

# UNOFFICIAL COPY



Doc#: 0830818016 Fee: \$56.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 11/03/2008 11:30 AM Pg: 1 of 11

After Recording Return to:  
American Tower Asset Sub II, LLC  
Attn: Land Management  
10 Presidential Way,  
Woburn, Massachusetts 01801  
(781) 926-4662

Send tax bills to:  
American Tower Asset Sub II, LLC  
Attn: Land Management  
10 Presidential Way,  
Woburn, Massachusetts 01801  
(781) 926-4662

(Recorder's Use Above this Line)

STATE OF ILLINOIS

Land Parcel No.: 24-21-100-021-0000

Premises Parcel No.: 24-21-100-020-0000

COUNTY OF COOK

## MEMORANDUM OF FIRST AMENDMENT TO SITE AGREEMENT NO. 460

THIS MEMORANDUM OF FIRST AMENDMENT TO SITE AGREEMENT NO. 460 ("Memorandum") is made and entered into this 6th day of June, 2008, by and between is entered into as of and effective on January 1, 2008, by and among **STANDARD BANK & TRUST COMPANY**, not personally, but as Trustee Under Trust Agreement Dated November 19, 1992 and known as Trust Number 13596 (the "Trust") and **NICK SCARLATIS, JOHN PAVLOPOULOS and NICK VERVENIOTIS**, the holders of the beneficial interest and the power of direction in and to the Trust (collectively, "LESSOR"), and **SBC TOWER HOLDINGS LLC**, a Delaware Limited Liability Company ("LESSEE"), and **AMERICAN TOWER ASSET SUB II, LLC** ("ASSIGNEE").

1. LESSOR and Southwestern Bell Mobile Systems, Inc. d/b/a Cingular One-Chicago entered into that certain Site Agreement No. 460 dated July 14, 1997 (the "Lease") for certain real property and easements (collectively, the "Premises"), which are a portion of that certain parcel of real property located in the City of Alsip, County of Cook, State of Illinois, described in Attachment A attached hereto (the "Land").
2. The Lease commenced on August 1, 1998 for an initial term of ten (10) years, with options to renew for four (4) additional five (5) year terms.
3. Through a series of mergers and assignments, LESSEE succeeded to the original rights and obligations of Southwestern Bell Mobile Systems, Inc. under the Lease.
4. On December 14, 2000, LESSEE and SOUTHERN TOWERS, LLC entered into a Sublease and Purchase Option and a Site Designation Supplement.
5. On September 19, 2002, LESSOR and LESSEE entered into that certain Memorandum of Site Agreement No. 460.

Handwritten signature and "RECD" stamp

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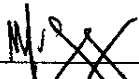
6. On March 28, 2005, LESSEE and SOUTHERN TOWERS, LLC entered into that certain First Amendment to Site Designation Supplement ("First Amendment to the Site Designation Supplement").
7. On February 28, 2007, SOUTHERN TOWERS, LLC entered into that Assignment and Assumption of Lease (the "Assignment") with the ASSIGNEE, AMERICAN TOWER ASSET SUB II, LLC, whereby ASSIGNEE assumed the rights and obligations granted to Southern Towers, LLC by the Sublease.
8. On June 6, 2008, LESSOR, LESSEE and ASSIGNEE entered into that certain First Amendment to Site Agreement No. 460 ("First Amendment").
9. Notwithstanding anything to the contrary in the First Amendment, the description of the Premises shall be as shown on **Attachment B** attached hereto and incorporated herein by reference.
10. The purpose of this Memorandum is to give record notice of the First Amendment to the Lease and of the rights created thereby, all of which are hereby confirmed. In the event of a conflict between the terms of this Memorandum or the addition of any terms in this Memorandum which are not contained in the Lease, such conflicting or additional terms shall be deemed to be a part of the Lease and shall otherwise amend the Lease and be controlling. The terms of the Lease are incorporated herein by reference.

