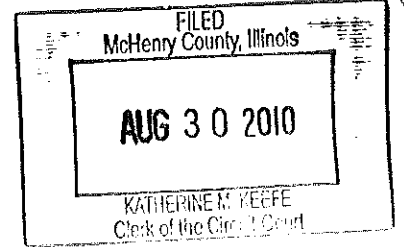


STATE OF ILLINOIS )  
 )  
COUNTY OF McHENRY ) SS

COPY



IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT  
McHENRY COUNTY, ILLINOIS

THOMAS P. MATHEWS, successor developer, )  
and WOODED SHORES PROPERTY OWNERS )  
ASSOCIATION, INC., )  
Plaintiffs, )

vs. )

No. 09 CH 848

WOODED SHORES PROPERTY )  
IMPROVEMENT ASSOCIATION, INC. and )  
QUENTIN LINDSEY, President of the Wooded )  
Shores Property Improvement Association, )  
Defendants. )

**JUDGMENT**

This matter having come on to be heard for bench trial before the Honorable Judge Michael J. Caldwell, the parties appearing in Court and by their respective attorneys, and the Court, after hearing testimony of witnesses called to testify, reviewing exhibits admitted into evidence, and hearing arguments of counsel, finds as follows:

1. The Defendant, WOODED SHORES PROPERTY IMPROVEMENT ASSOCIATION, INC., operated and acted as the property owners association for the Wooded Shores Subdivision continuously from 1945 and even through the years when the corporate charter was dissolved.
2. The Defendant, WOODED SHORES PROPERTY IMPROVEMENT ASSOCIATION, INC., continued to send dues notices to its members, maintained the common areas of the Wooded Shores Subdivision membership, continued the sending of the nomination of delegates to the Master Property Owners Association and the nomination of the directors to the Master Property Owners Association all indicating that the Defendant continued to do business and never intended not to do the business of being a property owners association for the Wooded Shores Subdivision.
3. Section 112.45 of the Illinois Not-For Profit Corporation Act, 805 ILCS 105/112.45, Subparagraph D reads as follows:

“Upon the filing of the application for reinstatement, the corporate existence shall be deemed to have continued without interruption from the date of the issuance of the certificate of dissolution, and the corporation shall stand revived with such powers, duties and obligations as if it had not been dissolved. And all acts and proceedings of its officers, directors and members, acting or purporting to act as such, which would have been legal and valid but for such dissolution, shall stand ratified and confirmed,”

and is applicable in these proceedings.

4. Wickline Bay Farms Property Owners Association, is the corporation that was contemplated in the warranty deeds that were given by Grover Wickline. Once these deeds passed and once this corporation was formed, this covenant was performed. That corporation, in whatever guise it may exist now, is the duly authorized, empowered, qualified and acting property owners association for the Wooded Shores Subdivision. It is the only corporation that is authorized to be acting for the Wooded Shores Subdivision.
5. The act of the Plaintiff, THOMAS P. MATHEWS, incorporating another not-for-profit corporation with the “Wooded Shores” name is a formulaic act without substance or impact.
6. The current corporation, the Wooded Shores Property Improvement Association, is the only property owners association that is authorized by the Wickline deeds and the only property owners association to which the deeds refer, and therefore the claims of the Plaintiff, THOMAS P. MATHEWS, are not sustained by the evidence.
7. The Wooded Shores Property Owners Improvement Association is not a voluntary association, but rather is the duly authorized property owners association contemplated in the declarations in the Wickline deeds and covenants.
8. The Plaintiff, THOMAS P. MATHEWS, is estopped from contesting the authority of the Defendant, WOODED SHORES PROPERTY IMPROVEMENT ASSOCIATION, INC., to act as the lot owners’ association of the Wooded Shores Subdivision, as a result of his failure to raise these issues in previous lawsuits between the parties, and as a result of laches.
9. All other findings included in this Court’s oral ruling in this matter on August 20, 2010, are incorporated herein by reference.

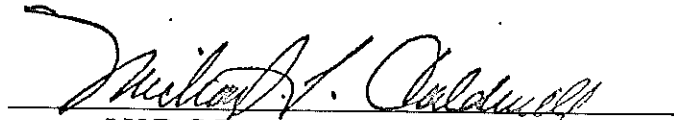
**The Court, being therefore duly advised in the premises enters the following order, to-wit:**

1. With respect to Count I of the Compliant filed herein, Judgment is entered in favor of the Defendant, WOODED SHORES PROPERTY IMPROVEMENT ASSOCIATION, INC., and

against the Plaintiffs, THOMAS P. MATHEWS, successor developer, and WOODED SHORES PROPERTY OWNERS ASSOCIATION, INC.

2. With respect to Court II of the Complaint filed herein, Judgment is entered in favor of the Defendant, WOODED SHORES PROPERTY IMPROVEMENT ASSOCIATION, INC., and against the Plaintiffs, THOMAS P. MATHEWS, successor developer, and WOODED SHORES PROPERTY OWNERS ASSOCIATION, INC.
3. There is no just cause for the delay in the enforcement of this Judgment.

ENTER:

  
JUDGE

Prepared by:  
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