

Commitment

Chicago Title - Phoenix

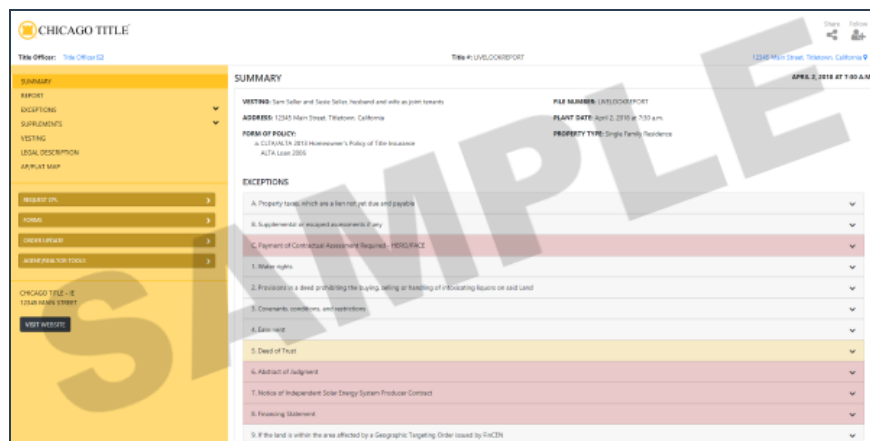
File No.: CT349230042

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CONDITION OF TITLE REPORT

Issued By:



Report Number:

CT349230042

**Chicago Title Insurance Company,
a Florida Corporation,
herein called the Company,**

SUBJECT TO THE TERMS, LIMITATIONS AND CONDITIONS OF THE APPLICATION FOR THIS CONDITION OF TITLE REPORT, WHICH APPLICATION, OR COPY THEREOF, IS ATTACHED HERETO AND MADE A PART HEREOF
REPORTS

To the party named in Schedule A, that as disclosed by the Title Instruments, the ownership of and the defects, liens and encumbrances against the Interest in the Land are as shown in Schedule B.

Any claim or other notice to the Company shall be in writing and shall be addressed to the Company at the issuing office or to:

Chicago Title Insurance Company
Attn: Claims Department
P.O. Box 45023
Jacksonville, FL 32232-5023

THIS REPORT IS NOT VALID AND THE COMPANY SHALL HAVE NO LIABILITY HEREUNDER UNLESS THE APPLICATION REFERRED TO ABOVE, OR COPY THEREOF, IS ATTACHED HERETO.

Chicago Title Insurance Company

By:

Michael J. Nolan, President

Chicago Title Insurance Company

Countersigned By:

Maggie Winnett
Authorized Officer or Agent



Attest:

Marjorie Nemzura, Secretary

CONDITION OF TITLE REPORT

SCHEDULE A

ORDER NO. CT349230042

Date of Report: March 10, 2023 AT 07:30 AM

1. Name of Party:
2. The Interest referred to in the Application is:

A LEASEHOLD as to Parcel No. 1 as created by that unrecorded lease dated December 30, 1985, executed by City of Scottsdale, as lessor ("Ground Lessor"), and Scottsdale Princess Partnership, as lessee, and unrecorded First Amendment to Ground Lease dated November 17, 1986, as disclosed by Memorandum of Ground Lease and Right of First Refusal of Purchase recorded December 2, 1986 in [Recording No. 86-664161](#); and thereafter Second Amendment to Lease recorded April 6, 1995 in [Recording No. 95-0191353](#) and in [Recording No. 95-0191354](#) and re-recorded May 9, 1995 in [Recording No. 95-0264201](#); and thereafter Wall and Sign Agreement and Third Amendment to Ground Lease recorded May 28, 2003 in [Recording No. 20030675900](#); the lessees interest was assigned to SHR Scottsdale X, L.L.C., a Delaware limited liability company and SHR Y, L.L.C., a Delaware limited liability company in [Recording No. 20061183784](#); the lessees interest was assigned to FMT Scottsdale Owner, LLC, a Delaware limited liability company recorded by Assignment dated June 9, 2011 and recorded June 14, 2011 in [Recording No. 20110493023](#); and thereafter Fourth Amendment recorded March 22, 2012 in [Recording No. 20120237749](#), as modified by that certain Notice of Satisfaction of Ballroom Condition recorded January 9, 2014 in [Recording No. 20140017398](#); and

