UNOFFICIAL COPY



Doc#: 0408950227

Eugene "Gene" Moore Fee: \$48.00 Cook County Recorder of Deeds Date: 03/29/2004 04:00 PM Pg: 1 of 13

Upon recordation, please mail to

Mary A. Miller Kegler, Brown, Hill & Ritter Capitol Square, Suite 1800 65 East State Street Columbus, Ohio 43215

(Recorder's Use Above this Line)

STATE OF ILLINOIS

COUNTY OF COOK

MEMORANDUM OF TOWER AT ACHMENT LICENSE AGREEMENT

Document Date: Tecember 2, 2003

Grantor/Licensor:

SBC TOWER HOLDINGS LLC, a Delaware limited liability company

Address:

c/o Cingular Wireless, LLC, Attn: Network Real Estate Administration,

6100 Atlantic Boulevard, Norcross, GA 30071

Grantee/Licensee:

AT&T WIRELESS PCS, LLC, a Delaware limit a liability company,

d/b/a AT&T Wireless

Address:

Attn: Lease Management Department, 2729 Prospect Park Drive, Rancho

Cordova, CA 95670, Re: Cell Site # 1100-H, I-90 & I-94 Junction

Legal Description of the Property is attached as Attachment "A" on Page 5.

Prepared by:

Real Estate Operations

Site No.: IL-0292 SpectraSite Communications, Inc.

100 Regency Forest Drive, Suite 400

Cary, North Carolina 27511

Return to:

AT&T Wireless

Attn: Lease Management Department

2729 Prospect Park Drive

Rancho Cordova, CA 95670

Re: Cell Site # 1100-H, I-90 & I-94 Junction

Memorandum of Tower Attachment License Agreement Page 1

cld

Licensor Site Name/No: Cicero & Lawrence/IL-0292 Licensee Site Name/No.: I-90 & I-94 Junction/IL-1100-H CAP ID No: 16278

SBC ID: Cicero & Lawrence

Anne No.: 548

FEB - 3 2004

0408950227 Page: 2 of 13

UNOFFICIAL COPY

MEMORANDUM OF TOWER ATTACHMENT LICENSE AGREEMENT

This Memorandum of Tower Attachment License Agreement ("Memorandum") is entered into on this 2nd day of December, 2003, by and between SBC TOWER HOLDINGS LLC, a Delaware limited liability company with an address of c/o Cingular Wireless, LLC, Attn: Network Real Estate Administration, 6100 Atlantic Boulevard, Norcross, GA 30071 (hereinafter referred to as "Licensor") and AT&T WIRELESS PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless with an address of Attn: Lease Managemen Department, 2729 Prospect Park Drive, Rancho Cordova, CA 95670, Re: Cell Site # 1100-H, I-90 & I-94 Junction (hereinafter referred to as "Licensee").

- 1. Licensor is the lessee of a certain portion of real property described and/or depicted in Attachment 'R" ("Premises") attached hereto, which is a portion of a larger parcel of real property described on Attachment "A" ("Land").
- 2. Licensor and Licensee entered into a Tower Attachment License Agreement ("License") dated Tanger 13, 2004, for the purpose of installing, operating, and maintaining telecommunications equipment and other improvements on a portion of the Premises. All of the foregoing is set for in the License.
- 3. The term of the License is for five (5) years commencing on the date Licensee commences installation of the Equipment, (as defined in paragraph 8(b) of the License) but no later than ninety (90) days after the date of the License with the right to extend the License for four (4) additional five (5) year terms.
- 4. The portion of the Premises being licensed to Licensee is described and/or depicted in Attachment "C" ("Site Layout Plan"), and includes certain rights of access and utilities as provided in the License (which may or may not be depicted in Attachment "C").
- 5. Licensee agrees to prepare, execute and record a release within thirty (30) days of expiration or termination of the License. Licensee hereby irrevocably appoints Licensor as Licensee's attorney-in-fact coupled with an inferest to prepare, execute and record such release, at Licensee's expense, in the event Licensee fails to record a release within the forceoing thirty (30) day period. Licensee further grants to Licensor the right to assign this right to any entity that is the successor to Licensor's interest under the License.
- 6. The purpose of this Memorandum is to give record notice of the License and of the rights created thereby, all of which are hereby confirmed. In the event of a conflict between the terms of this Memorandum and the terms of the License, the terms of the License shall prevail.

-REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-

0408950227 Page: 3 of 13

UNOFFICIAL COPY

NUMBERGE WHIEDEOE the portion hardto have entered into this Memorandum as of tl

the date first written above.	seto have entered into this ivientoralidadi as or
	LICENSOR:
	SBC TOWER HOLDINGS LLC, a Delaware limited liability company
	By:
State of Color Gill	140.6 1 1 2000
County of Fulton	
This instrument was acknowledged before me by SBC Tower Holdings LLC, a Delaware limited liability company, 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 autnorized 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 1146	day of November, 2003.
Signature //	0.
NOTARY SEAL	
	- 0

0408950227 Page: 4 of 13

UNOFFICIAL COPY

LICENSEE:

AT&T WIRELESS PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless

By: William E-Wade
Title: Program Manager

State of Illinois
County of Cook
This instrument was acknowledged before me by William E. Wade, who is the Program Mgy. of AT&T Wireless PCS, LLC, a Delaware limited liability company, 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/sh; 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 2 rd day of day of 2003.
Signature machael Yakie
My commission expires: (0-19-04
NOTARY SEAL
"OFFICIAL SEAL"



0408950227 Page: 5 of 13

UNOFFICIAL COPY

ATTACHMENT "A" Land

Site No.: IL-0292

Site Name:

Cicero & Lawrence

Address:

4404 W. Berteau

Chicago, Illinois 60641

County of Cook

The Land is described as follows:

Parcel A: That part of the North 1/2 of the South West 1/4 of Section 15, Township 40 North, Range 13, East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Point of Intersection of the South line of the North 1/2 of the South West 1/4 of said Section with the West line of North Kolmar Avenue, said Point of Commencement also being the Northeast correct of Lot 1 in Block 2 in Crandall's Boulevard Addition, being a subdivision of the West 1/2 of the South East 1/4 of the South West 1/4 of said Section 15, said South line of the North 1/2 of the South West 1/4 of Section 15, having an assumed bearing of N 90° 00' 00" E, for a base for the following described courses:

Thence N 00° 17' 00" W, from said Point of Commencement, a distance of 183.93 feet to the Place of Beginning of land herein to be described:

Thence N 06° 36' 52" W, a distance of 247.75 feet:

Thence N 21° 07' 16" W, a distance of 96.78 feet along the chord of a curved line concave to the Southwest and having a radius of 193.18 feet and to gent to the last described course an arc distance of 97.82 feet;

Thence N 35° 37' 41" W, along a line parallel with and 26.00 feet Northeasterly as measured at right angles from the center line of the tangent segment of Sp ir Track I.C.C. Number A-303 and extension of the Chicago and North Western Railway Company as now located and established, a distance of 369.32 feet;

Thence N 38° 04' 33" E, a distance of 100.00 feet;

Thence S 51° 55' 27" E, a distance of 926.12 feet;

Thence S 38° 04' 33" W, a distance of 43.51 feet to a point 15.00 feet Northerly as measured Radially from the center line of Spur Tract I.C.C. Number A-243 of said railway company, as now located and established;

Thence Westerly along a line parallel with the center line of said Spur Track I.C.C. Nb. A-243, said parallel line having the following described courses and chord distance; N 86° 04' W, a distance of 23.54 feet;

Thence S 87° 49' 55" W, a distance of 102.78 feet;

Thence S 77° 31' 32" W, a distance of 102.50 feet;

Thence S 68° 41' 09" W, a distance of 102.44 feet;

Thence S 60° 15' 25" W, along the last chord distant 74.06;

Thence S 83° 23' 08" W, a distance of 100.00 feet to the Place of Beginning, in Cook County, Illinois.

Memorandum of Tower Attachment License Agreement Page 5 cld

Licensor Site Name/No: Cicero & Lawrence/IL-0292 Licensee Site Name/No.: I-90 & I-94 Junction/IL-1100-H CAP ID No: 16278 SBC ID: Cicero & Lawrence Anne No.: 548

0408950227 Page: 6 of 13

UNOFFICIAL COPY

ATTACHMENT "A" (continued)

Parcel B: That part of the North 1/2 of the Southwest 1/4 of Section 15, Township 40 North, Range 13, East of the Third Principal Meridian bounded and described as follows:

Commencing at the Point of Intersection of the South line of the North 1/2 of the Southwest 1/4 of said Section with the West line of North Kolmar Avenue, said Point of Commencement also being the Northeast corner of Lot 1 in Block 2 of Crandall's Boulevard Addition, being a subdivision of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 15; said South line of the North 1/2 of the Southwest 1/4 of Section 15 having an assumed bearing of N 90° 00' 00" E, for a base for following described courses;

