### **UNOFFICIAL COPY**



Doc#: 1604217006 Fee: \$56.00 RHSP Fee:\$9,00 APRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 02/11/2016 09:59 AM Pg: 1 of 10

Prepared by and Upon Recording, Return to:

Sittig, Cortese & Wratcher LLC Joseph A. Cortese, Esquire 437 Grant Street Frick Building, Suite 1500 Pittsburgh, PA 15219

STATE OF ILLINOIS COUNTY OF COOK

## County Character Les MEMORANDUM OF WATER TOWER LEASE AGREEMENT

This Memorandum of WATER TOWER LEASE AGREEMENT is dated this 5th day June, 2015 (date of first signature) and made effective this 215+ day of , 2015, (date of last signature) between the City of Markham, with its Catchin principal offices at 16313 South Kedzie Parkway, Markham, Illinois 60428, hereinafter referred to as "LESSOR", and Chicago SMSA Limited Partnership, d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mail Stop 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".

Site Name: Kedzie Parkway

Date: April 21, 2015

## **UNOFFICIAL COPY**

- 1. LESSOR and LESSEE entered into a Water Tower Lease Agreement (the "Agreement") on <u>Careber 21</u>, 2015, for an initial term of five (5) years, commencing on the Commencement Date. The Water Tower 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 space on the LESSOR's Water Tower, located in Markham, Cook County, Illinois, as shown on the Tax Map of the County of Cook as a portion of Tax Parcel ID Numbers 28-24-300-046-0000 and 28-24-301-0/2-0000, and being part of that real property further described in Deed Instrument Numbers 18835884 and 16599502, 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", together with a parcel of land (the "Land Space") sufficient for the installation of LESSEE's equipment building and other equipment, 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 twenty (20') foot wide right-of-way extending from the nearest public right-of-way. Kedzie Parkway, to the demised premises. The tower spice, land space, 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 sketch attached hereto and incorporated herein as Exhibi B. In the event any public utility is unable to use the aforementioned right-of-way, the 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.
- 3. The Commencement Date of the Agreement, of which this is a Memorandum, is the earlier of (i) the first (1<sup>st</sup>) day of the month in which installation commences or (ii) the first (1<sup>st</sup>) day of the eighteenth (18<sup>th</sup>) month from the date of full execution of this Agreement.
- 4. 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 birding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

Site Name: Kedzie Parkway Date: April 21, 2015

1604217006 Page: 3 of 10

## **UNOFFICIAL CC**

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.

City of Markham

Title: Mayor

Date: 6 -5 - 15

LESSEE:

By. Chicago SMSA Limited Partnership, d/b/a Verizon Wireless,

By: Cellco Partnership, its general partner

Jacque Nallier

Regional Executive Director Network

Date:

750 OFFICO

Site Name: Kedzie Parkway Date: April 21, 2015

1604217006 Page: 4 of 10

## **UNOFFICIAL COPY**

STATE OF III. NOIS	)
COUNTY OF COUNTY	) ACKNOWLEDGEMENT )
acknowledged that s/he is the authorized to do so, executed the foregoing MI AGREEMEN $\Gamma$ as his/her own act and deed on	EMORANDUM OF WATER TOWER LEASE a behalf of The City of Markham.
WITNESS my hand and official Notaria	Notary Public Swe, 2015.
My Commission Expires:	Notary Public State of Illinois My Commission Expires 08/01/2019
	Clark's Office

Site Name: Kedzie Parkway Date: April 21, 2015

1604217006 Page: 5 of 10

## **UNOFFICIAL COPY**

STATE OF ILLINOIS	)	
	)	ACKNOWLEDGMENT
COUNTY OF COOK	)	

I, Supeon A Petrible , a Notary Public for said County and State, do hereby certify that Jacque Vallier personally came before me this day and acknowledged that he is the Regional Executive Director Network, of Chicago SMSA Limited Partnership, d/b/a Verizon Wireless, By Cellco Partnership, Its General Partner, and that he, as Regional Executive Director Network, being authorized to do so, executed the foregoing MEMORANDUM OF WATER TOWER LEASE AGREEMENT on behalf of Chicago SMSA Limited Partnership, d/b/a Verizon Wireless, By Cellco Partnership, Its General Partner.

WITNESS my hand and official Notarial Seal, this 20 day of October, 2015.

