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Doc#: 0720839095 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/27/2007 03:13 PM Pg: 1 of 6

THIS INSTRUMENT PREPARED BY,
and after recording return to:
Michael D. Miselman
Seyfarth Shaw LLP
131 West Dearborn
Suite 2400
Chicago, Illinois 60603
Box 118-MDM

ASSIGNMENT OF RIGHTS OF DECLARANT

DECLARATION FOR ESTATES AT BROOKMERE OWNERS ASSOCIATION

This Assignment of Rights of Declarant (the "Assignment"), made and entered into this 17th day of July, 2007, by Estates at Brookmere, LLC, an Illinois limited liability company ("EAB"),

WITNESSETH:

WHEREAS, by a Declaration For Estates At Brookmere Owners Association (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 31, 2005, as Document No. 0530434006, EAB, as the Declarant named in the Declaration, among other things, (i) submitted certain real estate legally described in Exhibit A attached hereto and made a part hereof to the provisions of the Declaration and (ii) reserved the right to submit certain real estate legally described in Exhibit B attached hereto and made a part hereof to the provisions of the Declaration; and

WHEREAS, pursuant to Section 9.07 of the Declaration, EAB desires to assign its rights as Declarant under the Declaration to Clarion Realty, Inc., an Illinois corporation and receiver appointed for the Enclave at Brookmere Development in that certain case pending in the Circuit Court of Cook County, Illinois, County Department, Chancery Division Docket Number 07 CH 12688 entitled *LaSalle Bank National Association vs. Enclave at Brookmere, LLC* (the "Successor Declarant"), entitling the Successor Declarant to hold and exercise the rights of Declarant under the Declaration as fully as if the Successor Declarant had been named as Declarant in the Declaration; and

WHEREAS, the Successor Declarant is willing to act as Declarant under, and pursuant to the terms of, the Declaration until the first to occur of (i) a subsequent assignment by Successor Declarant of its rights as Declarant pursuant to, and as permitted by, the Declaration, or otherwise and (ii) its resignation or replacement as Receiver as aforesaid, or the termination of the receivership.

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NOW, THEREFORE, for good and valuable consideration, it is hereby agreed as follows:

1. EAB does hereby transfer, set over and assign unto Successor Declarant all of EAB's rights as Declarant under, and pursuant to the terms of, the Declaration, and Successor Declarant does hereby accept such rights.
2. The individual executing this Assignment on behalf of EAB warrants and represents that this Assignment is the valid and binding obligation of and enforceable against, EAB and that EAB has not heretofore assigned its rights as Declarant under the Declaration by operation of law or otherwise.

SIGNATURES AND ACKNOWLEDGEMENTS FOLLOW ON SUBSEQUENT PAGES

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IN WITNESS WHEREOF, EAB and Successor Declarant have caused their respective names to be signed to these presents by their duly designated officials as of the year and date first above mentioned.

EAB:

ESTATES AT BROOKMERE, LLC, an Illinois
limited liability company

By: 

John J. Popp, Jr. Managing Member

SUCCESSOR DECLARANT:

Clarion Realty, Inc., an Illinois corporation, not
personally, but solely as receiver as aforesaid

By: 

Dan Bartok, President

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STATE OF ILLINOIS)
) SS.
 COUNTY OF KANE)

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that John J. Popp, Jr., as Managing Member of Estates at Brookmere, LLC, an Illinois limited liability company (the "Company"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 17 day of July, 2007.



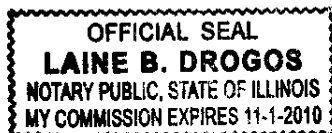
Kari Harrison

Notary Public

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Dan Bartok President of Clarion Realty, Inc., an Illinois corporation, not personally, but solely as receiver as aforesaid (the "Company"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 26 day of July, 2007.



Laine B. Drogos

Notary Public

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EXHIBIT A

(The Premises as defined in the Declaration.)

Lots 1 through 146 in First Resubdivision of Lot 4 in Brookmere, being a subdivision of Lot 4 in Brookmere Subdivision in the East Half of Section 16, Township 35 North, Range 13 East of the Third Principal Meridian in the Village of Matteson, pursuant to the plat thereof recorded August 4, 2004, as Document No. 0421744046 ("Resubdivision of Lot 4").

Outlots A through E, both inclusive in Resubdivision of Lot 4.

ADDRESSES: Various addresses on Bowman Street, Gibson Street, Halloway Street, Henson Court, Lawrence Lane and Stephens Street, all in Matteson, Illinois.

PINs: 31-16-208-002 through and including 033 and 035
31-16-207-001 through and including 027
31-16-206-001 through and including 028
31-16-205-001 through and including 031
31-16-204-001 through and including 032

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EXHIBIT B

(The Development Area as defined in the Declaration.)

All Lots and Outlots in Brookmere Subdivision being a resubdivision of Matteson Commons Subdivision in the East Half of Section 16, Township 35 North, Range 13 East of the Third Principal Meridian, in the Village of Matteson, pursuant to the plat thereof recorded in Cook County, Illinois, on August 28, 2003, as Document No. 0324019012.

Property of Cook County Clerk's Office