

MISC 2

2005108125



AUG 31 2005 14:17 P - 6

Received - DIANE L. BATTIATO Register of Deeds, Douglas County, NE 8/31/2005 14:17:44.51



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ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS PURSUANT TO THE DECLARATION OF MASTER DEED OF FARNAM 1600 CONDOMINIUM PROPERTY REGIME

This Assignment and Assumption of Declarant Rights is entered into by and between MBO Properties, LLC, a Minnesota limited liability company, PBK Real Estate, LLC, a Minnesota limited liability company, and GLS Stenson Family Limited Partnership (hereinafter referred to collectively as "Assignor") and POS Minnesota, Inc., a Nebraska corporation (hereinafter referred to as "Assignee").

WHEREAS, Assignor is the Declarant under that certain Declaration and Master Deed of Farnam 1600 Condominium Property Regime, which was recorded in the office of the Douglas County Register of Deeds on August 29, 2005, Instrument No. 2005-106823 (the "Declaration"), against the following described real property, to-wit:

See Exhibit "A" attached hereto.

WHEREAS, pursuant to Section 15.1(e) of the Declaration, Assignor agrees to assign and Assignee agrees to assume Assignor's rights, obligations and duties under the Declaration.

NOW, THEREFORE, the parties agree:

- 1. Assignor hereby assigns to Assignee all of its rights, obligations and duties as Declarant under the Declaration.
- 2. Assignee hereby assumes all of Assignor's rights, obligations and duties as Declarant under the Declaration.
 - 3. Accordingly, Assignee is hereby the Declarant under the Declaration effective immediately.

IN WITNESS WHEREOF, the undersigned have caused these presents to be executed on the day and year set forth below.

[Signatures on Pages to Follow]

Crs - Courtesy Recording

ASSIGNORS:

MBO PROPERTIES, LLC, a Minnesota limited liability company,

By:

Lawrence W. Olson

Its: Chief Manager

STATE OF Manusota)
COUNTY OF Ramsey)ss.

Before me, a notary public, in and for said county and state, personally came Lawrence W. Olson, Chief Manager of MBO Properties, LLC, a Minnesota limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof the be his/her voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this 25 day of www., 200

Notary Public

GERI A. CONWAY

Notary Public-Minnesota

My Commission Expires Jan 31, 2010

PBK REAL ESTATE, LLC, a Minnesota limited liability

company,

By:

Brian E. Pellowski

Its: Chief Manager

STATE OF <u>NEBRASKA</u>) ss COUNTY OF <u>DEVICIAS</u>)

Before me, a notary public, in and for said county and state, personally came Brian E. Pellowski, Chief Manager of PBK Real Estate, LLC, a Minnesota limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof the be his/her voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this 22 day of AUGUST, 2005.

Notary Public

GENERAL HOTARY-State of Nebraska J. Derozza My Comm. Exp. Feb. 23, 2008 GLS STENSON FAMILY LIMITED PARTNERSHIP, a Minnesota limited partnership,

By: GLS Properties, LLC, a Minnesota limited liability company, its General Partner,

3y: ____

Gary L. Stenson

Its: Chief Manager

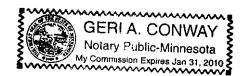
STATE OF Myresota)
COUNTY OF Runney)
SS.

Before me, a notary public, in and for said county and state, personally came Gary L. Stenson, Chief Manager of GLS Properties, LLC, a Minnesota limited liability company, as general partner of GLS Stenson Family Limited Family Partnership, a Minnesota limited partnership, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof the be his/her voluntary act and deed and the voluntary act and deed of said limited partnership.

Witness my hand and Notarial Seal this 24 day of Quest, 2005

Heri a Conway

Notary Public J



ASSIGNEE:

POS MINNESOTA, INC., a Nebraska corporation,

Brian E. Pellowski

Its: President

STATE OF Minnerota COUNTY OF RAMAN

Before me, a notary public, in and for said county and state, personally came Brian E. Pellowski, President of POS Minnesota, Inc., a Nebraska corporation, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof the be his/her voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal this 24 day of www.

GERIA. CONWAY Notary Public-Minnesota
My Commission Expires Jan 31, 2010 Units 401 thru 403, inclusive, 501 thru 509, inclusive, 601 thru 609, inclusive, 701 thru 709, inclusive, 801 thru 809, inclusive, 901 thru 907, inclusive, 1001 thru 1007, inclusive, 1101 thru 1107, inclusive, 1201 thru 1207, inclusive, 1301 thru 1307, inclusive, Unit 1402 and the Roof Top Unit, in Farnam 1600 Condominium Property Regime, which was created by the Declaration and Master Deed of Farnam 1600 Condominium Property Regime that was recorded as Instrument No. 2005106823 under date of August 29, 2005, in the Office of the Register of Deeds of Douglas County, Nebraska (the "Declaration"); together with a 70.165% undivided interest appertaining to such Unit in the Common Elements and designated Limited Common Elements in Farnam 1600 Condominium Property Regime, until such times as Supplemental Declarations are recorded pursuant to Article XV of the Declaration. Upon the filing and recording of Supplemental Declarations, the Grantee's undivided Allocated Interest in the Common Elements and designated Limited Common Elements shall be reduced and changed in accordance with the provisions of Section 2.1 of the Declaration.