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Doc#: 0710839191 Fee: \$40.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/18/2007 03:28 PM Pg: 1 of 9

Prepared by and after recording please
return to:

Levenfeld Pearlstein, LLC
2 North LaSalle Street
Suite 1300
Chicago, Illinois 60602
Attention: Steven F. Ginsberg, Esq.
Site Name: Wabash & Erie

MEMORANDUM OF BUILDING AND ROOFTOP LEASE AGREEMENT

This Memorandum of Building and Rooftop Lease Agreement is made this 23rd day of FEBRUARY, 2007, between Rush Ontario, LLC, with its principal offices located at 630 North Rush Street, Chicago, Illinois 60611, hereinafter designated LESSOR, and Chicago SMSA Limited Partnership d/b/a Verizon Wireless with its principal office located at One Verizon Way, Basking Ridge, New Jersey 07920, hereinafter designated LESSEE. LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. LESSOR and LESSEE entered into a Building and Rooftop Lease Agreement (the "Agreement") on FEBRUARY 23, 2007 for an initial term of five (5) years, commencing on the Commencement Date. Building and Rooftop Lease Agreement shall automatically be extended for four (4) additional five (5) year terms unless the LESSEE terminates it at the end of the then current term by giving the LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term.
2. LESSOR hereby leases to LESSEE approximately 10 x 10 (100) square feet of space (the "Floor Space") and approximately 2 x 2 (4) square feet on the roof (the "Rooftop Space") of the building (the "Building") located at 630 North Rush Street, Chicago, Illinois 60611, the underlying real property of which is legally described in Exhibit "A" attached hereto and made a part hereof (the Building and such real property are hereinafter sometimes collectively referred to as the "Property"), for the installation, operation and maintenance of communications equipment; together with such additional space on the roof and exterior of the Building sufficient for the installation, operation and maintenance of antennae (the "Antenna Space"); together with such additional space within the Building and on the roof of the Building for the installation, operation and maintenance of wires, cables, conduits and pipes (the "Cabling Space") running between and among the Floor Space, Rooftop Space and Antenna Space and to all necessary electrical and telephone utility sources located within the Building or on the Property; together with the non-exclusive right of ingress and egress from a public right-of-way, seven (7) days a week, twenty four (24) hours a day, over the Property and in and through the Building to and from the Premises (as hereinafter defined) for the purpose of installation, operation and maintenance of LESSEE's communications facility. The Floor Space, Rooftop Space, Antenna Space and Cabling Space are hereinafter collectively referred to as the "Premises" and are as shown on Exhibit "B" attached

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hereto and made a part hereof. In the event there are not sufficient electric and telephone utility sources located within the Building or on the Property, LESSOR agrees to grant LESSEE or the local utility provider the right to install such utilities on, over and/or under the Property and through the Building necessary for LESSEE to operate its communications facility, provided the location of such utilities shall be as reasonably designated by LESSOR.

- 3. The Commencement Date of the Agreement, of which this is a Memorandum, is March 1, 2007.
- 4. LESSEE has the right of first refusal to purchase the Premises during the initial term and all renewal terms of the Agreement.
- 5. The terms, covenants and provisions of the Agreement, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date first written hereinabove.

LESSOR:

* Rush Ontario, LLC
 By: B+G Realty, LLC, its member
 By: The Marcus Corporation, its member

RUSH ONTARIO, LLC *

By: [Signature]
Name: Thomas F. Kissinger

Its: Vice President and Secretary

LESSEE:

CHICAGO SMSA LIMITED PARTNERSHIP

d/b/a Verizon Wireless
By: Celco Partnership, Its General Partner

By: [Signature]
Name: Howard H. Bower

Its: Midwest Area Vice President – Network

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WISCONSIN)
STATE OF ~~ILLINOIS~~)
MILWAUKEE)
COUNTY OF ~~COOK~~)

ACKNOWLEDGEMENT

I, Candice Strueder, a Notary Public for said County and State, do hereby certify that Thomas F. Kissinger personally came before me this day and acknowledged that he is the Vice President & Secretary of **, and he, being authorized to do so, executed the foregoing Memorandum of Building and Rooftop Agreement as his own act and deed on behalf of **.

