



SERVICE MARK ASSIGNMENT

WHEREAS, BALBOA BAY CLUB, INC., a California Corporation, having a place of business at 1221 West Coast Highway, Newport Beach, California 92663 ("ASSIGNOR" herein), has used and is the owner of the following mark.

<u>Mark</u>	<u>Serial No.</u>	<u>Filed</u>	<u>Docket No.</u>
DUKE'S PLACE	76/270,478	June 12, 2001	45441/LTR/I141

WHEREAS, WAYNE ENTERPRISES, LP, a California Limited Partnership, having a place of business at 2224 Newport Boulevard, Newport Beach, California 92663 ("ASSIGNEE" herein), desires to acquire said mark and the registration thereof, together with the goodwill of the business in connection with which said mark is used.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR does hereby assign unto said ASSIGNEE all right, title and interest in and to the above mark and the above-identified registration thereof, and all rights and privileges pertaining to said mark, together with the goodwill of the business symbolized by the mark.

ASSIGNOR further agrees that it shall render all reasonable assistance to ASSIGNEE, and will, from time-to-time, execute all instruments and documents necessary to maintain, preserve or protect the mark and its registration, and to perfect the record title of ASSIGNEE in and to said mark and its said registration.

BALBOA BAY CLUB, INC.

Date January 6, 2005 By David C. Wooten  
 David C. Wooten  
 Chief Executive Officer

STATE OF California  
 COUNTY OF Orange

On January 6, 2005, before me Willie L. Upton,  
 Notary Public, personally appeared David C. Wooten personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.  
Willie L. Upton  
 Signature of Notary

03/16/2005 JJALLAH2 00000005 76270478  
 01 FC:8521 LTR/amb 40.00 OP  
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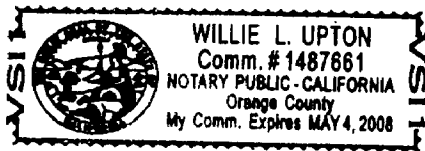
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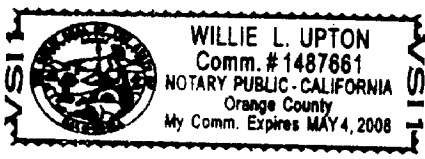
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