

First American Title



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYTLE

NCS-392846-PHX
WHEN RECORDED, RETURN TO:

Wayne G. Souza, Esq.
Walton International Group (USA), Inc.
4800 North Scottsdale Road, Suite 4000
Scottsdale, AZ 85251

DATE/TIME: 11/30/2009 1603
FEE: \$15.00
PAGES: 10
FEE NUMBER: 2009-123446

SPECIAL WARRANTY DEED

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned, BRALU, L.L.C. an Arizona limited liability company, and MALDEV, INC., an Arizona corporation (collectively hereinafter referred to as "**Grantor**"), hereby grants to WALTON ARIZONA, LLC, an Arizona limited liability company ("**Grantee**"), that certain real property described on **Exhibit "A"** attached hereto (the "**Property**");

SUBJECT TO: (1) The current, non-delinquent general and special taxes for the fiscal year of the transfer of title, due and not yet payable; and (2) All exceptions to title approved by Grantee as identified on **Exhibit "B"** attached hereto (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD, the Property, together with all benefits, rights, privileges, easements, tenements, hereditaments, and appurtenances unto the Property anywise belonging, and together with all improvements now located on the Property, unto Grantee, and its successors and assigns, Grantor does hereby bind itself, and its successors and assigns, to WARRANT AND DEFEND all the Property, subject only to the Permitted Exceptions, unto the Grantee, and its successors and assigns, only against every person whomsoever claiming by or through Grantor.

For the same consideration, the Grantor hereby grants, sells and conveys, without warranty, express or implied, all right, title, interest and benefit of the Grantor in and to any adjacent street, roads, alleys, and rights-of-way, and strips and gores of real estate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned has executed this Special Warranty Deed as of this 24th day of Nov, 2009.

GRANTOR:

BRALU, L.L.C., an Arizona limited liability company

By: William S. Lund

Name: William S. Lund

Title: Manager

MALDEV, INC. an Arizona corporation

By: William S. Lund

Name: William S. Lund

Title: President

STATE OF ARIZONA)
) ss.
County of Maricopa)

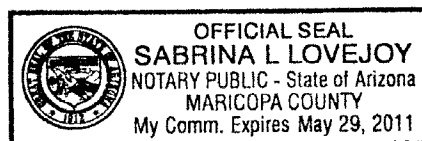
The foregoing instrument was acknowledged before me this 24th day of November, 2009, by William S. Lund, the Manager of BRALU, L.L.C., an Arizona limited liability company, on behalf of the company.

Sabrina L. Lovejoy

Notary Public

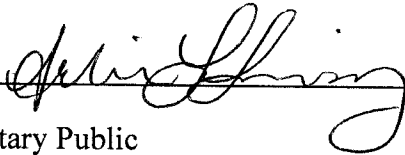
My commission expires:

May 29, 2011



STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 24th day of November, 2009, by William S. Lund, the President of MALDEV, INC., an Arizona corporation, on behalf of the corporation.



Notary Public

My commission expires:

May 29, 2011

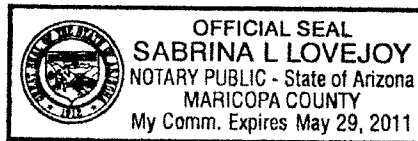


Exhibit "A"
(to Special Warranty Deed)

PARCEL 1:

A PORTION OF SECTION 8 AND THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 8 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" PIPE AT THE SOUTHEAST CORNER OF SAID SECTION 8, FROM WHICH A 3/4" PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 8 BEARS N89°46'45"W (AN ASSUMED BEARING) AT A DISTANCE OF 2636.32 FEET;

THENCE S00°24'55"E, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, FOR A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S00°24'55"E, ALONG SAID EAST LINE, FOR A DISTANCE OF 1,180.19 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THE INTERSTATE 10 RIGHT OF WAY;

THENCE N74°33'00"W, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 2183.69 FEET (2184.64 FEET RECORD) TO A POINT ON A NON TANGENT CURVE, CONCAVE TO THE NORTHEAST, THE CENTER OF WHICH BEARS N15°26'50"E AT A DISTANCE OF 17,038.73 FEET;

THENCE NORTHWESTERLY, ALONG SAID NORTHEASTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°52'22" FOR A DISTANCE OF 2043.84 FEET;

THENCE N15°30'00"W (N16°18'47"W RECORD), NOT TANGENT TO SAID CURVE, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 68.57 FEET (69.56 FEET RECORD);

