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This instrument was prepared by: Barack Ferrazzano Kirschbaum & Nagelberg LLP 200 West Madison Street, Suite 3900 Chicago, Illinois 60606 Attn: Alexander Roitman, Esq.

After recording return to: DLA Piper LLP (US) 203 North LaSalle, Suite 1900 Chicago, Illinois 60601 Attn: Merle Cowin



Doc#: 1408639083 Fee: \$56.00 RHSP Fee: \$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds

Date: 03/27/2014 02:20 PM Pg: 1 of 10

AS SIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS

WALTON ON THE PARK SOUTH

This Assignment and Assumption of Declarant Rights for Walton on the Park South ("Assignment") is entered into with reference to the following facts and matters:

- A. Reference is made to the following "Persons":
- Delaware Tower South LLC a Michigan limited liability company ("Residential Tower Seller"), Delaware Commercial South LLC, a Michigan limited liability company ("Retail Seller") and Delawar: Community Association LLC, a Michigan limited liability company ("Parking Seller") together with Residential Tower Seller and Retail Seller, are sometimes collectively reterred to herein as "Seller");
- 2 W Delaware Residences, LLC, a Delaware limited liability company ("Residential Tower Buyer"); 2 West Delaware Retail LLC, 2 Delaware limited liability company ("Retail Buyer"); 2 West Delaware Commercial Farking, LLC, a Delaware limited liability company ("Parking Buyer"); (Residential Tower Buyer, Retail Buyer and Parking Buyer are sometimes collectively referred to herein 23 "Buyer").
- B. Reference is made to that certain Agreement for Purchase and Sale dated December 3, 2013, as amended (the "Agreement") by and between Seller and CH Acquisitions 2, LLC, a Delaware limited liability company (the interest of CH Acquisitions 2, LLC in the Agreement having been assigned to Buyer and certain affiliated entities thereto) for the purchase and sale of certain property described in the Agreement, including the property described on Exhibit A attached hereto ("Property").

Seller, upon acquiring the Property, also acquired certain rights as "Declarant" or "developer" under various recorded documents affecting the Property ("Declarant Rights"). For good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the date hereof, each applicable entity constituting Seller, as holder of the Declarant Rights, hereby sells, assigns, transfers, and sets over unto each applicable entity constituting Buyer, all right, title and interest of Seller in the Declarant Rights under the following documents:

(1) that certain Declaration of Condominium Pursuant to the Condominium Property Act for Walton on the Park South Condominiums dated as of May 20, 2010, recorded with Cook County Recorder of Deeds on May 27, 2010 as Document No. 1014716029, as amended by (i) that certain First Amendment to Declaration of Condominium Pursuant to the 10

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Illinois Condominium Property Act for Walton on the Park South Condominiums by Walton on the Park South LLC, an Illinois limited liability company dated as of July 8, 2010 and recorded with the Cook County Recorder of Deeds on July 19, 2010 as Document No. 1020039084 and rerecorded on August 18, 2010 as Document No. 1023010047, and (ii) that certain Amendment to Declaration of Condominium Pursuant to the Condominium Property Act for Walton on the Park South Condominiums (504 – 2805) (Storage Locker Exchange) between Patrick Devereux and Residential Tower Seller dated July 19, 2011 and recorded October 17, 2011 with the Cook County Recorder of Deeds as Document Number 1129029068 (said Declaration of Condominium Pursuant to the Condominium Property Act for Walton on the Park South, as so amended is referred to herein as the "Declaration"); and

(2) that certain Declaration of Covenants, Conditions, Restrictions and Easements: Reciprocal Easement Agreement dated as of May ___, 2010, recorded with the Cook County Recorder of Deeds on May 27, 2010 as Document No. 1014716028 ("Walton South PTA").

This Assignment is executed, delivered and accepted as an absolute conveyance of all of:

- (1) Residential Tower Serier's Declarant Rights under the Declaration and the Illinois Condominium Property Act to Residential Tower Buyer;
- (2) Residential Tower Seller's Declarant Rights under the Walton South REA to Residential Tower Buyer;
- (3) Retail Seller's Declarant Rights under the Walton South REA to Retail Buyer; and
- (4) Parking Seller's Declarant Rights under the Walton South REA to Parking Buyer.

