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Eugene "Gene" Moore Fee: \$54.50 Cook County Recorder of Deeds Date: 11/03/2003 12:58 PM Pg: 1 of 4

EXHIBIT E

#### MEMORANDUM OF LEASE AND OPTION

This Memorandum of Lease and Option is entered into on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_,

2003, by and between Village of Streamwood, an Illinois municipal corporation, with an office at

301 East Irving Park Road, Streamwood, IL 60107, (hereinafter referred to as "Lessor") and

VoiceStream GSM I Operating Company, L.L.C., a Delaware limited liability company

(hereinafter referred to as "Lessee").

- Lessor and Lessee entered into a Water Tower Site Lease with Option (the "Lease") for the purpose of installing, operating and maintaining a radio communications facility.
   All of the foregoing are set forth in the Lease.
  - 2. The Option is for a term of three (3) months after the date of the Lease.
- 3. The Lease is for a term of five (5) years comme using on the date set forth in the Lease (the "Commencement Date"), with five (5) successive five (5) year options to renew.
- 4. The Land which is the subject of the Lease 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.
- 5. The purpose of this Memorandum is to give record notice of the Lease and of the rights created thereby all of which are hereby confirmed and incorporated herein.



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NOW, THEREFORE, Lessor in consideration of the rents and covenants provided for in the Lease to be paid and performed by Lessor, does hereby grant the aforesaid option and, if such option is exercised, does hereby demise, convey, grant and let unto Lessee the Premises upon the terms and subject to all the conditions set forth in the Lease, a copy of which is being held by the Lessor at its address as stated above.

LESSOR:

VILLAGE OF STREAMWOOD an Illino's Municipal corporation

LESSEE:

VoiceStream GSM I Operating Company, L.L.C., a Delaware limited liability company

Title: Village President

Title: Executive Director of Engineering and

**Operations** 

STATE OF Ilinois COUNTY OF COOK C OOK

before me, Notary Public, personally appeared

, t ersonally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose rame 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

WITNESS my hand and official seal.

ornal. Viece

behalf of which the person acted, executed the instrument.

(SEAL)

Notary Public

My commission expires: 5-10-04

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## **UNOFFICIAL COPY**

STATE OF DUVINOUS COUNTY OF COOK

On Mole 5 2003 , before me, ELIZABETH MISICKA, Notary Public, personally appeared RILLED POTHE KITTLE KOPITKE 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.

(SEAL)

Notary Public

My commission expires: 8 6 2006

"OFFICIAL SEAL."

Elizabeth M. Misticka

Notary Public, State of Hillingis

My Commission Express 8/6/2008

[Exhibit Only - Memorandum of Lease With Option Be Executed at a Later Date]

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### **UNOFFICIAL COPY**

Exhibit A - Legal Description

Case No 20030200192 CH34-922A

750/7/Co

"OF LAND TO THE VILLAGE OF STREAMWOOD, OF THAT PT OF THE SW 1/4 OF THE SE 1/4 OF SEC 24 T 41 N,R 9, E OF THE 3RD PM DAF: BEG AT THE INTER-SECTION OF THE HOPT: LINE OF THE SW 1/4 OF THE SE 1/4 OF SD SEC 24 WITH THE WEST LINE, AS MONUMENTED & OCCUPIED, OF THE 4-8 INDUSTRIAL PARK, STREAMWOOD, ILL, BNG A SUB OF PT OF THE SD SEC 24, ACCDG TO PLAT THOF RECD 7/22/69 AS 20 507 806; THENCE SOUTH O DEGS 49' 50" WEST ALG SD WEST LINE, A DIST OF 15'.00 PT; THENCE NORTH 89 DEGS 55' 28" WEST \$ PARL WITH THE NORTH LINE OF THE SW 1/4 OF SD SE 1/4, A DIST OF 72.32 FT TO A PATT OF CURVATURE; THENCE SWLY ALG AN ARC OF A CIRCLE, BNG CONVEX TO THE NW, HYG A RADIUS OF 20 FT, THE CHORD THOF HAVING A BEARING OF SOUTH 66 DEGS 104' 50" WEST A LENGTH OF 105.73 FT, AN ARC DIST OF 108.89 FT; THENCE NORTH 89 DEG; 51' 28" WEST & PARL WITH THE NORTH LINE OF THE SW 1/4 OF SD SE 1/4, A DIST OF 31.65 FT; THENCE NORTH O DEGS 29' 50" EAST, A DIST OF 200.00 FT TD A PNT ON THE NORTH LINE OF THE SW 1/4 OF SD SE 1/4; THENCE SOUTH 89 DEGS 55' 28" EAST ALG SD NORTH LINE, A DIST OF 200.00 FT TO THE POB. CONTAINING 5.7821 ACS, MOL, ALL IN CCI."

U14896538-01TM04

MEMORANDUM OF LE REF# CH34-922A US Recordings