

# UNOFFICIAL COPY



\*1700522097\*

THIS DOCUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO:

DYKEMA GOSSETT PLLC  
Nicholas J. Winters, Esq.  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, Michigan 48304

Doc# 1700522097 Fee \$52.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 01/05/2017 12:14 PM PG: 1 OF 8

## SECOND AMENDMENT TO EASEMENT AND ASSIGNMENT AGREEMENT

This Second Amendment to Easement and Assignment Agreement (this "Amendment") is made this 21<sup>st</sup> day of December, 2016, by and between **7720 LEHIGH NILES LLC**, an Illinois limited liability company ("Grantor"), whose mailing address is One Lincoln Centre, 18W140 Butterfield Road, Suite 750, Oakbrook Terrace, Illinois 60181, and **AMERICAN TOWER ASSET SUB II, LLC**, a Delaware limited liability company ("Grantee"), whose mailing address is c/o American Tower, 10 Presidential Way, Woburn, Massachusetts 01801.

### RECITALS

**WHEREAS**, 7720 Lehigh Property, LLC, an Illinois limited liability company, as grantor, and Grantee, as grantee, entered into that certain Easement and Assignment Agreement dated as of May 6, 2016 and recorded on May 9, 2016 as Document Number 1613013053 with the Cook County Recorder of Deeds (the "Original Easement");

**WHEREAS**, the Original Easement was amended by that certain First Amendment to Easement and Assignment Agreement dated as of June 17, 2016 and recorded on June 22, 2016 as Document Number 1617413047 with the Cook County Recorder of Deeds (the "First Amendment");

**WHEREAS**, the Original Easement, as amended by the First Amendment, is referred to herein as the "Easement";

**WHEREAS**, the Easement pertains to certain portions of the property more particularly described on Exhibit "A" attached hereto and incorporated by this reference ("Grantor's Property"), as more particularly set forth in the Easement;

**WHEREAS**, Grantor is the successor in title to Grantor's Property pursuant to that certain Special Warranty Deed dated May 6, 2016 and recorded on May 9, 2016 as Document Number 1613013054 with the Cook County Recorder of Deeds; and

**WHEREAS**, the parties desire to amend the Easement upon the terms and conditions set forth herein.

# UNOFFICIAL COPY

## OPERATIVE PROVISIONS

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

1. The recitals hereinabove are true and correct and are incorporated herein by this reference.
2. Capitalized terms not defined herein shall have the same meanings ascribed to such terms in the Easement.
3. Exhibit "B" attached to the First Amendment is hereby replaced with **Exhibit "B"** attached to this Amendment.
4. Exhibit "C" attached to the First Amendment is hereby replaced with **Exhibit "C"** attached to this Amendment.
5. The parties consent to the recording of this Amendment in the public records of the county in which Grantor's Property is situated, and agree that this Amendment shall be executed in recordable form.
6. This Amendment may be executed in counterparts, each of which shall constitute an original instrument.
7. In all other respects, the remainder of the Easement shall remain in full force and effect. Any portions of the Easement that are inconsistent with this Amendment are hereby amended to be consistent.

[Remainder of page intentionally left blank; signatures begin on the following page]





# UNOFFICIAL COPY

## EXHIBIT "A"

### LEGAL DESCRIPTION OF GRANTOR'S PROPERTY

Land situated in Cook County, Illinois, described as follows:

Lot 1 in Danley Machine Corporation's Subdivision of part of the North 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 29, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Tax Parcel Identification Number: 10-29-105-008-0000

Common Address: 7720 Lehigh Avenue, Niles, Illinois 60714

Site No: 303884  
Site Name: Niles-Lehigh, IL  
4825-9843-2317.1  
110522\000040

A-1

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT "B"

### LEGAL DESCRIPTION OF RELOCATED ACCESS EASEMENT

THAT PART OF LOT 1 IN DANLEY MACHINE CORPORATION'S SUBDIVISION OF PART OF THE NORTH 1/2 OF SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 12.00 FEET FOR THE PLACE OF BEGINNING; THENCE CONTINUING WESTERLY ALONG SAID SOUTH LINE, A DISTANCE OF 131.80 FEET; THENCE NORTHERLY AT AN ANGLE OF 90 DEGREES 01 MINUTES 55 SECONDS TO THE LEFT OF THE LAST DESCRIBED LINE, 318.23 FEET; THENCE EASTERLY AT AN ANGLE OF 89 DEGREES 06 MINUTES 14 SECONDS TO THE LEFT OF THE LAST DESCRIBED LINE, 137.84 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 157 DEGREES 47 MINUTES 54 SECONDS TO THE RIGHT OF THE LAST DESCRIBED LINE, 33.99 FEET TO THE WESTERLY LINE OF LEHIGH AVENUE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF LEHIGH AVENUE, 24.00 FEET; THENCE SOUTHWESTERLY AT AN ANGLE OF 90 DEGREES 0 MINUTES 00 SECONDS TO THE LEFT OF THE LAST DESCRIBED LINE, 38.70 FEET; THENCE WESTERLY AT AN ANGLE OF 157 DEGREES 47 MINUTES 54 SECONDS TO THE LEFT OF THE LAST DESCRIBED LINE 118.17 FEET, THENCE SOUTHERLY AT AN ANGLE OF 89 DEGREES 06 MINUTES 14 SECONDS TO THE RIGHT OF THE LAST DESCRIBED LINE, 275.86 FEET; THENCE EASTERLY ALONG A LINE 18.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 88.11 FEET; THENCE NORTHERLY ALONG A LINE 32.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 9.15 FEET; THENCE EASTERLY ALONG A LINE PERPENDICULAR TO SAID EAST LINE OF LOT 1, A DISTANCE OF 20.00 FEET; THENCE SOUTHERLY ALONG A LINE 12.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF LOT 1, A DISTANCE OF 26.81 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