A FEE as to Parcel No's. 2, 3 and 4 and an Easement as to Parcel No's. 5 through 10, inclusive

3. The Land referred to in the Application is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Issuing agent for Chicago Title Insurance Company

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): [215-05-003A](#), 215-08-693, 215-08-694, 215-08-695 and 215-05-755

PARCEL NO. 1:
(Hotel Parcel)

Lot 3 and a portion of Lot 2, of FAIRMONT SCOTTSDALE PRINCESS, according to [Book 1104 of Maps, page 3](#), records of Maricopa County, Arizona, together with a part of the Southwest quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, all being described as follows:

COMMENCING at the South one-quarter corner of Section 35;

Thence North 00 degrees 08 minutes 41 seconds East along the North-South midsection line of Section 35, 1206.58 feet to the POINT OF BEGINNING;

Thence North 89 degrees 51 minutes 19 seconds West, 111.62 feet;

Thence North 05 degrees 04 minutes 10 seconds West, 34.51 feet to the beginning of a curve concave to the East having a radius of 75.00 feet;

Thence Northerly along the curve through a central angle of 60 degrees 29 minutes 58 seconds, 79.19 feet to a point of reverse curvature with a curve concave Southwest having a radius of 75.00 feet;

Thence Northeasterly, Northerly and Southwesterly along the curve through a central angle of 168 degrees 47 minutes 48 seconds, 220.95 feet;

Thence South 66 degrees 38 minutes 00 seconds West, 521.45 feet;

Thence North 07 degrees 07 minutes 02 seconds West, 47.49 feet;

Thence North 88 degrees 18 minutes 25 seconds West, 29.86 feet;

Thence North 58 degrees 07 minutes 53 seconds West, 43.04 feet;

Thence North 26 degrees 47 minutes 27 seconds West, 26.35 feet;

Thence North 83 degrees 46 minutes 19 seconds West, 39.13 feet;

Thence North 27 degrees 44 minutes 13 seconds West, 177.75 feet;

Thence North 89 degrees 49 minutes 06 seconds West, 103.52 feet;

Thence South 00 degrees 01 minutes 45 seconds West, 18.00 feet;

Thence North 89 degrees 49 minutes 06 seconds West, 377.78 feet;

Thence North 00 degrees 01 minute 45 seconds East, 756.50 feet;

Thence North 78 degrees 51 minutes 20 seconds East, 4.33 feet to the beginning of a curve concave South having a radius of 250.00 feet;

Thence Easterly along the curve through a central angle of 51 degrees 43 minutes 26 seconds, 225.69 feet;

Thence South 49 degrees 25 minutes 14 seconds East, 59.77 feet;

Thence North 40 degrees 34 minutes 36 seconds East, 352.13 feet to the beginning of a curve concave Southeast having a radius of 100.00 feet;

EXHIBIT "A"
Legal Description

Thence Northeasterly along the curve through a central angle of 49 degrees 35 minutes 38 seconds, 86.56 feet;

Thence South 89 degrees 49 minutes 46 seconds East, 385.35 feet to the beginning of a non-tangent curve concave East having a radius of 500.00 feet, and a radial bearing to the beginning of South 73 degrees 52 minutes 17 seconds West;

Thence Northerly along the curve through a central angle of 16 degrees 17 minutes 57 seconds, 142.24 feet;

Thence South 89 degrees 49 minutes 46 seconds East, 55.5 feet to the beginning of a non-tangent curve concave Northeast having a radius of 444.50 feet and a radial bearing to the beginning of North 89 degrees 46 minutes 46 seconds West;

