



0722739177

NOTICE OF MECHANICS LIEN AND OF CLAIM

Doc#: 0722739177 Fee: \$20.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/15/2007 02:31 PM Pg: 1 of 8

STATE OF ILLINOIS )  
COUNTY OF COOK )

The Lien Claimant and SubContractor, **Triumph Restoration Inc.** of 18822 S. 82nd Avenue, Mokena, Illinois, hereby files a claim for Mechanics Lien against **Turner Construction Company (General Contractor); Digital Realty Trust, Inc. (Owner); Digital Lakeside, LLC; Morgan Stanley Mortgage Capital, Inc.; LaSalle Bank National Association as Trustee for the Morgan Stanley Capital Inc. Commercial Mortgage;** and all other persons, non-record claimants, or unknown owners / occupants having or claiming an interest in the below described real estate, and states as follows:

1. That on or about December 1, 2006 the Owner(s) or their predecessors in interest owned or had an interest in the following described land in the County of Cook, State of Illinois to wit:

Legal Description

350 East Cermak Road, Chicago, Illinois  
Permanent Real Estate Numbers: 17-22-316-003-0000; 17-22-316-004-0000; 17-22-316-006-0000; 17-22-322-003-0000, 17-22-316-007-0000

See legal description attached hereto as EXHIBIT A.

2. That on or about December 1, 2006 the General Contractor entered into a written subcontract for the Project known as Digital Realty Trust Date Center in Chicago, Cook County, State of Illinois with the claimant to perform certain glazing and related work according to plans and specifications for the project of the above described location for the total sum per the subcontract of One Hundred Twenty Five Thousand Seven Hundred Eighty Dollars and Zero Cents (\$125,780.00).
3. On or about May 23, 2007, the lien claimant substantially completed all work required of it under its subcontract for the above described real estate, and thereafter invoiced the Contractor One Hundred Fourteen Thousand Seven Hundred Six Dollars and Zero Cents (\$114,706.00) for the completed work and any additional work, extras, and change orders.
4. The Amount of the contract plus extras, additional work, and change orders, was \$114,706.00. To date, the unpaid balance due claimant for the work completed by the claimant is **Thirty-Two Thousand One Hundred Thirty-Six Dollars and Zero Cents (\$32,136.00).**

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5. The Subcontractor / claimant has made several written and oral demands for payment, which the General Contractor has failed to pay without just cause or right.
6. That the undersigned claims a lien therefor against the above-described property, against your interest therein, and against any money due from you to said contractor.

**Triumph Restoration, Inc.**

By: 

**Alice S. Watrobka, President**

Prepared By ~~AND RETURN TO:~~


Law Offices of Burton A. Brown  
205 West Wacker Drive  
Suite 922  
Chicago, Illinois 60606  
312-236-5582  
Attorney No. 0312045

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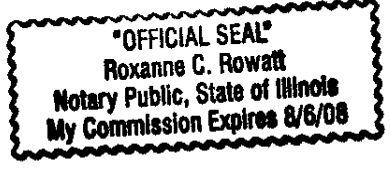
STATE OF ILLINOIS                    )  
  )    SS  
COUNTY OF WILL                    )

The affiant, Alice S. Watrobka, being first duly sworn on oath, deposes and says that she is the President of Triumph Restoration, Inc., the Claimant. That she has read the foregoing Notice of Claim and knows the contents thereof and that all statements therein contained are true.

By:   
Alice S. Watrobka, President

Subscribed and Sworn to before me this 13<sup>th</sup> day of August, 2007

  
NOTARY PUBLIC



Law Offices of Burton A. Brown  
205 West Wacker Drive  
Suite 922  
Chicago, IL 60606  
(312) 236-5582

Property of Cook County Clerk's Office

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## PROOF OF SERVICE

The undersigned certifies under penalties of perjury, that (s)he mailed this notice by certified mail return receipt requested upon the above named parties on the 15 day of August, 2007.

TO: Turner Construction Company  
Agent: C T Corporation System  
208 South LaSalle St.  
Suite 814  
Chicago, Illinois 60604

Signed & sworn to before me This  
August 15, 2007

Turner Construction Company  
Attn: Shawn A. Perkins, Purchasing Manager  
55 East Monroe Street  
Suite 3100  
Chicago, Illinois 60603

Digital Realty Trust  
Attn: Owner  
350 East Cermak Road  
Suite 600  
Chicago, Illinois 60623



Digital Realty Trust  
A. William Stein  
Chief Financial Officer  
560 Mission Street  
Suite 2900  
San Francisco, CA 94105

Digital Lakeside, LLC  
Agent: Illinois Corporation Service C  
801 Adlai Stevenson Drive  
Springfield, Illinois 62703

