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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/12/2014 09:46 AM Pg: 1 of 9

PREPARED BY AND WHEN
RECORDED RETURN TO:
Steven L. Ritt, Esq.
Michael Best & Friedrich LLP
P.O. Box 1806
Madison, WI 53701-1806

AMENDED AND RESTATED MEMORANDUM OF AGREEMENT

This AMENDED AND RESTATED MEMORANDUM OF AGREEMENT ("Memorandum") entered into this 25 day of Nov, 2014, between Berwyn Park District ("Lessor") and Chicago SMSA Limited Partnership, an Illinois limited partnership d/b/a Verizon Wireless, with its principal offices located at One Verizon Way, Mailstop 4AW100, Basking Ridge, New Jersey 07920 ("Lessee"). Lessor and Lessee are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

WHEREAS, Lessor is the owner of a certain parcel of real property more particularly described on the attached **Exhibit A** and **Exhibit B** as the "Parent Parcel"; and

WHEREAS, Lessor and Lessee are Parties to that certain Tower Lease Agreement dated March 1, 2005, as amended by that certain First Amendment To Tower Lease Agreement dated 11/25, 2014 ("First Amendment") (collectively, the "Agreement"), pursuant to which Lessor leases to Lessee a portion of the Parent Parcel,

WHEREAS, Lessor and Lessee entered into a Memorandum of Agreement recorded October 18, 2005 as document number 0529118079 in the Cook County, Illinois Recorder of Deeds (the "Original Memorandum"), evidencing the Agreement.

NOW THEREFORE, the Parties acknowledge that:

1. This Memorandum evidences that Lessor and Lessee have entered into the Agreement, the terms, covenants and provisions of which are in full force.
2. The initial term of the Agreement is five (5) years, commencing on the Commencement Date, as set forth in the Agreement. The Agreement shall automatically be extended for six (6) successive five (5) year terms on the terms and conditions as set forth in the Agreement.

S Yes
P 9
S 1
M 1
SC Yes
E Yes
INT 1

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3. Pursuant to the Agreement, Lessor leased to Lessee a portion of the Parent Parcel more particularly described as the: 15' x 36' Lease Area; 8' wide Access Easement; 8' x 8' Tower Lease Area; and the 4' wide Coax Easement as described and depicted in **Exhibit A** and **Exhibit B**.
4. Lessor and Lessee have entered into the First Amendment, pursuant to which Lessor has leased to Lessee an additional portion of the Parent Parcel for the placement of a generator more particularly described on **Exhibit A** as the "Proposed 10'x16' Generator Lease Area" ("Lessee's Generator Parcel") together with the "Proposed 4.00' wide Utility Easement 'A'" the "Proposed 4.00' wide Utility Easement 'B'" described on **Exhibit A** (collectively, the "Lessee's Utility Easements"). The Lessee's Generator Parcel and Lessee's Utility Easements are more particularly described on **Exhibit A** attached hereto, and as shown on the plat of survey attached hereto as **Exhibit B**.
5. The attached **Exhibit A** and **Exhibit B** are incorporated into this Memorandum as though fully set forth herein.
6. The terms, covenants and provisions of the Agreement and this Memorandum shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.
7. In the event of any conflict between the terms of this Memorandum and the Agreement, the terms of the Agreement shall control.

[Signature Page Follows]

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IN WITNESS WHEREOF, the Parties have caused this Memorandum to be duly executed on the date indicated near the signature of each.

LESSOR:

LESSEE:

BERWYN PARK DISTRICT

CHICAGO SMSA LIMITED PARTNERSHIP, an Illinois limited partnership d/b/a Verizon Wireless

By: *Mario Manfredini*
Name: Mario Manfredini

By: *Lynn Ramsey*
Name: Lynn Ramsey

Title: President

Title: Area Vice President Network

Date: 10/16/14

Date: 11/25/14

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

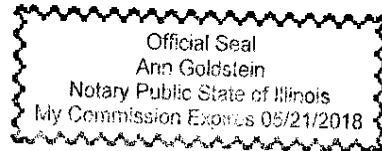
This instrument was acknowledged before me on October 16, 2014, by Mario Manfredini, as the President of the Berwyn Park District.

