

*First American Title*



**OFFICIAL RECORDS OF  
PINAL COUNTY RECORDER  
LAURA DEAN-LYTTLE**

WHEN RECORDED MAIL TO:

C. Timothy White, Esq.  
Greenberg Traurig LLP  
2375 East Camelback Road, Suite 700  
Phoenix, Arizona 85016

#773-171676C-PHY3  
6-27-7

DATE/TIME: 07/21/05 1550  
FEE: \$18.00  
PAGES: 7  
FEE NUMBER: 2005-090269

**SPECIAL WARRANTY DEED**

For the consideration of Ten Dollars, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, FLORENCE BOULEVARD & I-10 LIMITED PARTNERSHIP, an Arizona limited partnership, the Grantor herein, does hereby convey to INCA CAPITAL FUND 43, LLC, an Arizona limited liability company, the Grantee, the following real property situated in Pinal County, Arizona ("Property"), together with all rights and privileges appurtenant thereto, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED  
HEREIN BY THIS REFERENCE.**

SUBJECT TO all 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, and any other matters which a survey of the Property would disclose.

AND the Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of the Grantor herein and no other, subject to the matters above set forth.

DATED this 21 day of July, 2005.

GRANTOR

FLORENCE BOULEVARD & I-10 PROPERTY  
LIMITED PARTNERSHIP, an Arizona limited  
partnership

By: The Whitehead Company, an Arizona  
general partnership  
Its: General Partner

By: James V. Whitehead  
James V. Whitehead  
Its: General Partner

By: Whitehead Properties, Inc., an Arizona  
corporation  
Its: General Partner

By: James V. Whitehead  
James V. Whitehead  
Its: President

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2005, by James V. Whitehead, the General Partner of The Whitehead Company, an Arizona general partnership, on behalf of the general partnership as the General Partner of FLORENCE BOULEVARD & I-10 LIMITED PARTNERSHIP, an Arizona limited partnership, on behalf of the limited partnership.

Holly Macchiaroli  
Notary Public

My Commission Expires:  
8-6-2005

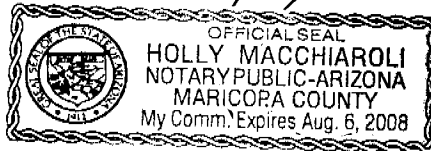


STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2005, by James V. Whitehead, the President of Whitehead Properties, Inc., an Arizona corporation, on behalf of the corporation as the General Partner of FLORENCE BOULEVARD & I-10 LIMITED PARTNERSHIP, an Arizona limited partnership, on behalf of the limited partnership.

Holly Macchiaroli  
Notary Public

My Commission Expires:  
8-6-2005



MISSION ROYALE  
JN 04-1321

## LEGAL DESCRIPTION

### PHASE 3, PARCEL 2 TAKEDOWN

THOSE PORTIONS OF THE SOUTH HALF OF SECTION 25 AND THE NORTH HALF OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36;  
THENCE S89°45'52"E, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36 A DISTANCE OF 736.14 FEET TO THE  
**POINT OF BEGINNING;**

THENCE LEAVING SAID NORTH LINE S00°11'46"W, A DISTANCE OF 130.72 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE SOUTHERLY 228.83 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 410.00 FEET THROUGH A CENTRAL ANGLE OF 31°58'43";

THENCE S80°12'11"W, A DISTANCE OF 23.28 FEET;

THENCE S36°42'10"W, A DISTANCE OF 60.00 FEET;

THENCE S07°53'32"E, A DISTANCE OF 24.04 FEET;

THENCE S37°06'28"W, A DISTANCE OF 249.45 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE SOUTHWESTERLY 299.93 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 690.00 FEET THROUGH A CENTRAL ANGLE OF 24°54'18";

THENCE S55°12'58"W, A DISTANCE OF 24.59 FEET;

THENCE S08°57'45"W, A DISTANCE OF 44.00 FEET;

