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This Recapture Agreement
was prepared by: Tracy Shine, Esq.

After recording, return to:
Carmen Zachery,
Single Family Department
Illinois Housing Development
Authority

401 N. Michigan Ave., Ste., 700
Chicago, IL 60611

Property Identification No.:

14-08-315-036-0000

14-08-315-037-0000

14-08-315-038-0000

14-08-315-039-0000

14-08-315-040-0000

14-08-315-041-0000

14-08-315-042-0000

14-08-315-043-0000

14-08-315-044-0000

14-08-315-045-0000

14-08-315-046-0000

14-08-315-047-0000

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14-08-315-078-0000

14-08-315-079-0000

14-08-315-080-0000

14-08-315-081-0000

14-08-315-082-0000

14-08-315-083-0000

14-08-315-084-0000

14-08-315-085-0000

14-08-315-086-0000

14-08-315-087-0000

14-08-315-088-0000

14-08-315-089-0000

Doc#: 0821134038 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/29/2008 10:13 AM Pg: 1 of 6

Property Identification No.:

14-08-315-036-0000

14-08-315-037-0000

14-08-315-038-0000

14-08-315-039-0000

14-08-315-040-0000

14-08-315-041-0000

14-08-315-042-0000

14-08-315-043-0000

14-08-315-044-0000

14-08-315-045-0000

14-08-315-046-0000

14-08-315-047-0000

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14-08-315-085-0000

14-08-315-086-0000

14-08-315-087-0000

14-08-315-088-0000

14-08-315-089-0000

6 GRANT # 08-087

STF-2823 Rogers Park Homebuyer Program Phase 2

RECAPTURE AGREEMENT

This **RECAPTURE AGREEMENT** (this "Agreement") dated as of the **25th day of July, 2008**, made by Miguel Nova, a single person (the "Owner") whose address is 4846 N. Clark Street, #210N, Chicago, Illinois, in favor of **ILLINOIS HOUSING DEVELOPMENT AUTHORITY**, a body politic and corporate of the State of Illinois ("Grantor") whose address is 401 N. Michigan Avenue, Suite 700, Chicago, Illinois;

WITNESSETH:

WHEREAS, the Owner is the holder of legal title to improvements and certain real property commonly known as 4846 N. Clark Street, #210N, 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 Three Thousand and No/100 Dollars (\$3,000.00) (the "Grant"), the proceeds of which are to be used for down payment and closing cost assistance; 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.

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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 inheritance to a co-owner of the Residence or by operation of law upon the death of a joint tenant Owner, or (ii) the Owner ceases to occupy the Residence as his principal residence within this five (5) year period, the Owner shall pay to Grantor the entire amount of the Grant ("Repayment").

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:

- a) Declare any Repayment 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.

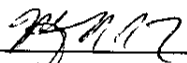
No delay on the part of Grantor in exercising any rights under this Agreement, failure to exercise such rights or the exercise of less than all of its rights under this Agreement shall operate as a waiver of such rights. Grantor's remedies are cumulative and the exercise of one shall not be deemed an 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 (5th) 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:



 Miguel Nova


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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ACKNOWLEDGMENT

I, the undersigned, a notary public in and for the State and County aforesaid, certify that Miguel Nova, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and official seal this **25th day of July, 2008.**


"OFFICIAL SEAL"
HILDA SANCHEZ Notary Public
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 08/07/2010

Property of Cook County Clerk's Office

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EXHIBIT A – RECAPTURE AGREEMENT

LEGAL DESCRIPTION OF RESIDENCE

UNIT 210N IN KINETIC LOFTS AT RAINBO VILLAGE CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