Digital Lakeside, LLC  
A. William Stein  
Chief Financial Officer  
560 Mission Street  
Suite 2900  
San Francisco, CA 94105

Morgan Stanley Mortgage Capital, Inc.  
Agent: C T Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, Illinois 60604

LaSalle Bank National Association as trustee for the Morgan  
Stanley Mortgage Capital, Inc. Commercial Mortgage pass  
- through certificates series 2005-XLF.  
135 South LaSalle Street  
Suite 1625  
Chicago, Illinois 60603

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EXHIBIT A

## LEGAL DESCRIPTION

### CALUMET PLANT:

#### PARCEL 1:

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 in Gurley and Keith's subdivision of block 23 in assessor's division of the southwest fractional 1/4 of section 22, township 39 north, range 14, east of the third principal meridian, in Cook County, Illinois.

#### PARCEL 2:

All that vacated part of the intersection of East Cermak Road and South Park Avenue, described as follows: beginning at a point on the south line of lot 9 produced east across the entrance of a vacated alley to the southwesterly line of the right of way of the I.C.R.R. Company in Gurley and Keith's subdivision of block 23 in assessor's division of the southwest fractional 1/4 of section 22, township 39 north, range 14, east of the third principal meridian, 13 feet west of the southwesterly line of the right of way of the I.C.R.R. Company; thence east on said line to the southwesterly line of the right of way of the I.C.R.R. Company; thence southeasterly on the last described line a distance of 40 feet; thence northwesterly on a straight line to the point of beginning; in Cook County, Illinois.

#### PARCEL 3:

The northwesterly and southeasterly 30 feet wide vacated alley lying northeasterly and adjoining the northeasterly line of lots 1 to 9, both inclusive, in Gurley & Keith's subdivision of block 23 in assessor's division of the southwest fractional 1/4 of section 22, township 39 north, range 14, east of the third principal meridian, and lying southwesterly of and adjoining the southwesterly line of the right of way of the I.C.R.R. Company, in Cook County, Illinois.

#### PARCEL 4:

All that part of the south 1/2 of vacated East 21st Street lying north and adjoining the north line of lot 1 in Gurley & Keith's subdivision of block 23 in assessor's division aforesaid, produced east to the southwesterly right of way line of the I.C.R.R. Company; lying southwesterly and adjoining the southwesterly right of way line of the I.C.R.R. Company and lying southeasterly of and adjoining a line drawn from a point on the southwesterly line of the right of way of the I.C.R.R. Company, 5 feet southerly of the south line of lot 9 in block 6 of George Smith's addition to Chicago in the southwest fractional 1/4 of section 22, township 39 north, range 14, east of the third principal meridian, to the northeast corner of lot 1 in Gurley & Keith's subdivision of block 23 in assessor's division of the southwest fractional 1/4 of section 22, township 39 north, range 14, east of the third principal meridian, in Cook County, Illinois.

PARCEL 5:

The south 1/2 of vacated East 21st Street lying east of the east line of Calumet Avenue and west of parcel no. 4 above described, all in Cook County, Illinois.

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PARCEL 6:

The north 1/2 of vacated East Cermak Road lying south of and adjoining the south line of lot 9 in Gurley & Keith's subdivision of block 23 in assessor's division aforesaid, produced east to the southwesterly right of way line of the I.C.R.R. Company (except that part described as parcel no. 2 above), all in Cook County, Illinois.

PARCEL 7:

Easement of access for the benefit of Parcels 1 through 6, over, across, through, and under those portions of the "West Plant" (as defined in the instrument noted below) as may be reasonably required in connection with the performance of obligations relating to the maintenance and existence of the one story covered bridge extending over South Calumet Avenue and connecting the building located on the Calumet Plant site with the building located on the opposite side of Calumet Avenue, together with the benefits and together with the burdens thereof, as contained in the "Agreement Regarding Covered Bridge" dated August 2, 1999 and recorded August 3, 1999 as document 99736527.

**TRUCK LOT D:**

PARCEL 1:

Lots 5, 6, 7, 8 and 9 in block 6 in George Smith's addition to Chicago of a subdivision of blocks 17 to 22 in assessor's division of the south west fractional 1/4 of section 22, township 39 north, range 14 east of the third principal meridian, in Cook County, Illinois.

PARCEL 2:

The north 1/2 of vacated East 21st Street lying south of and adjoining parcel 1 aforesaid and lying southwesterly of and adjoining the southwesterly right of way line of the Illinois Central Railroad.

Permanent Real Estate Number(s): 17-22-316-003-0000; 17-22-316-004-0000; 17-22-316-006-0000; 17-22-322-003-0000; 17-22-316-007-0000

Address of real estate: 350 East Cermak Road, Chicago, Illinois