



207 Waiver

Title

Legal Description

Policy or Appeals

Correspondence Between Legal & Staff

Letter of Authorization

November 27, 2018

Randy Grant  
Planning Director  
City of Scottsdale  
7447 E. Indian School Rd.  
Scottsdale, AZ 85251

RE: Property located northwest corner of Hayden Road & Princess Blvd.  
APN: 215-07-015B, 215-07-016B, 215-07-024A and 215-07-209B

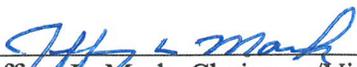
Dear Mr. Grant:

As the authorized representative of Princess Hayden LLC, I hereby authorize Chris Brozina and the members of Mark-Taylor and their representative John V. Berry, along with the members of the law firm of Berry Riddell LLC, to file the necessary application(s) to allow for the rezoning and development of the above referenced property. All of the costs associated with filing and processing the necessary applications to develop the property shall not be the responsibility of the Princess Hayden LLC.

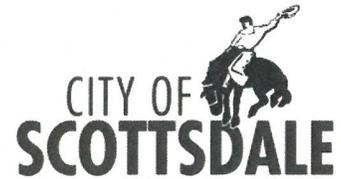
Sincerely,  
PRINCESS HAYDEN LLC,  
an Arizona limited liability company

By: MT Hayden LLC, an Arizona  
limited liability company

By: Mark-Taylor, Inc., an  
Arizona corporation

  
\_\_\_\_\_  
Jeffrey L. Mark, Chairman/Vice President

# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: NWC Hayden Rd. and Princess Blvd.
- b. County Tax Assessor's Parcel Number: 215-07-015B, 215-07-016B, 215-07-024A, 215-07-209B
- c. General Location: NWC Hayden Rd. and Princess Blvd.
- d. Parcel Size: +/-34.01 gross acres (30.48 net acres)
- e. Legal Description: See attached legal description

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

Chris Brozina  
Rob Orme  
 \_\_\_\_\_  
 \_\_\_\_\_

11/29, 2018  
11.29, 2018  
 \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_

[Signature]  
[Signature]  
 \_\_\_\_\_  
 \_\_\_\_\_

## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

## Exhibit "A"

Real property in the City of **Scottsdale**, County of **Maricopa**, State of **Arizona**, described as follows:

PARCEL 1:

PORTION 1

A portion of the Northeast quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 89 degrees 57 minutes 57 seconds West along the East – West mid-section line of said Section 35, a distance of 2449.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, leaving said line, a distance of 70.09 feet to the Point of Beginning;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 573.74 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 731.39 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 195.25 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet;

Thence South 45 degrees 01 minutes 01 seconds West, a distance of 28.28 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 179.70 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 816.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 141.26 to a point of reverse curve to the left;

Thence Westerly along said curve, having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 259.37 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence North 77 degrees 42 minutes 33 seconds West, a distance of 28.68 feet to the Point of Beginning.

Together with;

PORTION 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, records of Maricopa County Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona,

being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence North 89 degrees 57 minutes 57 seconds West, leaving said East line, a distance of 1,197.25 feet to a point of curve to the left;

Thence Westerly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet to a point of reverse curve to the right;

Thence Westerly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 74.47 feet;

Thence North 44 degrees 58 minutes 59 seconds West, a distance of 28.29 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet to a point of curve to the left;

Thence Northerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds a distance of 268.76 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 335.82 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 45.75 feet;

Thence North 65 degrees 11 minutes 45 seconds East, a distance of 29.58 feet;

Thence South 84 degrees 49 minutes 48 seconds East, a distance of 125.36 feet to the point of a non-tangent curve concave to the North, with a chord bearing of South 70 degrees 45 minutes 11 seconds East, a chord distance of 337.49 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence South 00 degrees 01 minutes 36 seconds West, a distance of 610.35 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 1115.29 feet to a point on the said East Section line;

Thence South 00 degrees 01 minutes 40 seconds West, along said East Section line, a distance of 589.09 feet to the Point of Beginning.

