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THIS INSTRUMENT PREPARED
BY AND SHOULD BE RETURNED
TO:

Brian Meltzer
MELTZER, PURTILL & STELLE LLC
1515 East Woodfield Road
Suite 250
Schaumburg, Illinois 60173-5431

Address: 151 and 171 West Wing Street
Arlington Heights, IL 60005



Doc#: 0714333255 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/23/2007 01:43 PM Pg: 1 of 4

CORDER'S USE ONLY

ABROGATION OF EASEMENT AND SPECIAL AMENDMENT TO DECLARATION

This Abrogation of Easement and Special Amendment is made by A&T Properties, L.L.C., an Illinois limited liability company ("A&T") and Village Green, L.L.C., an Illinois limited liability company ("Declarant")

RECITALS

A&T is the Retail Property Owner under that certain Declaration for Wing Street Condominium and Provisions Related to Certain Non-Condominium Property which was recorded by Declarant on May 28, 2003 as Document No. 0314831023, as amended and supplemented from time to time (the "Declaration"). The legal description of the real estate which is subject to the Declaration is attached hereto as Exhibit A. Recharacterization Amendment No. 1 to Declaration for Wing Street Condominium and Provisions Relating to Certain Non-Condominium Property and Special Amendment was recorded by Declarant on July 14, 2003 as Document No. 0319534102 ("Special Amendment No. 1"). Special Amendment No. 1 added a new Subsection 2.04(b)(v) to the Declaration which created easements in favor of the Retail Property Owner over the roof of the Building and other portions of the Common Elements for the installation, use, maintenance, repair and replacement of, among other things, cellular telephone towers. A&T entered into a Communications License Agreement with AT&T Wireless Services, Inc., pursuant to which AT&T Wireless Services, Inc. has installed a cellular tower on the roof of the Building. YLL

Pursuant to that certain Agreement Re: Cell Tower Rights dated as of the date hereof ("Cell Tower Rights Agreement") A&T has agreed to assign to the Condominium Association all of its right, title and interest under the Communications License Agreement. It has also agreed to abrogate and release the easement for the benefit of the Retail Property Owner which was added as Section 2.04(b)(v) by Special Amendment No. 1. Declarant has agreed to cancel the special amendment made by Special Amendment No. 1. 4

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Accordingly, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, (i) A&T hereby abrogates and releases any right, title and interest which it may have pursuant to Section 2.04(b)(v) of the Declaration, as added by Section 6 of Special Amendment No. 1, and (ii) pursuant to Section 12.02 of the Declaration, Declarant hereby deletes Section 2.04(b)(v) which was added to the Declaration by Section 6 of Special Amendment No. 1, with the remaining provisions of Special Amendment No. 1 continuing in full force and effect. It is A&T's intention that it shall no longer have any right to maintain a cell tower on the roof of the building. This Abrogation of Easement and Special Amendment is being made in connection with the assignment of the Communications License Agreement by A&T to the Condominium Association pursuant to the Cell Tower Rights Agreement and A&T acknowledges that, from and after the date of the recording of this Abrogation of Easement and Special Amendment, the Condominium Association will have control over the roof of the building, including the cell tower located on the roof of the building, subject to the terms of (i) the Communications License Agreement, (ii) the Cell Tower Rights Agreement and (iii) the easements for the benefit of the Retail Property provided for in the Declaration, including, without limitation, those provided for in Section 2.04 (b) of the Declaration .

Dated: April 30, 2007

A&T PROPERTIES, L.L.C.

By: 

B. Gregory Trapani, its Managing Member

VILLAGE GREEN, L.L.C.

By: 

B. Gregory Trapani, its Managing Member

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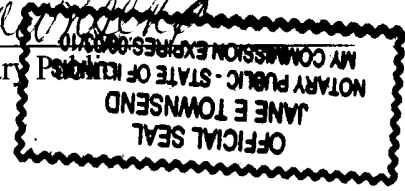
STATE OF ILLINOIS)
COUNTY OF COOK) SS.

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that B. Gregory Trapani, as Managing Member of A&T PROPERTIES, L.L.C., an Illinois limited liability company and Village Green, L.L.C., appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of the companies, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 30TH day of APRIL, 2007.

Jane E. Townsend

Notary Public



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EXHIBIT A

Legal Description

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29 AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 19 IN MINOR'S ADDITION TO DUNTON, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE NORTH 89 DEGREES 50 MINUTES 49 SECONDS WEST 69.04 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS WEST, 132.55 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 20 SECONDS EAST, 201.00 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST, 39.76 FEET; THENCE SOUTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 141.79 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS WEST, 38.84 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS WEST, 131.98 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 47 SECONDS EAST, 8.45 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINS: 03-29-340-030-0000