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Site Name: Dan Ryan North
Site No. IL-3684

Doc#: 0501245088
Eugene "Gene" Moore Fee: \$38.50
Cook County Recorder of Deeds
Date: 01/12/2005 10:32 AM Pg: 1 of 8

Property of Cook County Clerk's Office

(Recorder's Use Above this Line)

STATE OF ILLINOIS

Land Parcel No.: 20-09-210-004-0000
and 20-09-210-003-0000

COUNTY OF COOK

MEMORANDUM OF AGREEMENT

Document Date:

12/30/04

Grantor/Lessor:

JOSEPH D. SCHRANZ and CHARLES E. CRONWALL, each to an undivided half interest, 21362 Georgetown Road, Frankfort, Illinois 60609

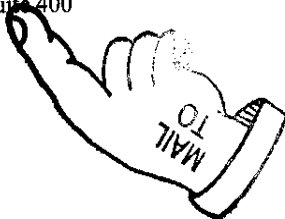
Grantee/Lessee:

TOWER ASSET SUB, INC., a Delaware corporation, 100 Regency Forest Drive, Suite 400, Cary, North Carolina 27511

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

Prepared by and Return to:
REAL ESTATE OPERATIONS
Site No.: IL-3684
SpectraSite Communications, Inc.
100 Regency Forest Drive, Suite 400
Cary, North Carolina 27511

Send tax bills to:
CHARLES E. CRONWALL
21362 Georgetown Road
Frankfort, Illinois 60423



SY
P8
MY

BWA

38.5 ✓

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MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Memorandum") is made and entered into this 30th day of December, 2004, by and between **JOSEPH D. SCHRANZ and CHARLES E. CRONWALL**, each to an undivided half interest, with an address at 21362 Georgetown Road, Frankfort, Illinois 60609 ("Lessor"), and **TOWER ASSET SUB, INC.**, a Delaware corporation, with an office at 100 Regency Forest Drive, Suite 400, Cary, North Carolina 27511 ("Lessee").

1. Lessor and Smart SMR of Illinois, Inc., a Delaware corporation, d/b/a Nextel Communications ("Nextel") entered into that certain Ground Lease Agreement dated August 30, 1995, as amended by that certain First Amendment to Ground Lease Agreement dated August 16, 2004 (collectively the "Lease"), for certain real property and easements (collectively, the "Premises"), which are a portion of that certain parcel of real property owned by Lessor located in the City of Chicago, County of Cook, State of Illinois, described in Attachment A attached hereto (the "Land").
2. The Lease was assigned by Nextel to Tower Parent Corp., a Delaware corporation who then subsequently assigned it to Lessee by Assignment of Leases dated April 20, 1999 ("Assignment"), whereupon Lessee succeeded to the rights and obligations of Nextel under the Lease. A copy of the Assignment is on file in the office of the Lessee.
3. The Lease commenced on January 15, 1996, for an initial term of five (5) years with an option to renew for four (4) additional five (5) year terms.
4. Notwithstanding anything to the contrary in the Lease, the description of the Premises shall be as shown on Attachment B attached hereto and incorporated herein by reference.
5. The purpose of this Memorandum is to give record notice of the Lease and the Assignment and of the rights created thereby, all of which are hereby confirmed. In the event of a conflict between the terms of this Memorandum or the addition of any terms in this Memorandum which are not contained in the Lease, such conflicting or additional terms shall be deemed to be a part of the Lease and shall otherwise amend the Lease and be controlling. The terms of the Lease are incorporated herein by reference.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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IN WITNESS WHEREOF, the parties have executed this Memorandum under seal as of the date first set forth above.

LESSOR:
JOSEPH D. SCHRANZ and CHARLES E. CRONWALL, each to an undivided half interest

Joseph D. Schranz (Seal)
Joseph D. Schranz

Charles E. Cronwall (Seal)
Charles E. Cronwall

Property of COOK COUNTY

NOTARY ACKNOWLEDGEMENT FOR LESSOR:

State of IL

County of Cook

This instrument was acknowledged before me by Joseph D. Schranz, 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.