THAT PART OF THE WEST 107 FEET OF LOT 1 AND ALL OF LOTS 2, 3, 4, 5, 6, 7 AND 8 IN BLOCK 1 IN KEENEY'S ADDITION TO RAVENSWOOD, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TAKEN AS A TRACT AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, AFORESAID; THENCE NORTH 89°42'29" WEST ALONG THE SOUTH LINE OF LOT 8, AFORESAID, 240.31 FEET; THENCE NORTH 00°17'31" EAST, 10.86 FEET; THENCE SOUTH 89°42'29" EAST, 35.38 FEET; THENCE NORTH 00°02'01" EAST, 72.85 FEET; THENCE SOUTH 89°42'29" EAST, 9.08 FEET; THENCE NORTH 00°02'01" EAST, 187.74 FEET; THENCE NORTH 89°46'55" WEST, 10.50 FEET; THENCE NORTH 00°02'01" EAST, 102.12 FEET; THENCE SOUTH 89°46'55" EAST, 8.86 FEET; THENCE SOUTH 00°02'01" WEST, 17.24 FEET; THENCE SOUTH 89°46'55" EAST 41.14 FEET TO A POINT ON A LINE DRAWN 105.50 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE NORTH-SOUTH PUBLIC ALLEY LYING WEST OF AND ADJOINING SAID LOTS 1 TO 8, INCLUSIVE; THENCE NORTH 00°02'01" EAST, ALONG SAID PARALLEL LINE, 30.68 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 89°47'13" EAST ALONG THE NORTH LINE OF LOT 1, AFORESAID, 1.50 FEET TO THE EAST LINE OF THE WEST 107 FEET OF SAID LOT 1; THENCE SOUTH 00°02'01" WEST ALONG THE EAST LINE OF THE WEST 107 FEET OF LOT 1, AFORESAID, 36.90 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE SOUTH 89°49'19" EAST ALONG THE NORTH LINE OF LOT 2, AFORESAID, 132.76 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 03°33'48" EAST ALONG THE EAST LINE OF LOTS 2 TO 8, INCLUSIVE, 351.22 FEET TO THE POINT OF BEGINNING;

ALSO,

THAT PART THE WEST 107 FEET OF LOT 10 IN BLOCK 1 IN INLEDEW'S ADDITION TO RAVENSWOOD, IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 00°02'01" WEST ALONG THE WEST LINE OF LOT 10, AFORESAID, 49.06 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89°46'55" EAST, ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 7.86 FEET; THENCE NORTH 00°02'01" EAST, 8.75 FEET; THENCE SOUTH 89°46'55" EAST, 16.33 FEET; THENCE NORTH 00°02'01" EAST, 13.07 FEET; THENCE SOUTH 89°46'55" EAST, 40.17 FEET; THENCE NORTH 00°02'01" EAST, 4.55 FEET; THENCE SOUTH 89°46'55" EAST 41.14 FEET TO A LINE DRAWN 105.50 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE NORTH-SOUTH PUBLIC ALLEY LYING WEST OF AND ADJOINING SAID LOT 10; THENCE SOUTH 00°02'01" WEST, ALONG SAID PARALLEL LINE, 27.32 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE SOUTH 89°47'13" EAST ALONG THE SOUTH LINE OF LOT 10, AFORESAID, 1.50 FEET TO THE EAST LINE OF THE WEST 107 FEET OF SAID LOT 10; THENCE NORTH 00°02'01" EAST ALONG THE EAST LINE OF THE WEST 107 FEET OF LOT 10, AFORESAID, 50.01 FEET TO THE NORTH LINE OF SAID LOT 10; THENCE NORTH 89°46'55" WEST ALONG THE NORTH LINE OF LOT 10, AFORESAID, 107.00 FEET TO THE POINT OF BEGINNING;

EXCEPT,

(Street Level commercial in North Building)

THAT PART OF THE WEST 107 FEET OF LOT 1 AND ALL OF LOTS 2, 3, 4, 5, 6, 7 AND 8 IN BLOCK 1 IN KEENEY'S ADDITION TO RAVENSWOOD, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD

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PRINCIPAL MERIDIAN, TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +40.33 FEET CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +22.90 FEET CHICAGO CITY DATUM AND FALLING WITHIN THE BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, AFORESAID; THENCE NORTH 03°33'48" WEST, ALONG THE EAST LINE OF LOTS 5, 6, 7 AND 8, AFORESAID, 189.87 FEET TO THE POINT OF BEGINNING; THENCE NORTH 03°33'48" WEST, ALONG THE EAST LINE OF LOT 2, 3, 4 AND 5, AFORESAID, 161.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89°49'19" WEST ALONG THE NORTH LINE OF LOT 2, AFORESAID, 39.33 FEET; THENCE SOUTH 00°10'41" WEST, 81.10 FEET; THENCE SOUTH 89°49'19" EAST, 21.24 FEET; THENCE SOUTH 43°35'22" WEST, 17.69 FEET; THENCE SOUTH 89°57'59" WEST, 0.80 FEET; THENCE SOUTH 00°02'01" WEST 67.05 FEET; THENCE SOUTH 89°49'19" EAST, 83.89 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT,

