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THIS INSTRUMENT PREPARED BY:



Victoria C. Bresnahan
MELTZER, PURTILL & STELLE LLC
300 South Wacker Drive, Suite 3500
Chicago, Illinois 60606-6704

Doc#: 1414942062 Fee: \$60.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/29/2014 11:30 AM Pg: 1 of 12

8852641029K
PB AND J IV

Mail to
John May
Howard Katner
222 W. La Salle
Suite 805
Chgo Ill 60606

RECORDER'S USE ONLY

ASSIGNMENT OF RIGHTS OF DECLARANT

THIS ASSIGNMENT OF RIGHTS OF DECLARANT is entered into as of the 12th day of MAY, 2014, between PB AND J IV, LLC, an Illinois limited liability company ("Assignor") and M/I HOMES OF CHICAGO, LLC, a Delaware limited liability company ("Assignee").

RECITALS:

Assignor and Pulte Home Corporation, a Michigan corporation ("Pulte"), as Declarants, caused that certain Community Declaration for Arlington Crossings and Arlington Market to be recorded with the Cook County Recorder of Deeds as Document No. 1035144040 on December 17, 2010, and which was amended by the Special Amendment to the Declaration recorded with the Cook County Recorder of Deeds on July 21, 2011 as Document No. 1120211081 ("Special Amendment").

Pursuant to the Declaration, Assignor was a Declarant under the Declaration ("Declarant's Rights") in and to that portion of the Premises which is legally described in **Exhibit A** attached hereto and incorporated herein by reference ("Arlington Parcel"). Pulte was the Declarant for the balance of the Premises.

Assignor and Assignee are parties to that certain Purchase and Sale Agreement dated Aug 19, 2013, as amended from time to time (the "Contract"), whereby Assignor will convey and Assignee will purchase in phases the real estate more particularly described on **Exhibit A-1** attached hereto and incorporated herein by reference (the "Contract Property").

In connection with such conveyances, Assignor and Assignee agree and desire that Assignee shall succeed to the rights of "Declarant" pursuant to the terms of the Declaration and Assignor now wishes to assign all of its rights as "Declarant" under the Declaration to Assignee. Further, Assignor has provided for the assignment of its membership interest in the Community Association and has resigned as Co-Manager of the Community Association. Assignee has been appointed as Co-Manager of the Community Association.

Box 400-CTCC

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NOW, THEREFORE, in consideration of Recitals set forth above, which are incorporated by reference herein, and the mutual covenants and agreements of the parties hereinafter set forth, the parties hereto mutually covenant and agree as follows:

1. Assignment. Pursuant to Section 12.05 of the Declaration, Assignor does hereby sell, assign, transfer, set over, grant, bargain and convey unto Assignee, its successors and assigns, Assignor's right, title and interest as Declarant and Developer under the Declaration with respect to all Declarant's Rights thereunder.

2. Authority. Each party represents and warrants to the other party that it has full power and authority to enter into this Assignment.

3. Acceptance. Assignee hereby accepts the assignment from Assignor; provided that Assignee does not hereby assume any obligations of Assignor under the Declaration which are past due and shall not be responsible for any liability of Assignor arising from the exercise of the rights and powers granted or assumed to the Declarant under the Declaration in and to the Contract Property. Further, Assignee does not assume Assignee's responsibility to pay Community Assessments on Phase 2 of the Contract Property (as defined in Exhibit A-1) not yet conveyed to Assignee until such time as Phase 2 of the Contract Property is conveyed and then only to those Community Assessments due thereafter.

4. Owner. Assignor, in executing this Assignment, does hereby warrant that it is the owner of all right, title and interest of the Declarant under said Declaration and that its interest therein is subject to no liens, claims and/or encumbrances, except as consented to herein.

5. Additional Documents. Assignor hereby covenants and agrees that Assignor shall execute and deliver to Assignee upon demand from time to time any further instrument or instruments which are reasonably necessary to reaffirm, correct and/or perfect the assignment and transfer to Assignee of its rights and privileges under the Declaration.

6. Governing Law. This Assignment shall be construed and enforced in accordance with and governed by the laws of the State of Illinois.

7. Binding Effect. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, personal representatives, successors and assigns.

