

When recorded, return to:

**DREW JOHNSON and JOANNA JOHNSON**

**921 South White Chapel**

**Southlake, TX 76092**

## **RESPA**

File No. 31234

### **THE RESIDENCES AT EMPIRE CANYON RESORT**

#### **SPECIAL WARRANTY DEED**

**Talisker Empire Pass Hotel LP, a Delaware limited partnership, successor-by-conversion to Talisker Empire Pass Hotel LLC, a Delaware limited liability company (“Grantor”) does hereby convey and warrant against all claims made by persons claiming by, through or under Grantor (but specifically excluding any claims arising out of any Identified Encumbrances (as defined below)), to DREW JOHNSON and JOANNA JOHNSON, joint tenants, (“Grantee”), of Southlake, TX, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of Grantor’s right, title and interest in and to the following described property and interests (collectively, the “Unit”) in Summit County, Utah:**

**Unit No. 901, of THE HOTEL & RESIDENCES AT EMPIRE CANYON RESORT, according to the Condominium Plat recorded in the Office of the Summit County Recorder on January 20, 2010 as Entry No. 890518, the First Amendment to Condominium Plat recorded June 23, 2011 as Entry No. 925198, and the Second Amendment to Condominium Plat recorded September 2, 2015 as Entry No. 1027256 (the “Condominium Plat”) and the Declaration of Covenants, Conditions and Restrictions for The Residences At Empire Canyon Resort recorded in the Office of the Summit County Recorder on January 20, 2010, as Entry No. 890520 in Book 2018 at Page 0001, and the First Amendment to Declaration of Covenants, Conditions and Restrictions for The Residences at Empire Canyon Resort recorded June 23, 2011 as Entry No. 925199 (the “Residential Declaration”) and as further defined in and made subject to that certain Master Declaration of Covenants, Conditions and Restrictions for The Hotel and Residences At Empire Canyon Resort recorded in the Office of the Summit County Recorder on January 20, 2010, as Entry No. 890519 in Book 2017 at Page 1884 (the “Master Declaration”), together with an undivided interest in the non-exclusive easement rights over the Access Area, the Parking Area, the Storage Area and the Balcony/Patio Area appurtenant to such Unit, as designated on the Condominium Plat. HRECRC-901.**

Excepting therefrom, all oil, gas and other minerals of every kind and description underlying the surface of the above-described property.

THIS CONVEYANCE IS MADE SUBJECT TO, AND NO WARRANTY IS MADE BY GRANTOR WITH RESPECT TO ANY CLAIMS ARISING OUT OF, THE FOLLOWING (collectively, the "Identified Encumbrances"):


1. All of the terms, provisions, conditions, rights, privileges, obligations, easements, liens and limitations on title set forth in the Residential Declaration, the Condominium Plat and the Master Declaration;
2. Property taxes and assessments for the current year and thereafter; and
3. All other covenants, conditions, restrictions, easements, rights of way and other matters of record encumbering or otherwise affecting the above-described Unit.

Grantee, by acceptance hereof, hereby expressly assumes and agrees to be bound by and comply with all of the covenants, terms, and provisions set forth in the Residential Declaration and the Master Declaration and the rules and regulations promulgated thereunder, including, but not limited to, the obligation to make payment of all assessments as provided for therein. Grantee acknowledges that ownership of the Unit conveyed hereby authorizes and entitles Grantee to occupy the above described Unit only in accordance with the Residential Declaration and the Master Declaration and any other rules and regulations promulgated thereunder.

Unless otherwise provided herein, all capitalized terms used in this Special Warranty Deed shall have the meanings set forth in the Master Declaration.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized representative this 27<sup>th</sup> day of February, 2019

**TALISKER EMPIRE PASS HOTEL LP,**  
**a Delaware limited partnership,**  
successor-by-conversion to  
**TALISKER EMPIRE PASS HOTEL LLC,**  
**a Delaware limited liability company**  
**By: TALISKER EMPIRE PASS HOTEL**  
**CLASS A HOLDING CO LP,**  
**a Delaware limited partnership,**  
**its General Partner**

By:   
Name: D. Aster Bistner  
Its Authorized Signatory

STATE OF New York )  
 : SS.  
COUNTY OF New York )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of February, 2019 by D. Asher Bistner, the Authorized Signatory of Talisker Empire Pass Hotel Class A Holding Co LP, a Delaware limited partnership, as General Partner for Talisker Empire Pass Hotel LP, a Delaware limited partnership, successor-by-conversion to Talisker Empire Pass Hotel LLC, a Delaware limited liability company.

Michelle Melohn  
NOTARY PUBLIC

My Commission Expires:

6/13/2020  
(SEAL)

