



Prepared by:
Real Estate Operations
Site No.: IL-0444
SpectraSite Communications, Inc.
100 Regency Forest Drive, Suite 400
Cary, North Carolina 27511

Doc#: 0332148009
Eugene "Gene" Moore Fee: \$40.50
Cook County Recorder of Deeds
Date: 11/17/2003 10:46 AM Pg: 1 of 9

Return to:
Barbara L. Herr
Kegler, Brown, Hill & Ritter
65 E. State Street, Suite 1800
Columbus, Ohio 43215

(Recorders Use Above this Line)

STATE OF ILLINOIS

Land Parcel No.: 29-05-100-031-0000

COUNTY OF COOK

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Memorandum") is entered into on this 29th day of August, 2002, by and between **Southern Towers, Inc., a Delaware Corporation**, with an office at 100 Regency Forest Drive, Suite 400, Cary, North Carolina 27511 (hereinafter referred to as "SpectraSite"), and **AT&T Wireless PCS, LLC, a Delaware Limited Liability Company, by and through its member, AT&T Wireless Services, Inc., a Delaware Corporation, d/b/a AT&T Wireless**, located at 15 E. Midland Avenue, Paramus, New Jersey 07652 (hereinafter referred to as "User").

1. SpectraSite is the sublessee of a certain portion of real property described and/or depicted in **Attachment "B"** ("Premises") attached hereto, which is a portion of a larger parcel of real property described in **Attachment "A"** ("Land").

2. SpectraSite and User entered into a Site Agreement ("Agreement") dated March 25, 2002 for the purpose of installing, operating, and maintaining telecommunications equipment and other improvements on a portion of the Premises. All of the foregoing are set forth in the Agreement.

3. The term of the Agreement is for five (5) years commencing on the earlier of (i) the date User commences installation of its equipment on the Tower, or (ii) one hundred eighty (180) days from the Agreement execution date, with the right to extend the Agreement for four (4) successive five (5) year periods.

4. The portion of the Premises being licensed to User is described and/or depicted in **Attachment "C"** ("Site Layout Plan"), and includes certain rights of access and utilities as provided in the Agreement.

5. The purpose of this Memorandum is to give record notice of the Agreement and of the rights created thereby, all of which are hereby confirmed. In the

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event of a conflict between the terms of this Memorandum and the terms of the Agreement, the terms of the Agreement shall prevail.

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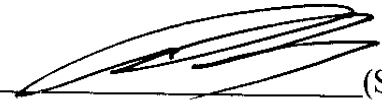
Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the parties hereto have entered into this Memorandum as of the date first written above.

SPECTRASITE:

Southern Towers, Inc., a Delaware Corporation

By:  (Seal)

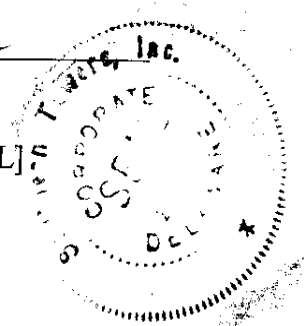
Name: Daniel E. Rebeor
Title: Director, Real Estate Operations,
a Duly Authorized Individual

ATTEST:



Elizabeth C. Rives
Assistant Secretary

[AFFIX CORPORATE SEAL]

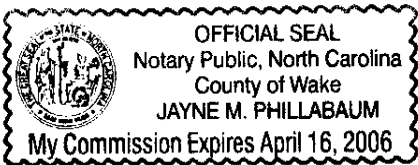


State of North Carolina

County of Wake

This instrument was acknowledged before me by Daniel E. Rebeor, who is the Director, Real Estate Operations, a Duly Authorized Individual of Southern Towers, Inc., a Delaware Corporation, 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 entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 23rd day of August, 2002.