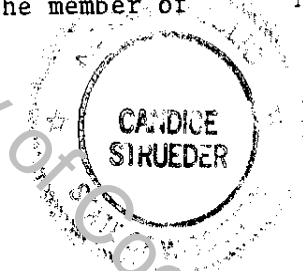
WITNESS my hand and official Notarial Seal, this 17 day of January, 2007.

**Thomas F. Kissinger is the Vice President and Secretary of The Marcus Corporation which is the member of B & G Realty, LLC which is the member of Rush Ontario, LLC.

Candice Strueder
Notary Public

My Commission Expires:

4/18/2010



STATE OF INDIANA)
COUNTY OF HAMILTON)

ACKNOWLEDGMENT

On FEBRUARY 23, 2007, before me personally appeared Howard H. Bower, as Midwest Area Vice President/Network of Chicago SMSA Limited Partnership d/b/a Verizon Wireless, personally known to me or proven on the basis of satisfactory evidence to be the person whose name is ascribed on the within instrument, and acknowledged that he executed the same on behalf of said partnership and by its authority for the purposes set forth therein.

Cynthia Nava
Print Name: Cynthia Nava
Notary Public

My Commission Expires:



CYNTHIA NAVA
Notary Public, State of Indiana
Mason, Indiana
Commission Expires
July 30, 2014

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EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

LOTS 6, 7, 8, 9 AND 10 IN UNDERWOOD AND OTHER SUBDIVISION OF THE EAST HALF OF BLOCK 3 IN BUSHNELL'S ADDITION TO CHICAGO IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 17-10-112-101-0000

Property of Cook County Clerk's Office

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EXHIBIT "B"

