

2010-04872

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Clay J. Dowling

REGISTER OF DEEDS



**ASSIGNMENT OF DECLARANT STATUS UNDER DECLARATIONS
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF EAGLE HILLS, A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

This Assignment of Declarant Status (this "Assignment") is made as of this 4th day of ~~November~~ ^{December}, 2009, by EAGLE RIDGE DEVELOPMENT COMPANY, a Nebraska corporation (the "Eagle Ridge"). Eagle Ridge does hereby transfer and assign to EAGLE HILLS HOMEOWNERS ASSOCIATION, a Nebraska not-for-profit corporation (the "Association"), all of its status, right, title and interest as "Declarant" in and to those certain Declarations for Eagle Hills, a subdivision in Sarpy County, Nebraska (collectively the "Declaration"), as described and set forth on Exhibit "A" attached hereto, as pertains to the real estate in Sarpy County, Nebraska, and legally described on Exhibit "B" attached hereto.

Notwithstanding anything to the contrary herein, Eagle Ridge hereby reserves all of its "Declarant" rights as to such lots covered by the above-identified Declaration as have not been improved and/or that are still owned by the Eagle Ridge as of the date of this Assignment. The purpose of this reservation is to allow Eagle Ridge to provide approval on any homes that have not yet been built at the time of the filing of this Assignment. Upon the sale of such lots and the completion of such improvements, such improved lots shall be subject to this Assignment without further action by Eagle Ridge.

Eagle Ridge hereby warrants and represents that its interest in the Declaration identified above has not been previously assigned to an association and that to the best of Eagle Ridge's knowledge and belief, the Declaration is in full force and effect.

By its acceptance of this Assignment below, the Association assumes all of the Eagle Ridge's liability under the Declaration and agrees to promptly perform all of the obligations and covenants imposed on "Declarant" under the Declaration.

EAGLE RIDGE DEVELOPMENT COMPANY, a Nebraska corporation,

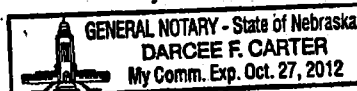
By *Michael F. Rogers*
Michael F. Rogers, President

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 4th day of ~~November~~ ^{December}, 2009, by Michael F. Rogers, President of Eagle Ridge Development Company, a Nebraska corporation, on behalf of the corporation.

Darcee F. Carter

Notary Public



James D. Buser
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114-3728

COUNTER 1 C.E. 1
VERIFY 1 P.D.E. 1
PROOF 1
FEES \$ 221.50
CHECK# 109729
CHG CASH
REFUND CREDIT
SHORT 50 NCR

RECORDED NOTE Filed as submitted some lots have been replatted. Also underyed against lot 1 Eagle Hills Replat 1 2/25/2010 PM

A

ACCEPTANCE

EAGLE HILLS HOMEOWNERS ASSOCIATION hereby assumes the "Declarant" status under the Declaration as provided in the foregoing Assignment and all of Eagle Ridge's liability under the Declaration and agrees to promptly perform all of the obligations and covenants imposed upon the "Declarant" under the Declaration.

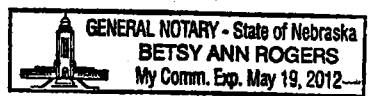
EAGLE HILLS HOMEOWNERS ASSOCIATION,
a Nebraska not-for-profit corporation,

By: Elaine Zych
Title: Pres.
Date: 12/2/09

STATE OF NEBRASKA)
) ss.:
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 2nd day of December, 2009, by Elaine Zych, President of Eagle Hills Homeowners Association, a Nebraska not-for-profit corporation, on behalf of the corporation.

[Signature]
Notary Public



B

EXHIBIT "A"
DECLARATION

1. Declaration of Covenants, Conditions, Restrictions and Easements for Eagle Hills, A Subdivision in Sarpy County, Nebraska dated July 20, 1998, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on July 28, 1998, as Instrument Number 98-020460.
2. Declaration of Covenants, Conditions, Restrictions and Easements for a Part of Eagle Hills, A Subdivision in Sarpy County, Nebraska dated June 2, 1999, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on June 7, 1999, as Instrument Number 99-017806.
3. Declaration of Covenants, Conditions, Restrictions and Easements for a Part of Eagle Hills, A Subdivision in Sarpy County, Nebraska dated October 18, 2000, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on October 20, 2000, as Instrument Number 2000-26575.
4. Declaration of Covenants, Conditions, Restrictions and Easements for a Part of Eagle Hills, A Subdivision in Sarpy County, Nebraska dated June 27, 2003, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on June 27, 2003, as Instrument Number 2003-35327, as amended by First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for a Part of Eagle Hills, A Subdivision in Sarpy County, Nebraska dated August 22, 2003, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on August 22, 2003, as Instrument Number 2003-47622, and by Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for a Part of Eagle Hills, A Subdivision in Sarpy County, Nebraska dated February 27, 2004, and recorded in the office of the Sarpy County, Nebraska Register of Deeds on March 1, 2004, as Instrument Number 2004-07031.

EXHIBIT "B"
Legal Description

1. Lots 21 through 157, inclusive, in Eagle Hills, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; and
2. Lots 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, 14A, 14B, 15A, 15B, 16A, 16B, 17A, 17B, 18A, 18B, 19A, 19B, 20A, and 20B, inclusive, in Eagle Hills, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; and
3. Lots 160 through 268, inclusive, in Eagle Hills, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; and
4. Lots 269 through 395, inclusive, in Eagle Hills, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.