SHARON A PETRIELLI

July 15, 2017

My Commission Expires:

OFFICIAL SEAL Notary Public, State of Illinois My Commission Expires Olympia Clork's Office

Site Name: Kedzie Parkway Date: April 21, 2015

1604217006 Page: 6 of 10

## **UNOFFICIAL COPY**

#### **EXHIBIT A**

A certain portion of the property described below and located in Markham, Cook County, Illinois, as shown on the Tax Map of the County of Cook as Parcel ID Numbers 28-24-300-046-0000 and 28-24-301-042-0000, and being further described in Deed Instrument Numbers 18835884 and 16599502 as recorded in the Office of the Recorder of Cook County.

Property of Cook County Clark's Office

Site Name: Kedzie Parkway Date: April 21, 2015

## JNOFFICHAL: COP

ALSO:

PARENT TRACT

ALL THAY PARCEL OF LAND IN VILLAGE OF MARKHAM, COOK COUNTY, STATE OF ILLINOIS, AS MORE FULLY DESCRIBED IN WARRANTY DEED, RECORDED JUNE 8, 1963 AS DOCUMENT #18835884 , BEING KNOWN AND DESIGNATED AS FOLLOWS:

DEDICATED FOR KEDZIE PARKWAY), IGHTS 24 TO 30, BOTH INCLUSIVE (EXCEPT THE NORTH 10 FEET THEROOF) IN BLOCK 1. ALSO THAT PART OF LOTS 16 TO 23, BOTH INCLUSIVE IN BLOCK 1. EVENING SOUTH OF THE SOUTH LINE OF THE NORTH 10 FEET OF LOT 30 IN SAID BLOCK 1 EXTENDING WEST (EXCEPT THE WEST SO FEET THEREOF, MEASURED ALONG NORTH LINE AND SOUTH LINE OF BLOCK?

THOSE PARTS OF THE VACATED MORTH AND SOUTH ALLEY IN SAID BLOCK I AND VACATED THOY STREET LYING EAST OF ADDINING SAID BLOCK I BOUNDED ON THE NORTH BY THE SOUTH LINE OF THE NORTH IN FEET OF LOT 30 EXTENDED EAST AND WEST AND ON THE SOUTH BY T

24, TOWNSHIP 36 COUNTY, ILLINOIS THE WEST 66.61 FEET (MEASURED ALONG SOUTH LINE OF 3) OF LOTS 19 TO 25, BOTH INCLUSIVE (EXCEPT THE NORTH 10 FEET THEREDE) IN BLOCK 3, ALL IN CKOISSANT MARK, INCLUSIVE (EXCEPT THE NORTH 10 FEET THEREDE) IN BLOCK 3, ALL IN CKOISSANT PARK, MARKHAM 16, ADDITION, BELLING A SUBDIVISION OF THE NW 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE 3RD PRINCIPAL MERIDIAN IN COOK

## PARCEL 2:

LOTS; 170 43, INCLUSIVE IN BLOCK 1, (EXCEPT THE WEST 58 FEET OF LOTS; 170 23, MEASHED ALONG NORTH LILINE AND SOUTH-LINE OF BLOCK 1 DEDICATED FOR KEDZIE PARKWAY), THE VACATED NORTH AND SOUTH ALEY IN SAID BLOCK 1 AND VACATED TROY STREET LYING EAST OF ADJOINING SAID BLOCK 1,

LOTS 1 TO 40, INCLUSIVE IN BLOCK 3, THE VACATED WORTH AND SOUTH ALLEY, EAST AND WEST ALLEY, THE WEST 33 FEET OF VACATED ALBANY AVENUE AND THE NORTH 33 FEET OF VACATED 164TH

COTS 24 TO 30, BOTH INCLUSIVE (EXCEPT THE NORTH 10 FEET THEREOF) IN BLOCK 1,

ALSO, THAT PART OF LOTS 16 TO 23, BOTH : HOLUSIVE IN BLOCK 1, LYING SOUTH OF THE SOUTH. LINE OF THE NORTH 10 FEET OF LOT 30 IN SAID BLOCK 1 EXTENDING WEST (EXCEPTING WEST 50 FEET THEREOF, MEASURED ALONG NORTH LINE AND SOUTH. LINE OF BLOCK 1 DEDICATED FOR KEDZIE PARKWAY).

ALSO; THOSE PARTS OF THE VACATED NORTH AND SOUTH ALLEY IN SAID BLOCK: AND VACATED TROY STREET LYING EAST OF ADDINING SAID BLOCK 2 BOUNDED ON THE NORTH BY THE SOUTH LINE OF THE VORTH 15 REFE OF LOT 30 EXTENDED EAST AND WEST AND ON THE SOUTH LINE OF TAG DATE SOUTH BY THE SOUTH LINE OF SAID BLOCK 1 EXTENDED EAST.

