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Cook County Recorder of Deeds
Date: 01/26/2009 10:36 AM Pg: 1 of 8

Levenfeld Pearlstein, LLC
2 North LaSalle Street
Suite 1300
Chicago, Illinois 60602
Attn: Steven F. Ginsberg, Esq.
(Site Name: DT Midlothian; 34679-72929)

MEMORANDUM OF LAND LEASE AGREEMENT

This Memorandum of LAND LEASE AGREEMENT is made this 14th day of April, 2009 between Harbor Properties, an Illinois general partnership, with a mailing address of 5235 West 65th Street, Suite C, Midlothian, IL 60638, hereinafter collectively referred to as "LESSOR", and Chicago SMSA Limited Partnership d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mailstop 4AW100, Basking Ridge, New Jersey 07920, hereinafter referred to as "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 Land Lease Agreement (the "Agreement") on 1/19, 2009 for an initial term of five (5) years, commencing on the Commencement Date. The Land 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 a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the "Property"), located at 3836 W. 148th Street, Midlothian, Illinois, and being described as a 20' X 40' feet parcel containing eight hundred square feet, as shown on the Tax Map of the County of Cook as a portion of Tax Parcel No. 28-11-303-001-0000 and 28-11-303-002-0000, and being part of that real property further described in the Deed recorded as document number 0714408221, as recorded in the Office of the Register of Deeds for Cook County, together with the non-exclusive right for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a twelve (12') foot wide right-of-way extending from the nearest public right-of-way, 148th Street, to the demised premises. The demised premises and right-of-way are hereinafter collectively referred to as the "Premises". The Premises are described in Exhibit A attached hereto and made a part hereof, and as shown on the plat of survey attached hereto and incorporated herein as Exhibit B. In the event any public utility is unable to use the aforementioned right-of-way, LESSOR has agreed to grant an additional right-of-way either to the LESSEE or to the public utility at no cost to the LESSEE.

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3. The Commencement Date of the Agreement, of which this is a Memorandum, is January 19, 2009.
4. LESSEE has the right of first refusal as relates to communications easements on the Property 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.

[Signature Page Follows]

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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: Harbor Properties, an Illinois general partnership

BY: *Harry Lipner*

Name: HARRY LIPNER

Its: General Partner

Date: 11-13-08

LESSEE:

**CHICAGO SMSA LIMITED PARTNERSHIP
D/B/A VERIZON WIRELESS**

BY: **Celco Partnership, its general partner**

BY: *Beth Ann Drohan*

Beth Ann Drohan
Midwest Area Vice President - Network

Date: 11/19/09

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STATE OF ILLINOIS)
)
COUNTY OF COOK)

ACKNOWLEDGEMENT

I, MARY ANN LIPNER, a Notary Public for said County and State, do hereby certify that HARRY LIPNER personally came before me this day and acknowledged that s/he is the GENERAL PARTNER of Harbor Properties, an Illinois general partnership, and s/he, being authorized to do so, executed the foregoing **MEMORANDUM OF LAND LEASE AGREEMENT** as his/her own act and deed on behalf of Harbor Properties.

WITNESS my hand and official Notarial Seal, this 13th day of Nov., 2008

Mary Ann Lipner
Notary Public

My Commission Expires: _____
OFFICIAL SEAL
MARY ANN LIPNER
Notary Public - State of Illinois
My Commission Expires Mar 09, 2012

UNOFFICIAL COPYEXHIBIT A**PROPOSED LEASE AREA**

All that part of Lot 66, Midlothian Highlands No. 2, part of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, Village of Midlothian, Cook County, Illinois, as recorded in Document No. 135042, Cook County Recorder, described as: Commencing at a found iron at the Southeast corner of Lot 67 of said plat; thence South 88°33'29" West 293.05 feet along the northerly right of way line of 148th Street; thence North 01°59'51" West 185.23 feet TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence North 01°59'51" West 30.00 feet; thence North 88°00'09" East 11.50 feet; thence South 01°59'51" East 30.00 feet; thence South 88°00'09" West 11.50 feet to the place of beginning.

PROPOSED INGRESS/EGRESS EASEMENT

A 12.00 foot wide easement in that part of Lots 65 and 66, Midlothian Highlands No. 2, part of the Southwest 1/4 of Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, Village of Midlothian, Cook County, Illinois, as recorded in Document No. 135042, Cook County Recorder, the centerline of which is described as: Commencing at a found iron at the Southeast corner of Lot 67 of said plat; thence South 88°33'29" West 293.05 feet along the northerly right of way line of 148th Street; thence North 01°59'51" West 194.48 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence South 88°00'00" West 29.02 feet; thence South 53°28'05" West 13.19 feet; thence South 41°09'55" West 145.55 feet; thence South 01°46'15" East 79.47 feet to the northerly right of way line of 148th Street for the place of ending of this centerline description.

PROPOSED UTILITY EASEMENT

An 8.00 foot wide easement in that part of Lots 65 and 66, Midlothian Highlands No. 2, Section 11, Township 36 North, Range 13 East of the Third Principal Meridian, Village of Midlothian, Cook County, Illinois, as recorded in Document No. 135042, Cook County Recorder, the centerline of which is described as: Commencing at a found iron at the Southeast corner of Lot 67 of said plat; thence South 88°33'29" West 293.05 feet along the northerly right of way line of 148th Street; thence North 01°59'51" West 185.23 feet; thence South 88°00'09" West 4.00 feet TO THE PLACE OF BEGINNING OF THIS CENTERLINE DESCRIPTION; thence North 01°59'51" West 24.26 feet; thence South 88°00'09" West 29.37 feet to the southeasterly right of way line of the Chicago Rock Island & Pacific Railroad for the place of ending of this centerline description.

PIN: 28-11-303-001-0000 and 28-11-303-002-0000

Memorandum of Land Lease Agreement - [DT Midlothian]

Exhibit "A"

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EXHIBIT B

[BOUNDARY SURVEY OF THE PREMISES
AND INGRESS/EGRESS AND UTILITY EASEMENT]

(See Attached Survey)

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Memorandum of Land Lease Agreement - [DT Midlothian]

Exhibit "B"

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