

ASSIGNMENT

THIS ASSIGNMENT, made on this 21 day of September, 1981, by MILL CREEK OF KANSAS, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Kansas and authorized to do business in the State of Missouri (hereinafter referred to as "Trustee").

W I T N E S S E T H :

WHEREAS, by a Homes Association Declaration to Brooktree dated August 11, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 14, 1972 in Book 1098 at Page 921; and by a Homes Association Declaration to Brooktree dated December 13, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on December 18, 1972 in Book 1111 at Page 108; and by a Homes Association Declaration to Brooktree dated April 4, 1974 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on April 5, 1974 in Book 1151 at Page 273; and by a Homes Association Declaration to Brooktree dated September 17, 1976 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 21, 1976 in Book 1230, at Page 605; and by a Homes Association Declaration to Brooktree dated July 6, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on July 13, 1977 in Book 1266 at Page 24; as amended by a Homes Association Declaration to Brooktree dated August 31, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 2, 1977 in Book 1273 at Page 499; and by a Homes Association Declaration to Brooktree dated June 18, 1979 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on June 22, 1979 in Book 1358 at Page 785; as amended by a Homes Association Declaration to Brooktree dated August 18, 1980 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 19, 1980 in Book 1401 at Page 284, and specifically in Section 10 thereof, Trustee did reserve certain rights in and to itself as stated

Katee Porter, Recorder of Deeds

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therein as Temporary Trustee for The Brooktree Homes Association, Inc.; and

WHEREAS, by a Declaration of Restrictions to Brooktree dated August 11, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 14, 1972 in Book 1098, at Page 929; and by a Declaration of Restrictions to Brooktree dated December 13, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on December 18, 1972 in Book 1111 at Page 110; and by a Declaration of Restrictions to Brooktree dated April 4, 1974 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on April 5, 1974 in Book 1151, at Page 275; and by a Declaration of Restrictions to Brooktree dated September 17, 1976 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 21, 1976 in Book 1230, at Page 602; and by a Declaration of Restrictions to Brooktree dated July 6, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on July 13, 1977 in Book 1266, at Page 21; as amended by a Homes Association Declaration to Brooktree dated August 31, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 2, 1977 in Book 1273, at Page 496; and by a Declaration of Restrictions to Brooktree dated June 18, 1979 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on June 22, 1979 in Book 1358, at Page 782; as amended by a Declaration of Restrictions to Brooktree dated August 18, 1980 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 19, 1980, in Book 1401, at Page 281, and specifically in Section XIX thereof, Trustee did reserve in and to itself certain rights of enforcement as more specifically set out therein; and

WHEREAS, Trustee now desires to assign, convey and transfer unto The Brooktree Homes Association, Inc. all of the rights, reservations and privileges heretofore reserved by it in the above-described documentation; and

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WHEREAS, The Brooktree Homes Association, Inc. is desirous of accepting such assignment from the Temporary Trustee, Mill Creek of Kansas, Inc.

NOW, THEREFORE, in consideration of the premises, the parties hereto agree as follows:

1. That all of the rights, reservations and privileges heretofore reserved by Trustee in Section 10 of the above-described Homes Association Declaration to Brooktree dated August 11, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 14, 1972 in Book 1098 at Page 921; and by a Homes Association Declaration to Brooktree dated December 13, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on December 18, 1972 in Book 1111 at Page 108; and by a Homes Association Declaration to Brooktree dated April 4, 1974 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on April 5, 1974 in Book 1151 at Page 273; and by a Homes Association Declaration to Brooktree dated September 17, 1976 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 21, 1976 in Book 1230, at Page 605; and by a Homes Association Declaration to Brooktree dated July 6, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on July 13, 1977 in Book 1266 at Page 24; as amended by a Homes Association Declaration to Brooktree dated August 31, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 2, 1977 in Book 1273 at Page 499; and by a Homes Association Declaration to Brooktree dated June 18, 1979 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on June 22, 1979 in Book 1358 at Page 785; as amended by a Homes Association Declaration to Brooktree dated August 18, 1980 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 19, 1980 in Book 1401 at Page 284, and those rights, reservations and privileges reserved by it in Section XIX of the Declaration of Restrictions to Brooktree dated August 11,