NOTARY SEAL

Signature Jayne M. Phillabaum

My commission expires: 4-16-06

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USER:

AT&T Wireless PCS, LLC, a Delaware Limited Liability Company, by and through its member, AT&T Wireless Services, Inc., a Delaware Corporation, d/b/a AT&T Wireless

By: William E. Wade (Seal)
Name: William E. Wade
Title: Implementation Program Mgr.

ATTEST:

Laura Asmussen
Name: LAURA ASMUSSEN
Title: COLLOCATION SPECIALIST
[AFFIX CORPORATE SEAL]

State of MICHIGAN

County of OAKLAND

This instrument was acknowledged before me by William E. Wade, who is the Implementation Manager of AT&T Wireless Services, Inc., a Delaware Corporation, d/b/a AT&T Wireless, 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/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, this 24th day of August, 2002.

Signature Suzann Marie Modson

My commission expires: 11-12-03



NOTARY SEAL

SUZANN MARIE MODSON
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Nov 12, 2003
ACTING IN Oakland COUNTY, MI

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ATTACHMENT "A"

Land

Site No.: IL-0444

Parcel No.: 29-05-100-031-0000

Site Name: Dixmoor

**Address: 13741 S. Ashland Avenue,
Blue Island, Illinois 60827**

The Land is described as follows:

Parcel 1

The South 100.00 feet (measured along the west line) of the parcel of land described as follows: the West 164.15 feet (measured at right angles) of that part of fractional Section 5, Township 36 North, Range 14 East of the Third Principal Meridian, which lies east of the west line of said Section 5, north of the Indian boundary line, south of the north line of said Section 5, north of the Indian boundary line, and north of the north line of said Section 5, south of the Indian boundary line, extended west (EXCEPT the north 216.00 feet thereof measured along the west line and EXCEPT the south 680.00 feet thereof measured along the west line) EXCEPT streets in Cook County, Illinois. Containing 5.350 acres, more or less.

Parcel 2

That part of the East 371.20 feet of the West 735.45 feet (measured at right angles) of that part of fractional Section 3, Township 36 North, Range 14 East of the Third Principal Meridian which lies east of the west line of said Section 5, north of the Indian boundary line, which lies south of the north line, of said Section 5, north of the Indian boundary line and which lies north of the north line of said Section 5, south of the Indian boundary line, extended west, (excepting therefrom the north 216.00 feet thereof, measured along the west line, and except the south 680.00 feet thereof, measured along the west line, and except that part of the above described tract which lies northeastern of a line drawn from a point to the north line of said tract, said point being 499.43 feet east of the north west corner of said tract, to a point in the east line of said tract, 58.41 feet south of the north line of said tract) which part is bounded and described as follows:

Beginning on said line which is 680.00 feet (measured along the west line.) north from the north line of said Section 5, south of the Indian boundary line, extended west, at the intersection of said line. With the east line of the West 364.15 feet (measured at right angles) of fractional Section 5, aforesaid and running thence north along said east line of the West 564.15 feet, a distance of 100.00 feet, thence east along a line parallel with said north line of Section 5, south of the Indian boundary line, extended west, a distance of 102.03 feet, to an intersection with the east line of the west 466.15 feet (measured at right angles) of fractional Section 5, aforesaid; thence north along said east line of the West 466.15 feet, a distance of 179.78 feet, to an intersection with a line which is 242.00 feet (measured along the west line) south from and parallel with the north line of said Section 5, north of the Indian boundary line, thence last along said parallel line, a distance of

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138.34 feet to an intersection with the aforesaid line which extends southeasterly from a point on the north line of said tract 499.43 feet east of the northwest corner thereof to a point in the east line, of said tract, 58.41 feet south of the north line thereof, thence southeasterly along last described line a distance of 135.03 feet to an intersection with the east line of the west 735.45 feet (measured at right angles) of said fractional Section 5, north of the Indian boundary line; thence south along the east line of the West 735.45 feet, a distance of 552.60 feet to an intersection with the aforesaid line which is 680.00 feet (measured along the west line) north from the north line of said Section 5, south of the Indian boundary line, extended west, and thence west along last described line a distance of 371.39 feet, to the point of beginning, in Cook County, Illinois. Containing 4.607 acres, more or less.

