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Doc#. 1713857116 Fee: \$68.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/18/2017 12:24 PM Pg: 1 of 11

Prepared by and Return to:

American Tower
10 Presidential Way
Woburn, MA 01801
Attn: Land Management/Sheri S. Mason, Esq.
ATC Site No: 204056
ATC Site Name: Country Club Hills IL 1
Assessor's Parcel No(s): 28-28-410-010-0000

Recording Cover Page

This page is added for the purpose of affixing Recording Information.

This Memorandum of Lease is being recorded for the purpose of correcting the Memorandum of Sublease and Purchase Option that was previously recorded, dated June 22, 2001, document number 0419712006 in the registry of Cook County.

Pursuant to the following exemption code, this Memorandum is exempt from filing the PTAX-203 Form:

35 ILCS 200/31-45

"(D) Deeds or trust documents that, without additional consideration, confirm, correct, modify, or supplement a deed or trust document previously recorded."

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Prepared by and Return to:

American Tower
 10 Presidential Way
 Woburn, MA 01801
 Attn: Land Management/Sheri S. Mason, Esq.
 ATC Site No: 304056
 ATC Site Name: Country Club Hills IL 1
 Assessor's Parcel No(s): 28-28-410-024-0000; 28-28-410-023-0000

MEMORANDUM OF LEASE

This Memorandum of Lease (the "**Memorandum**") is entered into on the 21st day of February, 2017 by and between George T. Swartz, Sr., as successor trustee of the George B. Swartz Revocable Self Declaration of Trust dated December 21, 1998 ("**Landlord**") and SBC Tower Holdings LLC, as successor-in-interest to Southwestern Bell Mobile Systems, Inc. d/b/a/ Cellular One – Chicago, ("**Tenant**"), and American Tower Asset Sub II, LLC, ("**Sub-Tenant**") (each a "**Party**," collectively, the "**Parties**").

NOTICE is hereby given of the Lease (as defined and described below) for the purpose of recording and to clarify the legal description of the Parent Parcel. The Parent Parcel description in this Memorandum, as described on **Exhibit A**, attached hereto and by this reference made a part hereof (the "**Parent Parcel**") shall constitute a replacement of the legal description described in Attachment B (Parent Tract) in that certain prior-recorded Memorandum of Sublease and Purchase Option, dated June 22, 2001, and recorded as document no. 0419712006 in the registry of Cook County, Illinois.

1. **Parent Parcel and Lease.** Landlord is the owner of the **Parent Parcel**. Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Site Agreement No. 403 dated June 25, 1996 (as the same may have been amended, renewed, extended, restated, and/or modified from time to time, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities ("**Access and Utilities**"), all as more particularly described in the Lease (such leasehold and easement rights and interests, collectively, the "**Leased Premises**"), which Leased Premises is also described on **Exhibit A**.
2. **American Tower.** Tenant entered into that certain Sublease Agreement dated December 14, 2000 with Southern Towers, Inc., predecessor-in-interest to Sub-Tenant, whereby Sub-Tenant subleases the Leased Premises from Tenant.
3. **Expiration Date.** Subject to the terms, provisions, and conditions of the Lease, and assuming the exercise by Tenant of all renewal options contained in the Lease, the final expiration date of the Lease would be September 30, 2027. Notwithstanding the foregoing, in no event shall Tenant be required to exercise any option to renew the term of the Lease.

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4. **Effect/Miscellaneous.** This Memorandum is not a complete summary of the terms, provisions and conditions contained in the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control. Landlord hereby grants the right to Tenant to complete and execute on behalf of Landlord any government or transfer tax forms necessary for the recording of this Memorandum. This right shall terminate upon recording of this Memorandum.
5. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein: To Landlord at: George T. Swartz, Sr., 4931 W. 173rd Street, Country Club Hills, IL 60478; To Tenant at: c/o AT&T Network Real Estate Administration, RE: FA 10005300; Suite 13-F West Tower, 575 Morosgo Drive, Atlanta, GA 30324; with copy to: AT&T Legal Department – Network, Attn: Network Counsel, RE: FA 10005300; 208 S. Akard Street, Dallas, TX 75202-4206; and also with copy to: American Tower, Attn: Land Management, 10 Presidential Way, Woburn, MA 01801; and also with copy to: American Tower, Attn: Legal Dept., 116 Huntington Avenue, Boston, MA 02116. Any of the Parties hereto, by thirty (30) days prior written notice to the other in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
6. **Counterparts.** This Memorandum may be executed in multiple counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.
7. **Governing Law.** This Memorandum shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.

