



**Lawyers Title Agency of Arizona, LLC**

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Tucson, AZ 85710  
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Quail Creek Community Facilities District  
725 W. Via Rancho Sahuarita  
Sahuarita, AZ 85629

Order No. 06143886  
Date: November 19, 2007

All of us at **Lawyers Title Agency of Arizona, L.L.C.** sincerely appreciate the privilege of having served you in this transaction.

Your policy of title insurance is an important record. It provides you with valuable protection of your interest in real property.

Please specify **Lawyers Title Agency of Arizona, L.L.C.** for your future title insurance needs. We believe that the unique feature which distinguishes our service organization from another, particularly in our field, is the skill and experience of our personnel. Our people pride themselves in offering you the finest, most up to date service and personal assistance available in the title industry.

Specifying **Lawyers Title Agency of Arizona, L.L.C.** may also provide a discount on your next title insurance policy.

Thank you.

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## PRIVACY POLICY NOTICE

Dear LandAmerica Customer:

The Financial Services Modernization Act recently enacted by Congress has brought many changes to the financial services industry, which includes insurance companies and their agents. One of the changes is that we are now required to explain to our customers the ways in which we collect and use customer information.

The statement attached to or on the reverse side of this letter is the privacy policy of the LandAmerica family of companies. The three largest members of the family – Commonwealth Land Title Insurance Company, Lawyers Title Insurance Corporation, and Transnation Title Insurance Company – may issue policies and handle real estate closings in virtually every part of the country. A number of other companies in the family provide other real estate services, and some operate more locally. You may review a list of LandAmerica companies on our website ([www.landam.com](http://www.landam.com)). You may also visit our website for an explanation of our privacy practices relating to electronic communication.

Our concern with the protection of your information has been a part of our business since 1876, when the company that is now Commonwealth Land Title Insurance Company issued its first policy. We will continue to protect the privacy, accuracy, and security of customer information given to us.

No response to this notice is required, but if you have questions, please write to us:

LandAmerica Privacy  
P.O. Box 27567  
Richmond, VA 23261-7567.

### LandAmerica Companies

**Title Insurance Companies:** Commonwealth Land Title Insurance Company, Commonwealth Land Title Insurance Company of New Jersey, Industrial Valley Title Insurance Company, Land Title Insurance Company, Lawyers Title Insurance Corporation, Title Insurance Company of America, Transnation Title Insurance Company, Transnation Title Insurance Company of New York

**Relocation and Mortgages:** Commonwealth Relocation Services, CRS Financial Services, Inc., LandAmerica Account Servicing, Inc.

**Title Agents:** Austin Title Company, ATACO, Inc., Albuquerque Title Company, Atlantic Title & Abstract Company, Brighton Title Services Company, Capitol City Title Services, Inc., CFS Title Insurance Agency, Charleston Title Agency; Charter Title Company of Fort Bend, Galveston, and Sugarland; Commercial Settlements, Inc., Commonwealth Land Title Company; Commonwealth Land Title Company of Austin, Dallas, Fort Worth, Houston, Washington, Congress Abstract Corp., Cornerstone Residential Title, Cumberland Title Company, First Title & Escrow, Inc., Gulf Atlantic, Harbour Title, HL Title Agency, Lawyers Title Company; Lawyers Title of Arizona, El Paso, Galveston, Nevada, Pueblo, San Antonio, Lawyers Title Settlement Company, Lion Abstract, Longworth Insured, Louisville Title Agency of Central Ohio, Lorain County Title Company, M/I Title Agency, NIA/ Lawyers Title Agency, Oregon Title, Park Title, Partners Title Company, Pikes Peak Title Services, RE/Affirm Title Agency, Rainier Title Company, Residential Abstract, Residential Title, Rio Rancho Title, Texas Title Company, Title Transfer Service, Inc., TransOhio Residential Title Agency, Transnation Title & Escrow, Union Title Agency, University Title Services, Wilson Title Company

**Appraisals and Ancillary Services:** LandAmerica OneStop, Inc.

## LANDAMERICA PRIVACY POLICY

*What kinds of information we collect.* Most of LandAmerica's business is title insurance, but there are companies in our family that provide other real estate services to consumers. We collect information about you, (for instance, your name, address, telephone number), and information about your transaction, including the identity of the real property that you are buying or financing. We obtain a copy of any deeds, notes, or mortgages that are involved in the transaction. We may get this information from you or from the lender, attorney, or real estate broker that you have chosen. Our title insurance companies then obtain information from the public records about the property so that we can prepare a title insurance policy. When we provide closing, escrow, or settlement services, mortgage lending, or mortgage loan servicing, we may get your social security number, and we may receive additional information from third parties including appraisals, credit reports, land surveys, escrow account balances, and sometimes bank account numbers to facilitate the transaction. If you are concerned about the information we have collected, please write to us.

