

**PARCEL #: 450-01-001**

SPACE ABOVE FOR RECORDER'S USE

**RECORDING AT THE REQUEST OF, AND  
WHEN RECORDED, RETURN TO:**

New Cingular Wireless PCS, LLC  
12555 Cingular Way, Suite 1300  
Alpharetta, GA 30004  
Attn: Network Real Estate Administration

Re: Cell Site #: 58228  
Cell Site Name: CLE098A/Fire Station 3 (OH)  
Fixed Asset Number: 10069901  
State: OH  
County: Cuyahoga

**MEMORANDUM  
OF  
AGREEMENT**

This Memorandum of Agreement is entered into on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by and between City of Parma, an Ohio municipal corporation, having a mailing address at 6611 Ridge Road, Parma, OH 44129 (hereinafter referred to as "**Licensor**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, successor by merger to AT&T Wireless PCS, Inc., by and through its agent Wireless PCS, Inc., a Delaware corporation, dba AT&T Wireless Services, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004; with a copy to 15 East Midland Avenue, Paramus, NJ (hereinafter referred to as "**Licensee**").

1. Licensor and Licensee (or their predecessors in interest) entered into a certain License Agreement dated July 30, 1997, as amended by that certain First Amendment to License Agreement dated \_\_\_\_\_, 201\_\_ (hereinafter, collectively, the "**Agreement**") for the purpose of installing, operating and maintaining a communications facility and other improvements at Licensor's real property located in the City of Cleveland, County

of Cuyahoga, commonly known as 6655 Ridge Road. All of the foregoing are set forth in the Agreement.

2. The New Initial Term will be five (5) years (“**New Initial Term**”) commencing on September 1, 2012, with five (5) successive five (5) year options to renew.
3. The portion of the land being leased to Licensee (the “**Premises**”) is described in **Exhibit 1** annexed hereto.
4. This Memorandum of Agreement is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Agreement, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum of Agreement and the provisions of the Agreement, the provisions of the Agreement shall control. The Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Agreement.

[NO MORE TEXT ON THIS PAGE - SIGNATURES TO FOLLOW ON NEXT PAGE]

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

LICENSOR:  
City of Parma,  
an Ohio municipal corporation

LICENSEE:  
New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: AT&T Mobility Corporation  
Its: Manager

By: \_\_\_\_\_  
Tim DeGeeter, Mayor

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: \_\_\_\_\_

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

By: \_\_\_\_\_  
Brian Higgins, Service Director

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

Witnesses:

Witnesses:

Sign: \_\_\_\_\_

Sign: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Sign: \_\_\_\_\_

Sign: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_







## Exhibit 1 to Memorandum of Agreement

### Legal Description

Street Address: 6655 Ridge Road, Cleveland, OH 44129

Parcel #: 450-01-001

That certain Premises (and access and utility easements) on a portion of the real property described as follows:

PARCEL 1: Situated in the City of Parma, County of Cuyahoga and State of Ohio and known as being part of Lot Number 10 in the Southeast quarter of the Township, bounded as follows: Beginning at the northwest corner of said lot, thence South on the west line of the lot 6 chains 50 links thence east at right angles 6 chains 50 links, thence north at right angles 6 chains, 50 links to the north line of the lot and thence west on said North line 6 chains 50 links to the place of beginning and containing within said bounds 4.22 acres, be the same more or less, but subject to all legal highways.

PARCEL 2: Situated in the City of Parma, County of Cuyahoga and State of Ohio and known as being part of Original Lot No. 10 in the Ely Tract in Parma Township, bounded and described as follows: Beginning on the center line of Bean Road (60 feet wide) at a point distant easterly measured along said center line 429.66 feet from the point of intersection of said center line with the center line of Ridge Road (60 feet wide) said place of beginning being also the Northeasterly corner of a parcel of land conveyed to the Trustees of Parma Township by deed dated February 11, 1831 and recorded in Volume J, Page 393 of Cuyahoga County Records; thence easterly along said center line of Bean Road 490.21 feet to a northwesterly corner of a parcel of land conveyed to Ettie Moran by deed dated February 17, 1919, and recorded in Volume 2139, Page 36 of Cuyahoga County Records; thence southerly along a westerly line of said parcel of land so conveyed to Ettie Moran, being parallel with said center line of Ridge Road, 330 feet to a northerly line of said parcel of land so conveyed to Ettie Moran; thence westerly along said northerly line being parallel with said center line of Bean Road, 490.88 feet to the easterly line of said parcel of land conveyed to the Trustees of Parma Township as aforesaid; thence Northerly along said easterly line, 330 feet to the place of beginning, containing about 3.50 acres of land, be the same more or less, but subject to all legal highways.

PARCEL 3: Situated in the City of Parma, County of Cuyahoga and State of Ohio and known as being part of Original Parma Township Lot No. 10, Ely Tract, and bounded and described as follows: Beginning on the center line of Ridge Road, at a point distant South 0 deg. 01' 02'' East, 429 feet measured along said center line from its point of intersection with the center line of Bean Road, thence north 89 deg. 20' 05'' East parallel with the center line of Bean Road 429 feet to the principal place of beginning of the premises herein described, thence continuing north 89 deg. 20' 05'' East 476.28 feet to an iron monument, thence north 0 deg. 24' 18'' East to an iron monument in the southerly line of land conveyed to the Village of Parma, by deed dated February 20, 1926, recorded in Volume 3382, Page 89 of Cuyahoga County Records, thence westerly along said southerly line of land so conveyed to the Village of Parma about 476.92 feet to the easterly line of land conveyed to The Trustees of Parma Township by deed dated February 11, 1831, and recorded in Volume 1, Page 393 of Cuyahoga County Records, thence south 0 deg. 01' 02'' East along said easterly line parallel with the center line of Ridge Road, to the principal place of beginning, be the same more or less, but subject to all legal highways.

