



Doc# 2119613066 Fee \$93.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/15/2021 04:01 PM PG: 1 OF 7

When recorded, return to:

Eversheds Sutherland (US) LLP
999 Peachtree Street NE, Suite 2300
Atlanta, Georgia 30309
R. Robinson Plowden

CROSS REFERENCE:

Instrument No. 2002106050,
Cook County Recorder of Deeds

FIRST AMENDMENT TO EASEMENT AGREEMENT

This First Amendment Easement Agreement (this "**First Amendment**") is made and entered into this 7th day of June 2021 (the "**Effective Date**"), by and between T5 @ Chicago II, LLC, a Delaware limited liability company ("**Grantor**"), and EGTP Property Owner LLC, a Delaware limited liability company ("**Grantee**").

RECITALS

A. Grantor is the owner of that certain parcel of real property located in Elk Grove, Illinois, as more particularly described on **Exhibit A** attached hereto (the "**Access Parcel**").

B. Grantee, as successor-in-interest to GB Elk Grove 1, LLC, is the owner of certain real property located near the Access Parcel as more particularly described on **Exhibit B** attached hereto (the "**Grantee Parcel**").

C. Grantor and Grantee entered into that certain Easement Agreement dated January 15, 2020, and recorded as Instrument No. 2002106050 (the "**Easement Agreement**").

NOW THEREFORE, in consideration of the agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby agree as follows:

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1. DEFINITIONS.

Each capitalized term that is not defined herein will have the meaning ascribed thereto in the Easement Agreement.

2. EASEMENT AREA.

Grantee hereby consents to the location of the existing fence, and all existing associated footings, base plates, anchor bolts, installations and equipment (collectively, the "Security Fence Equipment") installed by Grantor near the southern boundary of the Easement Area. The Easement Area is hereby modified to exclude all portions of the Access Parcel in which the Security Fence Equipment is located.

2. ENTIRE AGREEMENT.

Except as modified in this First Amendment, there are no changes to the Easement Agreement, and the Easement Agreement as herein modified remains in full force and effect as of the date hereof and is hereby ratified by the parties in all respects.

3. COUNTERPARTS.

This First Amendment may be executed in several counterparts, each of which shall be fully executed as an original and all of which together shall constitute one and the same instrument.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

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IN WITNESS WHEREOF, this First Amendment has been executed by Grantor and Grantee as of the date first above written.

GRANTOR:

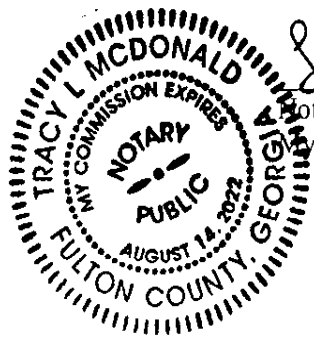
T5 @ CHICAGO II, LLC,
a Delaware limited liability company

By: *[Signature]*
Name: **Peter S. Marin**
Title: **President**

STATE OF Georgia)
COUNTY OF Fulton) SS

The foregoing instrument was acknowledged before me this 7 day of June 2021, by Peter S. Marin, as President of T5 @ Chicago II, LLC, a Delaware limited liability company, and that he/she, in such capacity, being authorized to do so, executed the forgoing instrument for the purposes therein contained, by signing his/her name in such capacity.

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



Tracy L. McDonald
Notary Public
Commission Expires: Aug 14, 2022

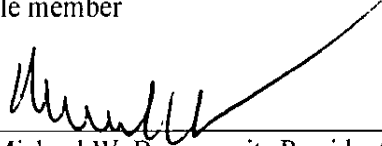
[Signature Page to First Amendment to Easement Agreement]

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Grantee:

EGTP PROPERTY OWNER LLC,
a Delaware limited liability company

By: EGTP, LLC,
a Delaware limited liability company,
its sole member

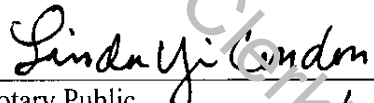
By: 
Michael W. Brennan, its President

Property of Cook County Clerk's Office

STATE OF ILLINOIS)
) SS
COUNTY OF COOK

The foregoing instrument was acknowledged before me this 23rd day of May 2021, by Michael W. Brennan, as President of EGTP, LLC, a Delaware limited liability company, the sole member of EGTP PROPERTY OWNER LLC, a Delaware limited liability company, and that he/she, in such capacity, being authorized to do so, executed the forgoing instrument for the purposes therein contained, by signing his/her name in such capacity.

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



Notary Public
My Commission Expires: 8/12/21



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CONSENT AND JOINDER

The undersigned, First National Bank of Omaha ("Lender"), as current holder of (i) that certain Mortgage, Security Agreement and Assignment of Rents dated September 30, 2020, by and between Grantee and Lender and recorded as Document 2028908015 in the records of the Cook County Recorder of Deeds (the "Mortgage"), hereby expressly consents to the foregoing Amendment and agrees that the rights granted therein shall not be terminated or otherwise adversely affected by any action to enforce the undersigned's rights under the Mortgage, including specifically, without limitation, any foreclosure of, or sale under power made pursuant to, the Mortgage.

LENDER:

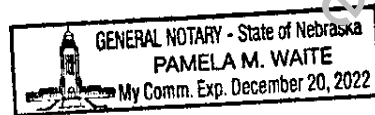
FIRST NATIONAL BANK OF OMAHA

By: Matt Kutler
Name: Matt Kutler
Title: VP

STATE OF Nebraska)
) SS
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 25 day of May 2021, by Matt Kutler, as Vice President of FIRST NATIONAL BANK OF OMAHA, and that he/she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing his/her name in such capacity.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Pamela M. Waite
Notary Public
My Commission Expires: 12 - 20 - 2022



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EXHIBIT A

ACCESS PARCEL

Lot 6 in Final Plat of Elk Grove Technology Park Resubdivision, being a subdivision of that part of the Southwest 1/4 of section 22, Township 41 North, Range 11, East of the Third Principal Meridian in Cook County, Illinois, according to the plat thereof recorded June 19, 2018 as document no. 1817016002

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COOK COUNTY CLERK OFFICE
RECORDING DIVISION
118 N. CLARK ST. ROOM 120
CHICAGO, IL 60602-1387

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EXHIBIT B

GRANTEE PARCEL

Lot 5 in Final Plat of Elk Grove Technology Park Resubdivision, being a subdivision of that part of the Southwest 1/4 of section 22, Township 41 North, Range 11, East of the Third Principal Meridian in Cook County, Illinois, according to the plat thereof recorded June 19, 2018 as document no. 1817016002.

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