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Prepared by and after recording please return to:

Steven F. Ginsberg, Esq.  
Ginsberg Jacobs LLC  
300 S. Wacker Drive  
Suite 2450  
Chicago, IL 60606

Doc#: 0924013002 Fee: \$58.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/28/2009 08:40 AM Pg: 1 of 12

(Site Name: Dearborn and Superior; 34679-75822)

## MEMORANDUM OF BUILDING LEASE AGREEMENT

This MEMORANDUM OF BUILDING LEASE AGREEMENT is made this 17<sup>th</sup> day of Aug., 2009, between One Superior Owner LLC, a Delaware limited liability company, with a mailing address of c/o Stellar Management, 156 William Street, New York, New York 10038 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 Building Lease Agreement (the "Agreement") on August 17, 2009 for an initial term of five (5) years, commencing on the Commencement Date. The Building and 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 5' x 6' (30) square feet of floor space ("Floor Space") at the building (the "Building") located at 1 West Superior St., Chicago, Illinois, as shown on the Tax Map of the County of Cook as a portion of Tax Parcel Nos. 07-09-213-025-0000, 07-09-213-026-0000, 07-09-213-027-0000, 07-09-213-028-0000, 07-09-213-029-0000, 07-09-213-030-0000, 07-09-213-031-0000, 07-09-213-032-0000, 07-09-213-033-0000, 07-09-213-034-0000, and 07-09-213-035-0000 and being part of that real property further described in Document No. 0723303044 as recorded in the Office of the Register of Deeds for Cook County, (the entirety of LESSOR's property is referred to hereinafter as the "Property"), 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 at 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

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pipes (the "Cabling Space") running from the Floor Space to the 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 rooftop communications facility. The Floor Space, Antenna Space and Cabling Space are hereinafter collectively referred to as the "Premises" and are as shown on Exhibit B attached 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 rooftop 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 August 17, 2009
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.

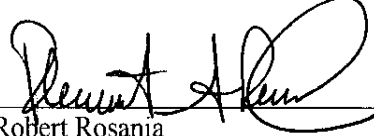
[Signature Page Follows]

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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:**

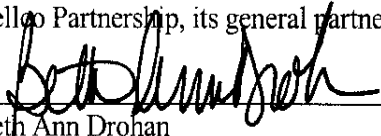
**One Superior Owner LLC**

By:   
Name: Robert Rosania  
Its: Authorized Signatory

Date: \_\_\_\_\_

**LESSEE:**

**Chicago SMSA Limited Partnership d/b/a  
Verizon Wireless**

By: Cello Partnership, its general partner  
  
By: Beth Ann Drohan  
Its: Area Vice President Network

Date: 8/17/09

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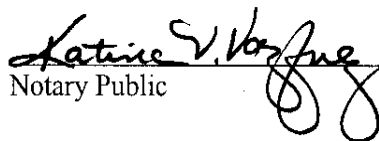
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STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

## ACKNOWLEDGEMENT

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that Robert Rosania personally came before me this day and acknowledged that he is the Authorized Signatory of One Superior Owner, LLC a Delaware limited liability company and he, being authorized to do so, executed the foregoing Memorandum Of Building Lease Agreement as his/her own act and deed on behalf of One Superior Owner LLC.

WITNESS my hand and official Notarial Seal, this 23<sup>rd</sup> day of June, 2009

  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**KATINA V. VAZQUEZ**  
Notary Public, State of New York  
No. 01VAB191348  
Qualified in Kings County  
Commission Expires August 11, 2012

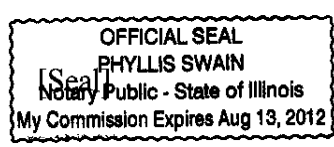
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STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

On August 17, 2009 before me, Phyllis Swain,  
notary public, personally appeared Beth Ann Drohan, 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 she executed the same in her authorized capacity, and  
that by her signature on the instrument the person, or the entity upon behalf of which the person  
acted, executed the instrument.

WITNESS my hand and official seal.

Signature: *Phyllis Swain*



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## EXHIBIT A

### [WRITTEN METES AND BOUNDS OF THE PREMISES AND INGRESS/EGRESS AND UTILITY EASEMENT]

LOTS 1,2,3 AND 4 IN ERNEST HESS' SUBDIVISION AS PER PLAT OF SAID SUBDIVISION RECORDED AS DOCUMENT 376729 AND

LOTS 8 TO 15, BOTH INCLUSIVE, IN THE SUBDIVISION OF PLAT OF BLOCK 32 AND ALL OF BLOCK 49 IN WOLCOTT'S SUBDIVISION AS PER PLAT RECORDED AS DOCUMENT 52658 AND

LOTS 1,2,3 AND 4 (EXCEPT THE NORTH 5.0 FEET OF THE WEST 76.00 FEET THEREOF) AND LOTS 5 AND 6 (EXCEPT THE WEST 76.00 FEET OF LOTS 5 AND 6) AND LOT 7, ALL IN THE SUBDIVISION OF PART OF BLOCK 32 AS PER PLAT RECORDED AS DOCUMENT 26207, ALSO