Thence Southeasterly along the curve through a central angle of 75 degrees 09 minutes 12 seconds, 583.04 feet;

Thence South 74 degrees 58 minutes 57 seconds East, 6.41 feet to the North-South midsection line of Section 35;

Thence South 00 degrees 08 minutes 41 seconds West, along the midsection line, 57.42 feet;

Thence South 74 degrees 58 minutes 57 seconds East, 337.32 feet to the beginning of a curve concave Southwest having a radius of 300.00 feet;

Thence Southeasterly along the curve through a central angle of 35 degrees 25 minutes 14 seconds, 185.46 feet;

Thence South 39 degrees 33 minutes 43 seconds East, 125.23 feet to the beginning of a curve concave Northeast having a radius of 1000.00 feet;

Thence Southeasterly along the curve through a central angle of 11 degrees 27 minutes 33 seconds, 200.00 feet;

Thence South 38 degrees 58 minutes 44 seconds West, 55.50 feet;

Thence South 16 degrees 17 minutes 23 seconds West, 211.79 feet;

Thence North 89 degrees 51 minutes 19 seconds West, 270.00 feet;

Thence South 00 degrees 08 minutes 41 seconds West, 208.40 feet;

Thence North 89 degrees 51 minutes 19 seconds West, 148.26 feet;

Thence South 00 degrees 08 minutes 41 seconds West, 14.66 feet;

Thence North 89 degrees 51 minutes 19 seconds West, 67.83 feet;

Thence North 00 degrees 08 minutes 41 seconds East, 10.06 feet;

Thence North 89 degrees 51 minutes 19 seconds West, 122.29 feet to the POINT OF BEGINNING;

EXCEPT one-half of all oil and mineral rights as reserved in [Docket 124, page 39](#), records of Maricopa County, Arizona; and

EXCEPT all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizer of every name and description; 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 set forth in Section 37-231, Arizona Revised Statutes.

EXHIBIT "A"
Legal Description

PARCEL NO. 2:
(Tennis Cottages Parcel)

That part of the Southwest quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the South one-quarter corner of Section 35;

Thence North 00 degrees 08 minutes 41 seconds East, along the North-South midsection line of Section 35, 1486.58 feet;

Thence North 89 degrees 49 minutes 06 seconds West, 840.00 feet to the POINT OF BEGINNING;

Thence South 27 degrees 44 minutes 13 seconds East, 177.75 feet;

Thence South 83 degrees 46 minutes 19 seconds East, 39.13 feet;

Thence South 26 degrees 47 minutes 27 seconds East, 26.35 feet;

Thence South 58 degrees 07 minutes 53 seconds East, 43.04 feet;

Thence South 88 degrees 18 minutes 25 seconds East, 29.86 feet;

Thence South 07 degrees 07 minutes 02 seconds East, 47.49 feet;

Thence South 66 degrees 38 minutes 00 seconds West, 275.66 feet to the beginning of a curve concave Southeast having a radius of 150.00 feet;

Thence Southwesterly along the curve through a central angle of 12 degrees 08 minutes 15 seconds, 31.78 feet;

Thence South 54 degrees 29 minutes 46 seconds West, 446.31 feet;

Thence North 84 degrees 49 minutes 13 seconds West, 43.57 feet;

Thence North 00 degrees 01 minutes 45 seconds East, 619.54 feet;

Thence South 89 degrees 49 minutes 06 seconds East, 377.78 feet;

Thence North 00 degrees 01 minutes 45 seconds East, 18.00 feet;

Thence South 89 degrees 49 minutes 06 seconds East, 103.52 feet to the POINT OF BEGINNING;

EXCEPT one-half of all oil and mineral rights as reserved in [Docket 124, page 39](#), records of Maricopa County, Arizona; and

EXCEPT all oil, gas, other hydrocarbons substances, helium, or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizer of every name and description; 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 set forth in Section 37-231, Arizona Revised Statutes.