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1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 14, 1972 in Book 1098, at Page 929; and by a Declaration of Restrictions to Brooktree dated December 13, 1972 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on December 18, 1972 in Book 1111 at Page 110; and by a Declaration of Restrictions to Brooktree dated April 4, 1974 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on April 5, 1974 in Book 1151, at Page 275; and by a Declaration of Restrictions to Brooktree dated September 17, 1976 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 21, 1976 in Book 1230, at Page 602; and by a Declaration of Restrictions to Brooktree dated July 6, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on July 13, 1977 in Book 1266, at Page 21; as amended by a Homes Association Declaration to Brooktree dated August 31, 1977 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on September 2, 1977 in Book 1273, at Page 496; and by a Declaration of Restrictions to Brooktree dated June 18, 1979 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on June 22, 1979 in Book 1358, at Page 782; as amended by a Declaration of Restrictions to Brooktree dated August 18, 1980 and recorded in the Office of the Recorder of Deeds of Clay County, Missouri on August 19, 1980, in Book 1401, at Page 281, are hereby assigned and conveyed to The Brooktree Homes Association, Inc.

2. That The Brooktree Homes Association, Inc. hereby accepts without reservation all of said rights, reservations and privileges herein conveyed to it by the said Trustee, Mill Creek of Kansas, Inc.

IN WITNESS WHEREOF, the parties have executed this Assignment the day and year first above written.

Katee Porter, Recorder of Deeds

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MILL CREEK OF KANSAS, INC.

By Phil R. Acuff
Phil R. Acuff, President

ATTEST:

John W. Acuff
John W. Acuff, Secretary

THE BROOKTREE HOMES ASSOCIATION, INC.

By Robert Neil Davidson
President

ATTEST:

Marsha Radner
Secretary

STATE OF Missouri)
) SS
COUNTY OF Jackson)

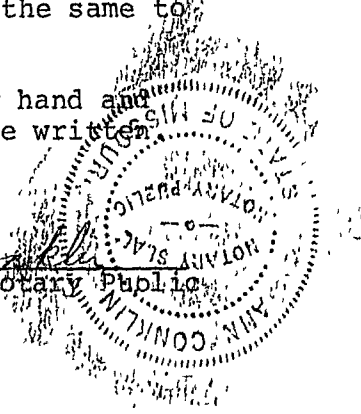
BE IT REMEMBERED, that on this 21 day of September, 1981, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Mr. Phil R. Acuff, President of Mill Creek of Kansas, Inc., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, and John W. Acuff, Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Ann Conklin
Notary Public - State of Missouri
Commissioned in Jackson County

My Commission Expires:

11-7-83



Katee Porter, Recorder of Deeds

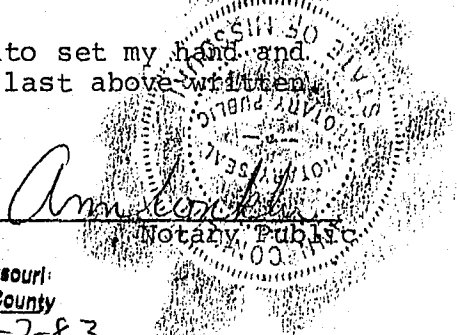
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STATE OF Missouri)
COUNTY OF Jackson) SS

BE IT REMEMBERED, that on this 21 day of September, 1981, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Robert Neil Davidson, President of The Brooktree Homes Association, Inc., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Missouri, and Marsha Radner, Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.



Ann Conklin
Notary Public

ANN CONKLIN
Notary Public - State of Missouri
Commissioned In Jackson County

My Commission Expires: 11-2-83

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By Denise Sawyer
Recorder

RECORDED BOOK PAGE
WILLIAM E. ELDRIDGE
RECORDER OF DEEDS

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STATE OF MISSOURI)
CLAY COUNTY) SS:
11-2-83