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2001-05-24 12:30:37

Cook County Recorder 27.00



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Prepared by, and
When Recorded, Please return to:
Karen Falkenberry, Legal Coordinator
Nextel Communications
400 West Grand Avenue
Elmhurst, Illinois 60126
(630) 379-5727

**COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
ROLLING MEADOWS**

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into on this 1 day of May, 2001, by and between Village of Lyons, an Illinois municipal corporation, with an office at 7801 West Ogden Avenue, Lyons, Illinois 60534, (hereinafter referred to as "Lessor") and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications with an office at 400 West Grand Avenue, Elmhurst, Illinois 60126 (hereinafter referred to as "Lessee").

1. Lessor and Lessee entered into a Communications Site Lease Agreement (Building) ("Agreement") on the 1 day of May, 2001, for the purpose of installing, operating and maintaining a radio communications facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The term of the Agreement is for five (5) years commencing on the date Lessee begins commercial operation of the Lessee Facilities or July 1, 2002, whichever first occurs ("Commencement Date"), and terminating on the fifth (5th) anniversary of the Commencement Date, with five (5) successive five (5) year options to renew.
3. The Land which is the subject of the Agreement is described in Exhibit A annexed hereto. The portion of the Land being leased to Lessee (the "Premises") is described in Exhibit B annexed hereto.

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

LESSOR:
Village of Lyons, an Illinois municipal corporation

LESSEE:
Nextel West Corp., a Delaware corporation,
d/b/a Nextel Communications

By: *Kevin J. Close*

By: *[Signature]*

Name: Kevin J. Close

Name: Timothy A. Thompson

Title: Village Manager

Title: Regional Vice President

Date: 4/25/01

Date: 5/1/01

4/25/01

STATE OF ILLINOIS

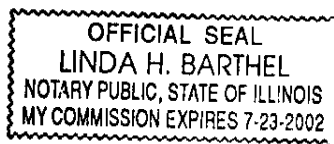
COUNTY OF COOK

On APRIL 23, 2001, before me, LINDA BARTHEL, Notary Public, personally appeared KEVIN J. CLOSE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Linda H. Barthel
Notary Public

(SEAL)



My commission expires: 7-23-2002

County of Residence: Cook

STATE OF Illinois

COUNTY OF DuPage

On May 1, 2001, before me, Karen R. Falkenberg, Notary Public, personally appeared Timothy A. Thompson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Karen R. Falkenberg
Notary Public

(SEAL)



My commission expires: 10-17-04

EXHIBIT A

DESCRIPTION OF LAND

to the Agreement dated 1 day of May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee"), and Village of Lyons, an Illinois municipal corporation, (hereinafter referred to as "Lessor")

The Land is described and/or depicted as follows:

Parcel One: Lots 19 and 20 of Block 6 of Arthur T. McInstosh's Lawndale Avenue Subdivision, being a subdivision of the West 1/2 of the Southeast 1/4 Section 2-38-12 (except the South 50 acres and the East 33 feet thereof) recorded June 14, 1915 as Document 5653260.

Parcel Two: Lots 21 and 22 of Block 6 of Arthur T. McInstosh's Lawndale Avenue Subdivision, being a subdivision of the West 1/2 of the Southeast 1/4 Section 2-38-12 (except the South 50 acres and the East 33 feet thereof) recorded June 14, 1915 as Document 5653260.

and otherwise known as 8345 44th Street, Lyons, Illinois 60534
Tax Key:18-02-406-052-0000 & 18-02-406-051-0000

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EXHIBIT B

DESCRIPTION OF PREMISES

to the Agreement dated 1 day May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee"), and Village of Lyons, an Illinois municipal corporation, (hereinafter referred to as "Lessor")

The Premises benefited by the Easement within the Property is described and/or depicted as follows:

