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This document prepared by  
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Doc#: 1315412023 Fee: \$48.00  
RHSP Fee: \$10.00 Affidavit Fee:  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 06/03/2013 09:12 AM Pg: 1 of 6

Vincent M. Rosanova, Esq.  
Rosanova & Whitaker, Ltd.  
23 W. Jefferson Avenue  
Suite 200  
Naperville, Illinois 60540

**ASSIGNMENT OF DECLARANT'S RIGHTS**  
(Park Avenue Estates Subdivision)

THIS ASSIGNMENT OF DECLARANT'S RIGHTS ("Assignment") is made, without warranty or representation, as of this 7 day of MAY, 2013 (the "Effective Date"), by Northstar Trust Company as Successor Trustee to Harris N.A., Successor Trustee to Harris Trust and Savings Bank, as Trustee, Under Trust Agreement Dated September 29, 1998 and Known as Trust Number L-718 ("Trust L-718") and George A. Amend, Inc., an Illinois corporation (jointly and severally, the "Assignor") to K. Hovnanian T & C Homes at Illinois, L.L.C., an Illinois limited liability company d/b/a Town & Country Homes (the "Assignee").

RECITALS

A. Assignor is the Declarant and Developer under that certain Declaration of Covenants, Conditions and Restrictions for Park Avenue Homeowner's Association recorded on December 11, 2006, as Document Number 0634522088 in the official land records of Cook County, Illinois (the "Declaration"), which Declaration affects the real property described on Exhibit "A" attached hereto (the "Property").

B. Pursuant to the certain Purchase Agreement dated December 31, 2012 (the "Contract") by and between Northstar Trust Company as Trustee u/t/a dated September 29, 1998 and known as Trust No. 718, and K. Hovnanian T & C Homes at Illinois, L.L.C., an Illinois limited liability company d/b/a Town & Country Homes, the property has been conveyed by Assignor to Assignee.

C. Assignor desires to assign to Assignee, and Assignee desires to acquire from Assignor, all rights and interests of Assignor as Declarant under the Declaration.

AGREEMENT

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# UNOFFICIAL COPY

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee hereby agree as follows:

1. Assignment of Declarant Interest. Assignor hereby grants, transfers and assigns to Assignee any and all right, title and interest which Assignor now has as the Declarant under the Declaration without representation or warranty.
2. Assumption of Declarant Interest. Assignee hereby assumes and agrees to perform the obligations of Assignor as Declarant under the Declaration which accrue and are attributable to the period from and after the Effective Date with respect to obligations affecting the Property but not any other property that is the subject of the Declaration.
3. Counterparts. This Assignment may be executed in identical counterparts, which shall be taken together as a single instrument.
4. Governing Law. This Assignment shall be governed and interpreted in accordance with the laws of the State of Illinois.
5. Third-Party Beneficiaries. This Assignment of Declarant's Rights is made and entered into for the sole protection and benefit of the parties hereto and thereto, and no other person or entity shall be a direct or indirect beneficiary of, or shall have any direct or indirect cause of action or claim as a beneficiary in connection with this Assignment or the Declaration.

IN WITNESS WHEREOF, and intending to be legally bound hereby, Assignor and Assignee have caused executed these presents, as of the day and year first above written.

**ASSIGNOR:**

NORTHSTAR TRUST COMPANY, not personally, but as Successor Trustee to Harris N.A., Successor Trustee to Harris Trust and Savings Bank, As Trustee, Under Trust Agreement Dated September 29, 1998 and Known as Trust Number L-718

GEORGE A. AMEND, INC.,  
an Illinois corporation

By: 

By: 

Its: Beneficiary

Its: PRESIDENT

STATE OF ILLINOIS ) SS.  
COUNTY OF Cook )

# UNOFFICIAL COPY

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that George A. Amend (name), \_\_\_\_\_ (title) of Northstar Trust Company, as Successor Trustee to Harris N.A., Successor Trustee to Harris Trust and Savings Bank, as Trustee, Under Trust Agreement Dated September 29, 1998 and Known as Trust Number L-718, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that as such \_\_\_\_\_ of Northstar Trust Company, he/she signed, sealed and delivered the said instrument, as the free and voluntary act and deed of Northstar Trust Company, and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF ILLINOIS ) SS.  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that GEORGE A. AMEND (name), \_\_\_\_\_ (title) of George A. Amend, Inc., an Illinois corporation, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that as such \_\_\_\_\_ of said corporation, he/she signed, sealed and delivered the said instrument, as the free and voluntary act and deed of said corporation, and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of May, 2013.

[Signature]  
\_\_\_\_\_  
NOTARY PUBLIC

Property of Clerk's Office

# UNOFFICIAL COPY

**ASSIGNEE:**

K. HOVNANIAN T & C HOMES AT ILLINOIS,  
L.L.C., an Illinois limited liability company  
d/b/a Town & Country Homes

By: K. Hovnanian Developments of Illinois, Inc.,  
an Illinois Corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_ (name), \_\_\_\_\_ (title) of K. Hovnanian Developments of Illinois, Inc., an Illinois corporation, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that as such \_\_\_\_\_ of said corporation, he/she signed, sealed and delivered the said instrument, as the free and voluntary act and deed of said corporation, and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
NOTARY PUBLIC

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**COOK COUNTY**  
**RECORDER OF DEEDS**  
**SCANNED BY \_\_\_\_\_**

**COOK COUNTY**  
**RECORDER OF DEEDS**  
**SCANNED BY \_\_\_\_\_**

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****LEGAL DESCRIPTION**

LOTS 2, 3, 6, 7, 11, 13, 14, 15, 16 AND 17 IN PARK AVENUE ESTATES SUBDIVISION, BEING A SUBDIVISION OF CERTAIN LOTS IN THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 13, 2006 AS DOCUMENT 0610331038 AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JANUARY 17, 2007 AS DOCUMENT 0701755208, IN COOK COUNTY, ILLINOIS.

**ADDRESS:****PINS:**

1402 WEST HILL ROAD, PALATINE, IL	02-09-104-025-0000
1326 N. DEER, PALATINE, IL	02-09-104-026-0000
1316 PARK, PALATINE, IL	02-09-105-036-0000
1322 PARK, PALATINE, IL	02-09-105-037-0000
1317 N. DEER, PALATINE, IL	02-09-105-041-0000
1384 W. HILL, PALATINE, IL	02-09-105-043-0000
1390 W. HILL, PALATINE, IL	02-09-105-044-0000
1396 W. HILL, PALATINE, IL	02-09-105-045-0000
1321 PARK, PALATINE, IL	02-09-105-035-0000
1327 PARK, PALATINE, IL	02-09-106-035-0000