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SWORN SUBCONTRACTOR'S NOTICE AND CLAIM FOR MECHANICS LIEN

To: Hales Franciscan High School, Inc.
4930 S. Cottage Grove Ave.
Chicago, IL 60615
(Owner)

Powers & Sons Construction Company, Inc.
2636 W. 15th Ave.
Gary IN 46404
(General Contractor)

U.S. Bank (as successor to
Park National Bank and
Pullman Bank and Trust)
209 S. LaSalle St.
Chicago, IL 60604
(Mortgagee)

Cole Taylor Bank
225 W. Washington St.
Chicago, IL 60606
(Mortgagee)

Gumby, Inc.
604 N. Franklin Ave.
River Forest, IL 60305
(Mortgagee)



Doc#: 0934231142 Fee: \$31.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/08/2009 04:09 PM Pg: 1 of 5

via certified mail, return receipt requested, with delivery limited to addressee only.

Site: Hales Franciscan High School
4930 S. Cottage Grove Ave.
Chicago, IL 60615

Pursuant to the Illinois Mechanics Lien Act, 770 ILCS 60/0.01 *et seq.*, Claimant and Subcontractor, Galaxy Environmental, Inc., an Illinois corporation maintaining its principal place of business at 4242 N. Cicero Ave., Chicago, IL 60641, hereby serves its sworn notice and claim for mechanics lien upon the above parties, stating as follows:

1. On or before August 27, 1993, and continuously thereafter, Owner Hales Franciscan High School, Inc., an Illinois not-for-profit corporation, owned Hales Franciscan High School Buildings A and B and other improvements erected on the one-block parcel of land in Cook County, Illinois (the "Site") bounded by Cottage Grove Avenue on the east, 50th Street on the south, Langley Avenue on the west, and 49th Street on the north, legally described in

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Exhibit A attached hereto, commonly known as 4930 S. Cottage Grove Ave., Chicago, IL 60615 with P.I.N.s 20-10-221-001-0000, 20-10-221-002-0000, and 20-10-221-003-0000, inclusive.

2. In winter, 2008, Owner entered into a contract with General Contractor Powers & Sons Construction Company, Inc., an Indiana corporation, to improve the Site by performing repair, rehabilitation, demolition, removal, replacement, and installation work.

3. On or about November 26, 2008, General Contractor entered into a written subcontract entitled Contract Number 8016-001 with Claimant providing for Claimant to improve the Site at a price of \$8,990.00 by furnishing all labor and material to remove and dispose of wood decking and soil on the second floor roof of Hales Franciscan High School Building A.

4. At General Contractor's special instance and request, it entered into written subcontract Change Orders with Claimant amending and augmenting the November 26, 2008 subcontract between the parties with additional work improving the Site as follows:

<u>No.</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
00001	6/02/09	Labor and material for interior ceiling demolition and asbestos removal in Building A as per 3/23/09 plans and specifications, excluding floor coring, structural bracing, and exterior	\$150,000.00
00002	7/07/09	Labor and material for interior demolition and asbestos removal in Building A, including about 120 ft. of soffit and ductwork in locker room and weight room, soffit in boys' bathroom A-212, and ceiling in room A-117	\$ 9,032.00
00003	7/30/09	Drill holes in asbestos ceilings for installation of light fixtures in Building A hallways, main office, and president's office	\$ 20,700.00
00004	7/30/09	Sandblast Building A roof patio section to prepare for new roof decking and surface	\$ 15,300.00
00005	8/05/09	Labor and material for interior demolition and asbestos removal in Building B as per 6/03/09 plans and specifications, including demolition of interior partitions and handrails and interior and exterior doors and asbestos pipe fittings and floor tile	\$ 64,000.00

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<u>No.</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
00006	8/13/09	Remove concrete structure in math lab for relocation of plumbing piping, remove existing floor tile in room A-307 and corridor A-310, and remove plaster walls in room S-001 for crack repair, in Building A	\$ 7,479.00
00007	8/25/09	Remove antenna and wiring from Building A roof	\$ 750.00
00008	9/21/09	Catalogue and remove Building B chemicals	\$ 25,028.00

5. Claimant fully and satisfactorily performed all of its contracted work under the November 26, 2008 subcontract and its Change Orders, totaling \$301,279.00 in amount. It completed this work on or about September 22, 2009.


6. Claimant has been paid a total of \$8,091.00 for its work on Site.

7. After allowing all just credits, the amount remaining due, owing, and unpaid for Claimant's work on Site is \$293,188.00, plus interest thereon at the rate of 10% per annum from the date due, plus reasonable attorneys fees, for which Claimant claims a lien on the Site and improvements and on monies due or to become due Owner, General Contractor, and Claimant.

8. This is Claimant's first notice and claim for the above.

Dated: November 11, 2009.

Galaxy Environmental, Inc.,
an Illinois corporation

by 
Richard D. Salinas,
Project Manager

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**EXHIBIT A TO
GALAXY ENVIRONMENTAL, INC.
NOTICE AND CLAIM FOR LIEN**

Legal Description:

Parcel 1:

LOT 6 (EXCEPT THE EAST 50 FEET AND EXCEPT THE NORTH 33 FEET)
LOT 7 (EXCEPT THE EAST 50 FEET) LOT 8 (EXCEPT THE EAST 50 FEET)
LOT 9 (EXCEPT THE EAST 50 FEET) AND LOT 10 (EXCEPT THE EAST 50
FEET AND THE SOUTH 30 FEET) IN BAYLEY'S SUBDIVISION OF THE
EAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE
NORTHEAST $\frac{1}{4}$ AND THE EAST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE
SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 38
NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN
(EXCEPT THOSE PARTS THEREOF TAKEN FOR 49TH AND 50TH STREETS
AND COTTAGE GROVE AVENUE) IN COOK COUNTY, ILLINOIS

and also

Parcel 2:

THE WEST $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE
NORTHEAST $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14, EAST
OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 27 FEET;
THE NORTH 33 FEET AND THE SOUTH 30 FEET THEREOF) IN COOK
COUNTY, ILLINOIS

Commonly known as: 4930 S. Cottage Grove Ave., Chicago, IL 60615

P.I.N.: 20-10-221-001-0000, 20-10-221-002-0000, and 20-10-221-003-0000