



Doc#: 0407918126  
Eugene "Gene" Moore Fee: \$32.00  
Cook County Recorder of Deeds  
Date: 03/19/2004 03:28 PM Pg: 1 of 5

Prepared by:  
LCC International, Inc.  
One Pierce Place, Suite 1100  
Itasca, IL 60143

Box 45

METROPCS TITLE CO. 03-046391

Return to:  
U.S. Cellular Corporation  
Attn: Real Estate Department  
8410 W Bryn Mawr Avenue, Suite 700  
Chicago, IL 60650

Cell Site No. 262913  
State: Illinois  
County: Cook

PIN# 16-02-428-074-0000, 16-02-428-075-0000

**MEMORANDUM OF LEASE**

THIS MEMORANDUM OF LEASE is made and entered into as of the 31<sup>st</sup> day of July, 2003, by and between, **Surburban Bank and Trust Company**, as Trustee under Agreement dated December 1, 1998 and known as Trust Number 1133, 816 N. Spaulding, Chicago, IL 60651 (hereinafter referred to as "Landlord"), and **United States Cellular Operating Company of Chicago, LLC**, a Delaware limited liability company, doing business as *U. S. Cellular*®, Attention: Real Estate, 8410 West Bryn Mawr Avenue, Suite 700, Chicago, Illinois 60631 (hereinafter referred to as "Tenant.")

**WITNESSETH:**

WHEREAS, by the terms of a certain Ground Lease entered into on the 31<sup>st</sup> day of July, 2003 (the "Lease"), the Landlord leased to the Tenant certain property, being more particularly bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof (the "Premises"); and

WHEREAS, the Landlord and the Tenant desire to execute this Memorandum of Lease to evidence said Lease and certain of the terms therein for the purpose of placing the same of record in the Clerk's Office for Cook County, State of Illinois

NOW THEREFORE, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Landlord does hereby lease the Premises to the Tenant upon the terms and conditions of the Lease which is incorporated herein by specific reference, and do agree as follows:

# UNOFFICIAL COPY

- (1) On the 31 day of JULY, 2003, the Landlord and Tenant entered into the Lease of the Premises.
- (2) The term of the Lease is for a period of five (5) years commencing on the 18<sup>th</sup> day of DECEMBER, 2003, and terminating on the 17<sup>th</sup> day of DECEMBER, 2008.
- (3) The amounts of rental due and the terms, conditions and rights and remedies of the parties hereto are specifically set forth in the Lease.
- (4) The Lease contains five (5) renewal options to extend the lease for up to four (4) additional five (5) year terms which may be exercised upon the terms and conditions more particularly set forth in the Lease.

**IN WITNESS WHEREOF**, the Landlord and Tenant hereto have caused this Memorandum of Lease to be executed by their duly authorized officers as of the day and year first above written.

**LANDLORD:**

**LESSOR:**

**Suburban Bank & Trust Company,  
as Trustee under Trust Agreement dated  
December 1, 1998 and known as  
Trust Number 1133**

**TENANT:**

**LESSEE:**

**United States Cellular Operating  
Company of Chicago, LLC.  
a Delaware Limited Liability Company  
d/b/a U. S. Cellular®**

By: Rosemary Major

Printed: ROSEMARY MAJOR

By: Hichem H. Garnaoui

Printed: Hichem H. Garnaoui

Title: VP of National Network Operations

# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that **Hichem H. Garnaoui, Vice President of National Network Operations**, known to me to be the same person whose name is subscribed to the foregoing Memorandum of Lease, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Lease as his free and voluntary act on behalf of the named Tenant limited partnership, for the uses and purposes therein stated.

Given under my hand and seal this 20 day of August, 2003.



Tina M Whelan  
Notary Public

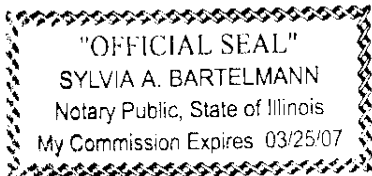
My commission expires 01-11-06

State of Illinois  
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that ROSEMARY MAZUR of **SURBURBAN BANK AND TRUST COMPANY**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 31st day of JULY, 2007.



Sylvia A. Bartelmann  
NOTARY PUBLIC

**UNOFFICIAL COPY****EXCULPATORY CLAUSE FOR SURBURBAN BANK AND TRUST COMPANY, AS TRUSTEE UNDER AGREEMENT DATED DECEMBER 7, 1998 AND KNOWN AS TRUST NUMBER 1133 ATTACHED TO AND MADE PART OF THE FACILITIES SPACE LEASE AGREEMENT TO UNITED STATES CELLULAR OPERATING COMPANY OF CHICAGO, LLC.**

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against SURBURBAN BANK AND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant, or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Date: 7-31- 2003

SURBURBAN BANK AND TRUST COMPANY, as Trustee  
Under Trust No. 1133

By: Rosemary Mazur

Printed Name: ROSEMARY MAZUR

Title: Vice President & Trust Officer

Clerk's Office

