



**SUBCONTRACTOR'S NOTICE
AND
CLAIM FOR MECHANIC'S LIEN**

VIA CERTIFIED MAIL R/R
Empire O'Hare Associates, L.P.
c/o Empire O'Hare Investors, Inc.
c/o CT Corporation System
208 South LaSalle Street
Chicago, Illinois 60604

VIA CERTIFIED MAIL R/R
OMS
c/o Scott Patterson, President
750 Kimball Park
Highland Park, Illinois 60035

VIA CERTIFIED MAIL R/R
Miller & Schroeder Investment Corporation
c/o Roger J. Wikner, CEO
220 South Sixth Street
Minneapolis, Minnesota 55402

VIA CERTIFIED MAIL R/R
Howard Johnson
c/o Dave Patel, General Manager
8201 West Higgins Road
Chicago, Illinois

VIA CERTIFIED MAIL R/R
Howard Johnson
c/o Mary Mahoney, President
339 Jefferson Road
Parseppany, New Jersey 07054

VIA CERTIFIED MAIL R/R
Babco Construction, Inc.
C/O Registered Agent
Lyle S. Genin
161 N. Clark Street, Ste. 2600
Chicago, Illinois 60601

The Claimant, **Duluth Environmental, Inc.**, subcontractor, claims a lien against **Empire O'Hare Associates, L.P.**, owner, **Miller & Schroeder Inv. Corp.**, mortgagee, **Howard Johnson's**, tenant, **OMS**, subcontractor, and **Babco Construction, Inc.**, contractor, stating as follows:

1. At all times relevant hereto and continuing to the present, Owner owned the following described land in the County of Cook, Village of Wilmette, State of Illinois, to wit:

Parcel: See attached

UNOFFICIAL COPY

P.I.N.: 12-02-412-010

which property is commonly known as 8201 West Higgins Road, Chicago, Illinois. On information and belief, said owner contracted with **Babco Construction, Inc.** for certain improvements to said premises.

2. On information and belief, subsequent thereto **Babco Construction, Inc.** entered into a subcontract with **OMS** for certain improvement to said premises.

3. Subsequent thereto, **OMS** entered into a subcontract with Claimant to provide labor. The Claimant completed its work under its subcontract, for which the amount of **One Hundred Thirty Thousand and 00/100 Dollars (\$130,000)** remains unpaid.

4. There is due, unpaid and owing to the Claimant, after allowing all credits, the sum of **One Hundred Thirty Thousand and 00/100 Dollars (\$130,000)** for which, with interest, the Claimant claims a mechanic's lien and hereby notifies the owner and other parties named above of its claim for a lien on said land and improvements and on the monies or other consideration due or to become due from the owner under said contract against said contractor, owner and others claiming an interest in said property.

DULUTH ENVIRONMENTAL, INC.

BY: 

ONE OF ITS ATTORNEYS

**THIS NOTICE WAS PREPARED BY AND
AFTER RECORDING SHOULD BE MAILED TO:**

James T. Rohlfing
Kori M. Bazanos
FRIEDMAN SINAR & ROHLFING
One East Wacker Drive
Suite 2420
Chicago, Illinois 60601

UNOFFICIAL COPY

LEGAL DESCRIPTION

PN(s): 12-02-412-010

Common Address: 8201 West Higgins Road, Chicago, Illinois

EXHIBIT "A"

Legal Description

That part of Lots 10 and 11 in Penoyer's and Others' Subdivision of Lots 1, 2, 3 and 4 in the Subdivision of the Estate of James Penoyer in Section 1, Section 2, Section 11 and Section 12, Township 40 North, Range 12, East of the Third Principal Meridian and that part of the Southeast 1/4 of said Section 2 lying South of the center line of Higgins Road and West of the West line of Original Lot 2 of the Subdivision of the Estate of James Penoyer aforesaid, described as follows: All that part of Lot 10 in the aforesaid Penoyer's and Others' Subdivision lying South of the south line of Higgins Road (as widened) and West of a line which is perpendicular to the south line of Higgins Road (as widened) at a point 105 feet Westerly of the east line of said Lot 10 (as measured along the south line of Higgins Road as widened) and lying North of a line described as follows: Beginning at a point in the east line of Lot 10, a distance of 140.21 feet South of the south line of Higgins Road (as widened) and extending Westerly to a point of ending in the west line of said Lot 10 which is 239.396 feet South of the south line of Higgins Road (as widened) all that part of Lot 11 in the aforesaid Penoyer's and Others' Subdivision lying South of the south line of Higgins Road (as widened) and East of a line which is perpendicular to the south line of Higgins Road (as widened) at a point 105.00 feet Easterly of the west line of said Lot 11 (as measured along the south line of Higgins Road as widened) and lying North of a line described as follows: Beginning at a point in the west line of said Lot 11, a distance of 208.40 feet South of the south line of Higgins Road (as widened) (said west line of Lot 11 having an assumed bearing of South); thence South 59 degrees, 27 minutes, 32 seconds East, a distance of 66.42 feet; thence South 70 degrees, 36 minutes, 51 seconds East, a distance of 178.64 feet; thence North 87 degrees, 15 minutes, 54 seconds East, a distance of 168.10 feet to a point ending in the east line of said Lot 11 which is 239.39 feet South of the south line of Higgins Road (as widened), in Cook County, Illinois.

Street Address: 8201 West Higgins Road, Chicago, Illinois.
Real Estate Tax Property Identification Number: 12-02-412-010-0001.

UNOFFICIAL COPY

VERIFICATION

The undersigned, Vari Buzzano, being first duly sworn, on oath deposes and states that he/she is an authorized representative of **Duluth Enviromental, Inc.**, that he/she has read the above and foregoing subcontractor's notice and claim for mechanic's lien and that to the best of his/her knowledge and belief the statements therein are true and correct.

Vari Buzzano

Property of Cook County Clerk's Office

SUBSCRIBED and SWORN to
before me this 16th day
of October, 1998.

Ronda C. Porter

NOTARY PUBLIC

