

UNOFFICIAL COPY



0010547424

5932/0015 19 005 Page 1 of 4
2001-06-22 09:10:10
Cook County Recorder 27.00

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 16 day of May, 2001, by and between First American Bank, an Illinois banking corporation, with an office at 1659 Lewis Avenue, Elk Grove, Illinois 60007-2350, (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 (Ground) ("Agreement") on the 16 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:
First American Bank,
an Illinois banking corporation

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

By: [Signature]
Name: Thomas E. Wells
Title: Chairman
Date: 5-8-01

By: [Signature]
Name: Timothy A. Thompson
Title: Regional Vice President
Date: 5/16/01

4/
MM/
5

STATE OF Illinois

COUNTY OF DuPage

On May 8, 2001, before me, LeAnne C. Wilson, Notary Public, personally appeared Thomas E. Wells, 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.

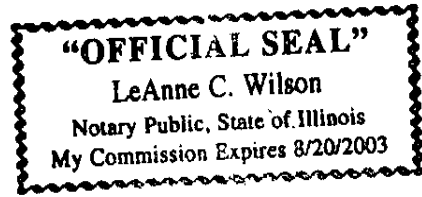
WITNESS my hand and official seal.

LeAnne C. Wilson
Notary Public

(SEAL)

My commission expires: 8-20-03

County of Residence: DuPage



STATE OF Illinois

COUNTY OF DuPage

On May 16, 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 Karen R. Falkenberg

(SEAL)

My commission expires: 10.17.04



EXHIBIT A

DESCRIPTION OF LAND

to the Agreement dated 16 day of May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee"), and First American Bank, an Illinois banking corporation, (hereinafter referred to as "Lessor")

The Land is described and/or depicted as follows:

That part of the South 1/2 of the vacated alley lying south of and adjoining Lot 93 to 97 inclusive, in Isaac W. Higgs Subdivision of part of Lot 8 in James H. Ree's Subdivision of the West 1/2 of the Southwest 1/4 of Section 10, Township 40 North, Range 13, East of the Third Principal Meridian, also that part of Lot 8 lying South of the vacated alley lying South of and adjoining Lot 93 to 97 aforesaid, all in Cook County, Illinois.

Permanent Tax Index Number 13-10-308-062, Volume 330.

That part of the Southwest 1/4 of the Southwest 1/4 of Section 10, Township 40 North, Range 13, East of the Third Principal Meridian, bounded and described as follows: Commencing at the intersection of the Southwesterly line of Elston Avenue, being 33 feet Southwesterly of the center line thereof, and the East line of the West 267 feet of said Southwest 1/4 of Section 10; thence South 0 degrees 30 minutes East, along said East line of the West 267 feet of the Southwest 1/4, a distance of 610.07 feet to a point on the Northwesterly right of way line of the Chicago and North Western Transportation Company, as said right of way line was originally located and established, said point being the point of beginning of the parcel of land herein described; thence North 30 degrees 13 minutes East, along said right of way line, a distance of 469.07 feet to a point on the Southwesterly line of said Elston Avenue; thence South 49 degrees 42 minutes East, along said Southwesterly line of Elston Avenue, a distance of 22.85 feet to a point distant 22.5 feet Southeasterly, measured at right angles, from said original right of way line; thence South 30 degrees 13 minutes West parallel with said original right of way line, a distance of 465.07 feet; thence North 59 degrees 42 minutes East a distance of 22.5 feet to the point of beginning, in Cook County, Illinois.

Permanent Tax Index Number 13-10-308-063, Volume 330.

and otherwise known as 5000 North Elston, Chicago, Illinois 60630-1730

Tax Key: 13-10-308-062 and 063

UNOFFICIAL COPY

EXHIBIT B

DESCRIPTION OF PREMISES

to the Agreement dated 16 day May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee") and First American Bank, an Illinois banking corporation, (hereinafter referred to as "Lessor")

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

