

**DOCUMENT RECORDED BY  
AND RETURN TO:**

Contractors Lien Services of Illinois, Inc.  
6225 N. Milwaukee Ave.  
Chicago, IL 60646  
773-594-9090  
773-594-9094 fax  
Steve@contractorslienservices.com

**DOCUMENT PREPARED BY:**

Northern Weathermakers HVAC, Inc.  
339 Anthony Trail  
Northbrook, IL 60062  
(847) 509-2029  
garfinb@ac-heat.net

STATE OF ILLINOIS

COUNTY OF COOK

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

PURSUANT TO SECTIONS 60/1, 60/5, 60/21, AND 60/24 OF THE LIEN ACT

**NOTICE TO OWNER**

Do not pay the contractor for this work or material unless you have received from the subcontractor a waiver of lien or other satisfactory evidence of payment to the Claimant.

**NOTICE & CLAIM FOR LIEN IN THE**

**AMOUNT OF \$5,012.50, plus interest pursuant to 770 ILCS 60/1 and attorney fees pursuant to 770 ILCS 60/17.**

**TO OWNER OR REPUTED OWNER VIA CERTIFIED MAIL R/R & REG. US MAIL:**

TDC Lincolnwood, LLC.  
513 Central Avenue,  
Highland Park, IL 60035

**TO DEFENDANT OR REPUTED DEFENDANT VIA CERTIFIED MAIL R/R & REG. US MAIL:**

**TO CONTRACTOR OR REPUTED CONTRACTOR VIA CERTIFIED MAIL R/R & REG. US MAIL:**

Wednesday, May 25, 2011

Lien ID: 3403-5891

# UNOFFICIAL COPY

**DCT Industrial Trust**  
**518 17th Street, 8th Fl.**  
**Denver, CO 80202**

THE LIEN CLAIMANT, **Northern Weathermakers HVAC, Inc.** ("Claimant"), original contractor, claims a lien against the real estate, more fully described below, and against the interest of the following entities in the real estate: **TDC Lincolnwood, LLC**, owner,, mortgagee, **DCT Industrial Trust**, contractor, and any other party claiming an interest in the real estate, more fully described below, through, or under the Owner, stating as follows:

1. At all times relevant hereto and continuing to the present, Owner owned the following described land in the County of **Cook**, State of Illinois, to wit:

PARCEL: *[See the legal description attached hereto and incorporated herein as Exhibit "A " ]*

PIN: **10 35 203 00 0000**

which property is commonly known as **760 S. Wolf Road, Wheeling, IL 60090** (collectively "Project").

2. On information and belief, said Owners agent contracted with **DCT Industrial Trust** ("Contractor") for certain improvements to said premises.

3. General Contractor entered into the Subcontract on **2/7/2011** with the full knowledge, consent, and authorization of Owner. The Owner knowingly permitted the General Contractor to enter into the Subcontract with Claimant.

4. Claimant completed its work under its contract on **4/15/2011**, which entailed **Labor & Materials-HVAC Repairs** to said premises.

5. There is due, unpaid and owing to Claimant, after allowing all credits, the principal sum of **(\$5,012.50)** which principal amount bears interest at the statutory rate often percent (10%) per annum, (as provided for by 770 ILCS 60/1) and costs and reasonable attorney fees (as provided for by 770 ILCS 60/17). Claimant claims a lien on the real estate and against the interest of the Owner, and other parties named above, in the real estate (including all land and improvements thereon) and on the monies or other consideration due or to become due from the Owner under said contract, in the amount of **(\$5,012.50)** plus interest. To date, despite due demand for payment, Claimant remains unpaid for its work at the Project and there is no reasonable basis for the failure to pay Claimant.

6. The amount consists of the following:

A. Base Contract	<b>\$5,012.50</b>
B. Change Orders	<b>\$0.00</b>
C. Adjusted Based Contract	<b>\$5,012.50</b>
D. Amount Paid to Date (Credit)	<b>\$0.00</b>
E. Value of Lienable Work Performed As	<b>\$5,012.50</b>

Wednesday, May 25, 2011

Page 2 of 3

Lien ID: 3403-5891

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To Date of Completion	
F. Statutory 10% Interest	<b>\$54.93</b>
Total Principal Amount of Lien	<b>\$5,067.43</b>

Claimant states that no apportionment or allocation of this claim for lien is required by law. In the event that allocation or apportionment is held to be required, and only in that event, Claimant claims a lien on each residential, commercial, parking, and/or other proposed units by allocating a percentage of the total amount owed to Claimant on each unit and/or by parcels shown in the legal description by the method required by applicable law.

