

1979

DECLARATION AND ASSENT

The parties to this Agreement are Tabitha Development Corporation (referred to as Development hereafter), and Southwood Village, Phaze II Ltd. (referred to as Southwood hereafter).

Development and Southwood own portions of certain real property which together comprise all of the following described real property:

All of Block 5 and 7 of Tabitha New Community Addition to Lincoln, Lancaster County, Nebraska.

It is the desire of both parties to subject their above described properties to the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (referred to as DECLARATION hereafter) executed on May 30th, 1975 by Development and recorded in the Office of the Register of Deeds, Lancaster County, Nebraska, and to the AMENDMENTS TO DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS (referred to as AMENDMENTS hereafter) executed on 26th day of January, 1977 by at least ninety per cent (90%) of the total membership of the Tabitha New Community Home Owners Association and recorded in the Office of the Register of Deeds, Lancaster County, Nebraska, for the purpose of protecting the value and desirability of their real property, and insuring that the use to which it is put will be continuously in harmony with the surrounding property.

THEREFORE, Development and Southwood, in consideration of their mutual promises, do hereby declare their respective portions of the above described real property subject to the terms of the DECLARATION and AMENDMENTS.

Development and Southwood do further declare their assent to the annexation of their property by the Declarant in the DECLARATION, said Declarant acting pursuant to ARTICLE VI, Section 4, Paragraph (b) of the DECLARATION.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 26th day of January, 1977.

TABITHA DEVELOPMENT CORPORATION, a Nebraska Non-Profit Corporation

By:

*[Handwritten Signature]*  
President

SOUTHWOOD VILLAGE, PHAZE II LTD., a Partnership

*[Handwritten Signature]*  
General Partner

N.S

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) ss

I hereby certify that on this 26 day of January,  
1977, Miles Tommerasen President of  
Tabitha Development Corporation, personally appeared before me  
and executed the foregoing DECLARATION AND ASSENT, acknowledged  
same to be his voluntary act and deed and the voluntary act and  
deed of said corporation.

Helen R. Glover  
Notary Public

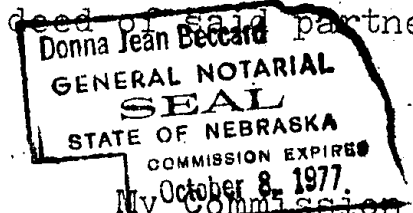
My Commission expires the 23 day of October  
19 78.



STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) ss

I hereby certify that on this 26 day of January,  
1977, Erwin E. Peterson  
of Southwood Village, Phase II Ltd., personally appeared before  
me and executed the foregoing DECLARATION AND ASSENT, acknowledged  
same to be his voluntary act and deed and the voluntary act and  
deed of said partnership.

Donna Jean Beccard  
Notary Public



My Commission expires the 8 day of October,  
19 77.

INDEXED  
MICRO-FILED  
GENERAL

*Misc*

- 313
- 309
- 304
- 301
- 33-298
- 32-432
- 454
- 458
- 462
- 466
- 470, 490
- 474
- 478
- 482
- 486

LANCASTER COUNTY NEBR.  
*Kenneth L. Ferguson*  
REGISTER OF DEEDS

1977 JAN 27 AM 8:17

ENTERED ON  
NUMERICAL INDEX  
FILED FOR RECORD AS:

INST. NO. 77-1979

# 11-25