

Recording Requested by:  
First American Title Insurance Company  
215 South State Street, Suite 280  
Salt Lake City, UT 84111  
(801)578-8888

Mail Tax Notices to and  
AFTER RECORDING RETURN TO:  
Eckersley, LLC  
\_1475 South Tate Court\_\_\_\_\_  
\_Midway, Utah 84049\_\_\_\_\_

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

## SPECIAL WARRANTY DEED

Escrow No: **023-5918139 (CP)**  
A.P.N.: **00-0020-9172 Serial No. 0ZR-6A125-0-027-034**

**John R. Nellist and Karen T. Nellist, Trustees of The John and Karen Nellist Trust, Dated the 7th Day of September 2007**, Grantor, of **Salt Lake City**, **Salt Lake** County, State of **UT**, hereby CONVEYS AND WARRANTS only as against all claiming by, through or under It to

**Eckersley, LLC, an Ohio limited liability company**, Grantee, of **Midway**, **Wasatch** County, State of **UT**, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in **Wasatch** County, State of **Utah**:

**UNIT 125, OF HOTEL DER BAER AT ZERMATT RESORT, PLAT "F" (AMENDED), A UTAH CONDOMINIUM PROJECT, MIDWAY CITY, WASATCH COUNTY, ACCORDING TO THE RECORD OF SURVEY MAP FILED FOR RECORD JUNE 17, 2010, ENTRY NO. 360151 IN BOOK 1016 AT PAGES NOS. 535-644 (AND FORMERLY IDENTIFIED AS SUITE NO. 025, OF ZERMATT RESORT, BARREN SUITE, PLAT F, A UTAH CONDOMINIUM PROJECT, MIDWAY CITY, WASATCH COUNTY, ACCORDING TO THE RECORD OF SURVEY MAP FILED FOR RECORD DECEMBER 03, 2002, ENTRY NO. 251358 IN BOOK 591 AT PAGE 188), TOGETHER WITH AN APPURTENANT UNDIVIDED OWNERSHIP INTEREST IN THE COMMON AREAS AND FACILITIES, ALL OF WHICH IS DEFINED AND DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE BARREN SUITES AT ZERMATT RESORT, RECORDED AS ENTRY NO. 273229 IN BOOK 703 AT PAGE 406 AND RE-RECORDED WITH AFFIDAVIT JULY 16, 2004 AS ENTRY NO. 273283 IN BOOK 703 AT PAGE 691, AMENDED DECLARATION RECORDED OCTOBER 20, 2005 AS ENTRY NO. 290749 IN BOOK 797 AT PAGE 65 AND AMENDMENT DECLARATION RECORDED JANUARY 31, 2006 AS ENTRY NO. 295973 IN BOOK 825 AT PAGE 773 OF OFFICIAL RECORDS.**

**TOGETHER WITH AN EXCLUSIVE EASEMENT TO USE THE "LIMITED COMMON AREAS," ALL AS SET FORTH IN THE RECORD OF SURVEY MAP AND/OR IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS PURSUANT TO THE HOTEL DER BAER AT ZERMATT RESORT PLAT "F" (AMENDED), RECORDED WITH THE WASATCH COUNTY RECORDER'S OFFICE ON JUNE 17, 2010, AS ENTRY 360151, IN BOOK 1016 AT PAGE NOS. 535-644.**

A.P.N.: **00-0020-9172 Serial**  
**No. 0ZR-6A125-0-027-034**

Special Warranty Deed - continued

File No.: **023-5918139 (CP)**

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year **2018** and thereafter.

Witness, the hand(s) of said Grantor(s), this June 17, 2018.

The John and Karen Nellist Trust, Dated the 7th  
Day of September 2007

John R Nellist  
John R. Nellist, Trustee

Karen T Nellist  
Karen T. Nellist, Trustee

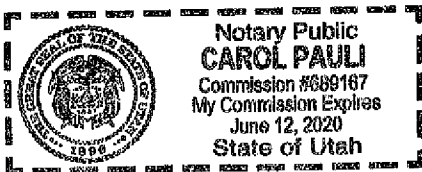
STATE OF Utah  
County of Salt Lake )<sup>ss.</sup>

On June 17, 2018, before me, the undersigned Notary Public, personally appeared **John R. Nellist and Karen T. Nellist, Trustees of The John and Karen Nellist Trust**, personally known to me (or 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 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.