7. At all relevant times Owner was aware that Claimant was providing labor and materials for the benefit of the Project and the Property.

8. To the extent permitted by law, all waivers of lien heretofore given by Claimant, if any, in order to induce payment not received are hereby revoked. Acceptance of payment by Claimant of part, but not all, of the amount claimed due hereunder shall not operate to invalidate this notice and claim for lien upon the real property listed herein.

**VERIFICATION**

The undersigned, Mike Lee, being first duly sworn, on oath deposes and states that he is the agent of Northern Weathermakers HVAC, Inc. that he has read the above and foregoing Original Contractor's Notice and Claim for Mechanic's Lien, and that to the best of his knowledge and belief the statements therein are true and correct.

Signed by: \_\_\_\_\_

Mike Lee

Subscribed and sworn to before me on this Twenty-fifth Day of May of 2011.

*Bojana Garfinkle*  
Notary Public



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## SCHEDULE I

### LEGAL DESCRIPTION

Legal Description of Industrial Parcel

Legal Description of Industrial Parcel

#### PARCEL 1:

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP, 14 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF A LINE 400 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 35 (BEING ALSO THE NORTH RIGHT-OF-WAY LINE OF PRATT AVENUE) AND THE WEST LINE OF THE EAST 660 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 35, THENCE SOUTH 88 DEGREES 07 MINUTES 30 SECONDS WEST ALONG SAID LINE 40 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 SAID SECTION 35, A DISTANCE OF 1,533.97 FEET TO A POINT 400 FEET EAST (AS MEASURED ALONG SAID PARALLEL LINE) OF A LINE 33 FEET EAST OF THE WEST LINE OF THE NORTHEAST 1/4 SAID SECTION 35 FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREES 52 MINUTES 30 SECONDS WEST, A DISTANCE OF 618.23 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 10 MINUTES 15 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 941.62 FEET; THENCE SOUTH 01 DEGREES 54 MINUTES 22 SECONDS EAST, A DISTANCE OF 617.48 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID PRATT ROAD; THENCE SOUTH 88 DEGREES 07 MINUTES 30 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 941.95 FEET TO THE POINT OF BEGINNING CONTAINING 13.36 ACRES MORE OR LESS, IN COOK COUNTY, ILLINOIS.

ALSO

#### PARCEL 2:

A TRACT OF LAND BEING PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 35 TOWNSHIP, 41 NORTH, RANGE 13, EAST OF THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND A LINE DRAWN 33 FEET OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHEAST 1/4; THENCE SOUTH ALONG THE SAID PARALLEL LINE, A DISTANCE OF 18 FEET; THENCE EAST PARALLEL WITH THE SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH OF THE NORTHEAST 1/4; A DISTANCE OF 539.34 FEET; THENCE SOUTHEASTERLY ALONG A

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CURVED LINE, CONVEXED TO THE NORTHEAST, HAVING A RADIUS OF 420.59 FEET, A DISTANCE OF 70.46 FEET (ARC); THENCE CONTINUING SOUTHEASTERLY ALONG A STRAIGHT LINE, TANGENT TO THE LAST DESCRIBED CURVED LINE, A DISTANCE OF 29.87 FEET, TO TIP INTERSECTION WITH A LINE DRAWN PERPENDICULAR TO THE SOUTH LINE OF THE SAID NORTHEAST 1/4 AT A POINT 691 FEET EAST OF THE SOUTHWEST CORNER OF THE SAID NORTHEAST 1/4; THENCE NORTH ALONG SAID PERPENDICULAR LINE, A DISTANCE OF 19.71 FEET; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE, PARALLEL WITH AND 18 FEET DISTANCE FROM THE LAST DESCRIBED STRAIGHT LINE, A DISTANCE OF 24.77 FEET; THENCE CONTINUING NORTHWESTERLY ON A CURVED LINE, CONVEXED NORTHEASTERLY AND CONCENTRIC WITH THE LAST DESCRIBED CURVED LINE, HAVING A RADIUS OF 433.59 FEET, A DISTANCE OF 73.47 FEET (ARC) TO A POINT ON THE NORTH LINE OF THE SAID SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4; THENCE WEST ALONG SAID NORTH LINE, A DISTANCE OF 541.79 FEET TO THE POINT OF BEGINNING, (EXCEPTING THEREFROM THAT A PART OF SAID LAND FALLING IN PARCEL 1) IN COOK COUNTY, ILLINOIS AS CREATED BY DEED FROM DITTO INCORPORATED, TO THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, DATED SEPTEMBER 5, 1956 AND RECORDED SEPTEMBER 12, 1956, AS DOCUMENT 16696145, IN COOK COUNTY, ILLINOIS.