

James D. Super  
Gaines, Kullen, Pansing & Hogan  
10050 Regency Circle, Ste. 200  
Omaha, NE 68114

9900



RECEIVED

Nov 21 12 44 PM '96

GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

**CONSENT AND APPROVAL OF DECLARANT**

This Consent and Approval is made as of this 20th day of November, 1996, by LANOHA-PACIFIC DEVELOPMENT, INC., a Nebraska corporation (the "Declarant"), which is Declarant under the Declaration of Covenants, Conditions, Restrictions and Easements of Pacific Springs, a Subdivision in Douglas County, Nebraska, dated May 17, 1996, and recorded with the Douglas County Register of Deeds on May 23, 1996, Miscellaneous Records, in Book 1177, at Page 600; and the Declaration of Covenants, Conditions, Restrictions and Easements of Part of Pacific Springs, a Subdivision in Douglas County, Nebraska, dated June 7, 1996, and recorded with the Douglas County Register of Deeds on June 10, 1996, Miscellaneous Records, in Book 1179, at Page 055, (as amended collectively referred to as the "Declarations").

Preliminary Statement

The Declarations were made by the Declarant in connection with the development of residential lots in Pacific Springs, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska ("Pacific Springs"). Certain of the lots of Pacific Springs which are subject to the Declarations, have been replatted and, as a result of such replatting, the lots encumbered by the Declarations are now legally described as follows (the "Declaration Lots"):

Lots 9 through 13, inclusive, Lots 21 through 29, inclusive, and Lots 34 through 176, inclusive, in Pacific Springs, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; and

Lots 1 through 21, inclusive, Pacific Springs Villas West, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Except as specifically excluded by the Declarations, the Declaration Lots are included in the Pacific Springs Homeowners Association (the "Homeowners Association").

Horgan Development Company ("Horgan") is developing property which is contiguous to the Declaration Lots as an additional phase

OC-29197  
OC-29199

13528

99.00  
See Above  
[Signature]

of Pacific Springs. Horgan desires to include in the Homeowners Association, the single-family lots which he is developing as an additional phase of Pacific Springs and has requested the consent and approval of the Declarant to include such lots in the Homeowners Association.

The Declarations provide that the Homeowners Association may be expanded to include additional residential lots in any subdivision which is contiguous to any of the Lots, or is developed as a phase of the Pacific Springs subdivision. Declarant has investigated the effect which inclusion of the residential lots being developed by Horgan as an additional phase of Pacific Springs would have on the Declaration Lots, and has concluded that the inclusion of such additional lots would further the preservation of Pacific Springs and further the benefits and protections afforded to the Declaration Lots by the Declarations.

NOW, THEREFORE, pursuant to the authority granted to the Declaration in the Declarations, Declarant hereby consents and approves to the inclusion of the residential lots being developed by Horgan in the Homeowners Association, which additional lots are legally described as follows:

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

IN WITNESS WHEREOF, this Consent and Approval has been executed as of the date and year first above written.

LANOHA-PACIFIC DEVELOPMENT, INC.,  
a Nebraska corporation

By: David F. Lano  
David F. Lano, President

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 1996, by David F. Lano, President of Lanoha-Pacific Development, Inc., a Nebraska corporation, on behalf of the corporation.



[Signature]  
Notary Public

NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS