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**SECURITY TITLE AGENCY**

WHEN RECORDED RETURN TO:  
ARIZONA DEPARTMENT OF TRANSPORTATION  
R/W OPERATIONS  
205 SOUTH 17<sup>TH</sup> AVENUE (612E)  
PHOENIX, AZ 85007-3212

EXEMPT FROM AFFIDAVIT  
BY A.R.S. §11-1134-A-3

15-24988 2/6

## ARIZONA DEPARTMENT OF TRANSPORTATION SPECIAL WARRANTY DEED

The **STATE OF ARIZONA**, acting by and through its **Department of Transportation**, and pursuant to A.R.S. §28-7095, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION, does hereby convey to Base Trust, Bruce Agenter, Trustee, Zahn Living Trust dated November 2, 1995, Bernard Zahn and Linda Zahn, Trustees, Orest G. Komarnyckyj and Oksana M. Komarnyckyj, husband and wife as community property, whose address is c/o Bruce Agenter, 13667 North 87<sup>th</sup> Street, Scottsdale, AZ 85260, that certain real property situated in the county of **Maricopa**, State of Arizona:

**SEE EXHIBIT "A" ATTACHED HERETO**  
**AND BY REFERENCE MADE A PART HEREOF.**

**SUBJECT TO** current taxes and assessments, reservations and all easements, rights of way, covenants, conditions, restrictions, liens and encumbrances of record, the Grantor does hereby covenant that it will forever warrant and defend the title to the above described land against the lawful claims of all persons claiming by, through or under the Grantor herein, and no others.

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**PROJECT:600-1-703 SECTION: Scottsdale Rd-Doubletree Ranch Rd PRCL: L-M-283**  
**DISPOSAL NO. D-M-189**

---

**101 L MA 034 H0830 01R**

**JD:12.3101**

IN WITNESS WHEREOF, this instrument is executed this 31st day of December, 2001.

ARIZONA DEPARTMENT OF TRANSPORTATION

*S. E. Hansen*

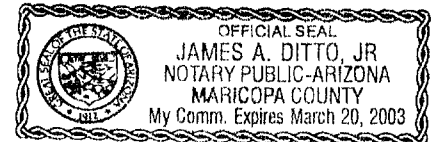
Chief Right of Way Agent

NOTARY CERTIFICATION

STATE OF ARIZONA    )  
                                  ) SS  
County of Maricopa    )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of December, 2001, by S. E. HANSEN, the Chief Right of Way Agent of the ARIZONA DEPARTMENT OF TRANSPORTATION, who acknowledged to me that he executed this instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have set my hand and official seal.



My Commission expires:

*March 20, 2003*

*James A. Ditto Jr*  
Notary Public

## Exhibit "A"

That portion of the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 13, Township 3 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at a brass cap marking the Northeast corner of said Section 13;

thence North 89°35'20" West 95.00 feet along the North line of said Section 13, to the West right of way line of Pima Road;

thence South 0°14'00" West 329.99 feet along said West right of way line;

thence North 89°35'43" West 169.53 feet to the POINT OF BEGINNING;

thence South 0°29'29" West 330.01 feet;

thence North 89°36'05" West 89.72 feet;

thence North 0°14'45" East 330.02 feet;

thence South 89°35'43" East 91.14 feet to the POINT OF BEGINNING.

Unofficial Document

29,842 square feet, more or less.

RESERVING UNTO the Grantor, their successors and/or assigns, a 15.00 foot wide easement along the East line of the above described property, for maintenance of the sound wall and appurtenances thereto, including footers.

The parcel of land described above is landlocked, having no means of access to or from any public way. By acceptance of this deed, the Grantee acknowledges awareness of the landlocked condition of this parcel prior to purchase and further acknowledges that it is the Grantee's expressed intention to acquire a landlocked parcel of land. The Grantor makes no warranty, covenant or assurance, express or implied, concerning the suitability or usability of this parcel of land for any purpose.

