

WHEN RECORDED, RETURN TO:

Neil D. Biskind, Esq.  
Biskind Hunt, PLC  
11201 North Tatum Boulevard #330  
Phoenix, Arizona 85028

DATE/TIME: 10/18/07 1402  
FEE: \$16.00  
PAGES: 2  
FEE NUMBER: 2007-116932

01123068-003-Pl63

3 of 3

**SPECIAL WARRANTY DEED**

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned BEAZER HOMES HOLDINGS CORP., a Delaware corporation ("Grantor"), hereby grants to ACACIA CREDIT FUND 9-A L.L.C., a Delaware limited liability company ("Grantee"), whose address is 201 East Washington Street, Suite 1760, Phoenix, Arizona 85004 that certain real property situated in Pinal County, Arizona, described as follows (the "Lots"):

Lots 24 through 26, inclusive, 87 through 89, inclusive, 105 through 113, inclusive, 122 through 133, 395 and 411, of PALO BREA, according to Cabinet E of Maps, Slide 196, records of Pinal County, Arizona

EXCEPT all oil and gas as reserved in Patent from the United States of America.

TOGETHER WITH all improvements, easements, rights, liberties, privileges, hereditaments, remainders, rents, issues, profits and royalties therefrom in anywise belonging to Grantor, subject to the matters and rights noted herein.

SUBJECT TO: All general and special real property taxes and other assessments (including all subsequent assessments for prior years due to changes in the use or ownership, or both), reservations in patents, water rights, claims or titles to water and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, all documents establishing or relating to the master-planned community of which the Lots are a portion, any matter shown on the plat of the Lots referenced above, any matter arising in connection with any action of Grantee or its employees, contractors, agents, or representatives, any other matter not caused by the act or authorization of Grantor, and any matter that would be disclosed by an inspection or an accurate ALTA/ACSM survey of the Lots.

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

EXECUTED this 16<sup>th</sup> day of October, 2007.

BEAZER HOMES HOLDINGS CORP., a Delaware corporation

By: James E. Beck  
Name: JAMES E. BECK  
Title: Division President

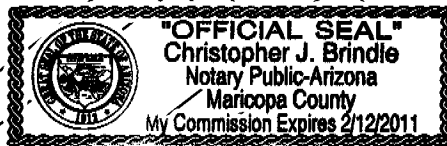
STATE OF ARIZONA )  
County of Maricopa ) ss.

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of October, 2007, by James Beck, the Division President of BEAZER HOMES HOLDINGS CORP., a Delaware corporation, for and on behalf thereof.

Christopher J. Brindle  
Notary Public

My commission expires:

2/12/2011



# AFFIDAVIT OF PROPERTY VALUE

**1. ASSESSOR'S PARCEL NUMBER(S) (primary parcel number):**

Primary Parcel: 512-10-024  
 BOOK MAP PARCEL SPLIT LETTER

Does this sale include any parcels that are being split / divided?

Check one: Yes  No

How many parcels, other than the Primary Parcel, are included in this sale? 28

Please list the additional parcels below (no more than four):

- (1) 512-10-025 (3) 512-10-087  
 (2) 512-10-026 (4) 512-10-088

COUNTY OF RECORDATION: **PINAL**  
 FEE NO: **2007-116932**  
 RECORD DATE: **10/18/07**

**Valuation Codes:**

(e) ASSESSOR: \_\_\_\_\_ (f) DOR: \_\_\_\_\_

**ASSESSOR'S USE ONLY**

Verify Primary Parcel in Item 1: \_\_\_\_\_

Use Code: \_\_\_\_\_ Full Cash Value: \$ \_\_\_\_\_

**2. SELLER'S NAME AND ADDRESS:**

Beazer Homes Holdings Corp.  
1621 W. Rio Salado Parkway, Suite 103  
Tempe, AZ 85281

**3. (a) BUYER'S NAME AND ADDRESS:**

Acacia Credit Fund 9-A L.L.C.  
201 E. Washington Street, Suite 1760  
Phoenix, AZ 85004

(b) Are the Buyer and Seller related: Yes \_\_\_\_\_ No   
 If yes, state relationship: \_\_\_\_\_

**4. ADDRESS OF PROPERTY:**

Palo Brea - Lots 24-26, 87-89, 105-113, 122-133, 395 & 411  
, AZ

**5. MAIL TAX BILL TO:**

Acacia Credit Fund 9-A L.L.C.  
201 E. Washington Street, Suite 1760  
Tempe, AZ 85281

**6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box**

- a  Vacant Land f  Commercial or Industrial Use  
 b  Single Family Residence g  Agricultural  
 c  Condo or Townhouse h  Mobile or Manufactured Home  
 d  2-4 Plex i  Other Use, Specify:  
 e  Apartment Building

**7. RESIDENTIAL BUYER'S USE:** If you checked **b, c, d,** or **h** in Item 6 above, please check **one** of the following:

To be occupied by owner or "family member."  
 To be rented to someone other than "family member."