**IN WITNESS WHEREOF**, the parties have executed this Memorandum under seal as of the date first set forth above

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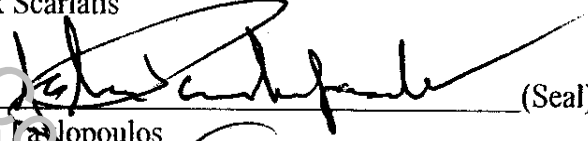
**LESSOR:**

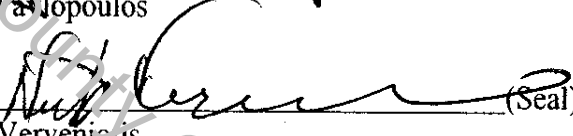
STANDARD BANK AND TRUST COMPANY,  
not personally, but as Trustee Under Trust  
Agreement dated November 19, 1992 and known as  
Trust No 13596

By:   
Name: Michael J Heisler  
Title: VP

NICK SCARLATIS, JOHN PAVLOPOULOS, and  
NICK VERVENIOTIS, the holders of the beneficial  
interest and the power of direction in and to the  
Trust

By:  (Seal)  
Nick Scarlatis

By:  (Seal)  
John Pavlopoulos

By:  (Seal)  
Nick Verveniotis

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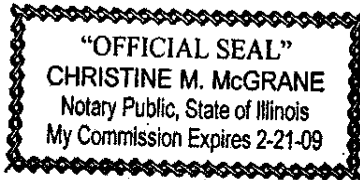
## NOTARY ACKNOWLEDGEMENT FOR LESSOR:

State of Illinois

County of Cook

This instrument was acknowledged before me by Michael J Helsdingen, who is the Vice Pres. of Standard Bank & Trust Company, not personally but as Trustee Under Trust Agreement dated November 19, 1992 and known as Trust Number 13596, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 2 day of August, 2008.



Signature

Christine M. McGrane

My commission expires:

2/21/09

## NOTARY SEAL

State of IL

County of COOK

This instrument was acknowledged before me by Nick Scarlatis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal, this 5<sup>th</sup> day of August, 2008.



Notary Public

Agnes A. Tucker

My Commission Expires:

04-05-2011

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NOTARY SEAL



State of IL  
County of Cook

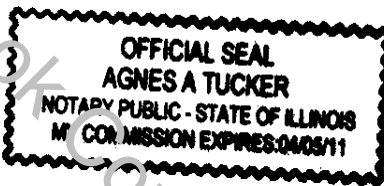
This instrument was acknowledged before me by **John Pavlopoulos**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal, this 5<sup>th</sup> day of August, 2008.

Agnes A. Tucker

Notary Public  
My Commission Expires: 04-05-2011

NOTARY SEAL



State of IL  
County of Cook

This instrument was acknowledged before me by **Nick Verveniotis**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal, this 5<sup>th</sup> day of August, 2008.

Agnes A. Tucker

Notary Public  
My Commission Expires: 04-05-2011

NOTARY SEAL

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**LESSEE:**  
SBC TOWER HOLDINGS LLC,  
a Delaware Limited Liability Company

By:  (Seal)

Name:

Title: **Nellie Jabbari**  
Senior Manager - Partnerships/MLAs

JUN 09 2008

Property of COOK COUNTY CLERK'S OFFICE


**NOTARY ACKNOWLEDGEMENT FOR LESSEE:**

State of Illinois

County of Kane

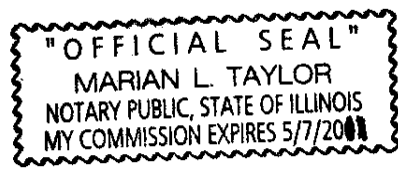
This instrument was acknowledged before me by Nellie Jabbari, who is the SR Mgr. Partnerships of SBC Tower Holdings LLC, a Delaware Limited Liability Company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 9<sup>th</sup> day of June, 2008

Signature 

My commission expires: 5/7/2011

**NOTARY SEAL**



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ASSIGNEE:

American Tower Asset Sub II, LLC

By: \_\_\_\_\_ (Seal)

Name: JASON D. HIRSCH  
Title: VP Land Management

Property of Cook County Clerk's Office

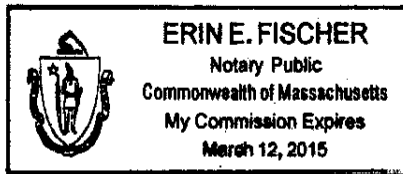
NOTARY ACKNOWLEDGEMENT FOR LESSEE:

State of Massachusetts

County of Middlesex

This instrument was acknowledged before me by JASON D. HIRSCH, who is the VP Land Management of American Tower Asset Sub II, LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 16 day of June, 2008.