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ATTACHMENT "B"

Premises

Site No.: IL-0444

Site Name: Dixmoor

**Address: 13741 S. Ashland Avenue,
Blue Island, Illinois 60827**

The Premises is described as follows:

Lease Area:

That part of the South 100.00 feet (as measured along the west line) of the West 364.15 feet (measured at right angles) of that part of fractional Section five, Township thirty-six North, Range fourteen, East of the Third Principal Meridian, which lies east of the west line of said Section five, north of the Indian boundary line, and lies south of the north line of said Section five, north of the Indian boundary line, and north of the north line of said Section five, south of the Indian boundary line, extended west (except the north 216.00 feet thereof measured along the west line and except the south 680.00 feet thereof measured along the west line) bounded and described as follows:

Commencing at the intersection of the north line of said Section five, south of the Indian boundary line extended west, with the west line of said fractional Section five, north of the Indian boundary line; thence North $00^{\circ} 18' 19''$ East, being an assumed bearing on the west line of said fractional Section five, a distance of 780.00 feet; thence South $88^{\circ} 21' 28''$ East, on a line parallel with the north line of said Section five, south of the Indian boundary line extended west, a distance of 79.26 feet to the point of beginning;

thence continuing South $88^{\circ} 21' 28''$ East, on said parallel line, a distance of 60.00 feet;

thence South $01^{\circ} 38' 32''$ West, perpendicular to the last described course, a distance of 30.00 feet;

thence North $88^{\circ} 21' 28''$ West, parallel with the north line of said Section five, south of Indian boundary line extended west, a distance of 60.00 feet,

thence North $01^{\circ} 38' 32''$ East, perpendicular to the last described course, a distance of 30.00 feet to the point of beginning. All in Cook County, Illinois, containing 1800 square feet, more or less

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Access Easement:

That part of the South 100.00 feet (as measured along the west line) of the West 364.15 feet (measured at right angles) of that part of fractional Section five, Township thirty-six North, Range fourteen, East of the Third Principal Meridian, which lies east of the west line of said Section five, north of the Indian boundary line, and lies south of the north line of said Section five, north of the Indian boundary line, and north of the north line of said Section five, south of the Indian boundary line, extended west (except the north 216.00 feet thereof measured along the west line and except the south 680.00 feet thereof measured along the west line). Bounded and described as follows:

Commencing at the intersection of the north line of said Section five, south of the Indian boundary line extended west, with the west line of said fractional Section five, north of the Indian boundary line, thence North $00^{\circ} 18' 19''$ East, being an assumed bearing on the west line of said fractional Section five, a distance of 780.00 feet; thence South $88^{\circ} 21' 28''$ East, on a line parallel with the north line of said Section five, south of the Indian boundary line extended west, a distance of 139.26 feet; thence South $01^{\circ} 38' 32''$ West, perpendicular to the last described course, a distance of 30.00 feet to the point of beginning;

thence continuing South $01^{\circ} 38' 32''$ West, on said perpendicular line, a distance of 15.00 feet;

thence North $88^{\circ} 21' 28''$ West, parallel with the north line of said Section five south of Indian boundary line extended west, a distance of 107.98 feet to the east line of Ashland Avenue, said line being 30.00 feet east of and parallel with the west line of said fractional Section five;

thence North $00^{\circ} 18' 19''$ East, on the east line of said Ashland Avenue, a distance of 15.00 ft;

thence South $88^{\circ} 21' 28''$ East, parallel with the north line of said section five, south of Indian boundary line, extended west, a distance of 108.38 feet to the point of beginning, all in Cook County, Illinois, containing 1623 square feet, more or less.

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ATTACHMENT "C" Site Layout Plan

Site No.: IL-0444

Site Name: Dixmoor
Address: 13741 S. Ashland
Avenue, Blue Island, Illinois 60827