*How we use this information.* The company giving or specifically adopting this notice does not share your information with marketers outside its own family. There's no need to tell us to keep your information to ourselves because we share your information only to provide the service requested by you or your lender, or in other ways permitted by law. The privacy laws permit some sharing without your approval. We may share internally and with nonaffiliated third parties in order to carry out and service your transaction, to protect against fraud or unauthorized transactions, for institutional risk control, and to provide information to government and law enforcement agencies. Companies within a family may share certain information among themselves in order to identify and market their own products that they think may be useful to you. Credit information about you is shared only to facilitate your transaction or for some other purpose permitted by law.

*How we protect your information.* We restrict access to nonpublic personal information about you to those employees who need the information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with law to guard your nonpublic personal information. We reinforce the company's privacy policy with our employees.

*Agents that may be covered by this policy.* Often, your transaction goes through a title insurance agent. Agents that are part of the LandAmerica family are covered by this policy. **Agents that are not part of the LandAmerica family may specifically, in writing, adopt our policy statement.**

**POLICY OF TITLE INSURANCE**  
Issued by  
**Lawyers Title Insurance Corporation**  
**SCHEDULE A**

Amount of Insurance: **\$600,000.00**

Policy No.: **A75-2883670**

Date of Policy: **June 29, 2007 at 20071261220**

Order Number: **06143886**

Name of Insured:

**Quail Creek Community Facilities District, an Arizona Special Taxing District**

1. The estate or interest referred to herein is at Date of Policy vested in:  
**Quail Creek Community Facilities District, an Arizona Special Taxing District**
2. The estate or interest in the described herein and which is covered by this policy:  
**A FEE**
3. The land referred to in this policy, is situated in the County of Pima, State of ARIZONA, and is identified as more particularly described in Exhibit "A" attached hereto and made a part hereof.

Countersigned:



BY: \_\_\_\_\_  
Authorized Officer or Agent

**EXHIBIT "A"**

**A parcel of land located in the Northeast Quarter of Section 1 Township 18 South, Range 13 East, of the Gila and Salt River Meridian, Pima County Arizona, more particularly described as follows;**

**Commencing at the Northeast Corner of said Section 1, a found aluminum cap and rebar,**

**Thence Westerly along the North line of the Northeast Quarter of said Section 1, South 88 degrees 35 minutes 10 seconds West 881.90 feet to the TRUE POINT OF BEGINNING;**

**Thence South 01 degrees 24 minutes 50 seconds East, a distance of 156.37 feet;**

**Thence South 69 degrees 15 minutes 37 seconds East, a distance of 223.34 feet to the Westerly line of the Old Nogales Highway;**

**Thence along said Westerly line South 20 degrees 44 minutes 23 seconds West, a distance of 1184.67 to the beginning of a tangent curve, concave Northwesterly, having a radius of 25.00 feet;**

**Thence Southwesterly along said curve, through a central angle of 90 degrees 00 minutes 00 seconds , an arc distance of 39.27 feet;**

**Thence North 69 degrees 15 minutes 37 seconds West, a distance of 584.87 feet to the beginning of a tangent curve, concave Southerly, having a radius of 1645.00 feet;**

**Thence Westerly along said curve, through a central angle of 9 degrees 35 minutes 31 seconds, an arc distance of 275.39 feet;**

**Thence North 20 degrees 44 minutes 23 seconds East, a distance of 1132.53 feet to the North line of said Section 1;**

**Thence along said North line North 88 degrees 35 minutes 10 seconds East, a distance of 649.63 feet to the TRUE POINT OF BEGINNING.**

**SCHEDULE B****EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage, nor against costs, attorneys fees or expenses, any or all of which arise by reason of the following:

**Part I**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
  
Proceedings by a public agency which may result in taxes or assessments, or notices or such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, and agreements, covenants, conditions or rights incident thereto, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**END OF SCHEDULE B – PART I**

**SCHEDULE B**  
**Part II**

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE BY REASON OF THE FOLLOWING:

1. RESERVATIONS contained in the Patent from the United States of America, recorded in Book 31 of Deeds, Page 124 (affects the Northwest quarter) and Book 103 of Deeds at page 15 (affects the Southwest quarter), 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States of America.

2. RESERVATIONS contained in the Patent from the United States of America, recorded in Book 56 of Deeds, Page 331 (affects Lots 1 and 2; the South half of the Northeast quarter and the Southeast quarter), 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States of America.

3. TAXES AND ASSESSMENTS collectible by the County Treasurer, a lien not yet due and payable for the following year:

2007

4. WATER RIGHTS and possible easements for delivery of water disclosed by Certificate of Water Right:

Recorded in Docket	8654
Page	1404
And in Docket	10841
Page	1116

**SCHEDULE B – PART II  
(CONTINUED)**

5. 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 6179  
Page 719  
Re-recorded in Docket 6223 at page 671

Disclosure of Successor Party  
Recorded in Docket 7496  
Page 864  
Recorded in Docket 7753  
Page 897

Recorded in Docket 7956  
Page 984  
Re-Recorded in Docket 7993 at page 534  
Re-Recorded in Docket 8208 at page 1540

Assignment Recorded in Docket 8496  
Page 560

Recorded in Docket 8163  
Page 2286

Recorded in Docket 8438  
Page 1803 and 1853  
Assignment of Declarants Rights  
Recorded in Docket 8764  
Page 2055

6. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Book 103 of Deeds  
Page 629  
Purpose highway purposes

7. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Book 37 of Miscellaneous Records  
Page 337  
Purpose electric facilities and communication facilities

8. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket 58 of Miscellaneous Records  
Page 362  
Purpose electric facilities and communication facilities

9. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket 58 of Miscellaneous Records  
Page 363  
Purpose electric facilities and communication facilities



**SCHEDULE B – PART II  
(CONTINUED)**

10. EASEMENT and rights incident thereto, as set forth in instrument:
- |                  |                             |
|------------------|-----------------------------|
| Recorded in Book | 61 of Miscellaneous Records |
| Page             | 264                         |
| Purpose          | highway purposes            |
11. EASEMENT and rights incident thereto, as set forth in instrument:
- |                  |  |
|------------------|--|
| Recorded in Book | 69 of Miscellaneous Records                      |
| Page             | 509  |
| Purpose          | electric facilities and communication facilities |
12. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 567                 |
| Page               | 206                 |
| Purpose            | electric facilities |
13. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 2283                |
| Page               | 382                 |
| Purpose            | electric facilities |
14. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |  |
|--------------------|--|
| Recorded in Docket | 2413                                   |
| Page               | 94                                     |
| Purpose            | sewer lines and appurtenant facilities |
15. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                                     |
|--------------------|-------------------------------------|
| Recorded in Docket | 2499                                |
| Page               | 100                                 |
| Purpose            | gas lines and associated facilities |
16. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 2677                |
| Page               | 107                 |
| Purpose            | electric facilities |
17. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |              |
|--------------------|--------------|
| Recorded in Docket | 5100         |
| Page               | 74           |
| Purpose            | drainage way |
18. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 5845                |
| Page               | 938                 |
| Purpose            | electric facilities |

**SCHEDULE B – PART II  
(CONTINUED)**

19. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                          |
|--------------------|--------------------------|
| Recorded in Docket | 5854                     |
| Page               | 719                      |
| Purpose            | road way and sewer lines |
20. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                          |
|--------------------|--------------------------|
| Recorded in Docket | 6542                     |
| Page               | 1033                     |
| Purpose            | communication facilities |
21. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                            |
|--------------------|----------------------------|
| Recorded in Docket | 6621                       |
| Page               | 770                        |
| Purpose            | sewer and water facilities |
22. EASEMENT and rights incident thereto, as set forth in instrument:
- |  |   |
|--|---|
| Recorded in Docket                     | 7956  |
| Page                                   | 996   |
| Re-recorded in Docket 7993 at page 547 |   |
| Purpose                                | flowage and drainage (set out as Items 3 and 8 of Exhibit D of said document) |
23. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                          |
|--------------------|--------------------------|
| Recorded in Docket | 8221                     |
| Page               | 1497                     |
| Purpose            | communication facilities |
24. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                                       |
|--------------------|---------------------------------------|
| Recorded in Docket | 8626                                  |
| Page               | 1345                                  |
| Purpose            | sewer lines and associated facilities |
25. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                                       |
|--------------------|---------------------------------------|
| Recorded in Docket | 8635                                  |
| Page               | 1785                                  |
| Purpose            | sewer lines and associated facilities |
26. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |          |
|--------------------|----------|
| Recorded in Docket | 8783     |
| Page               | 138      |
| Purpose            | drainage |
27. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |              |
|--------------------|--------------|
| Recorded in Docket | 9510         |
| Page               | 3970         |
| Purpose            | drainage way |

**SCHEDULE B – PART II  
(CONTINUED)**

28. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |   |
|--------------------|---|
| Recorded in Docket | 10073                                     |
| Page               | 431                                       |
| Purpose            | electric lines and appurtenant facilities |
29. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 11693               |
| Page               | 2103                |
| Purpose            | electric facilities |
30. EASEMENT and rights incident thereto, as set forth in instrument:
- |                    |                     |
|--------------------|---------------------|
| Recorded in Docket | 11733               |
| Page               | 2711                |
| Purpose            | electric facilities |
31. All terms, conditions, and matters set forth in Agreement disclosed by Instrument recorded in Docket 8764 at page 2085.
32. Terms and Conditions of SAHUARITA ORDINANCE NO. 1999-03, recorded June 2, 1999 in Docket 11059 at page 5.
33. AGREEMENT according to the terms and conditions contained therein:
- |         |                    |
|---------|--------------------|
| Purpose | Effluent agreement |
| Docket  | 11116              |
| Page    | 2699               |
34. The rights of the United States of America, the State of Arizona and/or the Public to any portion of the within property lying within the bed, or former bed, of the Santa Cruz River.
35. ANY ADVERSE claim to any portion of said land which has been created by artificial means or which is accretion, alluvion, dereliction, avulsion, reliction or exposed river bed with particular reference to that portion of the subject property lying within wash running through the central portion of captioned property.
36. Terms and Conditions of SAHUARITA ORDINANCE NO. 1999-03, recorded March 9, 2007 in Docket 13008 at page 4035.

**END OF SCHEDULE B – PART II**