---

**PROJECT:**600-1-703 **SECT:**Scottsdale Rd – Doubletree Ranch Rd **PRCL:**D-M-189/L-M-283  
 101L MA 034 H0830 01R Excess JD/12-31-2001

# COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

ATTACHED TO AND MADE A PART OF THAT WARRANTY DEED (SPECIAL)

DATED December 31, 2001 EXECUTED BY STATE OF ARIZONA, acting by and  
through its Department of Transportation

AS GRANTOR(S) UNDER SECURITY TITLE AGENCY ESCROW NO. 15-15-24988-KR.

THE GRANTEES BY SIGNING THE ACCEPTANCE BELOW EVIDENCE THEIR INTENTION TO ACQUIRE SAID  
 PREMISES AS COMMUNITY PROPERTY WITH THE RIGHT OF SURVIVORSHIP, AND NOT AS JOINT TENANTS  
 WITH RIGHT OF SURVIVORSHIP NOR AS TENANTS IN COMMON.

## ACCEPTANCE

Unofficial Document

ACCEPTED AND APPROVED BY:

[Signature]  
 Orest G. Komarnyckyj

[Signature]  
 Oksana M. Komarnyckyj

STATE OF ARIZONA )

County of MARICOPA )

This instrument was acknowledged before me this 28th day of DECEMBER, 2001,  
 by Orest G. Komarnyckyj, Oksana M. Komarnyckyj

[Signature]

NOTARY PUBLIC

My Commission will expire



**BENEFICIARY DISCLOSURE****BASE TRUST:**

Bruce Agenter and Suzanne Agenter; P. O. Box 6410,  
Scottsdale, AZ 85261

**ZAHN LIVING TRUST U/A/D November 2, 1995;**  
Elliot Zahn; 315 Birdwood Ct., Morrisville, NC 27560;  
Brian Zahn; 1822 W. Oriole Way, Chandler, AZ 85248; and  
Renae Zahn Lindstrom; 1312 W. Longhorn Dr., Chandler, AZ  
85248.

RECORDING REQUESTED BY:

SECURITY TITLE AGENCY  
COURTESY RECORDING  
NO TITLE LIABILITY

20  
15  
Em

When recorded mail to:  
M/M Bernard Zahn  
8764 E. Celtic Dr.  
Scottsdale, AZ 85260

3/6

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ESCROW NO. 15-15-24988-KR

## WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Bruce Agenter, Trustee of BASE TRUST; Bernard Zahn and Linda Zahn, Trustees of ZAHN LIVING TRUST U/A/D 11/2/95; and Orest G. Komarnyckyj and Oksana M. Komarnyckyj, husband and wife**

hereby grant to:

**Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST u/a/d 11/2/95**

the following described real property situated in Maricopa County, Arizona:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

In compliance with A.R.S., 33-404, Beneficiary(ies) for the Grantor's and/or Grantee's trusts are:  
**SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated December 18, 2001  
**EXEMPT: ARS 11-1134, B[8].**

GRANTOR(S):

**BASE TRUST**

BY:

  
Bruce Agenter, Trustee

**ZAHN LIVING TRUST u/a/d 11/2/95**

BY:

  
Bernard Zahn, Trustee

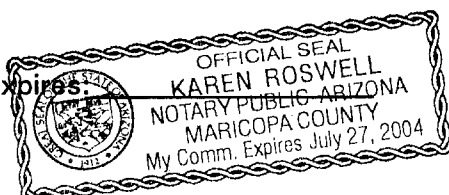
  
Linda Zahn, Trustee

  
Orest G. Komarnyckyj

  
Oksana M. Komarnyckyj

**ACKNOWLEDGMENT**STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Bruce Agenter, Trustee of the BASE TRUST

My commission expires:

Karen Roswell

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of December, 2001, by \_Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST u/a/d 11/2/95

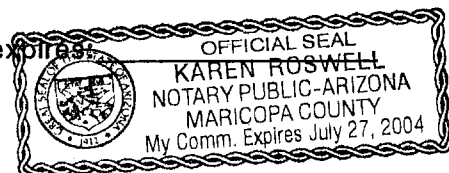
Unofficial Document

My commission expires: March 14, 2004Linda L Buss

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Orest G. Komarnyckyj and Oksana M. Komarnyckyj

My commission expires:

Karen Roswell

Notary Public

**BROWN ENGINEERING CO., INC.**

8828 North Central Avenue, Suite 206 • Phoenix, AZ 85020-2851

Telephone: (602) 955-4660 • Fax: (602) 381-8464

**EXHIBIT "A"****LEGAL DESCRIPTION****OF****PARCEL 1**

That part of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Three (3) North, Range Four (4) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

**BEGINNING** at the Southeast corner of a subdivision named McDowell Shadow Estates IV as recorded in Book 396 of Maps, Page 28 in the office of the Maricopa County Recorder;

thence North 00 degrees 07 minutes 04 seconds West along the East line of Lot 10 of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., said line being the East boundary line of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., a distance of <sup>Unofficial Document</sup> 127.12 feet;

thence South 89 degrees 57 minutes 54 seconds East a distance of 74.77 feet;

thence South 00 degrees 07 minutes 40 seconds West a distance of 12.50 feet to a point on the Northerly line of Lot 12 of McDowell Shadow Estates II as recorded in Book 352 of Maps, Page 39 in the office of the Maricopa County Recorder, said line being the North boundary line of said McDowell Shadow Estates II, B. 352, P. 39, M.C.R.;

thence North 89 degrees 57 minutes 54 seconds West along said North line of Lot 12 and said North boundary line of McDowell Shadow Estates II, B. 352, P. 39, M.C.R. a distance of 74.72 feet to the **POINT OF BEGINNING**.

The above described parcel contains 934.33 square feet or 0.0214 acres.

The East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. recorded as North 00 degrees 07 minutes 04 seconds West is the basis of bearing for the above described parcel.





EXHIBIT "B"

**BENEFICIARY DISCLOSURE**

BASE TRUST:

Bruce Agenter and Suzanne Agenter; P. O. Box 6410,  
Scottsdale, AZ 85261

ZAHN LIVING TRUST U/A/D November 2, 1995;

Elliot Zahn; 315 Birdwood Ct., Morrisville, NC 27560;  
Brian Zahn; 1822 W. Oriole Way, Chandler, AZ 85248; and  
Renaë Zahn Lindstrom; 1312 W. Longhorn Dr., Chandler, AZ  
85248.

Unofficial Document

# Unofficial Document

RECORDING REQUESTED BY:

SECURITY TITLE AGENCY

COURTESY RECORDING  
NO TITLE LIABILITY

20

15

Em

When recorded mail to:  
M/M Herb K. Scheibenpflug  
13637 N. 87th St.  
Scottsdale, AZ 85260

4/6

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ESCROW NO. 15-15-24988-KR

## WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Bruce Agenter, Trustee of BASE TRUST; Bernard Zahn and Linda Zahn, Trustees of ZAHN LIVING TRUST U/A/D 11/2/95; and Orest G. Komarnycky and Oksana M. Komarnycky, husband and wife**

hereby grant to:

**Herb K. Scheibenpflug and Gloria G. Scheibenpflug, husband and wife**

the following described real property situated in Maricopa County, Arizona:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

In compliance with A.R.S., 33-404, Beneficiary(ies) for the Grantor's and/or Grantee's trusts are:

**SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated December 18, 2001

EXEMPT: ARS 11-1134, B[8].

