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COMPARED

Prepared by : Jack E. Ruesch, 25 Main Place, Suite 200, Council Bluffs, IA 51502
Return to: Jack E. Ruesch, 25 Main Place, Suite 200, Council Bluffs, IA 51502

**PARTIAL ASSIGNMENT AND DELEGATION OF DEVELOPER'S RIGHTS UNDER
DECLARATION OF RESTRICTIONS AND COVENANTS
OF
FOX RUN LANDING**

By Assignment dated December 1, 2005 which was recorded on December 7, 2005 in Book 106 at Page 11446 of the records of the Pottawattamie County Recorder, Western Iowa Land Development, LLC became the owner and holder of all rights as "Developer" under the Declaration of Restrictions and Covenants recorded in Book 101 at Page 17717 of the records of the Pottawattamie County Recorder.

Western Iowa Land Development, LLC does hereby assign and delegate to the Board of Directors of Fox Run Landing Homeowners Association, Inc. the right to enforce compliance with the restrictions and covenants set forth in the Declaration and the Amendments thereto; provided, however, Western Iowa Land Development, LLC specifically retains the right to maintain architectural control over new construction on vacant lots and to enforce the covenants relating thereto.

Dated this 9th day of June, 2010.

WESTERN IOWA LAND DEVELOPMENT, LLC

BY: Robert P. McCarthy
Robert P. McCarthy, Managing Member

STATE OF IOWA, COUNTY OF POTTAWATTAMIE, ss:

On this 9th day of June, 2010, before me, a Notary Public in and for the said State, personally appeared Robert P. McCarthy, to me personally known, who being by me duly sworn did say that that person is Manager of said limited liability company, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said Robert P. McCarthy acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Mary J. Hughes
Notary Public in and for said State.

