

# UNOFFICIAL COPY

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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 11/14/2016 09:52 AM Pg: 1 of 5

THIS DOCUMENT PREPARED BY:

DYKEMA GOSSETT PLLC  
Milo R. Madole, Esq.  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, Michigan 48304

AFTER RECORDING RETURN TO:

After Recording Return to:  
Crown Castle  
1220 Augusta, Suite 600  
Houston, TX 77057  
Attn: PEP

## MEMORANDUM OF FIRST AMENDMENT TO SITE LEASE WITH OPTION

See Exhibit "A" for Legal Description, Common Address and Parcel No.

**THIS MEMORANDUM OF FIRST AMENDMENT TO SITE LEASE WITH OPTION** (this "Memorandum") is made this 31 day of October, 2016, by and between **NEW VENTURE PROPERTIES, LLC**, an Illinois limited liability company ("Landlord"), having a mailing address of 9100 West Plainfield Road, Brookfield, Illinois 60513, and **T-MOBILE USA TOWER LLC**, a Delaware limited liability company ("Tenant"), whose address is 12920 SE 38th Street, Bellevue, Washington 98006, Attn: Lease Compliance/CH65023K, by and through its attorney-in-fact, CCTMO LLC, a Delaware limited liability company, with a mailing address of c/o Crown Castle USA Inc., Attn: Legal - Real Estate Department, 2000 Corporate Drive, Canonsburg, Pennsylvania 15317.

### RECITALS

**WHEREAS**, Landlord and Tenant are the current parties under that certain Site Lease with Option and addendum dated as of October 9, 2008, with a commencement date of December 23, 2008, originally by and between T-Mobile Central LLC, a Delaware limited liability company ("T-Mobile"), as tenant, and Landlord, as landlord (the "Lease"), a memorandum of which was recorded on February 13, 2009, as Document No. 090415034 in the Public Records of Cook County, Illinois;

**WHEREAS**, Tenant is the successor in interest to T-Mobile;

**WHEREAS**, the parties have modified the terms of the Lease by that certain First Amendment to Site Lease with Option dated the same date as this Memorandum, by and between Landlord and Tenant, and wish to provide record notice of the existence of the Lease as amended thereby (hereafter, the Lease is referred to as the "Amended Lease") and the status of certain rights and interests thereunder through the recording of this Memorandum in the Public Records of Cook County, Illinois; and

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WHEREAS, the Amended Lease pertains to certain real property leased to Tenant together with access and utility easements granted to Tenant more particularly described in the Amended Lease (the "Leased Premises"), located on a portion of Landlord's property that is more particularly described on Exhibit "A" attached hereto and incorporated by this reference ("Landlord's Property").

## OPERATIVE PROVISIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant hereby agree as follows:

1. The recitals hereinabove are true and correct and are incorporated herein by this reference.
2. Landlord hereby acknowledges, ratifies, and confirms Tenant's interest in and to the Amended Lease.
3. The terms and provisions of the Amended Lease are hereby restated and incorporated herein by this reference.
4. The Amended Lease provides that the initial term of the Amended Lease is five (5) years, commencing on December 23, 2008, with seven (7) renewal terms of five (5) years each. The term of the Amended Lease, including all renewal terms, if exercised, will expire on December 22, 2048.
5. The Amended Lease pertains to a portion of that certain real property described on Exhibit "A" attached hereto.
6. The Amended Lease provides Tenant with a right of first refusal with respect to all or a portion of Landlord's Property, upon the terms and conditions more particularly set forth in the Amended Lease.
7. The parties consent to the recording of this Memorandum in the public records of the county in which the Leased Premises is situated, and agree that this Memorandum shall be executed in recordable form.
8. This Memorandum may be executed in counterparts, each of which shall constitute an original instrument.

[Signatures begin on the following page]

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IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the date first written above.

**LANDLORD:**

**NEW VENTURE PROPERTIES, LLC,**  
an Illinois limited liability company

By: D.P. Chopp

Name: Daniel P. Chopp

Its: Manager

Date: 10-28-16

Property of Cook County Clerk

**ACKNOWLEDGEMENT**

STATE OF ILLINOIS

COUNTY OF Cook

On this, the 28<sup>th</sup> day of October, 2016, before me, the undersigned Notary Public, personally appeared Daniel P. Chopp, who acknowledged him/herself to be the MANAGER of New Venture Properties, LLC, an Illinois limited liability company, and that he/she, being authorized to do so, executed the foregoing Memorandum of First Amendment to Site Lease with Option for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]



Notary Public, State of ILLINOIS, County of Cook  
Acting in the County of Cook  
My Commission Expires:

[SEAL]

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TENANT:

**T-MOBILE USA TOWER LLC,**  
a Delaware limited liability company

By: CCTMO LLC,  
a Delaware limited liability company  
Its: Attorney-in-Fact

By: 

Name: Matthew Norwood  
Real Estate Transaction Manager

Its: \_\_\_\_\_

Date: 10/31/16

Property of Cook County Clerk's Office

### ACKNOWLEDGEMENT


STATE OF TEXAS

COUNTY OF HARRIS

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) SS  
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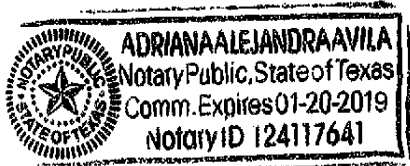
On this, the 31 day of October, 2016, before me, the undersigned Notary Public, personally appeared Matthew Norwood, who acknowledged him/herself to be the Real Estate Transaction Mgr. of CCTMO LLC, a Delaware limited liability company, the Attorney-in-Fact for T-Mobile USA Tower LLC, a Delaware limited liability company, and that he/she, being authorized to do so, executed the foregoing Memorandum of First Amendment to Site Lease with Option for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public, State of Texas, County of Harris  
My Commission Expires: 1-20-19

[SEAL]



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## EXHIBIT "A"

### LEGAL DESCRIPTION OF LANDLORD'S PROPERTY

Land in Cook County, Illinois, more particularly described as follows:

Lot 6 (except the East 460 feet and except the West 30 feet thereof) of the County Clerk's Division of Sec. 19 - Township 37, North Range 11, East of the Third Principal Meridian, excepting from all of the above described premises the two 90 foot reserve strips, one on each side of the Illinois & Michigan Canal and also excepting any portion of said premises embraced in the Original bed of the Des Plaines River before diversion of the channel and further excepting any and all railroad lands, all in Cook County, Illinois, together with all buildings, improvements, easements, appurtenances, and hereditaments thereto belonging.

All Rights, reversionary or otherwise, of the grantor herein in and to the right-of-way of the Illinois and Michigan Canal, and two 90 foot reserve strips, one on each side of said Canal, the original bed of the Des Plaines River before diversion of the channel, and any and all railroad lands, insofar as said right of way, and reserve strips, said original bed of the Des Plaines River before diversion of the channel and said railroad lands about the premises described in Warranty Deed from the Grantor to Grantee of even date herewith located in Lemont, Cook County, Illinois.

AND BEING the same property conveyed to Constance Malmquist, a spinster, from La Grange Bank & Trust as Trustee under a Trust Agreement dated the 27th day of December, 1977, and known as Trust Number 4647, by Deed dated January 4, 1984 and recorded January 18, 1984 in Instrument No. 26933841. AND FURTHER conveyed to Edgewood Bank, an Illinois banking corporation, as Trustee under a Trust Agreement dated the 3rd day of January, 1984, known as Trust Number 199 from Constance O. Malmquist, a spinster, by Quit Claim Deed In Trust dated January 4, 1984 and recorded January 18, 1984 in Instrument No. 26933842. AND FURTHER conveyed to New Venture Properties, LLC, from Chicago Title Land Trust Company, an Illinois corporation, successor trustee to LaSalle Bank National Association as trustee under trust agreement dated January 3, 1984, known as Trust Number 199, by Trustee's Deed dated September 21, 2007 and recorded September 27, 2007 in Instrument NO. 0727009003.

Tax Parcel No. 22-19-400-016-0000

Common Address: 16135 New Avenue 5A, Lemont, Illinois 60439

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