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Doc#: 0421912014
Eugene "Gene" Moore Fee: \$32.50
Cook County Recorder of Deeds
Date: 08/06/2004 10:01 AM Pg: 1 of 5

Prepared by:

Site Acquisition Consultants
655 First Bank Drive
Palatine, Illinois 60067

Return to:

AT&T Wireless
Attn: Lease Administration
Re: AWS Cell Site #CHCGIL1226D
Cell Site Name: DT Arlington Heights Move
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Cell Site No.: CHCGIL1226D

State: ILLINOIS
County: COOK

RECORDERS BOX

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is entered into by and between **A&T Properties, L.L.C., an Illinois limited liability company, ("Landlord")** and **AT&T WIRELESS PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless, by AT&T Wireless Services Inc., a Delaware corporation, its member ("Tenant").**

A. Landlord and Tenant have entered into a certain Option and Lease Agreement ("Option to Lease") pursuant to which Landlord granted Tenant an option to lease ("Option") from Landlord certain real property ("Premises") located in the County of **Cook**, State of **Illinois**, which is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

B. The parties desire to enter into this Memorandum of Lease for the purpose of setting forth certain terms and conditions of the Lease; and

C. Tenant has exercised the Option and Tenant and Landlord now desire to execute this Memorandum to provide constructive knowledge of Tenant's lease of the Premises.

NOW, THEREFORE, in consideration of the foregoing, the parties hereby agree as follows:

1. **Lease of Premises.** Landlord leases to Tenant, and Tenant leases from Landlord, the Premises for a term of five (5) years, commencing on the 15th day of June, 2004 ("Commencement Date") and terminating on the 14th day of June, 2009, upon the terms and conditions set forth in the Option to Lease. Tenant shall have the right to renew this Lease for four (4) additional 5-year terms.

2. **Provisions Binding on Landlord.** The Lease shall be binding upon and inure to the benefit of the parties and their respective heirs, successors and assigns, subject to the provisions of the Lease.

3. **Governing Law.** This Memorandum and Lease are governed by the laws of the state of **Illinois**.

JUN 18 2004
10/30/03

CHCGIL1226D/DT Arlington Heights Move
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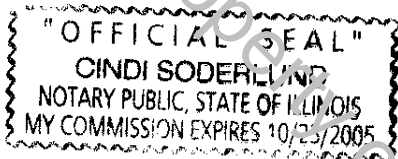
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UNOFFICIAL COPY**TENANT ACKNOWLEDGMENT**

STATE OF ILLINOIS)
 COUNTY OF DuPage) ss:

On the 25th day of November, 2003, before me personally appeared William E. Wade, and acknowledged under oath that he is the Regional Project Manager, Great Lakes Region of AT&T Wireless Services, Inc., a Delaware corporation and member of AT&T Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless, the limited liability company named in the attached instrument, and as such was authorized to execute this instrument on behalf of corporation as member of the limited liability company.



Notary Public: Cindi Soderlund
 My Commission Expires: 10/23/05

LANDLORD ACKNOWLEDGMENT

STATE OF Illinois)
 COUNTY OF Cook) ss:

I CERTIFY that on November 19th, 2003, B. Gregory Trapani personally came before me and acknowledged under oath that he or she:

- (a) is the Managing Partner of A&T Properties, L.L.C., an Illinois limited liability company, the limited liability company named in the attached instrument,
- (b) was authorized to execute this instrument on behalf of the limited liability company and
- (c) executed the instrument as the act of the limited liability company.

Mano T. Stendebach
 Notary Public: Mano T. Stendebach
 My Commission Expires: 3/24/07

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EXHIBIT 1

DESCRIPTION OF PREMISES

Page 1 of 2

to the Agreement dated November 25th, 2003, by and between A&T Properties, L.L.C., an Illinois limited liability company, as Landlord, and AT&T Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless, by AT&T Wireless Services, Inc., a Delaware corporation, its member, as Tenant.

