

ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT AGREEMENT

This Assignment and Assumption of Development Agreement (“Agreement”) is entered into on this 3rd day of September, 2025, by and between DekmX Homes, LLC, a Nebraska limited liability company (“Original Developer”), and David Freese (“Successor Developer”).

RECITALS

- A. CDA and Original Developer entered into a Development Agreement dated March 17, 2023 (the “Development Agreement”), for a development project on the property legally described as:

Lots 1-16, Block 4, St. Ann’s Second Addition, an addition to the City of Lexington, Dawson County, Nebraska (“Project Site”).

- B. Original Developer desires to assign the Development Agreement to Successor Developer and Successor Developer agrees to assume all of the obligations of the Developer under the Development Agreement.
- C. The parties acknowledge and understand that the CDA must consent to this assignment.

NOW THEREFORE, in consideration of these mutual covenants contained herein and other good and valuable consideration, the parties agree as follows:

1. Assignment. Effective as of the date of this Agreement, Original Developer assigns all of its right, title and interest in and to the Development Agreement to Successor Developer.
2. Assumption. Effective as of the date of this Agreement, Successor Developer assumes and agrees to perform all the obligations of Original Developer under the Development Agreement and to assume and to perform and to be bound by all of the obligations and undertakings of Original Developer to the CDA as provided in the Development Agreement.
3. CDA Consent. Pursuant to its signature below, the CDA consents to this Agreement and the assignment of the Development Agreement from the Original Developer to the Successor Developer.

(Signature page follows)

This Assignment and Assumption of Development Agreement is effective as of the date first written above.

“ORIGINAL DEVELOPER”

DekmX Homes, LLC,
a Nebraska limited liability company

Signed by:
Austin Hillis
By: EB7C662E973043B...
Austin Hillis, Member

“SUCCESSOR DEVELOPER”

DocuSigned by:
David Freese
2B7F8C7605A84D9...
David Freese

CDA CONSENT TO AGREEMENT

“CDA”
COMMUNITY DEVELOPMENT
AUTHORITY OF THE CITY OF
LEXINGTON, NEBRASKA

ATTEST:

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____