

2012-06770

03/07/2012 8:34:34 AM

Lloyd J. Dowling

REGISTER OF DEEDS

COUNTER	<u>LM</u>	C.E.	<u>LM</u>
VERIFY	<u>LM</u>	D.E.	<u>LM</u>
PROOF	<u>P</u>		
FEES \$	<u>85.50</u>		
CHECK#	<u>100</u>		
CHG		CASH	
REFUND		CREDIT	
SHORT		NOR	



**ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS
UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR ASHFORD HOLLOW, A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

This Assignment and Assumption of Declarant Rights is made effective this 1 day of March, 2012, by and between GREAT WESTERN BANK (hereinafter referred to as "Assignor") and ASHFORD HOLLOW DEVELOPMENT, LLC, a Nebraska limited liability company (hereinafter referred to as "Assignee").

RECITALS

A. The following described property ("Ashford Hollow") is subject to the Declaration of Covenants, Conditions and Restrictions for Lots 1 Through 151, Ashford Hollow, a Subdivision in Sarpy County, Nebraska (the "Declaration") recorded on July 18, 2005 as Instrument No. 2005-24576 in the Register of Deeds Office of Sarpy County, Nebraska:

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

B. Ashford Hollow, LLC, a Nebraska limited liability company, was the initial Declarant under the Declaration.

C. Assignor succeeded to all of the interest of Ashford Hollow, LLC under the Declaration pursuant to the terms of the Declaration when Assignor acquired all of Ashford Hollow, LLC's interest in all or substantially all of the undeveloped lots in Ashford Hollow from the Trustee in Bankruptcy for Ashford Hollow, LLC at public sale on June 22, 2006.

D. Assignee has acquired all or substantially all of the undeveloped lots in Ashford Hollow from Assignor and accordingly has succeeded to the interest of Assignor as Declarant under the terms of the Declaration.

E. The parties desire to confirm that Assignee is the Declarant under the Declaration.

ASSIGNMENT AND ASSUMPTION AGREEMENT

NOW, THEREFORE, the foregoing introduction and recitals are incorporated herein, and the

After recording, return to:
Elizabeth Sevcik
Croker, Huck, Kasher, DeWitt,
Anderson & Gonderinger, LLC
2120 S. 72nd Street, Ste. 1200
Omaha, NE 68124

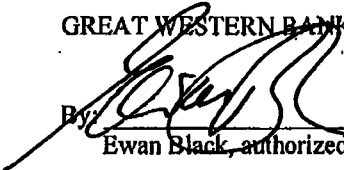
*(15) FAT
1245726*

parties agree as follows:

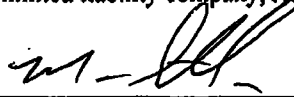
- 1. Assignee is the Declarant pursuant to the terms of the Declaration and to the extent Assignor has any remaining interest as the Declarant under the Declaration, Assignor hereby assigns to Assignee all of its rights, obligations and duties as Declarant under the Declaration.
- 2. Assignee hereby assumes all of Assignor's rights, obligations and duties as Declarant under the Declaration.
- 3. Accordingly, Assignee is hereby the Declarant under the Declaration effective immediately.

IN WITNESS WHEREOF, the undersigned have executed this Assignment to be effective as of the date first set forth above.

GREAT WESTERN BANK, Assignor

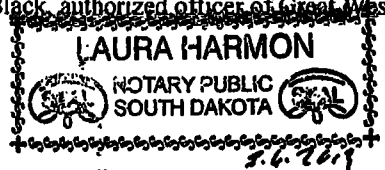
By: 
 Ewan Black, authorized officer

ASHFORD HOLLOW DEVELOPMENT, LLC, a Nebraska limited liability company, Assignee

By: 
 Marc Stodola, Manager/Member

STATE OF South Dakota)
)ss.
 COUNTY OF Minnehaha)

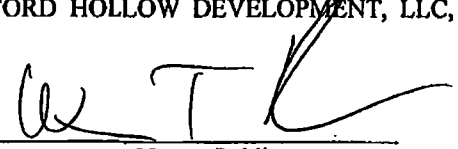
The foregoing instrument was acknowledged before me this 1 day of March, 2012 by Ewan Black, authorized officer of Great Western Bank.




 Notary Public

STATE OF NEBRASKA)
)ss.
 COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 1 day of ^{March} ~~February~~, 2012 by Marc Stodola, Manager/Managing Member of ASHFORD HOLLOW DEVELOPMENT, LLC, a Nebraska limited liability company.


 Notary Public

