



MISC 2005017471



FEB 15 2005 13:27 P 2

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/15/2005 13:27:11.85



2005017471

**REVOCABLE ASSIGNMENT AND ASSUMPTION OF
DECLARANT RIGHTS AND NOTICE**

IDA STREET, L.L.C., the Declarant of that certain Declaration of Covenants, Conditions and Restrictions of Avalon North, a Subdivision in Douglas County, Nebraska, covering the following described Property, to-wit:

Lots 14 thru 33, inclusive, and Lots 46 thru 67, inclusive, and Lots 77 thru 91, inclusive, and Lots 94 thru 188, inclusive, and Lots 190 thru 224, inclusive, and Outlot "A", all in Avalon North; Lots 8 thru 14, inclusive, Avalon North Replat One; and, Lots 1 thru 25, Avalon North Replat Two, all as surveyed, platted and recorded in County, Nebraska

OU-01358

OU-01359

OU-01361

recorded of record at Instrument No. 2005 017090 in the office of the Register of Deeds of Douglas 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 15 day of February 2005, subject only to revocation by Ida Street, L.L.C. in the event of any breach by HearthStone Homes, Inc. of the separate agreement by and between Ida Street, 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.

Dated this 14 day of February 2005.

IDA STREET, L.L.C., DECLARANT,
Assignor:

By: Barbara Udes Shaw
Barbara Udes Shaw, Manager

HEARTHSTONE HOMES, INC., Assignee:

By: John J. Smith
John J. Smith, President

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

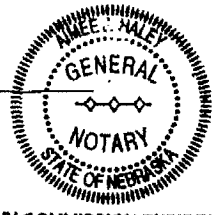
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misc
FEE 120.00 FB see above
220 BKP _____ C/O _____ COMP BW
DEL _____ SCAN _____ FV _____
V32759

STATE OF NEBRASKA)
)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 14 day of February 2005 by Barbara Udes Shaw, as Manager of Ida Street, 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.

Amelia D. Hale

Notary Public



MY COMMISSION EXPIRES:
May 26, 2006

STATE OF NEBRASKA)
)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public in and for said state and county, this 14 day of February 2005 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.

Jolynn D. Schwisow

Notary Public