8. Counterparts. This Assignment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

[Signature page follows]

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IN WITNESS WHEREOF Assignee and Assignor have executed this Assignment as of the date first above written.

ASSIGNOR:

PB AND J IV, LLC,
an Illinois limited liability company

By: Parkway Bank and Trust Company,
sole member

By: 
Name: _____
Title: **MARK A. SHEKERJIAN**
EXECUTIVE VICE PRESIDENT

ASSIGNEE:

M/I HOMES OF CHICAGO, LLC, a Delaware
limited liability company

By: _____
Authorized Officer

By: _____
Ronald Martin, Area President

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IN WITNESS WHEREOF Assignee and Assignor have executed this Assignment as of the date first above written.

ASSIGNOR:

PB AND J IV, LLC,
an Illinois limited liability company


By: Parkway Bank and Trust Company,
sole member

By: _____
Name: _____
Title: _____

ASSIGNEE:

M/I HOMES OF CHICAGO, LLC, a Delaware
limited liability company

By: 
Authorized Officer

By: 
Ronald Martin, Area President

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

Subscribed and sworn to before me this _____ day of _____, 20__ by _____, known to me to be the _____ of PB and J IV, LLC, an Illinois limited liability company, who signed this instrument as such _____ on behalf of such sole member and limited liability company as his/her free and voluntary act, and as the free and voluntary act of the limited liability company.

Witness my hand and official seal
My commission expires

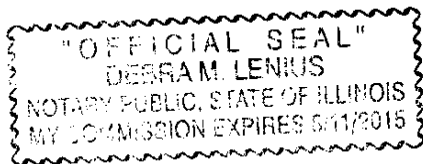
Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF ~~COOK~~)
 W.II

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Matthew J. Pagoria, the Authorized Officer of M/I Homes of Chicago, LLC, (the "Company") and Ronald Martin, the Area President of the Company personally known to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their 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 8th day of May, 2014.

Notary Public

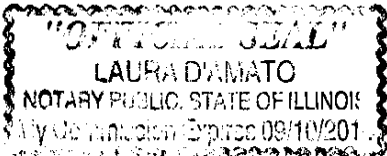


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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

Subscribed and sworn to before me this 14th day of Nov, 2014 by Mark A. Smorkal, known to me to be the Executive Vice Pres of PB and J IV, LLC, an Illinois limited liability company, who signed this instrument as such _____ on behalf of such sole member and limited liability company as his/her free and voluntary act, and as the free and voluntary act of the limited liability company.

Witness my hand and official seal
My commission expires 9/10/14



Laura Damato
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 _____, the Authorized Officer of M/I Homes of Chicago, LLC, (the "Company") and Ronald Martin, the Area President of the Company personally known to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their 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 _____ day of _____, 2014.

Notary Public

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CONSENT OF MORTGAGEE

Parkway Bank and Trust Company, as holder of a mortgage dated February 15, 2007, and recorded in the office of the Recorder of Deeds of Cook County, Illinois, on February 28, 2007, as Document No. 0705918072, with respect to the Premises, hereby consents to the recording of the Declaration to which this Consent is attached and agrees that its mortgage shall be subject to the terms of this Declaration.

Dated: May 4, 2014

PARKWAY BANK AND TRUST COMPANY

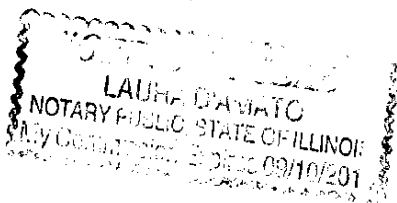
By: [Signature]
Its: [Signature]
MARK A. SHEKERIAN
EXECUTIVE VICE PRESIDENT

STATE OF ILLINOIS)
) SS.
COUNTY OF _____)

The undersigned, a Notary Public in and for said County and State, do hereby certify that Mark A. Shekerian the Executive Vice President of Parkway Bank and Trust Company (the "Mortgagee"), appeared before me this day in person and acknowledged that [he][she] signed, sealed and delivered said instrument as [his][her] free and voluntary act, and as the free and voluntary act of the Mortgagee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4th day of May, 2014

[Signature]
Notary Public



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EXHIBIT A

LEGAL DESCRIPTION OF ARLINGTON PARCEL

ARLINGTON PARCEL

PARCEL 1:

LOTS 16 TO 52, 57, 58 AND LOT A AND LOT B IN ARLINGTON MARKET, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT NUMBER 0721144016 IN COOK COUNTY, ILLINOIS ("ARLINGTON MARKET SUBDIVISION").