My Commission Expires: 6/12/20

Carol Pauli  
Notary Public



FILE

DEC 31 2019

4TH DISTRICT  
STATE OF UTAH  
WASATCH COUNTY

Don Colleluori (*admitted pro hac vice*)  
[don.colleluori@figdav.com](mailto:don.colleluori@figdav.com)  
Amanda Sotak (*admitted pro hac vice*)  
[amanda.sotak@figdav.com](mailto:amanda.sotak@figdav.com)  
FIGARI + DAVENPORT, LLP  
3400 Bank of America Plaza  
901 Main Street  
Dallas, Texas 75202  
Phone: (214) 939-2000  
Fax: (214) 939-2090

*Attorneys for Plaintiffs*

Phillip J. Russell (10445)  
[prussell@hidlaw.com](mailto:prussell@hidlaw.com)  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Phone: (801) 363-6363  
Fax: (801) 363-6666

Ent 474149 Bk 1281 Pg 713-753  
Date: 05-FEB-2020 3:25:26PM  
Fee: \$336.00 Check Filed By: TC  
PEGGY FOY SULSER, Recorder  
WASATCH COUNTY CORPORATION  
For: HATCH JAMES AND DODGE PC

IN THE FOURTH JUDICIAL DISTRICT COURT IN AND  
FOR WASATCH COUNTY, STATE OF UTAH

TROY KOHLER, *et al.*

Plaintiffs,

v.

KENNETH PATEY, *et al.*

Defendants.

JAP  
[Proposed] FINAL JUDGMENT

Case No. 150500038  
(Consolidated 150500018)

Judge: Jennifer A. Brown

This dispute involves the parties' respective rights with regard to condominium units ("Units") in the hotel project (the "Hotel"), which is part of the Zermatt Resort in Midway, Utah. The conflicting claims to interests in the Units arise out of a numbering discrepancy between the original plat (Plat F) that was filed for the Hotel (which was based on a European numbering system for the Units that began with "000" on the first floor up through "404" on the fifth floor) and the numbers affixed to each Unit's door during construction of the Hotel (which were based on the American numbering system that began with "100" on the first floor up through "504" on

the fifth floor). The primary question presented by the parties' conflicting claims is whether, when Units were originally sold by the Hotel developer, the deeds to those Units conveyed title based on the Plat F numbering ("Unit Plat Numbers") or based on the numbers affixed to those Units' doors ("Unit Door Numbers").

The Court, having considered the parties' pleadings; stipulations; agreements; stipulated judgments; default judgments; summary judgment briefing, evidence, and oral argument; other motions, responses, evidence, and oral argument; and having resolved all claims and disputes presented between and among the parties, including issuing its Order Granting Motions for Summary Judgment on March 24, 2017 (the "Summary Judgment Order"), hereby enters Final Judgment as follows:

1. **IT IS ORDERED, ADJUDGED, AND DECREED** for the reasons explained in the Summary Judgment Order that fee simple title to the Units is vested by the Unit Door Numbers as reflected on Amended Plat F filed on June 17, 2010 in the Official Records of Wasatch County, Utah (Entry No. 360151) rather than by Unit Plat Numbers as reflected on the original Plat F filed on December 3, 2002 in the Official Records of Wasatch County, Utah (Entry No. 251358) in the individuals and entities identified as "OWNER(S)" in the chart immediately below and Paragraphs 2 through 41 of this Judgment, free and clear of any interest claimed by Kenneth Patey, Praia, LLC, Zermatt Resort, LLC, Fuller Heritage, LC, Trapnell & Associates, LLC,<sup>1</sup> or Palisade Holdings, LLC (or any successors or assigns of Kenneth Patey, Praia, LLC, Zermatt Resort, LLC, Fuller Heritage, LC, Trapnell & Associates, LLC, and Palisade Holdings, LLC):

---

<sup>1</sup> Trapnell & Associates, LLC succeeded to the interests of Praia, LLC and was substituted in this case as the real party in interest for Praia, LLC and Trapnell & Associates, LLC is bound by all orders entered before it was substituted for Praia, LLC.