#### PARCEL 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, Official Records of Maricopa County, Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found

brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence continuing North 00 degrees 01 minutes 40 seconds East, along said line, a distance of 589.09 feet;

Thence South 89 degrees 58 minutes 20 seconds East, leaving said Section line, a distance of 40.00 feet;

Thence South 00 degrees 01 minutes 40 seconds West, a distance of 644.10 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 2,489.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 70.09 feet;

Thence South 77 degrees 42 minutes 33 seconds East, a distance of 28.68 feet to a point on a curve to the left;

Thence Easterly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 259.37 feet to a point of curve to the right;

Thence Easterly along said curve having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet to a point of reverse curve to the left;

Thence easterly along said curve, having a radius of 816.03 feet, through a central angle of 09 degrees 55 minutes 07 seconds, a distance of 141.26 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 179.70 feet;

Thence North 45 degrees 01 minutes 01 seconds East, a distance of 28.28 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet to a point of curve to the left;

Thence Northerly along said curve having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 195.25 feet;

Thence North 77 degrees 31 minutes 53 seconds East, a distance of 35.00 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 140.57 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 800.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 568.87 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 161.98 feet to a point of a non-tangent curve concave to the North, with a chord bearing of South 68 degrees 30 minutes 03 seconds East, a chord distance of 493.12 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,090.16 feet through a central angle of 13 degrees 32 minutes 56 seconds, a distance of 494.27 feet;

Thence South 14 degrees 43 minutes 28 seconds West, a distance of 50.00 feet to the point of a non-tangent curve concave to the North, with a chord bearing of North 70 degrees 45 Minutes 11 seconds

West, a chord distance of 337.49 feet;

Thence Westerly along said non-tangent curve, having a radius of 2140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence North 84 degrees 49 minutes 48 seconds West, a distance of 125.36 feet;

Thence South 65 degrees 11 minutes 45 seconds West, a distance of 29.58 feet;

Thence South 28 degrees 16 minutes 25 seconds West, a distance of 45.75 feet to a point of curve to the left;

Thence Southerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 335.82 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 268.76 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet;

Thence South 44 degrees 58 minutes 59 seconds East, a distance of 28.29 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 74.47 feet to a point of curve to the left;

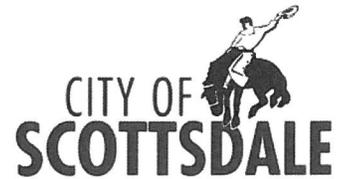
Thence Easterly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet to a point of reverse curve to the right;

Thence Easterly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 1,197.25 feet to the Point of Beginning;

Except the West 40 feet of the South 575.06 feet of the Southwest quarter of the Northwest quarter of Section 36, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

# Appeals of Dedication, Exactions or Zoning Regulations



## Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication of exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

## Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication of exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial nevo with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk  
3939 Drinkwater Blvd  
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

I hereby certify that I am the owner of property located at:

NWC Hayden Road and Princess Boulevard

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



\_\_\_\_\_  
Signature of Property Owner

11/29/18

\_\_\_\_\_  
Date



*First American Title*

## Commitment for Title Insurance

ISSUED BY

**First Arizona Title Agency, LLC**

# Commitment

**FIRST AMERICAN TITLE INSURANCE COMPANY**, ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 180 days after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

In Witness Whereof, First American Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

### *First American Title Insurance Company*

Dennis J. Gilmore  
President

Jeffrey S. Robinson  
Secretary

**Issued by:**



**FIRST ARIZONA**  
TITLE AGENCY

6263 North Scottsdale Road, Suite 190  
Scottsdale, AZ 85250

(This Commitment is valid only when Schedules A and B are attached)

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All other uses are prohibited. Reprinted under license from the American Land Title Association.

## CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <<http://www.alta.org/>>.*



*First American Title*

## Commitment for Title Insurance

ISSUED BY

**First Arizona Title Agency, LLC**

# Schedule A

File No.: 99-178959

1. Effective Date: September 10, 2018 @ 8:00 AM

2. Policy or Policies to be issued:

AMOUNT

- a.  ALTA Standard Owner's Policy \$31,000,000.00
- ALTA Extended Owner's Policy
- ALTA Residential Plain Language Owner's Policy
- ALTA Homeowner's Policy of Title Insurance

Proposed Insured: Princess Hayden LLC

- b.  ALTA Standard Loan Policy \$0.00
- ALTA Extended Loan Policy
- ALTA Short Form Residential Loan Policy
- ALTA Residential Limited Coverage Jr. Loan Policy

Proposed Insured:

- c.  \$

Proposed Insured:

