



MISC 2011017011



FEB 18 2011 11:53 P 5

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62 EE *55*so FB *02-33045(R)*
61 DEL *07-33028* C/O *07-33029(C)* COMP *MB*
 SCAN *PV*

Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 2/18/2011 11:53:43.18



2011017011

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NOTICE OF ANNEXATION OF TERRITORY

This Notice of Annexation of Territory ("Notice of Annexation") is made this 10th day of February 2011, by Riverfront Holdings, LLC, a Nebraska limited liability company, successor-in-interest to Riverfront Partners, LLC, a Nebraska limited liability company (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant is the Declarant under that certain Master Declaration of Covenants, Easements, Conditions and Restrictions of Riverfront Place Master Association, Inc. dated October 4, 2006, and recorded in the Office of the Douglas County Register of Deeds on October 4, 2006, as Instrument No. 2006114432 (the "Master Declaration").

WHEREAS, pursuant to Section 2.02 of the Master Declaration, Declarant desires to annex the following real property into the Development (as defined in Section 1.12 of the Master Declaration), which real property is a portion of the Phase 2 Property (as defined in Section 1.18 of the Master Declaration):

Lots 2 and 3, Riverfront Place Replat 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (referred to herein as the "Annexed Property").

WHEREAS, Declarant desires that this Notice of Annexation satisfy the notice requirements of Section 2.02(a)[i] of the Master Declaration.

NOW, THEREFORE, Declarant, for the purposes set forth above, does hereby notify all of those concerned that the Annexed Property, and all improvements and facilities constructed or to be constructed thereon, shall become part of the Development and shall be subject to the Master Declaration, and further states and declares as follows:

1. Recitals. The Recitals as set forth above are hereby incorporated into this Notice of Annexation as if fully set forth herein.

2. Notice of Annexation of Territory. Pursuant to the terms and conditions of Section 2.02(a)[i] of the Master Declaration, all parties are hereby notified that the Annexed Property shall be included within the Development (as defined in Section 1.12 of the Master Declaration), and the Master Declaration shall apply to the Annexed Property in the same manner as if it was originally covered by the Master Declaration, including all of the easements, covenants, conditions and restrictions enumerated therein. Pursuant to Section 2.02(a) of the Master Declaration, after the recording of this Notice of Annexation, the rights, powers and responsibilities of the parties to the Master Declaration with respect to the Annexed Property shall be the same as with respect to the original land, except for any additional or different covenants, conditions and restrictions that Declarant may impose.

3. Indexing. This Notice of Annexation shall be indexed against the following lots in Riverfront Place, 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; and

The Annexed Property, as defined herein above.

IN WITNESS WHEREOF, the undersigned has caused this Notice of Annexation to be executed on the day and year first above written.

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[Remainder of page intentionally left blank; signature(s) on following page]

RIVERFRONT HOLDINGS, LLC, a Nebraska limited liability company

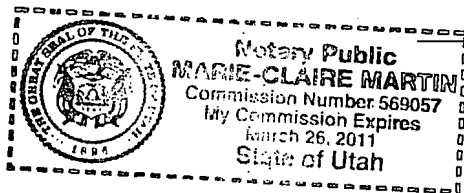
By: Kim R. McGuire
Kim R. McGuire, Manager

STATE OF UTAH)
COUNTY OF SUMMIT) ss.

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.

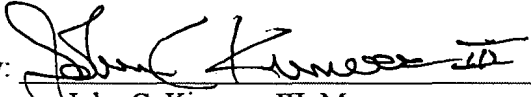
Witness my hand and Notarial Seal this 10 day of FEBRUARY, 2011.

[Seal]



Marie-Claire Martin

Notary Public


By: 
John C. Kinnear, III, Manager
Riverfront Holdings, LLC

STATE OF _____)
COUNTY OF _____) ss.

Before me, a Notary Public in and for said County and State, personally appeared John C. Kinnear, III, 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 _____ day of _____, 2011.

[Seal]


Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SANTA BARBARA

On FEB 10, 2011

Date

before me,

DONNA M. BALLOU, A Notary

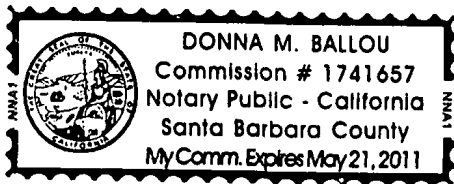
Here Insert Name and Title of the Officer

personally appeared

JOHN C. KINNEAR III

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ 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.



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.

Signature:

Donna M. Ballou

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

NOTICE OF ANNEXATION OF TERRITORY

Document Date:

2-10-2011

Number of Pages:

4

Signer(s) Other Than Named Above:

N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here