UNIT DOOR NUMBER	UNIT PLAT NUMBER	OWNER(S)
<b><u>GROUND FLOOR UNITS</u></b>		
100	000	Legacy Resorts, LLC
101	001	Legacy Resorts, LLC
102	002	J & J Productions, LLC
103	003	Legacy Resorts, LLC
104	004	Richard D. Waite & Martha L. Waite
105	005	Troy A. Kohler & Michael L. Kohler
106	006	Mark Butler
107	007	Danesh Rahimi
108	008	Legacy Resorts, LLC
109	009	Legacy Resorts, LLC
110	010	Legacy Resorts, LLC
111	011	Legacy Resorts, LLC
115	015	DUB, LLC
116	016	Mark Lundquist and Leanne Lundquist, Co-Trustees, Mark and Leanne Lundquist Family Trust, dated August 1, 2001
117	017	Legacy Resorts, LLC
118	018	Legacy Resorts, LLC
119	019	David R. Adams and Anna M. Adams, Trustees of the Adams Family Living Trust, dated July 16, 2005
120	020	Mark Butler
121	021	Legacy Resorts, LLC

122	022	Richard D. Waite, Martha L. Waite, Marci Bargeron, Brandon Waite, and Troy Waite
123	023	June Mayer Morris, as trustee of The June Mayer Morris Living Trust, dated December 24, 1993
124	024	Legacy Resorts, LLC
125	025	Eckersley, LLC
126	026	Paul W. D'Anna and Lee J. D'Anna, Co-Trustees of the D'Anna Revocable Trust, dated March 4, 2005
127	027	Howard N. Sorensen and Lisa A. Sorensen, Trustees, under The Howard and Lisa Sorensen Family Trust dated November 19, 2015
128	028	Max W. Swenson and Donna M. Swenson
129	029	John R. Siddoway & Judith I. Siddoway
130	030	M. Richard Walker & Kathleen H. Walker Co-Trustees of the M. Richard Walker and Kathleen H. Walker Family Trust, dated June 20th, 2004
131	031	MCP Holdings, Inc.

132	032	Gordon & Tanya Roylance (3/12 <sup>th</sup> undivided interest), V. Robert & Judy M. Peterson (1/12 <sup>th</sup> undivided interest), Steven & Merrienne Monson (1/12 <sup>th</sup> undivided interest), Derrick & Alexandria Raynes (1/12 <sup>th</sup> undivided interest), John Bleazard (2/12 <sup>th</sup> undivided interest), David Young (3/12 <sup>th</sup> undivided interest), Eugene Martinez (1/12 <sup>th</sup> undivided interest)
133	033	Max W. Swenson and Donna M. Swenson
134	034	Marilyn D. Hall (50%) and L. Ann Krulic, Trustor and Trustee of The Krulic Living Trust, Dated May 8, 2006 (50%)
135	035	Mountain West IRA, Inc. FBO Mark Butler IRA
136	036	Neil Craig
137	037	Joel P. Dehlin
138	038	Burkton Real Estate, LLC
<b>UNIT DOOR NUMBER</b>	<b>UNIT PLAT NUMBER</b>	<b>OWNER(S)</b>
<b><u>SECOND FLOOR UNITS</u></b>		
200	100	Legacy Resorts, LLC
201	101	Legacy Resorts, LLC
202	102	Legacy Resorts, LLC
203	103	Legacy Resorts, LLC