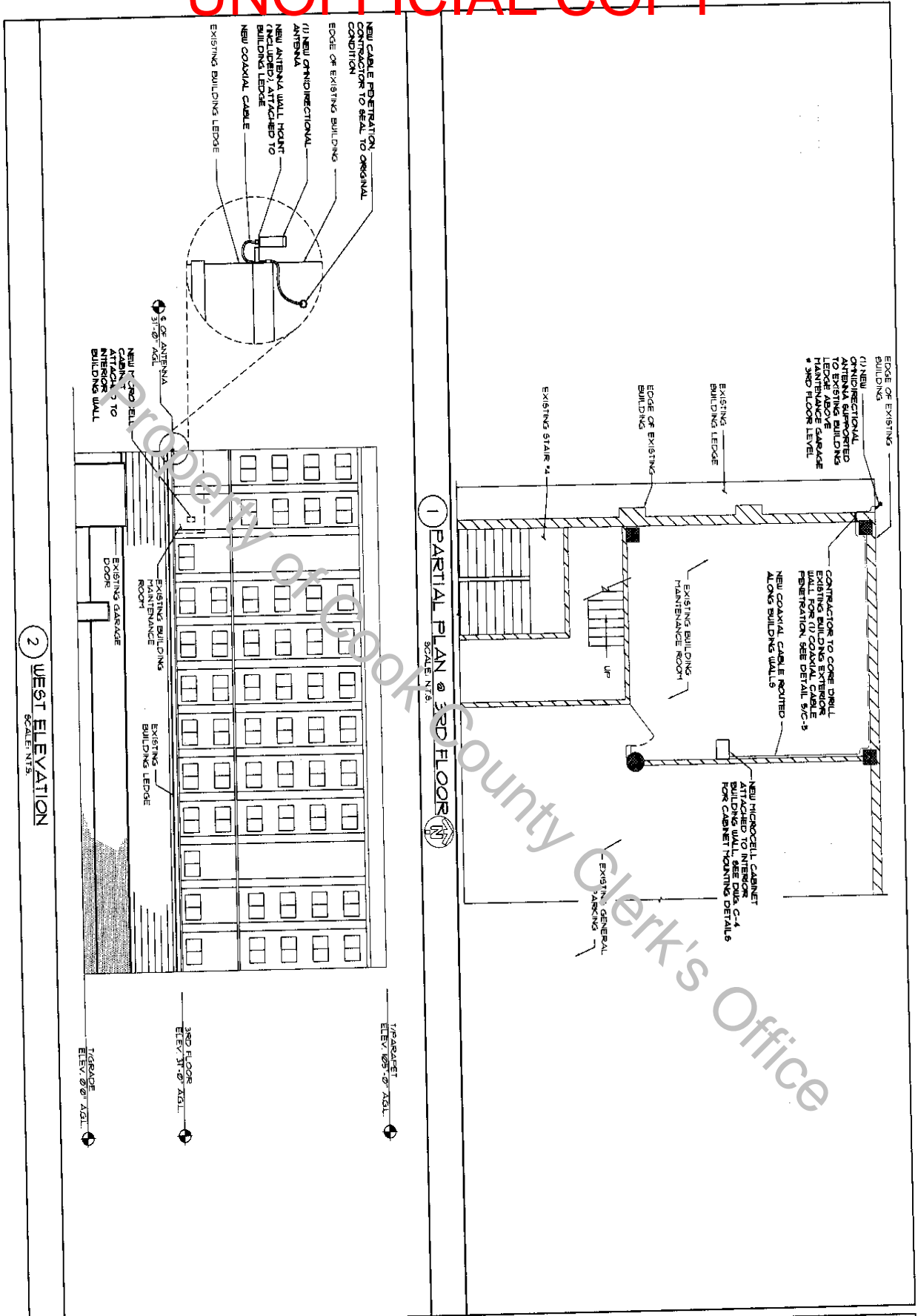
SITE PLAN OF ROOFTOP SPACE, FLOOR SPACE, ANTENNA SPACE AND CABLING SPACE

(see attached)

Property of Cook County Clerk's Office

A large, stylized handwritten signature in black ink is written across the center of the page, overlapping the diagonal watermark text.

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Chicago SMSA
 Limited Partnership
 d/b/a Verizon Wireless
 1515 Woodfield Rd.
 Suite 1400
 Schaumburg, IL 60173
 Tel. (847) 618-5381
 Fax (847) 706-1415

Fullerton
 Engineering
 Consultants, Inc.
 9102 W. Higgins Rd., Suite 600
 Rosemont, IL 60018
 Tel. (847) 326-0700
 Fax (847) 326-0705

SITE NAME: WABASH & ERIE
 LOCATION NUMBER: 110211
 SITE ADDRESS: 630 N. RUSH STREET CHICAGO, IL 60611

| DATE | REVISIONS |
|--------|---------------------------------|
| 5/1/06 | LEAD EXHIBIT |
| 5/1/06 | 30% REVIEW |
| 5/1/06 | AWARD FINAL CONSTRUCTION PERMIT |

PREPARED BY: AJL
 CHECKED BY: RM
 AFFIRMED BY: [Signature]
 0082-051728
 REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS

DATE BEGGAN: 5/1/06
 EXPIRATION DATE: 1/30/07

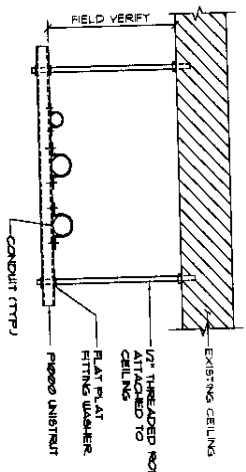
SHEET NAME: ENLARGED SITE PLAN & ELEVATION
 SHEET NUMBER: C-2

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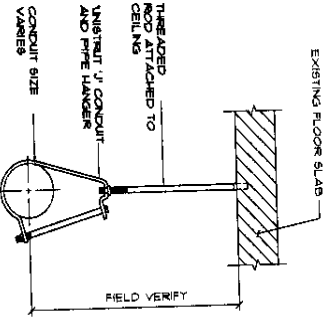
| BILL OF MATERIALS | | INSTALLED BY | |
|------------------------|--------------|--------------|--|
| MATERIAL | FURNISHED BY | | |
| ONN ANTENNA | LEASEE | CONTRACTOR | |
| ANTENNA SUPPORTS | LEASEE | CONTRACTOR | |
| MICROCELL CABINET | LEASEE | CONTRACTOR | |
| COAX CABLES/CONNECTORS | LEASEE | CONTRACTOR | |