THENCE S37°17'28"E, A DISTANCE OF 24.59 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS S84°16'40"E A DISTANCE OF 690.00 FEET;

THENCE SOUTHERLY 415.77 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, THROUGH A CENTRAL ANGLE OF 34°31'29";

THENCE S14°12'40"W, A DISTANCE OF 24.59 FEET;

THENCE S32°02'33"E, A DISTANCE OF 44.00 FEET;

THENCE S57°57'27"W, A DISTANCE OF 95.62 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE WESTERLY 410.08 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTH, HAVING A RADIUS OF 322.00 FEET THROUGH A CENTRAL ANGLE OF 72°58'07" TO A POINT OF REVERSE CURVATURE;

THENCE WESTERLY 20.49 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE SOUTH, HAVING A RADIUS OF 14.00 FEET THROUGH A CENTRAL ANGLE OF 83°50'58";

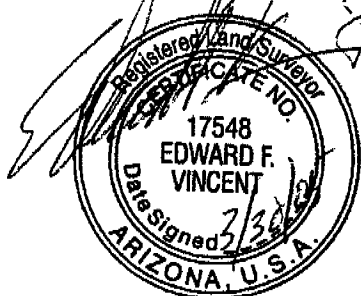
THENCE N42°55'25"W, A DISTANCE OF 44.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS N42°55'25"W A DISTANCE OF 14.00 FEET;

THENCE NORTHERLY 20.49 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE WEST, THROUGH A CENTRAL ANGLE OF 83°50'58" TO A POINT OF REVERSE CURVATURE;

THENCE NORTHERLY 361.43 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE EAST, HAVING A RADIUS OF 322.00 FEET THROUGH A  
 CENTRAL ANGLE OF 64°18'45" TO A POINT OF REVERSE CURVATURE;  
 THENCE NORTHERLY 20.49 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE WEST, HAVING A RADIUS OF 14.00 FEET THROUGH A  
 CENTRAL ANGLE OF 83°50'58";  
 THENCE N33°41'26"E, A DISTANCE OF 57.38 FEET;  
 THENCE N56°03'07"W, A DISTANCE OF 223.75 FEET;  
 THENCE N52°34'37"W, A DISTANCE OF 73.53 FEET;  
 THENCE S48°19'18"W, A DISTANCE OF 23.24 FEET;  
 THENCE N41°40'42"W, A DISTANCE OF 361.58 FEET;  
 THENCE N25°28'44"W, A DISTANCE OF 99.78 FEET;  
 THENCE N13°31'59"W, A DISTANCE OF 67.95 FEET;  
 THENCE N02°27'51"W, A DISTANCE OF 25.14 FEET;  
 THENCE N87°32'09"E, A DISTANCE OF 1.88 FEET;  
 THENCE N02°27'51"W, A DISTANCE OF 54.00 FEET TO THE BEGINNING OF A  
 NON-TANGENT CURVE WHOSE RADIUS BEARS N02°27'51"W A DISTANCE  
 OF 14.00 FEET;  
 THENCE NORTHWESTERLY 21.99 FEET ALONG THE ARC OF SAID CURVE,  
 BEING CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF  
 90°00'00";  
 THENCE N02°27'51"W, A DISTANCE OF 103.66 FEET TO THE BEGINNING OF A  
 TANGENT CURVE;  
 THENCE NORTHERLY 43.77 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE WEST, HAVING A RADIUS OF 440.00 FEET THROUGH A  
 CENTRAL ANGLE OF 05°42'01";  
 THENCE N08°09'51"W, A DISTANCE OF 128.78 FEET;  
 THENCE N35°31'40"E, A DISTANCE OF 24.61 FEET TO THE BEGINNING OF A  
 NON-TANGENT CURVE WHOSE RADIUS BEARS N11°15'41"W A DISTANCE  
 OF 1,055.00 FEET;  
 THENCE EASTERLY 213.00 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE NORTH, THROUGH A CENTRAL ANGLE OF 11°34'04";  
 THENCE N67°10'15"E, A DISTANCE OF 740.42 FEET TO THE BEGINNING OF A  
 TANGENT CURVE;  
 THENCE EASTERLY 213.40 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1,435.00 FEET  
 THROUGH A CENTRAL ANGLE OF 08°31'14";  
 THENCE S14°54'12"E, A DISTANCE OF 5.00 FEET TO THE BEGINNING OF A  
 NON-TANGENT CURVE WHOSE RADIUS BEARS S14°18'24"E A DISTANCE  
 OF 1,430.00 FEET;  
 THENCE EASTERLY 296.94 FEET ALONG THE ARC OF SAID CURVE, BEING  
 CONCAVE TO THE SOUTH, THROUGH A CENTRAL ANGLE OF 11°53'51";  
 THENCE S45°51'51"E, A DISTANCE OF 34.72 FEET;  
 THENCE S00°11'46"W, A DISTANCE OF 403.77 FEET TO A POINT ON SAID  
 NORTH LINE OF SECTION 36, SAID POINT ALSO BEING THE POINT OF  
**BEGINNING.**

