



Doc#: 0822734109 Fee: \$31.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 08/14/2008 02:34 PM Pg: 1 of 5

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

CJ Folden
Westside Mechanical, Inc.
2007 Corporate Lane
Naperville, Illinois 60563

SUBCONTRACTOR'S CLAIM FOR MECHANICS LIEN

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The claimant, Westside Mechanical, Inc. ("Westside"), an Illinois corporation with offices at 2007 Corporate Lane, Naperville, Illinois 60563, hereby files its Subcontractor's Claim for Mechanics Lien and claims a mechanics lien (a) against the Real Estate (as hereinafter described), (b) against the interest(s) of Water Tower, LLC (the "Owner"), with an address at 835 North Michigan Avenue, in the Real Estate, (c) against the leasehold interest in a portion of the Real Estate held by Tenant, WT Surgicenter, LLC, also known as Water Tower Surgery Center and also known as Watertower Surgicenter, L.L.C., with an address at 845 North Michigan Avenue, Suite 948E, Chicago, Illinois, 60611 ("Tenant"), (d) against the interest of any person claiming an interest in the Real Estate by, through, or under Owner or Tenant, (e) against the general contractor, Berglund Construction Company ("Berglund" or "Prime Contractor"), with an address at 111 East Wacker Drive, Suite 2450, Chicago, Illinois 60601, and (f) against the monies or other consideration due or to become due from Owner and Tenant to Berglund under any contract between Owner and/or Tenant and Prime Contractor relating to the Project (as hereinafter described), all as more fully stated below.

Westside states:

Pin Number: 17-03-226-030-0000
Address: 845 North Michigan Avenue, Suites Suite 997W, 997AW, 948E, 939E, 994W,
991W and 996W, and other addresses, Chicago, Illinois

UNOFFICIAL COPY

1. Westside, 2007 Corporate Lane, Naperville, Illinois, 60563, was a subcontractor to the Prime Contractor on a project commonly known as Watertower Surgicenter, Water Tower, 845 North Michigan Avenue, Chicago, Illinois (the "Project"). The Project has a street address of 845 North Michigan Avenue, Suite 997W, 997AW, 948E, 939E, 994W, 991W and 996W and other addresses, Chicago, Illinois. Prime Contractor was the original contractor for the construction of the Project under Prime Contractor's Prime Contract.

2. Westside, pursuant to a written agreement with Prime Contractor dated as of August 27, 2007 (the "Westside Subcontract"), provided labor, materials and equipment for the HVAC portion of Prime Contractor's prime contract for the Project, as more fully described in the Westside Subcontract.

3. Since at least August 26, 2003, Owner has owned interest(s) as fee simple owner, and possibly otherwise, in the real estate, including all land and improvements thereon (the "Real Estate") commonly known as 845 North Michigan Avenue and other addresses, Chicago, in Cook County, Illinois, legally described as follows:

See Legal Description Attached As Exhibit A

The permanent Real Estate Tax Number of the Real Estate is: 17-03-226-030-0000.

Tenant holds a leasehold interest in a portion of the Real Estate pursuant to a lease with Owner.

4. The original Westside subcontract amount was \$725,000 subject to increase for changed or extra work. The Subcontract Sum, adjusted for additional work and changes, is \$797,664.

5. At Prime Contractor's special instance and request, Westside performed additional and changed work to the extent and value of \$72,664.

6. There is presently due to Westside, after allowing all credits, the principal amount of \$480,531 for which, with interest, Westside, claims a lien.

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7. All of the labor, materials, equipment and work performed by Westside was performed and furnished with the knowledge and consent of Owner and Tenant, and Owner and Tenant knowingly permitted Prime Contractor and Prime Contractor's subcontractors to enter into contracts for the improvement of the Real Estate, including the Westside Subcontract. Prime Contractor's prime contract with Owner and/or Tenant and Prime Contractor's subcontract with Westside were for the improvement of the Real Estate.

8. Westside last performed its work under the Westside Subcontract on June 30, 2008.

9. Westside hereby revokes any waiver of rights given in advance of payment for which payment was not made.

10. Westside claims a lien in the total principal amount of \$480,531 together with interest at the statutory rate of ten percent (10%) per annum (a) against the Real Estate, (b) against the interest(s) of Owner in the Real Estate, (c) against the interest(s) of Tenant in the Real Estate, (d) against the interest of any person claiming an interest in the Real Estate by, through, or under Owner or Tenant; (e) against Prime Contractor and (f) against the monies or other consideration due or to become due from Owner and Tenant to Prime Contractor under any contract between Owner and/or Tenant and Prime Contractor relating to the Project.

Dated: August 12, 2008.

WESTSIDE MECHANICAL, INC.

By: _____

Janet F. Reiss

President

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

CJ Folden
Westside Mechanical, Inc.
2007 Corporate Lane
Naperville, Illinois 60563
(630) 369-6690

Pin Number: 17-03-226-030-0000

Address: 845 North Michigan Avenue, Suites Suite 997W, 997AW, 948E, 939E, 994W,
991W and 996W, and other addresses, Chicago, Illinois

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LEGAL DESCRIPTION

PARCEL 1:

LOT 1, IN MARBAN RESUBDIVISION OF PART OF BLOCK 20 IN CANAL TRUSTEE'S SUBDIVISION OF THE SOUTH FRACTIONAL ¼ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 30, 1975, AS DOCUMENT 23339677 AND FILED WITH THE REGISTRAR OF TITLES ON DECEMBER 30, 1975 AS DOCUMENT NUMBER LR2848886.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1, AS RESERVED IN DEED FROM LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 10, 1976 AND KNOWN AS TRUST NUMBER 40940 TO KELVYN H. LAWRENCE DATED MARCH 24, 1976 AND RECORDED MARCH 29, 1976 AS DOCUMENT 23432348 AND FILED WITH THE REGISTRAR OF TITLES ON MARCH 29, 1976 AS DOCUMENT NUMBER LR2861168.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCEL 1, AS DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS ENTERED INTO ON APRIL 27, 1992 AND RECORDED MAY 1, 1992 AS DOCUMENT 92299492 MADE BY LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 10, 1976 AND KNOWN AS TRUST NUMBER 40940 OVER, UPON AND ACROSS THE FOLLOWING:

LOTS 2 AND 3 AND LOTS 19 TO 29, BOTH INCLUSIVE IN MARBAN RESUBDIVISION, BEING A SUBDIVISION OF A PART OF BLOCK 30 IN CANAL TRUSTEE'S SUBDIVISION OF THE SOUTH FRACTIONAL ¼ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

