COUNTER C.E.
VERIFY D.E.
PROOF

FEES \$ 52.50
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CHG CASH CREFUND CREDIT SHORT NCR

FILED SARPY COUNTY NEBRASKA INSTRUMENT NUMBER

2012-33147

10/24/2012 1:38:27 PM

REGISTER OF DEEDS

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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 Capital Investors, LLC, (herein "Capital").

PRELIMINARY STATEMENT:

Capital 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 June 25, 2009 in the Sarpy County Register of Deeds Office, as Instrument No. 20091997 a Declaration of Covenants

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 10, inclusive, of Lot 345 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.

Capital 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, Capital 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, Millard Park South II Townhome Association, Inc shall remain as the sole Declarant under the Declaration.

Property Source 6239 S. 9045+ Omaha, NE 68/27

RXR

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

Lots 330 through 331, 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 10, inclusive, of Lot 345 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, Capital 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 Millard Park South II Townhomes Association, Inc, a Nebraska Corporation, who shall serve as the sole Declarant with all the same authority and powers as the original Declarants.

CAPITAL INVESTORS, LLC, a Nebraska Corporation

BY: Naty Kiles VP Daniel J. Brabec, Vice Presiden

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 10th day of 0ctober by Dan Braebec, President of Capital Investors, LLC., a Nebraska limited liability company, on behalf of the company.

GENERAL NOTARY-State of Nebraska LISA KIMMEL Ny Comm. Exp. December 20, 2015

Notary Public

My commission Expires: