

**TO:** REALTORS, TITLE COMPANIES, MORGAGE BANKERS, SELLERS BY OWNER & PURCHASORS OF SUNSET LAKE LEASES, effective January 1, 2019

**FROM:** Sunset Lake Association Board of Directors, 30505 East Lake Dr., Girard IL 62640

**RE:** Information & Procedures to transfer leaseholds on Sunset Lake

Buyer = leasee, transferee

Seller = lessor, transferor (current tenant)

### **SELLER INSTRUCTIONS**

#### **Prior to Closing:**

**1.** All leaseholds must be inspected for shoreline riprap, grounds, boat dock, and the sanitation system. Any deficiency found must be corrected before closing of the lease purchase.

**a.** An independent septic inspection must be completed prior to the transfer and a copy of the inspection must be submitted to the Board of Directors to remain in the lessee file. This inspection must be completed by a sanitation contractor licensed in Macoupin County, IL. Any decisions regarding septic system escrow (both amount and escrow and time frame) is to be resolved SOLELY between the buyer and seller (if needed). A review prior to the closing date and lease transfer must be completed by one or more Board Members.

**b.** Any improvements deemed necessary by the Association, to the shoreline, must be completed by the seller. Association observation and approval of the shoreline improvements must be completed prior to closing and lease transfer.

**2.** A current (no older than 10 years) survey of the property must be on file. If a current survey is not on file it must be completed prior to closing and lease transfer. The cost of the survey is the responsibility of the current lease holder (seller).

#### **Responsibilities at Closing:**

**1.** Sign the Surrender of Lease

**2.** A Transfer Fee of \$300 payable to Sunset Lake Association, for multiple lots with multiple leases the transfer fee is \$300 per lease transaction

**3.** A Recording Fee of \$69 payable to Macoupin County Recorder per each lease surrender

**4.** Proration of Assessments will be determined by the buyer/seller.

### **BUYER INSTRUCTIONS**

#### **Prior to Closing:**

**1.** A new member orientation must be given to the buyer prior to closing on the lease transfer. The buyer will be given a copy of the current By-Laws and Rules and Regulations of Sunset Lake Association that the buyer is expected to uphold (blue membership booklet).

#### **Responsibilities at Closing:**

**1.** Sign the Lease

**2.** A Transfer Fee of \$300 payable to Sunset Lake Association, for multiple lots with multiple leases the transfer fee is \$300 per lease transaction

**3.** A Recording Fee of \$69 payable to Macoupin County Recorder per each new lease

**4.** Proration of Assessments will be determined by the buyer/seller.

## CLOSING PROCEDURES

1. Transfer Information Sheet - gives all the fees and assessment information. One copy to buyers(s), one copy to seller(s) for their records (SLA responsible party)
2. Surrender of Lease - Complete Surrender of Lease document (SLA responsible party), to be signed and notarized by seller at closing.
3. Blue Membership Booklet - Is given to the buyers at an orientation meeting prior to closing (SLA arranges w/buyers). This orientation includes a packet with the current By-Laws and Rules and Regulations of Sunset Lake Association, forms, list of SLA membership, a map of Sunset Lake and any miscellaneous information.
4. Sunset Lake Documents must be recorded and returned to SLA Office - The Surrender of Lease and newly recorded lease (signed and Notarized) along with the payment of Transfer Fees (totaling \$600) must be collected at closing and returned to SLA Office (buyer responsible party).
5. Returned Documents - Copies of the documents will be made for the lessee file, the signed documents will be mailed to the original signers (SLA responsible party).
  - 5.1 Sellers Lease file - file will be stamped closed on all documents and filed in the closed lease files.
  - 5.2 Buyers Lease file - a new file will be opened with the new leasee's information.
6. Vote to Approve Lease Transfer - At the next Board of Directors Meeting the Board will vote to approve the transfer of lease if all procedures have been completed. (BOD responsible party)

***NOTE: If there are any deviations from the above, including changing language in a lease agreement, please call the Sunset Lake Association office at 217/627-3339 prior to closing.***

### **ADDITIONAL INFORMATION**

- The Association makes no observation nor any representatives on behalf of the buyer or seller, and neither the buyer or seller is entitled to rely upon any observations performed by Association Board Members as creating any liability by the Association should the property in fact be in a condition different than the Association's observation. No such observation will result in any waiver of provision of any lease. Any expenses associated with independent inspections and work completed is the responsibilities of the buyer and/or seller.
- Sunset Lake By-Laws and Rules & Regulations can be found on SLA website: [sunsetlakeqirard.com](http://sunsetlakeqirard.com)
- Current assessments are \$500 per lot. If multiple lots are owned assessments will be charged per lot unless an agreement stating otherwise is on file and has been approved by the Board of Directors.
- 50 H.P. is the maximum outboard limit on the lake. Jet skis/wave runners are not allowed on the lake. All boats on the lake must have an annual sticker and all boats must be registered to a person named on the leasehold.
- All new leaseholds are for a 99 year lease.
- Any new homes to be built on Sunset Lake Association property must get prior approval from the Nilwood Water (Village of Nilwood) for water service. This may come with an associated fee to extend water service.