



BK 0975 PG 603-604



MISC 1991 16900

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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

11 August 1991

16900 misc

Register of Deeds
George Buglewicz
Douglas County Offices
HO4 Civic Center
1819 Farnam Street
Omaha, NE 68102

BK 975 N C/O FEE 74 01
PG 103-104 N 90-523 DEL 17 MC 6c
OF Misc COMP VP F/B M1-01805

Dear Sir:

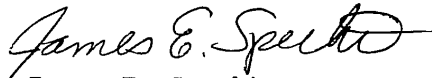
I am currently the Treasurer of the Bay Shores Homeowners Association. My duties and responsibilities are enumerated in the Declaration of Covenants, Conditions, Restrictions, and Easements of Bay Shores, a Subdivision in Douglas County, Nebraska (Book 776 Pages 602-608).

The aforementioned Declaration indicates that persons acquiring a title to a Bay Shores Lot must contact the Bay Shores Homeowners Association (BSHOA) to determine if dues or assessments on that Lot are delinquent. To ensure that purchasers and mortgagees, or title insurance companies acting on their behalf, comply with this requirement, we request that the following document be placed with the title (or deed) for each lot in the Bayshores subdivision.

Personnel at your office indicated that the cost of this filing would be \$5.00 plus \$0.50 per lot. A check for \$69.00 is therefore enclosed to cover the filing fees.

If you or your staff have other questions, or desire more information, please contact me at work (472-1536) or at home (896-6805).

Sincerely,



James E. Specht
Treasurer
Bay Shores Homeowners' Association

Encl:

LOTS 1 - 128, INCLUSIVE, BAYSHORES, A SUBDIVISION IN DOUGLAS COUNTY

The following paragraphs were excerpted from the Declaration of Covenants, Conditions, Restrictions, and Easements of Bay Shores, a Subdivision in Douglas County, Nebraska (Book 776 Pages 602-608):

Article II. Homeowners' Association:

2. Membership and Voting. The "Owner" of each Lot shall be a Member of this Association. Membership shall be appurtenant to the ownership of each Lot, and may not be separated from ownership of each lot.

4. Imposition of Dues and Assessments. The Association may fix, levy, and charge the Owner of each Lot with dues and assessments under the provisions of this Declaration. dues and assessments shall be fixed by the Board of Directors of the Association and shall be payable at the times and in the manner prescribed by the Board.

6. Liens and Personal Obligations for Dues and Assessments. The assessments and dues, together with interest thereon, costs and reasonable attorneys' fees, shall be the personal obligation of the Owner of each Lot at the time when the dues or assessments become due and payable. The dues and assessments, together with interest thereon, costs and reasonable attorney's fees, shall also be a charge and continuing lien upon the Lot in respect of which the dues and assessments are charged. The personal obligation for delinquent assessments shall not pass to the successor in title to the Owner at the time the dues and assessments become delinquent unless such dues and assessments are expressly assumed by the successors, but all successors shall take title subject to the lien for such dues and assessments, and shall be bound to inquire of the association as to the amount of any unpaid assessments or dues.

13. Effect of Nonpayment of Assessments - Remedies of the Association. Any installment of dues or assessment which is not paid when due shall be delinquent. Delinquent dues or assessment shall bear interest from the due date at the rate of sixteen percent (16%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the Lot or Lots, and pursue any other legal or equitable remedy. No Owner may waive or otherwise escape liability for the charge and lien provided for herein by nonuse of the Common Area or abandonment of his Lot. The mortgagee of any Lot shall have the right to cure any delinquency of an Owner by payment of all sums due, together with interest, costs, and fees. The Association shall assign to such mortgagee all of its rights with respect to such lien and right of foreclosure and such mortgagee may thereupon be subrogated to any rights of the Association.

Inquiries about the status of BSHOA dues and assessments pertaining to Lots within the Bay Shores subdivision should be directed to:

James E. Specht
Treasurer,
Bay Shores Homeowners Association
16273 "L" Street
Omaha, NE 68135

AFFIDAVIT

Comes now James E. Specht, Treasurer of Bay Shores Homeowners Association, and states that he personally examined and does expressly declare that he did make an exact copy of the following PARAGRAPHS, from the document entitled Declaration of Covenants, Conditions, Restrictions, and Easements of Bay Shores, a Subdivision in Douglas County, Nebraska (Book 776 Pages 602-608), a Subdivision in Douglas County, Nebraska by reference thereto and by attachment hereto a part of this AFFIDAVIT for all purposes whatsoever, and I do affirm and swear that the above statement is true, complete, voluntary, and I make this my affidavit on the 16 day of August, 1991.

James E. Specht
James E. Specht
Treasurer of Bay Shores
Homeowners Association

On this 16 day of August 1991 James E. Specht, Treasurer of Bay Shores Homeowners Association personally appeared before me and did sign the above affidavit, doing so voluntarily and in my presence, he stating that it was his own act and deed.



Frank S. Forbes
Comm. Exp. 3 17-92

Frank S. Forbes
Frank S. Forbes
Notary Public