

TAX SALE ITEM #2074

APN: 288-680-84-51

BY ACCEPTANCE OF THIS DEED, THE GRANTEE HEREIN EXPRESSLY ACCEPTS, CONVENANTS AND AGREES TO BE BOUND BY AND ASSUME PERFORMANCE OF ALL OF THE APPLICABLE PROVISIONS AND REQUIREMENTS SET FORTH IN THE VACATION PLAN DECLARATION (AS DEFINED IN THE ATTACHED LEGAL DESCRIPTION) AS AMENDED FROM TIME TO TIME. BY ACCEPTANCE OF THIS DEED, THE GRANTEE HEREIN ACKNOWLEDGES THE VACATION PLAN DECLARATION (AND ALL AMENDMENTS OF RECORD) TO BE REASONABLE THAT ALL OF THEIR TERMS ARE INCORPORATED INTO THIS DEED BY THIS REFERENCE. THIS GRANT IS EXPRESSLY CONDITIONED UPON THE PERFORMANCE OF SUCH PROVISIONS TO BE PERFORMED BY THE GRANTEE.

REGULAR

RIVIERA OAKS LEGAL DESCRIPTION

A VACATION PLAN CONSISTING OF PARCELS DESCRIBED AS FOLLOWS:

PARCEL A:

AN **UNDIVIDED 1/428TH INTEREST IN AND TO PARCEL 3** OF MAP NO. 12731, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 26, 1983.

EXCEPTING AND RESERVING FROM PARCEL A HEREIN FOR THE BENEFIT OF THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, INCLUDING ALL VACATION PLAN OWNERS (AS SAID TERMS ARE DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE RIVIERA OAKS RESORT ["THE VACATION PLAN DECLARATION"] RECORDED SEPTEMBER 27, 1991 AS FILE NO. 91-499186 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA) THE EXCLUSIVE RIGHT TO USE AND OCCUPY SAID PARCEL A DURING ALL THE "USE PERIODS" AND "SERVICE PERIODS" (AS SUCH TERMS ARE DEFINED IN THE VACATION PLAN DECLARATION REFERRED TO ABOVE).

ALSO EXCEPTING AND RESERVING THEREFROM THOSE CERTAIN EASEMENTS OVER AND ACROSS PARCEL 3 OF SAID PARCEL MAP 12731 AS SET FORTH IN THAT CERTAIN DECLARATION ESTABLISHING EASEMENT RIGHTS RECORDED SEPTEMBER 27, 1991, AS FILE NO. 91-0499187 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA AND AS SET FORTH IN THE CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE RIVIERA OAKS RESORT RECORDED SEPTEMBER 27, 1991, AS FILE NO. 91-499186 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA.

EXCEPTING FROM PARCEL A HEREIN, AN UNDIVIDED 1/2 INTEREST COVERING ALL COAL, OIL, OIL SHALE, GAS PHOSPHATE, SODIUM AND OTHER MINERAL DEPOSITS IN SAID LAND AS RESERVED BY C. MELVIN MCCUEN AND AUGUSTA DROGE MCCUEN, HUSBAND AND WIFE, IN DEED RECORDED MAY 23, 1955 IN BOOK 5651, PAGE 525 OF OFFICIAL RECORDS, SAN DIEGO COUNTY, AS TO THAT PORTION OF THE HEREIN DESCRIBED LAND, LYING WITHIN THAT

PORTION OF THE RANCHO CANADA DE SAN VICENTE Y MESA DEL PADRE BARONA, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 23, THE NORTHEAST QUARTER OF SECTION 33, AND LYING WITHIN ALL OF SECTION 34, ALL IN TOWNSHIP 13 SOUTH, RANGE 2 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF OF SAID RANCHO NO. 858, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 29, 1899, WITHOUT THE RIGHTS OF SURFACE ENTRY ABOVE A DEPTH OF 500 FEET AS QUITCLAIMED BY DEED RECORDED JANUARY 31, 1974 AS RECORDER'S FILE NO. 74-026590 OF OFFICIAL RECORDS.

ALSO EXCEPTING ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS, INCLUDING RIGHTS INCIDENTAL TO SUCH OWNERSHIP, NOW OR AT ANY TIME HEREAFTER SITUATED IN AND UNDER THE HEREINAFTER DESCRIBED LAND, AND LYING BELOW A DEPTH OF 500 FEET MEASURED FROM THE SURFACE OF SAID LAND, BUT WITHOUT ANY RIGHT TO ENTER UPON THE SURFACE FOR EXTRACTION OR REMOVAL OF SUCH OIL, GAS, OTHER HYDROCARBON SUBSTANCES, OR MINERALS, AND WITHOUT ANY RIGHT TO PENETRATE OR TO PASS THROUGH THE 500 FOOT SPACE IMMEDIATELY BELOW SAID SURFACE FOR PURPOSES OF SUCH EXTRACTION OR REMOVAL, AS CONVEYED TO MAGNOLIA LAND COMPANY, A CALIFORNIA CORPORATION, BY DEEDS RECORDED JULY 26, 1971 AS RECORDER'S FILE NOS. 162681, 162682, AND 162683, ALL OF OFFICIAL RECORDS.

PARCEL B:

THE **EXCLUSIVE RIGHT AND EASEMENT TO USE AND OCCUPY A "PREFERRED VACATION PLAN" DURING THE "HIGH SEASON"**, IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE **RIVIERA OAKS RESORT VACATION PLAN OWNERS ASSOCIATION**, ("THE ASSOCIATION") (THE QUOTED TERMS SHALL HAVE THE DEFINITION DESCRIBED THERETO IN THE VACATION PLAN DECLARATION); PROVIDED THAT SUCH USE PERIOD IS RESERVED IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION AND THE RULES AND REGULATIONS.

PARCEL C:

NON-EXCLUSIVE EASEMENTS OVER AND ACROSS PARCELS 1, 2, AND 4 OF PARCEL MAP 12731 AS SET FORTH IN THAT CERTAIN DECLARATION ESTABLISHING EASEMENT RIGHTS RECORDED SEPTEMBER 27, 1991 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA AND AS SET FORTH IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE RIVIERA OAKS RESORT RECORDED SEPTEMBER 27, 1991 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA.

PARCELS A, B, AND C HEREIN ARE KNOWN AS **VACATION PLAN NO. R084-H51**.