PARCEL 2:

LOTS 3 TO 15, 53 TO 56 AND LOT 5 IN ARLINGTON MARKET RESUBDIVISION NO. 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 6, 2008 AS DOCUMENT NUMBER 0806603056 IN COOK COUNTY, ILLINOIS ("ARLINGTON MARKET RESUBDIVISION")

LESS AND EXCEPT FROM PARCEL 1 AND PARCEL 2 THAT PORTION OF SUCH REAL ESTATE WHICH IS INCLUDED IN ARLINGTON CROSSINGS SUBDIVISION, BEING A RESUBDIVISION OF ARLINGTON MARKET, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, PURSUANT TO THE PLAT THEREOF RECORDED IN COOK COUNTY, ILLINOIS ON FEBRUARY 28, 2007, AS DOCUMENT NO. 0705915065 AND CORRECTED BY DOCUMENT NO. 0721144016 RECORDED IN COOK COUNTY ILLINOIS ON JULY 30, 2007, PURSUANT TO THE PLAT THEREOF RECORDED IN COOK COUNTY, ILLINOIS ON JUNE 7, 2010, AS DOCUMENT NUMBER 1018229011, IN COOK COUNTY, ILLINOIS.

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EXHIBIT A-1

LEGAL DESCRIPTION OF THE CONTRACT PROPERTY

PROPERTY DESCRIPTION, PHASE ONE:

LOTS 3 THROUGH 15, BOTH INCLUSIVE, IN ARLINGTON MARKET RESUBDIVISION NO. 1, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 6, 2008 AS DOCUMENT NUMBER 0806603056, IN COOK COUNTY, ILLINOIS

ALSO

LOTS 16 THROUGH 39, BOTH INCLUSIVE, AND THAT PART OF LOT A LYING EAST OF LOTS 40 THROUGH 52, BOTH INCLUSIVE, AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 52, IN ARLINGTON MARKET, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT NUMBER 0721144016, IN COOK COUNTY, ILLINOIS.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET RECORDED DECEMBER 17, 2010 AS DOCUMENT 1035144040 FOR PUBLIC UTILITIES; VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS; USE AND ENJOYMENT OF THE COMMUNITY AREA AND UTILITY MAINTENANCE AREAS LOCATED WITHIN THE COMMUNITY AREAS OF THE LAND DESCRIBED ON EXHIBIT 'A' ATTACHED THERETO.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION AND RESERVATION OF EASEMENTS RECORDED NOVEMBER 03, 2010 AS DOCUMENT NUMBER 1030733127 FOR PUBLIC AND PRIVATE UTILITIES AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER LOTS C, D, E AND F IN ARLINGTON CROSSINGS SUBDIVISION, BEING A RESUBDIVISION OF ARLINGTON MARKET.

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AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION FOR ARLINGTON CROSSING TOWNHOMES AND PROVISIONS RELATING TO EASEMENTS AFFECTING PORTIONS OF THE DEVELOPMENT AREA OTHER THAN THE PREMISES RECORDED DECEMBER 17, 2010 AS DOCUMENT NO. 1035144041 FOR PUBLIC AND PRIVATE UTILITIES OVER THE COMMON AREA AND LOTS; AND FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER THE PRIVATE ROADS LOCATED ON THE COMMON AREAS, ALL DESCRIBED ON EXHIBIT 'B' ATTACHED THERETO.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE PLAT RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND AS NOTED ON PLAT RECORDED JULY 1, 2010 AS DOCUMENT NUMBER 1018229011, FOR PEDESTRIAN INGRESS AND EGRESS OVER AND UPON THE PEDESTRIAN BRIDGE AND THE PEDESTRIAN ACCESS EASEMENT AREA; AND FOR CROSS-DRAINAGE ACCESS & MAINTENANCE OVER THE AREA AS DEFINED ON THE PLATS; AND FOR PUBLIC UTILITIES OVER THE AREA AS DEFINED ON THE PLATS.

