

# UNOFFICIAL COPY



Doc#: 0733834036 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/04/2007 09:44 AM Pg: 1 of 8

This Document Prepared By and  
After-Recordation, Return To:

Sullivan & Worcester LLP  
One Post Office Square  
Boston, Massachusetts 02109  
Attn: Karen Carp, Esq.

After recording please return to:  
Tien Thoong, Account Executive  
Parasec  
2804 Gateway Oaks Dr #200  
Sacramento, CA 95833-3509

Permanent Real Estate Index Number(s): 01-34-300-006-0000  
Street Address: 50 W Higgins, Barrington, IL

## ILLINOIS ASSIGNMENT AND ASSUMPTION OF LEASE OR OTHER AGREEMENT

Streamwood/south Barringt -- 304416

THIS Assignment and Assumption dated as of 9:00 am on February 28, 2007 is from  
**Tower Asset Sub, LLC**, a Delaware limited liability company ("Assignor") to **American Tower  
Asset Sub, LLC**, a Delaware limited liability company ("Assignee") whose mailing address is:  
116 Huntington Avenue, Boston, MA 02116.

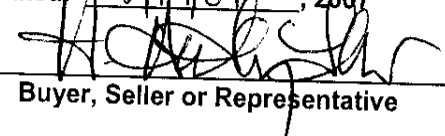
### Agreement:

NOW, THEREFORE, in consideration of \$10.00 and for other good and valuable  
consideration, receipt and sufficiency of which is hereby acknowledged, the Parties agree as  
follows:

1. Assignor does hereby irrevocably transfer and assign to Assignee all of the right,  
title and interest of Assignor in, to and under the lease or other document described in Schedule  
A attached hereto relating to the real property located in the County of COOK, State of Illinois

This transaction is exempt under the provisions of Paragraph (e),  
Section 31-45 of the Illinois Real Estate Transfer Tax Act.

Dated 2/19/07, 2007

  
\_\_\_\_\_  
Buyer, Seller or Representative

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and legally described on Annex 1 hereto, together with any easements and other agreements, permits, rights and appurtenances pertaining thereto (in each case, to the extent assignable) (collectively, the "Land Lease") and forming a part hereof together with any and all of Assignor's right, title and interest in and to the buildings, towers and other improvements located at the real property described on Annex 1 hereto and leased pursuant to such Land Lease and all leases or subleases with respect thereto pursuant to which Assignor leases any part thereof to others (collectively the "Tower Leases"). Assignee hereby assumes and agrees to pay, perform and discharge when due all of the liabilities, obligations, and duties of Assignor under the Land Lease and the Tower Leases.

2. The parties hereto do hereby agree to perform, execute and/or deliver or cause to be performed, executed and/or delivered any and all such further agreements and assurances as either of the parties hereto may reasonably require to consummate the transactions contemplated hereunder.

IN WITNESS WHEREOF, each party has caused this Assignment and Assumption to be duly executed and delivered in its name and on its behalf, as of the date first above written.

**Tower Asset Sub, LLC**, a Delaware limited liability company

By: 

H. Anthony Lehv  
Senior Vice President

**American Tower Asset Sub, LLC**, a Delaware limited liability company

By: 

H. Anthony Lehv  
Senior Vice President

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COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that H. Anthony Lehv, Senior Vice President of **Tower Asset Sub, LLC**, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the instrument as his/her free and voluntary act, and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 19 day of February, 2007.

*Geraldine Gleason*  
Notary Public  
My commission expires:

(NOTARIAL SEAL)



Geraldine Gleason  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
November 1, 2013

Property of Cook County Clerk's Office

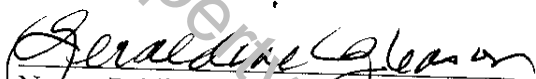
# UNOFFICIAL COPY


COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that H. Anthony Lehv, Senior Vice President of **American Tower Asset Sub, LLC**, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered the instrument as his/her free and voluntary act, and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 19 day of February, 2007.

  
Notary Public  
My commission expires:

 Geraldine Gleason  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
November 1, 2013

(NOTARIAL SEAL)


Property of Cook County Clerk's Office

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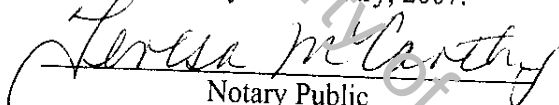
## STATEMENT BY GRANTOR AND GRANTEE


The grantor or her agent affirms that, to the best of her knowledge, the name of the grantor shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated: February 28, 2007.

Signature:   
H. Anthony Lehy, Agent for Grantor

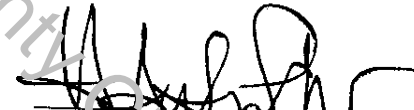
SUBSCRIBED and SWORN to before me this 28<sup>th</sup> day of February, 2007.

  
Notary Public

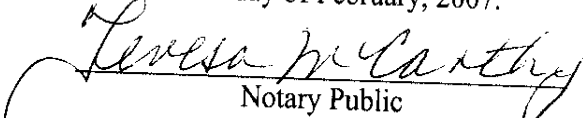
 TERESA M. McCARTHY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
March 16, 2012


The grantee or its agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: February 28, 2007

Signature:   
H. Anthony Lehy, Agent for Grantee

SUBSCRIBED and SWORN to before me this 28<sup>th</sup> day of February, 2007.

  
Notary Public

 TERESA M. McCARTHY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
March 16, 2012

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 31-45 of the Illinois Real Estate Transfer Tax Act.]

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Schedule A  
to Assignment and Assumption Agreement

Site Lease Agreement dated as of April 27, 1994 between Peter Vergados and Angie Vergados and Smart SMR of Illinois, Inc., a Delaware corporation, d/b/a Nextel Communications, as amended, a memorandum or other notice of which is recorded in Document Number 0400747273, which Site Lease Agreement affects the property described on Annex 1 hereto.

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Annex 1  
to Assignment and Assumption Agreement

Legal Description

(See Attached)



Property of Cook County Clerk's Office

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ATC # 304416  
Streamwood / South Barrington  
Cook County, IL

## LEASE DESCRIPTION

THAT PART OF THE WEST 416.00 FEET (EXCEPT THE NORTH 428.9 FEET THEREOF) OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 428.90 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF THE NORTH 428.90 FEET OF SAID SOUTHWEST QUARTER, 416.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF WEST 416.00 FEET OF SAID SOUTHWEST QUARTER, 195.89 FEET; THENCE NORTH 86 DEGREES 41 MINUTES 00 SECONDS WEST, 163.84 FEET; THENCE SOUTH 20 DEGREES 39 MINUTES 02 SECONDS WEST, 60.49 FEET ; THENCE SOUTH 69 DEGREES 21 MINUTES 00 SECONDS EAST 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 69 DEGREES 21 MINUTES 00 SECONDS EAST, 63.00 FEET; THENCE SOUTH 20 DEGREES 39 MINUTES 00 SECONDS WEST, 50.00 FEET; THENCE NORTH 69 DEGREES 21 MINUTES 00 SECONDS WEST, 63.00 FEET; THENCE NORTH 20 DEGREES 39 MINUTES 00 SECONDS EAST, 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2500 SQUARE FEET, ALL IN COOK COUNTY, ILLINOIS.