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

Carrie L. Berger Stein, Ray & Harris 222 West Adams Street, Suite 1800 Chicago, Illinois 60606 (312) 641-3700

0011197661				

### SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS	)	
70	)	SS
COUNTY OF COCK	)	

The claimant, Thornton-Tomasetti Group, Inc. (referred to herein as "Thornton-Tomasetti"), a New York corporation with an address at 14 East Jackson Boulevard, Suite 1100, Chicago, Illinois, 6(1604, hereby files its Subcontractor's Notice and Claim for Mechanic's 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 Nadel Architects, Inc. an Illinois corporation. Which has an office at 626 South Clark, Suite 900, Chicago, Illinois 60605 ("Nadel"), as Contractor and against the interest(s) of 400 North Orleans, LLC ("Owner"), and against the interest of any person claiming an interest in the Real Estate (as hereinafter described) by, inough, or under Owner.

#### Thornton-Tomasetti states as follows:

1. On or about November 15, 2000, Owner purchased from Tri Star Equities, Inc. ("Tri-Star") fee simple title to the real estate (including all lead and improvements thereon) (the "Real Estate") in Cook County, Illinois commonly known as 400 North Orleans, Chicago, Illinois 60610 and legally described as follows:

(See Legal Description and Real Estate Tax Numbers Attached as Exhibit A)

- 2. On or about November 15, 2000 and continuing thereafter, Owner owned fee simple title to the real estate.
- 3. On information and belief, Tri-Star the then-current owner of the Real Estate, made a contract with Nadel, as original contractor, for architectural services to be performed for the improvements on the Real Estate (the "Contract").

Pin Number: 17-09-256-005-0000

- 4. On or about October 17, 2000, Nadel made a written subcontract with Thornton-Tomasetti to provide all necessary labor and material to properly perform and fully complete structural engineering services as more fully described in the written contract, for improvements to the Real Estate in exchange for payment in the original amount of Forty Four Thousand One Hundred Sixty Dollars (\$44,160.00) (the "Subcontract").
- 5. The Subcontract was entered into by Nadel and the work was performed by Thornton-Tomasetti with the knowledge and consent of Owner and Tri-Star. Alternatively, Owner and Tri-Star specifically authorized or knowingly permitted Nadel and/or Nadel's agents to enter into contracts for improvement of the Real Estate. Alternatively, Owner and Tri-Star knowingly permitted Thornton-Tomasetti to perform work to improve the Real Estate.
- 6. At the special instance and request of Nadel and with the full knowledge and express consent of acquiescence of Owner and Tri-Star, Thornton-Tomasetti furnished extra and additional materials and extra and additional labor for the improvement of the Real Estate to the extent and value of Twenty Seven Thousand Eight Hundred Twenty Dollars (\$27,820.00).
- 7. Thornton-Tomasetti substantially completed work under the Subcontract on August 21, 2001.
- 8. As of the date hereof, there is due unpaid and owing to Claimant, after allowing all credits, Twenty Seven Thousand Eight Hundred Twenty Dollars (\$27,820.00), for which, with interest, Thornton-Tomasetti claims a lien on the Real Estate and on the monies or other consideration due or to become due to Nadel under any contract between Nadel and Owner or Nadel and any other entity authorized or knowingly permitted by Owner to make improvements to the Real Estate

Dated: December 17, 2001

THORNTON-TOMASETTI GROUP, INC.

Kharow Sowlat

Title: Senior Vice President

Pin Number: 17-09-256-005-0000

Property of Cook County Clerk's Office

0011197661

### **EXHIBIT A**

### PARCEL 1

LOT 15 (EXCEPT THE WEST 18 FEET) AND ALL OF LOT 16 IN BLOCK 2 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TODORAN OF COOK COUNTY CLORA'S OFFICE The Permanent Real Estate Tax Number of the Real Estate is 17-09-256-005-0000.

Pin Number: 17-09-256-005-0000

0011197661

STATE OF ILLINOIS )

SS.
COUNTY OF DUPAGE )

### **AFFIDAVIT**

Khosrow Sowlat, being first duly sworn, depose and state that I am authorized as Senior Vice President of Thornton-Tomasetti Group, Inc. to execute this Notice and Claim for Mechanics Lien on behalf of Thornton-Tomasetti Group, Inc., that I have read the foregoing Subcentractor's Notice and Claim for Mechanic's Lien and know the contents thereof, and that the statements contained therein are true.

**Knosrow Sowlat** 

Title: Senior Vice President

Subscribed and sworn to before me this /7 day of December, 2001.

Notary Public

MICHELE M HAGEN
NOTARY PUBLIC. STATE OF ILLINOIS
MY COMMOSSION EN SCHOOL STATE OF ILLINOIS

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

Carrie L. Berger Stein, Ray & Harris 222 West Adams, Suite 1800 Chicago, Illinois 60606 (312) 641-3700

Pin Number: 17-09-256-005-0000

Property of County Clerk's Office

### **CERTIFICATE OF SERVICE**

The undersigned, a non-attorney, on oath, depose and state that on December County Recorder of Deeds and served same by sending a duplicate original thereof to the following entities at the addresses indicated by (a) regular mail; and (b) certified mail, return receipt requested, delivery limited to addressee only.

#### Owner:

400 North Orleans, LLC 5304 West Devon Avenue Chicago, Illinois 60646

### **Contractor:**

To Coop Nadel Architects, Inc. 626 South Clark, Suite 900 Chicago, Illinois 60605 Attn: William Green

### Lender

Mid Town Bank and Trust Company of Chicago Lincoln Park Office 2021 North Clark Street Chicago, Illinois 60614-4794 Attn: Cleo Stames

#### Lender

Mid Town Development Corporation MTDC Main Office 2021 North Clark Street Chicago, Illinois 60614-4794 Attn: Cleo Stames

Subscribed and sworn to before me this / 7th day of December, 2001.

OFFICIAL SEA

BARBARA APPL HOWARD

NOTARY PUBLIC, STATE OF ILLINOIS

Pin Number: 17-09-256-005-0000