
[This Space Above Line is for Recording Data]

**PARTIAL ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS
PURSUANT TO THE
THE DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF PART OF INDIAN CREEK – LANDING**

This Assignment and Assumption of Declarant Rights is entered into by and between Gottsch Land Co., a Nebraska corporation ("Assignor") and Indian Creek – Landing Homeowners Association, Inc., a Nebraska non-profit corporation ("Assignee").

WHEREAS, Assignor is the Declarant under that certain Declaration of Covenants, Conditions, Restrictions and Easements of Part of Indian Creek – Landing, a Subdivision in Douglas County, Nebraska, which was recorded in the office of the Douglas County Register of Deeds on November 13, 1997 in Book 1228 Page 690 (as amended, the "Declaration").

WHEREAS, Assignor desires to assign and Assignee desires to assume all of Assignor's rights, obligations and duties as Declarant under the Declaration except for the Retained Rights (as defined below).

NOW, THEREFORE, the parties hereto agree as follows:

1. Assignor hereby assigns to Assignee all of its rights, obligations and duties as Declarant under the Declaration except for the Retained Rights.
2. Assignee hereby assumes all of Assignor's rights, obligations and duties as Declarant under the Declaration except for the Retained Rights.
3. Accordingly, for all purposes other than the purposes relating to the Retained Rights, Assignee is hereby the Declarant under the Declaration effective immediately.
4. Notwithstanding the foregoing and anything herein to the contrary, Declarant shall retain the sole right to approve all plans and specifications relating to the construction of a single-family residence on any of the Lots (as defined in the Declaration), including the following unimproved lots (as of the date hereof), as set forth in more detail in Article I of the Declaration:

Lots 253, 108, 117, 164 and 228, all in Indian Creek, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

In addition, Declarant shall retain all rights relating to any enforcement actions in connection with the completion of construction of any single-family residence on any of the Lots. The aforementioned rights shall

FULL 1

be collectively referred to herein as the "Retained Rights". The Retained Rights shall automatically transfer to Assignee upon completion of construction of a single family home on every Lot that is subject to the Declaration in accordance with plans and specifications approved by Declarant in accordance with the terms of the Declaration.

5. This Assignment and Assumption of Declarant Rights shall be indexed and recorded against all of the following legally described property:

Lot 1 through 231, inclusive, Indian Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 232 through 259, inclusive, Indian Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 1 through 4, inclusive, Indian Creek Replat 1, a replat of Lots 159-163, Indian Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

Lot 1, Indian Creek Replat 2, a replat of Lots 167 and 168, Indian Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

[Remainder of Page Left Intentionally Blank; Execution Pages Follow.]

IN WITNESS WHEREOF, the undersigned have caused these presents to be executed on the day and year set forth below.

ASSIGNOR:

Gottsch Land Co., a Nebraska corporation

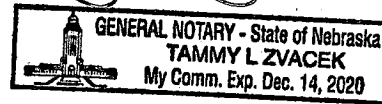
By: [Signature]
Name: JEFF JACKSON
Its: VP

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

Before me, a notary public, in and for said county and state, personally came Jeff Jackson, V.P. of Gottsch Land Co., a Nebraska corporation, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be her voluntary act and deed and the voluntary act and deed of said corporation.

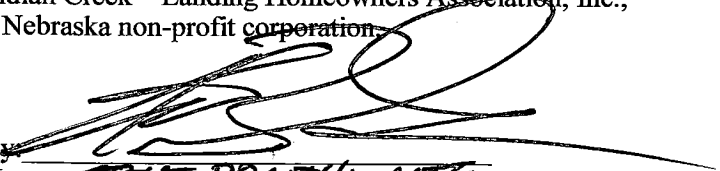
Witness my hand and Notarial Seal this 3rd day of Oct., 2017.

[Signature]
Notary Public



ASSIGNEE:

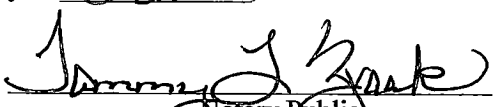
Indian Creek – Landing Homeowners Association, Inc.,
a Nebraska non-profit corporation.

By: 
Name: STEVE BRAITHWAITE
Its: PRESIDENT

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

Before me, a notary public, in and for said county and state, personally came STEVE BRAITHWAITE, President of Indian Creek – Landing Homeowners Association, Inc., a Nebraska non-profit corporation, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal this 3rd day of Oct., 2017.


Notary Public

