



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYTTLE

WHEN RECORDED, RETURN TO:

First Amerian Title
Attn: Karen Krueger
8601 N. Scottsdale Rd., #135
Scottsdale, AZ 85253

DATE/TIME: 09/28/07 1551
FEE: \$16.00
PAGES: 3
FEE NUMBER: 2007-110235

NCS. 311465.PHX3

1/3

SPECIAL WARRANTY DEED

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Meritage Homes Construction, Inc., an Arizona corporation ("Grantor"), does hereby grant, sell, and convey unto EV II Fund Investors - Heartland, LLC, a Delaware limited liability company ("Grantee"), the following described real property located in Pinal County, Arizona:

See Exhibit "A" attached hereto and by this reference made a part hereof (the "Property"), together with all rights and appurtenances thereto.

SUBJECT TO: all general and special taxes and other assessments; reservations in patents, water rights, claims or title to water; all covenants, conditions, restrictions, servitudes, liens, reservations, easements, rights-of-way, declarations, encumbrances and other matters of record or to which reference is made in the public records; any and all matters that an accurate survey and/or physical inspection of the Property would reveal; zoning and other restrictions, reservations, prohibitions, regulations, and requirements imposed by governmental authorities; any matters created by or with the written consent of Grantee or arising as a result of work performed by or other activities of the Grantee regarding the Property; and any other matters not caused by the act or with the authorization of Grantor.

Notwithstanding any warranty that may be implied from the use of any word, phrase, or clause herein, Grantor does not warrant title to the Property other than to warrant and defend the title against all acts of Grantor and no other, except for the matters set forth above.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed this 28th day of September, 2007.

Meritage Homes Construction, Inc., an Arizona corporation

By 
Name: Liesel Cooper
Its: Regional President