204	104	Legacy Resorts, LLC
205	105	Legacy Resorts, LLC
206	106	June Mayer Morris, as trustee of The June Mayer Morris Living Trust, dated December 24, 1993
207	107	David Butler
208	108	TMO and Family, LLC
209	109	Eckersley, LLC
210	110	Mark Butler
211	111	Samuel J. Martone and Laurie M. Martone as Trustees of the Samuel J. Martone and Laurie M. Martone Living Trust Dated October 15, 2013
215	115	Fung 401K PSP
216	116	Michael Braman
217	117	Legacy Resorts, LLC
218	118	Legacy Resorts, LLC
219	119	Mark E. Rinehart
220	120	Howard N. Sorensen and Lisa A. Sorensen, Trustees, under The Howard and Lisa Sorensen Family Trust dated November 19, 2015
221	121	Legacy Resorts, LLC
222	122	Craig Smith & Jill Smith
223	123	Mark E. Rinehart
224	124	Legacy Resorts, LLC
225	125	Legacy Resorts, LLC
226	126	AN-D'RUE Holdings, LLC
227	127	Legacy Resorts, LLC



228	128	DUB, LLC
229	129	Robert D. Morris & Heidi L. Morris
230	130	T & L Whitaker Investment, Ltd.
231	131	Eckersley, LLC
232	132	Thomas E. Niederee & Laurie A. Niederee
233	133	Ralph Richard Steinke and Susan C. Steinke
234	134	Scott Loomis, Successor Trustee of The Craig R. Loomis Insurance Trust, dated March 14, 1996
235	135	Jody A. Kimball
236	136	Christopher K. Price
237	137	Ben's Future Freedom, LLC
238	138	Legacy Resorts, LLC
<b>UNIT DOOR NUMBER</b>	<b>UNIT PLAT NUMBER</b>	<b>OWNER(S)</b>
<b><u>THIRD FLOOR UNITS</u></b>		
300	200	Legacy Resorts, LLC
301	201	Legacy Resorts, LLC
302	202	Legacy Resorts, LLC
303	203	Legacy Resorts, LLC
304	204	Legacy Resorts, LLC
305	205	Legacy Resorts, LLC
306	206	Legacy Resorts, LLC
307	207	Legacy Resorts, LLC

308	208	Legacy Resorts, LLC
309	209	Legacy Resorts, LLC
310	210	Legacy Resorts, LLC
311	211	Legacy Resorts, LLC
315	215	Legacy Resorts, LLC
316	216	Legacy Resorts, LLC
317	217	Legacy Resorts, LLC
318	218	Legacy Resorts, LLC
319	219	Legacy Resorts, LLC
320	220	Legacy Resorts, LLC
321	221	Legacy Resorts, LLC
322	222	Legacy Resorts, LLC
323	223	Legacy Resorts, LLC
324	224	Legacy Resorts, LLC
325	225	Legacy Resorts, LLC
326	226	Legacy Resorts, LLC
327	227	Legacy Resorts, LLC
328	228	Legacy Resorts, LLC
329	229	Legacy Resorts, LLC
330	230	Legacy Resorts, LLC
331	231	Legacy Resorts, LLC
332	232	Legacy Resorts, LLC
333	233	Legacy Resorts, LLC

334	234	Legacy Resorts, LLC
335	235	Legacy Resorts, LLC
336	236	Legacy Resorts, LLC
337	237	Legacy Resorts, LLC
338	238	Legacy Resorts, LLC
341	241	Legacy Resorts, LLC
344	244	Legacy Resorts, LLC
<b>UNIT DOOR NUMBER</b>	<b>UNIT PLAT NUMBER</b>	<b>OWNER(S)</b>
<b><u>FOURTH FLOOR UNITS</u></b>		
400	300	Legacy Resorts, LLC
401	301	Legacy Resorts, LLC
402	302	Legacy Resorts, LLC
403	303	Legacy Resorts, LLC
404	304	Legacy Resorts, LLC
405	305	Legacy Resorts, LLC
406	306	Legacy Resorts, LLC
407	307	Legacy Resorts, LLC
408	308	Legacy Resorts, LLC
409	309	Legacy Resorts, LLC
410	310	Legacy Resorts, LLC
411	311	Legacy Resorts, LLC
415	315	Legacy Resorts, LLC