[SIGNATURES FOLLOW ON NEXT PAGE]

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IN WITNESS WHEREOF, Landlord, Tenant and Sub-Tenant have each executed this Memorandum as of the day and year set forth below.

LANDLORD

WITNESS

George T. Swartz, Sr., as successor trustee of the George B. Swartz Revocable Self Declaration of Trust dated December 21, 1998

Signature: *George T. Swartz Sr*
Print Name: George T. Swartz, Sr
Title: successor trustee
Date: February 24, 2017

Signature: *Kelley Mc*
Print Name: Kelley McNamara

Signature: *Mary Narko*
Print Name: MARY NARKO

WITNESS AND ACKNOWLEDGEMENT

State/Commonwealth of Illinois

County of Cook

On this 21st day of February, 2017, before me, the undersigned Notary Public, personally appeared George T. Swartz, Sr., who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Medard M. Narko
Notary Public
Print Name: Medard M. Narko
My commission expires: 3-14-2021



[SIGNATURES CONTINUE ON NEXT PAGE]

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TENANT

SBC Tower Holdings LLC
a Delaware limited liability company

Signature: [Signature]
Print Name: Gram Meadors
Title: CEO
Date: 1/25/17

WITNESS

Signature: [Signature]
Print Name: Wayne Wimberly
Signature: [Signature]
Print Name: GERR MOORE

WITNESS AND ACKNOWLEDGEMENT

State/Commonwealth of Georgia
County of Fulton

On this 25 day of January, 2017, before me, the undersigned Notary Public, personally appeared Gram Meadors, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Clawrence A. Rose
Notary Public
Print Name: Clawrence A. Rose
My commission expires: 12/29/2020



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SUB-TENANT

American Tower Asset Sub II, LLC
a Delaware limited liability company

Signature: Jennifer Bernazzani-Ludlum
Print Name: Jennifer Bernazzani-Ludlum
Title: Managing Attorney
Date: 2/10/2017

WITNESS

Signature: [Signature]
Print Name: Sheri S. Mason
Signature: [Signature]
Print Name: Christina Maiorano

WITNESS AND ACKNOWLEDGEMENT

State/Commonwealth of Massachusetts
County of Middlesex

On this 10th day of February, 2017, before me, the undersigned Notary Public, personally appeared Jennifer Bernazzani-Ludlum, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, (he person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]

Notary Public

Print Name: **N. JEANETTE ROBINSON**
Notary Public
My commission expires: **Commonwealth of Massachusetts**
My Commission Expires
December 26, 2019



[SEAL]

Property of County Clerk's Office

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EXHIBIT A

This Exhibit A may be replaced at Tenant's option as described below

PARENT PARCEL

Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

LEGAL DESCRIPTION

PARENT PARCEL

PARCEL 1:

THAT PART OF LOTS 4 AND 8 IN BLOCK 11 (LYING SOUTHEASTERLY OF FAI ROUTE 67 AND NORTH OF THE NORTH LINE OF 174TH STREET) OF A.T. MONTOSH AND CO'S SOUTHTOWN FARM UNIT NO.3, BEING A SUBDIVISION IN FRACTIONAL SECTION 28, NORTH AND SOUTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 1944 AS DOCUMENT 13362483 AND TORRENS DOCUMENT 1028984, SITUATED IN THE COUNTY OF COOK AND STATE OF ILLINOIS
EXCEPT:

THAT PART OF LOT FOUR IN BLOCK ELEVEN IN ARTHUR T. MONTOSH AND COMPANY'S SOUTHTOWN FARM UNIT NO.3, BEING A SUBDIVISION IN FRACTIONAL SECTION TWENTY-EIGHT, NORTH AND SOUTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP THIRTY-EIGHT NORTH, RANGE THIRTEEN, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 1944 AS DOCUMENT NO. 13362483 AND TORRENS DOCUMENT NO. 1028984, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT FOUR; THENCE NORTH 48 DEGREES 08'25" WEST, BEING AN ASSUMED BEARING ON THE NORTHEASTERN LINE OF SAID LOT FOUR, A DISTANCE OF 70.0 FT; THENCE SOUTH 44 DEGREES 51'35" WEST, ON A LINE PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 50.0 FT; THENCE SOUTH 48 DEGREES 08'25" EAST, ON A LINE PARALLEL WITH THE NORTHEASTERNLY LINE OF SAID LOT 4, A DISTANCE OF 19.75 FT TO THE SOUTH LINE OF SAID LOT FOUR, SAID LINE ALSO BEING THE NORTH LINE OF 174TH STREET; THENCE SOUTH 90 DEGREES 00'00" EAST, ON THE SOUTH LINE OF SAID LOT FOUR, A DISTANCE OF 70.88 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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PARCEL 2:

