



## NORTHSIGHT VILLAGE

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### FACSIMILE TRANSMITTAL SHEET

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**TO:**  
Kristjan

**FROM:**  
Nancy Hempy  
Director of Real Estate

**COMPANY:**  
K & I

**DATE:**  
THURSDAY, FEBRUARY 28, 2002

**FAX NUMBER:**  
602-252-5203

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☐ URGENT ☐ PLEASE COMMENT

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**NOTES/COMMENTS:**

Attached is the Pad 6 Title document you needed. Please call if questions.



# CHICAGO TITLE INSURANCE COMPANY

2415 East Camelback Road, #300, Phoenix, Arizona 85016

Phone (602) 667-1041

Fax (602) 667-1082

February 28, 2002

Escrow No 2203448 41

## FAX TRANSMITTAL

To NANCY HEMPY

NORTHSIGHT VILLAGE

Fax No 480-921-7603

\*\*\*\*\*

From Rose Norton

Phone No.: (602) 667-1041

Regarding: PAD 6

\*\*\*\*\*

Total pages including this cover page is 5 Please notify sender immediately if you did not receive all pages

TITLE REPORT

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**CHICAGO TITLE INSURANCE COMPANY**  
**CONDITION OF TITLE REPORT**

Order No 2203448

Prepared For. Nancy Hempy  
NORTHSIGHT VILLAGE  
15490 North 83rd Way  
Scottsdale, Arizona 85260

Chicago Title Insurance Company, a Missouri corporation, has caused to be examined the public records which affect the title to the land described in Schedule A herein, and sets forth under Schedule B herein, those matters found to be pertinent to said land. No attempt has been made to report on the possible defects in the title to said land not shown by the public records, but which could affect the title to said land.

This report is for informational purposes only and is not to be considered as a commitment to issue any form of title insurance policy. The report is for the use and benefit of the addressee only, and liability is hereby limited to the amount of the fee paid therefor.

**LIABILITY HEREIN IS LIMITED TO THE AMOUNT PAID FOR THIS REPORT, TO WIT**

**SCHEDULE A**

Effective Date February 16, 2002 at 7 30 A M

Title Officer William C Flint /mp

- 1 The estate in the land described herein and which is covered by this report is  
A Fee
- 2 Title to the Estate or Interest in said land is at the effective date hereby Vested in  
NORTHSIGHT VILLAGE II, L L C , an Arizona limited liability company
- 3 The land referred to in this report is situated in the County of Maricopa State of Arizona,  
and is described as follows

Legal Description - Continued

**CHICAGO TITLE INSURANCE COMPANY**  
**LEGAL DESCRIPTION**

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That portion of Parcel 3 as shown on Map of Dedication, NORTHSIGHT II, according to Book 315 of Maps, page 15, and Affidavit of Correction recorded in Recording No 88-312897, and Parcel "F", being a portion of Northsight Boulevard abandonment recorded in Recording No 94-0128764, records of Maricopa County, Arizona, located in Section 12, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at the Southwest corner of said Parcel 3;

thence North 00 degrees 10 minutes 59 seconds East, along the West line of said Parcel 3, 182.11 feet;

thence South 89 degrees 47 minutes 52 seconds East, leaving said West line, 192 41 feet,

thence South 00 degrees 10 minutes 59 seconds West, 44 32 feet;

thence South 89 degrees 47 minutes 52 seconds East, 93.54 feet;

thence South 34 degrees 56 minutes 28 seconds East, 80 07 feet to a point lying on the Easterly line of said Parcel "F", said point lying on a curve, the radius of which bears South 56 degrees 56 minutes 42 seconds East, 1145 00 feet,

thence Southwesterly, along said East line and the arc of said curve through a central angle of 05 degrees 23 minutes 28 seconds, 107.74 feet to the beginning of a reverse curve concave Northwesterly and having a radius of 20.00 feet,

thence Southwesterly, along said Easterly line and the arc of said curve through a central angle of 87 degrees 32 minutes 25 seconds, 30.56 feet to a point lying on the Northerly line of Butherus Drive, also being the South line of said Parcel 3,

thence North 64 degrees 46 minutes 01 second West, along said Northerly line, 8 22 feet to the beginning of a curve concave Southwesterly and having a radius of 280 00 feet,

thence Westerly, along said Northerly line and the arc of said curve through a central angle of 25 degrees 00 minutes 06 seconds, 122 18 feet to a point of tangency,

thence North 89 degrees 47 minutes 52 seconds West, along said Northerly line, 125 89 feet to the point of beginning,

