



Communications Capital Group's (ComCap) due diligence process and agreement terms are similar to transactions involving commercial real estate purchases. However, there are some differences. We do not control the whole property, have the ability to mortgage the property, or prevent a sale or development of the property. The following defines common agreement terms used in our transactions.

Assignment

ComCap takes assignment of the landlord's wireless lease.

Easement Use

The easement is specifically for telecommunications purposes and reflects our mutual agreement which could be either the existing footprint of the wireless tenant, or an expanded footprint with additional financial consideration. If your client is not able to deliver an easement, a pre-paid lease alternative can be used.

Easement Termination

If ComCap stops using the space for five (5) years, our interest automatically ends.

Due Diligence

Our due diligence process is like most commercial real estate purchases. Title insurance is obtained for ComCap's interest. Your client will receive copies of our title report, environmental reports, and anything else we collect. There are no associated client costs except for sales tax and attorney fees. ComCap pays for the closing costs (title search, policy and recording).

Closing

Our closing process is like other commercial real estate closings. Closing documents are reviewed and approved by your client in advance, so there are no surprises. Documents include: an easement purchase contract, assignment of lease (if required in your county), 1099, Title Affidavit, escrow contract, Notice of Assignment to existing wireless tenant(s), Certification of Non-Foreign Status, Settlement Statement, UCC, and forms required for recording.

Recording

ComCap's interest is recorded against the property. This allows the business terms to remain confidential. If requested, we can produce a survey to ensure your client is comfortable with the documentation.

Subordination and Non-Disturbance

If there is a mortgage on the property, we may request a Subordination and Non-Disturbance Agreement from the lender. If the property loan-to-value ratio is less than 80 percent, ComCap can proceed without the Subordination and Non-Disturbance Agreement, but we may ask for additional information about the property. A credit report is always required.

Third Party Escrow

Closing is done through a third party escrow agent and sent by overnight courier. There is no need for a "sit down" closing unless your client prefers to do so. Funding is done by wire transfer.

*If you have any questions, please feel welcome to call us
at 866.574.2355
or
email: legal@comcapgroup.com*



COMMUNICATIONS CAPITAL GROUP LLC

Copyright © 2007 Communications Capital Group LLC all rights reserved.

The information provided is subject to change and interpretation and therefore should not be construed as business, financial, or legal advice.

9755 Dogwood Road Ste 105
Roswell GA 30075
www.comcapgroup.com