This instrument was acknowledged before me on 11/25/14, by Lynn Ramsey, known to me to be the Area Vice President Network of Chicago SMSA Limited Partnership d/b/a Verizon Wireless.



Signature: *Mary Gail Corpus*
Print Name: MARY GAIL CORPUS
Notary Public, State of Illinois
My Commission: 123116

Signature: *Ann Goldstein*
Print Name: Ann Goldstein
Notary Public, State of Illinois
My Commission: _____



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EXHIBIT A

(See Attached Legal Descriptions)

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Parent Parcel

Parcel 1:

The East half of Lot 9, the East half of Lot 10, and the East half of the North half of Lot 8 in Block 62 of Oliver L. Watson's Ogden Avenue Addition to Berwyn in Section 31, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2:

Tract A:

The West 172.4 feet of the North half of Lot 2 in Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Tract 2:

The West half of the North half of the South half of Lot 4 in Block 62 of Oliver L. Watson's Addition to Berwyn in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

Parcel 3:

The South half (except the East 123 ¼ feet thereof) of Lot 2 in Block 62 in Oliver L. Watson's Addition to Berwyn, in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 4:

The North half of Lot 3 (except the East 123 ¼ feet thereof) in Block 62 in Oliver L. Watson's Addition to Berwyn in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 5:

The South half of Lot 1 (except the East 123.29 feet thereof) in Block 62 in Oliver L. Watson's Addition to Berwyn in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 6:

The North half of Lot 1 (except the Easterly 139.35 feet thereof) in Block 62 in Oliver L. Watson's Addition to Berwyn, in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 7:

Lots 3 and 4 and the platted street, consisting of 33 feet, lying Westerly of and adjoining said Lots 3 and 4 in the Subdivision of the South half of Lot 3 in Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

and

The North half of Lot 4 (except the East 123.32 feet thereof) in Block 62 in Oliver L. Watson's Addition to Berwyn, in Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Proposed 15'x36' Lease Area

All that part of Lot 2, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of

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Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 253.31 feet along the southerly right of way line of 37th Street (60' wide); thence South 01°15'59" East 130.48 feet TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence South 55°32'28" East 36.00 feet; thence South 34°27'32" West 15.00 feet; thence North 55°32'28" West 36.00 feet; thence North 34°27'32" East 15.00 feet; to the place of beginning of this description.

Proposed 8.00' wide Access Easement

An 8.00 foot wide easement for access in all that part of Lots 1, 2 and 10, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, the centerline of which is described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 253.31 feet along the southerly right of way line of 37th Street (60' wide); thence South 01°15'59" East 130.48 feet; thence South 34°27'32" West 7.50 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence North 55°32'28" West 46.58 feet; thence North 01°20'54" West 109.37 feet to the southerly right of way line of 37th Street (60' wide) for the place of ending of this centerline description. Sidelines should be lengthened or shortened to intersect with the northwesterly 15'x36' lease area line and the southerly right of way line of 37th Street.

Proposed 10'x16' Generator Lease Area

All that part of Lot 2, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 151.33 feet along the southerly right of way line of 37th Street (60' wide); thence South 00°00'00" West 260.82 feet TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence South 00°00'00" West 10.00 feet; thence South 90°00'00" West 16.00 feet; thence North 00°00'00" West 10.00 feet; thence North 90°00'00" East 16.00 feet to the place of beginning of this description.

Proposed 4.00' wide Coax Easement

A 4.00 foot wide easement for coax in all that part of Lot 2 and 3, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, the centerline of which is described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 253.31 feet along the southerly right of way line of 37th Street (60' wide); thence South 01°15'59" East 130.48 feet; thence South 34°27'32" West 15.00 feet; thence South 55°32'28" East 34.00 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence South 34°27'32" West 7.02 feet; thence South 02°10'20" East 62.41 feet; thence South 47°30'20" East 5.78 feet to the place of ending of this centerline description. Sidelines should be lengthened or shortened to intersect with the southwesterly 15'x36' lease area line.