INCLUSIVE (EXCEPT THE NORTH 10 FEET THEREOF) IN BLOCK 3, ALSO; THE WEST 66.61 FEET (MEASURED ALONG SOUTH LINE OF 3) OF LOTS 19 TO 25, BOTH

ALL IN CROISSANT PARK, MARKHAM 15 ADDITION, BEING A SUBDIVISION OF THE WIN 7.4 THE SW 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE 3RD PRINCIPA MERIDIAN IN COOK COUNTY, ILLINOIS

ADVANCE

INC

ind 1600 1879-0200 St. Batavia III 505110 USA 1606110 ASM Consultants, Inc афиантенфавист сом

SUPL

MAPPING

5010 1619

PROPOSED LEASE AREA LEGAL DESCRIPTION

A PARCEL OF LAND FOR LEASE AREA PURPOSEES, BEING A PART OF VACATED "TOV AVENUE, IN CROISSANT PARK, MARKHAM 16 ADDITION, A SUBDIVISION OF THE WILLIA OF THE SWIT/A DIFFECTION ZA, TOWNSHIP 36 NORTH, RANCE 13 EAST OF THE 33D PRINCIPAL MERIDIAN IN COOK COUNTY, LILIADIS, FURTHER

COMMENSING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF W. 159AD STREET AND THE AST THE INTERSECTION OF THE SOUTH BO DEGREES 45 MINUTES 33 SECONDS (AST ALONG SAID EAST RIGHT-OF-WAY LINE, 346.87 FEET, THENCE MORTH 89 DEGREES 14 MINUTES 23 SECONDS EAST PERPENDICILIAR 10 LHE LAST DESCRIBED COURSE, 64.22 FEET, THENCE SOUTH 64 DEGREES 26 MINUTES 31 SECONDS EAST, 40.27 FEET, THENCE SOUTH 69 DEGREES 30 MINUTES 31 SECONDS EAST, 30.87 FEET FOR A POINT OF BEGINNING, THENCE CONTINUING NORTH 88 DEGREES 30 MINUTES 31 SECONDS EAST, 30.87 FEET THENCE SOUTH 60 DEGREES 30 MINUTES 31 SECONDS EAST, 30.00 FEET, THENCE SOUTH 60 DEGREES 31 MINUTES 31 SECONDS EAST, 30.00 FEET, THENCE SOUTH 60 DEGREES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, THENCE NORTH 10 DEGREES 31 MINUTES 31 SECONDS WEST, 30.00 FEET, MINUTES 31 SECONDS WEST, 30.00 F TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS 720.0 SQUARE FEET

PROPOSED UTILITY EASEMENT FOR UNDERGROUND CONDUIT LEGAL DESCRIPTION

A PARCEL OF LAND FOR UTILITY EASEMENT FOR UNDERGROUND CON UTIT PLATOSES, BEING A PART OF LOT'S 31, 23, IN BLOCK 1 AND PART OF VACALED TROY AVENUE, 7 "N" N. "L", "ANT PARK, MARKHAM 15 ADDITION, A SUBSPUTSION OF THE MY 1/4 OF 114 OF 5 CTION 2. TOWNSHIP BY A NORTH, RANGE 13 EAST OF THE 3RD PRINCIPAL MERLDIAN IN COOK COUNTY, 1. NOIS, UNTHER DESCRIBED AS

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-O -WAY LINE OF W. 163RD STREET AND THE BASE RIGHT-OF-WAY LINE OF ACUCITE PARKWAY; THEY. SOUTH OD DEGREES 45 MINUTES 35 SECONDS EAST ROOMS EAST ROOMS FOR EAST ROOMS FO

SAID PARCEL CONTAINS 345 3 SQUARE FEET.

