

UNOFFICIAL COPY



Doc#: 1527516070 Fee: \$50.00
RHSP Fee:\$9.00 RPRF Fee: \$1.00
Karen A.Yarbrough
Cook County Recorder of Deeds
Date: 10/02/2015 02:36 PM Pg: 1 of 7

810421-16

(Do Not Type Above This Line—For Recording Purposes Only)

MEMORANDUM OF AGREEMENT

By and Between
Home Properties Park Grove, LLC and Home Properties Park Grove II, LLC

“Grantor”

And
Comcast of Illinois XI, LLC

“Grantee”

For the Premises Commonly Known as
Park Grove Apartments
1821 W Golf Road
Mount Prospect IL 60056
Cook County

Dated: April 28, 2015

<p>When Recorded, Return To: Comcast Cable Communications, Inc. Attention: Hurness Wooten 1255 W. North Avenue Chicago, Illinois 60622 Parcel Number:</p>	<p>Drafted By: Comcast Cable Communications, Inc Attention: Hurness Wooten 1255 W. North Avenue Chicago, Illinois 60622</p>
--	--

UNOFFICIAL COPY

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (this "**Memorandum**") dated this 28th day of April, 2015, by and between Comcast of Illinois XI, LLC, its successors and assigns, hereinafter referred to as "**Company**" and Home Properties Park Grove, LLC, a New York limited liability company and Home Properties Park Grove II, LLC, a New York limited liability company, hereinafter collectively referred to as "**Owner**".

Owner and Company are parties to a Services Agreement dated the 28th day of April, 2015 (the "**Agreement**"), pursuant to which Company provides certain broadband communications services to the Premises described below. Unless otherwise defined in this Memorandum, capitalized terms used in this Memorandum have the meaning ascribed to them in the Agreement.

Under the Agreement, Owner granted to Company, its successors the right to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time the Distribution Plant necessary or useful for distributing broadband services and other like communications, in, on, over, under, across and along that certain real property (the "**Premises**") located in the City of Mount Prospect, Cook County, in the State of Illinois, described as follows:

LEGAL DESCRIPTION:

(See Attached **Exhibit 1**)

Under the Agreement, Owner agrees for itself and its successors and assigns that the Distribution Plant on the Premises is and remains the personal property of Company and may not be altered, obstructed or removed without the express written consent of Company.

Notwithstanding anything to the contrary herein, the rights granted to Company terminate sixty (60) days after the Company is no longer providing the Services on the Premises due to the expiration or any earlier termination of the Agreement, including any continuation period required under the Agreement. Company shall execute and deliver to Owner a recordable release of this Memorandum within ten (10) days after the expiration of such sixty (60) day period. This obligation survives the expiration or any termination of the Agreement.

The parties, individually and on behalf of any predecessors in interest, waive and release all rights, if any, under any previous easement or memoranda of agreement between the parties or their predecessors in interest that relate to the Premises, including but not limited to any agreement for services to the Premises entered into or amended by Owner, Company or any of their predecessors in interest, including but not limited to the two MDU Broadband Service Agreement(s) dated December 21, 2001, between AT&T Broadband Telenois, LLC (Company's predecessor in interest) and D.D.S. Partners Inc. (Owner's predecessor in interest).

If there is a conflict between the provisions of the Agreement and the provisions of this Memorandum, the Agreement controls. Nothing in this Memorandum modifies in any way the terms of the Agreement.

UNOFFICIAL COPY

Executed this ____ day of _____, 2015.

GRANTOR:

Home Properties Park Grove, LLC,
a New York limited liability company

By: Home Properties, L.P.,
a New York limited partnership,
its manager

By: Home Properties, Inc.,
a Maryland corporation,
its general partner

By: *Keith Knight*
Name: Keith E. Knight
Title: Vice President
Date: 4.29.15

AND:

Home Properties Park Grove II, LLC,
a New York limited liability company

By: Home Properties, L.P.,
a New York limited partnership,
its manager

By: Home Properties, Inc.,
a Maryland corporation,
its general partner

By: *Keith Knight*
Name: Keith E. Knight
Title: Vice President
Date: 4.29.15

UNOFFICIAL COPY

GRANTEE:

Comcast of Illinois XI, LLC

By: 

Name: Michael Slovin

Title: Vice President, Sales & Sales Operations

Date: 5/2/12

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF NEW YORK)
) ss.
COUNTY OF MONROE)

The foregoing instrument was acknowledged before me this 29th day of April, 2015, by Keith E. Knight as Vice President of Home Properties, Inc., a Maryland corporation, the general partner of Home Properties, L.P., a New York limited partnership, the manager of Home Properties Park Grove, LLC, a New York limited liability company, on behalf of the said limited liability company. He is (personally known to me) or ~~(has presented~~ _____ ~~(type of identification) as identification and did/did not take an oath.~~

Witness my hand and official seal.

Nancy J. Elliott
Notary Public
(Print Name)

My commission expires: _____

NANCY J. ELLIOTT
NOTARY PUBLIC, STATE OF NY
QUALIFIED IN GENESEE CO.
MY COMMISSION EXPIRES 7/4/18

STATE OF NEW YORK)
) ss.
COUNTY OF MONROE)

The foregoing instrument was acknowledged before me this 29th day of April, 2015, by Keith E. Knight as Vice President of Home Properties, Inc., a Maryland corporation, the general partner of Home Properties, L.P., a New York limited partnership, the manager of Home Properties Park Grove II, LLC, a New York limited liability company, on behalf of the said limited liability company. He is (personally known to me) or ~~(has presented~~ _____ ~~(type of identification) as identification and did/did not take an oath.~~

Witness my hand and official seal.

Nancy J. Elliott
Notary Public
(Print Name)

My commission expires: _____

NANCY J. ELLIOTT
NOTARY PUBLIC, STATE OF NY
QUALIFIED IN GENESEE CO.
MY COMMISSION EXPIRES 5/24/18

UNOFFICIAL COPY

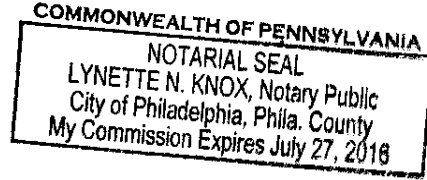
STATE OF Pennsylvania
COUNTY OF Philadelphia) ss.

The foregoing instrument was acknowledged before me this 5th day of May, 2015, by Michael Slovin, as Vice President, Sales & Sales Operations of Comcast of Illinois XI, LLC, on behalf of the limited liability company. He is personally known to me and did not take an oath.

Witness my hand and official seal.

Lynette N. Knox
Lynette N. Knox Notary Public
(Print Name)

My commission expires: 7/27/2018



Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT 1

TO MEMORANDUM OF AGREEMENT

Legal Description

LOT 29 IN THE MANSIONS, A SUBDIVISION OF PARTS OF LOTS 7, 8, 9 AND 10 IN MEIER BROTHERS SUBDIVISION IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF THE MANSIONS AFORESAID REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON JULY 27, 1978 AS LR3035027.

Commonly known as: Mansions Apartments, Arlington Heights, Illinois

- | | |
|-----------------|-----------------|
| 901 E Golf Road | 935 E Golf Road |
| 903 E Golf Road | 937 E Golf Road |
| 905 E Golf Road | 939 E Golf Road |
| 907 E Golf Road | 941 E Golf Road |
| 909 E Golf Road | 943 E Golf Road |
| 911 E Golf Road | 945 E Golf Road |
| 913 E Golf Road | 947 E Golf Road |
| 915 E Golf Road | 949 E Golf Road |
| 917 E Golf Road | 951 E Golf Road |
| 919 E Golf Road | 953 E Golf Road |
| 921 E Golf Road | 955 E Golf Road |
| 923 E Golf Road | 957 E Golf Road |
| 925 E Golf Road | 959 E Golf Road |
| 927 E Golf Road | 961 E Golf Road |
| 929 E Golf Road | 963 E Golf Road |
| 931 E Golf Road | 965 E Golf Road |
| 933 E Golf Road | |

Permanent Tax Number(s): 08-15-104-037-0000 and 08-15-104-038-0000