PARCEL NO. 3:
(Golf Cottage Parcel)

Lot 1, of FAIRMONT SCOTTSDALE PRINCESS - GOLF COTTAGES, according to [Book 1165 of Maps, page 46](#), records of Maricopa County, Arizona;

EXHIBIT "A"
Legal Description

EXCEPT one-half of all oil and mineral rights as reserved in [Docket 124, page 39](#), records of Maricopa County, Arizona; and

EXCEPT all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizer of every name and description; 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 set forth in Section 37-231, Arizona Revised Statutes.

PARCEL NO. 4:

Lots 1 and 2, of FAIRMONT SCOTTSDALE PRINCESS, according to [Book 1104 of Maps, page 3](#), records of Maricopa County, Arizona;

EXCEPT that portion of Lot 2 lying within the land described in Assignment and Assumption of Ground Lease recorded June 14, 2011 in [Recording No. 20110493023](#).

EXCEPT one-half of all oil and mineral rights as reserved in [Docket 124, page 39](#), records of Maricopa County, Arizona.

PARCEL NO. 5:

A non-exclusive easement for ingress and egress by or pursuant to that certain "Easement and Maintenance Agreement" dated November 21, 1986 and recorded December 2, 1986 in [Recording No. 86-664157](#), records of Maricopa County, Arizona.

PARCEL NO. 6:

A non-exclusive easement for ingress and egress by or pursuant to that certain "Reciprocal Easement and Maintenance Agreement" dated November 21, 1986 and recorded December 2, 1986 in [Recording No. 86-664160](#), records of Maricopa County, Arizona.

PARCEL NO. 7:

A non-exclusive easement for ingress and egress and utilities by or pursuant to that certain "Reciprocal Easement Agreement, Construction And Maintenance Agreement, and Covenants, Conditions and Restrictions" dated April 19, 2006 and recorded April 19, 2006 in [Recording No. 20060523599](#), records of Maricopa County, Arizona.

PARCEL NO. 8:

A non-exclusive easement for ingress and egress, utilities and other purposes by or pursuant to that certain "Declaration of Easements and Covenants, Conditions and Restrictions" dated October 28, 1986 and recorded December 12, 1986 in [Recording No. 86-688089](#), records of Maricopa County, Arizona.

PARCEL NO. 9:

A non-exclusive easement for ingress and egress by or pursuant to that certain "Master Declaration of Covenants, Conditions and Restrictions for Scottsdale Princess/Eagle" dated August 19, 1986, and recorded August 20, 1986 in [Recording No. 86-444862](#), records of Maricopa County, Arizona.

EXHIBIT "A"
Legal Description

PARCEL NO. 10:

An easement for roadway over that portion of Tracts 3A, 11 and 12, State Plat 16-core South, according to [Book 324 of Maps, page 50](#), records of Maricopa County, Arizona, lying within the Northwest quarter of Section 35, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, depicted thereon as Princess Boulevard.

CONDITION OF TITLE REPORT**SCHEDULE B**

Chicago Title Insurance Company reports that Title Instruments, on the date hereof, disclose:

1. Ownership of the interested is [vested in:](#)
FMT Scottsdale Owner, LLC, a Delaware limited liability company
2. The following defects, liens and encumbrances (which are not necessarily shown in their order of priority) against the Interest:
 1. Property taxes, including any personal property taxes and any assessments collected with taxes, for the second installment of 2022 Taxes.
 2. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the year 2023.
 3. Reservations contained in the Patent

From: The United States of America
To: Herman L. Christian
Recording Date: January 17, 1933
Recording No: [Book 273 of Deeds, page 144](#)

(Affects that Part of Parcel No. 1 in the Northeast quarter of the Southwest quarter of Section 35 and that part of Parcel No. 3 in the Southeast quarter of Section 35 and Parcel No. 4)

Which among other things recites 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 local customs, laws and decisions of courts. A right of way thereon for ditches or canals constructed by the authority of the United States of America.

