SUB-CONTRACTOR NOFFICIAL COP

NOTICE & CLAIM FOR MECHANICS LIEN

1998-05-18 11:22:55 Cook County Recorder 15.50

STATE OF ILLINOIS

SS

COUNTY OF COOK

KUYPERS BROTHERS, INC. **CLAIMANT**

-VS-

98407575

LINCOLN WESTERN LLC CENTRUM PROPERTIES, INC. CENTRUM EQUITIES, INC. LEHMAN BROTHERS HOLDINGS, INC. LEHMAN CAPITAL SCHOENBORN PROPERTIES BOND DRUG COMPANY OF ILLINOIS WALGREEN CO. 204 CC LASALLE NATIONAL BANK CAPITOL CONSTRUCTION GROUP UNKNOWN OWNERS NON-RECORD CLAIMANTS

DEFENDANT

The claimant, KUYPERS BROTHERS, INC., an illinois Corporation ("Claimant"), hereinafter referred to as ("Kuypers"), with an address at 19001 S. Wolf Ed., Mokena, Illinois 60448, hereby files its Subcontractor's Notice and Claim for Mechanics Lien on the Real Estate (as hereinafter described) and on all funds held in connection with the improvements constructed on the Real Estate, and against Lincoln Western LLC, C/O Centrum Properties, Inc., and Centrum Equaties, Inc., attention Mr. John McLinden, Sr. Vice President, both of 566 W. Adams, Suite 505, Chicago, Illinois 60661, and against Lehman Brothers Holdings, Inc., and Lehman Capital, Attention: Mr. Donald Huber, of Three World Financial Center, 200 Vesey St., New York, New York, 10285, and against Schoe iborn Properties of 28W211 Camtigny Drive, Winfield, Illinois 60190, and against Bond Drug Company of Illinois, of 200 Wilmot Rd., Deerfield, Illinois 60015, and against Walgreen Co. whose registered agent is Allan M. Resnick, 200 Wilmot Road, Deerfield, Illinois 60015, {hereinafter referred to as Owner(s)} and against LaSalle National Bank of 135 S. LaSalle St., 12th Floor, Chicago, Illinois 60603, {hereinafter referred to as "Lender(s)" and against Capitol Construction Group, (General Contractor) of 1400 S. Wolf Rd., Building 100, Wheeling, Illinois 60090, and against Unknown Owners, and Non-Record Claimants, and against the interest of any person claiming an interest in the Real Estate (as hereinafter described) by, through or under Owner.

Claimant states as follows:

On or about June 24, 1997, Owners owned title to the real estate (including all land and improvements thereon) (the "Real Estate") in Cook County, Illinois, commonly known as: "Walgreens" located at 1401 Western Ave., Chicago Heights, Illinois, and legally described as follows:

(See Exhibit "A", Legal Description)

P.I.N. (S) 32-19-300-010, 32-19-300-011, 32-19-300-019, 32-19-300-020

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- 2. That Capitol Construction Group, ("Capitol") was Owner's general contractor for the improvements on the Real Estate.
- 3. That Capitol as general contractor, made a written subcontract with Knypers who agreed to provide concrete work, materials and labor to Capitol in exchange for payment in the original contract amount of Ninety Thousand Nine-Hundred and Sixty Dollars & 00/100, (\$90,960,00), (the "Subcontract").
- 4. The Subcontract was entered into between Capitol and Kuypers, with the full knowledge and consent of the Owner(s). Alternatively, the Owner(s) specifically authorized Capitol to enter into contracts for improvement of the Real Estate.
- 5. At the special instance and request of Capitol and with the full knowledge and express consent or acquiescence of Covner, Claimant furnished extra and additional materials and extra and additional labor on the Real Estate to the value of 4,739.00. Claimant completed providing the additional materials and labor at various time.
- 6. On February 23, 1998 Claimant completed and delivered, substantially all work and materials required to be performed under the Subcontract.
- 7. As of the date hereof, there is due, unpaid and owing to Claimant, after allowing credits for payments by Capitol, the balance of Eleven Thousand Nine-Hundred and Sixty-Eight Dollars & 00/100, (\$11,968.00), for which with interest, Claimant claims a lien on the Real Estate and on the monies or other considerations due or to become due from Owner to Capitol Construction Group.

Dated: May _//___, 1998

KUYPERS BROTHERS, INC.

/: ___

Fred A Kuypers President

W. Arthur

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VERIFICATION

State of Illinois

SS.

County of Will

1. Fred A. Kuypers, being first duly sworn on oath, depose and state that I am President for Claimant, Kuypers Brothers, Inc., an Illinois corporation, that I am authorized to execute this Subcontractor's Notice and Claim of Mechanics Lien on behalf of Claimant, that I have read the foregoing Subcontractor's Notice and Claim for Mechanics Lien and know the contents thereof, and the statements contained therein are and

Fred A. Kuypers, President

Subscribed and Sworn to before me this // day

of May 1998.

Noury Public

My Commission Expires:

124/98

Notary Seat

OFFICIAL SEAL
JACQUELYN R. KUYPERS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMUSSION EXPIRES 11:24-08

THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING SHOULD BE RETURNED TO:

Mr. Fred A. Kuypers Kuypers Brothers, Inc. 19001 S. Wolf Rd. Mokent, Illinois 60448

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EXHIBIT "A"
Legal Description

98407575

PARCEL I

LOT I (EXCEPT THAT PART THEREOF LYING WEST OF A LINE 50 FEET EAST OF THE WEST LINE OF SECTION 19 AND EXCEPT THE SOUTH 105 FEET THEREOF) AND LOT 8 (EXCEPT THE SOUTH 105 FEET AND THE EAST 58 FEET THEREOF) IN HILL TOP LAND COMPANIES SUBDIVISION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 25 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING FROM THE ABOVE DESCRIBED LAND, TAKEN AS A TRACT, THAT PORTION THEREOF BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF LOT 1; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID PORTION OF LOT 1 FOR A DISTANCE OF 62.62 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 133 DEGREES, 35 MINUTES 41 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDED FOR A DISTANCE OF 48 DEGREES, 18 MINUTES, 30 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED FOR A DISTANCE OF 106.84 FEET TO A POINT ON THE WEST LINE OF THE EAST 58 FEET OF SAID LOT 8; THENCE NORTHERLY ALONG SAID WEST LINE OF THE WEST LINE OF THE EAST 58 FEET, FOR A DISTANCE OF 19.98 FEET TO THE NORTH LINE OF SAID LOT 8; THENCE WESTERLY ALONG THE NORTH LINES OF LOTS 8 AND 1 FOR A DISTANCE OF 160.46 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 2

THE SOUTH 105 FEET OF LOTS I AND 8 (EXCEPT THE WEST 17 FEET OF LOT I AND EXCEPT THE EAST 18 FEET OF LOT 8) IN HILL TOP LAND COMPANIES SUBDIVISION, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 25 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 1/4, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 3

THE EAST 18 PHET OF LOT 8 (EXCEPT THE NORTH 167 PHET THEREOF) AND THE WAST 32 PHET OF LOT 9 (EXCEPT THE NORTH 167 PHET THEREOF) IN HILLTOP AND COMPANIES SUBDIVISION, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 25 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS,

COMMONLY KNOWN AS: 1401-1417 WESTERN AVE., CHICAGO HEIGHTS, ILLINOIS.

P.I.N. (S) 32-19-300-010, 32-19-300-011, 32-19-300-019, 32-19-300-020

ATTONOMICS.

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