



MISC 2007093410



AUG 15 2007 10:48 P 2

Handwritten notes: "MIX", "F 2 GO", "See Below MB", "F 2 GO" with a large handwritten "2" and "GO" below it.

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
8/15/2007 10:48:07.98  
2007093410

**ASSIGNMENT OF DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
OF PACIFIC SPRINGS, A SUBDIVISION  
IN DOUGLAS COUNTY, NEBRASKA**

This Assignment of Declaration is made as of this 28 day of July, 2007, by HORGAN DEVELOPMENT COMPANY, a Nebraska corporation (the "Declarant"). Declarant does hereby transfer and assign to PACIFIC SPRINGS HOMEOWNERS ASSOCIATION, a Nebraska not-for-profit corporation (the "Association"), all of its right, title and interest in and to those certain Declarations for Pacific Springs, a subdivision in Douglas County, Nebraska (collectively the "Declaration"), as follows: (i) dated June 30, 1997, and any amendments thereto, covering the following property:

Lots 180 through 204, inclusive, Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

*{Due to various replatting, the above-identified lots are now legally described as follows:*

*OC-29167* Lots 180 through 201, inclusive, and Lot 204, Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

*OC-29206* Lots 1 and 2, Pacific Springs Replat 5, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; }

and recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Miscellaneous Records at Book 1215, Page 174; and (ii) dated November 20, 1996, and any amendments thereto, covering the following property:

Lots 205 through 269, inclusive, in Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

*{Due to various replatting, the above-identified lots are now legally described as follows:*

*OC-29197* Lots 205 through 224, inclusive, and Lots 226 through 269, inclusive, in Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

*OC-29208* Lot 2, Pacific Springs Replat 7, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;}

and recorded in the office of the Register of Deeds of Douglas County, Nebraska, in Miscellaneous Records at Book 1194, Page 189. **Declarant hereby reserves all of its rights as to such lots covered by the above-identified Declarations as have not been improved as of the date of this Assignment. The purpose of this reservation is to allow Declarant to provide approval on any homes that have not yet**

DeB and Mark Hopkins Realty  
17809 Pacific Street  
Omaha, Ne. 68130

OT craty

4777

***been built at the time of the filing of this Assignment. Upon completion of such improvements, such improved lots shall be subject to this Assignment.***

Declarant hereby warrants and represents that its interest in the Declaration identified above has not been previously assigned to an association and that the Declaration is in full force and effect.

By its acceptance of this Assignment of Declaration, the Association assumes all of the Declarant's liability under the Declaration and agrees to promptly perform all of the obligations and covenants imposed on Declarant under the Declaration.

HORGAN DEVELOPMENT COMPANY, a Nebraska corporation,

By *Robert P. Horgan*  
Robert P. Horgan, President

STATE OF NEBRASKA            )  
  ) ss.:  
COUNTY OF DOUGLAS        )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of June, 2007, by Robert P. Horgan, President of HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, on behalf of the corporation.



*Juliann M. Warren*  
Notary Public

**ACCEPTANCE**

PACIFIC SPRINGS HOMEOWNERS ASSOCIATION hereby assumes all of the Declarant's liability under the Declaration and agrees to promptly perform all of the obligations and covenants imposed upon the Declaration under the Declaration. Each of the members represent that at the time of this acceptance of appointment, they are residents of Pacific Springs.

PACIFIC SPRINGS HOMEOWNERS ASSOCIATION,  
a Nebraska not-for-profit corporation,

By *Jessica Bruce*  
By *Dana A. Hopkins*