

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2006-35598

2006 OCT 16 P 2:57 R

*Glenn J. Dowling*  
REGISTER OF DEEDS

COUNTER WJ Ah  
VERIFY AK S.F. P  
PROOF P D.E. P  
FEES \$ 125.50  
CHECK # \_\_\_\_\_  
CHG SLT CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

**REVOCABLE ASSIGNMENT AND ASSUMPTION OF  
DECLARANT RIGHTS AND NOTICE**

STONE CREEK PLAZA, L.L.C., the Declarant of that certain Declaration of Covenants, Conditions and Restrictions of Kingsbury Hills, a Subdivision in Sarpy County, Nebraska, covering the following described Property, to-wit:

Lots 1 thru 226, inclusive; and, Outlots "A" thru "C", inclusive; and, Outlots "E" and "F", inclusive, Kingsbury Hills, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

recorded of record at Instrument No. 2006-35597 in the office of the Register of Deeds of Sarpy County, Nebraska, and any amendments, restatements and/or annexations thereto (hereinafter the "Declaration") does hereby assign all of its status, right, title and interest as the Declarant therein to HearthStone Homes, Inc., effective as of the 16th day of OCTOBER 2006, subject only to revocation by Stone Creek Plaza, L.L.C. in the event of any breach by HearthStone Homes, Inc. of the separate agreement by and between Stone Creek Plaza, L.L.C. and HearthStone Homes, Inc., and Hearthstone Homes, Inc., by this instrument, does hereby assume all rights, responsibilities and duties pursuant to the Declaration.

Dated this 10 day of October 2006.

DECLARANT:  
STONE CREEK PLAZA, L.L.C., a Nebraska  
Limited Liability Company:

By: *Gerald L. Torczon*  
Gerald L. Torczon  
Managing Member

HEARTHSTONE HOMES, INC.:

By: *John J. Smith*  
John J. Smith, President

35598

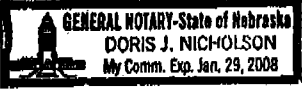
SLT

2

2006-35598 A

STATE OF NEBRASKA )  
 )  
 ) ss.  
COUNTY OF SARPY )

The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 10<sup>th</sup> day of October 2006 by Gerald L. Torczon, as Manager of Stone Creek Plaza, L.L.C., a person known to me who acknowledged the same to be his/her voluntary act and deed on behalf of said entity.



Doris J. Nicholson  
Notary Public

STATE OF NEBRASKA )  
 )  
 ) ss.  
COUNTY OF SARPY )

The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 10 day of October 2006 by John J. Smith as President of HearthStone Homes, Inc., a person known to me who acknowledged the same to be his voluntary act and deed on behalf of said entity.

Christie K Groebli  
Notary Public