4. Reservations contained in the Patent

From: State of Arizona
To: City of Scottsdale
Recording Date: September 6, 2006
[Recording No: 20061183781](#)

(Affects Parcel No. 2 and that part of Parcel No's. 1 and 3 lying in the South half of the Southwest quarter of Section 35)

Which among other things recites as follows:

Subject to easements, or rights of way heretofore legally obtained and now in full force and effect and subject to special conditions set forth in Exhibit "B" of the recorded Patent.

5. The right of entry to prospect for, mine and remove the minerals excepted from the description of said Land in Schedule A.
6. The right of entry reserved to the State of Arizona, its lessees and permittees, to prospect for mine and remove the minerals or materials reserved to it pursuant to the Arizona Revised Statutes.

CONDITION OF TITLE REPORT

SCHEDULE B

(continued)

7. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: [86-444862](#)

Liens and charges as set forth in the above mentioned declaration,

Payable to: Scottsdale Princess Community Association, Inc., an Arizona non-profit corporation
(Affects Parcel No's. 1 through 4)

Note: Notice of Association Contact Information

Owners Association: Scottsdale Princess Community Association, Inc.
Name of Agent/Management Company: Brown Community Management
Association Address: 7255 E. Hampton Ave. Suite 101, Mesa, AZ 85209
Association Telephone Number: 480-539-1396
Recording Date: June 13, 2012
Recording No.: [20120510662](#)

8. Easements, covenants, conditions and restrictions as set forth on the plat recorded in [Book 304 of Maps, page 46](#).
(Affects Parcel No. 3)
9. Matters contained in that certain document

Entitled: Easement and Maintenance Agreement
Recording Date: December 2, 1986
Recording No: [86-664152](#)
(Affects Parcel No's. 1 and 4)

Clarification of Easement Rights

Recording Date: May 6, 1987
Recording No.: [87-283748](#); and on
Recording Date: February 24, 1988
Recording No.: [88-084414](#)

Reference is hereby made to said document for full particulars.

CONDITION OF TITLE REPORT**SCHEDULE B**

(continued)

10. Matters contained in that certain document

Entitled: Declaration of Easements And Covenants, Conditions and Restrictions Buffer Zone
Recording Date: December 2, 1986
[Recording No: 86-664153](#)
Re-Recording Date: February 13, 1987
Re-Recording No: [87-092569](#)
(Affects Parcel No's. 1 and 4)

Clarification of Easement Rights

Recording Date: May 6, 1987
[Recording No.: 87-283748](#); and on
Recording Date: February 24, 1988
[Recording No.: 88-084414](#)

Reference is hereby made to said document for full particulars.

11. Matters contained in that certain document

Entitled: Easement and Maintenance Agreement
Recording Date: December 2, 1986
[Recording No: 86-664157](#)
(Affects Parcel No. 1)

Reference is hereby made to said document for full particulars.

12. Matters contained in that certain document

Entitled: Reciprocal Easement and Maintenance Agreement
Recording Date: December 2, 1986
[Recording No: 86-664160](#)
(Affects Parcel No's. 1 and 4)

Reference is hereby made to said document for full particulars.

13. Matters contained in that certain document

Entitled: Declaration of Easements and Covenants, Conditions and Restrictions
Recording Date: December 12, 1986
[Recording No: 86-688089](#)
(Affects Parcel No's. 1, 2 and 3)

Reference is hereby made to said document for full particulars.

CONDITION OF TITLE REPORT

SCHEDULE B

(continued)

14. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Water line and appurtenant facilities
Recording Date: June 10, 1987
[Recording No: 87-367632](#)
(Affects Parcel No. 2)

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Telecommunication facilities
Recording Date: September 18, 1987
[Recording No: 87-583827](#)
(Affects Lot 2 of Parcel No. 4)

16. Any failure to comply with terms and conditions contained in the instrument creating the easement described as

Purpose: Roadway and appurtenant facilities
Recording No: [Book 324 of Maps, page 50](#)
(affects Parcel No. 10)

Reference is hereby made to said document for full particulars.

17. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Public street, public utility and appurtenant facilities
Recording Date: September 29, 1993
[Recording No: 93-0663017](#)
(Affects Parcel No's. 1 and 4)

A resolution in favor of City of Scottsdale, Arizona

For: Abandoning a portion of the public right of way
Recording Date: March 8, 1999
[Recording No: 99-0222809](#)

18. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease Agreement
Lessor: Scottsdale Princess Partnership, an Arizona general partnership
Lessee: Southwestco Wireless, L.P., a Delaware limited partnership dba Cellular One
Recording Date: November 28, 1995
[Recording No: 95-0729584](#)
(Affects Parcel No. 1)

CONDITION OF TITLE REPORT**SCHEDULE B**

(continued)

An agreement to amend or modify certain provisions of said lease, as set forth in the document executed by:

As Lessor: FMT Scottsdale Owner, LLC
As Lessee: Alltel Communications Southwest Holdings, Inc., dba Verizon Wireless
Recording Date: September 16, 2014
[Recording No: 20140610195](#)

19. Matters contained in that certain document

Entitled: Wall and Sign Agreement and Third Amendment to Lease
Recording Date: May 28, 2003
[Recording No: 20030675900](#)

Seventh Amendment To Recreational Land Use Agreement

Recording Date: May 19, 2003
[Recording No.: 20030674677](#)

(Affects Parcel No. 1)

Reference is hereby made to said document for full particulars.

20. Matters contained in that certain document

Entitled: Reciprocal Easement Agreement, Construction and Maintenance Agreement, and
Covenants, Conditions and Restrictions
Recording Date: April 19, 2006
[Recording No: 20060523599](#)
(Affects Parcel No's. 1 and 2)

Reference is hereby made to said document for full particulars.

21. Matters contained in that certain document

Entitled: Residential Expansion Parcel Agreement
Recording Date: September 6, 2006
[Recording No: 20061183793](#)
(Affects Lot 1 of Parcel No. 4)

Reference is hereby made to said document for full particulars.

22. Matters contained in that certain document

Entitled: Owner Agreement
Recording Date: June 14, 2011
[Recording No: 20110493025](#)
(Affects Parcel No's. 1 through 4)

Reference is hereby made to said document for full particulars.

CONDITION OF TITLE REPORT

SCHEDULE B

(continued)

23. Easements, covenants, conditions and restrictions as set forth on the plat recorded in [Book 1104 of Maps, page 3](#).
(Affects Parcel No's. 1 and 4)
24. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Natural gas pipeline and appurtenant facilities
Recording Date: January 17, 2012
[Recording No: 20120033058](#)
(Affects Parcel No. 1)
25. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Utility facilities
Recording Date: January 20, 2012
[Recording No: 20120047174](#)
(Affects Parcel No. 1)
26. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Utility facilities
Recording Date: January 20, 2012
[Recording No: 20120047175](#)
(Affects Parcel No. 1)
27. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Parking
Recording Date: March 10, 2002
[Recording No: 20120190548](#)
(Affects Parcel No. 4)
28. Easements, covenants, conditions and restrictions as set forth on the plat recorded in [Book 1165 of Maps, page 46](#). (Affects Parcel No. 3)
29. Matters contained in that certain document
Entitled: Fire Line Easement Agreement
Recording Date: July 17, 2015
[Recording No: 20150515643](#)
(Affects Parcel No. 1)

Reference is hereby made to said document for full particulars.