See reverse side for definition of a "family member."

**8. NUMBER OF UNITS:** \_\_\_\_\_

For Apartment Properties, Motels, Hotels, Mobile Home Parks, RV Parks, Mini-Storage Properties, etc.

**10. TYPE OF DEED OR INSTRUMENT (Check Only One Box):**

- a  Warranty Deed d  Contract or Agreement  
 b  Special Warranty Deed e  Quit Claim Deed  
 c  Joint Tenancy Deed f  Other

**11. SALE PRICE:** 0.00 **00**

**12. DATE OF SALE (Numeric Digits):** 10/07  
 Month Year

(For example: 03 / 05 for March 2005)

**13. DOWN PAYMENT:** \$ 0.00 **00**

**14. METHOD OF FINANCING:**

- a  Cash (**100% of Sale Price**)  
 b  Exchange or trade  
 c  Assumption of existing loan(s)  
 d  Seller Loan (Carryback)  
 e  New loan(s) from Financial institution:  
 (1)  Conventional  
 (2)  VA  
 (3)  FHA  
 f  Other financing; Specify:

**15. PERSONAL PROPERTY (see reverse side for definition):**

(a) Did the Sale Price in Item # 11 include Personal Property that Impacted the Sale Price by 5% or more? Yes \_\_\_\_\_ No

(b) If Yes, provide the dollar amount of the Personal Property:

\$ 0.00 **00** AND

briefly describe the Personal Property:

**16. PARTIAL INTEREST:** If only a partial ownership interest is

being sold, briefly describe the partial interest:

**17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone):**

First American Title Insurance Company National Commercial  
2425 E. Camelback Road, Suite 300  
Phoenix, AZ 85016

NCS-122423A-1-PHX1 (jls) / Phone (602)567-8100

**18. LEGAL DESCRIPTION (attach copy if necessary):**

See Exhibit "A" Attached

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller/Agent: [Signature]

State of Arizona, County of Maricopa

Subscribed and sworn to before me on this 18 day of October, 2007

Notary Public: [Signature]

Notary Expiration Date: June 19, 2011

Signature of Buyer/Agent: \_\_\_\_\_

State of \_\_\_\_\_, County of \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public: \_\_\_\_\_

Notary Expiration: \_\_\_\_\_

Reproduction by First American Title Insurance 05/2003



Signature Block  
Affidavit of Property Value  
Palo Brea

EXECUTED this 15th day of October, 2007.

ACACIA CREDIT FUND 9-A L.L.C., a Delaware limited liability company

By: Fund 9-A Management Company L.L.C., a Delaware limited liability company its Managing Member

By: Acacia Capital Corporation, a California corporation, its Managing Member

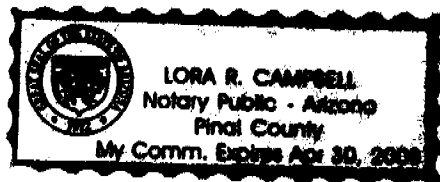
By: Steven S. Benson  
Steven S. Benson  
Executive Vice President

STATE OF ARIZONA

COUNTY OF PINAL )  
) ss.

On October 15, 2007, before me, Lora R. Campbell, Notary Public, personally appeared Steven S. Benson, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed this instrument.

WITNESS my hand and official seal.



Lora R. Campbell  
Notary Public

Commission Expires: April 30, 2008

EXHIBIT "A"

**LEGAL DESCRIPTION OF BUILDER EXCHANGE LOTS**

Lots 24 through 26, inclusive, 87 through 89, inclusive, 105 through 113, inclusive, 122 through 133, 395 and 411, of PALO BREA, according to Cabinet E of Maps, Slide 196, records of Pinal County, Arizona

WORLDWIDE