- 3. The estate or interest in the land described or referred to in this Commitment is Fee Simple
- 4. Title to the estate or interest in the land is at the Effective Date vested in: Princess Hayden LLC
- 5. The land referred to in this Commitment is described as follows:  
Legal Description: See Exhibit "A"

First Arizona Title Agency, LLC as Agent for First American Title Insurance Company  
Title Examiner: Frank Simpson  
Amended: 3rd Amendment, September 12, 2018

## Exhibit "A"

Real property in the City of **Scottsdale**, County of **Maricopa**, State of **Arizona**, described as follows:

PARCEL 1:

PORTION 1

A portion of the Northeast quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 89 degrees 57 minutes 57 seconds West along the East – West mid-section line of said Section 35, a distance of 2449.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, leaving said line, a distance of 70.09 feet to the Point of Beginning;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 573.74 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 731.39 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 195.25 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet;

Thence South 45 degrees 01 minutes 01 seconds West, a distance of 28.28 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 179.70 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 816.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 141.26 to a point of reverse curve to the left;

Thence Westerly along said curve, having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 259.37 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence North 77 degrees 42 minutes 33 seconds West, a distance of 28.68 feet to the Point of Beginning.

Together with;

PORTION 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, records of Maricopa County Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona,

being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence North 89 degrees 57 minutes 57 seconds West, leaving said East line, a distance of 1,197.25 feet to a point of curve to the left;

Thence Westerly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet to a point of reverse curve to the right;

Thence Westerly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 74.47 feet;

Thence North 44 degrees 58 minutes 59 seconds West, a distance of 28.29 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet to a point of curve to the left;

Thence Northerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds a distance of 268.76 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 335.82 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 45.75 feet;

Thence North 65 degrees 11 minutes 45 seconds East, a distance of 29.58 feet;

Thence South 84 degrees 49 minutes 48 seconds East, a distance of 125.36 feet to the point of a non-tangent curve concave to the North, with a chord bearing of South 70 degrees 45 minutes 11 seconds East, a chord distance of 337.49 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence South 00 degrees 01 minutes 36 seconds West, a distance of 610.35 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 1115.29 feet to a point on the said East Section line;

Thence South 00 degrees 01 minutes 40 seconds West, along said East Section line, a distance of 589.09 feet to the Point of Beginning.

## PARCEL 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, Official Records of Maricopa County, Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found

brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence continuing North 00 degrees 01 minutes 40 seconds East, along said line, a distance of 589.09 feet;

Thence South 89 degrees 58 minutes 20 seconds East, leaving said Section line, a distance of 40.00 feet;

Thence South 00 degrees 01 minutes 40 seconds West, a distance of 644.10 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 2,489.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 70.09 feet;

Thence South 77 degrees 42 minutes 33 seconds East, a distance of 28.68 feet to a point on a curve to the left;

Thence Easterly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 259.37 feet to a point of curve to the right;

Thence Easterly along said curve having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet to a point of reverse curve to the left;

Thence easterly along said curve, having a radius of 816.03 feet, through a central angle of 09 degrees 55 minutes 07 seconds, a distance of 141.26 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 179.70 feet;

Thence North 45 degrees 01 minutes 01 seconds East, a distance of 28.28 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet to a point of curve to the left;

Thence Northerly along said curve having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 195.25 feet;

Thence North 77 degrees 31 minutes 53 seconds East, a distance of 35.00 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 140.57 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 800.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 568.87 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 161.98 feet to a point of a non-tangent curve concave to the North, with a chord bearing of South 68 degrees 30 minutes 03 seconds East, a chord distance of 493.12 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,090.16 feet through a central angle of 13 degrees 32 minutes 56 seconds, a distance of 494.27 feet;

Thence South 14 degrees 43 minutes 28 seconds West, a distance of 50.00 feet to the point of a non-tangent curve concave to the North, with a chord bearing of North 70 degrees 45 Minutes 11 seconds

West, a chord distance of 337.49 feet;

Thence Westerly along said non-tangent curve, having a radius of 2140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence North 84 degrees 49 minutes 48 seconds West, a distance of 125.36 feet;

Thence South 65 degrees 11 minutes 45 seconds West, a distance of 29.58 feet;

Thence South 28 degrees 16 minutes 25 seconds West, a distance of 45.75 feet to a point of curve to the left;

Thence Southerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 335.82 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 268.76 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet;

Thence South 44 degrees 58 minutes 59 seconds East, a distance of 28.29 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 74.47 feet to a point of curve to the left;

