COUNTER VERIFY **PROOF** FEES \$ CHECK # CHG\_C CASH. REFUND. CREDIT SHORT

FILED SARPY CO. NE. 2009 JUN 25 A 10: 04 &

REGISTER OF DEEDS

(Space Above this Line for Recording Data)

## NOTICE OF TERMINATION OF STATUS AS DECLARANT UNDER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MILLARD PARK SOUTH II TOWNHOMES ASSOCIATION, SARPY COUNTY, NEBRASKA

This notice of Termination of Status of Declarant, made on the date hereinafter set forth, by Marasco, Inc., a Nebraska corporation, (herein "Marasco").

## PRELIMINARY STATEMENT:

Marasco as the then owner of certain real estate townhome lots in the Millard Park South 2 subdivision in Sarpy County, Nebraska, executed and filed of record on March 11, 2004, in the Sarpy County Register of Deeds Office, as Instrument No. 200408377 a Declaration of Covenants, Conditions and Restrictions, (herein "Declaration"). The Declaration affects the following described real estate:

Lots 330 through 341, inclusive, in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1, 2, 3, 4, 5, 6 of Lot 342 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1 through 23, inclusive, of Lot 343 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1, 2, 3, 4 of Lot 344 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1 through 20, inclusive, of Lot 346 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

Marasco has now sold all of its lots in the Millard Park South 2 subdivision and pursuant to the provisions of Section 4 of Article VII of the Declaration Marasco is desirous of terminating its status as a Declarant under the Declaration. Pursuant to the terms of Section 4 of Article VII of the Declaration, Marasco, Inc. shall remain as the sole Declarant under the Declaration.

This Notice of Termination of Status as Declarant shall be recorded against the following described real estate:

Courtery of

2009-19907 A

Lots 330 through 341, inclusive, in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1, 2, 3, 4, 5, 6 of Lot 342 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1 through 23, inclusive, of Lot 343 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1, 2, 3, 4 of Lot 344 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; Sublots 1 through 20 inclusive, of Lot 346 in Millard Park South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

NOW, THEREFORE, Marasco as a Declarant under the Declaration, hereby resigns as a Declarant and by reason thereof terminates its status as a Declarant under the Declaration effective as of the date of the execution of this Notice of Termination of Status as Declarant.

All references in the Declaration to Declarant shall mean Capital Investors, LLC, a Nebraska corporation, who shall serve as the sole Declarant with all the same authority and powers as the original Declarants.

IN WITNESS WHEREOF, Marasco has caused this Notice of Termination of status as Declarant to be executed effective this 10 to day of \_\_\_\_\_\_\_ 2009\_\_\_.

MARASCO, INC., a Nebraska corporation

By: President

STATE OF NEBRASKA ) ) ss. COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 1044 day of June 2009 by Ralph Marasco, President of Marasco, Inc., a Nebraska corporation, on behalf of the corporation.

GENERAL NOTARY - State of Nebraska LINDSAY HOLLINGSWORTH My Comm. Exp. Sept. 21, 2011