GRANTOR(S):

**BASE TRUST**

BY: 

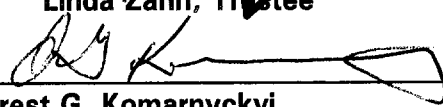
**Bruce Agenter, Trustee**

**ZAHN LIVING TRUST U/A/D 11/2/95**

BY: 

**Bernard Zahn, Trustee**

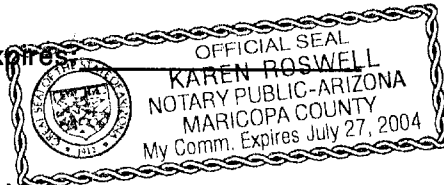
  
**Linda Zahn, Trustee**

  
**Orest G. Komarnycky**

  
**Oksana M. Komarnycky**

**ACKNOWLEDGMENT**STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28th day of DECEMBER, 2001, by \_Bruce Agenter, Trustee of the BASE TRUST

My commission expires

Karen Roswell

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28th day of December, 2001, by \_Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST u/a/d 11/2/95

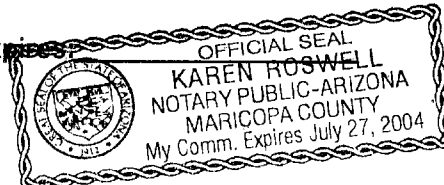
Unofficial Document

My commission expires: March 14, 2004Linda L. Buss

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28th day of DECEMBER, 2001, by \_Orest G. Komarnycky and Oksana M. Komarnycky

My commission expires

Karen Roswell

Notary Public

# JOINT TENANCY WITH RIGHT OF SURVIVORSHIP

ATTACHED TO AND MADE A PART OF THAT WARRANTY DEED DATED December 18, 2001,  
EXECUTED BY Bruce Agenter, Trustee of the BASE TRUST; Bernard Zahn and Linda Zahn, Trustees of the  
ZAHN LIVING TRUST u/a/d 11/2/95; and Orest G. Komarnyckyj and Oksana M. Komarnyckyj, husband and  
wife, AS GRANTORS UNDER SECURITY TITLE AGENCY ESCROW NO. 15-15-24988-KR.

THE GRANTEES BY SIGNING THE ACCEPTANCE BELOW EVIDENCE THEIR INTENTION TO ACQUIRE SAID  
PREMISES AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP, AND NOT AS COMMUNITY PROPERTY  
NOR AS TENANTS IN COMMON.

## ACCEPTANCE

ACCEPTED AND APPROVED BY:

Unofficial Document

  
Herb K. Scheibenpflug

  
Gloria G. Scheibenpflug

STATE OF ARIZONA )

County of MARICOPA )

This instrument was acknowledged before me this 31<sup>st</sup> day of DECEMBER, 20 01,  
by Herb K. Scheibenpflug, Gloria G. Scheibenpflug



NOTARY PUBLIC

My Commission will expire



**BROWN ENGINEERING CO., INC.**

8828 North Central Avenue, Suite 206 • Phoenix, AZ 85020-2851

Telephone: (602) 955-4660 • Fax: (602) 381-8464

**EXHIBIT "A"****LEGAL DESCRIPTION****OF****PARCEL 2**

That part of the Northeast Quarter (NE 1/4) of Section Thirteen (13) , Township Three (3) North, Range Four (4) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

**BEGINNING** at the Southeast corner of a subdivision named McDowell Shadow Estates IV as recorded in Book 396 of Maps, Page 28 in the office of the Maricopa County Recorder;

thence North 00 degrees 07 minutes 04 seconds West along the East line of Lot 10 of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., said line being the East boundary line of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., a distance of <sup>Unofficial Document</sup> to the **TRUE POINT OF BEGINNING**;

thence North 00 degrees 07 minutes 04 seconds West along said East line of Lot 10 and said East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. and along the East line of Tract "C" of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. a distance of 142.52 feet;

thence South 89 degrees 57 minutes 32 seconds East a distance of 75.38 feet;

thence South 00 degrees 07 minutes 40 seconds West a distance of 142.51 feet;

thence North 89 degrees 57 minutes 54 seconds West a distance of 74.77 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 10,699.86 square feet or 0.2456 acres.

The East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. recorded as North 00 degrees 07 minutes 04 seconds West is the basis of bearing for the above described parcel.