Thence Easterly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet to a point of reverse curve to the right;

Thence Easterly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 1,197.25 feet to the Point of Beginning;

Except the West 40 feet of the South 575.06 feet of the Southwest quarter of the Northwest quarter of Section 36, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



First American Title

## Commitment for Title Insurance

ISSUED BY

**First Arizona Title Agency, LLC**

# Schedule BI

File No.: 99-178959

### **REQUIREMENTS**

The following requirements must be satisfied:

1. Payment of the necessary consideration for the estate or interest to be insured.
2. Pay all premiums, fees and charges for the policy.
3. Documents creating the estate or interest to be insured, must be properly executed, delivered and recorded, as follows: None
4. Payment of all taxes and/or assessments levied against the subject premises which are due and payable.
5. **(REQUIREMENT SATISFIED)**
6. Furnish copies of any existing leases affecting the within described property and insertion of said leases in Schedule B of the Policy of Title Insurance.
7. Furnish Plat of Survey of the subject property by a Registered Land Surveyor in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" which became effective February 23, 2017. Said Plat of survey shall include the required certification and, at a minimum, also have shown thereon Items 1, 8, 11, 16, 17, and 19 from Table A thereof. If zoning assurances are requested, Items 7(a), 7(b), 7(c) and 9 from Table A and information regarding the usage of the property must be included.
8. Completion of inspection now in progress by an employee of First Arizona Title Agency, LLC. If said inspection discloses the necessity for additional exceptions and/or requirements, you will be notified.
9. Furnish the names of parties to be insured herein and disposition of any matters disclosed thereby.

NOTE: Taxes are assessed in the total amount of \$0.00 for the year 2017 under Assessor's Parcel No. 215-07-015b (Tract 12).

NOTE: Taxes are assessed in the total amount of \$0.00 for the year 2017 under Assessor's Parcel No. 215-07-016b (Tract 13).

NOTE: Taxes are assessed in the total amount of \$0.00 for the year 2017 under Assessor's Parcel No. 215-07-024a (Tract 24).

NOTE: Taxes are assessed in the total amount of \$0.00 for the year 2017 under Assessor's Parcel No. 215-07-209b (Tract 10c7).



*First American Title*

## Commitment for Title Insurance

ISSUED BY

**First Arizona Title Agency, LLC**

# Schedule BII

File No.: 99-178959

### **EXCEPTIONS**

The policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. The right to enter upon said land and prospect for and remove all coal, oil, gas, minerals or other substances, as reserved in the Patent to said land.
2. Water rights, claims or title to water, whether or not shown by the public records.
3. Easements and conditions as shown on the plat recorded as [Book 324 of Maps, Page 50](#), but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
4. Easements and conditions as shown on the plat recorded as [Book 394 of Maps, Page 42](#), but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
5. All matters as set forth in Notice of Water/ Sewer Line Reimbursement Requirement, recorded 12/4/2003 as [2003-1656005](#) of Official Records. (Affects property within Hayden Road)
6. All matters as set forth in Notice of Water/ Sewer Line Reimbursement Requirement, recorded 12/4/2003 as [2003-1655981](#) of Official Records. (Affects property within Hayden Road)
7. All matters as set forth in Permission for Private Improvements in Right of Way, recorded 8/15/2007 as [2007-920452](#) of Official Records.
8. All matters as set forth in Development Agreement, recorded 11/22/2002 as [2002-1240137](#) of Official Records. Thereafter, First Amendment recorded as [2011-923510](#) and thereafter, Second Amendment recorded as [2017-123362](#) and Third Amended and Restated Agreement recorded in 2018-456551, of Official Records. Note: said document is designated as KE#056-115598 in the records of the State Land Department.
9. Right-of-Way No. 16-103534 granted by the Arizona State Land Department to City of Scottsdale for public roadway and underground utilities having a term of indefinite duration; A copy of right of way was recorded as [2000-589276](#) and thereafter said right of way was amended; said amendment was recorded as [2004-932570](#).