Each entity constituting Buyer hereby severally assumes a'n ot ligations as to the Declarant Rights arising or accruing from and after the date hereof as follows:

- (1) Residential Tower Buyer as to the Declarant Rights under the Declaration;
- (2) Residential Tower Buyer as to Residential Tower Seller's Declarant Rights under the Walton South REA;
- (3) Retail Buyer as to Retail Seller's Declarant Rights under the Walton Sout', KEA; and
- (4) Parking Buyer as to Parking Seller's Declarant Rights under the Walton South REA.

This Assignment is governed by Illinois law.

This Assignment may be signed or otherwise authenticated in any number of counterparts and by different parties to this Assignment on separate counterparts, each of which, when so authenticated, shall be deemed an original, but all such counterparts shall constitute one and the same Assignment. For purposes of negotiating and finalizing this Assignment (including any subsequent amendments thereto), any signed instrument transmitted by any electronic method of distribution shall be treated in all manner and respects as an original document.

[Remainder of this page is intentionally left blank]

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IN WITNESS WHEREOF, and intending to be legally bound hereby, Seller has executed and delivered this Assignment and Assumption of Declarant Rights dated March 2/4, 2014.

Delaware Tower South LLC, a Michigan limited liability company

By: Kevin M. Fox, Authorized Signatory

STATE OF Michigan) SS.
COUNTY OF ham)

I, Land C. Vandewall , a Notary Public in and for said County, in the State aforesaid, do hereby certify that Kevin M. Fox, as Authorized Signatory of Delaware Tower South LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me and acknowledged that he signed and delivered said instrument as his free and voluntary act and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this day of 21st. day of March, 2014.

Notary Public

My Commission Expires:

Aug 8, 2018

DIANA C. VANDER, YALL NOTARY PUBLIC, STATE OF WI COUNTY OF INGHAM MY COMMISSION EXPIRES AUG 8, 207.

ACTING IN COUNTY OF INGHAM

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Delaware Commercial South LLC, a Michigan limited liability company,

r. Min M

Kevin M. Fox, Authorized Signatory

STATE OF Michigan) ss. county of Insham)

Notary Public

My Commission Expires:

Aug 8, 2014

DIAN* C. VANDERWALL
NOTA! Y TUBLIC, STATE OF MI
CCUINTY TO INGHAM
MY COMMISSION FURIES AUG 8, 2018
ACTING IN COUNTY OF INGHAM

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Delaware Community Association LLC, a Michigan limited liability company

By:

Kevin M. Fox, Authorized Signatory

STATE OF Michigan) SS. COUNTY OF Insham)

I, ________, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Kevin M. Fox, as Authorized Signatory of Delaware Community Association LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me and acknowledged that he signed and delivered said instrument at his free and voluntary act and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN under my hand and novaial seal this day of 21st day of Morch, 2014.

Notary Public

My Commission Expires:

Aug 8, 2018

DIANA C. VANDERWALL
NOTAF, / CUPLIC, STATE OF MI
COLIN, / OF INGHAM
MY COMMISSICA EYARES AUG 8, 2018
ACTING IN COUNTY OF NGHAM

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Acceptance:

Buyer hereby accepts such assignment and agrees to be bound by the terms thereof.

2 W DELAWARE RETAIL, LLC, a Delaware limited liability company

	a Dela	wate infilted hability company
	By:	2 W Delaware Holdings, LLC, a Delaware limited liability company, its Member and Manager
		By: Jason B. Buchberg, President
STATE OF LOOK SS.		
COUNTY OF LOOK) SS.		
1. DONDA E. ASBRIBGE		a Notary Public in and for said County, in the
LLC, personally known to me to be the sar	n R. Bi ne pers	or whose name is subscribed to the foregoing d that he signed and delivered said instrument
as his free and voluntary act and as the free purposes therein set forth.	and vo	oluntary act of said company, for the uses and
GIVEN under my hand and notarial	seal thi	is day of, 2014.
		Donne t. allings
		Notary Public
My Commission Expires:		
6-21-14		OFFICIAL SEAL

Notary Public - State of Illinois My Commission Expires Jun 21, 2014 1408639083 Page: 7 of 10

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2 W DELAWARE RESIDENCES, LLC, a

