



MISC 2011046374

S *mioc*  
*2/142*  
 FEE 81.00 FB05-35233  
 BKP \_\_\_\_\_ C/O \_\_\_\_\_ COMF CC  
 DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_



JUN 01 2011 14:05 P 2

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 6/1/2011 14:05:56.23



2011046374

[This Space Above Line is for Recording Data]

**ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS  
 OF THE DECLARATION OF COVENANTS, CONDITIONS,  
 RESTRICTIONS AND EASEMENTS FOR SHADOWBROOK WEST**

This Assignment and Assumption of Declarant Rights (this "Assignment") is entered into by and between Military Holdings, LLC, a Nebraska limited liability company ("Assignor"), and Hearthstone Homes, Inc., a Nebraska corporation ("Assignee").

WHEREAS, Assignor is the Declarant under that certain Declaration of Covenants, Conditions, Restrictions and Easements for Shadowbrook West, which was recorded in the office of the Douglas County Register of Deeds on May 7, 2010 as Instrument Number 2010039313 (the "Declaration"). The Declaration was filed against the following described real property, to-wit:

Lots 1 thru 140 inclusive, and Outlots "A" and "B", Shadowbrook West, as surveyed, platted and recorded in Douglas County, Nebraska.

WHEREAS, Assignor agrees to assign and Assignee agrees to assume Assignor's rights, obligations and duties under the Declaration.

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.

*(Signatures on Next Page)*

#15 F.A.T.  
 MH

IN WITNESS WHEREOF, the undersigned have caused this Assignment to be executed on the 17<sup>th</sup> day of MAY, 2011.

**ASSIGNOR:**

Military Holdings, LLC,  
a Nebraska limited liability company

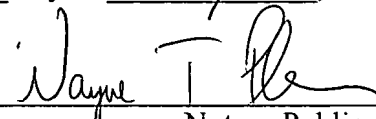
By: GDR, LLC, Managing Member

By:   
Eugene J. Graves, Jr., President

STATE OF NEBRASKA     )  
                                          ) ss.  
COUNTY OF Douglas     )

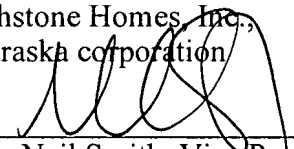
Before me, a notary public, in and for said county and state, personally came Eugene J. Graves, Jr., President of GDR, LLC, the Managing Member of Military Holdings, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

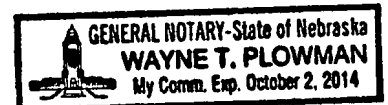
Witness my hand and Notarial Seal this 17<sup>th</sup> day of MAY, 2011.

  
Notary Public

**ASSIGNEE:**

Hearthstone Homes, Inc.,  
a Nebraska corporation

By:   
Neil Smith, Vice President

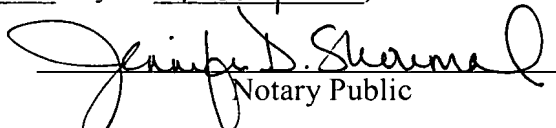


STATE OF NEBRASKA     )  
                                          ) ss.  
COUNTY OF DOUGLAS     )

Before me, a notary public, in and for said county and state, personally came Neil Smith, Vice President of Hearthstone Homes, Inc., a Nebraska corporation, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal this 26<sup>th</sup> day of May, 2011.



  
Notary Public