SAID PARCEL CONTAINS 1,639,876 SQUARE FEET OR 37.646 ACRES, MORE OR  
 LESS.

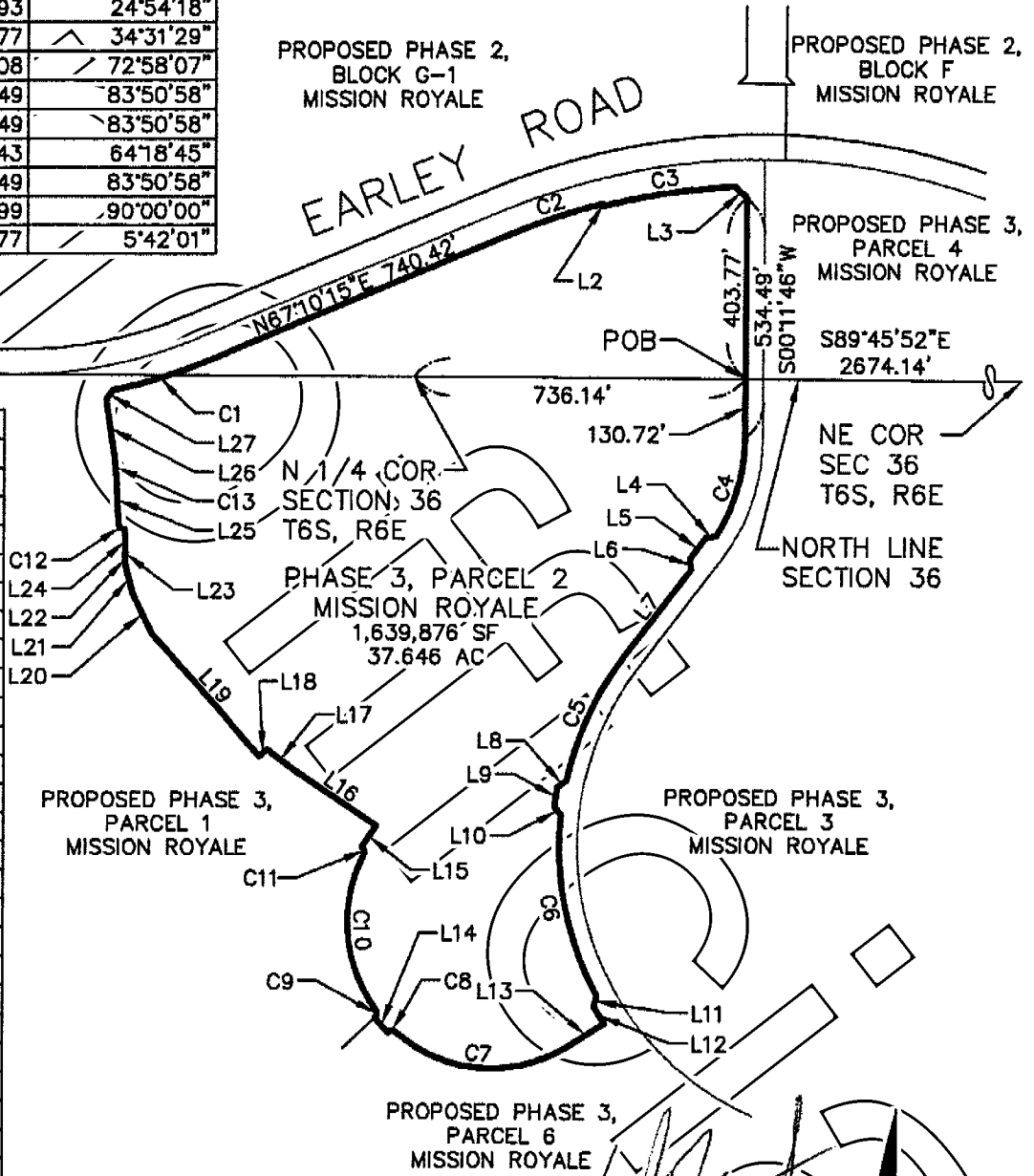
OLSSON ASSOCIATES  
 7250 NORTH 16TH STREET, SUITE 210  
 PHOENIX, ARIZONA 85020 (602) 748-1000