Thence N 00° 17' 00° W, from said Point of Commencement, a distance of 183.93 feet;

Thence N 06° 36' 52" W, Listance of 247.75 feet;

Thence N 21° 07' 16" W, a fixtance of 96.78 feet along the chord of a curve concave to the Southwest and having a radius of 193.18 feet and tangent to the last described course, an arc distance of 97.82 feet;

Thence N 35° 37' 41" W, along a line parallel with and 20.00 feet Northeasterly, as measured at right angles, from the center line of the targent segment of Spur Tract I.C.C. Number A-303 and extension of the Chicago and North Western Railway Company, as now located and established, a distance of 369.32 feet to the Point of Beginning of the parcel of land herein described;

Thence N 38° 04' 33" E, a distance of 100.00 feet

Thence N 51° 55' 27" W, a distance of 131.00 feet;

Thence S 38° 04' 33" W, a distance of 60.00 feet, more or less, to a point on line which bears N 35° 37' 41" W, from the Point of Beginning;

Thence S 35° 37' 41" E, a distance of 135.00 feet, more or tess, to the Point of Beginning, in Cook County, Illinois.

Parcel C: That part of the North ½ of the Southwest ¼ of Section 15, Township 40 North, Range 13, East of the Third Principal Meridian bounded and described as follows:

Commencing at the intersection of the South line of the North ½ of the Southwest ¼ of said Section with the West line of North Kolmar Avenue, said Point of Commencement also being the Northeast corner of Lot 1 in Block 2 in Cradall's Boulevard Addition, being a subdivision of the West ½ of the Southeast ¼ of the Southwest ¼ of said Section 15, said Section South line of the North 1/2 of the Southwest 1/4 of Section 15 having an assumed bearing of N 90° 00' 00" E, for a base for following described courses;

Thence N 00° 17' 00" W, from said Point of Commencement, a distance of 183.93 feet; Thence N 06° 36' 52" W, a distance of 247.75 feet;

0408950227 Page: 7 of 13

UNOFFICIAL COPY

ATTACHMENT "A" (continued)

Thence N 21° 07' 16" W, a distance of 96.78 feet along the chord of a curve concave to the Southwest and having a radius of 193.18 feet and tangent to the last describe course, an arc distance of 97.82 feet;

Thence N 35° 37' 41" W, along a line parallel with and 20.00 feet Northeasterly, as measured at right angles, from the center line of the tangent segment of Spur Tract I.C.C. Number A-303 and extension of the Chicago and North Western Railway Company, as now located and established, a distance of 369.32 feet;

Thence N 35 04' 33" E, a distance of 100.00 feet to the Point of Beginning of the parcel of land herein described:

Thence N 51° 55' 77" W, a distance of 131.00 feet;

Thence N 38° 04' 57' E, a distance of 27.00 feet more or less to a point distance 10.00 feet Southwesterly, measured at right angles, from the center line of Chicago and North Western Railway Company Spur Treet I.C.C. Number 64 as said Spur Track is now located;

Thence Southeasterly along a ine parallel with said Spur Track (I.C.C. Number 64) center line a distance of 1,057.12 feet;

Thence Southeasterly along a straight line to a point on a line which bears S 51° 55' 27" W, from the Point of Beginning distant 10.00 feet Northerly measured radially from the center line of Chicago and North Western Railway Company Spur Tract I.C.C. Number A-243 as now located; Thence N 51° 55' 27" W, a distance of 1,030.00 feet more or less to the Point of Beginning, in fer Ollhing Cloritica Cook County, Illinois.

0408950227 Page: 8 of 13

UNOFFICIAL COPY

ATTACHMENT "B" Premises

Site No.: IL-0292

Site Name:

Cicero & Lawrence

Address:

4404 W. Berteau

Chicago, Illinois 60641

County of Cook

The Premises is described as follows:

That part of the North half of the Southwest quarter of Section 15, Township 40 North, Range 13, East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Coint of Intersection of the South line of the North half of the Southwest quarter of said Section with the West line of Kolmar Avenue, said Point of Commencement, also being the Northeast corner of Lot 1 in Block 2 of Crandall's Boulevard Addition, being a subdivision of the West half of the Southeast quarter of the Southwest quarter of said Section 15, said South line of the North half of the Southwest quarter of said Section 15, having an assumed bearing of N 90° 00' 00" E, for a base of the following described courses;

Thence N 00° 17' 00" W, from said Point Commencement, a distance of 183.93 feet;

Thence N 06° 36' 52" W, a distance of 247.75 feet;

