



**WHEN RECORDED RETURN TO:**

D.R. Horton, Inc.  
20410 North 19<sup>th</sup> Avenue, Ste. 100  
Phoenix, AZ 85027  
Attn: Legal Department

DATE/TIME: 04/02/2013 0903

FEE: \$9.00

PAGES: 5

FEE NUMBER: 2013-026581



Exempt from Affidavit of Value requirements pursuant to A.R.S. § 11-1134(B)(7)(b)

**WARRANTY DEED**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CHI CONSTRUCTION COMPANY**, an Arizona corporation ("**Grantor**"), does hereby convey to **D.R. HORTON, INC.**, a Delaware corporation ("**Grantee**"), the real property located in Pinal County, Arizona and described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

SUBJECT TO only those matters listed on Exhibit B attached hereto.

Grantor hereby binds itself and its successors to warrant and defend the title as against all persons whomsoever, subject only to the matters above set forth.

DATED as of the 1<sup>st</sup> day of April, 2013.

**GRANTOR:**

CHI CONSTRUCTION COMPANY,  
an Arizona corporation

By: \_\_\_\_\_

Frank T. Davis, its Vice President

STATE OF ARIZONA            )  
  ) ss.  
County of Maricopa         )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of April, 2013, by Frank T. Davis, the Vice President of CHI Construction Company, an Arizona corporation, on behalf thereof.



W Van Aardt  
Notary Public

## EXHIBIT A

A PORTION OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 27, TOWNSHIP 5 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA;

THENCE SOUTH 01 DEGREES 37 MINUTES 17 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27; A DISTANCE OF 2,238.25 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COPPER MINE ROAD.

THENCE SOUTH 89 DEGREES 20 MINUTES 39 SECONDS WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 1074.84 FEET TO A POINT OF CURVATURE TO THE RIGHT WITH A RADIUS OF 760.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT AND THE SAID NORTH RIGHT-OF-WAY LINE A LENGTH OF 596.22 FEET WITH A CHORD BEARING OF NORTH 68 DEGREES 10 MINUTES 53 SECONDS WEST A DISTANCE OF 581.05 FEET TO A TANGENT LINE;

THENCE NORTH 45 DEGREES 42 MINUTES 25 SECONDS WEST, ALONG THE SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 345.44 FEET TO A POINT OF CURVATURE TO THE LEFT WITH A RADIUS OF 2040.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT AND THE SAID NORTH RIGHT-OF-WAY LINE A LENGTH OF 1243.17 FEET, WITH A CHORD BEARING OF NORTH 63 DEGREES 09 MINUTES 54 SECONDS WEST A DISTANCE OF 1224.02 FEET TO A TANGENT LINE;

THENCE NORTH 80 DEGREES 37 MINUTES 22 SECONDS WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 123.69 FEET TO A POINT OF CURVATURE TO THE RIGHT WITH A RADIUS OF 25.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT AND THE SAID NORTH RIGHT-OF-WAY LINE A LENGTH OF 39.27 FEET, WITH A CHORD BEARING NORTH 35 DEGREES 37 MINUTES 22 SECONDS WEST A DISTANCE OF 39.27 FEET TO A POINT OF CURVATURE TO THE LEFT WITH A RADIUS OF 1540.00 FEET AND THE EAST RIGHT-OF-WAY LINE OF PROSPECTOR LANE;

THENCE NORTH 09 DEGREES 22 MINUTES 38 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 148.75 FEET TO A POINT OF CURVATURE TO THE LEFT WITH A RADIUS OF 1540.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT AND THE SAID EAST RIGHT-OF-WAY LINE A LENGTH OF 1070.95 FEET, WITH A CHORD BEARING NORTH 10 DEGREES 32 MINUTES 43 SECONDS WEST A DISTANCE OF 1049.50 FEET TO A POINT OF CURVATURE TO THE RIGHT WITH A RADIUS OF 25.00 FEET;

THENCE NORTH 30 DEGREES 28 MINUTES 03 SECONDS WEST, ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 94.29 FEET TO A POINT OF CURVATURE TO THE RIGHT WITH A RADIUS OF 25.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT AND THE SAID EAST RIGHT-OF-WAY LINE A LENGTH OF 39.27 FEET, WITH A CHORD BEARING NORTH 30 DEGREES 28 MINUTES 03 SECONDS WEST A DISTANCE OF 35.36 FEET TO A TANGENT LINE AND THE SOUTH RIGHT-OF-WAY LINE OF MAIN STREET;

THENCE NORTH 30 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 80.00 FEET TO THE SOUTH LINE OF THE VILLAGE AT COPPER BASIN 5A;

THENCE NORTH 59 DEGREES 31 MINUTES 57 SECONDS EAST, ALONG THE SAID SOUTH LINE, A DISTANCE OF 121.37 FEET TO A POINT OF CURVATURE TO THE RIGHT WITH A RADIUS OF 1540.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT AND THE SAID SOUTH LINE A LENGTH OF 444.85 FEET, WITH A CHORD BEARING NORTH 67 DEGREES 48 MINUTES 29 SECONDS EAST A DISTANCE OF 443.31 FEET;

