FILED SARPY CO. NE.
INSTRUMENT NUMBER
2004-00375
2004 JAN-5 P 4: 00 8

REGISTER OF DEEDS

BOUNTER	Suc M
VERIFY	//// (D.E. ///
PROOF	2
FEES S 3	17.00
CHECK#	30687
CHG	CASH
REFUND	CREDIT
CHUDIT	NICD

REVOCABLE ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS AND NOTICE

BOYER YOUNG EQUITIES III, L.L.C., the Declarant of that certain Declaration of Covenants, Conditions and Restrictions of Spring Hill, a Subdivision in Douglas County, Nebraska, covering the following described Property, to-wit:

Lots 1 - 613, inclusive, and Outlot A, all in SPRING HILL, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska

recorded of record at Instrument No. 2003 74517 in the office of the Register of Deeds of Songlas County, Nebraska, and any amendments, restatements and/or annexations thereto (hereinafter the "Declaration") does hereby assign all of its status, right, title and interest as the Declarant therein to HEARTHSTONE HOMES, INC., effective as of the 1 day of January 2004, subject only to revocation, by separate document filed with the Sarpy County Register of Deeds on or before January 1, 2024, by Boyer Young Equities III, L.L.C., in the event of any breach by HearthStone Homes, Inc. of the separate agreement by and between Boyer Young Equities III, L.L.C. and HearthStone Homes, Inc., and HEARTHSTONE HOMES, INC., by this instrument, does hereby assume all rights, responsibilities and duties pursuant to the Declaration. HearthStone Homes, Inc. hereby agrees to obtain prior written approval of Boyer Young Equities III, L.L.C. before making any amendment, modification or other change to the Declaration of Covenants, Conditions and Restrictions of Spring Hill.

Dated this 36 day of DECEMBER 2003.

BOYER YOUNG EQUITIES III, L.L.C., DECLARANT, Assignor:

By: Timothy W. Young, Advanistrative Member HEARTHSTONE HOMES, INC., Assignee:

By: John J. Smith, President

STATE OF NEBRASKA

) ss.

COUNTY OF DOUGLAS

FULLENKAMP, DOYLE & JOBEUN 11440 WEST CENTER ROAD OMAHA, NEBRASKA 68144-4482

2004-00375A

The foregoing instrument was acknowledged before me, a Notary Public in and for said state
and county, this 30 day of DECEMBER 2003 by Timothy W. Young, Administrative
Member of Boyer Young Equities III, L.L.C., a person known to me who acknowledged the same to
be his/her voluntary act and deed on behalf of said entity.
GENERAL NOTARY-State of Nebraska MARK A. BOYER My Comm. Exp. June 4, 2004 Notary Public
STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 50 day of 50 day of 2003 by John J. Smith as President of HearthStone Homes, Inc., a person known to me who acknowledged the same to be his voluntary act
and deed on behalf of said entity.
GENERAL NOTARY-State of Nebraska CHRISTIE K. GROEBLI My Comm. Exp. Jan. 01, 2005