WITNESS my hand and official seal, this 1 day of November, 2004.

Signature Sean P. Briody

My commission expires: 11/20/2007

NOTARY SEAL
State of IL

County of Cook



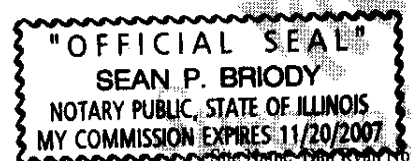
This instrument was acknowledged before me by Charles E. Cronwall, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal, this 1 day of November, 2004.

Signature Sean P. Briody

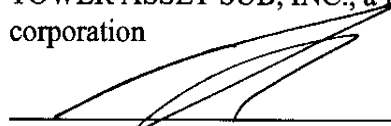
My commission expires: 11/20/2007

NOTARY SEAL

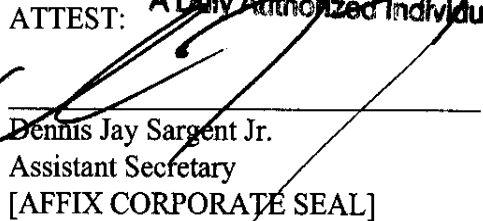


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LESSEE:
TOWER ASSET SUB, INC., a Delaware corporation

 (Seal)

Name:
Title: **DANIEL E. REBEOR**
Director, Real Estate Operations
A Duly Authorized Individual

ATTEST:

Dennis Jay Sargent Jr.
Assistant Secretary
[AFFIX CORPORATE SEAL]

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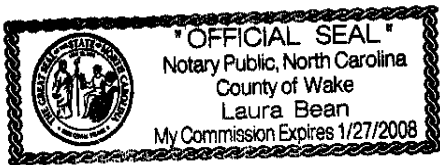
NOTARY ACKNOWLEDGEMENT FOR LESSEE:

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 Tower Asset Sub, 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/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 30th day of December 2004.



NOTARY SEAL

Signature Laura Bean
My commission expires: 1/27/08

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ATTACHMENT "A" Land

Site No.: IL-3684
Parcel No.: 20-09-210-004-0000
and 20-09-210-003-0000

Site Name: Dan Ryan North
Address: 4911 South Shields Avenue
Chicago, IL 60609

ALL THAT PARCEL of land situate in the City of Chicago, County of Cook and State of Illinois, being that part of Lots 41 to 44 and the East-West 16 foot alley south and adjoining said Lots in Jackson and Weages Subdivision of the South ½ of the South 25 acres of the Northwest One Quarter of the Northeast One Quarter of Section 9, Township 38 North, Range 14 East of the Third Principal Meridian, and also that part of the Block 2 and the East-West 9.75 foot alley north and adjoining said block in Gilbert and Canfields and W.W. Crocker's Subdivision of the West ½ of the Southwest One Quarter of the Northeast One Quarter of Section 9, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, being described according to plat of survey made by Frank A. Schoneman & Son, Land Surveyors & Civil Engineers, dated August 14, 1986, as follows:

BEGINNING at an intersection of the South line of West 48th Place and the West line of South Shields Avenue;

Thence west along the south line of West 48th Place, 75 feet;

Thence Southeasterly along a line 300 feet or more to a point on the West line of South Shields Avenue, said point being 289.33 feet South of the South line of West 48th Place, all in Cook County, Illinois.

UNOFFICIAL COPY**ATTACHMENT "B"
Premises**

Site No.: IL-3684
 Parcel No.: 20-09-210-004-0000
 and 20-09-210-003-0000

Site Name: Dan Ryan North
 Address: 4911 South Shields Avenue
 Chicago, IL 60609

A PARCEL OF LAND FOR LEASE SITE PURPOSES LOCATED WITHIN THAT PART OF LOTS 41 TO 44, INCLUSIVE, IN BLOCK 2 OF JACKSON AND WEAGE'S SUBDIVISION OF THE SOUTH ONE HALF OF THE SOUTH 25 ACRES OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SOUTH SHIELDS AVENUE WITH THE SOUTH LINE OF WEST 48TH PLACE;