THENCE NORTH 13 DEGREES 55 MINUTES 00 SECONDS WEST, A DISTANCE OF 15.00 FEET TO THE EAST LINE OF THE VILLAGE AT COPPER BASIN 5A;

THENCE NORTH 15 DEGREES 29 MINUTES 49 SECONDS WEST, ALONG THE SAID EAST LINE A DISTANCE OF 898.86 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SECTION 27;

THENCE NORTH 89 DEGREES 30 MINUTES 11 SECONDS EAST, ALONG THE SAID NORTH LINE, A DISTANCE OF 1339.60 FEET;

THENCE NORTH 00 DEGREES 38 MINUTES 51 SECONDS WEST, A DISTANCE OF 333.74 FEET;

THENCE NORTH 89 DEGREES 29 MINUTES 16 SECONDS EAST, A DISTANCE OF 671.70 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE SOUTH 38 DEGREES 59 MINUTES 29 SECONDS EAST, ALONG THE SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1573.32 FEET, SAID POINT BEING ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 27;

THENCE SOUTH 01 DEGREES 37 MINUTES 05 SECONDS EAST ALONG THE SAID EAST LINE, A DISTANCE OF 410.35 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM ALL MINERAL SUBSTANCES AND ASSOCIATED RIGHTS AS DESCRIBED AND CONVEYED IN THAT CERTAIN INSTRUMENT RECORDED AS DOCUMENT NO. 2007-036588, WHEREIN SAID MINERAL SUBSTANCES WERE CONVEYED TO DRH ENERGY INC., A COLORADO CORPORATION.

## EXHIBIT B

### Permitted Exceptions

1. Water rights, claims, or title to water, whether or not shown by the public records.
2. Reservations, exceptions, and provisions contained in the Patent issued on said land.
3. The right to prospect for, mine, and remove all the coal and other minerals, as reserved in the Patent.
4. Taxes for the second half year 2012 and taxes for the year 2013, a lien not yet due and payable.
5. Liabilities and obligations imposed upon said land by reason of inclusion within the following named districts:
  - Electrical District #6
  - Central Arizona Water Conservation District
  - Pinal County Flood Control District
  - New Magma Irrigation District
  - Phoenix Active Management Area Groundwater Recovery District
6. Liabilities and obligations imposed upon said land by reason of inclusion within The Village at Copper Basin Community Association
7. An Agreement for Project Water Service Pertaining to the use, maintenance and operation of well sites dated April 18, 1986 and recorded January 5, 1987 in Docket 1412, page 923, by and between New Magma Irrigation and Drainage District Irrigation and Drainage District and Ellsworth Land and Livestock, Inc.
8. Roadway as dedicated on that certain Map of Dedication of Prospector Lane at Copper Basin recorded at Fee No. 10-022609.
9. Development Agreement for Copper Basin Planned Community, dated July 11, 2000 and recorded July 20, 2000 at Fee No. 00-30138.
10. Ordinance No. 122000-BS, by the Board of Supervisors, Pinal County, Arizona, relating to residential fireplace restrictions, recorded January 5, 2001 at Fee No. 01-756 and thereafter revised at Fee No. 08-1862.

11. All matters contained in instrument(s) setting forth covenants, conditions, restrictions, liabilities, obligations, and easements, but omitting any covenants or restrictions, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons;

Recorded at: Fee No. 02-62825, First Amendment recorded at Fee No. 02-65044, Second Amendment recorded at Fee No. 03-10043, Third Amendment recorded at Fee No. 04-22370, Fourth Amendment recorded at Fee No. 04-34245, Notice recorded at Fee No. 06-151629, Assignment of Declarant's Rights recorded at Fee No. 09-76578.

12. Easement Agreement by and between SHR Sales Company, LLC, an Arizona limited liability company, CHI Construction company, an Arizona corporation and Salt River Project Agricultural Improvement and Power District recorded July 22, 2005 in Fee No. 05-90545.

13. Limited right of entry and other matters set forth in Mineral Deed and Reservation of Surface Rights recorded as Document no. 07-036588. (affects portion designated as proposed Village at Copper Basin Unit 5B)

14. Easements and rights incident thereto as set forth in an instrument;  
Recorded at: Fee No. 07-108250  
Purpose: electrical

15. Matters set forth in Option Agreement dated May 7, 2008 as evidenced by Memorandum of Option recorded May 8, 2008 in Fee No. 08-43617, by and between Continental Homes, Inc., a Delaware corporation, doing business as D.R. Horton-Continental Series, and CHI Construction Company, an Arizona corporation. (affects portion designated as proposed Village at Copper Basin Unit 5B)

16. Matters set forth in Agreement Among New magma Irrigation & Drainage District and CHI Construction Company Providing for the Partial Relinquishment of Water Service, dated June 5, 2008 and recorded July-11, 2008 in Fee No. 08-65411. (affects portion designated as proposed Village at Copper Basin Unit 5B)

17. Matters set forth in that certain Master Utility Agreement for Water and Wastewater Facilities, dated March 10, 2002, by and between Johnson Utilities, LLC and SHR Sales, LLC, as disclosed by Memorandum recorded at Fee No. 10-080567.