

79-5264/etc 81-761/etc

ASSIGNMENT and RENUNCIATION

This ASSIGNMENT and RENUNCIATION, made January 2, 1976, by

THE EDWARD E. WILCZEWSKI-HAWKINS INVESTMENT COMPANY LIMITED PARTNERSHIP NO. 1 - JOINT VENTURE, a Nebraska joint venture with an office in Douglas County, Nebraska, hereafter called "Assignor",

WITNESSETH: THAT,

Whereas Assignor, then owning all of Lots 1 through 19, 22 through 47, 49 through 60, 77 through 87, 89 through 173, 175 through 209, The Knolls, a subdivision in Douglas County, Nebraska, as surveyed, platted, and recorded, hereafter called "Knolls first phase lots", has heretofore provided, pursuant to a certain Declaration of Protective Covenants executed March 16, 1972, and recorded at Pages 171 through 177 of Book 508 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, that said Knolls first phase lots will be subject to conditions and other terms appropriate, convenient, or necessary to preserve and promote their private residential character in conformity to and coordination with a general plan of development and improvement and, further, that all rights, powers, and privileges reserved by or vested in Assignor as to said Knolls first phase lots will be subject to specific assignment;

Whereas Assignor, then owning all of Lots 1 through 188 and Lot 191, The Knolls 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted, and recorded, hereafter called "Knolls second phase lots", has heretofore provided, pursuant to a certain Declaration executed August 13, 1973, and recorded at Pages 129 through 135 of Book 536 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, that said Knolls second phase lots will be subject to conditions and other terms appropriate, convenient, or necessary to preserve and promote their private residential character in conformity to and coordination with a general plan of development and improvement and, further, that all rights, powers, and privileges reserved by or vested in Assignor as to said Knolls second phase lots will be subject to specific assignment;

Whereas The United States National Bank of Omaha, a national banking corporation with an office in Douglas County, Nebraska, hereafter called "Bank", has heretofore acquired, pursuant to a certain Special Warranty Deed executed March 14, 1975, and recorded at Pages 671 through 673 of Book 1518 of the Deeds Records of the Register of Deeds of Douglas County, Nebraska, ownership of most of said Knolls first phase lots and Knolls second phase lots; and

Whereas The Knolls Property Owners Association, Inc., a Nebraska nonprofit corporation with an office in Douglas County, Nebraska, hereafter called "Assignee", has heretofore been organized by Assignor, pursuant to said Declaration executed August 13, 1973, for enforcement as to said Knolls second phase lots of the conditions and other terms therein appropriate, convenient, or necessary to preserve and promote the private residential character thereof in conformity to and coordination with said general plan of development and improvement;

Now, Therefore, in consideration of the matters herein recited and the consent to this Assignment by Bank, Assignor does hereby

ASSIGN to Assignee the property described as follows, to-wit:

1. All of the interest, right, and title together with all claim to and property in, all of those rights, powers, and privileges reserved to or vested in Assignor as enumerated in Paragraphs 4 and 12 or contained in any other provision or provisions of said Declaration of Protective Covenants executed March 16, 1972, to the full extent permitted by Paragraph 13 or any other provision or provisions thereof so to be assigned; and

2. All of the interest, right, and title, together with all claim to and property in, all of those rights, powers, and privileges reserved to or vested in Assignor as enumerated in Section 11, Article VI, and Section 4, Article VII, or contained in any other provision or provisions of said Declaration executed August 13, 1973, except Section 7, Article I, and Section 2(b), Article III, to the full extent permitted by Section 7, Article I, or any other provision or provisions thereof so to be assigned; and

Assignor does, further, hereby

RENOUNCE irrevocably the property described as follows, to-wit:

All of the interest, right, and title, together with all claim to and property in, the status of Declarant under Section 7, Article I, and also the status of Declarant Member entitled to more than one vote for each of said Knolls second phase lots under Section 2(b), Article III, of said Declaration executed August 13, 1973.

IN WITNESS WHEREOF, Assignor has executed this Assignment and Renunciation at Omaha, Douglas County, Nebraska.

THE EDWARD E. WILCZEWSKI-HAWKINS  
INVESTMENT COMPANY LIMITED PARTNERSHIP  
NO. 1 - JOINT VENTURE  
By Hawkins Investment Company  
Limited Partnership No. 1  
By Hawkins Investment Company,  
Inc.

