

Inst # 2018001761 Fri Jan 12 14:25:11 CST 2018
Filing Fee: \$22.00
Lancaster County: NE Assessor/Register of Deeds Office ASSAGR
Pages 3



Return to: Christie Schroff
300 N. 44th St., Suite 116
Lincoln, NE 68503

ASSIGNMENT and ASSUMPTION in connection with RESTRICTIVE COVENANTS

This Assignment and Assumption is made by and among **South Industrial Park LLC**, a Nebraska limited liability company, **Assurity Life Insurance Co.**, f/k/a Security Financial Life Insurance Co., a Nebraska corporation, a Nebraska limited liability company (the "Owners", as defined in the Covenants), and **Horizon Business Center Association, Inc.**, a Nebraska nonprofit corporation (the "Association"), with respect to the real estate known as Horizon Business Center legally described on the Exhibit "A" attached hereto (the "Property") and in connection with Restrictive Covenants filed with the Lancaster County Register of Deeds September 5, 2000 as Inst. No. 2000-038888, amended by Inst. No. 2001-032738, Inst. No. 2014039554, and Inst. No. 2014048264 (collectively, the "Covenants").

Background. Article 6 of the Covenants permits the transfer of Owners' architectural control rights to the Association at any time, but requires that the rights and duties of the Owners be assigned to the Association after buildings have been placed or constructed upon three-fourths of the Lots within the Property. As of this date, buildings have been constructed on 15 of the 22 Lots within the Property. The Owners desire to quitclaim and assign to the Association all of the Owners' rights and duties as Owner under Article 6, Architectural Control, *reserving unto Owners* such rights only for the two Lots of which the Owners are titleholders, as shown on Exhibit "A". Association desires to accept and assume such rights and duties at this time.

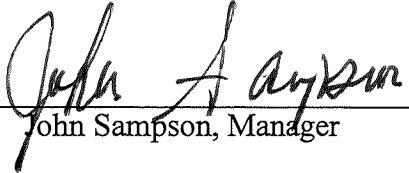
NOW THEREFORE, in consideration of the foregoing background, **South Industrial Park LLC** and **Assurity Life Insurance Co.** hereby quitclaim and assign all of their rights and duties as "Owner" under Article 6 of the Covenants pertaining to Architectural Control, *reserving unto Owners* such rights only for the two Lots of which the Owners are titleholders as shown on Exhibit "A", to **Horizon Business Center Association, Inc.** The Association hereby assumes from the Owners, the foregoing rights and duties.

This Assignment and Assumption shall become effective on the date it is filed with the Lancaster County, Nebraska Register of Deeds.

****SIGNATURE PAGE FOLLOWS****

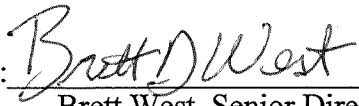
****SIGNATURE PAGE TO ASSIGNMENT AND ASSUMPTION****

South Industrial Park LLC

By: 
John Sampson, Manager

Date: January 12th, 2018

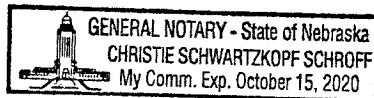
Assurity Life Insurance Co.

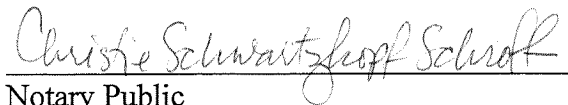
By: 
Brett West, Senior Director
of Real Estate Development

Date: January 9th, 2018

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

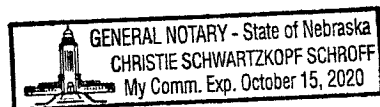
The foregoing instrument was acknowledged before me this 12th day of January, 2018, by John Sampson, Manager of South Industrial Park LLC, a Nebraska limited liability company, on behalf of the company.




Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 9th day of January, 2018, by Brett West, Senior Director of Real Estate for Assurity Life Insurance Co., a Nebraska corporation, on behalf of the corporation.



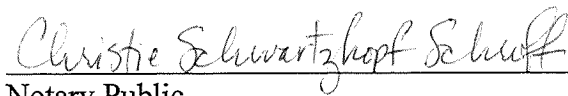

Notary Public

Exhibit "A"

Legal Description of Property

In the Restrictive Covenants filed as Inst. No. 2000-038888, amended by Amendment No. 1 to Restrictive Covenants filed as Inst. No. 2001-032738 (all in Lincoln, Lancaster County, Nebraska):

Lots 1 – 14, Block 1, Horizon Business Center Addition

Outlot "A", Horizon Business Center Addition

As presently platted (all in Lincoln, Lancaster County, Nebraska):

Lots 7, 8, 9 and 11, Block 1, Horizon Business Center Addition

Lots 1, 2, 3, and 4, Block 1, Horizon Business Center 1st Addition

Lots 1, 2, and 4, Horizon Business Center 2nd Addition

Lots 1, 2, 3, and 4, Horizon Business Center 3rd Addition

Lot 1, Horizon Business Center 5th Addition

Lots 1 and 2, Horizon Business Center 6th Addition

Lots 1, 2, 3, and 4, Horizon Business Center 14th Addition

Outlot "A", Horizon Business Center Addition

Lots presently titled in the Owners:

Lots 3 and 4, Block 1, Horizon Business Center 1st Addition