

22894

DECLARATION OF ADDITION OF PROPERTY TO
BRIARHURST WEST NEIGHBORHOOD ASSOCIATION

WHEREAS, Briar West Inc., hereinafter referred to as "Developer", is the owner and developer of real property described as follows:

- Lots One through Seventy-three (1-73), Block One (1);
- Lots One through Forty-Three (1-43), Block Two (2);
- Outlot B all in Briarhurst West Third Addition to the City of Lincoln, Nebraska,

WHEREAS, Briarhurst West Neighborhood Association, hereinafter referred to as "Association", was incorporated as a Nebraska Non-Profit Corporation on October 16, 1973, for the purpose of providing a preservation and architectural control of the residential lots and common areas within Briarhurst West Addition to the City of Lincoln as required by the Community Unit Plan, Ordinances and Agreements required by the City of Lincoln for the development of the Briarhurst West Addition; and

WHEREAS, the City of Lincoln has previously approved the creation of the Association and released Developer from the obligation of the aforementioned responsibilities for Briarhurst West Addition; all of Blocks One and Two Briarhurst West Second Addition; and Lots One, Two and Three (1, 2, and 3), Block One (1); Lots Fifteen through Twenty (15-20), Block Two (2) all in Briarhurst West First Addition; and

WHEREAS, the Articles of Incorporation and By-Laws of Association and the Declaration of Covenants, Conditions and Restrictions of Briarhurst West Addition provide that additional land may be added to the Association by the Developer by instrument executed by said Developer and approved by the City of Lincoln, provided there remains a Class B membership in the Association, and

WHEREAS, Developer certifies that it owns two hundred Seventy-Eight (278) lots of the platted Briarhurst West Additions and that its Class B membership is in full force and effect; and

WHEREAS, Developers will deed Outlot B Briarhurst West Third Addition to the City of Lincoln, Lancaster County, Nebraska, to Association; and

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of the above described property will be filed concurrent with the approval of this instrument by the City of Lincoln.

NOW, THEREFORE, Developer adds the following described property to property in Briarhurst West Addition and includes said property in the Association, to-wit:

• Lots One through Seventy-three (1-73), Block One (1);
• Lots One through Forty-Three (1-43), Block Two (2);
• Outlot B in Briarhurst West Third Addition to the City of Lincoln, Nebraska,

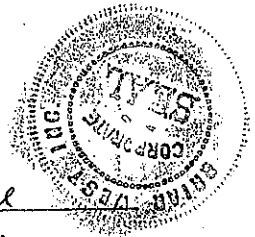
IN WITNESS WHEREOF, Briar West Inc., a Nebraska corporation, has caused this Dedication of Property to be executed this 15 day of Sept, 1976.

ATTEST:

BRIAR WEST, INC.

By John L. Hoppe

Comes now John L. Hoppe and John L. Hoppe, Jr., being a majority of the Directors of Briarhurst West Neighborhood Association, and on behalf of said Association, hereby accept the addition of Lots one through seventy-three (1-73) Block 1; Lots one through forty-three (1-43), Block 2, Outlot B; Briarhurst West Third Addition for membership in



the Briarhurst West Neighborhood Association and assume the responsibility for the installation of required improvements and maintenance of said property as prescribed by the Ordinances, Agreements and Community Unit Plan enacted by the City of Lincoln. Said Directors do further certify that Briar West Inc. owns two hundred seventy-eight (278) lots in Briarhurst West Addition and that its Class B membership in the Briarhurst West Neighborhood Association is in full force and effect.

Dated this 15 day of Sept, 1976.

BRIARHURST WEST NEIGHBORHOOD
ASSOCIATION

By John L. Hoppe
John L. Hoppe
Director of Briarhurst West
Neighborhood Association

By John L. Hoppe, Jr.
John L. Hoppe, Jr.
Director of Briarhurst West
Neighborhood Association

Comes now the City of Lincoln, Nebraska, and hereby approves the foregoing Declaration of Addition of Property as meeting all requirements of the Community Unit Plan, Ordinances, and Agreements of Briarhurst West Addition, relating to the addition of property to the Briarhurst West Addition and its inclusion in the Briarhurst West Neighborhood Association.

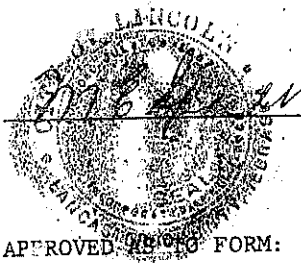
The City of Lincoln agrees that John L. Hoppe, Briar West Inc., Helen Morrow and husband, John P. Morrow, Sarah Louise Meginnis and husband, Harry W. Meginnis, Edward M. O'Shea, Jr. and wife, Janet L. O'Shea, as Developers, are hereby relieved and discharged of responsibility for maintenance and installation of improvements as prescribed by the Ordinances,

Agreements and Community Unit Plan for Lots One through seventy-three (1-73), Block 1; Lots one through forty-three (1-43); Block 2; Outlot B Briarhurst West Third Addition, pursuant to the assumption of said responsibility by the Briarhurst West Neighborhood Association.

Dated this 29 day of Sept., 1976.

ATTEST:

CITY OF LINCOLN, NEBRASKA
A Municipal Corporation,



By Therese B. Brooks

APPROVED - REC'D FORM:

W. William O'Connell
City Attorney for the
City of Lincoln, Nebraska

INDEXED
MICRO-FILED
GENERAL

199 34-223
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LAWMASTER COUNTY MGR.
REGISTER OF DEEDS

1976 SEP 30 PM 2:47

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 76- 22894

✓ #1375 =

Bonny Carter