

When Recorded Return to:  
Sunterra Corporation  
9921 Covington Cross Dr.  
Suite #105  
Las Vegas, Nv 89144

A portion of APN:42-287-12  
Transfer Tax: \$3.25  
Contract No. 2727186511

Deed in Lieu of Foreclosure

THIS DEED is made this 11<sup>th</sup> day of December, 2001, between **Barry W. Donnelly and Mary M. Donnelly, husband and wife as joint tenants with right of survivorship Grantor(s)** having the address of **152 Francisco Drive, So. San Francisco, CA 94080** and **Harich Tahoe Developments**, a Nevada General Partnership, Grantee, having a mailing address of Post Office Box 5790, Stateline, Nevada 89449.

Grantor, in consideration of the sum of Ten Dollars (\$10.00) or other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does by these presents grant, bargain, and sell unto Grantee, Grantee's heirs, personal representatives, successors and assigns, forever, all that certain property situated in the County of Douglas State of Nevada, described as follows:

See Exhibit A attached hereto and incorporated herein by this reference;

Together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all personal property of Grantor, if any, therein (all of the foregoing shall hereinafter be referred to as the "Property");

To have and to hold the Property unto the said Grantee, Grantee's heirs, personal representatives, successors and assigns, forever.

This Deed is an absolute conveyance of title to the Property to Grantee and is not intended as a mortgage, trust conveyance, or security of any kind, Grantor having transferred said Property to Grantee for a fair and adequate consideration including full satisfaction and discharge of all obligations secured by that Deed of Trust executed by **Barry W. Donnelly and Mary M. Donnelly** as trustor therein to Stewart Title of Douglas County as trustee in favor of Grantee as beneficiary and recorded on 9/19/95 in Book 0995 as Page Number 2720 as Document Number 370721 in the Official Records of Douglas County, Nevada.

Grantor declares and warrants to Grantee and any title insurance company subsequently insuring title to the Property that this conveyance is freely and voluntarily made and not under coercion or duress; except for easements and restrictions of record and above Deed of Trust, title to the Property is free and clear of all liens and encumbrances; Grantor is the sole owner of the Property and has not previously assigned, alienated, or transferred all or any part of the Property; the granting of this Deed is not being done with the intent to defraud creditors; and Grantor is not a party to any bankruptcy or other insolvency proceeding.

IN WITNESS WHERE OF, Grantor has executed this Deed as of the day and year first here in above written.

Dated: 12/11/01

Barry W. Donnelly  
Barry W. Donnelly

Mary M. Donnelly  
Mary M. Donnelly

STATE OF California

COUNTY OF San Mateo

On this 11<sup>th</sup> day of December, 2001, before me, a notary public, in and for said county and state, personally appeared **Barry W. Donnelly and Mary M. Donnell** ~~personally known to me~~ to be the person who executed the above instrument, who acknowledged to me that he or she executed the same freely and voluntarily for the purposes therein stated.

J. J. Swan  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

See Attached

0544093

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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Mateo

On December 11, 2001 before me, Sumant Jeswan: Notary Public

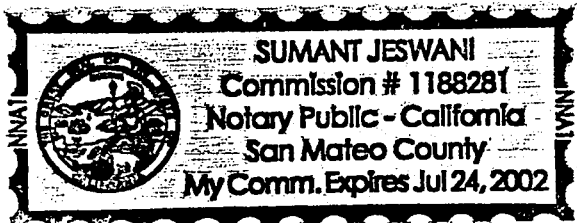
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Barry W. Donnelly and Mary M. Donnelly

Name(s) of Signer(s)

- personally known to me
- approved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Deed in Lieu of Foreclosure

Document Date: \_\_\_\_\_ Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

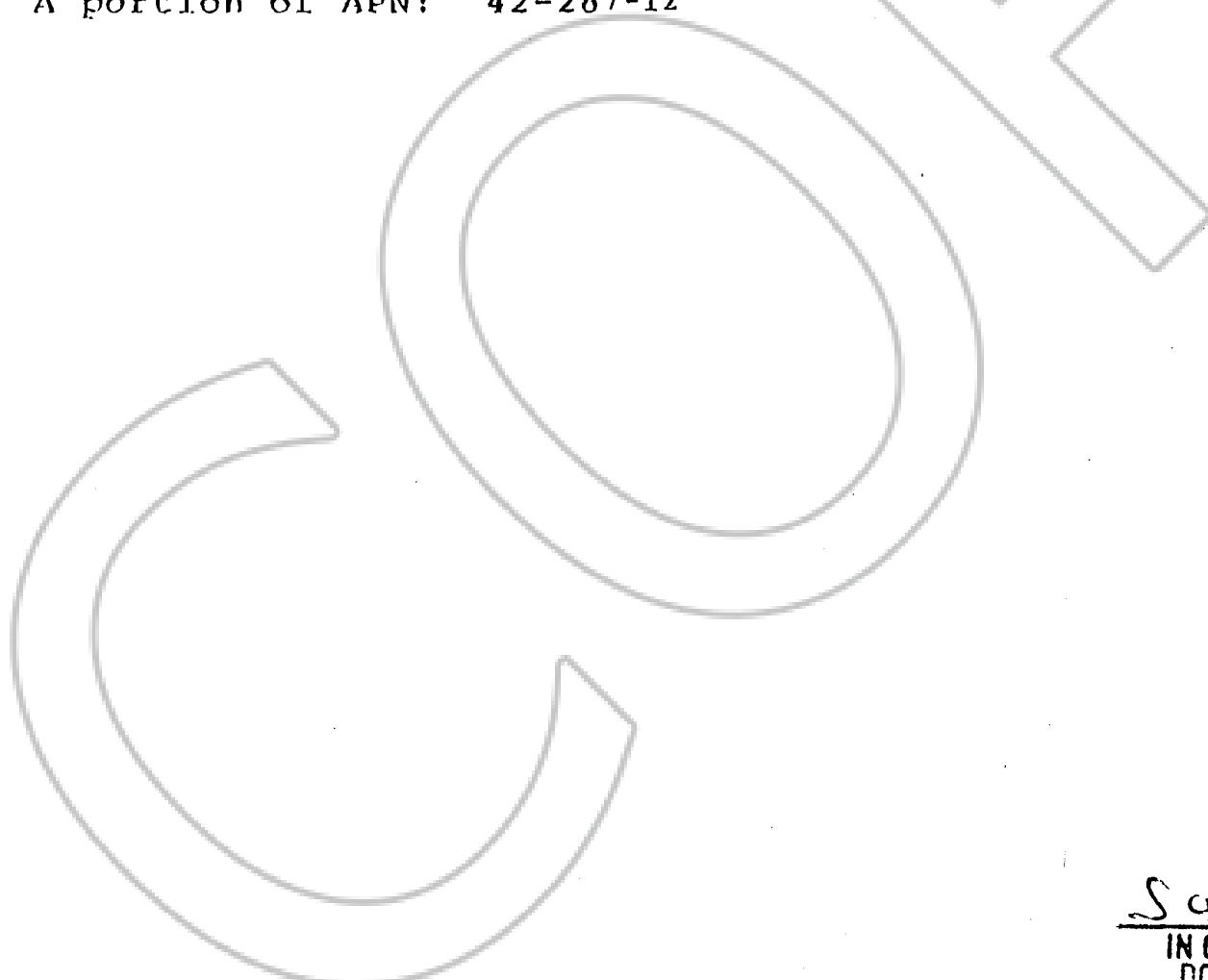
RIGHT THUMBPRINT OF SIGNER  
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Signer Is Representing: \_\_\_\_\_

EXHIBIT "A" (37)

An undivided 1/51st interest as tenants in common in and to that certain real property and improvements as follows: (A) An undivided 1/106th interest in and to Lot 37 as shown on Tahoe Village Unit No. 3-13th Amended Map, recorded December 31, 1991, as Document No. 268097, rerecorded as Document No. 269053, Official Records of Douglas County, State of Nevada, excepting therefrom Units 039 through 080 (inclusive) and Units 141 through 204 (inclusive) as shown on that certain Condominium Plan Recorded July 14, 1988, as Document No. 182057; and (B) Unit No. 186 as shown and defined on said Condominium Plan; together with those easements appurtenant thereto and such easements described in the Fourth Amended and Restated Declaration of Time Share Covenants, Conditions and Restrictions for The Ridge Tahoe recorded February 14, 1984, as Document No. 096758, as amended, and in the Declaration of Annexation of The Ridge Tahoe Phase Five recorded August 18, 1988, as Document No. 184461, as amended, and as described in the Recitation of Easements Affecting the Ridge Tahoe recorded February 24, 1992, as Document No. 271619, and subject to said Declarations; with the exclusive right to use said interest in Lot 37 only, for one week each year in the Swing "Season" as defined in and in accordance with said Declarations.

A portion of APN: 42-287-12



REQUESTED BY  
*Sunterra*  
 IN OFFICIAL RECORDS OF  
 DOUGLAS CO. NEVADA

2002 JUN -7 AM 11:42

LINDA SLATER  
RECORDER

*1/6* <sup>50</sup> PAID *2* DEPUTY

0544093

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