

UNOFFICIAL COPY

Doc#. 2030504107 Fee: \$98.00
Edward M. Moody
Cook County Recorder of Deeds
Date: 11/02/2020 01:33 PM Pg: 1 of 7

SECOND ASSIGNMENT OF EASEMENT AND ASSIGNMENT OF LEASE AGREEMENT

PIN: 28-11-303-001 & 002

STATE OF: ILLINOIS
COUNTY OF: COOK

Document Date: Effective Jun 16, 2016

ASSIGNOR: LD ACQUISITION COMPANY 9 LLC
Address: P.O. Box 3429
El Segundo, CA 90245

ASSIGNEE: LD ACQUISITION COMPANY 7 LLC
Address: P.O. Box 3429
El Segundo, CA 90245

Legal Description: Attached as Exhibit A

Prepared by:
Landmark Dividend LLC
P.O. Box 3429
El Segundo, CA 90245

Return after recording to:
Fidelity National Title Group
7130 Glen Forest Dr Ste 300
Richmond, VA 23226-3754
14142817

LOCATION: SW 1/4, S11, TWP 36N, R13E
3836 W. 148TH ST, MIDLOTHIAN, IL 60445

UNOFFICIAL COPY

SECOND ASSIGNMENT OF EASEMENT AND ASSIGNMENT OF LEASE AGREEMENT

THIS SECOND ASSIGNMENT OF EASEMENT AND ASSIGNMENT OF LEASE AGREEMENT (this "Assignment"), effective on Jun 16, 2016 is executed by LD Acquisition Company 9 LLC, a Delaware limited liability company, ("Assignor") and LD Acquisition Company 7 LLC, a Delaware limited liability Company, ("Assignee").

WHEREAS, Harbor Properties, an Illinois general partnership ("Owner") leased a certain portion of property located at 3836 148th St, Midlothian IL 60445-3415; as more particularly described in Exhibit "A" attached hereto (the "Property") to Denali Spectrum Operations, LLC a Delaware Limited Liability Company, ("Tenant") pursuant to a certain lease dated Mar 05, 2008 and more particularly described in Exhibit "C" attached hereto (the "Lease"); and

WHEREAS, Owner and LD Holdings LLC ("LD") are parties to that certain Easement and Assignment of Lease Agreement dated May 25, 2012, as recorded on Oct 24, 2012 in the Official Records of Cook County as Instrument 1229833066 whereby Owner granted a 99 year easement over the area more particularly described in the attached "Exhibit B" (the "Easement") to LD and assigned all of its right, title and interest as lessor under the Lease to LD; and

WHEREAS LD and Assignor are parties to that certain Assignment of Easement and Assignment of Leases and Rents Agreement dated Jun 28, 2012 as recorded on Oct 25, 2012 in the Official Records of Cook County as Doc 1229908483 hereby LD assigned all of its right, title and interest in the Easement and Lease to Assignor; and

WHEREAS Assignor desires to assign all of Assignor's rights, title and interest in and to the Easement and Lease to Assignee; and

NOW THEREFORE, In consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assignor Assignment. Assignor does hereby assign, transfer, and deliver to Assignee all of Assignor's right, title, and interest in and to the Easement and Lease, including, without limitation, the right to receive any and all rents thereunder.
2. Assignee Assumption of Obligations of Performance. Assignee warrants that it shall assume and faithfully perform and discharge any and all of obligations as grantee under the Easement and lessor under the Lease and Assignor shall be relieved of all future obligations and liability thereunder.
3. Covenants of Cooperation. Assignor and Assignee warrant that it will take such further actions and execute such further instruments, if any, as may be reasonably required to perfect Assignee's assignment and assumption of the Lease.
4. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the State of California without giving effect to its conflict of laws rules.
5. Counterparts: Facsimile Execution. This Assignment may be executed in one or more counterparts (including by facsimile or by electronic copy or transmission), each of which will be the binding agreement of the executing party and which, when taken together, shall be deemed to be one and the same instrument.
6. Successors and Assigns. This Assignment shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors and assigns.
7. Effective Date. This Assignment shall be effective on the date first written above.

UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed this Assignment Agreement as of the day and year first above written.

ASSIGNOR:

**LD ACQUISITION COMPANY 9 LLC,
a Delaware limited liability company**

By: 

Name: Daniel R. Parsons

Title: Authorized Signatory

Date: 9/23/2020

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

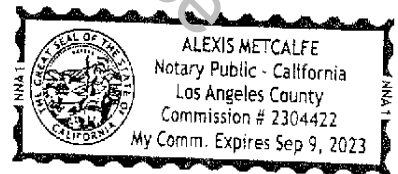
On 9/23/2020, before me Alexis Metcalfe, a Notary Public, personally appeared Daniel R. Parsons, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s), on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official Seal.


