

## **Exhibit A**

**NOTICE UNDER MECHANIC'S LIEN LAW  
AGAINST A PUBLIC IMPROVEMENT**

ACCEPTED FOR MTA ONLY

**TO: The Comptroller/Chief Financial Officer Of The New York  
City Transit Authority and The Comptroller/Chief Financial  
Officer Of The Metropolitan Transportation Authority**

Received

Date: 9/9/14

Time: 3:30pm

Personal

*m. Salas*

**PLEASE TAKE NOTICE**, that Superior Gunite, a foreign corporation organized

pursuant to the laws of the State of California and authorized to do business in the State of New York, having a principal place of business located at 12306 Van Nuys Blvd., Lakeview Terrace, California, 91342, and a having principal place of business within New York State located at 217 Broadway, Suite 610, New York, New York, 10007, has and claims a lien for the principal and interest of the agreed price and value of the labor and material hereinafter mentioned upon the monies applicable to the construction of the public improvement hereinafter mentioned, to the extent of the amount due or to become due in and on the contract between The Metropolitan Transportation Authority and/or The New York City Transit Authority and Yonkers Contracting Company, Inc., hereby states:

1. The name and address of lienor's attorney is Duane Morris LLP, 1540 Broadway, New York, NY 10036-4086.
2. The name of the contractor for whom the labor was performed and materials furnished is Yonkers Contracting Company, Inc.
3. The public improvement upon which the labor was performed and materials were furnished is more fully described as Excavation/Mining/Lining of Vertical Shaft, E1, E2, Inclined Tunnels, T1 Connector Tunnel, and the Construction of a

Ventilation Building and Station Entrance Structure at Site J located at 34<sup>th</sup> Street between 10<sup>th</sup> and 11<sup>th</sup> Avenues in the Borough of Manhattan in New York, New York, Contract No. C-26510.

4. The amount now due and unpaid for the labor and materials for which the lien is claimed is \$3,178,766.00.

5. The materials furnished were all the materials required to be furnished pursuant to the agreement, Subcontract Agreement No. 10-0212-18, dated March 3, 2011, between Yonkers Contracting Company, Inc., as Contractor, and Superior Gunitite, as Subcontractor, including, but not limited to, shotcrete, concrete and concrete accelerator.

6. The labor performed was all the work, labor and services required to be furnished pursuant to the agreement, Subcontract Agreement No. 10-0212-18, dated March 3, 2011, between Yonkers Contracting Company, Inc., as Contractor, and Superior Gunitite, as Subcontractor, including, but not limited to, the placement of shotcrete.

7. The contract pursuant to which the public improvement was constructed is known and designated as the contract between The Metropolitan Transportation Authority and/or The New York City Transit Authority and Yonkers Contracting Company, Inc., Contract No. C-26510.

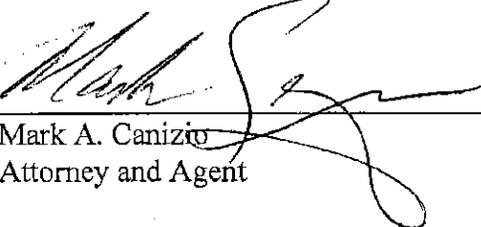
8. The materials specified above were actually furnished, and have been actually used in the execution of the aforementioned contract.

9. The labor and services specified above were actually performed in the execution of the aforementioned contract.

10. Upon information and belief, thirty days have not elapsed since the completion and acceptance of the construction of said public improvement.

Dated: September 9, 2014

**SUPERIOR GUNITE**



Mark A. Canizio  
Attorney and Agent

VERIFICATION

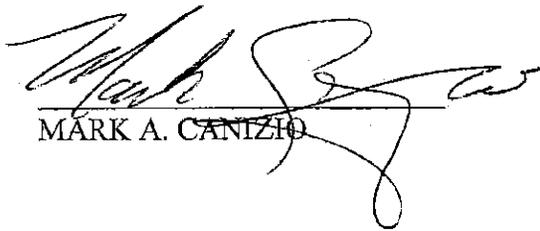
STATE OF NEW YORK    )  
  ) ss.:  
COUNTY OF NEW YORK )

MARK A. CANIZIO, being duly sworn, deposes and says:

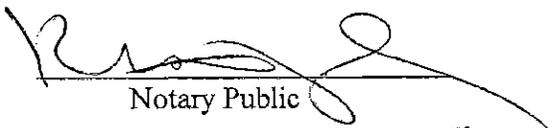
That he the Attorney and Agent of Superior Gunite, the lienor herein; that he has read the foregoing NOTICE UNDER MECHANIC'S LIEN LAW AGAINST A PUBLIC IMPROVEMENT and knows the contents thereof to be true, except as to those matters therein stated upon information and belief, and as to those matters deponent believes them to be true.

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows: books and records of the company.

This verification is made by deponent because Superior Gunite is a California corporation, and deponent is the Attorney and Agent of Superior Gunite.

  
MARK A. CANIZIO

Sworn to before me this  
9th day of September, 2014

  
Notary Public

KENNETH H. LAZARUK  
Notary Public, State of New York  
No. 31-4804268  
Qualified in New York County  
Commission Expires February 28, 192015  
12-2-11