	Delaw	Delaware limited liability company		
	Ву:	2 W Delaware Holdings, LLC, a Delaware limited liability company, its Member and Manager		
A COA		By: Jason R. Buchberg, President		
STATE OF TO SOLO				
COUNTY OF COOK) SS.		a Notary Public in and for said County, in the		
Residences, LLC, personally known to matthe foregoing instrument, appeared before	Jason R e to be to e me and a	the same person whose name is subscribed to d acknowledged that he signed and delivered as the free and voluntary act of said company,		
		Daniet Asbridge		
		Notary Public		
My Commission Expires: 6.2/-/4	DON: Notary P	FFICIAL SEAL NA K. ASBRIDGE ublic - State of Illinois sion Expires Jun 21, 2014		
		C		

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2 W DELAWARE COMMERCIAL PARKING,

LLC, a Delaware limited liability company

			, I
	Ву:		Delaware Holdings, LLC, a Delaware d liability company, its Member and ger Jason R. Buchberg, President
STATE OF Duidod) SS.			
State aforesaid, do hereby cert fy that J. Commercial Parking, LLC, personally kn subscribed to the foregoing instrument as his free a said company, for the uses and purposes the GIVEN under my hand and notarial	ason R lown to peared and volu	Buch me to before ntary a forth.	be the same person whose name is me and acknowledged that he signed ct and as the free and voluntary act of day of March, 2014. March, 2014.
My Commission Expires:		Notai	ry Public
6.21.14	DONN/ Notary Pub	FICIAL SE A K. ASBI Dilic - State on Expires	RIDGE

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EXHIBIT A

LEGAL DESCRIPTION

All units located on the property as created by, and delineated on the plat of condominium attached as Exhibit "D" to, the Declaration of Condominium for the Walton on the Park South Condominiums recorded with the Cook County Recorder of Deeds on May 27, 2010 as document number 1014716029, as amended from time to time, such units being identified therein UNITS 301, 302, 303, 304, 401, 402, 403, 404, 501, 502, 503, 504, 601, 602, 603, 604, 701, 702, 703, 704, 801, 802, 803, 804, 805, 806, 807, 808, 901, 902, 903, 904, 905, 906, 907, 908, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2701, 2802, 2803, 2804, 2805, 2806, 2807, 2901, 2902, 2904, 2905, 2906, 2907, 3001, 3002, 3002, 3005, 3006, 3007, 3101, 3102, 3104, 3105, 3106, 3107, GU-1 through and including GU-21, UU-23 through and including GU-164; GU-167; GU-168; GU-169; GU-173; GU-175 through and i cluding GU-199; GU-201 through and including GU-226; GU-228, GU-229, GU-231 through and including GU-291; GU-293, GU-295, GU-296, GU-298 through and including GU-319; GU-321 through and including GU-338; GU-340, GU-341; and GU-342, also known as Lot 5 in Walton on the Park Subdivision, recorded September 10, 2008 as Document Number 0825418053, in the East Hr!f of the Southeast Quarter of Section 4 and in the South Fractional Half of Section 3, all in Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey is attached to the Declaration of Condominium made by Walton on the Park South, LLC, an Illino's limited liability company and recorded in the office of the Recorder of Deeds of Cook County, Illinois as same is amended from time to time, together with its undivided interest in the common elements in Cook County, Illinois.

Lot 2 in Walton on the Park South Subdivision recorded July 27, 2010 as Document Number 1020834063, a Resubdivision of lot 5 of Walton on the Park Subdivision recorded September 10, 2008 as Document Number 0825418053, in the East 1/2 of the Southeast 1/4 of Section 4, and in the South Fractional 1/2 of Section 3, all in Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Lot 3 in Walton on the Park South Subdivision recorded July 27, 2010 as document number 1020834063, a resubdivision of Lot 5 of Walton on the Park Subdivision, recorded September 10, 2008 as document no. 0825418053, in the East 1/2 of of the Southeast 1/4 and in the South Fractional 1/2 of Section 3, all in Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

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Commonly known as: 2 West Delaware Place, Chicago, Illinois 60610

PINs: 17-04-435-034-1001 through 17-04-435-034-1528; 17-04-435-033-0000; 17-04-435-032-

0000

