

33625

DECLARATION OF ANNEXATION
AND ASSENT

COMES NOW Tabitha Development Corporation, by _____

Frederick C. Nolte, its President, and says:

WHEREAS, Tabitha Development Corporation, on May 30, 1975, executed a Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as DECLARATION) and recorded same in the office of the Register of Deeds, Lancaster County, Nebraska, Instrument No. 75-8420.

WHEREAS, said DECLARATION has from time to time been duly amended in accordance with law and said amendments (hereinafter referred to as AMENDMENTS) have been recorded in the office of the Register of Deeds, Lancaster County, Nebraska, Instrument Nos. 77-1978, 77-1979, 77-1980, 77-5532, 77-5533;

WHEREAS, Tabitha Development Corporation is the Declarant in said DECLARATION and AMENDMENTS;

WHEREAS, the DECLARATION and AMENDMENTS impose Covenants, Conditions and Restrictions upon certain property in Lincoln, Lancaster County, Nebraska, which is more particularly described as:

All of Tabitha New Community Addition including all of Blocks 5 and 7 of Replat of Blocks 5 and 7, Lincoln, Lancaster County, Nebraska, and

All of Tabitha New Community First Addition, Lincoln, Lancaster County, Nebraska.

WHEREAS, Tabitha Development Corporation is the owner of certain real property abutting on portions of the above-described real estate, which abutting property is more particularly described as:

Tabitha New Community Second Addition to Lincoln, Lancaster County, Nebraska.

WHEREAS, Tabitha Development Corporation is desirous of subjecting said abutting property to the terms of the DECLARATION and AMENDMENTS;

WHEREAS, under ARTICLE VI, Section 4, Paragraph (b) of the DECLARATION and AMENDMENTS, Declarant Tabitha Development Corporation is empowered for a period of ten (10) years from the date of the DECLARATION to annex additional land;

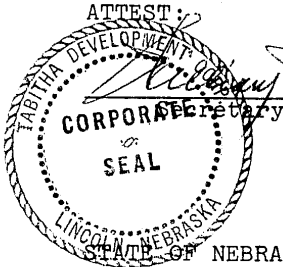
NOW THEREFORE, Tabitha Development Corporation hereby annexes all of the following described property for the purpose of subjecting it to the terms of the above-described DECLARATION and AMENDMENTS and, as owner of the property, hereby assents to said annexation:

Tabitha New Community Second Addition to Lincoln, Lancaster County, Nebraska.

All of the property described above shall be held, sold, and conveyed subject to the easements, restrictions, covenants, and conditions which are imposed by the DECLARATION and AMENDMENTS and which run with the real property and are binding on all parties having any right, title, or interest in the described property or any part thereof, their heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this 16 day of December, 1977.

TABITHA DEVELOPMENT CORPORATION,
A Nebraska Non-Profit Corporation

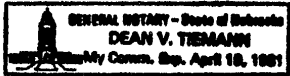


ATTEST: J. Swaney Secretary By Frederick C. Nolte President

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss.

I hereby certify that on this 16 day of December, 1977, Frederick C. Nolte, President of Tabitha Development Corporation, personally appeared before me and executed the foregoing Declaration of Annexation and Assent, acknowledged same to be his voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and notarial seal on the date last above written.



Dean V. Tiemann
Notary Public

LANCASTER COUNTY NEBR.
Kenneth L. Ferguson
REGISTER OF DEEDS

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11.50

Tiemann
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