NOTE:
ALL OTHER MATERIALS SHALL BE FURNISHED & INSTALLED BY CONTRACTOR

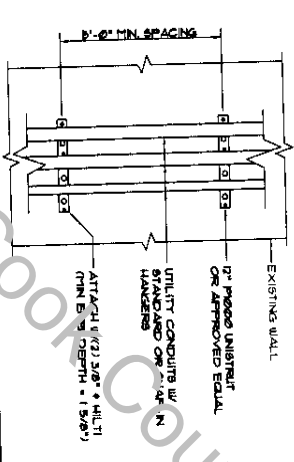
1 BILL OF MATERIALS
SCALE: N.T.S.



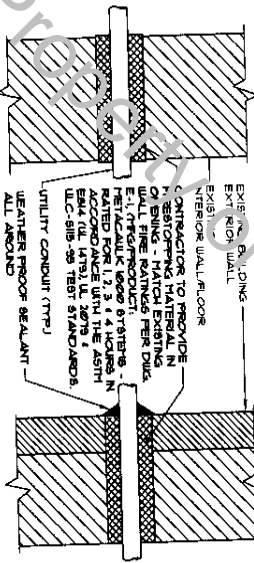
2 GND ATTACHMENT AT CEILING
SCALE: N.T.S.



4 GND ATTACHMENT AT CEILING
SCALE: N.T.S.

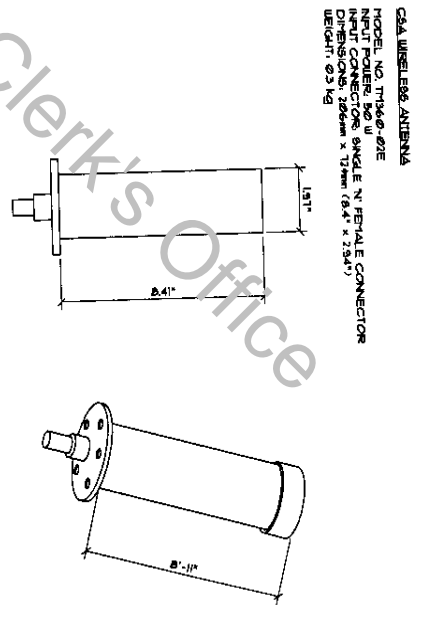


3 TYP. CONDUIT SUPPORT @ WALL
SCALE: N.T.S.



NOTE:
FIT INTO EXISTING WALL / FLOOR CONTRACTOR TO REPAIR ALL OPENING TO EXISTING CONDITION AND MAINTAIN ALL EXISTING FIRE RATINGS.

5 TYP. WALL PENETRATION
SCALE: N.T.S.



6 ANTENNA DETAIL
SCALE: 1/8\"/>

CSA WIRELESS ANTENNA
MODEL NO. T7166-021E
INSTALLER: WIRELESS IN
INPUT CONNECTOR: SINGLE N. FEMALE CONNECTOR
DIMENSIONS: 286mm x 12mm (8.4\"/>

Chicago SMSA
Limited Partnership
d/b/a Verizon Wireless
1515 Woodfield Rd.
Suite 1400,
Schaumburg, IL 60173
Tel: (847) 619-5391
Fax: (847) 706-7415

Pullerton
Engineering
Consultants, Inc.
9700 W. Higgins Rd., Suite 800
Rosemont, Illinois 60018
Tel: 847-351-0200
Fax: 847-351-0205

WABASH & ERIE
LOCATION NUMBER
170211

SITE NAME
630 N. RUSH STREET
CHICAGO, IL 60611

SITE ADDRESS

| DATE | REVISIONS |
|------|---------------------------|
| DATE | LEAVE EXHIBIT |
| DATE | WORK REVIEW |
| DATE | FINAL CONSTRUCTION PERMIT |

PREPARED BY: AJ
CHECKED BY: BJ
APPROVED BY: [Signature]

0662-05-1728
REGISTERED PROFESSIONAL ENGINEER
STATE OF ILLINOIS

DATE SHOWN: 5/18/06
EXPIRATION DATE: 1/20/07

SHEET NAME
SITE DETAILS
SHEET NUMBER
C-5