416	316	Legacy Resorts, LLC
417	317	Legacy Resorts, LLC
418	318	Legacy Resorts, LLC
419	319	Legacy Resorts, LLC
420	320	Legacy Resorts, LLC
421	321	Legacy Resorts, LLC
422	322	Legacy Resorts, LLC
423	323	Legacy Resorts, LLC
424	324	Legacy Resorts, LLC
425	325	Legacy Resorts, LLC
426	326	Legacy Resorts, LLC
427	327	Legacy Resorts, LLC
428	328	Legacy Resorts, LLC
429	329	Legacy Resorts, LLC
430	330	Legacy Resorts, LLC
431	331	Legacy Resorts, LLC
432	332	Legacy Resorts, LLC
433	333	Legacy Resorts, LLC
434	334	Legacy Resorts, LLC
435	335	Legacy Resorts, LLC
436	336	Legacy Resorts, LLC
437	337	Legacy Resorts, LLC
438	338	Legacy Resorts, LLC

440	340	Legacy Resorts, LLC
441	341	Legacy Resorts, LLC
442	342	Legacy Resorts, LLC
443	343	Legacy Resorts, LLC
444	344	Legacy Resorts, LLC
445	345	Legacy Resorts, LLC
446	346	Legacy Resorts, LLC
447	347	Legacy Resorts, LLC
<b>UNIT DOOR NUMBER</b>	<b>UNIT PLAT NUMBER</b>	<b>OWNER(S)</b>
<b><u>FIFTH FLOOR UNITS</u></b>		
501	401	Legacy Resorts, LLC
502	402	Legacy Resorts, LLC
503	403	Legacy Resorts, LLC
504	404	Legacy Resorts, LLC

2. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in David R. Adams and Anna M. Adams, Trustees of the Adams Family Living Trust, dated July 16, 2005:

Unit 119 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 019, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in

Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

**3. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in AN-D'RUE Holdings, LLC:

Unit 226 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 126, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

AN-D'RUE Holdings, LLC's interest in the foregoing Unit 226 is subject to, if any is continuing, of the beneficiary of that certain Deed of Trust filed on May 24, 2006, in the Official Records of Wasatch County, Utah (Entry No. 301953).

4. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Ben's Future Freedom, LLC:

Unit 237 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 137, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

5. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in J & J Productions, LLC:

Unit 102 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 002, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest

in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

6. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Michael Braman:

Unit 216 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 116, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.



7. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Burkton Real Estate, LLC:

Unit 138 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 038, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

8. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in David Butler:

Unit 207 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 107, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in

Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

9. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Mark Butler:

Units 106, 120, and 210 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 006, 020, and 110, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

10. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in June Mayer Morris, as trustee of The June Mayer Morris Living Trust, dated December 24, 1993:

Units 123 and 206 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of

Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 023 and 106, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

11. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Neil Craig:

Unit 136 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 036, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended),

recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

12. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Paul W. D'Anna and Lee J. D'Anna, Co-Trustees of the D'Anna Revocable Trust, dated March 4, 2005:

Unit 126 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 026, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

13. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Joel P. Dehlin:

Unit 137 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 037, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest

in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

14. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in DUB, LLC:

Units 115 and 228, of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 015 and 128, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

DUB, LLC's interest in the foregoing Unit 228 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on May 17, 2006,

in the Official Records of Wasatch County, Utah (Entry No. 301627) and that certain Deed of Trust filed on May 17, 2006, in the Official Records of Wasatch County, Utah (Entry No. 301628).

15. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Eckersley, LLC:

Units 125, 209, and 231 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 025, 109, and 131 of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

16. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Fung 401K PSP:

Unit 215 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 115, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the

Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

17. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Marilyn D. Hall (50%) and L. Ann Krulic, Trustor and Trustee of The Krulic Living Trust, dated May 8, 2005 (50%):

Unit 134 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 034, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

18. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Jody A. Kimball:

Unit 235 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 135, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Jody A. Kimball's interest in the foregoing Unit 235 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on December 21, 2007, in the Official Records of Wasatch County, Utah (Entry No. 329990).

19. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted Troy A. Kohler and Michael L. Kohler:

Unit 105 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 005, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the



Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

20. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Scott Loomis, Successor Trustee of The Craig R. Loomis Insurance Trust, dated March 14, 1996:

Unit 234 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 134, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

21. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Mark Lundquist and Leanne Lundquist, Co-Trustees, Mark and Leanne Lundquist Family Trust, dated August 1, 2001:

Unit 116 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 016, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Mark Lundquist and Leanne Lundquist, Co-Trustees, Mark and Leanne Lundquist Family Trust, dated August 1, 2001's interest in the foregoing Unit 116 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on June 2, 2006, in the Official Records of Wasatch County, Utah (Entry No. 302509).

22. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Samuel J. Martone and Laurie M. Martone as Trustees of the Samuel J. Martone and Laurie M. Martone Living Trust dated October 15, 2013:

Unit 211 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-

644 (and formerly identified as Suite No. 111, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

23. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in MCP Holdings, Inc.:

Unit 131 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 031, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended),

recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

24. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Robert D. Morris and Heidi L. Morris:

Unit 229 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 129, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

25. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Mountain West IRA, Inc. FBO Mark Butler IRA:

Unit 135 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 035, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at

Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Mountain West IRA, Inc. FBO Mark Butler IRA's interest in the foregoing Unit 135 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on May 12, 2006, in the Official Records of Wasatch County, Utah (Entry No. 301401) and that certain Deed of Trust filed on September 1, 2006, in the Official Records of Wasatch County, Utah (Entry No. 306991).

26. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Thomas E. Niederee and Laurie A. Niederee:

Unit 232 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 132, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended),

recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

27. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Christopher K. Price:

Unit 236 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 136, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Christopher K. Price's interest in the foregoing Unit 236 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on May 26, 2006, in the Official Records of Wasatch County, Utah (Entry No. 302209).

28. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Danesh Rahimi:

Unit 107 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 007, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the

Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

29. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Mark E. Rinehart:

Units 219 and 223 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 119 and 123, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

30. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Gordon and Tanya Roylance (3/12th undivided interest), V. Robert and Judy M. Peterson (1/12th undivided interest), Steven and Merrienne Monson (1/12th undivided interest), Derrick & Alexandria Raynes (1/12th undivided interest), John Bleazard (2/12th undivided interest) David Young (3/12th undivided interest), and Eugene Martinez (1/12th undivided interest):

Unit 132 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 032, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Gordon and Tanya Roylance's interest in the foregoing Unit 132 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on January 20, 2010, in the Official Records of Wasatch County, Utah (Entry No. 356277).



31. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in John R. Siddoway and Judith I. Siddoway:

Unit 129 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 029, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

John R. Siddoway's and Judith I. Siddoway's interests in the foregoing Unit 129 are subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on June 2, 2006, in the Official Records of Wasatch County, Utah (Entry No. 302559).

32. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Craig Smith and Jill Smith:

Unit 222 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 122, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest

in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Craig Smith's and Jill Smith's interests in the foregoing Unit 222 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on April 5, 2010, in the Official Records of Wasatch County, Utah (Entry No. 358290).

**33. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Howard N. Sorensen and Lisa A. Sorensen, Trustees, under The Howard and Lisa Sorensen Family Trust dated November 19, 2015:

Units 127 and 220 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 027 and 120, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants,

Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

34. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Ralph Richard Steinke and Susan C. Steinke:

Unit 233 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 133, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Ralph Richard Steinke's and Susan C. Steinke's interests in the foregoing Unit 233 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on May 26, 2006, in the Official Records of Wasatch County, Utah (Entry No. 302202).

35. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Max W. Swenson and Donna M. Swenson:

Units 128 and 133 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at

Pages Nos. 535-644 (and formerly identified as Suite Nos. 028 and 033, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

36. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in T & L Whitaker Investment, Ltd.:

Unit 230 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 130, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended),

recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

37. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in TMO and Family, LLC:

Unit 208 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 108, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

38. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Richard D. Waite and Martha L. Waite:

Unit 104 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 004, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at

Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Richard D. Waite's and Martha L. Waite's interests in the foregoing Unit 104 is subject to the interest, if any is continuing, of the beneficiary of that certain Deed of Trust filed on April 20, 2007, in the Official Records of Wasatch County, Utah (Entry No. 319063)

39. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Richard D. Waite, Martha L. Waite, Marci Bargeron, Brandon Waite, and Troy Waite:

Unit 122 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 022, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended),

recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

40. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in M. Richard Walker and Kathleen H. Walker Co-Trustees of the M. Richard Walker and Kathleen H. Walker Family Trust, dated June 20, 2004:

Unit 130 of Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite No. 030, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

41. **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the following described real property is quieted in Legacy Resorts, LLC:

Units 100, 101, 103, 108, 109, 110, 111, 117, 118, 121, 124, 200, 201, 202, 203, 204, 205, 217, 218, 221, 224, 225, 227, 238, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 341, 344, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 440, 441, 442, 443, 444, 445, 446, 447, 501, 502, 503, and 504 of

Hotel de Baer Zermatt Resort, Plat F (Amended), a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record June 17, 2010, Entry No. 360151 in Book 1016 at Pages Nos. 535-644 (and formerly identified as Suite Nos. 000, 001, 003, 008, 009, 010, 011, 017, 018, 021, 024, 100, 101, 102, 103, 104, 105, 117, 118, 121, 124, 125, 127, 138, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 241, 244, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 340, 341, 342, 343, 344, 345, 346, 347, 401, 402, 403, and 404, of Zermatt Resort, Barren Suite, Plat F, a Utah Condominium Project, Midway City, Wasatch County, according to the Record of Survey Map filed for record December 3, 2002, Entry No. 251358 in Book 591 at Page 188), together with an appurtenant undivided ownership interest in the Common Areas and Facilities, all of which is defined and described in the Declaration of Covenants, Conditions and Restrictions for the Barren Suites at Zermatt Resort recorded as Entry No. 273229 in Book 703 at Page 406 and re-recorded with Affidavit July 16, 2004, as Entry No. 273283 in Book 703 at Page 691, Amended Declaration recorded October 20, 2005, as Entry No. 290749 in Book 797 at Page 65, and Amendment Declaration recorded January 31, 2006, as Entry No. 295973 in Book 825 at Page 773 of official records. TOGETHER with an exclusive easement to use the "Limited Common Areas," all as set forth in the Record of Survey Map and/or in the Declaration of Covenants, Conditions, and Restrictions pursuant to The Hotel Der Baer at Zermatt Resort Plat "F" (Amended), recorded with the Wasatch County Recorder's Office on June 17, 2010, as Entry No. 360151, in Book 1016, at Page Nos. 535-644.

Legacy Resorts, LLC's interests in the foregoing Units 100, 101, 103, 108, 109, 110, 111, 117, 118, 121, 124, 200, 201, 202, 203, 204, 205, 217, 218, 221, 224, 225, 227, 238, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 341, 344, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 440, 441, 442, 443, 444, 445, 446, 447, 501, 502, 503, and 504 are subject to the interest, if any is continuing, of the beneficiary of that certain Term Loan Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing filed on May 18, 2010 in the Official Records of Wasatch County, Utah (Entry No. 359421).



42. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, except as set forth herein, any and all interests in the Units adverse to those set forth herein that are claimed or asserted by any party to this action, or through or under any such party, are invalid, ineffective, and of no force and effect regardless of when the alleged interest was created or arose and regardless of whether any document purporting to evidence such adverse claim or interest has been filed in the Official Records of Wasatch County, Utah.

43. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all of the counterclaims and cross-claims of Kenneth Patey, Praia, LLC, Zermatt Resort, LLC, Fuller Heritage, LC, Trapnell & Associates, LLC, Danesh Rahimi, and Palisade Holdings, LLC are DISMISSED WITH PREJUDICE.

44. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Final Judgment finally disposes of all parties and all claims asserted herein, all relief not expressly granted herein is DENIED, and all attorneys' fees and expenses and costs of Court are taxed against the parties incurring them.

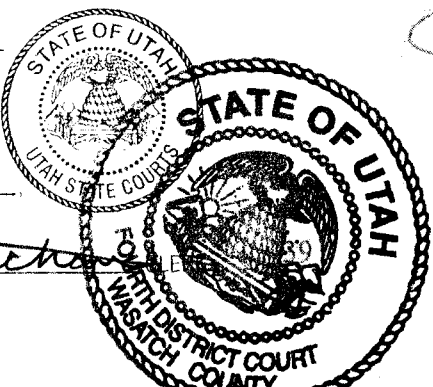
IT IS SO ORDERED.

-----END OF ORDER-----

Dated 12/31/19

By the Court  
*[Signature]*  
Jennifer A. Brown  
District Court Judge.

STATE OF UTAH  
COUNTY OF Wasatch  
I hereby certify that the document to which this certificate is attached is a full, true and correct copy of the original filed in the Utah State Courts. WITNESS my hand and seal this 24 day of January, 2020.  
*[Signature]*  
Maree M. Fletcher



**Approved as to Form:**

/s/ Matthew G. Grimmer\*

Matthew G. Grimmer  
GRIMMER & ASSOCIATES  
3333 N. Digital Drive, Suite 460  
Lehi, UT 84043  
*Attorneys for Defendants Trapnell & Associates, LLC  
Fuller Heritage, L.C., and Zermatt Resort LLC*

/s/ Rod N. Andreason\*

Rod N. Andreason  
KIRTON MCCONKIE  
Thanksgiving Park Four  
2600 W. Executive Pkwy., Suite 400  
Lehi, UT 84043  
*Attorneys for Defendant Legacy Resorts, LLC*

/s/ Bradley L. Tilt\*

Bradley L. Tilt  
ACTION LAW LLC  
2825 E. Cottonwood Pkwy., Suite 500  
Salt Lake City, UT 84121  
*Attorneys for Defendants Gordon Roylance  
and Tanya Roylance*

/s/ Benjamin D. Johnson\*

Benjamin D. Johnson  
BENNETT TUELLER JOHNSON & DEERE  
3165 East Millrock Drive, Suite 500  
Salt Lake City, UT 84121  
*Attorney for Defendant David Butler*

***\*Electronically signed by submitting attorney with permission of counsel.***

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 150500038 by the method and on the date specified.

EMAIL: DANESH RAHIMI daneshrahimimd@gmail.com  
EMAIL: ROD ANDREASON RANDREASON@KMCLAW.COM  
EMAIL: SARA BOULEY SARA@ACTIONLAWUTAH.COM  
EMAIL: JACOB DAVIS JDAVIS@GRIMMERDAVIS.COM  
EMAIL: MARK GAYLORD GAYLORD@BALLARDSPAHR.COM  
EMAIL: MATTHEW GRIMMER MGRIMMER@GRIMMERDAVIS.COM  
EMAIL: MATTHEW HUTCHINSON MATT@HLHPARKCITY.COM  
EMAIL: BENJAMIN JOHNSON BEN.JOHNSON@BTJD.COM  
EMAIL: JOELLE KESLER JKESLER@DADLAW.NET  
EMAIL: JUSTIN KEYS JUSTIN@HLHPARKCITY.COM  
EMAIL: PHILLIP RUSSELL PRUSSELL@HJD LAW.COM  
EMAIL: PETER SCHOFIELD PSCHOFIELD@KMCLAW.COM  
EMAIL: BRADLEY TILT BRAD@ACTIONLAWUTAH.COM  
EMAIL: ADAM WAHLQUIST AWAHLQUIST@KMCLAW.COM

12/31/2019  
Date: \_\_\_\_\_

/s/ TAMERA ANDERSON  
\_\_\_\_\_

Signature