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Doc#: 0909704291 Fee: \$50.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/07/2009 02:35 PM Pg: 1 of 8

This Document Prepared By ~~amr~~
After Recordation, Return To:

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

Permanent Real Estate Index Number(s): 17-05-113-007
Street Address: 1421 N. Elston Ave., Chicago, IL

ILLINOIS ASSIGNMENT AND ASSUMPTION OF LEASE OR OTHER AGREEMENT

Goose Island -- 304475

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 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

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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

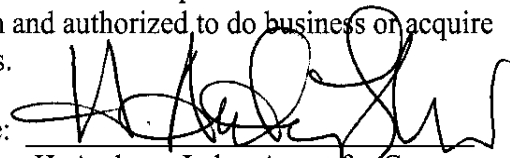
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304475

STATEMENT BY GRANTOR AND GRANTEE

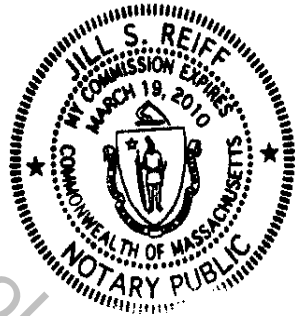
The grantor or its agent affirms that, to the best of its knowledge, the name of the grantor shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate 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: March 11, 2009

Signature: 
H. Anthony Lehv, Agent for Grantor

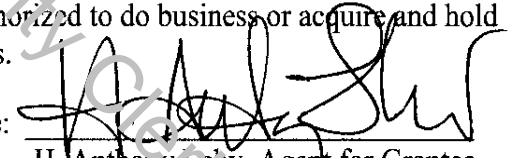
SUBSCRIBED and SWORN to before me this 11th day of March, 2009


Notary Public



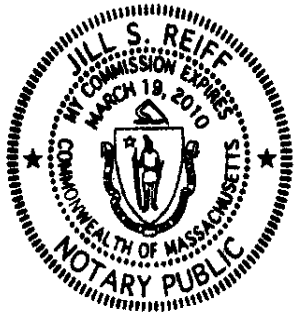
The grantee or its agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, 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: March 11, 2009

Signature: 
H. Anthony Lehv, Agent for Grantee

SUBSCRIBED and SWORN to before me this 11th day of March, 2009


Notary Public



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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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 22nd day of August, 2008.

Jill S. Reiff
Notary Public Jill S. Reiff
My commission expires: 3/19/2010

(NOTARIAL SEAL)



Proprietor of Cook County Clerk's Office

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COMMONWEALTH OF MASSACHUSETTS

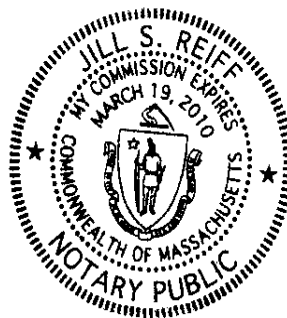
COUNTY OF SUFFOLK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that H. Anthony Lehy, 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 22nd day of August, 2008.

Jill S. Reiff
Notary Public Jill S. Reiff
My commission expires: 3/19/2010

(NOTARIAL SEAL)



Property
Suffolk County Clerk's Office

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Schedule A
to Assignment and Assumption Agreement

Communications Site Lease Agreement dated as of November 15, 1996 between PKP Associates, Ltd., an Illinois corporation 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 prior hereto or intended to be recorded simultaneously herewith, which Communications 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 # 304475
Goose Island
Cook County, IL**

LEGAL DESCRIPTION

A PARCEL OF LAND FOR LEASE SITE PURPOSES LOCATED WITHIN THAT PART OF LOTS 13 AND 14 IN BLOCK 29 IN ELSTON'S ADDITION TO CHICAGO IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF A 16 FOOT WIDE PUBLIC ALLEY DEDICATED DECEMBER 9, 1958 AS DOCUMENT NUMBER 17399192, IN BLOCK 29 AFORESAID; THENCE N.13°39'45"E, ALONG THE WEST LINE OF MAGNOLIA AVENUE, 181.19 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY, ALONG THE LAST DESCRIBED COURSE, 50.00 FEET; THENCE NORTHWESTERLY, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 30.00 FEET; THENCE SOUTHWESTERLY, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 8.00 FEET; THENCE SOUTHEASTERLY, 51.51 FEET TO THE POINT OF BEGINNING, CONTAINING 870.00 SQUARE FEET.