Proposed 4.00' wide Utility Easement "A"

A 4.00 foot wide easement for utilities in all that part of Lot 2, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, the centerline of which is described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 151.33 feet along the southerly right of way line of 37th Street (60' wide); thence South 00°00'00" West 258.82 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence South 90°00'00" West 54.13 feet; thence North 38°30'33" West 26.07 feet; thence North 02°42'40" West 75.45 feet thence North 55°32'28" West

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4.77 feet to the southeasterly face of an existing building for the place of ending of this centerline description. Sidelines should be lengthened or shortened to intersect with the easterly face of an existing building.

Proposed 4.00' wide Utility Easement "B"

A 4.00 foot wide easement for utilities in Lots 1 and 2, Block 62 in Oliver L. Watson's Ogden Avenue Addition to Berwyn, part of the Southeast 1/4 of Section 31, Township 39 North, Range 19 East of the Third Principal Meridian, City of Berwyn, Cook County, Illinois, as recorded in document number 4343178, Cook County Recorder's Office, the centerline of which is described as: Commencing at the Northeast corner of Lot 1 of said Plat; thence South 88°44'01" West 151.33 feet along the southerly right of way line of 37th Street (60' wide); thence South 00°00'00" West 259.52 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence North 38°17'22" East 22.22 feet; thence North 01°20'54" West 214.71 feet; thence North 53°54'04" West 13.25 feet; thence North 01°20'54" West 19.58 to the south line of 37th Street (60.00 feet) for the place of ending of this centerline description. Sidelines should be lengthened or shortened to intersect with the south line of said right of way and from the east line of the 10.00 foot by 14.00 foot generator Lease Area.

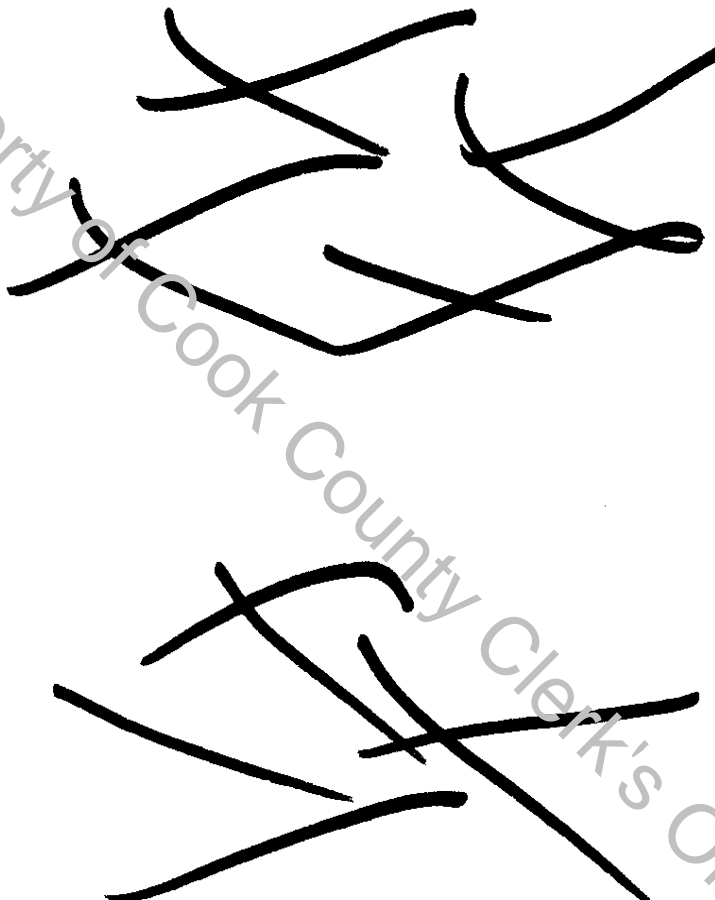
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EXHIBIT B

(see attached survey)

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