

# UNOFFICIAL COPY 98794187

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1998-09-04 10:03:44  
Cook County Recorder 51.50

This Instrument Prepared by:

CELLULAR ONE-Chicago  
Legal Department  
930 National Parkway,  
Schaumburg, Illinois 60173  
(847) 762-2000

Permanent Tax Number: 18-11-121-004/005; 18-11-122-011/014 ✓

HE TITLE SERVICES # 1026705 MEMORANDUM OF AGREEMENT NO. 431

This is a Memorandum ("Memorandum") of that certain Lease Agreement made as of the 12th day of February, 1998 (the "Agreement"), by and between VILLAGE OF MCCOOK ("Landlord"), and SOUTHWESTERN BELL MOBILE SYSTEMS, INC. d/b/a CELLULAR ONE - Chicago, a Delaware and Virginia corporation ("Tenant"), concerning the real estate ("Premises") described on Exhibit "A" which is attached hereto and made a part hereof.

For good and valuable consideration, Landlord does hereby grant to Tenant the use of the Premises as more particularly described in the Agreement, together with all right, title and interest of Landlord in and to all easements, privileges and other appurtenances pertaining thereto, and Landlord, does hereby grant to Tenant certain Easements appurtenant to the Premises upon, over, under and across those certain Areas, all as described on Exhibit "B" hereto, all for the Term and under the provisions contained in the Agreement, such unrecorded Agreement being incorporated in this Memorandum by this reference.

The Term of the Agreement commences as of the Commencement Date (as defined in the Agreement) and ends at midnight on the day immediately preceding the tenth (10th) anniversary of the Commencement Date, unless sooner terminated pursuant to the provisions contained in the Agreement. Tenant has four (4) successive options to extend the Term of the Agreement for periods of five (5) years each.

The parties hereto have agreed to execute and record this Memorandum to give public notice of the existence of the Agreement and Tenant's rights with respect to the Premises and the Easement Areas.

This Memorandum is not a complete summary of the Agreement, and provisions in this Memorandum shall not be used in interpreting the provisions of the Agreement. In the event of conflict between this Memorandum and the Agreement, the terms and provisions of the Agreement shall control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement as of the day and year first set forth above.

LANDLORD

TENANT

VILLAGE OF MCCOOK

SOUTHWESTERN BELL MOBILE SYSTEMS,  
INC. d/b/a CELLULAR ONE - Chicago

By: Emil T. Sergio

By: Dane F. Ershen

Name: Emil T. Sergio

Name: Dane F. Ershen

Title: Mayor

Title: Vice President Network Operations

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NOTARY ACKNOWLEDGEMENT FOR LANDLORD

98794187

STATE OF ILLINOIS )  
                              ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the said County and State aforesaid DO HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 12th day of February, 1998, by \_\_\_\_\_  
Emil T. Sergo, personally known to me to be the individual who executed the foregoing instrument as their free and voluntary act for the uses and purposes therein set forth.

\_\_\_\_\_  
NOTARY PUBLIC

NOTARY ACKNOWLEDGEMENT FOR TENANT

STATE OF ILLINOIS )  
                              ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the said County and State aforesaid DO HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 24<sup>th</sup> day of February, 1998, by DANE F. ERSHEN, personally known to me to be the Vice President of Network Operations of SOUTHWESTERN BELL MOBILE SYSTEMS, INC. d/b/a CELLULAR ONE - Chicago, a Delaware and Virginia corporation, on behalf of the corporation.

\_\_\_\_\_  
NOTARY PUBLIC

OFFICIAL SEAL  
VINCENT CAINKAR  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 9-4-2001

OFFICIAL SEAL  
Melissa A. Fitzgerald  
Notary Public, State of Illinois  
My Commission Expires August 6, 2001

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10/10/2001

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OFFICIAL SEAL  
Melissa A. Fitzgibbon  
County Public, State of Illinois  
My Commission Expires August 8, 2001

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EXHIBIT A

98794187

Common address or approximate location of Premises:

50th Street and Glencoe Avenue, McCook, Illinois

Description(s):

## REAL ESTATE DESCRIPTION

THAT PART OF LOT SEVENTY (EXCEPT THE WEST 17.0 FT. THEREOF), AND VACATED GLENCOE AVENUE, LOCATED ADJACENT THERETO IN PHILLIPS SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION ELEVEN, TOWNSHIP THIRTY-EIGHT NORTH, RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1910 AS DOCUMENT NO. 4031709, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 17.0 FT. OF SAID LOT SEVENTY WITH THE SOUTH LINE OF SAID LOT SEVENTY; THENCE NORTH 89°32'11" EAST, BEING AN ASSUMED BEARING ON THE SOUTH LINE OF SAID LOT SEVENTY, SAID LINE ALSO BEING THE NORTH LINE OF 60th STREET, A DISTANCE OF 16.0 FT.; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 449.32 FT. TO A POINT OF CURVE; THENCE NORTHEASTERLY 19.27 FT. ON THE ARC OF CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 26.0 FT. WITH A CHORD BEARING OF NORTH 44°47'30" EAST AND A CHORD DISTANCE OF 38.38 FT.; THENCE NORTH 89°47'30" EAST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 67.89 FT. TO THE POINT OF BEGINNING; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 16.0 FT.; THENCE NORTH 89°47'30" EAST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 16.0 FT.; THENCE SOUTH 00°12'30" EAST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 16.0 FT.; THENCE SOUTH 89°47'30" WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 16.0 FT. TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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EXHIBIT BEASEMENT FOR CONSTRUCTION

THAT PART OF LOT SEVENTY (EXCEPT THE WEST 17.0 FT. THEREOF), AND VACATED GLENCOE AVENUE, LOCATED ADJACENT THERETO IN PHILLIPS SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION ELEVEN, TOWNSHIP THIRTY-EIGHT NORTH, RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1910 AS DOCUMENT NO. 4631788, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 17.0 FT. OF SAID LOT SEVENTY WITH THE SOUTH LINE OF SAID LOT SEVENTY; THENCE NORTH 89°32'11" EAST, BEING AN ASSUMED BEARING ON THE SOUTH LINE OF SAID LOT SEVENTY, SAID LINE ALSO BEING THE NORTH LINE OF 60th STREET, A DISTANCE OF 16.0 FT.; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 449.32 FT. TO A POINT OF CURVE; THENCE NORTHEASTERLY 39.27 FT. ON THE ARC OF CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 28.0 FT. WITH A CHORD BEARING OF NORTH 44°47'30" EAST AND A CHORD DISTANCE OF 35.36 FT.; THENCE NORTH 89°47'30" EAST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 67.89 FT. TO THE POINT OF BEGINNING; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 35.0 FT.; THENCE SOUTH 89°47'30" WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 38.0 FT.; THENCE SOUTH 00°12'30" EAST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 38.0 FT.; THENCE NORTH 89°47'30" EAST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 38.0 FT. TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EASEMENT FOR INGRESS AND EGRESS

THAT PART OF LOT SEVENTY (EXCEPT THE WEST 17.0 FT. THEREOF), AND VACATED GLENCOE AVENUE, LOCATED ADJACENT THERETO IN PHILLIPS SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION ELEVEN, TOWNSHIP THIRTY-EIGHT NORTH, RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1910 AS DOCUMENT NO. 4631788, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 17.0 FT. OF SAID LOT SEVENTY WITH THE SOUTH LINE OF SAID LOT SEVENTY; THENCE NORTH 89°32'11" EAST, BEING AN ASSUMED BEARING ON THE SOUTH LINE OF SAID LOT SEVENTY, SAID LINE ALSO BEING THE NORTH LINE OF 60th STREET, A DISTANCE OF 16.0 FT.; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 449.32 FT. TO A POINT OF CURVE; THENCE NORTHEASTERLY 39.27 FT. ON THE ARC OF CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 28.0 FT. WITH A CHORD BEARING OF NORTH 44°47'30" EAST AND A CHORD DISTANCE OF 35.36 FT.; THENCE NORTH 89°47'30" EAST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 67.89 FT.; THENCE NORTH 00°12'30" WEST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 15.0 FT.; THENCE SOUTH 89°47'30" WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 67.89 FT. TO A POINT OF CURVE; THENCE SOUTHWESTERLY 62.83 FT. ON THE ARC OF CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 40.0 FT. WITH A CHORD BEARING OF SOUTH 44°47'30" WEST AND A CHORD DISTANCE OF 66.67 FT.; THENCE SOUTH 00°12'30" EAST, PARALLEL WITH THE WEST LINE OF SAID LOT SEVENTY, A DISTANCE OF 449.32 FT. TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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