## **UNOFFICIAL COPY**

STATE OF ILLINOIS )
COUNTY OF COOK )



Doc#: 1403716040 Fee: \$42.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 02/06/2014 02:17 PM Pg: 1 of 3

## SECTION 25-VERIFIED NOTICE OF LIEN PURSUANT TO 770 ILCS 60/1, ET. SEQ.

The following Notice is giving pursuant to Section 25 of the Illinois Mechanic's Lien Act, 770 ILCS 60/1 et. seq. and is not intended to adversely reflect on the character, credit or capacity of any party named herein. This instant Section 25 notice incorporates herein, by reference, the attached Section 24 Notice of Claim attached hereto as Exhibit 1.

YOU ARE HEREBY NOTIFIED that the undersigned claimant GHC Mechanical Inc. ("Claimant"), and Illinois Corporation. with a principal address at 990 Pauly Drive, Elk Grove Village, Illinois 60007, hereby files its notice and claim for lien pursuant to 770 ILCS 60/1, et. seq. as amended from time to time, against McShane Construction Company, LLC of 9550 W. Higgins Road, Suite 200, Rosemont, Illinois 50018, and L.E.A.R.N. Charter THC, LLC ("Owner"), care of Gregory A. White, Registered Agent, 212 S. Francisco Ave. Chicago, Illinois 60612 and lending agents IFF Capital III LLC, c/o Joe Neri, Registered Agent, 1 North LaSalle Street, Suite 700, Chicago, Illinois 60602; M&I New Markets Fund, LLC, c/o CT Corporation System, Registered Agent, 840 Excelsior Drive, Suite 200 Madison, Wisconsin 53717; PNC CDE 17, LP, c/o Corporation Service Company, Registered Agent, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808; VAF Sub-CDE XXII, LLC, c/o Hlinois Corporation Service C, Registered Agent, 801 Adlai Stevenson Drive, Springfield, Illinois 6.703, and states:

That on February 15, 2013, the Owner owned the following described land in the County of Cook, State of Illinois:

LOTS 1, 2, 3, 4, 5 AND 6 IN MCINTOSH'S RESUBDIVISION IN BLOCK 2 IN N'CHOL'S ADDITION TO CHICAGO, BEING A RESUBDIVISION OF BLOCK 6 IN LEE AND OTHERS SUBDIVISION OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Permanent Index Numbers: 16-12-305-001-0000

commonly known as Learn Charter School 7-8, 3021 W. Carroll Ave., Chicago, Illinois 60612 (hereinafter "Real Estate"), and McShane Construction Company, LLC ("Contractor") was the Owner's contractor for the improvement thereof (the "Project").

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YOU ARE FURTHER NOTIFIED that on February 22, 2013, the Contractor made a written subcontract (the "Subcontract") with the Claimant to furnish all labor, material, skill and equipment for the design/build HVAC System for the Project, and that on November 29, 2013, the Claimant completed work to the value of \$2,739,295 under the Subcontract and \$54,120 in invoiced Air Balancing and Storm Damage Repair for the benefit of the Real Estate.

YOU ARE FURTHER NOTIFIED that Claimant entered into the Contract with Contractor for the Project. At the time that Claimant entered into the Contract with Contractor, Contractor represented and held itself out as the general contractor of the Project. Claimant performed its Subcontract with the knowledge and/or consent of Contractor and/or any and all owner(s) of the Project. The furnishing and/or serving of the instant Notice of Lien Claim shall not be construed to be an admission of any fact or waiver of any right, defense, or remedy that Claimant has as an original contractor and/or subcontractor under Illinois law, nor shall the furnishings and/or serving of the instant Notice of Lien Claim constitute or be construed as an admission by the lien Claimant that its status is that of subcontractor if it is later or at any other time determined that the party or parties with whom the lien Claimant contracted was/were the owner(s) or agent(s) of the owner(s).

YOU ARE FURTHER NO TIFIED that Claimant did provide certain HVAC services pursuant to the Subcontract for the improvement of the Real Estate. Claimant last performed lienable services on the Project on November 29, 2013.

YOU ARE FURTHER NOTIFIED that is of the date hereof, there is due, unpaid, and owing to the Claimant, after allowing all credits, the principal sum of \$522,796.00 which principal amount bears interest at the statutory rate of ten (10) per cent per annum.

YOU ARE FURTHER NOTIFIED that Claimant does bereby claim a lien on the Real Estate, including all land and improvements thereon for the furnishing of lienable professional services in the amount of \$522,796.00, plus interest and attorneys' feet.

YOU ARE FURTHER NOTIFIED that to the extent permitted by law, all waivers of lien heretofore given, if any, by the undersigned Claimant, in order to induce payment not received, are hereby revoked. Claimant's acceptance of payment(s) by any owner(s), agent(s) of any owner(s), other contractors and/or any other party(ies), but not all, of the another claimed due hereunder shall not operate to invalidate this notice.

That the Owner, or the agent, architect, superintendent, of the Owner or lending agarcy, (a) cannot, with reasonable diligence, be found in the county or (b) does not reside in the county.

That the Contractor is entitled to credits on account thereof as follows:

\$2,270,619.00 in previously paid contract funds

leaving due, unpaid, and owing to the claimant, after allowing all credits, the sum of \$522,796, for which, with interest, the claimant claims a lien against the Contractor and the Owner on the land and improvements and on the money or other consideration due or to become due from the Owner under the contract.

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## UNOFFICIAL COPY

GHC Mechanical, Inc.

By: VICE PRESIDENT
[Title]

This document was prepared by Watt, Tieder, Hoffar & Fitzgerald, L.L.P., 10 South Wacker Drive, Suite 2935, Chicago, Illinois 60606.

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STATE OF ILLINOIS	)	
COUNTY OF GOOL	)	SS

The affiant, ICA I OBEREN IR being first duly sworn on oath, deposes and says that [he] [she] is the [position wile] of VICE PRESIDENT, the lien claimant, that [he] [she] has read the foregoing notice and claim for lien and knows the contents thereof, and that all the statements therein contained are true.

SIGNED this 3ed day of Feb 2 Apr 2014

Afriant

Subscribed and sworn to before me this 380 day of February, 2014

Notary Public

OFFICIA! SEAL
PATRICK K STAIL ON
NOTARY PUBLIC - STATE OF ILLIN DIS
MY COMMISSION EXPIRES. 18/25/15