THENCE, S 89° 27' 46" W, ALONG THE S LINE OF WEST 48TH PLACE, 22.34 FEET;

THENCE, S 00° 00' 00" W, PARALLEL WITH THE LINE OF SOUTH SHIELDS AVENUE, 1.68 FEET FOR THE POINT OF BEGINNING;

THENCE, CONTINUING S 00° 00' 00" W, ALONG SAID PARALLEL, 50.00 FEET;

THENCE, S 90° 00' 00" W, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 36.75 FEET;

THENCE N 16° 11' 40" W, A DISTANCE OF 47.51 FEET;

THENCE, N 00° 00' 00" E, PARALLEL WITH THE WEST LINE OF SOUTH SHIELDS AVENUE, 4.38 FEET TO A LINE THAT IS PERPENDICULAR TO SAID W LINE AND PASSES THROUGH THE POINT OF BEGINNING ;

THENCE, N 90° 00' 00" E, ALONG SAID PERPENDICULAR LINE 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2197.73 SQUARE FEET IN LAKE TOWNSHIP, COOK COUNTY, ILLINOIS.

ACCESS EASEMENT:

A PARCEL OF LAND FOR ACCESS EASEMENT PURPOSES LOCATED WITHIN THAT PART OF LOTS 41 TO 44, INCLUSIVE, IN BLOCK 2 OF JACKSON AND WEAGE'S SUBDIVISION OF THE SOUTH ONE HALF OF THE SOUTH 25 ACRES OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9 TOWNSHIP

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38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SOUTH SHIELDS AVENUE WITH THE SOUTH LINE OF WEST 48TH PLACE;

THENCE, S 89° 27' 46" W, ALONG THE SOUTH LINE OF WEST 48TH PLACE, 22.34 FEET;

THENCE S 00° 00' 00" W, PARALLEL WITH THE WEST LINE OF SOUTH SHIELDS AVENUE, 39.36 FEET FOR THE POINT OF BEGINNING;

THENCE CONTINUING S 00° 00' 00" W, ALONG SAID PARALLEL LINE, 12.00 FEET;

THENCE, N 90° 00' 00" E, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 22.34 FEET TO THE AFORESAID WEST LINE OF SOUTH SHIELDS AVENUE;

THENCE, N 00° 00' 00" E, ALONG SAID WEST LINE, 12.00 FEET;

THENCE, S 90° 00' 00" W, PERPENDICULAR TO SAID WEST LINE, 22.34 FEET TO THE POINT OF BEGINNING, CONTAINING 268.08 SQUARE FEET, IN LAKE TOWNSHIP, COOK COUNTY, ILLINOIS.

UTILITY EASEMENT

A PARCEL OF LAND FOR UTILITY EASEMENT PURPOSES LOCATED WITHIN THAT PART OF LOTS 41 TO 44, INCLUSIVE, IN BLOCK 2 OF THE JACKSON AND WEAGE'S SUBDIVISION OF THE SOUTH ONE HALF OF THE SOUTH 25 ACRES OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SOUTH SHIELDS AVENUE WITH THE SOUTH LINE OF WEST 48TH PLACE;

THENCE, S 89° 27' 46" W, ALONG THE SOUTH LINE OF WEST 48TH PLACE, 22.34 FEET;

THENCE, S 00° 00' 00" W, PARALLEL WITH THE WEST LINE OF SOUTH SHIELDS AVENUE, 25.44 FEET FOR THE POINT OF BEGINNING;

THENCE, CONTINUING S 00° 00' 00" W, ALONG SAID PARALLEL LINE, 8.00 FEET;

THENCE, N 90° 00' 00" E, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 22.34 FEET TO THE AFORESAID WEST LINE OF SOUTH SHIELDS AVENUE;

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THENCE N 00° 00' 00" E., ALONG SAID WEST LINE, 8.00 FEET;

THENCE, S 90° 00' 00" W, PERPENDICULAR TO SAID WEST LINE, 22.34 FEET TO THE POINT OF BEGINNING, CONTAINING 178.72 SQUARE FEET, IN LAKE TOWNSHIP, COOK COUNTY, ILLINOIS.

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