



MISC 2005047499



APR 27 2005 13:37 P 2

After recording, please return to:

Robert J. Huck  
CROKER, HUCK, KASHER, DeWITT,  
ANDERSON & GONDERINGER, LLC  
2120 South 72nd Street, Suite 1250  
Omaha, NE 68124

Received - DIANE L. BATTIATO

Register of Deeds, Douglas County, NE

4/27/2005 13:37:05.44



2005047499

### NOTICE OF APPOINTMENT OF SUCCESSOR DECLARANT

THIS NOTICE OF TERMINATION OF STATUS AS DECLARANT is made effective the 7<sup>th</sup> day of February, 2005 by IRISHSTONE, L.L.C., a Nebraska limited liability company (hereinafter referred to as the "Declarant").

### W I T N E S S E T H:

WHEREAS, the undersigned is the Declarant under a certain Declaration of Covenants, Conditions, Restrictions and Easements (the "Declaration"), which Declaration was filed for record in the office of the Register of Deeds of Douglas County, Nebraska, on October 27, 1999, in Book 1314 at Page 380, and which Declaration governs Lots 1 through 36, 69 through 135, 178 through 229, 231 through 233, all inclusive, in Deer Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and which governs Lot 1, Deer Creek Replat 9, as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, pursuant to the terms and conditions of Article VI, Section 4 of the Declaration, Declarant desires to appoint a successor Declarant and thereafter to terminate its status as Declarant under said Declaration.

NOW THEREFORE, Declarant hereby declares as follows:

1. Declarant appoints Landmark Enterprises, Inc. as successor Declarant and such appointee shall hereafter serve as Declarant with the same authority and powers under the Declaration as the original Declarant.
2. Declarant terminates its status as Declarant.

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C/O 04-08793  
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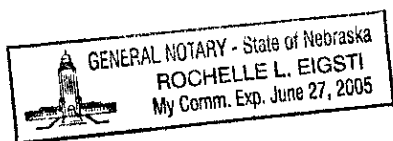
IN WITNESS WHEREOF, the undersigned has executed this Notice of Appointment of Successor Declarant as of the date set forth above.

IRISHSTONE, L.L.C.,  
a Nebraska limited liability company

By: [Signature]  
Its: Managing Member

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of February, 2005, by Kevin D. Irish, Managing Member of Irishstone, L.L.C., a Nebraska limited liability company, on behalf of the company.



[Signature]  
Notary Public