10. Right-of-Way No. [16-113739](#) granted by the Arizona State Land Department to City of Scottsdale for public roadway and underground utilities having a term of indefinite duration; a copy of said right of way was recorded as [2005-441597](#).
11. Right-of-Way No. [009-002261](#) granted by the Arizona State Land Department to Maricopa County for highway having a term ending 11/29/2025.
12. Right-of-Way No. [18-094347](#) granted by the Arizona State Land Department to Arizona Public Service for underground 12KV electric distribution system having a term ending 11/29/2025.
13. Special Land Use Permit No. [23-113415-03](#) granted by the Arizona State Land Department to City of Scottsdale for temporary automobile parking, traffic management and dust control having a term ending 6/30/2021; thereafter Amendment dated 6/8/2010. A copy of permit was recorded as [2009-886514](#) .
14. The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property.  
  
NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
15. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
16. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
17. Reservations contained in the Patent from the State of Arizona recorded in [2018-419913](#), of Official Records, reading as follows:  
  
Pursuant to the provisions of Arizona Revised Statutes 37-231, of the following substances not heretofore retained and reserved by a predecessor in title to the State of Arizona, all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, geothermal resources, coal, metals, minerals, fossils, fertilizer of every name and description, together with all uranium, thorium, or any other material which is or may be determined by the laws of the United States, or of this State, or decisions of court, to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, and the exclusive right thereto, on in, or under the above described lands, shall be and remain and are hereby reserved in and retained by the State of Arizona, together with the right of the State of Arizona, its lessees or permittees to enter upon those lands for the purpose of exploration, development and removal of the above described substances as provided by the rules and regulations of the State Land Department and the laws of Arizona.
18. Additional Conditions as set forth in State of Arizona Patent, recorded as [2018-419913](#) of Official Records.
19. The terms, conditions and provisions contained in the document entitled "Crossroads East Planning Unit V Development Agreement" recorded as 2018-456552 of Official Records.
20. Taxes for the year 2018, a lien not yet due and payable.

## PRIVACY POLICY NOTICE

### We are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

### Applicability

This Privacy Policy governs our use of the information which you provide us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from public records or from another person or entity. In compliance with Title V of the Gramm-Leach-Bliley Act, we are providing you with this document, which notifies you of the privacy policy and practices of First Arizona Title Agency.

### Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, identity statements, forms, and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial services providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply.

### Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products and service to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

## Exhibit "A"

Real property in the City of **Scottsdale**, County of **Maricopa**, State of **Arizona**, described as follows:

PARCEL 1:

PORTION 1

A portion of the Northeast quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 89 degrees 57 minutes 57 seconds West along the East – West mid-section line of said Section 35, a distance of 2449.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, leaving said line, a distance of 70.09 feet to the Point of Beginning;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 573.74 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 731.39 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 195.25 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet;

Thence South 45 degrees 01 minutes 01 seconds West, a distance of 28.28 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 179.70 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 816.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 141.26 to a point of reverse curve to the left;

Thence Westerly along said curve, having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 259.37 feet to a point of curve to the right;

Thence Westerly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence North 77 degrees 42 minutes 33 seconds West, a distance of 28.68 feet to the Point of Beginning.

Together with;

PORTION 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, records of Maricopa County Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona,

being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence North 89 degrees 57 minutes 57 seconds West, leaving said East line, a distance of 1,197.25 feet to a point of curve to the left;

Thence Westerly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet to a point of reverse curve to the right;

Thence Westerly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 74.47 feet;

Thence North 44 degrees 58 minutes 59 seconds West, a distance of 28.29 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet to a point of curve to the left;

Thence Northerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds a distance of 268.76 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 335.82 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 45.75 feet;

Thence North 65 degrees 11 minutes 45 seconds East, a distance of 29.58 feet;

Thence South 84 degrees 49 minutes 48 seconds East, a distance of 125.36 feet to the point of a non-tangent curve concave to the North, with a chord bearing of South 70 degrees 45 minutes 11 seconds East, a chord distance of 337.49 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence South 00 degrees 01 minutes 36 seconds West, a distance of 610.35 feet;

Thence South 89 degrees 58 minutes 20 seconds East, a distance of 1115.29 feet to a point on the said East Section line;

Thence South 00 degrees 01 minutes 40 seconds West, along said East Section line, a distance of 589.09 feet to the Point of Beginning.

