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FEB 18 2011 11:53 P 8

Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 2/18/2011 11:53:53.62



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**ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS  
 PURSUANT TO THE  
 DECLARATION AND MASTER DEED OF  
RIVERFRONT CONDOMINIUM PROPERTY REGIME**

This Assignment and Assumption of Declarant Rights is made effective this 10<sup>th</sup> day of February, 2011, by and between Riverfront Partners, LLC, a Nebraska limited liability company, (hereinafter referred to as "Assignor") and RFP Residential, LLC, a Nebraska limited liability company (hereinafter referred to as "Assignee").

WHEREAS, Assignor is the Declarant under that certain Declaration and Master Deed of Riverfront Place Condominium Property Regime, which was recorded in the office of the Douglas County Register of Deeds on October 4, 2006, Instrument No. 2006 – 114433 (the "Declaration").

WHEREAS, pursuant to the terms of the Declaration, Assignor desires to assign and Assignee desires to assume all of Assignor's rights, obligations and duties under the Declaration.

WHEREAS, this Assignment and Assumption Agreement shall be recorded and indexed against all residential units and common elements in the Riverfront Condominium Property Regime, as legally described on Exhibit "A" attached hereto.

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.

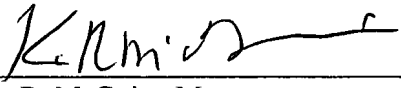
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*[Signatures on Following Pages]*

ASSIGNOR:

RIVERFRONT PARTNERS, LLC, a Nebraska Limited Liability Company

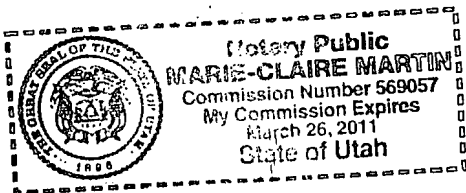
By: Riverfront Holdings, LLC, a Nebraska Limited Liability Company, its sole member


By:   
Kim R. McGuire, Manager

STATE OF UTAH )  
COUNTY OF SUMMIT )ss.

Before me, a notary public, in and for said county and state, personally came Kim R. McGuire, the Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, the sole member of Riverfront Partners, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this 10 day of FEBRUARY, 2011.



  
Notary Public

By:

John C. Kinnear, III, Manager

Riverfront Holdings, LLC

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )ss.

Before me, a notary public, in and for said county and state, personally came John C. Kinnear, III, the Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, the sole member of Riverfront Partners, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Sgt. Attorneys  
Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SANTA BARBARA

On FEB 10, 2011 before me, DONNA M BALLOU, A NOTARY

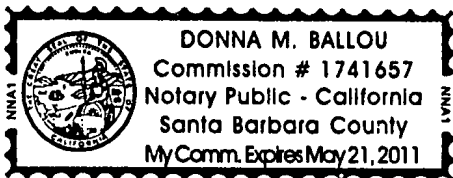
Date

Here Insert Name and Title of the Officer

personally appeared JOHN C KINNEAR III

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Donna M Ballo

Signature of Notary Public

Place Notary Seal and/or Stamp Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: ASSIGNMENT + ASSUMPTION OF DECLARANT RIGHTS

Document Date: 2-10-2011 Number of Pages: 1

Signer(s) Other Than Named Above: N/A

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

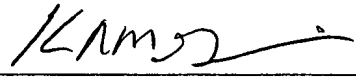
Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
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ASSIGNEE:

RFP RESIDENTIAL, LLC, a Nebraska Limited Liability Company

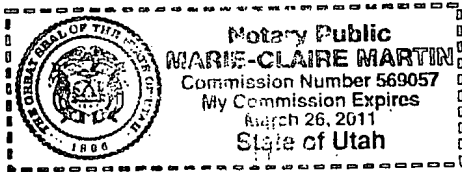
By: Riverfront Holdings, LLC, a Nebraska Limited Liability Company, its sole member


By:   
Kim R. McGuire, Manager

STATE OF UTAH )  
 )ss.  
COUNTY OF SUMMIT )

Before me, a notary public, in and for said county and state, personally came Kim R. McGuire, Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, the sole member of RFP Residential, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this 10 day of FEBRUARY, 2011.



  
Notary Public

By: John C. Kinnear III  
John C. Kinnear, III, Manager  
Riverfront Holdings, LLC

STATE OF \_\_\_\_\_ )  
 )ss.  
COUNTY OF \_\_\_\_\_ )

Before me, a notary public, in and for said county and state, personally came John C. Kinnear, III, Manager of Riverfront Holdings, LLC, a Nebraska limited liability company, the sole member of RFP Residential, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

See Attached  
Notary Public

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

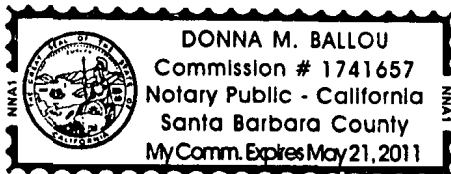
State of California

County of SANTA BARBARA

On FEB 10, 2011 before me, DONNA M. BALLOU, A NOTARY  
Date Here Insert Name and Title of the Officer

personally appeared JOHN C KINNEAR III  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he ~~he~~ she ~~they~~ executed the same in his ~~her~~ their authorized capacity(ies), and that by his ~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Donna M Ballou  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

## OPTIONAL

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Document Date: FEB 10, 2011 Number of Pages: 6

Signer(s) Other Than Named Above: N/A

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_ ☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Individual ☐ Individual

☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact ☐ Attorney in Fact

☐ Trustee ☐ Trustee

☐ Guardian or Conservator ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_ ☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

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RIGHT THUMBPRINT  
OF SIGNER

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**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Units No. 1 thru 18, inclusive, and Units 2A thru 2E, inclusive, 3A thru 3E, inclusive, 4D thru 4G, inclusive, 5D thru 5G, inclusive, 6D thru 6G, inclusive, 7D thru 7G, inclusive, 8K thru 8M, inclusive, 9K thru 9M, inclusive, 10H and 10J, 11H and 11J, 12H and 12J, and the Penthouse, and all Common Elements created by the Declaration and Master Deed of Riverfront Place Condominium Property Regime, that was recorded in the Office of the Douglas County Register of Deeds on October 4, 2006, Instrument No. 2006114433.