

APN#: 1318-15-822-007 ptn

WHEN RECORDED, MAIL TO:
Wyndham Vacation Resorts, Inc. Title Services Department
8427 SouthPark Circle
Orlando, FL 32819



Escrow No. _____
RPTT: \$ _____

960400067

DEED IN LIEU OF FORECLOSURE

KERNER A. BREAUX, A married man as his sole and separate property, Grantors, convey and warrant to **WYNDHAM RESORT DEVELOPMENT CORPORATION, formerly known as TRENDWEST RESORTS, INC., a California corporation, Grantee,** the following-described real property located in the County of Douglas, State of Nevada, free of encumbrances except as specifically set forth herein:

See Exhibit "A"

This Deed is absolute in effect and conveys fee simple title of the Premises above-described to Grantee and does not operate as a mortgage, trust conveyance or security of any kind.

Grantors are the owners of the premises, free of all encumbrances created or suffered by Grantors, except NOT APPLICABLE

By acceptance of this Deed, Grantee covenants and agrees that Grantee shall forever forbear taking any action whatsoever to collect against Grantors on the Promissory Note given to secure the Trust Deed above-described, other than by foreclosure of that Trust Deed, and that in any proceeding to foreclose the Trust Deed, Grantee shall not seek, obtain or permit a deficiency judgment against Grantors, their heirs or assigns, such rights and remedies being hereby waived.

Grantors do hereby waive, surrender, convey and relinquish any equity of redemption and statutory rights of redemption concerning the real property and the Trust Deed described above.

Grantors are not acting under any misapprehension as to the legal effect of this Deed, nor under any duress, undue influence or misrepresentation of Grantee, its agent or attorney or any other person.

The true and actual consideration for this conveyance is property or value other than cash.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT



ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

DATED this 6th day of February, 2009


KERNER A. BREAUX

STATE OF CA)

COUNTY OF Sacramento ^{ss.}

Personally came before me this _____ day of _____, 2009 the above named KERNER A. BREAUX to me known to be the person, who executed the foregoing instrument and acknowledged the same.

See attachment
Print Name: _____
NOTARY PUBLIC, State of _____
My Commission is Permanent. (if not, state expiration date: _____)



CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Sacramento

On 2/16/09 before me, Janet Kaze notary public
(Here insert name and title of the officer)

personally appeared Kerner A. Breaux

who proved 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Janet Kaze
Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

DESCRIPTION OF THE ATTACHED DOCUMENT

Deed in lieu of foreclosure
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 3 Document Date 2/16/09

(Additional information)

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ◆ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ◆ Indicate title or type of attached document, number of pages and date.
 - ◆ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

CAPACITY CLAIMED BY THE SIGNER

Individual (s)

Corporate Officer

(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other _____



Exhibit A

Fractional Interest Letter **D** consisting of an undivided one-thirteenth (1/13th) ownership interest as tenant in common in Residence Club Unit No. 12301 contained within South Shore, a Nevada condominium project, as identified and established in the Condominium Plat of the South Shore, a Commercial Subdivision recorded on December 5, 2002 in Book 1202, at Page 2181, as Document No. 559872 in the office of the County Recorder for Douglas County, State of Nevada, as further described in the Declaration of Condominium – South Shore recorded on December 5, 2002 in Book 1202, at Page 2182, Document No 550983, together, with the undivided interest in the Common Elements appurtenant to said Fractional Interest, and together with the exclusive right of possession and occupancy of such Residence Club Unit during certain Occupancy Periods in accordance with the Declaration of Covenants, Conditions, Easements and Restrictions for the Residence Club at South Shore recorded on December 5, 2002 in Book 1202, at Page 2217, as Document No. 559874.