THAT PART OF LOT FOUR IN BLOCK ELEVEN IN ARTHUR T. MONTGOMERY AND COMPANY'S SOUTHTOWN FARMS FARM UNIT NO. 3, BEING A SUBDIVISION IN FRACTIONAL SECTION TWENTY-EIGHT, NORTH AND SOUTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP THIRTY-SIX NORTH, RANGE THIRTEEN, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 1944 AS DOCUMENT NO. 13382453 AND TORRENS DOCUMENT NO. 1022504, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT FOUR; THENCE NORTH 45 DEGREES 08'20" WEST, BEING AN ASSUMED BEARING ON THE NORTHEASTERLY LINE OF SAID LOT FOUR, A DISTANCE OF 70.0 FT; THENCE SOUTH 44 DEGREES 51'30" WEST, ON A LINE PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 50.0 FT; THENCE SOUTH 45 DEGREES 08'35" EAST, ON A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 4, A DISTANCE OF 19.75 FT TO THE SOUTH LINE OF SAID LOT FOUR, SAID LINE ALSO BEING THE NORTH LINE OF 174TH STREET; THENCE SOUTH 80 DEGREES 30'00" EAST, ON THE SOUTH LINE OF SAID LOT FOUR, A DISTANCE OF 70.00 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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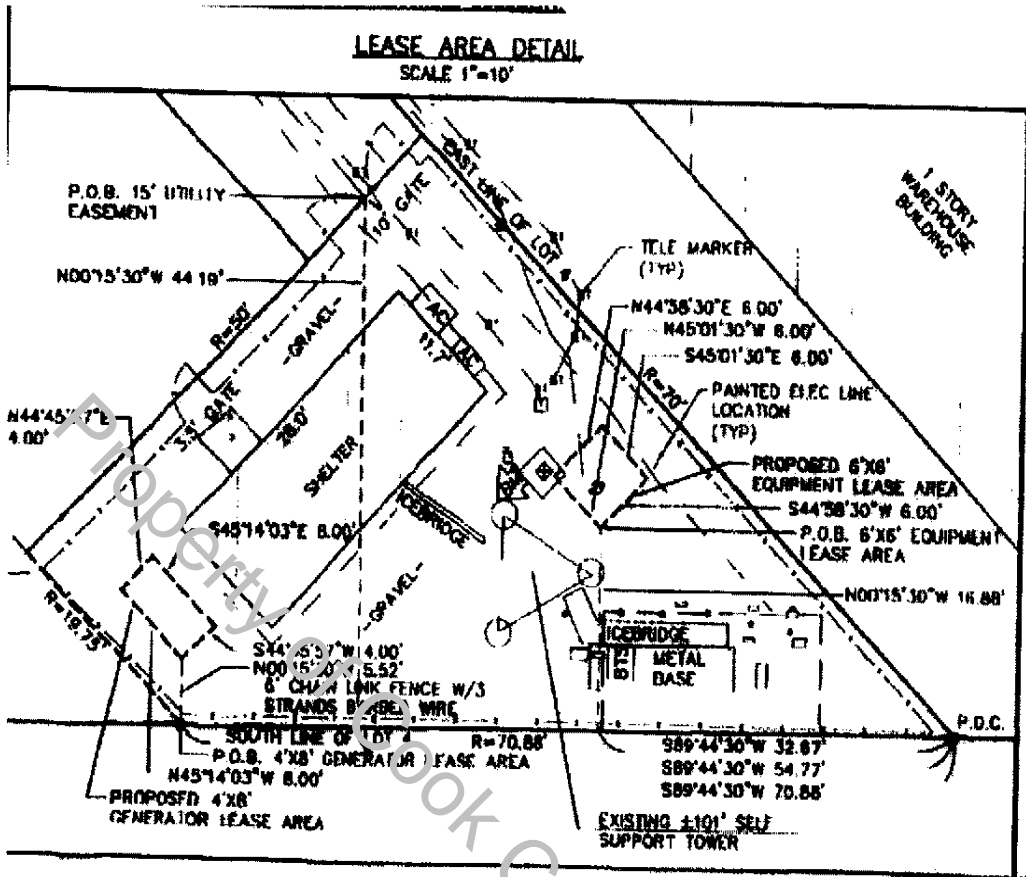
LEASED PREMISES

Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements. The Square footage of the Leased Premises shall be the greater of: (i) approximately Two-Thousand Five Hundred (2500) square feet; (ii) Tenant's existing improvements on the Parent Parcel; or (iii) the legal description or depiction below:

THAT PART OF LOT FOUR IN BLOCK ELEVEN IN ARTHUR T. MCINTOSH AND COMPANY'S SOUTHTOWN FARMS FARM UNIT NO. 3, BEING A SUBDIVISION IN FRACTIONAL SECTION TWENTY-EIGHT, NORTH AND SOUTH OF THE INDIAN BOUNDARY LINE IN TOWNSHIP THIRTY-SIX NORTH, RANGE THIRTEEN, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 1944 AS DOCUMENT NO. 13362453 AND TORRENS DOCUMENT NO. 1026594, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT FOUR; THENCE NORTH 45°08'25" WEST, BEING AN ASSUMED BEARING ON THE NORTHEASTERLY LINE OF SAID LOT FOUR, A DISTANCE OF 70.0 FT; THENCE SOUTH 44°51'35" WEST, ON A LINE PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 50.0 FT; THENCE SOUTH 45°08'25" EAST, ON A LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 4, A DISTANCE OF 19.75 FT TO THE SOUTH LINE OF SAID LOT FOUR, SAID LINE ALSO BEING THE NORTH LINE OF 174TH STREET; THENCE SOUTH 90°00'00" EAST, ON THE SOUTH LINE OF SAID LOT FOUR, A DISTANCE OF 70.88 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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LEASED PREMISES: ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

INGRESS/EGRESS EASEMENT:

THAT PART OF LOT FOUR IN BLOCK ELEVEN IN ARTHUR T. MCINTOSH AND COMPANY'S SOUTHTOWN FARMS FARM UNIT NO. 3, BEING A SUBDIVISION IN FRACTIONAL SECTION TWENTY-EIGHT, NORTH AND SOUTH OF THE INDIAN LINE IN TOWNSHIP THIRTY-SIX NORTH, RANGE THIRTEEN, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 1944 AS DOCUMENT NO. 13362453 AND TORRENS DOCUMENT NO. 1026594, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT FOUR; THENCE NORTH 45°08'25" WEST, BEING AN ASSUMED BEARING ON THE NORTHEASTERLY LINE OF SAID LOT FOUR, A DISTANCE OF 70.0 FT. TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 45°08'25" WEST, ON THE NORTHEASTERLY LINE OF SAID LOT FOUR, A DISTANCE OF 290.93 FT. TO THE EAST LINE OF PROPERTY DESCRIBED IN CERTAIN WARRANTY DEED TO THE STATE OF ILLINOIS, REGISTERED AS DOCUMENT NO. 2248358, SAID LINE ALSO KNOWN AS THE SOUTHEASTERLY LINE OF INTERSTATE 57 AND THE SOUTHEASTERLY LINE OF OLD BRENNEN HIGHWAY; THENCE SOUTH 20°51'40" WEST, ON THE LAST DESCRIBED LINE, A DISTANCE OF 16.42 FT; THENCE SOUTH 45°08'25" EAST, ON A LINE PARALLEL WITH NORTHEASTERLY LINE OF SAID LOT FOUR, A DISTANCE OF 284.25 FT.; THENCE NORTH 44°51'35" EAST, ON A

LINE PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 15.0 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION

PROPOSED 15.00' WIDE UTILITY EASEMENT

A 15.00 foot wide easement in that part of Lot 4 in Block 11 in Arthur T. McIntosh and Company's Southtown Farms Farm Unit No. 3, being a Subdivision in fractional Section 28, North and South of the Indian Boundary line in Township 36 North, Range 13 East of the Third Principal Meridian according to the Plat thereof recorded September 25, 1944 as Document No. 13362453 and Torrens Document No. 1026594 City of Country Club Hills, Cook County, Illinois, the centerline of which is described as: Commencing at the Southeast corner of said Lot 4; thence South 89°44'30" West 54.77 feet along the south line of said Lot 4; thence North 00°15'30" West 44.19 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence North 45°14'40" West 292.88 feet to the easterly line of Euben Way for the place of ending of this centerline description. The sides to be lengthened and/or shortened to terminate and intersect at said Easterly right of way.

This instrument is being filed as an accommodation only. It has not been examined as to its execution, incurability or effect on title.