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5904/0014 43 005 Page 1 of 4  
2001-06-19 08:59:43  
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 23 day of May, 2001, by and between Oakwood Chicago, LLC, a Delaware limited liability company, with an office at 70 West Huron, Chicago, Illinois 60610, (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 23 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 (5<sup>th</sup>) anniversary of the Commencement Date, with two (2) 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:  
Oakwood Chicago, LLC,  
a Delaware limited liability company

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

By: [Signature]  
Name: Darby T. Keen  
Title: Manager  
Date: 5-23-01

By: [Signature]  
Name: Timothy A. Thompson  
Title: Regional Vice President  
Date: 5/1/01

Handwritten initials: H, NM, B

STATE OF California

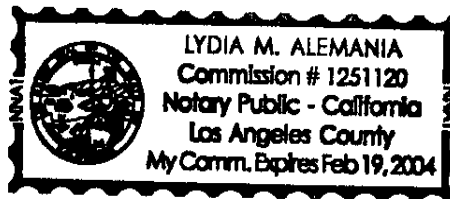
COUNTY OF Los Angeles

On May 23, 2001, before me, Lydia M. Aleman's, Notary Public, personally appeared Darby T. Keen, 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.

Lydia M. Aleman  
Notary Public

(SEAL)



My commission expires Feb. 19, 2004

County of Residence: Los Angeles

STATE OF Illinois

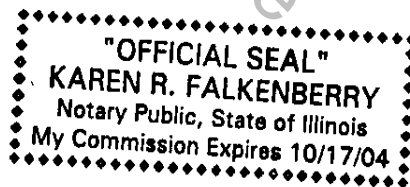
COUNTY OF DuPage

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.

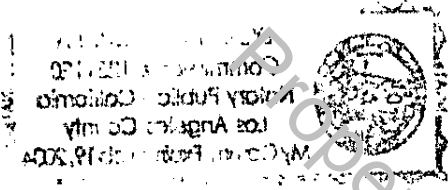
Karen R. Falkenberg  
Notary Public Karen R. Falkenberg

(SEAL)



My commission expires: 10-17-04

# UNOFFICIAL COPY



Property of Cook County Clerk's Office

**UNOFFICIAL COPY**

## EXHIBIT A

## DESCRIPTION OF LAND

to the Agreement dated 23 day of May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee"), and Oakwood Chicago, LLC, a Delaware limited liability company, (hereinafter referred to as "Lessor")

The Land is described and/or depicted as follows:

## PARCEL 1:

LOTS 21 THROUGH 24 BOTH INCLUSIVE, IN ASSESSOR'S DIVISION OF BLOCK 26 OF WOLCOTT'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

LOTS 14 THROUGH 20, BOTH INCLUSIVE, IN ASSESSOR'S DIVISION OF BLOCK 26 OF WOLCOTT'S ADDITION TO CHICAGO, IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

THAT PART OF THE 10 FOOT NORTH AND SOUTH ALLEY, VACATED BY ORDINANCE DATED OCTOBER 9, 1985 AND RECORDED AS DOCUMENT NUMBER 8600529, LYING EAST OF AND ADJOINING LOTS 17 TO 20 IN ASSESSOR'S DIVISION OF BLOCK 26 AFORESAID, AND LYING WEST OF AND ADJOINING THE WEST LINE, AND SAID WEST LINE EXTENDED SOUTH, OF LOT 21 IN ASSESSOR'S DIVISION OF BLOCK 26 AFORESAID, WHICH LIES NORTH OF A LINE 94.23 FEET, AS MEASURED ALONG THE EAST LINE OF SAID LOTS 17 TO 20, SOUTH OF THE NORTHEAST CORNER OF SAID LOT 20, IN COOK COUNTY, ILLINOIS

and otherwise known as 77 West Huron, Chicago, Illinois 60610  
Tax Key:17-09-219-001, 002, 003, 004, 005, 006, 021, 022, 023

# UNOFFICIAL COPY

## EXHIBIT B

### DESCRIPTION OF PREMISES

to the Agreement dated 23 day May, 2001, between Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, ("Lessee") and Oakwood Chicago, LLC, a Delaware limited liability company, (hereinafter referred to as "Lessor")

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