THENCE N76°16'11"W, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 162.81 FEET;

THENCE N64°07'58"W, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 175.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO

THE NORTHEAST, THE CENTER OF WHICH BEARS N25°52'01"E AT A DISTANCE OF 1177.86 FEET;

THENCE NORTHWESTERLY, ALONG SAID NORTHEASTERLY LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°45'05" FOR A DISTANCE OF 549.94 FEET TO A POINT OF TANGENCY;

THENCE N37°22'54"W, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 440.46 FEET;

THENCE N18°56'27"W, ALONG SAID NORTHEASTERLY LINE, FOR A DISTANCE OF 230.92 FEET;

THENCE N89°30'00"E, LEAVING SAID NORTHEASTERLY LINE OF THE INTERSTATE 10 RIGHT OF WAY, FOR A DISTANCE OF 753.11 FEET;

THENCE N00°30'00"W, ALONG A LINE PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 1045.21 FEET;

THENCE S89°30'00"W FOR A DISTANCE OF 858.11 FEET TO A POINT ON THE EAST LINE OF THE WEST 50.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 8;

THENCE N00°30'00"W, ALONG SAID EAST LINE, FOR A DISTANCE OF 514.51 FEET TO A POINT ON THE EAST-WEST MIDSECTION LINE OF SAID SECTION 8;

THENCE N00°29'38"W, ALONG THE EAST LINE OF THE WEST 50.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 96.11 FEET;

THENCE N89°46'44"E FOR A DISTANCE OF 350.00 FEET;

THENCE N88°05'27"E FOR A DISTANCE OF 246.49 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, THE CENTER OF WHICH BEARS S05°46'24"W AT A DISTANCE OF 1,160.00 FEET;

THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°33'03" FOR A DISTANCE OF 618.52 FEET TO A POINT OF TANGENCY;

THENCE S53°40'34"E FOR A DISTANCE OF 2,739.64 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, THE CENTER OF WHICH BEARS S36°19'26"W AT A DISTANCE OF 25.00 FEET;

THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 51°45'12" FOR A DISTANCE OF 22.58 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST, THE CENTER OF WHICH BEARS N88°04'38"E AT A DISTANCE OF 80.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 103°30'24" FOR A DISTANCE OF 144.52 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTH, THE CENTER OF WHICH BEARS S15°25'46"E AT A DISTANCE OF 25.00 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 51°45'12" FOR A DISTANCE OF 22.58 FEET TO A POINT OF TANGENCY;

THENCE S53°40'34"E FOR A DISTANCE OF 1,210.52 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, THE CENTER OF WHICH BEARS N36°19'26"E AT A DISTANCE OF 840.00 FEET;

THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°06'12" FOR A DISTANCE OF 529.30 FEET TO A POINT OF TANGENCY ON THE SOUTH LINE OF THE NORTH 80.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 17;

THENCE S89°46'45"E, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 270.29 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL NO. 1 AS SHOWN IN BOOK 19 OF SURVEYS, PAGE 178A, IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 8 EAST, PINAL COUNTY, ARIZONA;

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 8, AS MONUMENTED BY A 3-INCH ALUMINUM DISK IN CONCRETE MARKED "2005 ¼ COR S7 S8 T8S R8E LS 15573" BEARING S00°39'26"E, 2615.20 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 8, AS MONUMENTED BY A BRASS DISK IN HANDHOLE MARKED "ARIZONA HIGHWAY DEPT 19";

THENCE CONTINUE UPON SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, N89°47'44"E, 50.00 FEET TO THE POINT OF BEGINNING ON THE WEST LINE OF SAID PARCEL 1;

THENCE CONTINUE UPON SAID SOUTH LINE, N89°47'44"E, 12.00 FEET;

THENCE PARALLEL WITH AND 12.00 FEET EAST OF SAID WEST LINE, N00°39'26"W, 71.17 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST;

THENCE UPON SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°16'13", FOR AN ARC DISTANCE OF 39.39 FEET TO A POINT OF CUSP ON THE SOUTH LINE OF PARCEL NO. 3 AS SHOWN IN SAID BOOK OF SURVEYS;

THENCE UPON SAID SOUTH LINE, S89°36'47"W, 37.12 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL NO. 3;

THENCE UPON THE WEST LINE OF SAID PARCEL NO. 1, S00°39'26"E, 96.25 FEET TO THE POINT OF BEGINNING;

