



Eugene "Gene" Moore Fee: \$20.50
Cook County Recorder of Deeds
Date: 08/04/2003 04:02 PM Pg: 1 of 6

THIS INSTRUMENT WAS PREPARED
BY AND AFTER RECORDING
PLEASE RETURN TO:

Shari L. Friedman
Marwedel, Minichello & Reeb, P.C.
10 South Riverside Plaza, Ste. 720
Chicago, IL 60606
(312) 902-1600

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

STATE OF ILLINOIS)

) ss

COUNTY OF COOK)

To: See Attached Exhibit 1, Service List

The undersigned claimant, Gate Bluegrass Precast, Inc. ("Gate"), a Florida Corporation, with its principal offices located at 101 Seventh Street, Winchester, KY 40391, by and through its Executive Vice-President, F. L. Isenhour, hereby tenders notice of and files with the Recorder of Deeds its Subcontractor's Claim for Mechanic's Lien on the real estate (as hereinafter described and referred to as "Real Estate") and against the interest(s) of Fordham 25 E. Superior, LLC (referred to as the "Owner") and against the interest of any person claiming an interest in the Real Estate by, through or under the Owner and states as follows:

1. Since prior to October 4, 2000 until present, the Owner owned interest(s) as fee simple owner and, possibly otherwise, in the Real Estate commonly known as The Fordham Tower located on the Westside of North Wabash Avenue between Superior and Huron Streets in Chicago, Illinois, with a common street address of 25 E. Superior Street, Chicago, Illinois, and legally described as: **THE WEST 25 FEET OF THE EAST 76 FEET OF THE NORTH 106 FEET OF BLOCK 48 IN KINZIE'S ADDITION TO CHICAGO IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS** (referred to as "Real Estate".)

2. Gate's work on the Project was limited to the parking structure. No part of

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Gate's work on this project was done on the condominium or townhome areas.

3. Gate is informed and believes that Morse Diesel International, Inc. (hereinafter referred to as the "General Contractor" and now known as "AMEC Construction Management, Inc.") whose offices are located at 125 South Wacker Drive, Suite 200, Chicago, Illinois 60606, entered into a contract with the Owner for improvements on the Real Estate pursuant to the terms and conditions delineated in a contract between said parties (referred to as the "Prime Contract"), said Prime Contract and related documents being referred to as the "Contract Documents."

4. On or about February 2, 2001, Gate entered into a written subcontract with the General Contractor pursuant to which Gate agreed to provide labor, materials, equipment and supervision to perform and complete all architectural precast for a parking structure ("Work") in accordance with the Contract Documents as delineated in said Subcontract, including but not limited to ensuring the erection subcontractor is aware of proper handling, hoisting and erection methods for its architectural precast concrete, coordinating directly with the erection subcontractor and general contractor for expedient prosecution of the Work and scope sequencing of fabrication and delivery, coordinating with other contractors, as required, for expedient prosecution of the Work, providing samples on-site or at plant facility for architect's review, and adequate protection of the Work until placed in final position, and other work as set forth in the subcontract agreement in consideration for the payment of the original Subcontract Price of ONE MILLION EIGHT HUNDRED THIRTY FIVE THOUSAND and 00/100 DOLLARS (\$1,835,000.00) subject to adjustments for additional or changed work.

5. Gate came on the Real Estate and provided labor, materials and equipment as requested in its subcontract with the General Contractor and completed all of the work requested under said subcontract.

6. In addition to the subcontract work, at the instance and special request of the General Contractor and/or Owner, Gate provided or deducted labor and materials for the improvement of the Real Estate which were incorporated into written change orders.

7. To date, Gate has been paid \$1,722,002.00. As of the date hereof, after allowing all additions, deductions and credits, there remains a balance due Gate of \$106,895.00 for invoiced and completed work.

8. The Subcontract was entered into by the General Contractor and the work was performed by Gate with the knowledge and consent of the Owner, or was authorized or knowingly permitted thereby.

9. Gate provided Notice of Non-Payment Intent to File Lien to Owner and Prime Contractor via certified mail, return receipt requested on June 19, 2003.

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EXHIBIT 1

SERVICE LIST

AMEC Construction Management, Inc.
125 South Wacker Drive
Suite 200
Chicago, IL 60606
ATTN: Mr. Anthony DeRegatis
Executive

The Fordham Company
4 E. Huron Street
Chicago, IL 60611
ATTN: Christopher Carley
President

Fordham 25 E. Superior, LLC
4 E. Huron Street
Chicago, IL 60611
ATTN: Christopher Carley
President

First Bank and Trust Company of Illinois
300 E. Northwest Highway
Palatine, IL 60028
ATTN: Jeremy Addis
President

South Chicago Bank
A/K/A Advance Bank
1400 Torrence Avenue
Calumet City, IL 60409
ATTN: Legal Department

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