



MISC Inst. # 2019049420, Pg: 1 of 2 Rec Date: 07/02/2019 14:14:04.100

Fee Received: \$16.00 Electronically Recorded By: MB

Douglas County, NE Assessor/Register of Deeds DIANE L. BATTIATO

After recording, please return to:

John M. Prosocki  
Dvorak Law Group, LLC  
9500 West Dodge Road, Suite 100  
Omaha, Nebraska 68114

#### **NOTICE OF PARTIAL TERMINATION OF STATUS AS DECLARANT**

THIS NOTICE OF PARTIAL TERMINATION OF STATUS AS DECLARANT is made on the date hereinafter set forth by PACESETTER HOMES, INC., a Nebraska corporation (the "Declarant").

#### **WITNESSETH:**

WHEREAS, the undersigned is the Declarant under that certain Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska (the "Original Declaration"), which Original Declaration was filed for record in the office of the Register of Deeds of Douglas County, Nebraska on November 29, 2001 in Book 1410 at Pages 495 through 514, which Original Declaration was amended by a First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska (the "First Amendment"), which First Amendment was filed for record in the office of the Register of Deeds of Douglas County, Nebraska on June 10, 2002 in Book 1444 at Pages 237 through 238, a Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska (the "Second Amendment"), which Second Amendment was filed for record in the office of the Register of Deeds of Douglas County, Nebraska on July 11, 2013 as Instrument No. 2013070232, and a Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska (the "Third Amendment"), which Third Amendment was filed for record in the office of the Register of Deeds of Douglas County, Nebraska on November 30, 2016 as Instrument No. 2016099504 (with the Original Declaration, as amended by the First Amendment, the Second Amendment, and the Third Amendment being referred to herein as the "Declaration" and with capitalized terms used but not defined herein being defined as set forth in the Declaration); and,

WHEREAS, the Declaration governs Lots 1 through 57, inclusive, and Outlots A, B, and C, in Walnut Lake Replat I, a subdivision in Douglas County, Nebraska; and,

WHEREAS, pursuant to the terms of Article IV, Section 3 of the Declaration, Declarant hereby intends to appoint a successor Declarant and then to terminate its status as Declarant under said Declaration for certain specified Lots, and only such specified Lots, while retaining its status as Declarant, and all rights associated therewith, as to all other Lots.


NOW THEREFORE, Declarant hereby declares as follows:

1. Declarant hereby appoints Walnut Lake Homeowners Association as the successor Declarant with respect to Lot 1, Lots 3 and 4, Lots 6 through 9, inclusive, and Lots 11 through 57, inclusive, Walnut Lake Replat 1, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska (the "Assigned Lots"), and only with respect to the Assigned Lots, and such appointee shall hereafter serve as Declarant with respect to the Assigned Lots (and only the Assigned Lots) with the same authority and powers as the original Declarant. Declarant hereby reserves and retains its status as Declarant, and all rights, powers, and privileges associated therewith, with respect to any and all Lots other than the Assigned Lots.

2. Declarant hereby terminates its status as Declarant with respect to the Assigned Lots (and only the Assigned Lots). Declarant hereby reserves and retains its status as Declarant, and all rights, powers, and privileges associated therewith, with respect to any and all Lots other than the Assigned Lots.

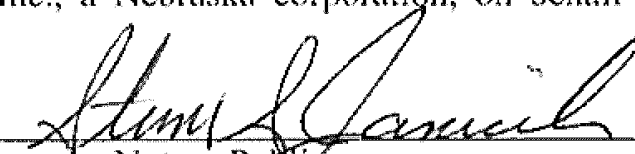
IN WITNESS WHEREOF, the undersigned Declarant has executed this Notice of Partial Termination of Status as Declarant this 25 day of June, 2019.

PACESETTER HOMES, INC., a Nebraska corporation

By   
Dennis Van Moorleghem, President

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF SARPY     )

The foregoing instrument was acknowledged before me this 25 day of June, 2019, by Dennis Van Moorleghem, President of Pacesetter Homes, Inc., a Nebraska corporation, on behalf of the corporation.

  
Notary Public

