



0020011721

Prepared by:
Grace Poe
Piper Marburg Rudnick
& Wolfe
203 N. LaSalle Street
Chicago, Illinois 60601

This space reserved for Recorder's use only.

ASSIGNMENT OF DECLARANT'S RIGHTS

THIS ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment"), is entered into as of December 31, 2001 by and between WINDY POINT OF SCHAUMBURG, LLC, a Delaware limited liability company, in its capacity as Declarant under the Declaration (as defined below) ("Assignor"), and WELLS OPERATING PARTNERSHIP, L.P., a Delaware limited partnership ("Assignee").

RECITALS

A. Assignor is the "Declarant" under that certain Declaration of Covenants, Conditions, Restrictions, Reciprocal Rights and Easements for Windy Point Development, Schaumburg, Illinois, dated as of February 8, 1999, recorded February 9, 1999, as Document No. 99137489 in the Cook County, Illinois Recorder's Office; as amended by that certain First Amendment to Declaration of Covenants, Conditions, Restrictions, Reciprocal Rights and Easements, made by Declarant dated as of May 12, 1999, and recorded as Document No. 99474175 in said public records; as amended by that certain Second Amendment to Declaration of Covenants, Conditions, Restrictions, Reciprocal Rights and Easements, made by Declarant dated as of October 26, 1999, and recorded as Document No. 09025166 in said public records (collectively, the "Declaration") pertaining to Windy Point Development, located in Cook County, Village of Schaumburg, State of Illinois, as more fully described on Exhibit A attached hereto.

B. Assignor desires to assign Assignor's rights and obligations as Declarant under the Declaration to Assignee and Assignee desires to assume same.

AGREEMENT

NOW THEREFORE, for the good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto state as follows with respect to the Agreement:

1. Assignor hereby transfers and assigns to Assignee all of Assignor's right, title and interest as Declarant in and to the Declaration.

Handwritten notes on the left margin: "North 01012216 698 77" and "MEM".

UNOFFICIAL COPY

2014-2015
Cook County Clerk's Office
Property of Cook County Clerk's Office

Property of Cook County Clerk's Office

2. Assignee hereby accepts the foregoing transfer and assignment of Declarant's rights under the Declaration and agrees to assume Assignor's interest therein and perform and discharge all of Assignor's obligations thereunder which first arise after the date hereof.

3. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors in interest and assigns. The respective agreements herein set forth are for the benefit only of the parties hereto, their successors and assigns, and no provision of this Assignment is intended to benefit, nor shall any such provision be enforceable by any person or entity other than the parties hereto and their respective successors in interest and assigns.

4. This Assignment shall be governed by and construed in accordance with the laws of the State of Illinois.

[signatures follow]

Mail to:

Leslie Secrest, Esq.

Troutman Sanders LLP

Bank of America Plaza

600 Peachtree Street, N.E., Suite 5200

Atlanta, Georgia 30308-2216

UNOFFICIAL COPY

0020011721

IN WITNESS WHEREOF, the parties hereto have caused this Assignment of Declarant's Rights to be executed by their duly authorized representatives as of this 31st day of December, 2001.

ASSIGNOR:

WINDY POINT OF SCHAUMBURG, LLC,
a Delaware limited liability company

By: **FRC Windy Point L.L.C.**, an Illinois
limited liability company, its Manager

By: 

Name: Steven D. Fifield

Title: Manager

Property of Cook County Clerk's Office

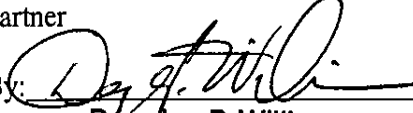
UNOFFICIAL COPY

0020011721

ASSIGNEE:

WELLS OPERATING PARTNERSHIP, L.P.,
a Delaware limited partnership

By: **Wells Real Estate Investment Trust, Inc.**, a Maryland corporation, general partner

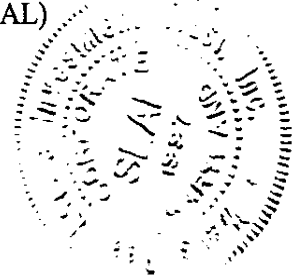
By: 

Name: Douglas P. Williams

Title: Executive Vice President

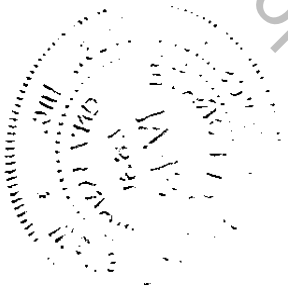
Title: _____

(CORPORATE SEAL)



Property of Cook County Clerk's Office

UNOFFICIAL COPY



Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

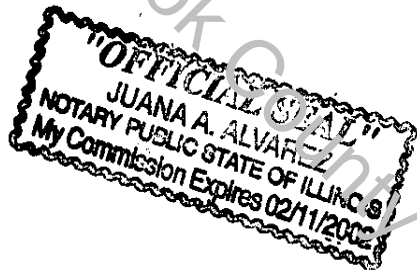
0020011721

On this 28th day of December, 2001, before me appeared Steven D. Fifield to me personally known, who being by me duly sworn, did say that (he/she is the Manager of FRC WINDY POINT L.L.C., an Illinois limited liability company, the Manager of WINDY POINT OF SCHAUMBURG, LLC, a Delaware limited liability company, the company that executed the within and foregoing instrument and that said instrument was signed on behalf of said company and said Manager acknowledged said instrument to be the free act and deed of said company.

Juana A. Alvarez
Notary Public

Cook County

My Commission Expires:



UNOFFICIAL COPY

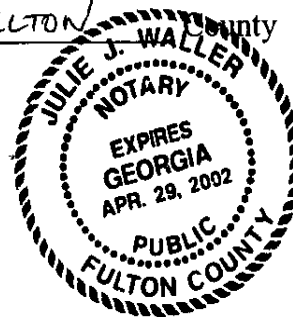
0020011721

STATE OF GEORGIA)
) SS.
COUNTY OF FULTON)

On this 28th day of December, 2001, before me appeared Douglas P. Williams to me personally known, who being by me duly sworn, did say that he/she is the Executive V.P. of WELLS REAL ESTATE INVESTMENT TRUST, INC., a Maryland corporation, the general partner of WELLS OPERATING PARTNERSHIP, L.P., a Delaware limited partnership, the limited partnership that executed the within and foregoing instrument and that said instrument was signed on behalf of said limited partnership and said Officer acknowledged said instrument to be the free act and deed of said limited partnership.

Julie J. Waller
Notary Public

FULTON County



My Commission Expires:

4-29-2002

UNOFFICIAL COPY

0020011721

EXHIBIT A

REAL PROPERTY

Lots 1, 2, 3, 4A, 4B, 5 and 6 in Windy Point of Schaumburg, being a Subdivision of Section 12, Township 41 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded February 9, 1999 as Document No. 99137489.

PINS: 07-12-400-052 07-12-400-036-0000
 07-12-400-053 07-12-400-055-0000

1500 and 1600 McConno Parkway
Schaumburg, Illinois

UNOFFICIAL COPY

Property of Cook County Clerk's Office