Thence N 21° 07' 16" W, a distance of 96.78 feet, along the chord of a curve, concave to the Southwest, and having a radius of 193.18 feet and tangent to the last described course, an arc distance of 97.82 feet;

Thence N 35° 37' 41" W, along a line parallel with and 2's.00 feet Northeasterly, as measured at right angles from the center line of the tangent segment of Spur Track (I.C.C. No. A-303) and extension of the Chicago and Northwestern Railway Company, as now located and established, a distance of 369.32 feet;

Thence N 38° 04' 33" E, a distance of 100.00 feet;

Thence N 51° 55' 27" W, a distance of 131.00 feet;

Thence N 38° 04' 33" E, a deed distance of 27.00 feet more or less, a measured distance of 24.75 feet to a point distance 10.00 feet Southwesterly measured at right angles from the center line of Chicago Northwestern Railway Company Spur Track (I.C.C. No. 64) for the Point of Beginning; Thence S 51° 55' 27" E, along a line parallel with said Spur Tract (I.C.C. No. 64) center line, a distance of 40.00 feet;

Thence S 38° 04' 33" W, a distance of 50.00 feet;

Thence N 51° 55' 27" W, a distance of 40.00 feet;

Thence N 38° 04' 33" E, a distance of 50.00 feet to the Point of Beginning, all in Cook County, Illinois,

and also the access rights set forth in Site Agreement Recorded as Document Number 83-576983.

The above is intended to describe that property in First American Title Insurance Company Commitment Number T1475, bearing an effective date of February 1, 2001.

Memorandum of Tower Attachment License Agreement Page 8 cld

Licensor Site Name/No: Cicero & Lawrence/IL-0292 Licensee Site Name/No.: I-90 & I-94 Junction/IL-1100-H CAP ID No: 16278 SBC ID: Cicero & Lawrence

Anne No.: 548

0408950227 Page: 9 of 13

UNOFFICIAL COPY

ATTACHMENT "B" (continued)

INGRESS/EGRESS EASEMENT

That part of the North half of the Southwest quarter of Section Fifteen, Township Forty North, Range Thirteen, East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Point of Intersection of the South line of the North half of the Southwest quarter of said section with the West line of Kolmar Avenue, said Point of Commencement also being the North east corner of Lot One in Block Two in Crandall's Boulevard Addition, being a subdivision of the West half of the Southeast quarter of the Southwest quarter of said Section Fifteen; said South line of the North half of the Southwest quarter of said section Fifteen having an assumed bearing of N 90° 00' 00" E, for a base of the following described courses:

Thence N 00° 17' 00" W, from said Point of Commencement, a distance of 183.93 ft.;

Thence N 06° 36' 52" W, a distance of 247.75 ft.;

Thence N 21° 07' 16" W, a distance of 96.78 ft. along the chord of a curve, concave to the Southwest, and having a radius of 193.18 ft. and tangent to the last described course, an arc distance of 97.82 ft.;

Thence N 35° 37' 41" W, along a line parallel with and 20.00 ft. Northeasterly as measured at right angles from the center line of the targent segment of Spur Tract (I.C.C. No. A-303) and extension of the Chicago and Northwestern Reilway Company as now located and established, a distance of 369.32 ft.;

Thence N 38° 04' 33" E, a distance of 100.00 ft.;

Thence N 51° 55' 27" W, a distance of 91.00 ft.;

Thence S 38° 04' 33" W, a distance of 12.76 ft. to the Point of Beginning;

Thence S 51° 55' 27" E, a distance of 479.37 ft.;

Thence S 07° 12' 00" E, a distance of 45.95 ft. along the chord of a curve, concave to the Southwest, and having a radius of 32.65 ft., and tangent to the last described course, and arc distance of 50.97 ft.;

Thence S 37° 31' 27" W, a distance of 142.95 ft.;

Thence S 07° 12' 00" E, a distance of 74.10 ft. along the chord of a curve concave to the Northeast, and having a radius of 52.65 ft. and tangent to the last described course an arc distance of 82.20 ft.;

Thence S 51° 55' 27" E, a distance of 220.75 ft.;

Thence N 68° 28' 27" E, a distance of 150.79 ft.;

Thence S 89° 37' 23" E, a distance of 86.19 ft.;

Thence S 61° 02' 18" E, a distance of 173.43 ft.;

Thence S 49° 23' 23" E, a distance of 386.90 ft. to the South line of the North half of the Southwest quarter of said Section Fifteen;