PARCEL 2:

A PORTION OF THE NORTH HALF OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4" PIPE AT THE SOUTHEAST CORNER OF SAID SECTION 8, FROM WHICH A 3/4" PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 8 BEARS N89°46'45"W (AN ASSUMED BEARING) AT A DISTANCE OF 2636.32 FEET;

THENCE N00°13'36"W, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 1301.21 FEET TO A POINT ON THE SOUTHERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE N53°40'34"W, ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 2900.00 FEET;

THENCE S36°19'26"W, LEAVING SAID SOUTHERLY LINE, FOR A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S36°19'26"W FOR A DISTANCE OF 1,200.00 FEET;

THENCE N53°40'34"W FOR A DISTANCE OF 1,107.19 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, THE CENTER OF WHICH BEARS S36°19'26"W AT A DISTANCE OF 1,240.00 FEET;

THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°24'53" FOR A DISTANCE OF 744.81 FEET TO A POINT OF TANGENCY;

THENCE N88°05'27"W FOR A DISTANCE OF 170.70 FEET;

THENCE S89°46'44"W FOR A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST LINE OF THE WEST 367.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 8;

THENCE N00°29'38"W FOR A DISTANCE OF 1,915.16 FEET TO A POINT ON A LINE PARALLEL WITH AND 150 FEET SOUTHWEST OF THE SOUTHWESTERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE S53°40'34"E, ALONG SAID SOUTHWESTERLY LINE, FOR A DISTANCE OF 3,123.05 FEET TO THE POINT OF BEGINNING.

Exhibit "B"
(to Special Warranty Deed)

1. Any charge upon the Property by reason of its inclusion in the Central Arizona Water Conservation District
2. The terms and provisions contained in the document entitled "Agreement for Project Water Service" recorded April 17, 1990 as Docket 1670, Page 31.
Modification to Agreement recorded October 1, 1992 as Docket 1857, Page 23.
Modification to Agreement recorded January 12, 1996 as 96-001435 of Official Records.
Modification to Agreement recorded April 14, 2000 as 2000-015943 of Official Records.
Modification to Agreement recorded January 10, 2007 as 2007-004535 of Official Records.
3. The terms and provisions contained in the document entitled "Agreement Relating to Extension of Sewer Collection Facilities" recorded February 3, 2000 as 2000-005303 of Official Records and re-recorded March 1, 2000 as 2000-009063 of Official Records
4. The terms and provisions contained in the document entitled "Easement Agreement" recorded April 14, 2000 as 2000-015945 of Official Records.
5. The terms and provisions contained in the document entitled "Agreement Regarding Easement" recorded April 14, 2000 as 2000-015946 of Official Records.
6. The terms and provisions contained in the document entitled "Roadway and Utility Construction Easement and Maintenance Agreement" recorded January 23, 2007 as 2007-009791 of Official Records.
7. The terms and provisions contained in the document entitled "Development Agreement (Stirling)" recorded March 6, 2007 as 2007-028003 of Official Records.
8. Public Utility Easements, as set forth in Map of Dedication, recorded as Cabinet H, Slide 37.
9. An easement for communication system and incidental purposes in the document recorded as Book 25 of Miscellaneous, Page 23.
10. An easement for communication system and incidental purposes in the document recorded as Book 25 of Miscellaneous, Page 93.
11. An easement for electrical transmission line and incidental purposes in the document recorded as Docket 334, Page 587, thereafter a portion of said easement was released by instrument recorded as 2008-061857 of Official Records.

12. An easement for electrical transmission line and incidental purposes in the document recorded as 2000-048122.
13. An easement for gas pipeline and incidental purposes in the document recorded as 2007-140460.
14. A resolution by the Board of Supervisors of Pinal County, Arizona recorded February 21, 1964 as Docket 375, Page 572, purporting to establish a county roadway, thereafter Resolution No. 07-1091, recorded as 2007-121046 abandoning roadway known as Milligan Road.
15. The right of the State of Arizona to prohibit, limit and control access to the limited access highway as set forth in instrument recorded in Docket 512, Page 812.
16. The effect of resolutions adopting State Route Plan for the Interstate 10 and any Amendments thereto for the purpose of controlling access and acquiring lands in advance for rights-of-way, recorded in 2008-114574 of Official Records.
17. The terms and provisions contained in the document entitled "Memorandum of Understanding and Agreement" recorded August 6, 1984 as Docket 1239, Page 329 of Official Records.