ALL OF THE PUBLIC ALLEYS, VACATED BY ORDINANCE RECORDED JANUARY 12, 1976 AS DOCUMENT 23351728, ALL IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS,

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**EXHIBIT B**

(See attached site plan)

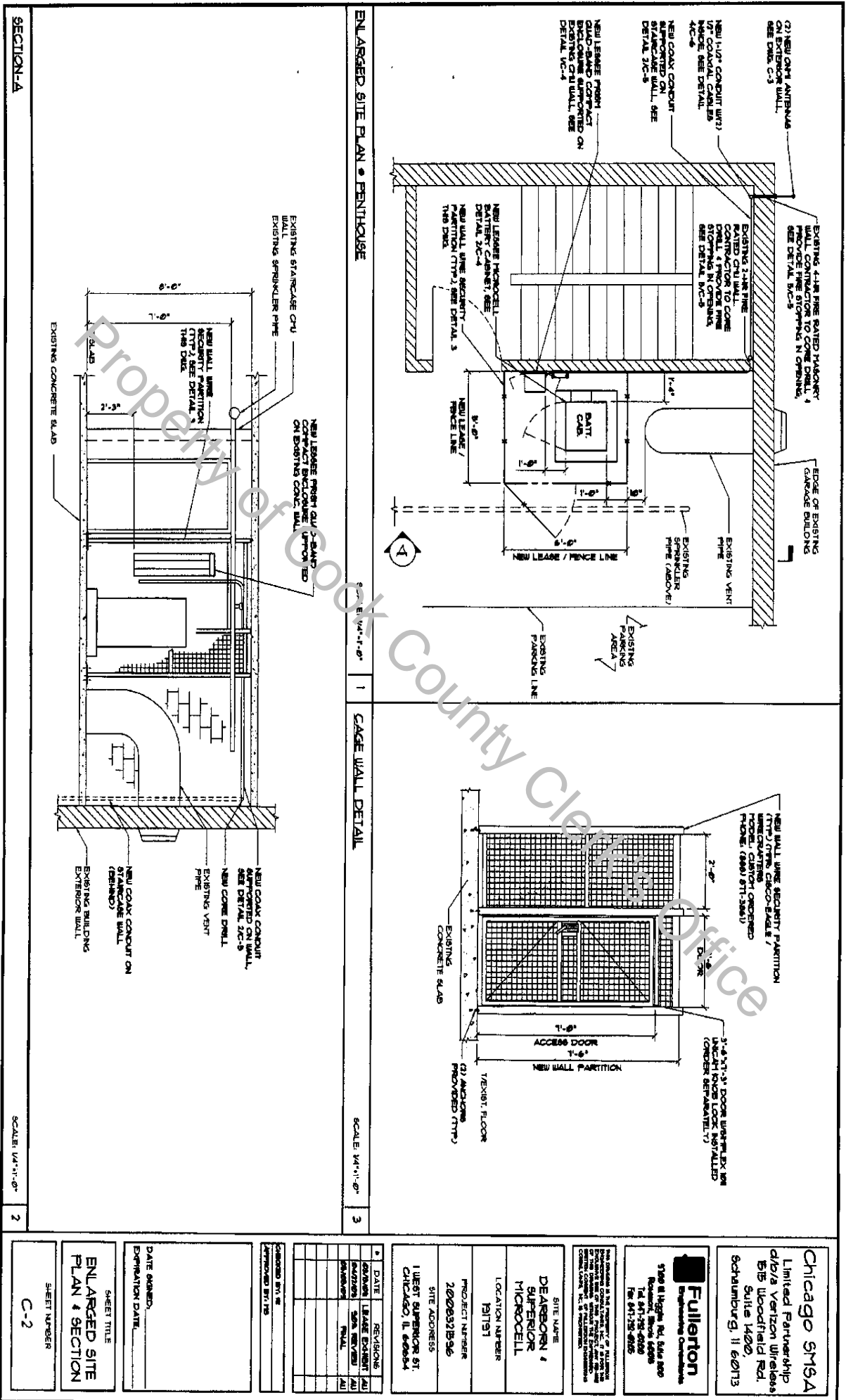
*Handwritten scribble*  
attached

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**Chicago SMSA**  
 Limited Partnership  
 d/b/a Verizon Wireless  
 515 Woodfield Rd.  
 Suite 1400  
 Schaumburg, IL 60173

**Fullerton**  
 Engineering Corporation  
 5700 N Higgins Rd, Suite 800  
 Rosemont, Illinois 60018  
 Tel: 630-584-6000  
 Fax: 630-584-6005

**SITE NAME**  
 DEARBORN &  
 SUPERIOR  
 MICROCELL

**LOCATION NUMBER**  
 191171

**PROJECT NUMBER**  
 2008371916

**SITE ADDRESS**  
 1 WEST SUPERIOR ST.  
 CHICAGO, IL 60654

DATE	REVISIONS
05/27/08	LEASE EXHIBIT
05/27/08	50% PERMITS
05/27/08	FINAL
05/27/08	ALL

**SHEET TITLE**  
 ENLARGED SITE  
 PLAN & SECTION

**SHEET NUMBER**  
 C-2

**DATE ENDED**  
 \_\_\_\_\_

**EXPIRATION DATE**  
 \_\_\_\_\_





