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Doc#: 0521516075

Eugene "Gene" Moore Fee: \$36.50 Cook County Recorder of Deeds Date: 08/03/2005 11:31 AM Pg: 1 of 7

(Recorder's Use Above this Line)

STATE OF ILLINOIS

Parcel No.: 15-24-404-019-0000

**COUNTY OF COOK** 

MEMORANDUM OF SITE AGREEMENT No. 183

Document Date:

July , July

Grantor/Lessor:

Duraco, Inc., a Delaware corporation, with an address at 7400 Industrial

Drive, Forest Park, Illinois 60130

Grantee/Lessee:

SBC Tower Holdings LLC, a Delaware Lindted Liability Company, with an office at c/o Cingular Wireless LLC, Attenden: Network Real Estate Administration, 6100 Atlantic Boulevard, Norcioss, Georgia 30071

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

Prepared by and Return to:

Real Estate Operations
Site No.: IL-0343
SpectraSite Communications, Inc.
100 Regency Forest Drive, Suite 400
Cary, North Carolina 27511

Send Tax Bill to:

SBC Tower Holdings, LLC c/o Cingular Wireless LLC Attention: Network Real Estate Administration 6100 Atlantic Boulevard Norcross, Georgia 30071

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#### MEMORANDUM OF SITE AGREEMENT NO. 183

THIS MEMORANDUM OF SITE AGREEMENT No. 183 ("Memorandum") is made and entered into as of the latter signature date hereof, by and between Duraco, Inc., a Delaware corporation, with an address at 7400 Industrial Drive, Forest Park, Illinois 60130 ("Lessor"), and SBC Tower Holdings LLC, a Delaware Limited Liability Company, with an office at c/o Cingular Wireless LLC, Attention: Network Real Estate Administration, 6100 Atlantic Boulevard, Norcross, Georgia 30071 ("Lessee").

- 1. Noma International, Inc. and Southwestern Bell Mobile Systems, Inc., d/b/a Cellular One-Chican, entered into that certain Site Agreement No. 183 dated November 14, 1991 (the "Lease") for certain real property and easements as described in Attachment B attached hereto (collectively, the "Premises"), which are a portion of that certain parcel of real property located in the City of Forest Park, County of Cook, State of Illinois described in Attachment A sate shed hereto (the "Land").
- 2. The Lease commenced on November 14, 1991 for an initial term of twenty (20) years.
- 3. On April 10, 1997, Noma International, Inc. sold the property and conveyed its interest to Forest Park Venture, LLC.
- 4. On April 21, 1998, Forest Park Venture sold the property and conveyed its interest to Duraco, Inc.
- 5. Through a series of mergers, transfers and/or a signments, Lessee has succeeded to the rights and obligations of Southwestern Bell Mobile Systems, Inc., d/b/a Cellular One-Chicago.
- 6. Notwithstanding anything to the contrary in the Lease, tire description of the Premises shall be as shown on Attachment B attached hereto and incorrected herein by reference.
- 7. This Memorandum may be executed in two or more counterparts, all of which shall be considered the same agreement and shall become effective when one or more counterparts have been signed by each of the parties.
- 8. The purpose of this Memorandum is to give record notice of the Lease 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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	Duraco, Inc., a Delaware corporation  Print Name: STEVEN TACKSHIP  Title: Presspent  Date: 5/8/05
	ATTEST:
DO OF OF	Print Name: Assistant Secretary [AFFIX CORPORATE SEAL]
State of <u>Minori</u>	
County of Look	45.
This instrument was acknowledged before me by Sur (Muchum), who is the Provident of Duraco, 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 2md day of 7004 200 5.	
Dua m. Papendik	
Notary Public  My Commission Expires: 10 - 31 - 05	
172) ·	

**NOTARY SEAL** 

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WITNESSES:

LESSEE:

SBC Tower Holdings LLC, a Delaware Limited Liability Company

Print Name: Marther & Rodriguez

Print Name: Austin Summentford

`Title: 🎶

Print Name: MR. 17 H ESCALONA

State of Texa

County of <u>Bencar</u>

This instrument was acknowledged being me by Arrival Limited, who is the Vice Prescident of SBC Town 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 authorized capacity, and that by his/her signature on the instrument, the entity upon behalf of which the person a sted, executed the instrument.