PROPERTY DESCRIPTION, PHASE TWO:

LOTS 40 THROUGH 52, BOTH INCLUSIVE, AND THAT PART OF LOT A LYING WEST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 52 AND ALL OF LOT B, IN ARLINGTON MARKET, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT NUMBER 0721144016,

EXCEPT

THAT PART OF SAID LOT B LYING WITHIN THE LIMITS OF ARLINGTON CROSSINGS RESUBDIVISION NO. 1, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 28, 2011 AS DOCUMENT NUMBER 1117918008, IN COOK COUNTY, ILLINOIS.

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ALSO

LOT E AND LOT 53 IN THE FINAL PLAT OF SUBDIVISION OF ARLINGTON CROSSINGS, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JULY 1, 2010 AS DOCUMENT 1018229011, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED FEBRUARY 9, 2011 AS DOCUMENT NUMBER 1104044037, IN COOK COUNTY, ILLINOIS.

ALSO

LOTS 10-1, 10-2, 10-3, 10-4, 10-5, 10-6 AND LOT 54 IN THE FINAL PLAT OF SUBDIVISION OF ARLINGTON CROSSINGS RESUBDIVISION NO. 1, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 28, 2011 AS DOCUMENT NUMBER 1117918008, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF LOT C, IN THE FINAL PLAT OF SUBDIVISION OF ARLINGTON CROSSINGS RESUBDIVISION NO. 1, BEING A RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 28, 2011 AS DOCUMENT NUMBER 1117918008, LYING SOUTHERLY OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 40, IN ARLINGTON MARKET, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 30, 2007 AS DOCUMENT NUMBER 0721144016, IN COOK COUNTY, ILLINOIS.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE COMMUNITY DECLARATION FOR ARLINGTON CROSSINGS AND ARLINGTON MARKET RECORDED DECEMBER 17, 2010 AS DOCUMENT 1035144040 FOR PUBLIC UTILITIES; VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS; USE AND ENJOYMENT OF THE COMMUNITY AREA AND UTILITY MAINTENANCE AREAS LOCATED WITHIN THE COMMUNITY AREAS OF THE LAND DESCRIBED ON EXHIBIT 'A' ATTACHED THERETO.

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AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION AND RESERVATION OF EASEMENTS RECORDED NOVEMBER 03, 2010 AS DOCUMENT NUMBER 1030733127 FOR PUBLIC AND PRIVATE UTILITIES AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER LOTS C, D, E AND F IN ARLINGTON CROSSINGS SUBDIVISION, BEING A RESUBDIVISION OF ARLINGTON MARKET.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE DECLARATION FOR ARLINGTON CROSSING TOWNHOMES AND PROVISIONS RELATING TO EASEMENTS AFFECTING PORTIONS OF THE DEVELOPMENT AREA OTHER THAN THE PREMISES RECORDED DECEMBER 17, 2010 AS DOCUMENT NO. 1035144041 FOR PUBLIC AND PRIVATE UTILITIES OVER THE COMMON AREA AND LOTS; AND FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER THE PRIVATE ROADS LOCATED ON THE COMMON AREAS, ALL DESCRIBED ON EXHIBIT 'B' ATTACHED THERETO.

AND

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY THE PLAT RECORDED FEBRUARY 28, 2007 AS DOCUMENT NUMBER 0705915065, AND AS NOTED ON PLAT RECORDED JULY 1, 2010 AS DOCUMENT NUMBER 1018229011, FOR PEDESTRIAN INGRESS AND EGRESS OVER AND UPON THE PEDESTRIAN BRIDGE AND THE PEDESTRIAN ACCESS EASEMENT AREA; AND FOR CROSS-DRAINAGE ACCESS & MAINTENANCE OVER THE AREA AS DEFINED ON THE PLATS; AND FOR PUBLIC UTILITIES OVER THE AREA AS DEFINED ON THE PLATS.

PINs: 03-29-411-032 thru 068, 074, 082 THRU 094, 161, 167, 175, 177, 204 thru 210 and 215

Addresses: Various addresses on Lincoln Lane, Beverly Lane, all in Arlington Heights, Illinois.

60004