## EXHIBIT "B"

**BENEFICIARY DISCLOSURE**

## BASE TRUST:

Bruce Agenter and Suzanne Agenter; P. O. Box 6410,  
Scottsdale, AZ 85261

ZAHN LIVING TRUST U/A/D November 2, 1995;  
Elliot Zahn; 315 Birdwood Ct., Morrisville, NC 27560;  
Brian Zahn; 1822 W. Oriole Way, Chandler, AZ 85248; and  
Renae Zahn Lindstrom; 1312 W. Longhorn Dr., Chandler, AZ  
85248.

Unofficial Document

RECORDING REQUESTED BY:

20

SECURITY TITLE AGENCY

COURTESY RECORDING  
NO TITLE LIABILITY

15

Em

When recorded mail to:  
Bruce Agenter  
13667 N. 87th St.  
Scottsdale, AZ 85260

5/6

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ESCROW NO. 15-15-24988-KR

## WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Bruce Agenter, Trustee of BASE TRUST; Bernard Zahn and Linda Zahn, Trustees of ZAHN LIVING TRUST U/A/D 11/2/95; and Orest G. Komarnycky and Oksana M. Komarnycky, husband and wife**

hereby grant to:

**Bruce Agenter, Trustee of the BASE TRUST**

the following described real property situated in **Maricopa County, Arizona:**

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

In compliance with A.R.S., 33-404, Beneficiary(ies) for the Grantor's and/or Grantee's trusts are:

**SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated December 18, 2001

EXEMPT: ARS 11-1134, B[8].

GRANTOR(S):

**BASE TRUST**

BY:

  
**Bruce Agenter, Trustee**

**ZAHN LIVING TRUST u/a/d 11/2/95**

BY:

  
**Bernard Zahn, Trustee**

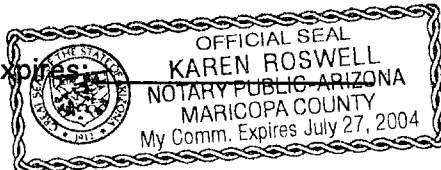
  
**Linda Zahn, Trustee**

  
**Orest G. Komarnycky**

  
**Oksana M. Komarnycky**

**ACKNOWLEDGMENT**STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Bruce Agenter, Trustee of the BASE TRUST

My commission expires:

Karen Roswell

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of December, 2001, by \_Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST u/a/d 11/2/95

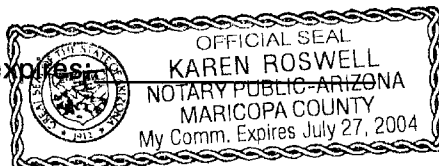
Unofficial Document

My commission expires: March 14, 2004Linda L. Buss

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Orest G. Komarnycky and Oksana M. Komarnycky

My commission expires:

Karen Roswell

Notary Public



**BROWN ENGINEERING CO., INC.**

8828 North Central Avenue, Suite 206 • Phoenix, AZ 85020-2851  
 Telephone: (602) 955-4660 • Fax: (602) 381-8464

**EXHIBIT "A"****LEGAL DESCRIPTION****OF****PARCEL 3**

That part of the Northeast Quarter (NE 1/4) of Section Thirteen (13) , Township Three (3) North, Range Four (4) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

**BEGINNING** at the Southeast corner of a subdivision named McDowell Shadow Estates IV as recorded in Book 396 of Maps, Page 28 in the office of the Maricopa County Recorder;

thence North 00 degrees 07 minutes 04 seconds West along the East line of Lot 10 and Tract "C" of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., said line being the East boundary line of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., a distance of 155.02 feet to the **TRUE POINT OF BEGINNING**;

thence North 00 degrees 07 minutes 04 seconds West along said East line of Lot 10, said Tract "C", said East boundary line and the East line of Lot 7 of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. a distance of 175.00 feet to the Northeast corner of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R.;

thence South 89 degrees 57 minutes 32 seconds East along the South line of Lot 1 of McDowell Shadow Estates III as recorded in Book 396 of Maps, Page 47 in the office of the Maricopa County Recorder a distance of 4.50 feet;

thence South 00 degrees 07 minutes 40 seconds West along a line that is 4.50 feet East of and parallel to said East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. a distance of 50.00 feet;

thence South 89 degrees 57 minutes 32 seconds East a distance of 71.42 feet;

thence South 00 degrees 07 minutes 40 seconds West a distance of 125.00 feet;

thence North 89 degrees 57 minutes 32 seconds West a distance of 75.38 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 9,681.53 square feet or 0.2223 acres.