WITNESS my hand and official seal, this 744 day of \_\_\_\_

, 200 J.

OFFICIAL SEAL
LISA M. PAPENDIK
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10-31-2005

My Commission Expires:

Notary Public

June 14, 2006

**NOTARY SEAL** 



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# ATTACHMENT "A" Land

Site No.: IL-0343

Site Name: Forest Park

PARENT PARCEL LEGAL DESCRIPTION LOT 9 (EXCEPT THE FOLLOWING PORTION THEREOF: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9; THENCE WEST ON THE NORTH LINE THEREOF, A DISTANCE OF 363.30 FEET TO A POINT OF TANGENCY WITH A CURVED LINE; THENCE SOUTHEASTERLY ON SAID CURVE CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 411.20 FEET A DISTANCE OF 445.74 FEET TO THE EAST LINE OF SAID LOT 9; THENCE NORTH ON SAID LINE A DISTANCE OF 218.94 FEET TO THE POINT OF BEGINNING) IN FOREST PARK INDUSTRIAL CAREER CENTER INC., RESUBILIVISION OF THAT PART OF BLOCKS 1 AND 2 AND LOTS 5 TO 14 TAKEN AS A TRACT IN THE SUBDIVISION OF THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN 12, Cook Colling Clark's Office COOK COUNTY, ILLINOIS.

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# ATTACHMENT "B" Premises

Site No.: IL-0343 Site Name: Forest Park

REAL ESTATE LEGAL DESCRIPTION THAT PART OF LOT NINE IN FOREST PARK INDUSTRIAL CENTER INC. RESUBDIVISION OF THAT PART OF BLOCKS 1 AND 2 AND LOTS 5, 6,7, 8, 9, 10, 11, 12, 13, AND 14 TAKEN AS A TRACT IN THE SUBDIVISION OF THE SOUTH HALF OF SECTION 7 WENTY-FOUR, TOWNSHIP THIRTY-NINE NORTH, RANGE TWELVE, EAST OF THE THICO PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID FOREST PART INDUSTRIAL CENTER INC. RESUBDIVISION RECORDED ON JUNE 16, 1969 AS DOCUMENT NO. 20872980, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT NINE; THENCE SOUTH 00°01'40' EAST, BEING AND ASSUMED BEARING ON THE WEST LINE OF SAID LOT NINE, A DISTANCE OF 63 55 FT.; THENCE NORTH 89°54'40' EAST A DISTANCE OF 105.5 FT. TO THE POINT OF BECINNING; THENCE CONTINUING NORTH 89°54'40' EAST A DISTANCE OF 40.0 FT.: THENCE SOUTH 00°02'56' WEST A DISTANCE OF 40.0 FT. TO THE FACE OF A ONE STOPY BRICK AND METAL COMMERCIAL BUILDING; THENCE SOUTH 89°54'40' WEST ALC'YG SAID BUILDING FACE A DISTANCE OF 40.0 FT.; THENCE NORTH 00°02'56' EAST A DISTANCE OF 40.0 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT FOR INGRESS AND EGRESS LEGAL DESCRIPTION THAT PART OF LOT NINE IN FOREST PARK INDUSTRIAL CENTER INC. RESUBDIVISION OF THAT PART OF BLOCKS 1 AND 2 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14 TAKEN AS A TRACT IN THE SUBDIVISION OF THE SOUTH HALF OF SECTION TWENTY-FOUR, TOWNSHIP THIRTY-NINE NORTH RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE LLAT OF SAID FOREST PARK INDUSTRIAL CENTER INC. RESUBDIVISION RECORDED ON JUNE 16, 1969 AS DOCUMENT NO. 20872980, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST OF SAID LOT NINE; THENCE SOUTH 00°01'40' EAST, BEING AND ASSUMED BEARING ON THE WEST LINE OF SAID LCT NINE, A DISTANCE OF 63.55 FT.; THENCE NORTH 89°54'40' EAST A DISTANCE OF 105.5 FT.; THENCE SOUTH 00°02'56' WEST A DISTANCE OF 25.0 FT. TO THE POINT OF BEGINNING; THENCE SOUTH 89°54'40' WEST A DISTANCE OF 33.37 FT. TO A POINT OF CURVE; THENCE SOUTHWESTERLY 62.79 FT. ON THE ARC OF A CURVE CONCAVED TO THE SOUTHEAST, HAVING A RADIUS OF 40.0 FT., WITH A CHORD DISTANCE OF 56.54 FT. AND A CHORD BEARING OF SOUTH 44°56'30' WEST; THENCE SOUTH 00°01'40' EAST A DISTANCE OF 200.39 FT. TO THE NORTHERLY LINE OF 19TH STREET; THENCE SOUTHEASTERLY 17.31 FT. ON THE NORTHERLY LINE OF 19TH STREET, SAID LINE BEING AN ARC OF A CURVE CONCAVED TO THE SOUTHWEST HAVING A RADIUS OF 80.0 FT. WITH A CHORD DISTANCE OF 17.28 FT. AND A CHORD BEARING OF SOUTH 60°16'37' EAST; THENCE NORTH 00°01'40'

