



W2949947

E# 2949947 PG 1 OF 3
Leann H. Kilts, WEBER COUNTY RECORDER
31-Oct-18 0203 PM FEE \$14.00 DEP KL
REC FOR: FIRST AMERICAN - NVOD LAS VEGAS
ELECTRONICALLY RECORDED

When Recorded Return to:

Capon Capital LLC
3718 N. Wolf Creek Drive
Eden, UT 84310
APN: 22-016-0034

SPECIAL WARRANTY DEED

WYNDHAM RESORT DEVELOPMENT CORPORATION, an Oregon corporation who acquired title as Trendwest Resorts, Inc., an Oregon corporation ("Grantor"), in consideration of the sum of Ten Dollars and other good and valuable consideration, in hand paid, hereby conveys and warrants against all who claim by, through or under it, to CAPON CAPITAL, LLC, a Utah limited liability company ("Grantee"), whose mailing address is 3718 N. Wolf Creek Drive, Eden, Utah 84310, the following described real property situated in Weber County, Utah, identified as Parcel Number 22-016-0034 (the "Property"):

PARCEL I

PART OF THE SOUTH 1/2 OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U S SURVEY:

BEGINNING 352.79 FEET SOUTH 0°00'33" WEST ALONG THE QUARTER SECTION LINE AND NORTH 75°36'42" WEST 745.27 FEET FROM THE CENTER OF SAID SECTION 22;

RUNNING THENCE SOUTH 30°52'12" WEST 95.32 FEET;

THENCE SOUTH 79°58'16" WEST 11.10 FEET;

THENCE SOUTH 36°50'43" WEST 35.42 FEET;

THENCE SOUTH 34°38'04" EAST 40.68 FEET;

THENCE SOUTH 42°16'04" EAST 181.60 FEET;

THENCE SOUTH 35°52'46" EAST 125.67 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF A 290.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 84.96 FEET (LONG CHORD BEARS NORTH 57°42'21" EAST 84.66 FEET);

THENCE SOUTH 43°30'00" EAST 48.45 FEET MORE OR LESS;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 245.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 133.55 FEET (CENTRAL ANGLE EQUALS 31°10'02" AND LONG CHORD BEARS SOUTH 54°17'03" WEST 131.90 FEET);

THENCE NORTH 35°52'46" WEST 173.54 FEET;

THENCE NORTH 41°53'00" WEST 80.66 FEET;

THENCE SOUTH 47°35'44" WEST 164.12 FEET;

THENCE NORTH 30°46'12" WEST 187.57 FEET (RECORD NORTH 30°56'12" WEST);

THENCE NORTH 36°45'57" WEST 292.66 FEET;

THENCE NORTH 42°09'04" EAST 51.82 FEET;

THENCE NORTH 71°55'50" EAST 39.43 FEET;

THENCE SOUTH 75°36'42" EAST 351.54 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS AN AREA OF 2.51 ACRES, MORE OR LESS.

LESS AND EXCEPT all oil, gas and other minerals.

SUBJECT TO the Use Restrictions attached hereto and incorporated herein as Exhibit "A", and all matters of record, and all other easements, rights of way, restrictions, covenants, rights and interests, whether known or unknown.

IN WITNESS WHEREOF, the undersigned has signed this document as of the 30th day of October, 2018.

GRANTOR

WYNDHAM RESORT DEVELOPMENT CORPORATION, an Oregon corporation who acquired title as Trendwest Resorts, Inc., an Oregon corporation

By: [Signature]
Name: K. Erik Brandt
Its: Vice President

STATE OF FLORIDA)
 : ss.
COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me this 30th day of October, 2018, by K. Erik Brandt, the Vice President of Wyndham Resort Development Corporation, an Oregon corporation, on behalf of the company. He is personally known to me.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)



[Signature]
Notary Public of the State of FL
Commission Expires: 10/26/2019

EXHIBIT "A"
USE RESTRICTIONS

Timeshare/Vacation Club. The Property shall not be operated as a timeshare program or vacation club program.

Apartment Units. In the event the Property is developed with apartment units, to maintain consistency with the area of Wyndham Wolf Creek, best efforts shall be used to construct apartment units that are aesthetically consistent with the area.

Retail/Mixed-Use. Any retail or mixed use of the Property shall not include any of the following uses: timeshare sales and/or marketing or timeshare resales office or business; vacation club sales and/or marketing office or business; any business related to a direct competitor of the Seller; any legal office or other service marketing to or related to resale or foreclosure of timeshare or vacation ownership interests, or any other business materially adverse to Seller's business of timeshare and vacation club sales and vacation rentals; "smoke" shop; "second-hand" store, "surplus" store, or pawn shop; tattoo parlor; gun shop; sex novelty store; striptease club; pornography shop; any establishment which exhibits live or by other means to any degree, nude or partially clothed dancers or wait staff; any massage parlor or similar establishment; any establishment selling drug paraphernalia; any gaming or gambling operation; or any other business that is not consistent with the family friendly nature and atmosphere of Wyndham Wolf Creek.