B-1

# UNOFFICIAL COPY

EXHIBIT "C"

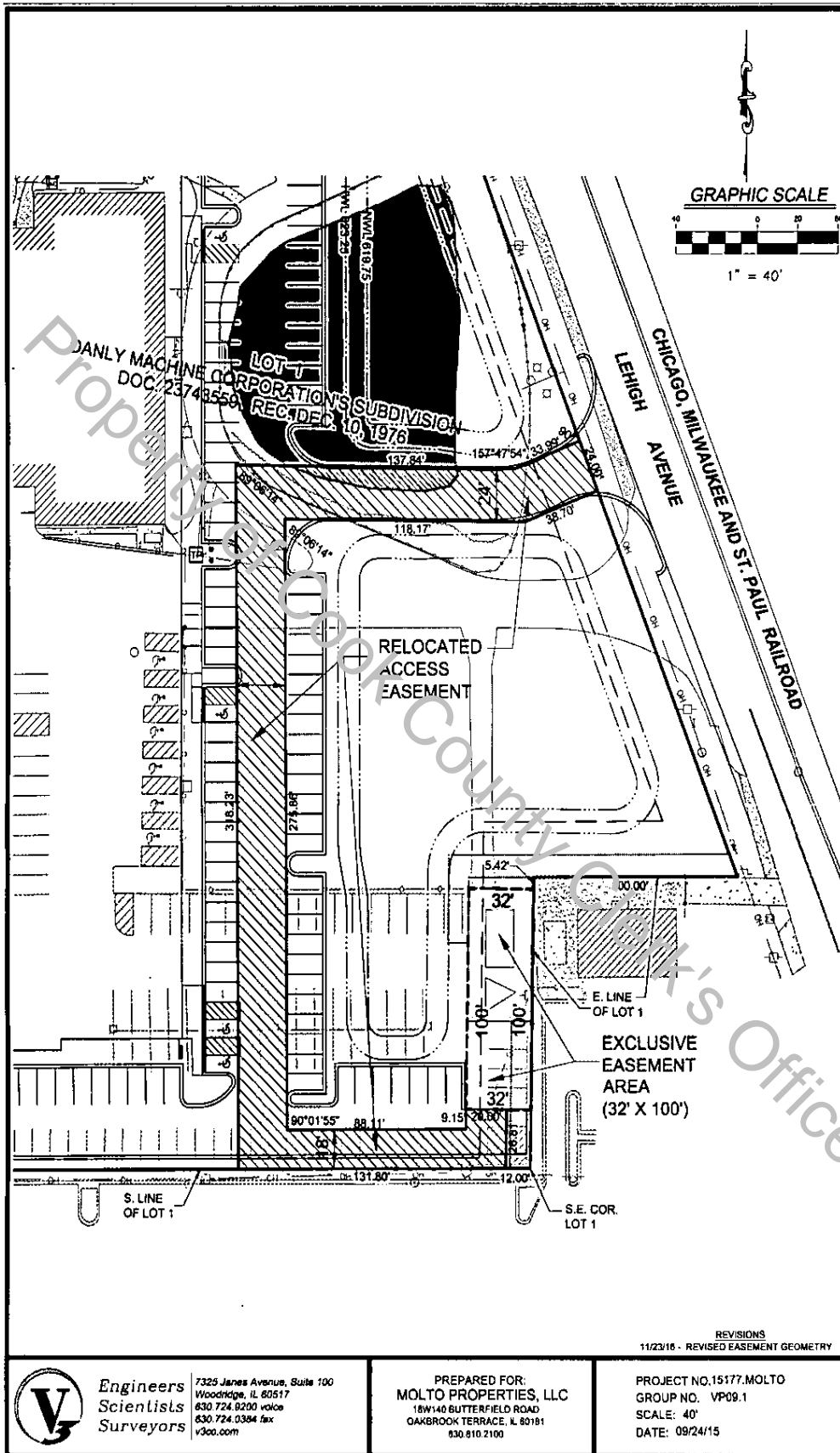
**DEPICTION OF RELOCATED ACCESS EASEMENT**

[please see attached]

Property of Cook County Clerk's Office  
COOK COUNTY  
RECORDER OF DEEDS  
COOK COUNTY  
RECORDER OF DEEDS

C-1

# UNOFFICIAL COPY



E:\2015\15177\15177.MOLTO\Drawings\ACAD\SV\VP09.1\15177.MOLTO\_Cad Tower Exam\_20161123.dwg, 11/23/2016 3:43:51 PM, mmurray

Site No: 303884  
Site Name: Niles-Lehigh, IL  
4825-9843-2317.1  
110522\000040