SBC Memorandum of Site Agreement No. 183 Page 6 MER Site Name: Forest Park Site Number: IL-0343 SBC ID: 183 Annex No.: 616

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WEST A DISTANCE OF 208.97 FT. TO A POINT OF CURVE; THENCE NORTHEASTERLY 39.24 FT. ON THE ARC OF A CURVE CONCAVED TO THE SOUTHEAST, HAVING A RADIUS OF 25.0 FT., WITH A CHORD DISTANCE OF 35.34 FT. AND A CHORD BEARING OF NORTH 44°56'30' EAST; THENCE NORTH 89°54'40' EAST A DISTANCE OF 33.33 FT. TO THE CORNER OF A ONE STORY BRICK AND METAL COMMERCIAL BUILDING; THENCE 00°02'56' EAST A DISTANCE OF 15.0 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT FOR CONSTRUCTION LEGAL DESCRIPTION THAT PART OF LOT NINE IN FOREST PARK INDUSTRIAL CENTER INC. RESUBDIVISION OF THAT PART OF BLOCKS 1 AND 2 AND LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, AND 1/2 TAKEN AS A TRACT IN THE SUBDIVISION OF THE SOUTH HALF OF SECTION TWENTY-FOUR, TOWNSHIP THIRTY-NINE NORTH, RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TOT HE PLAT OF SAID FOREST PART INDUSTRIAL CENTER INC. RESUBDIVISION RECORDED ON JUNE 18, 1969 AS DOCUMENT NO. 20872980, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST OF SAID LOT NINE; THENCE SOUTH 00°01'40' EAST, BEING AND ASSUMED BEARING ON THE WEST LINE OF SAID LOT NINE. A DISTANCE OF 63.55 FT.; THENCE NORTH 89°54'40' EAST A DISTANCE OF 105.5 FT. TO THE POINT OF BEGINNING; THUNCE SOUTH 00°02'56' WEST A DISTANCE OF 40.0 FT. TO THE CORNER OF A ONE STORY BRICK AND METAL COMMERCIAL BUILDING; THENCE SOUTH 89°54'40' WEST A DISTANCE OF 60.0 FT.; THENCE NORTH 00°02'56' EAST A DISTANCE OF 40.0 FT.; THENCE NORTH 89°54'40' EAST A NIN COMPASSON DISTANCE OF 60.0 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.