM/ML\3

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Legal Description:

THE SOUTHERLY 125 FEET OF THE NORTHERLY 178 FEET LYING WESTERLY OF THE EASTERLY 100 FEET OF THE FOLLOWING DESCRIBED TRACT OF LAND: THAT PART OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN THAT IS BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST 1/4 1707.44 FEET EAST OF THE NORTHWEST CORNER THEREOF AND BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DECREE OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS ENTERED ON THE FIRST DAY OF JUNE 1898 IN A CERTAIN CAUSE ENTITLED "JOHN WINGERT VS FREDERICK GIFFERT ET AL GENERAL NUMBER 101998 RUNNING THENCE SOUTH IN A STRAIGHT LINE WHICH MAKES AN ANGLE WITH THE NORTH LINE OF SAID NORTHWEST 1/4 OF 88 DEGREES 40 MINUTES TO THE SOUTHWEST 272.30 FEET TO AN IRON PIPE ON THE EAST LINE OF THE TRACT OF LAND DESCRIBED IN SAID DECREE OF COURT; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST 1/4 347.88 FEET TO THE CENTER OF RIDGELAWN AVENUE (NOW KNOWN AS CANFIELD ROAD); THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID RIDGELAWN AVENUE (NOW KNOWN AS CANFIELD ROAD) 279.0 FEET TO THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE EAST ALONG SAID NORTH LINE 392.38 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH LINE OF SAID NORTHWEST 1/4 993.49 FEET WEST OF THE NORTHEAST CORNER THEREOF AND BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DECREE OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS IN CASE NUMBER 101998 AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF THE TRACT OF LAND DESCRIBED IN SAID DECREE 1418.40 FEET TO THE CENTER OF TALCOTT AVENUE; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF TALCOTT AVENUE 39.11 FEET TO A POINT 993.49 FEET WEST OF THE EAST LINE OF SAID NORTHWEST 1/4 AS MEASURED ON A LINE PARALLEL WITH THE NORTH LINE THEREOF; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4 TO THE POINT OF BEGINNING LYING SOUTH OF A LINE 50 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SECTION 1 AFORESAID, ALL IN COOK COUNTY, ILLINOIS

EXHIBIT A

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