#### PARCEL 2:

A portion of Tract 10C, Tract 13 and Tract 24 of State Plat No. 16-B Core South, according to Book 394 of Maps, Page 42, Official Records of Maricopa County, Arizona, and a portion of the Northeast quarter of Section 35 Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a found brass cap flush at the East quarter corner of said Section 35, from which a found

brass cap flush at the center of said Section 35 bears North 89 degrees 57 minutes 57 seconds West, a distance of 2641.61 feet;

Thence North 00 degrees 01 minutes 40 seconds East, along the East line of said Section 35, a distance of 55.00 feet to the Point of Beginning;

Thence continuing North 00 degrees 01 minutes 40 seconds East, along said line, a distance of 589.09 feet;

Thence South 89 degrees 58 minutes 20 seconds East, leaving said Section line, a distance of 40.00 feet;

Thence South 00 degrees 01 minutes 40 seconds West, a distance of 644.10 feet;

Thence North 89 degrees 57 minutes 57 seconds West, a distance of 2,489.74 feet;

Thence North 00 degrees 02 minutes 17 seconds East, a distance of 70.09 feet;

Thence South 77 degrees 42 minutes 33 seconds East, a distance of 28.68 feet to a point on a curve to the left;

Thence Easterly along said curve, having a radius of 395.00 feet, through a central angle of 12 degrees 15 minutes 24 seconds, a distance of 84.50 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 259.37 feet to a point of curve to the right;

Thence Easterly along said curve having a radius of 522.00 feet, through a central angle of 09 degrees 55 minutes 08 seconds, a distance of 90.37 feet to a point of reverse curve to the left;

Thence easterly along said curve, having a radius of 816.03 feet, through a central angle of 09 degrees 55 minutes 07 seconds, a distance of 141.26 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 179.70 feet;

Thence North 45 degrees 01 minutes 01 seconds East, a distance of 28.28 feet;

Thence North 00 degrees 00 minutes 00 seconds East, a distance of 146.77 feet to a point of curve to the left;

Thence Northerly along said curve having a radius of 1,165.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 253.53 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 195.25 feet;

Thence North 77 degrees 31 minutes 53 seconds East, a distance of 35.00 feet;

Thence North 12 degrees 28 minutes 07 seconds West, a distance of 140.57 feet to a point of curve to the right;

Thence Northerly along said curve, having a radius of 800.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 568.87 feet;

Thence North 28 degrees 16 minutes 25 seconds East, a distance of 161.98 feet to a point of a non-tangent curve concave to the North, with a chord bearing of South 68 degrees 30 minutes 03 seconds East, a chord distance of 493.12 feet;

Thence Easterly along said non-tangent curve, having a radius of 2,090.16 feet through a central angle of 13 degrees 32 minutes 56 seconds, a distance of 494.27 feet;

Thence South 14 degrees 43 minutes 28 seconds West, a distance of 50.00 feet to the point of a non-tangent curve concave to the North, with a chord bearing of North 70 degrees 45 Minutes 11 seconds

West, a chord distance of 337.49 feet;

Thence Westerly along said non-tangent curve, having a radius of 2140.16 feet, through a central angle of 09 degrees 02 minutes 41 seconds, a distance of 337.85 feet;

Thence North 84 degrees 49 minutes 48 seconds West, a distance of 125.36 feet;

Thence South 65 degrees 11 minutes 45 seconds West, a distance of 29.58 feet;

Thence South 28 degrees 16 minutes 25 seconds West, a distance of 45.75 feet to a point of curve to the left;

Thence Southerly along said curve, having a radius of 765.00 feet, through a central angle of 40 degrees 44 minutes 32 seconds, a distance of 543.98 feet;

Thence South 12 degrees 28 minutes 07 seconds East, a distance of 335.82 feet to a point of curve to the right;

Thence Southerly along said curve, having a radius of 1235.00 feet, through a central angle of 12 degrees 28 minutes 07 seconds, a distance of 268.76 feet;

Thence South 00 degrees 00 minutes 00 seconds East, a distance of 151.81 feet;

Thence South 44 degrees 58 minutes 59 seconds East, a distance of 28.29 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 74.47 feet to a point of curve to the left;

Thence Easterly along said curve, having a radius of 775.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 134.88 feet to a point of reverse curve to the right;

Thence Easterly along said curve, having a radius of 880.00 feet, through a central angle of 09 degrees 58 minutes 17 seconds, a distance of 153.15 feet;

Thence South 89 degrees 57 minutes 57 seconds East, a distance of 1,197.25 feet to the Point of Beginning;

Except the West 40 feet of the South 575.06 feet of the Southwest quarter of the Northwest quarter of Section 36, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.