PROPOSED ACCESS EAST THE THEGAL DESCRIPTION

A PARCIT. OF LAND FO. ACT. 95 EASEMEN." DURPOSES, BEING A PART OF LDTS 14, 15, 30. 31, 32. PART OF THE MAGNED NO. 19, 14... SOUTH PALET, ALL IN ALOCK LINUD PART OF MAGNET DIRBY AVENUE. ALL IN CROISSANY. THAN MAR CHAM 16 ADDITION, A SUBDIVISION OF THE NW 1/4 OF THE SW 1/4 OF SECTION 24, TOWN 5-IP 36 (1, 21). ANGEL 13 EAST OF THE 3RD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, FURTHER 125C21 ED AS FOLLOWS,

PROPOSED UTILITY EASEMENT #1 LEGAL DESCRIPTION

A PARCEL OF LAND FOR UTILITY EASEMENT PURPOSES, BEING A PART OF LOT 12 IN BLOCK 3 AND PART OF MARKET FOR THE TIME TO THE TIME THE OF OT 12 IN BUCK 3 AND PART OF MACHED TROY AREFUL, ALL GROSSAMP PARK, MARKHADA TO ADDITION, A SUBDIVISION OF THE NW 1/4 OF THE SW 1/4 OF THE S COT 43 TV BLOCK 1, PART

SOUTH RIGHT-OF WARK LINE, 13.55 FEET; THENCE SOUTH SI DEGREES OF MINUTES 56 SECONOS SAST, 1042 FEET; THENCE SOUTH A 12.55 FEET; T INO THE EAST RIGHT-OF-WAY LINE OF KEIZIE HARKWAY; IT-BRICE NORTH BE DEGREES DI MINUTES 30 SECONDS EAST ALONG SAND SOUTH RIGHT-OF-WAY LINE, 175 06 FEET FOR A POINT OF BEGINNING, THENCE CONTINUING NORTH BE DEGREES OF MINUTES 3D SECONDS EAST ALONG SAID COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT HE POINT OF BEGINNING. THENCE NORTH 54 DEGREES 09 MINUTES 56 SECONDS WEST, 58.25 FEET TO

SAID PARCEL CONTAINS 3,383 .2 SQUARE FEET

PROPOSED UTILITY EASEMENT #2 LEGAL DESCRIPTION:

A PARCEL OF LAND FOR UTILITY EASEMENT FURPOSES, BEING A PART OF LOT 24 IN BLOCK 1, PART OF YACATED TROY AVENUE, AND VACANED BOTH AVENUE, ALL, IN CROISSANT PARK, MARKHAM IN ADDITION, A SUBDIVISION OF THE MY LIFE OF THE STATE OF SECTION CA., TOWNSHIP 36 MORY-L, RANGE 13 EAST OF THE 3RD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLIMOIS, FURTHER RANGE 13 EAST OF THE 3RD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLIMOIS, FURTHER DESCRIBED AS FOLLOWS

3. 15. FREET, PHENCE SOUTH S4 DEGREES C9 MINUTES 56 SECONDS BAST, 36.4 FREET, THENCY SOUTH 14 SECREES 47 MINUTES 18 SECONDS BAST, 13.8 FREET, THENCY SOUTH 14 SECREES 67 MINUTES 18 SECONDS GENTLATES 00 SECONDS WEST, 13.4 SE FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS WEST, 13.4 SE FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 13 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 13 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 03 MINUTES 51 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE SOUTH 10 DEGREES 00 MINUTES 00 SECONDS MEST, 23.65 FREET, THENCE MORE MEST, 20.75 FREET, THENCE MORE MORE MEST, 20.75 FREET, THENCE MORE MEST, 20.75 F EAST PERPENDICULAR TO THE LAST DESCRIBED COURSE, 14,44 FEET, THENGE NORTH 89 DECREES OF MINITES 19 SECONDS EAST, 115,43 FEET, "HENCE NORTH 01 DEGREED OF MINITES 51 SECONDS MINITES 51 THENGE NORTH 88 DEGREES 56 MINITES 19 SECONDS EAST PERPENDICULAR TO THE LAST DESCRIBED COURSE, 8.03 FEET TO THE PLYT OF BEGINNING. AND THE EAST RIGHT-OF-MAY LINE OF KEDZIE PARKWAY, "MENCE FORTH 89 DEGRESS OF MINUTES TO SECONDS EAST ALONG SALE SOUTH RIGHT OF-WAY LINE, 17,506 FEET). PENCE CONTINUING NORTH 89 DEGREES OF MALTES 30 SECONDS EAST 4,004 SALE SOUTH RIGHT-OF-WAY LINE, 13 35 FEET). IHENCE SOUTH S4 DEGREES C9 MINUTES 56 SECONDS EAST, 30 42 FFET, THENCE COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF W. 163RD STREET