The East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. recorded as North 00 degrees 07 minutes 04 seconds West is the basis of bearing for the above described parcel.

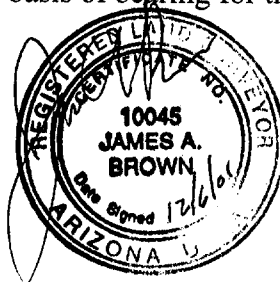


EXHIBIT "B"

**BENEFICIARY DISCLOSURE**

BASE TRUST:

Bruce Agenter and Suzanne Agenter; P. O. Box 6410,  
Scottsdale, AZ 85261

ZAHN LIVING TRUST U/A/D November 2, 1995;

Elliot Zahn; 315 Birdwood Ct., Morrisville, NC 27560;  
Brian Zahn; 1822 W. Oriole Way, Chandler, AZ 85248; and  
Renaë Zahn Lindstrom; 1312 W. Longhorn Dr., Chandler, AZ  
85248.

Unofficial Document

# Unofficial Document

RECORDING REQUESTED BY:

**SECURITY TITLE AGENCY**

COURTESY RECORDING  
NO TITLE LIABILITY

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When recorded mail to:  
M/M Orest G. Komarnyckyj  
8757 E. Sharon Dr.  
Scottsdale, AZ 85260

6/6

SPACE ABOVE THIS LINE FOR RECORDER'S USE

ESCROW NO. 15-15-24988-KR

## WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Bruce Agenter, Trustee of BASE TRUST; Bernard Zahn and Linda Zahn, Trustees of ZAHN LIVING TRUST U/A/D 11/2/95; and Orest G. Komarnyckyj and Oksana M. Komarnyckyj, husband and wife**

hereby grant to:

**Orest G. Komarnyckyj and Oksana M. Komarnyckyj, husband and wife**

the following described real property situated in Maricopa County, Arizona:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

In compliance with A.R.S., 33-404, Beneficiary(ies) for the Grantor's and/or Grantee's trusts are:  
**SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated December 18, 2001  
EXEMPT: ARS 11-1134, B[8].

GRANTOR(S):

**BASE TRUST**

BY:

  
Bruce Agenter, Trustee

**ZAHN LIVING TRUST u/a/d 11/2/95**

BY:

  
Bernard Zahn, Trustee

  
Linda Zahn, Trustee

  
Orest G. Komarnyckyj

  
Oksana M. Komarnyckyj

**ACKNOWLEDGMENT**STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Bruce Agenter, Trustee of the BASE TRUST

My commission expires: \_\_\_\_\_

Karen Roswell

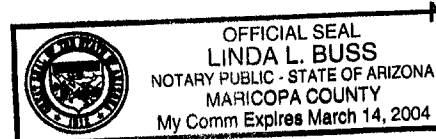
Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of December, 2001, by \_Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST u/a/d 11/2/95

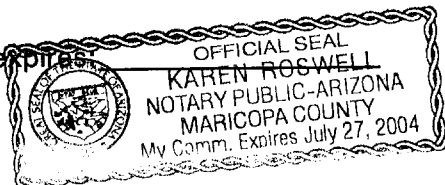
Unofficial Document

My commission expires: March 14, 2004Linda L. Buss

Notary Public

STATE OF ARIZONACOUNTY OF MARICOPAAcknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001, by \_Orest G. Komarnyckyj and Oksana M. Komarnyckyj

My commission expires: \_\_\_\_\_

Karen Roswell

Notary Public

# COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

ATTACHED TO AND MADE A PART OF THAT WARRANTY DEED

DATED December 18, 2000 EXECUTED BY Bruce Agenter, Trustee of the BASE

TRUST; Bernard Zahn and Linda Zahn, Trustees of the ZAHN LIVING TRUST

u/a/d 11/2/95; and Orest G. Komarnyckyj and Oksana M. Komarnyckyj,  
husband and wife

AS GRANTOR(S) UNDER SECURITY TITLE AGENCY ESCROW NO. 15-15-24988-KR.

