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SUBCONTRACTOR'S CLAIM FOR LIEN

Doc#: 0411232112
Eugene "Gene" Moore Fee: \$18.00
Cook County Recorder of Deeds
Date: 04/21/2004 03:16 PM Pg: 1 of 4

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

IN THE OFFICE OF THE RECORDER OF DEEDS COOK COUNTY ILLINOIS

The undersigned lien claimant, MIDWESCO, INC. d/b/a MIDWESCO SERVICES, INC. and MIDWESCO SERVICES, INC. of 6153 Mulford Street, Niles, County of Cook, State of Illinois ("Midwesco"), hereby files notice and claim for lien against: Walsh Construction Company of Illinois, 929 W. Adams Street, Chicago, Illinois 60607 ("Contractor" or "Walsh"), Northwestern University 2020 Ridge Avenue, Evanston, Illinois 60201 ("Owner"), Westside Mechanical, Inc., 2007 Corporate Lane, Naperville, Illinois 60563 ("Subcontractor" or "Westside") and all others claiming an interest in the below described real property, and states:

On and prior to January 10, 2001, Owner owned the following described land in the County of Cook, State of Illinois, to wit:

PARCEL 1:

BLOCK 1 IN NORTHWESTERN UNIVERSITY SUBDIVISION, BEING A PART OF SECTION 7 AND 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE FLAT THEREOF RECORDED FEBRUARY 13, 1875, AS DOCUMENT NO. 13935, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LAKE MICHIGAN LYING EAST OF AND ADJOINING THOSE PORTIONS OF FRACTIONAL SECTION 7 AND SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, OCCUPIED BY THE CAMPUS OF NORTHWESTERN UNIVERSITY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, BEING THE INTERSECTION OF THE SHORE LINE OF LAKE MICHIGAN AND A LINE 325 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF LINCOLN STREET, THENCE EAST ALONG A LINE PERPENDICULAR TO THE EAST LINE OF SHERIDAN ROAD TO A POINT 2500 FEET EAST OF THE EAST LINE OF SHERIDAN ROAD; THENCE SOUTH ALONG A LINE 2500 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SHERIDAN ROAD; A DISTANCE OF 3700 FEET; THENCE WEST ALONG A LINE PERPENDICULAR TO THE EAST LINE OF SHERIDAN ROAD TO THE SHORE LINE OF LAKE MICHIGAN; THENCE NORTHERLY ALONG SAID SHORE LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

The above described property: (a) is more commonly known as the Pancoe-Evanston Northwestern Healthcare Life Sciences Pavilion; (b) is located at 2200 Campus Drive,

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ATTN: K. Halim

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Northwestern University, Evanston, Illinois; (c) has permanent index numbers of 11-07-400-001-0000 and 11-18-204-001-0000; and (d) is hereinafter referred to as the "Property." Walsh was Owner's general contractor for the improvement of the Property. Walsh entered into a contract (the "Subcontract") with Midwesco for the construction and installation of the heating, ventilating and air conditioning ("HVAC") at the Property. Westside entered into a subcontract with Midwesco for the ventilation portion of the Project. This lien claim does not include any amounts claimed by any of Midwesco's subcontractors, including but not limited to, Westside.

On information and belief, prior to January 10, 2001, Owner, or someone authorized or knowingly permitted by the Owner to do so, entered into a contract with Walsh wherein Walsh was to provide labor, materials and equipment for the construction of repairs, alterations and improvements to and for the benefit of the Property.

On or about April 24, 2001 Walsh, or someone authorized or knowingly authorized by Walsh to do so, entered into a contract with Midwesco wherein Midwesco was to provide labor, materials and equipment for the HVAC portion of the Property's construction.

On December 23, 2000, Midwesco fully and satisfactorily completed all work under its contract with Walsh. Pursuant to the contract with Walsh, Walsh was obligated to pay Midwesco \$7,450,000.00 for the above-described work. In addition to this amount, Midwesco performed extra work with the knowledge and consent of Walsh and Owner on account of unconstructable and uncoordinated drawings in the amount of \$1,848,558.00. Furthermore, at the insistence, knowledge and consent of Owner and Walsh, Midwesco performed additional services in the amount of \$816,324.82.

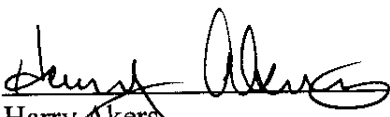
Walsh is entitled to credits in the amount of \$7,947,035.00, leaving due, unpaid and owing to Midwesco, after allowing for all credits, the sum of \$2,167,847.82 for which, with interest and attorney's fees Midwesco claims as a lien on the Property and all improvements thereon and on the money, bonds, warrants and other considerations due or to become due from the Owner to Walsh, under said contract between Walsh and Owner. All of the labor, materials, equipment and work performed by Midwesco was performed and furnished with the knowledge and consent of the Owner, and Owner knowingly permitted Walsh and Walsh's subcontractors to enter into contracts for the improvement of the Property, including the contract between Walsh and Midwesco. Walsh's prime contract with Owner and Walsh's subcontract with Midwesco were for the improvement of the Property.

Prepared by and return to:
Krista S. Hallberg, Esq., Schiff Hardin LLP
6600 Sears Tower, Chicago, Illinois 60606

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Notice has been duly given to Owner, and persons otherwise interested in the above described real estate, as to the status of the undersigned as subcontractor as provided by the Illinois Mechanics Lien Act 770 ILCS 60/5 and 60/24 (1992).

MIDWESCO, INC. d/b/a MIDWESCO
SERVICES, INC. AND MIDWESCO
SERVICES, INC.

By: 
Harry Akers

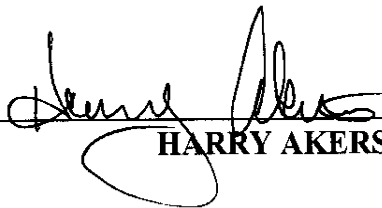
Property of Cook County Clerk's Office

Prepared by and return to:
Krista S. Hallberg, Esq., Schiff Hardin LLP
6600 Sears Tower, Chicago, Illinois 60606

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STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS

The affiant, **HARRY AKERS**, being first duly sworn, deposes and states that he is the Vice-President of MIDWESCO SERVICES, INC., the Claimant; that he has read the foregoing notice and claim for lien and knows the contents thereof; and that all the statements therein contained are true.



HARRY AKERS

Subscribed and sworn to before me this 20th
 day of April, 2004



 Notary Public



Property of Cook County Clerk's Office