Signature Erin E Fischer

My commission expires: 3/12/2015

NOTARY SEAL

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## ATTACHMENT "A"

### Land

**Site No.: IL-0455**

**Land Parcel No.: 24-21-100-021-0000**

**Site Name: Alsip**

**Address: 5253 111th Street, Alsip, Illinois  
60803**

The Land is described as follows:

Lot 1 in V.P.S. Subdivision, being a subdivision of Section 21, excepting therefrom the North 250.00 feet of the East 425.00 feet thereof, in Chapel Hill Gardens South, being a plat for cemetery purposes of part of the Northwest Quarter of Section 21, Township 37 North, Range 13 East of the Third Principal Meridian, also known as that part of said Northwest Quarter of Section 21, lying Northeasterly of the Northeasterly line of a 25.00 foot strip conveyed to the Baltimore and Ohio Terminal Railroad per document 10795683 and lying south of the South line of 111th Street as shown on Document 14717616, in Cook County, Illinois.



**UNOFFICIAL COPY****ATTACHMENT "B"  
Premises****Site No.: IL-0455****Site Name: Alsip****Premises Parcel No.: 24-21-100-020-0000****Address: 5253 111th Street, Alsip, Illinois  
60803**

The Premises is described as follows:

Lease Area Legal Description

That part of Lot 1 in V.P.S. Subdivision of part of the Northeast Quarter of the Northwest Quarter of Section 21 North, Township 37 North, Range Thirteen, East of the Third Principal Meridian, according to the Plat thereof recorded March 29, 1988 as Document No. 88128913, bounded and described as follows: commencing at the Southeast corner of said Lot 1; thence North 39° 40' 45" W, being an assumed bearing on the southwesterly line of said Lot 1, said line also being the northwesterly right of way of the Baltimore and Ohio Chicago Terminal Railroad right of way, a distance of 185.10 feet to the point of beginning;

Thence continuing North 39° 40' 45" W, on the southwesterly line of said Lot 1, a distance of 30.00 feet;

Thence North 50° 19' 15" E, perpendicular to the last described line, a distance of 50.00 feet;

Thence South 39° 40' 45" E, parallel with the southwesterly line of said Lot 1, a distance of 30.00 feet;

Thence South 50° 19' 15" W, perpendicular to the southwesterly line of said Lot 1, a distance of 50.00 feet to the point of beginning, all in Cook County, Illinois.

This description includes an equipment area of approximately 15' x 30' within an existing storage building belonging to the Lessor, which adjoins the Tower Lease Area.

Ingress/Egress Easement No. 1

That part of Lot 1 in V.P.S. Subdivision of part of the Northeast Quarter of the Northwest Quarter of Section 21 North, Township 37 North, Range 13, East of the Third Principal Meridian, according to the plat thereof recorded March 29, 1988 as Document No. 88128913, bounded and described as follows: commencing at the southeast corner of said Lot 1; thence North 39° 40' 45" W, being an assumed bearing on the southwesterly line of said Lot 1, said line also being the northwesterly right of way of the Baltimore and Ohio Chicago Terminal Railroad right of way, a distance of 215.10 feet; thence North 50° 19' 15" East, perpendicular to the last described line, a distance of 50.00 feet to the point of beginning;

Thence continuing North 50° 19' 15" East, a distance of 28.90 feet to a point of curve;

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Thence northeasterly 21.86 feet on a curve to the left, having a radius of 26.00 feet, a chord distance of 21.17 feet and a chord bearing of North 26° 16' 00" East;

Thence North 00° 12' 44" East, a distance of 133.87 feet to a point of curve;

Thence Northeasterly 47.01 feet on a curve to the right having a radius of 30.00 feet, a chord distance of 42.35 feet and a chord bearing of North 45° 06' 22" East;

Thence North 90° 00' 00" East, a distance of 37.08 feet to the East line of said Lot 1, said line also being the west right of way of Laramie Avenue;