# MISSION ROYALE - TAKEDOWN PHASE 3 - PARCEL 2

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	1055.00	213.00	11°34'04"
C2	1435.00	213.40	8°31'14"
C3	1430.00	296.94	11°53'51"
C4	410.00	228.83	31°58'43"
C5	690.00	299.93	24°54'18"
C6	690.00	415.77	34°31'29"
C7	322.00	410.08	72°58'07"
C8	14.00	20.49	83°50'58"
C9	14.00	20.49	83°50'58"
C10	322.00	361.43	64°18'45"
C11	14.00	20.49	83°50'58"
C12	14.00	21.99	90°00'00"
C13	440.00	43.77	5°42'01"

LINE TABLE		
LINE	LENGTH	BEARING
L2	5.00	S14°54'12"E
L3	34.72	S45°51'51"E
L4	23.28	S80°12'11"W
L5	60.00	S36°42'10"W
L6	24.04	S07°53'32"E
L7	249.45	S37°08'28"W
L8	24.59	S55°12'58"W
L9	44.00	S08°57'45"W
L10	24.59	S37°17'28"E
L11	24.59	S14°12'40"W
L12	44.00	S32°02'33"E
L13	95.62	S57°57'27"W
L14	44.00	N42°55'25"W
L15	57.38	N33°41'26"E
L16	223.75	N56°03'07"W
L17	73.53	N52°34'37"W
L18	23.24	S48°19'18"W
L19	361.58	N41°40'42"W
L20	99.78	N25°28'44"W
L21	67.95	N13°31'59"W
L22	25.14	N02°27'51"W
L23	1.88	N87°32'09"E
L24	54.00	N02°27'51"W
L25	103.66	N02°27'51"W
L26	128.78	N08°09'51"W
L27	24.61	N35°31'40"E



