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WHEN RECORDED RETURN TO:

Nancy M. Dregne, Esq.  
1441 North 12th Street  
Phoenix, AZ 85006

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SPECIAL WARRANTY DEED

For the consideration of TEN DOLLARS and other valuable consideration, Banner Health System, a North Dakota nonprofit corporation (formerly known as Discovery Health System) (Grantor), conveys to New Way Learning Academy, an Arizona nonprofit corporation (formerly known as New Way School) (Grantee), the following described real property situated in Maricopa County, Arizona together with all rights and privileges appurtenant thereto:

See the legal description set forth in Exhibit "A" attached and incorporated herein by this reference (the "Property") together with all rights and privileges appurtenant thereto in anywise belonging.

Subject to those matters attached on Exhibit B hereto.

Grantor warrants the title to the Property against all acts of the Grantor and no other subject to the matters set forth above.

Dated this 22nd day of September, 1999.

Banner Health System, a  
North Dakota corporation

By: James C. Crews  
James C. Crews  
Its: President and Chief Executive Officer,  
Banner Health Arizona

NOTARY CERTIFICATION

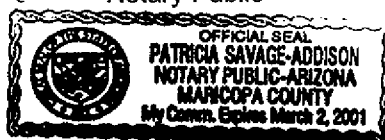
STATE OF ARIZONA }  
COUNTY OF MARICOPA }

The foregoing instrument was acknowledged before me this 22nd day of September, 1999, by James C. Crews, the President and Chief Executive Officer of Banner Health Arizona a division of Banner Health System, a North Dakota nonprofit corporation, for and on behalf of said corporation.

My Commission Expires:

March 2, 2001

Patricia Savage-Addison  
Notary Public



**EXHIBIT A**

Order Number: 242478

**LEGAL DESCRIPTION**

Lot s V and W, Vista Del Camino III, according to Book 179 of Maps, Page 32, records of Maricopa County, Arizona

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## Transnation Title Insurance Company

## COMMITMENT

## Schedule B - II

Order No.: 242478

Schedule B of the policy to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
1. RESERVATIONS contained in the Patent from the United States of America, reading 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 the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and any other reservation as set forth in the Statutes under which said Patent was issued.
2. RESTRICTIONS, CONDITIONS and REGULATIONS governing use of groundwater by reason of the inclusion of said land within Phoenix Active Management Area, pursuant to A.R.S. 45-101 et seq.
3. THE LIABILITIES, OBLIGATIONS AND BURDENS imposed upon said land by reason of inclusion within the Salt River Project Agricultural Improvement and Power District and Agricultural Improvement Districts.
4. WATER RIGHTS, claims or title to water, and agreements, covenants, conditions or rights incident thereto, whether or not shown by the public records.  
 This exception is not limited by reason of the disclosure of any matter relating to Water Rights as may be set forth elsewhere in Schedule B.
5. TAXES AND ASSESSMENTS collectible by the County Treasurer not yet due and payable for the year 1999.
6. Matters as set forth in Urban Renewal Plan as set forth in Docket 10526, page 763; Docket 11160, page 655 and in Docket 11230, page 553.

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7. EASEMENTS, restrictions, reservations and conditions as set forth on the recorded plat of said subdivision.
8. RESTRICTIONS, CONDITIONS, COVENANTS, RESERVATIONS, including but not limited to any recitals creating easements, liabilities, obligations or party walls, omitting, if any, from the above, any restrictions based on race, color, religion, sex, handicap, familial status or national origin contained in instrument recorded in Docket 11289, page 651 and in Docket 11289, page 660 and in Document No. 83-80481.
9. EASEMENT for underground paver and rights incident thereto, as set forth in instrument recorded in Document No. 92-356756.
10. EASEMENT for underground power and rights incident thereto, as set forth in instrument recorded in Document No. 94-643886.
11. RIGHTS OF LESSEES under unrecorded leases.

END OF SCHEDULE B, PART II

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