



Return to: Michael D. Matejka, Woods Aitken LLP, 10250 Regency Circle, #525, Omaha, NE 68114

NOTICE OF ANNEXATION OF TERRITORY

This Notice of Annexation of Territory (“Notice of Annexation”) is made this 17 day of September, 2021, 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, 4 and 5, 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. Commercial Lots. Lots 4 and 5, Riverfront Place Replat 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, shall be Commercial Lots as defined in the Master Declaration. All permitted uses as set forth in Section 5.01 of the Master Declaration shall be allowed on such lots subject to the restrictions on use set forth in 5.02(b) of the Master Declaration.

4. Apportionment of Assessments. The general assessments shall be apportioned to the Commercial Lots under Section 6.02(d) of the Master Declaration as follows: the amount apportioned to each Commercial Lot shall be based on a fraction, the numerator of which is the total square footage of the building or buildings located on the Lot (not including enclosed parking structures); and the denominator of which is the total square footage of all buildings (not including enclosed parking structures) on all Lots that are subject to the Master Declaration.

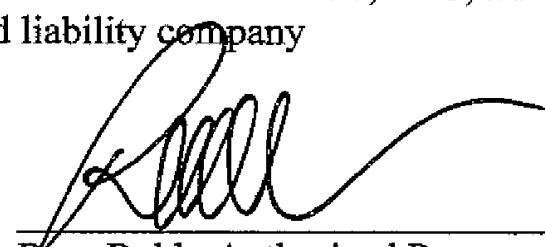
5. Indexing. This Notice of Annexation shall be indexed against the following lots in Riverfront Place, to-wit:

See Exhibit A attached hereto

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

RIVERFRONT HOLDINGS, LLC, a Nebraska
limited liability company

By:



Ross Robb, Authorized Representative

STATE OF Utah)
) SS.
COUNTY OF Summit)

Before me, a Notary Public in and for said County and State, personally appeared Ross Robb, by me known to be the Authorized Representative of Riverfront Holdings, LLC, a Nebraska limited liability company, who acknowledged the execution of the foregoing Notice of Annexation of Territory on behalf of said limited liability company.

Witness my hand and Notarial Seal this 16th day of Sept, 2021.



Notary Public

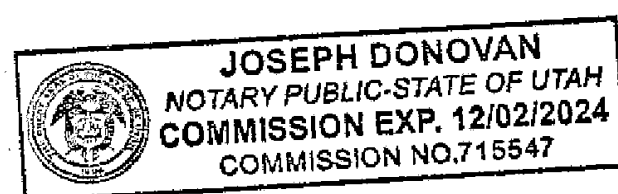


EXHIBIT “A”

LEGAL DESCRIPTION

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

Lots 1, 2, 4 and 5, Riverfront Place Replat 1, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

Tower 1:

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 PH, 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

Tower 2:

Units No. 2-3A thru 2-3G, inclusive, 2-4A thru 2-4G, inclusive, 2-5A thru 2-5G, inclusive, 2-6A, 2-6H, 2-6J, 2-6K and 2-6L, 2-7A, 2-7H, 2-7J, 2-7K and 2-7L, 2-8A, 2-8H, 2-8J, 2-8K and 2-8L, 2-9M/N, 2-9P and 2-9Q, 2-10M/N, 2-10P and 2-10Q, 2-11 M/N, 2-11P and 2-11Q, 2-12R and 2-12S, 2-13R and 2-13S, and 2-PH, together with their respective individual Allocated Interests in the Common Elements created by the First Amendment to Declaration and Master Deed of Riverfront Place Condominium Property Regime that was recorded in the Office of the Douglas County Register of Deeds on February 18, 2011, Instrument No. 2011017013.