Signature of Notary Public

[SEAL]



UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL 1:

Lots 65 and 66 (except the South 177 feet thereof) in Midlothian Highlands No. 2, a subdivision of that part of the North 1/2 East of the Chicago Rock Island and Pacific Railroad Company Lands and West of the East 693 feet thereof, of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 2:

West 44 feet of Lot 67 and the West 44 feet of Lot 68 in Midlothian Highlands No. 2, a subdivision of that part of the North 1/2 East of the Chicago Rock Island and Pacific Railroad Company Lands and West of the East 693 feet thereof of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

AND BEING the same property conveyed to Harbor Properties, an Illinois general partnership from Edward G. Shilka and Joseph P. Richards, Jr. as shareholders of the dissolved Illinois Corporation known as Sharp Management, Inc. by Warranty Deed dated May 23, 2007 and recorded May 24, 2007 in Instrument No. 0714408221.

Tax Parcel Nos. 28-11-303-001, 28-11-303-002

UNOFFICIAL COPY

EXHIBIT "B"

EASEMENT AREA DESCRIPTION

A portion of

PARCEL 1:

Lots 65 and 66 (except the South 177 feet thereof) in Midlothian Highlands No. 2, a subdivision of that part of the North 1/2 East of the Chicago Rock Island and Pacific Railroad Company Lands and West of the East 693 feet thereof, of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

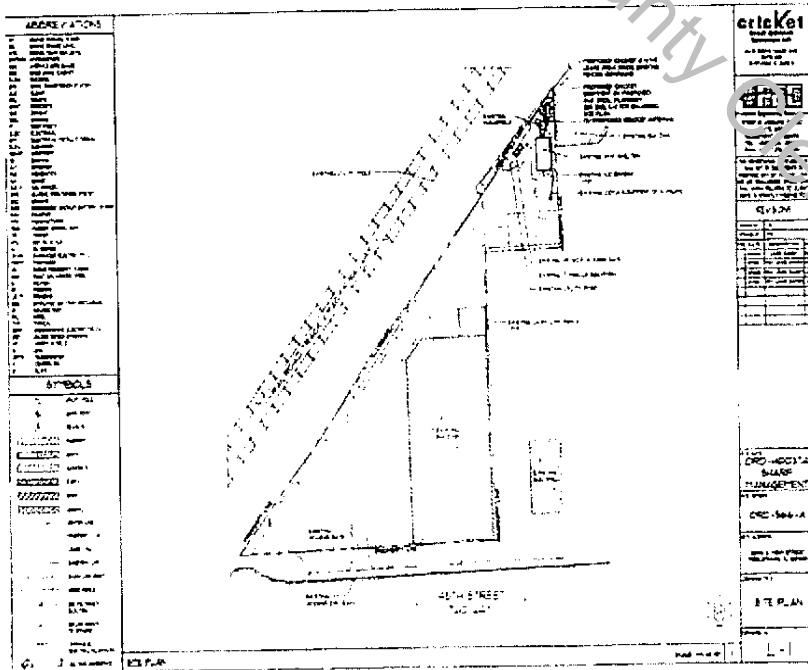
PARCEL 2:

West 44 feet of Lot 67 and the West 44 feet of Lot 68 in Midlothian Highlands No. 2, a subdivision of that part of the North 1/2 East of the Chicago Rock Island and Pacific Railroad Company Lands and West of the East 693 feet thereof of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

AND BEING the same property conveyed to Harbor Properties, an Illinois general partnership from Edward G. Shilka and Joseph P. Richards, Jr. as shareholders of the dissolved Illinois Corporation known as Sharp Management, Inc. by Warranty Deed dated May 23, 2007 and recorded May 24, 2007 in Instrument No. 0714408221.

Tax Parcel Nos. 28-11-303-001, 28-11-303-002

As depicted herein:



UNOFFICIAL COPY

EXHIBIT "C"

LEASE DESCRIPTION

That certain Lease Agreement dated Mar 05, 2008, by and between Landmark Infrastructure Holding Company LLC, a Delaware limited liability company, successor in interest to Harbor Properties, an Illinois general partnership, whose address is P.O. Box 3429, El Segundo, California, 90245 ("Lessor") and Denali Spectrum Operations, LLC a Delaware Limited Liability Company, ("Lessee"), whose address is 10307 Pacific Center Ct , San Diego CA 92121-4340, for the property located at 3836 148th St, Midlothian IL. 60445-3415.

Property of Cook County Clerk's Office