

MISC 2011017009



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Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 2/18/2011 11:53:29.87

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# ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS PURSUANT TO THE MASTER DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS OF RIVERFRONT PLACE MASTER ASSOCIATION, INC.

This Assignment and Assumption of Declarant Rights is made effective this 10 day of February, 2011, by and between Riverfront Partners, LLC, a Nebraska limited liability company, (hereinafter referred to as "Assignor") and Riverfront Holdings, LLC, a Nebraska limited liability company (hereinafter referred to as "Assignee").

WHEREAS, Assignor is the Declarant under that certain Master Declaration of Covenants, Easements, Conditions and Restrictions of Riverfront Place Master Association, Inc., which was recorded in the office of the Douglas County Register of Deeds on October 4, 2006, Instrument No. 2006 – 114432 (the "Declaration").

WHEREAS, pursuant to the terms of the Declaration, Assignor desires to assign and Assignee desires to assume all of Assignor's rights, obligations and duties under the Declaration.

WHEREAS, this Assignment and Assumption Agreement shall be recorded and indexed against the following legally described property, to-wit:

Outlots A and B, Riverfront Place, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

Units No. 1 thru 18, inclusive, and Units 2A thru 2E, inclusive, 3A thru 3E, inclusive, 4D thru 4G, inclusive, 5D thru 5G, inclusive, 6D thru 6G, inclusive, 7D thru 7G, inclusive, 8K thru 8M, inclusive, 9K thru 9M, inclusive, 10H and 10J, 11H and 11J, 12H and 12J, and the Penthouse, together with their respective individual Allocated Interests in the Common Elements created by the Declaration and Master Deed of Riverfront Place Condominium Property Regime that was recorded in the Office of the Douglas County Register of Deeds on October 4, 2006, Instrument No. 2006114433.

## NOW, THEREFORE, the parties agree:

- 1. Assignor hereby assigns to Assignee all of its rights, obligations and duties as Declarant under the Declaration.
- 2. Assignee hereby assumes all of Assignor's rights, obligations and duties as Declarant under the Declaration.
  - 3. Accordingly, Assignee is hereby the Declarant under the Declaration effective immediately.

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

**ASSIGNOR:** 

RIVERFRONT PARTNERS, LLC, a Nebraska Limited Liability Company

By:

Riverfront Holdings, LLC, a Nebraska Limited

Liability Company, its sole member

By

Kim R. McGuire, Manager

STATE OF <u>UTAH</u>.) ss COUNTY OF <u>SUMMIT</u>)

Before me, a notary public, in and for said county and state, personally came Kim R. McGuire, the Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, the sole member of Riverfront Partners, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof the be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this 10 day of February, 2011.

Motory Public

COmmission Number 569057
My Commission Expires
My Commission Expires
March 26, 2011
Claif of Utah

Notary Public

	Ву	John C.	Kinnear, III, M	Idings, L	_
		River	front Ho	Idings, L	u
STATE OF	)			9	
COUNTY OF	) ss. )				
Before me, a Notary l III, by me known to be the Man acknowledged the execution of Condominium Property Regim	ager of Riverfront Ho of the foregoing Noti	oldings, LLC, ce of Annex	a Nebraska limi ation of Territo	ited liability comp	oany, wh
Witness my hand and	Notarial Seal this _	day of _		, 2011.	
[Seal]		599	ANAU4 Notary Public	NED	

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

1 Allows
Here Insert Name and Title of the Officer
C. KINNEAR TIL
Name(s) of Signer(s)
who proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s) (s) are
subscribed to the within instrument and acknowledged
to me that <b>he</b> /she/they executed the same ir
his/her/their signature(s) on the instrument the
person(x), or the entity upon behalf of which the
persorf(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the
laws of the State of California that the foregoing
paragraph is true and correct.
*
WITNESS my hand and official seal.
and Mula III Portla
Signature: ///////////////Signature of Notary Public
OPTIONAL —
uired by law, it may prove valuable to persons relying on the document removal and reattachment of this form to another document.
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WHENT AND ASSERUTION
Number of Pages: <u>\$</u>
NA
<b>3</b> // <b>3</b>
Signer's Name:
☐ Corporate Officer — Title(s):
THUMBPRINT Individual RIGHT THUMBPRINT OF SIGNER
of thumb here Partner — Limited General Top of thumb here
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:
1 /

### ASSIGNEE:

RIVERFRONT HOLDINGS, LLC, a Nebraska limited liability company

By: Kim R. McGuire, Manager

STATE OF <u>UTAH</u> ) ss. COUNTY OF <u>SUMMIT</u> )

Before me, a Notary Public in and for said County and State, personally appeared Kim R. McGuire, by me known to be the Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, who acknowledged the execution of the foregoing Notice of Annexation of Territory to the Riverfront Place Condominium Property-Regime on behalf of said limited liability company.

Witness my hand and Notarial Seal this O day of teorica, 2011.

[Seal]

MARIE CLAIRE MARTING
Commission Number 569057

By Commission Expires

Wy Commission Expires

Wy Commission Expires

Sign of Utah

**Notary Public** 

By: John C. Kinnear, III, Manager
River-Front Holdings, LLC

STATE OF	)
COUNTY OF	)ss. )
Before me, a notary	public, in and for said county and state, personally came John C. Kinnear, III, the
Manager of Riverfront Hol	dings, LLC, a Nebraska limited liability company, the sole member of Riverfront
Partners, LLC, a Nebraska	limited liability company, known to me to be the identical person who executed the
above instrument and acknowledge	owledged the execution thereof the be his voluntary act and deed and the voluntary

Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 2011.

act and deed of said limited liability company.

Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	
County of SANTA BARBA	ARA P
Langer 2011	DONNA M BAlkou A Northy  Here Insert Name and Title of the Officer  Name(s) of Signer(s)
On <u>Ted3_IO, dOI/</u> before me,	Here Insert Name and Title of the Officer
personally appeared JOHN	C. KINNEAR III
personally appeared	Name(s) of Signer(s)
	who proved to me on the basis of satisfactor
	evidence to be the person(s) whose name(s) as are
	subscribed to the within instrument and acknowledged
	to me that <del>ne/she/they</del> executed the same in his/her/their authorized capacity(ies), and that by
	his/her/their signature(s) on the instrument the
	person(s), or the entity upon behalf of which the
*****************	person(s) acted, executed the instrument.
DONNA M. BALLOU	I certify under PENALTY OF PERJURY under the
Commission # 1741657 Notary Public - California	
Santa Barbara County	paragraph is true and correct.
My Comm. Expires May 21, 2011	
	MUTATION and and efficial and
	WITNESS my hand and official seal.
	Janua Madla
Place Notary Seal and/or Stamn Above	Signature: Signature of Notary Public
Place Notary Seal and/or Stamp Above	Signature: Signature of Notary Public Signature of Notary Public
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