**OLSSON ASSOCIATES**

ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS

7250 NORTH 16TH STREET, SUITE 210 - PHOENIX, ARIZONA 85020

602-748-1000 - FAX 602-748-1001

LINCOLN OMAHA GRAND ISLAND HOLDREGE KANSAS CITY PHOENIX DENVER

PROJECT NUMBER: 04-1321

DATE: 03/29/05

MISSION ROYALE  
JN 04-1321

## LEGAL DESCRIPTION

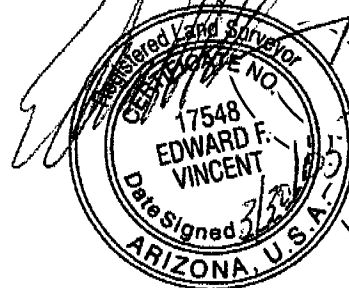
### PHASE 3, PARCEL 3 TAKEDOWN

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

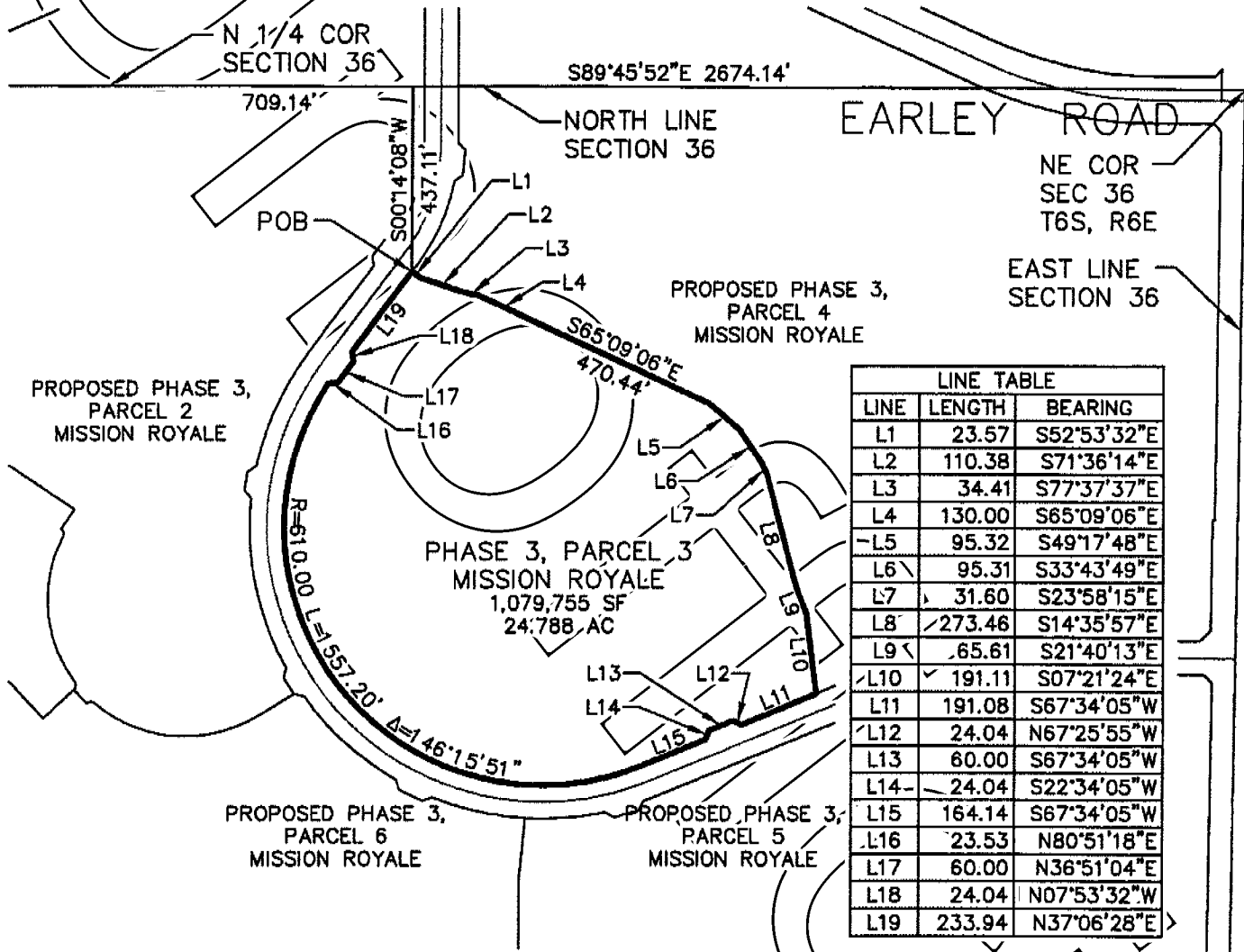
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36;  
THENCE S89°45'52"E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 709.15 FEET; THENCE LEAVING SAID LINE S00°14'08"W, A DISTANCE OF 437.11 FEET TO THE POINT OF BEGINNING;  
THENCE S52°53'32"E, A DISTANCE OF 23.57 FEET;  
THENCE S71°36'14"E, A DISTANCE OF 110.38 FEET;  
THENCE S77°37'37"E, A DISTANCE OF 34.41 FEET;  
THENCE S65°09'06"E, A DISTANCE OF 600.44 FEET;  
THENCE S49°17'48"E, A DISTANCE OF 95.32 FEET;  
THENCE S33°43'49"E, A DISTANCE OF 95.31 FEET;  
THENCE S23°58'15"E, A DISTANCE OF 31.60 FEET;  
THENCE S14°35'57"E, A DISTANCE OF 273.46 FEET;  
THENCE S21°40'13"E, A DISTANCE OF 65.61 FEET;  
THENCE S07°21'24"E, A DISTANCE OF 191.11 FEET;  
THENCE S67°34'05"W, A DISTANCE OF 191.08 FEET;  
THENCE N67°25'55"W, A DISTANCE OF 24.04 FEET;  
THENCE S67°34'05"W, A DISTANCE OF 60.00 FEET;  
THENCE S22°34'05"W, A DISTANCE OF 24.04 FEET;  
THENCE S67°34'05"W, A DISTANCE OF 164.14 FEET TO THE BEGINNING OF A TANGENT CURVE;  
THENCE NORTHWESTERLY 1,557.20 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 610.00 FEET THROUGH A CENTRAL ANGLE OF 146°15'51";  
THENCE N80°51'18"E, A DISTANCE OF 23.53 FEET;  
THENCE N36°51'04"E, A DISTANCE OF 60.00 FEET;  
THENCE N07°53'32"W, A DISTANCE OF 24.04 FEET;  
THENCE N37°06'28"E, A DISTANCE OF 233.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,079,755 SQUARE FEET OR 24.788 ACRES, MORE OR LESS.