EXCEPT all coal, oil, gas and other mineral deposits and except all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved in Patent from the United States of America

**CHICAGO TITLE INSURANCE COMPANY****CONDITION OF TITLE REPORT****SCHEDULE - B**

Order No 2203448

- 1 Unpatented mining claims, water rights, claims or title to water, reservations or exceptions in patents or in acts authorizing the issuance thereof, including but not limited to those shown in the Patent to said land, whether or not of public record

**THIS IS NOT A COMMITMENT TO INSURE OR A TITLE INSURANCE POLICY**

- A 1 Reservations in Patent from the United States of America reading as follows  
Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States of America
- B 2. Taxes for the full year 2002, first half due on October 1, and delinquent on November 1, of said year, second half due on March 1, and delinquent on May 1, of the year 2003
- C 3 Right of entry to prospect for, mine and remove all coal, oil, gas and other mineral deposits and uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved in patent from the United States of America
- D 4. Right of Way not exceeding 33 feet in width for roadway and public utilities purposes as set forth in Patent from the United States of America to be located across said land or as near as practicable to the exterior boundaries of government Lots 10 and 36 as set forth in Docket 2762, page 493 and Docket 9644, page 845 and thereafter the effect of release of easement by City of Scottsdale recorded in Recording No. 91-186336
- E 5 Easements, restrictions, conditions and covenants as set forth on map of dedication of Northsight II in Book 315 of Maps, page 15
- F 6 Conditions, covenants, restrictions, easements, liabilities and obligations (but omitting, if any, such conditions, covenants or restrictions based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons) contained in instrument recorded in Recording No 88-384017
- G 7 Liabilities and obligations imposed on said land by reason of provisions contained in instrument(s) recorded in Recording No 88-384017, purporting to impress a lien on said land for collection of assessments of The Northsight Association, Inc.
- H 8 Easement and rights incident thereto for public utility purposes as set forth

Schedule B Continued

**CHICAGO TITLE INSURANCE COMPANY****CONDITION OF TITLE REPORT****SCHEDULE B - CONTINUED**

Order No 2203448

in instrument recorded in Recording No 94-128764

- J 9 Conditions, covenants and restrictions and easements (but omitting, if any, such conditions, covenants or restrictions based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons) contained in instrument recorded in Recording No 97-441861 and Recording No. 99-793961 and Recording No 00-0075223 and Recording No 01-0974876
- J 10 Pending proceedings in Case No. CV98-12761, in Maricopa County, Arizona Superior Court entitled Aspek Ventures LLC dba Prime Masonry, an Arizona limited liability company, Plaintiff, -vs- Home Depot U.S.A., Inc., a corporation, Defendant, disclosed by Notice of Lis Pendens recorded July 16, 1998 in Recording No 98-0612021. Nature of Action civil action. Attorney(s) for Plaintiff William K Strong
- K 11 Memorandum of Agreement recorded in Recording No 00-0939052
- L 12. City of Scottsdale drainage and flood control easement and provision for maintenance recorded in Recording No. 2001-0328134
- H 13 City of Scottsdale sight distance easement recorded in Recording No 2001-0328107
- N 14 Easement and rights incident thereto for electric lines and appurtenant facilities as set forth in instrument recorded in Recording No 2001-0631865
- O 15 Unrecorded Lease dated May 31, 2000, as disclosed by Subordination, Attornment and Non-Disturbance Agreement recorded August 15, 2001 in Recording No. 20010748547  
Lessor Northsight Village II, L.L.C., an Arizona limited liability company  
Lessee Ultimate Electronics, Inc., a Delaware corporation
- P 16 Development Fee Agreements recorded in Recording No 2001-770004, Recording No 2001-770005, Recording No 2001-770006 and Recording No 2001-770007
- O End of Schedule B