Thence South 00° 00' 00" West on the East line of said Lot 1, a distance of 15.00 feet;

Thence South 90° 00' 00" West, a distance of 37.08 feet to a point of curve;

Thence Southwesterly 22.61 feet on a curve to the left, having a radius of 15.00 feet, a chord distance of 21.17 feet and a chord bearing of South 45° 06' 22" West;

Thence South 00° 12' 44" West, a distance of 133.87 feet to a point of curve;

Thence Southwesterly 34.98 feet on a curve to the right, having a radius of 40.00 feet, a chord distance of 33.88 feet and a chord bearing of South 25° 16' 00" West;

Thence South 50° 19' 15" West, perpendicular to the Southwesterly line of said Lot 1, a distance of 28.90 feet;

Thence North 39° 40' 45" West, a distance of 15.00 feet to the point of beginning, all in Cook County, Illinois.

## Ingress/Egress Easement No. 2

That part of Lot 1 in V.P.S. Subdivision of part of the Northeast Quarter of the Northwest Quarter of Section 21 North, Township 37 North, Range 13, East of the Third Principal Meridian, according to the plat thereof recorded March 29, 1988 as Document No. 88128913, bounded and described as follows: commencing at the Southeast corner of said Lot 1; thence North 39° 40' 45" West, being an assumed bearing on the southwesterly line of said Lot 1, said line also being the northwesterly right of way line of the Baltimore and Ohio Chicago Terminal Railroad right of way, a distance of 216.10 feet; thence North 50° 19' 15" East, perpendicular to the last described line, a distance of 50.00 feet to the point of beginning;

Thence North 40° 18' 49" W, a distance of 275.34 feet;

Thence North 39° 04' 03" W, a distance of 286.17 feet to a point of curve;

Thence Northwesterly 34.26 feet on a curve to the right, having a radius of 50.00 feet, a chord distance of 33.58 feet and a chord bearing of North 19° 26' 43" West;

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Thence North  $00^{\circ} 10' 38''$  East, a distance of 222.73 feet to the North line of said Lot 1, said line also being the south line of 111th Street;

Thence North  $89^{\circ} 49' 22''$  West, on the north line of said Lot 1, a distance of 15.00 feet;

Thence South  $00^{\circ} 10' 38''$  West, a distance of 222.73 feet to a point of curve;

Thence Southwesterly 44.52 feet on a curve to the left, having a radius of 65.00 feet, a chord distance of 43.66 feet and a chord bearing of South  $19^{\circ} 26' 43''$  East;

Thence South  $39^{\circ} 04' 03''$  East, a distance of 286.33 feet;

Thence South  $40^{\circ} 18' 49''$  East, a distance of 275.34 feet;

Thence North  $50^{\circ} 19' 15''$  East, a distance of 15.00 feet to the point of beginning, all in Cook County, Illinois.

## Easement for Construction

That part of Lot One in V.P.S. Subdivision of part of the Northeast Quarter of the Northwest Quarter of Section 21 North, Township 47 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded March 29, 1988 as Document No. 88128913, bounded and described as follows: commencing at the southeast corner of said Lot 1; thence North  $39^{\circ} 40' 45''$  West, being an assumed bearing on the southwesterly line of said Lot 1, said line also being the northwesterly right of way of the Baltimore and Ohio Chicago Terminal Railroad right of way, a distance of 186.10 feet; thence North  $50^{\circ} 19' 15''$  East, perpendicular to the last described line, a distance of 50.00 feet to the point of beginning;

Thence continuing North  $50^{\circ} 19' 15''$  East, a distance of 15.00 feet;

Thence North  $39^{\circ} 40' 45''$  West, parallel with the southwesterly line of said Lot 1, a distance of 60.00 feet;

Thence South  $50^{\circ} 19' 15''$  West, perpendicular to the southwesterly line of said Lot 1, a distance of 30.33 feet;

Thence South  $40^{\circ} 18' 48''$  East, a distance of 30.00 feet;

Thence North  $50^{\circ} 19' 15''$  East, a distance of 15.00 feet;

Thence South  $39^{\circ} 40' 45''$  East, parallel with the southwesterly line of said Lot 1, a distance of 30.00 feet to the point of beginning, all in Cook County, Illinois.