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PHOENIX, ARIZONA 85020  
(602) 748-1000



# MISSION ROYALE – TAKEDOWN PHASE 3 – PARCEL 3



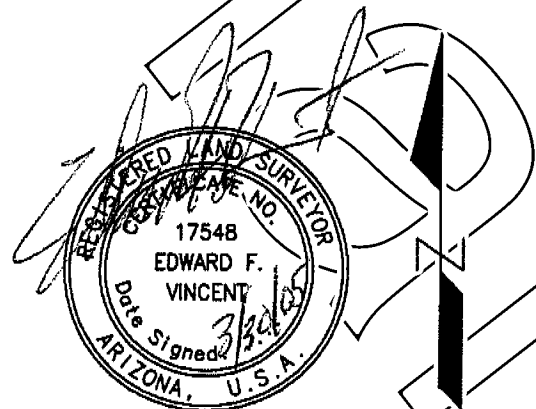
LINE TABLE		
LINE	LENGTH	BEARING
L1	23.57	S52°53'32"E
L2	110.38	S71°36'14"E
L3	34.41	S77°37'37"E
L4	130.00	S65°09'06"E
L5	95.32	S49°17'48"E
L6	95.31	S33°43'49"E
L7	31.60	S23°58'15"E
L8	273.46	S14°35'57"E
L9	65.61	S21°40'13"E
L10	191.11	S07°21'24"E
L11	191.08	S67°34'05"W
L12	24.04	N67°25'55"W
L13	60.00	S67°34'05"W
L14	24.04	S22°34'05"W
L15	164.14	S67°34'05"W
L16	23.53	N80°51'18"E
L17	60.00	N36°51'04"E
L18	24.04	N07°53'32"W
L19	233.94	N37°06'28"E



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