PARCEL 1 (Street Level commercial in South Building)

THAT PART OF THE WEST 107 FEET OF LOT 1 AND ALL OF LOTS 2, 3, 4, 5, 6, 7 AND 8 IN BLOCK 1 IN KEENEY'S ADDITION TO RAVENSWOOD, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TAKEN AS A TRACT, LYING BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +40.27 FEET CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +22.85 FEET CHICAGO CITY DATUM AND FALLING WITHIN THE BOUNDARY PROJECTED VERTICALLY AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, AFORESAID; THENCE NORTH 03°33'48" WEST, ALONG THE EAST LINE OF LOTS 5, 6, 7 AND 8, AFORESAID, 163.37 FEET; THENCE NORTH 89°42'29" WEST, 85.63 FEET; THENCE SOUTH 00°02'01" WEST, 65.92 FEET; THENCE SOUTH 89°57'59" EAST, 1.27 FEET; THENCE SOUTH 43°34'48" EAST, 17.47 FEET; THENCE SOUTH 89°42'29" EAST, 21.27 FEET; THENCE SOUTH 00°17'31" WEST, 41.83 FEET; THENCE NORTH 89°42'29" WEST, 6.44 FEET; THENCE SOUTH 00°17'31" WEST, 42.67 FEET TO THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 89°42'29" EAST ALONG THE SOUTH LINE OF LOT 8, AFORESAID, 68.13 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT THAT PART OF THE FOLLOWING 2 PARCELS TAKEN AS A TRACT:

PARCEL 1

THE WEST 107 FEET OF LOT 1 IN BLOCK 1 IN KEENEY'S ADDITION TO RAVENSWOOD, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO,

PARCEL 2

THE WEST 107 FEET OF LOT 10 IN BLOCK 1 IN INGLEDEW'S ADDITION TO RAVENSWOOD, IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN SAID PART DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 10 THENCE SOUTH 89°46'55" EAST, ALONG THE NORTH LINE OF LOT 10 AFORESAID, 107.00 FEET; THENCE SOUTH 00°02'01" WEST, 86.91 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89°49'19" WEST, 51.50 FEET ALONG THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 00°02'01" EAST, 23.50 FEET; THENCE SOUTH 89°46'55" EAST, 8.86 FEET; THENCE SOUTH 00°02'01" WEST, 17.24 FEET; THENCE SOUTH 89°46'55" EAST, 41.14 FEET; THENCE NORTH 00°02'01" EAST, 58.00 FEET; THENCE NORTH 89°46'55" WEST, 41.14 FEET; THENCE SOUTH 00°02'01" WEST, 4.55 FEET; THENCE NORTH 89°46'55" WEST, 40.17 FEET; THENCE SOUTH 00°02'01" WEST, 13.07 FEET; THENCE NORTH 89°46'55" WEST, 16.33 FEET; THENCE SOUTH 00°02'01" WEST, 8.75 FEET; THENCE NORTH 89°46'55" WEST, 7.86 FEET TO THE WEST LINE OF LOT

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10 AFORESAID; THENCE NORTH 00°02'01" EAST, ALONG THE WEST LINE OF LOT 10 AFORESAID 49.06 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT "E" TO THE DECLARATION OF CONDOMINIUM RECORDED September 11, 2007 AS DOCUMENT 0725415119, AMENDMENT TO CORRECT THE DECLARATION OF CONDOMINIUM RECORDED December 04, 2007 AS DOCUMENT 0733809027, FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM RECORDED January 07, 2008 AS DOCUMENT 0800731091, ADD-ON AMENDMENT TO DECLARATION OF CONDOMINIUM PURSUANT TO THE CONDOMINIUM PROPERTY ACT KENETIC LOFTS AT RAINBO VILLAGE CONDOMINIUM RECORDED JUNE 09, 2008 AS DOCUMENT 0816144006 AND AS MAY BE FURTHER AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

UNDERLYING PINS: 14-08-315-036-0000; 14-08-315-037-0000; 14-08-315-038-0000; 14-08-315-039-0000; 14-08-315-044-0000 AND 14-08-315-046-0000 (AFFECT THE LAND AND OTHER PROPERTY)

COMMONLY KNOWN AS: 4846 N. CLARK ST., UNIT 210N, CHICAGO, IL 60640

Property of Cook County Clerk's Office