

# UNOFFICIAL COPY



This document prepared  
and after recording, mail  
to: Thomas Jenkins  
Illinois Housing Development Authority  
Suite 900  
401 N. Michigan Ave.  
Chicago, IL 60611  
Property Identification No.:  
16-11-308-034-0000  
Property Address:  
3824 W. West End  
Chicago, Illinois

Doc#: 0405433153  
Eugene "Gene" Moore Fee: \$30.00  
Cook County Recorder of Deeds  
Date: 02/23/2004 11:03 AM Pg: 1 of 4

## RECAPTURE AGREEMENT

**THIS RECAPTURE AGREEMENT** (this "Agreement") dated as of the 18th day of February, 2004, made by Sonya Browley (the "Owner") whose address is 3824 W. West End, Chicago, Illinois, in favor of **ILLINOIS HOUSING DEVELOPMENT AUTHORITY** ("Grantor") whose address is stated above;

### WITNESSETH:

**WHEREAS**, the Owner is the holder of legal title to improvements and certain real property commonly known as 3824 W. West End, Chicago, Illinois (the "Residence"), legally described in **Exhibit A** attached to and made a part of this Agreement; and

**WHEREAS**, Grantor has agreed to make a grant to the Owner in the amount of Two Thousand four Hundred and No/100 Dollars (\$2,400.00) (the "Grant"), the proceeds of which are to be used for the purchase of the Residence; and

**WHEREAS**, as an inducement to Grantor to make the Grant, the Owner has agreed to provide this Agreement.

**NOW, THEREFORE**, the parties agree as follows:

- 1. Incorporation.** The foregoing recitals are made a part of this Agreement.
- 2. Restrictions.** As a condition of the Grantor's making of the Grant, the Owner agrees that if (i) the Residence is sold or otherwise transferred within five (5) years of the date of this Agreement, other than by will, inheritance or by operation of law upon the death of a joint tenant Owner, or (ii) the Owner ceases to occupy the Residence as her principal residence within this five (5) year period, the Owner shall pay to Grantor the amount of the Grant reduced by twenty percent (20%) for each full year that the Owner has occupied the Residence ("Repayment Portion").
- 3. Violation of Agreement by Owner.** Upon violation of any of the provisions of this Agreement by the Owner, Grantor shall give notice of such violation to the Owner as provided in this Agreement. Upon such default Grantor may:

**BOX 330-CTI**

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- a) Declare any Repayment Portion immediately due and payable; and/or
- b) Exercise such other rights or remedies as may be available to Grantor under this Agreement, at law or in equity.


No delay on the part of Grantor in exercising any rights under this Agreement, failure to exercise such rights or the exercise of less than all of its rights under this Agreement shall operate as a waiver of such rights. Grantor's remedies are cumulative and the exercise of one shall not be deemed an election of remedies, nor foreclose the exercise of Grantor's other remedies.

4. **Covenants to Run With the Land; Termination**. The agreements set forth in this Agreement shall encumber the Residence and be binding on any future owner of the Residence and the holder of any legal, equitable or beneficial interest in it for the term of this Agreement. This Agreement shall automatically terminate as of the fifth (5<sup>th</sup>) annual anniversary of its date.

5. **Amendment**. This Agreement shall not be altered or amended without the prior written approval of the Grantor.

**IN WITNESS WHEREOF**, the Owner has executed this Agreement.

**OWNER:**

  
\_\_\_\_\_  
Sonya Browley



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STREET ADDRESS: 3824 W. WEST END

CITY: CHICAGO

COUNTY: COOK

TAX NUMBER: 16-11-308-034-0000

AND 16-11-308-035-0000

**LEGAL DESCRIPTION:**

LOT 7 IN BLOCK 2 (EXCEPT THAT PART THEREOF CONVEYED TO THE CITY OF CHICAGO FOR ALLEY) IN GARFIELD PARK ADDITION TO CHICAGO, A RESUBDIVISION OF BLOCKS 1, 2 AND 3 IN EVANS AND OTHER SUBDIVISION OF BLOCKS 1, 2, 3 AND 4 IN OSBORNE'S SUBDIVISION OF THE WEST 5 ACRES OF THE EAST 10 ACRES OF THAT PART LYING SOUTH OF LAKE STREET AND LOT 10 IN BLOCK 2 IN THE SUBDIVISION OF BLOCKS 1, 2, 3 AND 4 OF S.L. BROWN'S SUBDIVISION OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office