Thence N 90° 00' 00" E, along said South line, a distance of 30.73 ft.;

Thence N 49° 23' 23" W, a distance of 412.27 ft.;

Thence N 61° 02' 18" W, a distance of 180.57 ft.;

Memorandum of Tower Attachment License Agreement Page 9 cld

Licensor Site Name/No: Cicero & Lawrence/IL-0292 Licensee Site Name/No.: I-90 & I-94 Junction/IL-1100-H CAP ID No: 16278 SBC ID: Cicero & Lawrence

Anne No.: 548

0408950227 Page: 10 of 13

UNOFFICIAL COPY

ATTACHMENT "B" (continued)

Thence N 89° 37' 23" W, a distance of 95.15 ft.;

Thence S 68° 28' 27" W, a distance of 143.21 ft.;

Thence N 51° 55' 27" W, a distance of 209.30 ft.;

Thence N 07° 12' 00" W, a distance of 45.95 ft. along the chord of a curve, concave to the Northeast, and having a radius of 32.65 ft. and tangent to the last described course, an arc distance of 50.97 ft.;

Thence N 37° 31' 27" E, a distance of 142.95 ft.;

Thence N 67° 12' 00" W, a distance of 74.09 ft. along the chord of a curve, concave to the Southwest and having a radius of 52.65 ft. and tangent to the last described course, an arc distance of 82.20 it.,

Thence North 51° 55' 27" W, a distance of 479.37 ft.;

Thence S 38° 04' 33" W. a distance of 20.00 ft. to the Point of Beginning, all in Cook County, Illinois.

10' PUBLIC UTILITIES EASEM: NT

That part of the North half of the Southwest quarter of Section 15, Township 40 North, Range 13, East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Point of Intersection of the South line of the North half of the Southwest quarter of said section with the West line of Kolmar Avenue, said Point of Commencement also being the Northeast corner of Lot One in Block Two in Crandall's Boulevard Addition, being a subdivision of the West half of the Southeast quarter of the Southwest quarter of said Section 15; said South line of the North half of the Southwest quarter of said Section 15 having an assumed bearing of N 90° 00' 00" E, for a base of the following described corrses:

Thence N 00° 17' 00" W, from said Point of Commencement, a distance of 183.93 ft.;

Thence N 06° 36' 52" W, a distance of 247.75 ft.;

Thence N 21° 07' 16" W, a distance of 96.78 ft. along the chord of a curve, concave to the Southwest, and having a radius of 193.18 ft. and tangent to the last described course, an arc distance of 97.82 ft.;

Thence N 35° 37' 41" W, along a line parallel with and 20.00 ft. Northeasterly as neasured at right angles from the center line of the tangent segment of Spur Tract (I.C.C. No. A-303) and extension of the Chicago and Northwestern Railway Company as now located and established, a distance of 369.32 ft.;

Thence N 38° 04' 33" E, a distance of 100.00 ft.;

Thence N 51° 55' 27" W, a distance of 131.00 ft.;

Thence S 38° 04' 33" W, a distance of 25.28 ft. to the Point of Beginning;

Memorandum of Tower Attachment License Agreement Page 10 cld

Licensor Site Name/No: Cicero & Lawrence/IL-0292 Licensee Site Name/No.: I-90 & I-94 Junction/IL-1100-H CAP ID No: 16278 SBC ID: Cicero & Lawrence Anne No.: 548

0408950227 Page: 11 of 13

UNOFFICIAL COPY

ATTACHMENT "B" (continued)

Thence continuing S 38° 04' 33" W, a distance of 36.44 ft. to a line parallel with and 20.00 ft. Northeasterly, as measured at right angles from the center line of the tangent segment of Spur Track (I.C.C. No. A-303);

Thence S 35° 37' 41" E, on said parallel line a distance of 40.00 ft.;

Thence N 54° 22' 19" E, a distance of 10.00 ft.;

Thence N 35° 37' 41" W, a distance of 32.50 ft.;

Thence N 38° 04' 33" E, a distance of 28.94 ft.;

Cook County Clerk's Office Thence N 51° 55' 27" W, a distance of 10.00 ft. to the Point of Beginning, all in Cook County,

Illinois.

0408950227 Page: 12 of 13

UNOFFICIAL COPY

ATTACHMENT "C" Site Layout Plan

Site No.: IL-0292

Site Name:

Cicero & Lawrence

Address:

4404 W. Berteau

Chicago, Illinois 60641

County of Cook

Property of Cook County Clark's Office See attached Site Layout Plan.

0408950227 Page: 13 of 13

