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INSTRUMENT NUMBER

2010-13304

2010 May 26 04:28:48 PM

*Sheryl J. Downing*

REGISTER OF DEEDS



**NOTICE OF TERMINATION OF  
STATUS AS DECLARANT**

This Notice of Termination of Status of Declarant is made effective the 3rd day of March, 2010, by Spring Creek Homeowners Association, a Nebraska nonprofit corporation (hereinafter referred to as the "Successor Declarant").

**W I T N E S S E T H:**

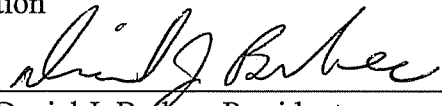
WHEREAS, Spring Creek Development, Ltd., a Nebraska limited partnership was ("Declarant") the Declarant under a certain Declaration of Covenants, Conditions, Restrictions and Easements of a part of Spring Creek, a subdivision in Sarpy County, Nebraska (the "Declaration"), which Declaration was filed for record in the office of the Register of Deeds of Sarpy County, Nebraska on March 28, 2008 as Instrument No. 2008-08571, which Declaration governs Lots 1 through 85, inclusive, in Spring Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; and

WHEREAS, pursuant to the terms and conditions of Article IV, Section 4 of the Declaration, Declarant's status as Declarant under the Declaration terminated on March 3, 2010 when Declarant's ownership interests were sold in foreclosure of the Deed of Trust dated July 11, 2005 and recorded on July 22, 2005 in the office of the Register of Deeds of Sarpy County, Nebraska, as Instrument No. 2005-25658, as amended by First Amendment to Deed of Trust dated November 16, 2005, recorded January 11, 2006 in the office of the Register of Deeds of Sarpy County, Nebraska, as Instrument No. 2006-01004 (the "Deed of Trust"), which beneficial interest under the Deed of Trust was assigned to Capital Investors, LLC, a Nebraska limited liability company, pursuant to an Assignment of Beneficial Interest dated April 10, 2009, recorded May 22, 2009, in the office of the Register of Deeds of Sarpy County, Nebraska, as Instrument No. 2009-15401 and automatically transferred to Successor Declarant pursuant to the Declaration.

NOW, THEREFORE, Successor Declarant hereby declares that (1) Spring Creek's status as Declarant has terminated and (2) that Spring Creek's rights as Declarant under the Declaration have transferred to the Association, with the same authority and powers under the Declaration as the original Declarant.

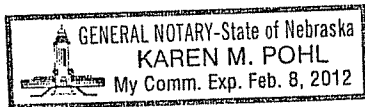
IN WITNESS WHEREOF, the undersigned has executed this Termination of Status as Declarant as of the date set forth above.

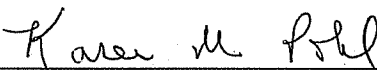
SPRING CREEK HOMEOWNERS  
ASSOCIATION, INC., a Nebraska nonprofit  
corporation

By:   
Daniel J. Brabec, President

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF ~~SARREY~~     )  
                                  Douglas

The foregoing instrument was acknowledged before me this 26<sup>Th</sup> day of May, 2010, by Daniel J. Brabec, President of Spring Creek Homeowners Association, Inc., a Nebraska nonprofit corporation, on behalf of the corporation.



  
Notary Public