

FILED SARPY COUNTY NEBRASKA  
INSTRUMENT NUMBER

2012-06768

03/07/2012 8:34:05 AM

*Clay J. Dowling*

REGISTER OF DEEDS



COUNTER LM C.E. LM  
VERIFY JD D.E. LM  
PROOF P  
FEES \$ 105.50  
CHECK# 040048765  
CHG \_\_\_\_\_ CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

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PAGE DOWN FOR BALANCE OF INSTRUMENT

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1245726

## Assignment

This agreement made this 26 day of July, 2006 by and between Thomas D. Stalnaker, Trustee in Bankruptcy for Ashford Hollow, LLC ("Assignor") and Great Western Bank, a Nebraska Corporation ("Assignee").

## Recitals

Whereas, Assignor was appointed as Trustee of the Bankruptcy Estate of Ashford Hollow, LLC by the Bankruptcy Court for the District of Nebraska, Bankruptcy # BK 06-80248, and

Whereas, under Order Approving Sale of Certain Real Estate Free and Clear of Liens and Encumbrances and Approving Sale Procedures entered by the Bankruptcy Court in consolidated cases 06-80243, 06-80249, 06-80250, 06-80251 and 06-80248, the Trustee was ordered to and did sell to Assignee at public auction the real estate described in said Order, and

Whereas, as successor in interest to Ashford Hollow, LLC, Assignor has also succeeded to the rights and obligations of Ashford Hollow, LLC as Declarant under Declaration of Covenants, Conditions and Restrictions and Amendments thereto (the "Covenants") covering Real Estate described in Exhibit "A" which Covenants are identified in Exhibit "B" attached hereto, and

Whereas, Assignee has requested an Assignment by Assignor of all the rights and obligations of Assignor as Declarant under the Covenants, and

Whereas, the Assignee is willing to assume all of the obligations of Assignor as Declarant under the Covenants.

Now, therefore, in consideration of the premises the parties agree as follows:

1. The Assignor assigns to Assignee all of the rights and obligations of Assignor as Declarant under the Covenants.
2. The Assignee accepts the foregoing assignment and agrees to assume all of the obligations and perform all of the duties and exercise all of the right of Assignor as successor in interest to Ashford Hollow, LLC as Declarant under the Covenants.
3. The Assignee represents and acknowledges to Assignor that Assignee has examined the Covenants and as a result of such examination and not in reliance upon any representations or statements of Assignor accepts the assignment from Assignor as stated herein.

**Assignor:**  
Thomas D. Stalnaker  
Thomas D. Stalnaker, Trustee in Bankruptcy  
for Ashford Hollow, LLC

**Great Western Bank, a Nebraska Corporation:**

By: Wally Brabe  
Its President

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

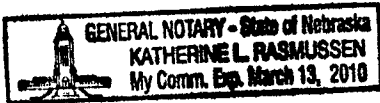
The foregoing instrument was acknowledged before me this 26 day of July, 2006, by Thomas D. Stalnaker, Trustee in Bankruptcy.



Cheri L. Sahm  
Notary Public

STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of ~~July~~, September 2006, by Daniel Brahec, the president of Great Western Bank, a Nebraska Corporation, on behalf of said Bank.



Katherine Rasmussen  
Notary Public

D

Exhibit "A"  
Ashford Hollow Lots

Lots 1 through 151 in Ashford Hollow, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

Exhibit "B"

Declaration of Covenants, Conditions and Restrictions filed July 18, 2005 as Instrument No. 2005-24576.