By Robert A. Bloechle  
Robert A. Bloechle,  
Its President,  
and

Fred H. Hawkins, Jr.  
Fred H. Hawkins, Jr.,  
Its Secretary,  
General Partner,  
and

By Fred Hawkins, Jr.  
Fred Hawkins, Jr.,  
General Partner,  
Joint Venturer,  
and

By [Signature]  
Edward E. Wilczewski,  
Joint Venturer,  
Assignor  
and

[Signature]  
Kathleen L. Wilczewski,  
Wife of Edward E. Wilczewski

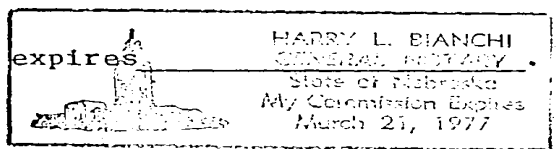
STATE OF NEBRASKA )  
                          ) ss  
COUNTY OF DOUGLAS )

Before me, a Notary Public qualified for said County, personally appeared Robert A. Bloechle and Fred H. Hawkins, Jr., the President and Secretary of Hawkins Investment Company, Inc., a Nebraska business corporation and one of the general partners of Hawkins Investment Company Limited Partnership No. 1, a Nebraska limited partnership and one of the joint venturers of The Edward E. Wilczewski-Hawkins Investment Company Limited Partnership No. 1 - Joint Venture, a Nebraska joint venture, known to me to be the officers and identical individuals who executed the foregoing Assignment and Renunciation, acknowledged the execution thereof to be their respective voluntary act and deed as such officer and the voluntary act and deed of said corporation as general partner of said limited partnership as said joint venturer, and declared the execution and delivery thereof to be duly authorized by said corporation, by said limited partnership, and by said joint venture.

Witness my hand and Notarial Seal on Feb 18, 1976

[Signature]  
Notary Public

My Commission expires



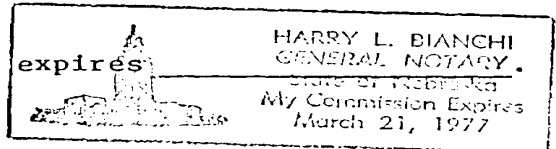
STATE OF NEBRASKA )  
                          ) ss  
COUNTY OF DOUGLAS )

Before me, a Notary Public qualified for said County, personally appeared Fred Hawkins, Jr., one of the general partners of Hawkins Investment Company Limited Partnership No. 1, a Nebraska limited partnership and one of the joint venturers of The Edward E. Wilczewski-Hawkins Investment Company Limited Partnership No. 1 - Joint Venture, a Nebraska joint venture, known to me to be the officer and identical individual who executed the foregoing Assignment and Renunciation, acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited partnership as said joint venturer, and declared the execution and delivery thereof to be duly authorized by said limited partnership and by said joint venture.

Witness my hand and Notarial Seal on Feb 18, 1976

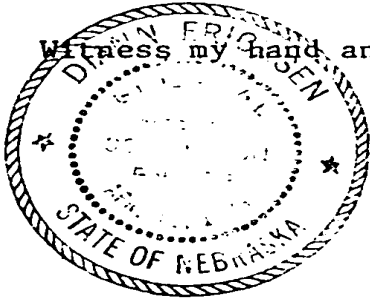
[Signature]  
Notary Public

My Commission expires



STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

Before me, a Notary Public qualified for said County, personally appeared Edward E. Wilczewski, one of the joint venturers of The Edward E. Wilczewski-Hawkins Investment Company Limited Partnership No. 1 - Joint Venture, a Nebraska joint venture, and Kathleen L. Wilczewski, his wife, known to me to be the officer and identical individuals who executed the foregoing Assignment and Renunciation, acknowledged the execution thereof to be their respective voluntary act and deed and the voluntary act and deed of said joint venture, and declared the execution and delivery thereof to be duly authorized by said joint venture.



Witness my hand and Notarial Seal on January 23 1976

[Signature]  
Notary Public

My Commission expires April 14 1976

CONSENT

The undersigned, being thereonto duly empowered, hereby consents to the foregoing Assignment and Renunciation.

DATED at Omaha, Douglas County, Nebraska, on February 20,  
19 76

THE UNITED STATES NATIONAL BANK  
OF OMAHA

By [Signature]  
Robert R. Culver,  
Its Vice President  
and

[Signature]  
Kathleen A. Nichols,  
Real Estate Banking Officer,

Bank

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
13 DAY OF March 1976 AT 9:07A M. C. HAROLD OSTLER, REGISTER OF DEEDS

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