

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

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**ASSIGNMENT AND ASSUMPTION
HILLTOP INDUSTRIAL PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

THIS ASSIGNMENT BY DECLARANT AND ASSUMPTION OF DUTIES BY HILLTOP INDUSTRIAL PARK PROPERTY OWNERS ASSOCIATION is made this 9 day of April, 2019, by HILLTOP INDUSTRIAL PARK, L.L.C., a Nebraska limited liability company ("Declarant") and HILLTOP INDUSTRIAL PARK PROPERTY OWNERS ASSOCIATION, a Nebraska corporation ("Successor Declarant").

WHEREAS, the Declarant is the declarant under certain Restrictive Covenants applicable to Hilltop Industrial Park, a subdivision in Sarpy County, Nebraska (the "Original Declaration"), which Original Declaration was filed in the office of the Register of Deeds of Sarpy County, Nebraska on March 11, 1998 as Instrument No. 1998-005465, and which Original Declaration was amended and restated by that certain First Amendment to Restrictive Covenants for Hilltop Industrial Park (the "First Amendment"), which First Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on October 25, 2002 as Instrument No. 2002-42518, and was further amended by that certain Second Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Second Amendment"), which Second Amendment was filed in the office of the Register of Deeds of "Sarpy County, Nebraska on January 15, 2003 as Instrument No. 2003-02595, and was further amended by that certain Third Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Third Amendment"), which Third Amendments was filed in the office of the Register of Deeds of Sarpy County, Nebraska on March 20, 2006 as Instrument No. 2006-09334, and was further amended by that certain Fourth Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Fourth Amendment"), which Fourth Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on November 5, 2013 as Instrument No. 2013-34082, and was further amended by that certain Fifth Amendment to Restrictive Covenants for Hilltop Industrial Park (the "Fifth Amendment"), which Fifth Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on February 5, 2014 as Instrument No. 2014-02614, and was further amended by that certain Sixth Amendment to Restrictive Covenants for Hilltop

RR
RUPA MUDRA
2425 N 84 ST
OMAHA NE, 68134

Industrial Park (the "Sixth Amendment), which Sixth Amendment was filed in the office of the Register of Deeds of Sarpy County, Nebraska on January 7, 2019 as Instrument No. 2019-00372 (the Original Declaration, as amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, and the Sixth Amendment is hereinafter referred to as the "Declaration;" and

WHEREAS, the Declaration governs the Properties, which are now known as: Lot 1 and the north 95 feet of Lot 2, Lot 6, Lot 7, Lot 18 and the north 212 feet of Lot 19, Lot 24 and the north 142 feet of Lot 25, and Lot 33, Hilltop Industrial Park; Lot 3, Hilltop Industrial Park Replat 1; Lot 1, Hilltop Industrial Park Replat 2; Lot 1, Hilltop Industrial Park Replat 3; Lot 1, Hilltop Industrial Park Replat 4; Lot 1, Hilltop Industrial Park Replat 5; Lots 1 and 2, Hilltop Industrial Park Replat 6; Lots 1 and 2, Hilltop Industrial Park Replat 7; Lot 1, Hilltop Industrial Park Replat 8; Lots 1 and 2, Hilltop Industrial Park Replat 9; Lot 1, Hilltop Industrial Park Replat 11; Lots 1 and 2, Hilltop Industrial Park Replat 12; Lots 1, 2, and 3, Hilltop Industrial Park Replat 13; and Lot 1, Hilltop Industrial Park Replat 14, all as platted and recorded in Sarpy County, Nebraska; and

WHEREAS, Declarant desires to assign its duties as declarant to Hilltop Industrial Park Property Owners Association, and Hilltop Industrial Park Property Owners Association desires to assume such duties;

NOW, THEREFORE, Declarant hereby assigns to Hilltop Industrial Park Property Owners Association all duties of declarant pursuant to the terms of the Declaration; and

Hilltop Industrial Park Property Owners Association as Successor Declarant, hereby assumes and agrees to perform all duties of declarant pursuant to the terms of the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Assignment on the day and year first above written, and Successor Declarant has executed this Assumption on the day and year first above written.

HILLTOP INDUSTRIAL PARK, L.L.C., Declarant

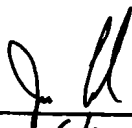
By:



Rudolph R. Mudra, President

HILLTOP INDUSTRIAL PARK PROPERTY OWNERS ASSOCIATION, Successor Declarant

By:



Joe Cole, President

STATE OF NEBRASKA)
 Sarpy) SS
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 9th day of April 2019, by Rudolph R. Mudra, President of Hilltop Industrial Park, L.L.C., a Nebraska limited liability company, on behalf of said company.

Melissa S. Hobson
Notary Public

STATE OF NEBRASKA)
 Sarpy) SS
COUNTY OF *Sarpy*)



The foregoing instrument was acknowledged before me on the 9th day of April 2019, by *Joseph Daniel Cole*, President of Hilltop Industrial Park Property Owners Association, a Nebraska corporation, on behalf of said corporation.

Melissa S. Hobson
Notary Public