SAID PARCEL CONTAINS 2,835.0 SQUARE FEET

DATE

REVISION

# PLAT OF SURVEY OF LEASE AREA AND EASEMENTS

SAID PARCE: CONTAINS 4,538.5 SQUARE FEET

Consulting Group, LTD. 500 Busse Highway Park Ridgo, IL 60068 (847) 698-5400

12/27/2014 2/18/2015 Location No.: 293988 Project No.: 201441050189 KEDZIE PARKWAY FINAL SURVEY COMPLETED FIELD SURVEY COMPLETED

16313 S. KEDZIE PARKWAY MARKHAM, II. 60428

CHECKED BY:

1604217006 Page: 8 of 10

## **UNOFFICIAL COPY**

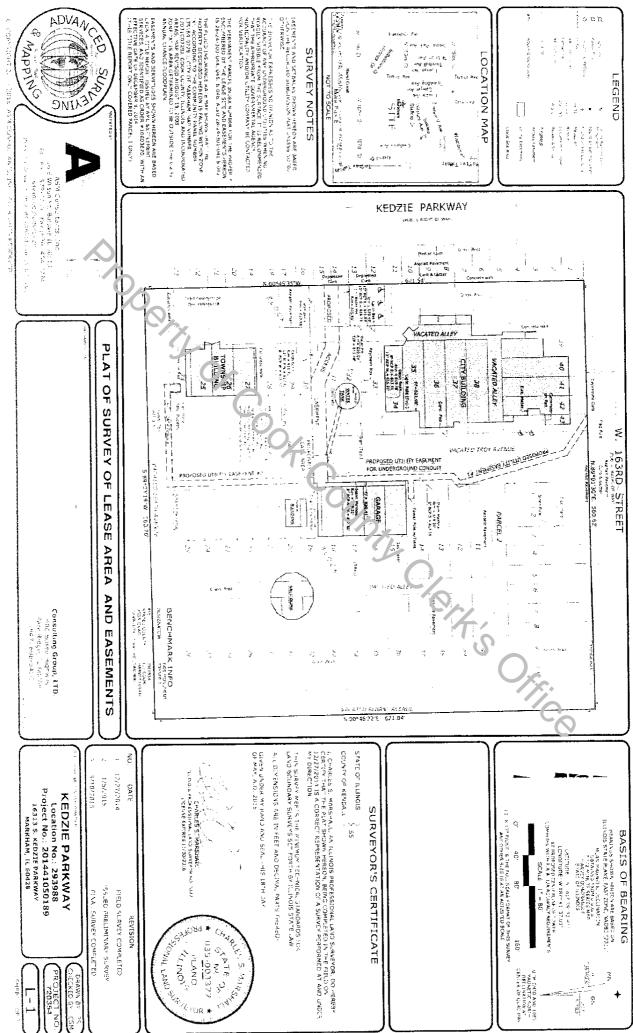
Site Name: Kedzie Parkway Date: April 21, 2015

L



1604217006 Page: 9 of 10

### UNOFFICIAL COPY



1604217006 Page: 10 of 10

UNOFFICIA KEDZIE PARKWAY MAPPING 57 POINT OF COMMENCIMENT OF LEASE AREA AND FASE YEMS FORRY INTERSECTION OF THE SOUTH RIGHT. LINE OF JORD STREET AND THE EAST RIGHT, OF KEDZIE PARXWAY N 89°14'25'E ASM Consuctation in the state of the Wilder State of the TOWNSHIP BUILDING CITY BUILDING NACATED ALLEY 40 35 S 63°6C 30°1 14 44 1.19 三世紀 1916年 1117年 38 ě. 42 43 W. 163RD STREET PROPUGED 3031 WWW. 1995/19 7.93-01,50.E 70-68.P 2 C1.03 / J. 10 / 40 W 88225 25.1 8 00 W 98225 25.1 8 00 L--- T .. 5.01°03"51"E. 8.00" S.88\*56(09\*W- 23.65 9"W. 560.76 N 88\*50:09"E 23.65" GARAGE PLAT OF SURVEY OF LEASE AREA AND EASEMENTS West of the state A State of the Sta Consulting Group, LED. 100 Sesse ognoup (200 Sesse ognoup) Legistes. 1847: 508 1000 The Manager of the Ma ئ 12/27/2014 UA: KEDZIE PARKWAY Location No.: 293988 Project No.: 201441050189 16313 S. KEDZIE PARKWAY MARKHAM, IL 60328 PINAL STRVEY COMPLETED SELECTION ABABITS GIFTS JGC: BEARINGS SHOWN HEREON ARE GASED ON INOIS STATE PLANE, BASE ZONE, NACHS (2011) REVISION