Property Identification Number (PIN#): 03-29-340-024-0000; 03-30-419-020-0000; 03-30-419-021-0000;
and 03-30-419-043-0000

Property Address: 151 and 171 West Wing Street, Arlington Heights, Illinois 60004

The Premises are described and/or depicted as follows: (See attached drawings)

Parcel 1: That part of the West half of the Southwest quarter of Section 29 and the North half of the Southeast quarter of the Southeast Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast corner of Lot 4 in Block 19 in Minor's Addition to Dunton, being a subdivision of the North half of the Southeast quarter of the Southeast quarter of said Section 30; thence North 89 degrees 50 minutes 49 seconds West, 69.04 feet; thence North 00 degrees 16 minutes 47 seconds East, 132.55 feet to the point of beginning; thence South 89 degrees 51 minutes 20 seconds East, 201.00 feet; thence South 89 degrees 21 minutes 53 seconds East, 39.76 feet; thence South 00 degree 38 minutes 34 seconds West, 5.87 feet; thence North 89 degrees 21 minutes 26 seconds West, 6.33 feet; thence South 00 degrees 00 minutes 00 seconds East, 81.00 feet; thence (the next 14 courses will be perpendicular to preceding course) Westerly 176.33 feet; thence Northerly 11.83 feet; thence Easterly 15.82 feet; thence North 33.33 feet; thence Westerly 18.25 feet; thence Northerly 23.69 feet; thence Easterly 9.17 feet; thence Southerly 7.85 feet; thence Easterly 9.08 feet; thence Northerly 19.00 feet; thence Westerly 38.67 feet; thence Southerly 3.50 feet; thence Westerly 30.982 feet; thence Northerly 1.50 feet; thence North 89 degrees 43 minutes 13 seconds West, 4.40 feet; thence North 00 degrees 16 minutes 47 seconds East, 9.72 feet to the point of beginning, in Cook County, Illinois.

(Except the following:

Exception #1: Commencing at the Southeast corner of Lot 4 in Block 19 in Minor's Addition to Dunton, being a subdivision of the North half of the Southeast quarter of the Southeast quarter of said Section 30; thence South 00 degrees 16 minutes 47 seconds West, 8.45 feet; thence South 89 degrees 21 minutes 26 seconds East, 170.82 feet; thence North 00 degrees 38 minutes 34 seconds East, 55.30 feet; thence North 89 degrees 21 minutes 26 seconds West, 5.42 feet; thence South 90 degrees 00 minutes 00 seconds East 7.00 feet to the point of beginning; thence (the next 8 courses will be perpendicular to preceding course) Westerly 39.17 feet; thence Northerly 17.33 feet; thence Easterly 10.92 feet; thence Northerly 46.67 feet; thence East 3.00 feet; thence Northerly 13.00 feet; thence Easterly 25.25 feet; thence Southerly 77.00 to the point of beginning, in Cook County, Illinois.

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EXHIBIT 1

DESCRIPTION OF PREMISES

Page 2 of 2

to the Agreement dated November 25th, 2003, by and between A&T Properties, L.L.C., an Illinois limited liability company, as Landlord, and AT&T Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Wireless, by AT&T Wireless Services, Inc., a Delaware corporation, its member, as Tenant.

Exception #2: Commencing at the Southeast corner of Lot 4 in Block 19 in Miner's Addition to Dunton, being a subdivision of the North half of the Southeast quarter of the Southeast quarter of said Section 30; thence South 00 degrees 16 minutes 17 seconds West, 8.45 feet; thence South 89 degrees 21 minutes 26 seconds East, 170.82 feet; thence North 00 degrees 38 minutes 34 seconds East, 55.30 feet; thence North 89 degrees 21 minutes 26 seconds West 5.42 feet; thence South 90 degrees 00 minutes 00 seconds West 32.33 feet; thence (next 6 courses will be perpendicular to preceding course) Northerly 11.83 feet to the point of beginning; thence Westerly 8.25 feet; thence Northerly 21.33 feet; thence Easterly 5.25 feet; thence Southerly 21.33 feet to the point of beginning, in Cook County, Illinois.)
AND

Parcel 1:

Lots 3 and 4 in Block 20 in Miner's Addition to Dunton, being a subdivision of the North 1/2 of the South East 1/4 of the South East 1/4 of Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2

The East 3 feet of Lot 3 and all of Lot 4 in Block 19 in Miner's Addition to Dunton being a subdivision of the North 1/2 of the South East 1/4 of Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

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IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

WITNESSES:

"LANDLORD"

Name: _____

A&T Properties, L.L.C., an Illinois limited liability Print company

Andrew T. Flowers
Print Name: Andrew T. Flowers

By: B. Gregory Trapani
Print Name: B. Gregory Trapani
Its: Managing Partner
Date: November 19, 2003

"TENANT"

Print Name: _____

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

By AT&T Wireless Services, Inc., a Delaware corporation

Its: Member

Andrew T. Flowers
Print Name: Andrew T. Flowers

By: William E. Wade
Print Name: William E. Wade
Its: Regional Project Manager, Great Lakes Region
Date: November 25th, 2003

Property of Cook County Clerk's Office