CONDITION OF TITLE REPORT

SCHEDULE B

(continued)

30. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Public non-motorized access
Recording Date: July 21, 2015
[Recording No: 20150524450](#)
(Affects Parcel No. 4)

31. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Sight distance
Recording Date: July 21, 2015
[Recording No: 20150524451](#)
(Affects Parcel No. 4)

32. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Water line and appurtenant facilities
Recording Date: July 21, 2015
[Recording No: 20150524453](#)
(Affects Parcel No. 1)

33. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Electrical lines and appurtenant facilities
Recording Date: April 11, 2016
[Recording No: 20160236361](#)
(Affects Parcel No. 1)

34. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Electrical lines and appurtenant facilities
Recording Date: April 11, 2016
[Recording No: 20160236365](#)
(Affects Parcel No. 1)

35. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Water and Sewer facilities
Recording Date: May 6, 2016
[Recording No: 20160312898](#)
(Affects Parcel No. 1)

CONDITION OF TITLE REPORT**SCHEDULE B**

(continued)

36. A deed of trust to secure an indebtedness in the amount shown below,
Amount: \$1,800,000,000.00
Dated: October 4, 2021
Trustor/Grantor: FMT Scottsdale Owner, LLC, a Delaware limited liability company
Trustee: Chicago Title Agency, Inc.
Beneficiary: Goldman Sachs Bank USA, a New York state-chartered bank and Bank of America, N.A., a national banking association
Recording Date: October 11, 2021
[Recording No.: 20211095055](#)
(Affects all)

An assignment of the beneficial interest under said deed of trust which names:

Assignee: GOLDMAN SACHS MORTGAGE COMPANY, a New York limited partnership
Recording Date: December 21, 2021
[Recording No: 20211351634](#)

An assignment of the beneficial interest under said deed of trust which names:

Assignee: WELLS FARGO BANK, NATIONAL ASSOCIATION, SOLELY IN ITS CAPACITY AS TRUSTEE FOR THE BENEFIT OF THE HOLDERS OF THE LUXE TRUST 2021-TRIP, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2021-TRIP
Loan No.:
Recording Date: December 21, 2021
[Recording No: 20211351635](#)

37. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Electric lines and appurtenant facilities
Recording Date: October 29, 2021
[Recording No: 20211164123](#)
(Affects Lot 2, Parcel No. 4)

38. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: Gas pipeline and appurtenant facilities
Recording Date: January 17, 2023
[Recording No: 20230025891](#)
(Affects Parcel No. 2)

CONDITION OF TITLE REPORT

SCHEDULE B

(continued)

39. A claim of mechanic's lien or materialman's lien

Claimant: New Interior Finishes, LLC
 Amount: \$121,886.52
 Recording Date: February 17, 2023
Recording No: [20230082047](#)
 (Affects all)

2022 Tax Note:

Tax Parcel No: [215-08-003A](#) (affects part of Parcel No. 1 in the Southwest quarter of Section 35)
 Total Tax: Not assessed/Exempt
 First Installment Amount: \$0.00
 Second Installment Amount: \$0.00

Tax Parcel No: [215-08-003C](#) (Parcel No. 2)
 Total Tax: \$209,575.76
 First Installment Amount: Paid
 Second Installment Amount: \$104,787.88

Tax Parcel No: [215-08-693](#) (Lot 1 of Parcel No. 4)
 Total Tax: \$118,959.40
 First Installment Amount: Paid
 Second Installment Amount: \$59,479.70

Tax Parcel No: [215-08-694](#) (Lot 2 of Parcel No. 4)
 Total Tax: \$122,843.62
 First Installment Amount: Paid
 Second Installment Amount: \$61,421.81

Tax Parcel No: [215-08-695](#) (Lot 3 of Parcel No. 1)
 Total Tax: \$1,570,722.12
 First Installment Amount: Paid
 Second Installment Amount: \$785,361.06

Tax Parcel No: [215-08-755](#) (Parcel No. 3)
 Total Tax: \$112,870.00
 First Installment Amount: Paid
 Second Installment Amount: \$56,435.00

3. The following matters are disclosed by name only and the Company, without additional information, is unable to determine whether any or all of these matters are defects, liens or encumbrances against the Interest:

Note: This Condition of Title Report does not address General Index matters (such as proceedings, liens, or decrees), which do not specifically describe said Land.

END OF SCHEDULE B