THE GRANTEES BY SIGNING THE ACCEPTANCE BELOW EVIDENCE THEIR INTENTION TO ACQUIRE SAID PREMISES AS COMMUNITY PROPERTY WITH THE RIGHT OF SURVIVORSHIP, AND NOT AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP NOR AS TENANTS IN COMMON.

## ACCEPTANCE

Unofficial Document

ACCEPTED AND APPROVED BY:

Orest G. Komarnyckyj  
Orest G. Komarnyckyj

Oksana M. Komarnyckyj  
Oksana M. Komarnyckyj

STATE OF ARIZONA )

County of MARICOPA )

This instrument was acknowledged before me this 28<sup>th</sup> day of DECEMBER, 2001,  
 by Orest G. Komarnyckyj, Oksana M. Komarnyckyj

Karen Roswell

NOTARY PUBLIC

My Commission will expire



**BROWN ENGINEERING CO., INC.**

8828 North Central Avenue, Suite 206 • Phoenix, AZ 85020-2851

Telephone: (602) 955-4660 • Fax: (602) 381-8464

**EXHIBIT "A"****LEGAL DESCRIPTION****OF****PARCEL 4**

That part of the Northeast Quarter (NE 1/4) of Section Thirteen (13), Township Three (3) North, Range Four (4) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

**BEGINNING** at the Southeast corner of a subdivision named McDowell Shadow Estates IV as recorded in Book 396 of Maps, Page 28 in the office of the Maricopa County Recorder;

thence North 00 degrees 07 minutes 04 seconds West along the East line of Lot 10, Tract "C" and Lot 7 of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., said line being the East boundary line of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R., a distance of 330.02 feet to the Northeast corner of said McDowell Shadow Estates IV, B. 396, P. 28, M.C.R.;

thence South 89 degrees 57 minutes 32 seconds East along the South line of Lot 1 of McDowell Shadow Estates III as recorded in Book 396 of Maps, Page 47 in the office of the Maricopa County Recorder a distance of 4.50 feet to the **TRUE POINT OF BEGINNING**;

thence South 89 degrees 57 minutes 32 seconds East along said South line of Lot 1 a distance of 71.63 feet;

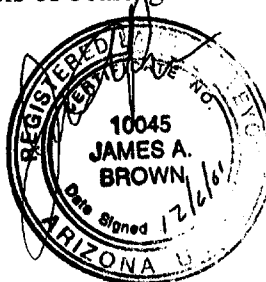
thence South 00 degrees 07 minutes 40 seconds West a distance of 50.00 feet;

thence South 89 degrees 57 minutes 32 seconds East a distance of 71.42 feet to a point on a line that is 4.50 feet East of and parallel to said East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R.;

thence North 00 degrees 07 minutes 40 seconds East along said parallel line a distance of 50.00 feet to the **TRUE POINT OF BEGINNING**.

The above described parcel contains 3,576.36 square feet or 0.0821 acres.

The East boundary line of McDowell Shadow Estates IV, B. 396, P. 28, M.C.R. recorded as North 00 degrees 07 minutes 04 seconds West is the basis of bearing for the above described parcel.



## EXHIBIT "B"

**BENEFICIARY DISCLOSURE**

## BASE TRUST:

Bruce Agenter and Suzanne Agenter; P. O. Box 6410,  
Scottsdale, AZ 85261

ZAHN LIVING TRUST U/A/D November 2, 1995;  
Elliot Zahn; 315 Birdwood Ct., Morrisville, NC 27560;  
Brian Zahn; 1822 W. Oriole Way, Chandler, AZ 85248; and  
Rena Zahn Lindstrom; 1312 W. Longhorn Dr., Chandler, AZ  
85248.

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