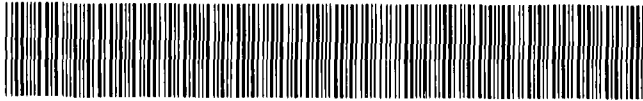




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## ASSIGNMENT OF DECLARANT STATUS

This Assignment of Declarant Status (this "Assignment") is made and entered into this 26 day of June, 2012 by and between Liberty Bank, F.S.B., ("Assignor") and Charleston Homes, LLC, a Nebraska limited liability company ("Assignee").

### Recitals

WHEREAS, Assignor was the owner of certain real estate subject to the Restated and Amended Declaration of Covenants, Conditions, Restrictions and Easements for Elkhorn Village, filed with the Douglas County Register of Deeds on March 5, 2009 as Instrument Number 2009019826 (the "Declaration");

WHEREAS, the real estate subject to the Declaration is legally described as follows:

Lots 1 through 65, inclusive, and Outlots A through C, inclusive, Elkhorn, Village, an addition to the City of Omaha, Douglas County, Nebraska.

(the "Real Estate")

WHEREAS, Assignor became the owner of a portion of the Real Estate by virtue of a Warranty Deed filed with the Douglas County Register of Deeds on January 20, 2012, Instrument Number 2012006414 (the "Warranty Deed") taken from the Declarant under the Declaration, 208<sup>th</sup> & Maple, L.L.C., a Nebraska limited liability company;

WHEREAS, Article II, Section 2.1(c) of the Declaration provides that the rights of the Declarant shall pass to successors and assigns thereof;

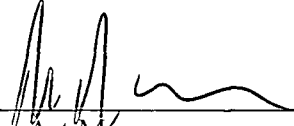
WHEREAS, Assignor, successor to Declarant under the Warranty Deed, has conveyed to Assignee all of Assignor's interest in the real estate subject to the Declaration;

WHEREAS, the Assignor wishes to evidence the assignment of all of its rights and duties as the Declarant, if any, to Assignee, and the Assignee wishes to assume such rights and duties of the Declarant under the Declaration.


NOW, THEREFORE, in consideration of the foregoing, the Assignor and Assignee agree as follows:

1. The Assignor hereby assigns to Assignee all of the rights and duties of the Assignor which it may hold as Declarant under the Declaration.
2. The Assignee accepts the foregoing assignment and assumes all rights and duties of Assignor as successor-in-interest to the Assignor as Declarant under the Declaration.
3. Assignee represents and acknowledges to Assignor that Assignee has examined the Declaration and as a result of such examination and not in reliance upon any representations or statements of Assignor accepts the assignment from Assignor as stated herein.

**LIBERTY BANK, F.S.B., Assignor**

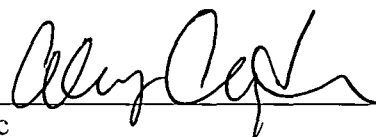
By:   
 Name: Art Meyers  
 Title: Senior Vice President, Credit Services

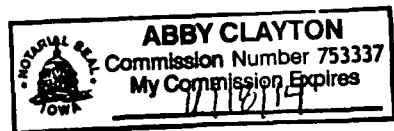
**CHARLESTON HOMES, LLC, a Nebraska limited liability company, Assignee**

By:   
 Printed Name: MARC D. Stadola  
 Title: CO member

STATE OF IOWA            )  
                                   ) ss  
 COUNTY OF POLK        )

The foregoing instrument was acknowledged before me this 26 day of June, 2012, by Art Meyers, as Senior Vice President, Credit Services, of Liberty Bank, F.S.B., on behalf of the bank.

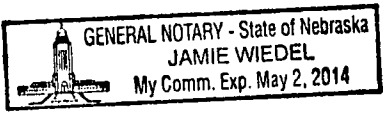
  
 Notary Public



STATE OF NEBRASKA    )  
  ) ss  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 27 day of June, 2012, by Jane \*, 2012 of Charleston Homes, LLC, on behalf of the limited liability company.

Jamie WieDEL  
Notary Public



510667

\* MARC D. STODOLA, CO-MEMBER